REPORT OF THE WEBINAR ON

**USING THE LAW FOR HUMAN RIGHTS IN ARUNACHAL PRADESH.**

In collaboration with **NORTHEAST SUPPORT CENTRE & HELPLINE, HIMALAYAN UNIVERSITY AMYAA NGO, NEDAN FOUNDATION, RIGHTS & RISKS ANALYSIS GROUP & GREEN MEDIA**





By Madan Mili, Advocate

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**Report of the HRLN’S Webinar on the**

**Using the Law for Human Rights in Arunachal Pradesh**

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On 18th July, the Human Rights Law Network, in collaboration with North East Support Centre & Helpline, Himalayan University, AMYAA NGO, NEDAN Foundation, Rights & Risks Analysis Group & Green Media conducted a zoom webinar on the use of law for Human Rights in Arunachal Pradesh. The webinar aimed to identify and deeply understand the various issues of human rights violations prevalent in Arunachal Pradesh and device effective plant of action, using the relevant laws to fight against human rights violations. The webinar covered a wide area of human right concerns

**INTRODUCTION**:

The meeting of 95 participants commenced with a note of greeting from Adv. Olivia Bang. It was indeed a very successful one. There was exchange and sharing of knowledge, information and experiences from the eminent speakers specialized in their own areas of work. The following are the speakers’ reports on various topics of human rights in A.P.

**Human Rights violation in A.P: A brief history of the issues of the current situation:**

***MR SUNIL MOW (Advocate*):**

During the video conference, he briefed about the present scenario on COVID-19 situation in A.P. The pandemic has introduced a new system of online classes but the irony lays in it that 80% belongs to the rural population. They are far from getting access to using a smartphone; will it be possible to get access to internet connection? Heavy rainfall, landslides seem to damage the connection. He also talked about the poor management of district hospitals in A.P. on the recent ongoing COVID-19 situation. No proper facilities, not enough beds for the patients, no medical kit. People are kept in poor condition quarantine centres in suspects of COVID positive which is at risk for that very individual. At the initial stages, the government bore the expenses for the quarantine centres but now people are to bear their own expenses which might not be convenient for everyone. Another issue that has hit the state is the price hike in vegetables and other essential supplies which is not affordable for the poor. The government should look into this affair seriously and take some positive measure to help out the poor at this time of Pandemic.

 He also cited an incident of custodial death of a juvenile at Tezu, Lohit District. He, therefore, laid the importance of juvenile law and demanded the State Commission to implement the protection of child rights in the state.

***Father Jerry Thomas***:

Father Jerry Thomas cited instances on child trafficking and child labour in Arunachal Pradesh and also cited an incident of one of his students who came across a lot of traumatized children and young girls working in families brought from elsewhere scared to even open their mouth and speak freely. The social worker tried to take some of the children out but she was threatened. Father Jerry related incidents were a couple sold their 4-5-year-old child for rupees 500 to someone from Arunachal Pradesh. They got the knowledge of the incident from a survey on trafficking conducted on the border villages of Tezpur in Assam. He drew attention to the following reflections for better understanding of the matter and arriving at a solution.

* What makes parents desperate enough to sell their child for something as low as Rs.500/, and not bother about the law.
* What makes another human being take advantage of the helplessness flouting not only the law of the land but also the basic tenets of human civilization.
* What makes law enforcing agencies turn a blind eye to situations just because they think it is troublesome or they have some advantage over it or other reasons.
* What should be done in places where the law has no standing, and the local community decides what laws they will have, which are quite strong.

There is a need for strong backup of law, legal systems in making social living better. The knowledge, awareness and enforcement of the law are needed.But Father Jerry believes laws and their implementations cannot bear fruits without the backup of these two elements that is empathy and social conscience that makes us civilized from within.

***Prof. H.S Sharma (Vice-chancellor, Himalayan University*):**

He talked about the rich natural resources in A.P. He stated that the state has been abundantly blessed and it does not have to depend on others for food and other resources as the state can produce enough. The real issues lie in acquiring modern set up facilities in order to obtain the sources. The education should pave the way for the youth to understand and engage themselves in acquiring skill-based education and take up vocational courses. One has to go beyond and not only limit to the four walls of the classrooms. Everyone youth is rushing towards finding government jobs but the nature bestowed to us if wisely and creatively used can create available jobs for educated unemployed and jobless youth.

