

Survival International Report to CERD



**Survival International is a NGO
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Survival 

Comments concerning the State Party's Report on India, with specific reference to the Jarawa tribe of the Andaman Islands, India

Survival International is extremely concerned by the failure of the Indian government to safeguard the future of the 300 nomadic Jarawa people of the Andaman Islands. While government policy and official attitudes towards the Jarawa at a high level have been transformed in recent years, racist attitudes prevail among many of those responsible for implementing policy on the ground. This results in a failure to uphold the Jarawa's rights, and could lead to the tribe being completely wiped out.

WHO ARE THE JARAWA?

The Jarawa are nomadic hunter-gatherers, and travel around the forests of the Andaman Islands in groups of 40 or 50. They build small, temporary huts whilst on the move, and also make larger, more permanent huts where several families live together. They collect honey, roots and berries, hunt pigs and monitor lizards, and catch fish with spears.

The Jarawa, along with the other Andaman tribes – the Sentinelese, the Onge and the Great Andamanese – were the sole inhabitants of the Andaman Islands until the British arrived in the mid-nineteenth century. They are thought to have lived there for around 60,000 years. The islands are now part of India, and are also home to several hundred thousand people who have migrated there from the Indian mainland. The Indian settlers vastly outnumber the tribal people. The tribes are racially distinct from the Indian settlers, being small in stature, with black skin and curly hair.

The Great Andamanese tribe was decimated by the British, and its numbers have fallen from 5,000 when the British arrived to only 53 today. Those who remain are dependent on government handouts, and plagued by alcoholism. The Onge have fallen in number from 600 to around 100, also living in government settlements. The Sentinelese live on their own island, and resist all contact with outsiders.

The Jarawa also resisted contact with outsiders until 1998, frequently shooting intruders in their forest with bows and arrows. Since 1998, perhaps due to the pressure on their land and resources from settlers, they have largely ceased this practice, and now have a degree of 'friendly' contact.

The Indian government established a reserve for the Jarawa in 1957. It is illegal for people other than the Jarawa to enter this area without special permission. However, starting in the 1970s the government built a highway, the Andaman Trunk Road, through the reserve, which brings the Jarawa into daily contact with outsiders.

WHAT THREATS DO THE JARAWA FACE?

Today, contact with settlers travelling on the Andaman Trunk Road, and with poachers entering the reserve from the road and from the coast, pose the principal threats to the Jarawa's survival, bringing exploitation, violence and disease. Local officials are often complicit in this abuse.

The Jarawa are also at risk from misguided government interventions, which can endanger their health, disrupt their way of life and take away their independence.

The Jarawa are extremely vulnerable to diseases which may be carried by people encroaching on their land. In 1999 and 2006 there were outbreaks of measles – a disease which has wiped out many tribal peoples worldwide.

Poachers are spending days at a time in the reserve, hunting the animals the Jarawa depend on, and persuading the Jarawa to hunt for them in return for alcohol, tobacco and rice. This introduction of addictive substances and foreign food risks inducing dependency on outsiders. There have also been incidents of sexual abuse of Jarawa women.

GOVERNMENT POLICY AND ACTION

There is a strong tendency among the Indian population on the Andaman Islands, dating from the days of British rule, to view the Jarawa and the other tribes of the islands as 'primitive', 'stone age' and 'backward'. This has often been reflected in government attitudes and policy. Indeed, the term 'primitive' is part of official Indian government vocabulary relating to tribal peoples, and 75 tribes across the country are considered as 'Primitive Tribal Groups'. Among the characteristics that lead to a tribe being classified as 'primitive' are 'primarily belonging to the hunting and gathering stage' and 'extreme backwardness'. Although a new draft National Tribal Policy proposes that the name primitive be abandoned because of its derogatory overtones, the underlying attitude towards tribal peoples hasn't changed. The new proposal to change the name to 'Particularly Vulnerable Tribal Groups' still defines them as 'even more backward than others'. There is no doubt that these attitudes reflect the view of the Jarawa held by many of those who impact upon their lives.

Concurrently, there is a strong tendency to view the tribes of the Andaman Islands as being in need of 'upliftment' and 'civilisation', and to view it as the duty of the local administration to induce them to 'join the mainstream', i.e. to abandon their land and their way of life and to live like the Indian settlers. This conception of a tribal way of life as inferior, outdated and invalid is profoundly racist, and extremely dangerous to tribal peoples.

In 1990 the Andaman and Nicobar Islands administration announced that it planned to forcibly settle the nomadic Jarawa in villages. This would have been disastrous, and may have wiped them out completely. Fortunately, the plan was not carried out, and at the end of the 1990s the administration began a rethink of its policy. Its practice, however, is proving very slow to change.

In December 2004, the administration announced a new 'Jarawa Policy', which recognised the rights of Jarawa to make their own decisions about their lives, and to develop in the direction of their own choosing, at their own pace. The stated intention was to allow the Jarawa maximum autonomy, and to intervene only minimally in their lives.

