****

**Submission to the Special Rapporteur on the**

**Rights of Indigenous Peoples**

**from Housing and Land Rights Network[[1]](#footnote-1)**

**Impact of COVID-19 on India’s Indigenous Peoples**

In response to the COVID-19 pandemic, India announced a sudden 21-day lockdown on 24 March, which was extended subsequently and lasted until 31 May 2020. The pandemic and the lockdown severely affected the livelihoods, health, and mobility of indigenous peoples in India, who are referred to as Adivasis (original inhabitants)/tribal people in parts of the country, or as Scheduled Tribes in the Constitution of India. Indigenous peoples in India also continued to face a threat to their rights to land and identity, as several incidents of forced eviction were reported during the lockdown.[[2]](#footnote-2)

The Ministry of Tribal Affairs, Government of India, announced some measures to provide relief to indigenous communities affected by the lockdown. These included distribution of ration (subsidized food grain) kits to tribal families, provision of masks, soaps, gloves, and Personal Protection Equipment (PPE), purchase of existing available stock of tribal products from tribal artisans, and providing working capital and liquidity for tribal artisans, among others.[[3]](#footnote-3) To support indigenous peoples and forest gatherers who are dependent on forest produce for sustenance and income, the government increased the Minimum Support Price (MSP) for 49 Minor Forest Produce items[[4]](#footnote-4) and also included 23 additional Minor Forest Produce items in the Minimum Support Price List.[[5]](#footnote-5) Despite these measures, the central government’s primary economic relief package to provide relief during the pandemic lacked any mention of tribal peoples/Adivasis.[[6]](#footnote-6)

Some states such as Chhattisgarh, Kerala, and Tamil Nadu, also announced specific relief measures for indigenous peoples, including the distribution of food and essential items, and the provision of financial assistance.[[7]](#footnote-7)

**Forced evictions and threat of displacement**

Housing and Land Rights Network has documented that a large percentage of indigenous/tribal peoples in India, live in extreme insecurity and fear of impending displacement. For instance, as a result of a Supreme Court order [W.P. (C) 109/2008] related to the eviction of forest-dwellers across India, over 9.5 million indigenous/tribal peoples and other forest-dwellers face the threat of eviction, which could result not only in the loss of their homes and habitats, but also of their livelihoods, cultures, customs, and way of life that has been in symbiosis with nature.

Several incidents of forced eviction of indigenous peoples were reported during the lockdown, many of which were carried out, presumably, to take advantage of the curfew-like conditions, when movement of affected persons was restricted and they did not have access to legal remedies. In most cases, due process, including provision of advance notice and alternative housing, was not followed, in violation of international human rights standards, including the United Nations (UN) Basic Principles and Guidelines on Development-based Evictions and Displacement. The provisions of The Scheduled Tribes and Other Traditional Forest Dwellers Act, 2006 (Forest Rights Act), protecting the land and forest rights of indigenous peoples, were also flouted and circumvented in many instances.

In April 2020, the Kalahandi forest department forcibly demolished the homes of 32 Adivasi/tribal families in Sagada village, Odisha without prior information. The affected persons, who belong to the Kondh tribe, were removed from their homes and harassed, while their belongings were destroyed. A local lawyer who was visiting the village to provide legal support to the evicted Adivasi families reportedly, was assaulted and illegally detained by forest officials. The villagers alleged that the evictions were carried out during the lockdown, as the affected persons would not be able to seek any help during this period to prevent the eviction.

Similarly, in Manipur’s Macheng Village, forest officials with the help of police, evicted three families belonging to the Rongmei Naga tribe in April 2020, on grounds that they were “encroaching” forestland. The families were evicted early in the morning and were not provided sufficient time to look for alternative housing or save their belongings. The demolition drive was met with widespread protest from the villagers who were dissipated by the police, reportedly, by the use of force involving tear gas and rubber bullets.

At least 20 Adivasis/tribals in Kevadiya Village, Gujarat were detained in May 2020, when they were protesting the construction of a fence around their villages, during the lockdown, for the ‘Statue of Unity’ (claimed to be the world’s tallest statue) project.[[8]](#footnote-8) The tourism development project threatens to displace over 5,000 people, including indigenous/tribal peoples, from the villages of Navagam, Waghariya, Limdi, Kothi, Gora, and Kevadiya.

In June 2020, two days after the fourth phase of India’s lockdown ended, forest officials in Siwal, Madhya Pradesh set fire to the house of an Adivasi family and threatened to destroy more homes in the area to prevent villagers from cultivating land.[[9]](#footnote-9) In July 2019, a similar incident had occurred in the village when forest officials attempted to vacate the “encroached” land by destroying standing crops, resulting in violence against the villagers. Experts claim that the action of the forest officials was in violation of the Forest Rights Act, under which no person can be evicted from their land while documents and claims are under observation.