He also urged that even girls/ women should be given equal rights and opportunities in the field of education. He had appealed to the youth of A.P that mere education for the sake of degree is baseless but should rather be based on more skill-based related, capability and knowledge-based as to contribute to the growth of the state. A huge responsibility has been shouldered on the youth to work on the development of the state using the best of what nature has to provide to the state of Arunachal Pradesh in comparison to other states.

**Legal aid during COVID-19: Lockdown does not mean judicial lockdown**:

***Adv. Gunjan Singh, HRLN*:**

He shared his experience of working during COVID-19 on migrant workers issues and broadly what legal aid regime is in India. HRLN specializes in public interest litigation and representing peoples who can’t afford legal services. So they had filed a number of cases during COVID-19 lockdown mainly concerning the migrant workers. There were reports from the media on a large number of cases of migrant workers. There were pictures of the migrant workers leaving cities and heading to their respective homes walking miles and miles as there were no transportations facilities. But the challenge approached the court to represent the migrant workers because even the courts were initially shut and there was limited access in terms of hearing. Even today in most of the cases courts are functioning with limited accessibility especially the lower courts. But even during the limited accessibility, there are different ways one can approach the court. It is important that lawyers realize in the field of practice of Human Rights that they have to divide different methods to represent people who otherwise can’t approach the court. He also stressed the importance of networking with different organizations and keeping direct touch with the community to understand facts at the ground level, unfortunately, In India, there is no law/acts which mandate legal aid for people. He gave the following suggestions:

* Lawyers should becreative; he/she should be able to think in an innovative way to represent their client.
* Keep direct contact with networks, organizations in different states to pull out information.
* Work for simplifying the complicated registration process of migrant workers so that they avail all the benefits that they are entitled to. Requested to the organization to come up with some sort of plan of action while discussing problems.

**Mr Choudhary Ali Zia Kabir, Advocate, HRLN, Delhi:**

Kabir emphasized that in terms of its global reach, if not lethality, Covid-19 pandemic is comparable, perhaps, to the last ice age. He said that societies are affected more instantly, directly and gravely today than they were by decolonisation or even the world wars. But the poor societies are disproportionately hit. COVID-19 has deepened existing inequalities in the society. And it is the time when it is all the more critical for civil society to safeguard the human rights of the marginalised.

He highlighted the inadequate state response in terms of Medicare, the appalling conditions at the quarantine centre, and how the courts were successfully approached for improving their conditions. He then emphasised the difficulty faced by the farmers on account of the poorly planned lockdown, how a lockdown on even a month during sowing season means that the farmers’ have lost the crops for the entire season. And the Supreme Court’s intervention was sought for relief to farmers. He also briefly highlighted the sufferings of the migrant workers and State’s total failure in ameliorating their situation. He lastly talked about the discrimination faced by the northeast community, especially students, in Delhi who are confused with Chinese nationals and are made target of unruly discrimination. They were asked to vacate their rented accommodations by their landlords without due cause or notice, shopkeepers deny to give essential supplies, and are subjected to derogatory terms such as ”Corona Carrier, Chinese, etc.”, and there have been cases of spitting and other such assaults. He proposed that among several ways to fight for the marginalised, social justice litigation remains an option worth exploiting."

**Migrant workers in Arunachal Pradesh: Problems and Solutions**:

***Adv. Madan Mili (Adv, HRLN),***

Reported his survey on the impact of Covid-19 lockdown on the migrant workers in Itanagar Capital Complex. The survey brought to light the sufferings of the migrant workers stuck in Itanagar, without work, no way to return home, living on credit having used up their little earnings. Though the govt. undertook various measures/schemes to provide assistance to all needy sections of society the migrant workers received no assistance/relief of any sort from the govt. because there was no one to represent them. Fortunately Adv. Madan Mili took the initiative to represent them after which their situation became better.

