

A Statement from the civil groups in India forwarded by the Asian Human Rights Commission

We the undersigned condemn the brazenly illegal and unjust clearance granted by the Environment Ministry to the POSCO project in Orissa. The actions of this Ministry and the government of India with respect to this project show total disregard for the basic norms of law, democracy and environmental protection. This project will destroy the livelihoods of more than 20,000 people and threaten the homes and lives of tens of thousands more. In particular:

- This project is repeatedly described as one of "strategic importance." Strategic importance for whom? Studies have shown that the project will destroy at least twice as many livelihoods as the jobs it will create. They have also shown that the tax revenues projected are the stuff of fantasy. Both the employment and tax projections come from studies paid for by POSCO. This project will benefit no one except the company in question and enable huge amounts of smuggling through the proposed private port. Is this what our government calls "development"?
- The plant and port site is the home of more than 4,000 families, who cultivate betel vines and other cash crops on the land in question and also depend on the forests of the area for forest produce and other livelihood activities. This is a thriving agricultural economy in which even a tenth of an acre is enough to sustain entire families. There is a sizable community that is dependent on pisciculture and the proposed port will destroy the lives and livelihoods of the fisherfolks. All of this is to be destroyed permanently to make way for a company's super profits.
- As established conclusively from government records by the Ministry's own POSCO Enquiry Committee, these people have rights to this land under the Forest Rights Act of 2006. As such the forest land in question cannot be taken for the project except if their rights are finally recognised and their consent taken.
- Three separate official bodies - two enquiry committees and the Ministry's own statutory Forest Advisory Committee -- agreed that the Orissa government has not implemented the Act and lied about the eligibility of the people of the area. All three also agreed that the forest clearance given to the project must be withdrawn. Yet now the Ministry says the project can go ahead if the Orissa government gives it a "categorical assurance" that the people of the area

are not eligible under the Act. Is this the manner in which the UPA government intends to implement its "landmark legislation"? By telling officials caught lying that all they need to do is "categorically" repeat their lies?

- In the words of the POSCO Enquiry Committee, the project risks "potentially disastrous impacts" not only on the immediate area but on the entire surrounding district, which have "not even been assessed, leave alone planned for." This includes the potential catastrophe in case of a cyclone as well as the enormous water usage of the plant, which will harm agriculture in the entire surrounding area. In the clearance we find these impacts dealt with in a completely farcical manner. On water, the covering letter says the company should "voluntarily sacrifice" water in case of a shortage – but even this ludicrous "condition" is not mentioned in the clearance itself. On most other aspects, the clearance requires the company to simply "ensure" that the possible impact will not happen. Without assessing what that impact is, without deciding on whether it can in fact be dealt with or not, the Ministry has transferred its entire regulatory responsibility to the company. If this is the kind of "conditions" that are going to be imposed, why do we have an environment clearance process at all? Is this how the Ministry intends to fulfil its responsibilities?

- The POSCO project is not confined to the plant and the port now cleared; the government has committed to providing POSCO with mammoth captive iron ore mines, the lease to which has been struck down by the Orissa High Court. This robbery of natural resources is guaranteed to generate massive profits for POSCO while destroying huge areas and displacing even more people including one of the most traditional tribal communities, the Paudi Bhunyan who have been inhabiting the Khandadhar mountains since time unknown. If the plant and the port are allowed to come up without the mine, POSCO will resort to blackmail, threatening that its activities will not be "viable" if it is not granted a mining lease and the requisite environmental and forest clearances instantly as per its desire. Since the viability of corporate super profits is clearly more important to this government than either law or people's rights, we can imagine the consequences.

Therefore we condemn this decision and, in accordance with the findings of multiple enquiry committees, call for the immediate withdrawal of this clearance and a criminal investigation into the actions of officials involved and their brazen violations of law. We join the people of the area in opposing this project and support their democratic struggle to ensure that it does not go ahead.

Signed by,

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