In Madhya Pradesh, attempts to evict Adivasis of Bhilaikheda, reportedly, resulted in police brutality against them.

Moreover, at least 30 projects in forest areas were provided environmental clearances by the Indian government during the pandemic, which has increased the threat of displacement of indigenous peoples in India, even as COVID-19 cases continue to rise across the country.[[10]](#footnote-10) For example, over 20,000 families, mostly Adivasis/tribals, face the threat of displacement, as a result of commercial licenses given for coal mining in the states of Chhattisgarh, Jharkhand, and Odisha.[[11]](#footnote-11)

*Some important resources on the impact of COVID-19 on indigenous peoples in India:*

* Impact of Covid-19 Outbreak and Lockdown Measures on Tribal and Forest Dwellers (Preliminary Assessment Report)

<https://www.fra.org.in/document/COVID-19%20Assessment%20Report.pdf>

* COVID-19 and Forest Rights: The Impact of COVID-19 and the Lockdown on Adivasi and Forest Dwelling Communities:

<https://www.fra.org.in/document/ForestRightsAndCovid19%20Bulletin%20II.pdf>

* Adivasi and Forest Dwelling Women across India Face the Brunt of the Covid Pandemic: Voices From The Ground Part :

<https://www.behanbox.com/adivasi-and-forest-dwelling-women-across-india-face-the-brunt-of-the-covid-pandemic-voices-from-the-ground/>

* How the Lockdown has Hit Tribal Communities and Forest-dwellers

<https://thefederal.com/the-eighth-column/how-lockdown-has-hit-tribal-communities-and-forest-dwellers/>

1. Housing and Land Rights Network (HLRN), based in New Delhi, India works for the recognition, defence, promotion, and realization of the human rights to adequate housing and land. [www.hlrn.org.in](http://www.hlrn.org.in) [↑](#footnote-ref-1)
2. See, Press Release, ‘Over 13,500 People Forcibly Evicted in India During the COVID-19 Pandemic: Need for an Immediate Moratorium on Evictions,’ Housing and Land Rights Network, 17 June 2020. Available at: <https://www.hlrn.org.in/documents/Press_Release_Evictions_COVID19_June_2020.pdf> [↑](#footnote-ref-2)
3. Available at: <https://www.pib.gov.in/PressReleasePage.aspx?PRID=1620856> [↑](#footnote-ref-3)
4. Available at: <https://www.pib.gov.in/PressReleasePage.aspx?PRID=1620100> [↑](#footnote-ref-4)
5. Available at: <https://www.pib.gov.in/PressReleasePage.aspx?PRID=1627631> [↑](#footnote-ref-5)
6. See Press Release, ‘PM’s Atma-Nirbhar Bharat finds no mention of Adivasis despite persistent appeals by tribal groups, experts and opposition leaders,’ 13 May 2020. Available at:

   <https://www.indiaspend.com/wp-content/uploads/2020/05/Press-release-Covid-lockdown-impact-on-tribals-13-May.pdf> [↑](#footnote-ref-6)
7. See, ‘India’s COVID-19 Lockdown: Human Rights Assessment and Compilation of State Relief Measures,’ Housing and Land Rights Network, 5 May 2020. Available at: <https://hlrn.org.in/documents/HLRN_COVID19_State_Response_India.pdf> [↑](#footnote-ref-7)
8. ‘20 tribals detained for opposing fence around project land,’ *Outlook*, 27 May 2020. Available at: <https://www.outlookindia.com/newsscroll/20-tribals-detained-for-opposing-fence-around-project-land/1847678> [↑](#footnote-ref-8)
9. ‘MP Forest Official Burnt Down Mudhouse, Threatened to Burn More: Tribals of Burhanpur,’ *NewsClick*, 2 June 2020. Available at: <https://www.newsclick.in/Madhya-Pradesh-Forest-Official-Burn-Tribals-Mudhouse> [↑](#footnote-ref-9)
10. ‘During lockdown MOEFCC panels cleared or discussed 30 projects in biodiverse forests,’ *The Hindu*, 23 May 2020. Available at: <https://www.thehindu.com/sci-tech/energy-and-environment/during-lockdown-moefcc-panels-cleared-or-discussed-30-projects-in-biodiverse-forests/article31649606.ece> [↑](#footnote-ref-10)
11. ‘Tribals in 3 states against Centre’s decision to auction coal mines, say it would displace them,’ *Hindustan Times*, 26 June 2020. Available at: <https://www.hindustantimes.com/india-news/tribals-in-3-states-against-centre-s-decision-to-auction-coal-mines-say-it-would-displace-them/story-ZLV9t7RubQdO6iiYOUqTCM.html> [↑](#footnote-ref-11)