***MR NIRMAL GORANA (HRLN***):

He put forth on the recent ongoing pandemic COVID -19 and raises the question on the condition of the workers or what kind of impact has brought about in the lives of the migrant workers? He shows concern for the workers, who are at now the most affected during this pandemic. He stated if the government of A.P is registering the informal section of workers at any level to ensure social security and the Right to food by obtaining ration cards and other many facilities given by the government? The issue of child labour was also raised. Children under 14 working are not allowed in the constitution of India and they can be rightly termed as Child labour. It is against the law. May committing suicide is also seen rampantly due to loss of jobs and no work. So he asks the government to initiate a scheme and planning for the jobless workers.” The government provided schemes NREGA- if it is reaching the poor of the rural areas and are they given the wages accordingly if the govt. is performing its duty in protecting the working section of the people?” were some of the questions raised by him.

He, at last, petitioned the govt. to implement Interstate Migration Act to safeguard and protect the bonded labours to ensure their rights and meet their grievances.

**Dams, Land Acquisition & Displacement, Environmental Issues in A.P, & the need to strengthen the environmental laws; commercialization of hunting, illegal logging, rising concerns of land acquisition (dams and highways), Pollution challenges, EIA Draft Notification 2020.**

***MS TAKAM DIRING (Environmentalist, Co-founder Green media*):**

The increase in demands from nature to satisfy mankind has massively destroyed the environment. The excessive use of natural resources from the environment is creating ecology imbalance and man has failed to understand the consequences of one’s own deed.

If we look into the tribal culture, hunting has been an integral part of culture and tradition. The mass killing of animals and birds for one selfish desire and different purposes has resulted in the extinction of some species. Today, the state bird i.e, the Hornbill is also endangered and many more. Man, at its rush towards modernization, has forgotten that the basic needs of life are provided directly by the environment. There are many environmental issues that man is dealing today, the rivers, the land, the air are contaminated because of humans. The forest lands are cleared- thousands of illegal logging, clearing of forests for the expansion of human existence and cultivation led to deforestation. Yes, the modern world has given enough but one has lagged behind in treating nature.

If the environment suffers, humans suffer along with it. Today’s dire need is for the inclusion of environment and management education in the curriculum. It is the rising concern of everyone and the sole responsibility of every individual to protect our environment.

***Anuradha, Adv. HRLN***,

 Based on her discussion on the effects of hydropower projects in A.P. The govt. proposed 160 hydro projects in Arunachal alone. As per the govt. statements, Arunachal has the potential to produce electricity of 70000 megawatts, out of which the govt. had been able to harness only 02% as of date. She raised her concern over the government. setting up hydro-power projects in violation of various environmental protection laws, acts which have led to the destruction of flora-fauna, ecology, wildlife and their habitats. The poor inhabitants are displaced, with no resettlement plans at all. They don’t even get due compensation, even if they did, it is inadequate and always delayed. Anuradha, also cited the case of Tawang Chu-II hydro-power project where fake NOCs were fraudulently obtained from the agitating villagers to set up the project. The govt.’s failure to follow the prescribed rules, regulations and procedures for setting up hydro projects, such as the Environment Impact Assessment and Environmental Clearance in which public consultation takes place has resulted in various human rights violations of the concerned areas. But interestingly the law violators easily get away with it by simply paying some amount of fine. The govt. also interferes with the citizens’ right to information. It doesn’t necessarily put up the data pertaining to the proposed projects which it is otherwise supposed to make public, on the pretext of national security. As such, the people on whose very land the project is proposed to be set up, are unaware of the various important project related information.

***S.D LODA (Adv, Chairman, Youth Mission for the Clean River, N.E, HRO***):

He brought about the issues of saving natural water bodies in A.P. specially in Itanagar capital region (ICR ) and water bodies which pass through the various urban town of the state.the water bodies are polluted by deliberate and negligence dumping of urban wastes which converts rivers and small streams into sewage Nallah, hence adversely affecting the rivers and streams and becomes the biggest threat to the sustenance of aquatic life and unfit for human consumption, The Yagamso in Itanagar and the lagun in Naharlagun are the two main streams which contribute the highest sewage to the SENKI-PACHIN- DIKRONG RIVERS. These two streams were once clean and fresh and home for the various aquatic species now left as the sewage nallah. The challenges in his mission are divided into two Parts , one is **Water Pollution and another is Depleting natural water Bodies.**

He pointed out that as per his research ,that the unauthorised and rampant earth cutting in various locations of the urban cities are the main cause of Depleting streams. Due to such earth cutting , the catchment areas of the water bodies are destroyed and dumping of excavated soil into the bodies of the river changes the bed of the rivers and streams , which cause flood in the rainy season.