The policy recognised the need for any personnel interacting with the Jarawa to be sensitive and highly trained, and for local people in the villages surrounding the Jarawa reserve to be educated about the Jarawa's rights. It recognised that medical intervention for the Jarawa should be sensitive and appropriate, and recognised the need to patrol the Jarawa reserve and to prevent poaching and other encroachment.

The policy also stated that no attempts would be made to bring the Jarawa into 'mainstream society' or to remove them from their land 'at this stage of their social development'. Survival has urged the administration to make the latter provision permanent, and in addition, to recognise the Jarawa's rights to ownership of their

land. Nevertheless, if implemented, the new policy would go a long way towards safeguarding the Jarawa's future.

However, in many respects, the policy has not been implemented, either in spirit or in letter. It is clear that among many of the government personnel whose work involves contact with the Jarawa or proximity to their territory, including police, views of the Jarawa as primitive and backward, and as being without rights to their land and resources or to self-determination, prevail. It is known that much of the exploitation of the Jarawa, and the poaching of their resources, takes place with the knowledge of some of these local officials, and indeed that they profit from it. At the same time, there is a failure on the part of the higher authorities to prioritise the problem of poaching, to divert the requisite resources to solving it, and to tackle corruption and abuse by local officials.

At the time of writing, there have been several recent reports of arrests and convictions of people caught illegally within the Jarawa reserve. This is encouraging; however it is unclear whether or not this represents a concerted effort to tackle the problem.

It is also clear that the racist belief that the Jarawa must be 'brought into the mainstream' remains prevalent, contrary to the principles stated in the Jarawa policy. The interventions through which this attitude manifests itself may be well-intentioned; but they are very dangerous to the Jarawa.

For example, Jarawa visiting hospital are given clothes and settler food. Clothes can cause serious problems among peoples who have no tradition of wearing them, as they often remain unwashed, causing skin diseases.

Despite a 2004 directive that medical care for the Jarawa should be delivered in-situ except in emergencies, they are being kept in hospital for minor conditions such as coughs and colds. Jarawa are usually accompanied by their families when they are in hospital. This poses an obvious risk of infectious disease and serves to undermine confidence in their own medical practices and ways of life.

Despite official policy that there should be only minimal intervention in the lives of the Jarawa, the administration provides food, tools, utensils and even some transport to the Jarawa in the reserve. This suggests a view of the Jarawa's way of life as inferior to that of the 'mainstream'. All of these interventions, alongside the unequal relationships fostered by poachers and by settlers who have started to use the Jarawa for manual labour, risk establishing dependency on outsiders. Such dependency, given the vulnerable position of the Jarawa in relation to Indian society on the islands, is likely to lead to their further exploitation and an end to their existence as independent people.

An extremely positive development for the future of the Jarawa was an order in 2002 by the supreme court of India for the administration to close the sections of the Andaman Trunk Road that run through the Jarawa reserve. Since the road endangers the Jarawa by bringing them into contact with settlers and other travellers, Survival and local organisations have long campaigned for its closure. However, more than four years later, and long after the deadline set by the court, the administration has made no moves to close the road.

Despite the potential for and the comparative efficiency of alternative transport by sea, there is strong opposition among the settler population to the order to close the road, and there are business interests vested in it remaining open. It appears to be felt that the inconvenience to the settler population would be too great a price to pay for the sake of the future of 300 Jarawa. The administration has petitioned the supreme court to revoke its order and the Ministry of Environment and Forests has set up a committee to review the order and the report on which it was based.

CONCLUSIONS

The future of the Jarawa remains extremely precarious. The Indian government and judiciary have announced a series of positive and progressive policies; but until these are actually implemented on the ground, they will not protect the Jarawa.

Failure to prevent poachers and other non-Jarawa from entering the reserve, failure to close the Andaman Trunk Road, failure to ensure the integrity of local officials and failure to ensure that intervention in the Jarawa's lives is truly minimal, all leave the Jarawa in grave danger. Disease, exploitation, the theft of their resources and the erosion of their independence are likely to bring the Jarawa a similar fate to that of the Great Andamanese: decimation of their population and loss of their independence and their way of life. The introduction of diseases to which the Jarawa have no immunity is a particular risk, and could wipe the tribe out completely.

In order for the Indian government to give the Jarawa their best chance for survival they should immediately implement the supreme court order of 2002 to close the Andaman Trunk Road, properly police the reserve against poachers and ensure that all those caught are brought to justice. It is essential that the Jarawa's land is protected from encroachment and poaching by outsiders and that all those working with the Jarawa must abide by the principle of 'minimum intervention and maximum autonomy'. This means that the Jarawa should be allowed to continue their own way of life and make their own decisions about their future and their ownership of their land should be recognised. There should only be outside involvement in cases of real medical need or if the Jarawa request it themselves.

We respectfully ask the members of CERD to raise these issues with the government of India and ask for a concerted effort to end all poaching within the Jarawa reserve, the full and immediate implementation of the Jarawa Policy of 2004 and the supreme court order of 2002 to close the Andaman Trunk Road.



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