He took the example of the two streams i.e The **Pagatara and the Popu Streams,the ultimate tributaries of SENKI-PACHIN-DIKRONG** , the bed of these two streams are massively destroyed and no single fish can be seen in these two streams due to muck dumping. The course of these two streams are diverted and the depthness of these two streams are changed, hence causing flooding.

He said that the pollution level of the SENKI-PACHIN-DIKRONG stretch of rivers is increasing rapidly. It can be substantiated from the extinction of various aquatic species of these rivers. whereas , these rivers were once the home for varieties of aquatic life.

The most ridiculous part is that there is no agency under the state government to look after the rivers and the streams around the cities.

Therefore, he sought help from the HRLN to bring this case before NGT in National Capital to save the river bodies and related problems .

 The **Youth Mission for Clean River-A.P, the NGO based out in Itanagar ,** of which he is the Chairman expressed his willingness to work with HRLN in this issue and hope for the logistic support and legal assistance. He also expressed his heartfelt thanks to the Chairman,HRLN and the entire HRLN team and Adv Madan Mili for giving him such a platform to raise such burning environmental issues relating to his state.

**Defending the defenders: Activists and journalists**

***Tashi Lama***, a member of Save Mon region federation, highlighted the ill effects of hydropower as well as other projects upon the inhabitants of Tawang, their culture, traditions, their land and most importantly their environment. He reminisced about the good old days living in peace, in harmony with nature, before the arrival of the hydropower, highway and other projects with alluring false promises to build roads, schools, provide housing to the poor, handsome compensation etc. But now they have to stage protests in order to protect their rights, land, traditions and environment. Tashi Lama cited an incident that took place at the Tawang monastery during one such protest in which the police open fire on the public injuring thousands of people, two shot dead and two others suffered severe injuries that they are now bed-ridden. Unfortunately, no protection or assistance of any sort or any kind was received from the central or state government. He stated that the government is trying to snatch their land in the pretext of setting up various projects for the benefit of Tawang and the country as a whole at the cost of the basic human rights of the inhabitants of Tawang. Where there are already 20-25 hydropower projects, there is neither the need nor room for any more of such projects. And so the government should stop proposing any hydropower projects in Tawang. He closed his topic with an appeal to the HRLN to oust the unwelcome projects companies stationed in Tawang by legal means. The people of Tawang are awaiting the SC final judgement on the petition filed before it with full hope that justice would be served.

**Right to food: Chakma and Hajongs, denied Govt. ration subsidy**:

***Mr. Suhas Chakma (Director of Rights and Risks Analysis Group)*:**

Recounted briefly recounted the history of the Chakmas, how they had come to India and settled in Arunachal Pradesh under the decision of Indian Government back in the 1980s.

Then he highlighted the issues faced by the Chakmas and Hajong of Arunachal Pradesh mainly dying COVID-19. The pandemic resulted in the declaration of lockdown across the country affecting the great and small alike. The Chakma and Hajong of Arunachal Pradesh were of no inception, especially the poor, daily wage earners who lived hand to mouth. There was no work; there is a price hike in the economy, no money hence no food. Right to food - a fundamental right. They realized no assistance or help of any kind from the Government. Approached the local authorities for help but got no response. Fortunately, in the latter part of lockdown, their plight became better because of the Supreme Court intervention. He also stated that Right to food is a fundamental right. Every individual has the right to food and it need not be violated no matter the circumstances.

***Dr Nani Bath ( Prof. RGU***)

Also stressed on the importance of the strict implementation on Right to food. Not only for Chakmas but for all. There is a need to understand what the right on food really means in the true sense unless we know what right to food is, we won’t be in a position to claim it.

**Public Health issues: Mental health:**

***Dr Anil Mili (Asst. prof. RGU*):**

He is an Assistant Professor, Rajiv Gandhi University. He briefed the participants on the issues of mental health in Arunachal Pradesh how the area is being long neglected or not given due importance by the state government and the society as well. Each and every individual has the right to sound health. It is a fundamental right. And the Government has the responsibility to provide proper health care facilities which include mental health. The State Government should also give due importance to the mental health issue in Arunachal Pradesh. There is a state mental health authority but it’s apparently non-functional or inactive. The doctor suggested that the Govt. should have a policy for preventive measures to help prevent people from various kind mental disorders. The Govt. should provide good sports facilities in schools so that students remain in school and indulge in physical activities which would help divert their young vulnerable minds as sports and physical activities enhance psychosocial ability in a person. Sports can also improve psychophysical health, psychosocial health of children/students. He requested the Human Right law network to work on the issue in legal terms.

**Drug menace**: **Drug Abuse Among Youth**

***MR INDRAJIT TINGWA (Director Childline, Namsai***):

The country has been experiencing an alarming increase in the use of drugs and cocaine consumption among the youngsters and as per the survey conducted, A.P tops in cocaine consumption. The youngsters today are so much influenced by their peer groups that they imitate one another without knowing the consequences. Lack of awareness is one of the main reasons for the young boys and girls going into addiction. As the children go through the storm and stress period, the parents need to give special attention to their needs and the kind of company they are with, not less, the teachers play a vital role in educating the students.

Therefore, it is not the responsibility of a single person but society as a whole should play a part to eradicate the use of drugs and cocaine. Taking the responsibility, the government has also come up with centres like de-addiction, rehabilitation to deal with addiction. The young minds while in rehab centres can be engaged in productive activities to divert their minds and vocational training should be imparted so as to help them in fighting the drug menace. Education should not only be limited to bookish knowledge but value-based education should be added.

***Ms Karpu Chisi, Senior Journalist Independent Review***

Took up the issue of drug menace in Arunachal Pradesh for discussion in the meeting. As per her fact-findings and interactions with druggists, drug abuse is most relevant among the age group of 14-31. The common substances they used are brown sugar, marijuana, heroin and opium. She stated that the rise in drug abuse cases in Arunachal is mainly due to peer pressure, and the easy availability of drugs in the market. Despite the many laws/acts to deal with drug menace, it is still on the rise. The narcotics department passes strict directions to set up the rehabilitation and the de-addiction centres which too were left unimplemented. The police are not adequately equipped to deal with drug menace may perhaps be one of the reasons for failure in tackling drug issues. But the undeniable fact is the involvement of the police themselves in drug peddling cases. Recently the SIT revealed that IRBN personnel were found to be involved in drug peddling. The irony is the law enforcers/protectors are themselves breaking the law this is the main reason behind the failure in curbing drug menace. And there are those local drug peddlers who got into the business due to lack of an alternative means of sustenance.

She suggested that the Govt. emphasize the need to set up a proper and adequate rehab and rehabilitation centre in Itanagar. Arrange an alternative source of livelihood for the local drug peddlers who are forced into the business due to their poor economic conditions. This could help in curbing the drug menace in Arunachal Pradesh

**Exploitation and Trafficking of Women and Children in A.P**

***Eliza Rumanthao (Adv. Child rights***):

She brought out the facts on child trafficking and Child Labor in Arunachal Pradesh. In the year 2016-2018 in Arunachal Pradesh alone, 16000 children were reported missing. Out of which, about 7000 children were traced and rescued. Also pointed out how to advance gadgets such as the smartphones are misused by traffickers and likeminded person for advancing their acts against child rights such as sexual abuse in children, child labour. They could get their acts done at the tap of a finger with the help of advanced gadgets.

She closed her topic with the suggestion that the community be made aware at the root level of common tactics used by the traffickers or agents to lure people into the trap of trafficking. We must fully equip ourselves with laws so that when we encounter such a situation, we know what steps should be taken/what should be done to foil their plans of trafficking or other such acts. As law enforcement agencies, the police and district administration should be encouraged to work proactively on issues of trafficking. Parents intentionally selling their children should not be spared. The case should be filed against them. She called for collective action for the proper implementation of existing laws so as to make the justice system work in Arunachal Pradesh.

***Digamber Narzari ( Nedan Foundation*):**

Spoke on the exploitation of children in Arunachal Pradesh.He threw light on some facts pertaining to child trafficking, child labour prevalent in Arunachal Pradesh. It is an abdominal fact that selling and buying of human beings are in practice in Arunachal Pradesh. Some families living in extreme poverty, mostly in various parts of Assam, do actually sell their children to the rich people of Arunachal Pradesh. The kids are employed in the rich household as domestic help. This kind of trade is operated through the demand and supply chain of child trafficking. He called for the effective implementation of the laws to tackle child trafficking.

***Mrs KANI NADA MALING (G. sec.A.P, WW Society*):**

Mrs Kani Nada Maling spoke about child exploitation in A.P. She stated that children are being ignored and given no importance in society. She requested in this regard to the HRLN to create extensive awareness about laws because people are not aware and they do not have the knowledge of the legal rights each individual is granted. The children are forced into marriage at a very young age and sometimes forced into against their will. In some cases, parents are responsible for the violation of child rights. They willingly give away their child in exchange for money especially the poor alcoholic and drug addicts.

She also shared her experiences in dealing with child marriage. The victims are afraid to lodge FIR, because their own parents and relatives are involved. There is a gross violation of child rights in A.P. People are ignorant about the laws and the lack of willingness on the part of authorities /institutions to curb the child marriage system has resulted in the child exploitation.

She suggested that proper rehabilitation centres should be made available for rescued children and those children who are homeless, disowned by their own families. She again pressurizes the state government to establish the Child Right Commission.

***Mr R.K PAUL CHAWANG (Director of ChildLine, Roing***):

He brought into the view the increasing crime against the children in the state of A.P which can no longer be ignored by the state. He raised the issue of the plight of children. The state is not being able to create jobs and no other means of earning longs to go to other metropolitan cities. The young girls with false promises of better jobs are dragged to the cities and are exploited sexually by the rich businessman and politicians. Small boys and girls are taken captive for menial work in factories and industries. He petitioned the state to appoint law enforcing abiders to set up a commission of police officials, lawyers to protect children in need of care and protection but their inability to take a stand between their personal affiliations, views, the position they hold as per law, avoids falling into personal issues led to the negligence of the law and orders.

He challenges that the system needs to be put into place by the state and prioritized Child Rights protection. Special board members should be appointed of officials who have interests and experience to work for child rights and the officials who are dealing with the welfare of the child rights should be properly trained and an expert in the field of child laws so that they can sincerely work for the welfare of children and their rights.

***Mrs JARJUM ETE (Social Activist*):**

She talks about the condition of women and children during the pandemic. The nationwide lockdown has led to a price hike which has made it impossible for the poor to afford. Those families who live hand to mouth selling vegetables have been banned from their activities as they do not possess a trading license. Most of the vendors are women who have no access to masks, gloves and other necessary types of equipment. The frontline workers are not paid much and they are exposed to the situation without proper pieces of equipment and SOPs. At the peak of COVID-19, an increase in domestic violence against women can be also seen. RKM hospital in the capital falls short of the blood banks, many newborn babies, women undergoing c-section are not met with those facilities and hence creating havoc in the hospital. She also portrays the poor condition of the rural areas not having access to online classes as they do not have an internet connection.

Hence, she raised the concern for the poor families and how the condition can be improved through the legal intervention of the Human Rights Law Network.

***Father Valerian Castellino*:**

He stated that the issues such as lack of childline, rehabilitation centres, lack of connectivity to approach the concerned office, lack of commitment are the points on the part of the concerned Department to efficiently take up the issue are the major reasons for the increase in the number of child-related cases. He requested the HRLN to press upon the Government to establish and make functional the institutions like childline, rehabilitation centre etc and also to create a community awareness programme at the root level. He shared his grass-root level experiences of East& West Kameng district of Arunachal Pradesh, where a large number of children are employed as domestic help. Children are easily available, particularly in the tea gardens. There are well-thought-out plans, acts and programmes for the protection of children, but these are not properly implemented, due to the lack of commitment to do so. One of the reasons being the traditional exception of child labour system as they think they are helping the children by engaging them as domestic help, this necessitates for creating the community awareness programme.

**Extra-Judicial killing in A.P & the plight of the local people**:

***Ms Karpu Chisi, Sr Journalist (Independent Review) and Madan Mili, Adv. HRLN***

Reported on one extra-judicial killing incident that took place on 16th May 2020 in Pumao village of Longding district, A.P where a 60-year-old villager was shot dead and several others sustained injuries. On their fact-finding visit to the place of occurrence of the incident, they were served with two contradictory versions of the said incident-one was that of the villagers and the other, the Indian Army(19th Sikh Regiment). According to the Indian Army, they received intelligence inputs about the presence of militants in Pumao village following which the armies reached there. The army asked the militants to surrender but the militants started firing instead, and so the army fired back in retaliation. The Indian Army claimed that the unfortunate villager died in the hands of the militants. But the villagers claimed that their fellow villager was killed in a firing that took place as the fallout of a meeting between villagers of Pumao and the army. With the AFSPA in force, the armies, in the pretext of investigation, based on doubts, harass and abuse the poor villagers, and pieces of evidence are easily manipulated. No wonder such incidents have become a common sight there. Even then, the poor villagers are not in a position to raise their voice against the injustices because they are well aware of its consequences. The army would plant weapons and trap them in false cases of possession of weapons. Though the investigation is still on, no progress is seen so far.

***Dr Alana Golmei, Adv***:

She suggested the following action plan to deal with drug and other issues in Arunachal Pradesh. She emphasized the need to look into the matter of police involvement in drug peddling cases.

* To look into the matter of police involvement in drug peddling cases.
* Establish rehabilitation and de-addiction centres, as there are very few or none such centres in the state.
* Give importance to mental health issues in the state. Study on mental health should be done. There is an increase in mental health issues during the pandemic mainly due to lockdown pressure, loss of jobs etc. such issues need to be dealt with in a cautious way. Improved the conditions of Juvenile Homes which are pathetic by means of litigation.

***Dr Pankaj Chaudhary (HOD Himalayan University*):**

He extended his willingness to volunteer with the filing of the petition on the issue discussed or any other thing if his doing would help the people of Arunachal Pradesh.

***Senior Adv Colin Gonsalves, Chairman HRLN:***

Based on his expertise and experience in various areas of law/legal system he gave important suggestions and legal advice on various human rights-related issues discussed in the meeting. He also encouraged the advocates and social cause activists of A.P to work collectively to achieve the desired result as he believed that they have the potential to do so. He also suggested making use of advanced technologies for securing justice especially during this time of the pandemic.

The meeting concluded with a word of encouragement and appreciation to all the participants from Sr. Adv. Colin Gonsalves.

**Plan of action for litigation in A.P**

***Based upon the above discussions, it was decided that human rights litigation shall be undertaken in the State of Arunachal Pradesh on following issues:***

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| Sn | Issue | Reliefs Sought | Point Persons | Dead Line |
| 1.  | Extrajudicial Killing: of Six NSCN(IM) insurgents, in an encounter with security forces in Khonsa area of Arunachal Pradesh on 11.07.2020 | a. SIT Investigation of the encounterb. Compensation for the family | Madan, Karpu, and Debasmita | 18.08.2020 |
| 2.  | Child trafficking and child Labour: in Arunachal in general, and the case of a girl child sold by parents to the employer. | a. Investigation in the particular case of the girl child recently rescued from her employerb. Establishment of child welfare committee in every district of AP as per child rights lawsc. Establishment of a children’s helpline in every district in APd. Training programmes for Police to detect trafficking. (Eliza)e. Sex Education as part of School Curriculum (Takam)f. Establishment of district-wise Juvenile Justice Board in the State of Arunachal Pradeshg. Establishment of district-wise Observation Homes (Child Care Institutions) in the State of Arunachal Pradeshh. Increase of resources for CCI (child care institutions)/child welfare committees, so that they could be empowered to help the distress child and juveniles (Ms Alenso Chai) | Paul, Alana, Eliza, Sauradeep, Father Valerian Castellano, Father Jerry Thomas,  | 30.08.2020 |
| 3.  | Drug abuse and addiction: problem in Arunachal Pradesh | a. Establishment of State run drug rehabilitation centres in every district of Arunachal Pradesh. | Karpu, Madan | 30.08.2020 |
| 4.  | Environmental Justice: The petition in the matter of SMS Smelters Ltd in Lekhi, where a Gyoloo News’ reporter Hofe Dada was assaulted by the ‘security-cum-vigilance officer’ of the factory., | a. Protection, treatment and compensation for the assaulted journalist;b. An SIT for assessing the environmental impact of the SMS Smelters Ltdc. Closure of SMS Smelters Ltd for failing to meet pollution standardsd. Damages against SMS Smelters Ltd for environmental degradation | Takam Diring, Kabir | 30.08.2020 |

***ANNEXURE- A***

***AGENDA***

***Using the law for Human Rights in Arunachal Pradesh***

*Webinar by Human Rights Law Network*

*In Collaboration with NORTHEAST SUPPORT CENTRE & HELPLINE, HIMALAYAN UNIVERSITY, AMYAA NGO, NEDAN FOUNDATION, RIGHTS AND RISKS ANALYSIS GROUP and GREEN MEDIA.*

***Saturday, 18th July 2020 10:00 – 1300 hours IST***

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| 1000 – 1015  | Human Rights violations in Arunachal Pradesh: A brief history of the issues and current situation  | 1. Mr Sunil Mow, Adv
2. Fr. Jerry Thomas
3. Dr HS Sharma, Vice

Chancellor Himalayan University  |
| 1015 – 1030  | Legal Aid during Covid-19: Lockdown does not mean judicial lockdown  | 1. Gunjan Singh, Adv, HRLN (migrant workers)
2. Kabir, Adv HRLN (prisons, quarantine centres, northeast discrimination)
 |
| 1030 – 1045  | Migrant Workers in Arunachal Pradesh: Problems and solutions  | 1. Madan Mili, Adv HRLN
2. Nirmal Gorana, HRLN,

Moderator  |
| 1045 – 1115  | Dams, Land Acquisition and Displacement Environmental issues in Arunachal Pradesh & the need to strengthen the environmental laws; commercialization of hunting, Illegal Logging, rising concerns of land acquisition (dams & highways), pollution challenges, EIA draft notification 2020 Environment and Water Pollution & Covid-19 Situation in Arunachal  | 1. Miss. Takam Diring, Environmentalist, Co-founder Green Media
2. Anuradha, Adv, HRLN
3. S.D Loda, Adv, Chairman- Youth Mission for Clean River, Member North East Human Rights Organisation
 |
| 1115 – 1130  | Defending the Defenders: Activists and Journalists(Firing at the Tawang Monastery and other incidents)  | 1. Tashi Lama, Member Save Mon Region Federation
2. Kabir, Adv, HRLN
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| 1130 – 1145  | Right to Food:Chakmas and Hajongs denied govt. ration subsidy  |  1. Suhas Chakma, Director, Rights and Risks Analysis Group
2. Dr. Nani Bath, Professor, RGU
3. Olivia Bang, Adv HRLN
 |
| 1145 – 1200  | Public Health Issues: Mental Health PILs and Orders  | 1. Sunil Mow, Adv
2. Dr Anil Mili, Asst.

Professor, RGU 1. Madan, Adv, HRLN
2. Sanjai, HRLN
 |
| 1200-1215  | Drug Menace Opium menaceDrug abuse among youths  | 1. Indrajit Tingwa, Director Childline, Namsai, Freelance Journalist, Secretary- Arunachal Pali Vidyapith Society
2. Dr Sopai Tawsik, Pathologist, Social Worker
3. Karpu Chisi, Senior Journalist, Independent Review
 |
| 1215 – 1230  | Exploitation and Trafficking of women and children in Arunachal Pradesh  | 1. Eliza Rumanthao, Adv (child rights)
2. Digamber Nazari, Nedan Foundation
3. Kani Nada Maling, Adv, GS APWWS, Former Chairperson CWC
4. Paul Chawang (a case study of trafficking and child labour)
5. Fr Valerian Castellino (a case study of trafficking and child labour)
 |
|  |  |  6.Jarjum Ete, Former Chairperson APSCW, Social  Activist (Women’s Rights)  |
| 12.30-1245  | Extra-Judicial Killing in A.P And plight of the local people  | 1. Karpu Chisi, Senior Journalist, IR 2. Madan Mili, Adv, HRLN  |
| 1245 – 1300  | Plan of Action for Litigation in Arunachal Pradesh  | 1. Dr Colin Gonsalves, Sr. Adv, Supreme Court, Chairman HRLN
2. Dr Alana, Adv
3. Dr.Pankaj Chaudhary,

HOD, Himalayan University  |

**ANNEXURE- B**

LIST OF PARTICIPANTS:

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