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Human Rights Situation In Andaman And Nicobar Islands

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Abstract: The Andaman and Nicobar Islands, a union territory of India, are home to a diverse population, including indigenous tribes such as the Jarwas, Onges, Great Andamanese and Sentinelese. While the region enjoys the legal framework of the Indian Constitution and international human rights commitments, unique challenges persist in the protection of promotion of human rights. These includes issues of displacement, loss of traditional land, restricted access to healthcare and education and cultural erosion among indigenous communities due to tourism and development projects. Additionally developmental policies sometimes conflict with tribal rights, leading to tensions. Law enforcement and governance mechanisms, though present, often face limitations in addressing these complex, context-specific human rights concerns.

Keywords: Indigenous, Tribes, Jarwas, Commission, Assault, Harassment

Introduction:

The Andaman and Nicobar Islands, a Union Territory of India, have seen a gradual and significant incorporation of human rights principles over the years, both through constitutional guarantees and evolving governance structures.

Historically, the islands were known for the infamous Cellular Jail in Port Blair (Now, Sri Vijaya Puram), used by British colonial rulers to imprison Indian freedom fighters under harsh conditions. This legacy brought national and international attention to issues of prisoner rights and human dignity, sowing early seeds for human rights awareness.

After independence in 1947, the Andaman and Nicobar Islands became a part of the Indian Union. The Indian Constitution, which guarantees fundamental rights to all citizens, was extended to the islands, ensuring protection of rights.

Situations:

Unlike the rest of India, tribal rights and conservation are not at the opposite ends of the spectrum in the Andaman and Nicobar Islands. Yet, there are challenges. In a national scenario where wildlife conservation and tribal rights have ended up at the extreme ends of an acrimonious spectrum, the situation in the Andaman and Nicobar Islands stand out in stark relief. We have here a situation where the protection of the indigenous peoples, the forests and the islands biodiversity including its rich bird life are all intricately linked. Evidence suggests, in fact, that reserve is more important for wildlife and biodiversity conservation than the protected are network created under the provisions of the Wildlife Protection Act.¹

India's threatened Jarwas tribes are facing a new danger from intruders in its jungle home. International attention has previously focused on the danger to the tribes from daily human safaris that take tourists through the Jarwa's reserve on India's remote Andaman Islands. Since the Jarwa began to make contact with the outside world, a member of the tribes has come forward to protest about the sexual abuse of young women from the tribe by outsiders. The man, whose name is being withheld to protect the identity of those who helped him give his interview, claimed that other Andaman Islander and poachers had started to enter the forest to harass the tribe.²

Poachers, many from Burma, are known to have been regular visitors to the Jarwa's territory, but this is the first public indication of the scale of the interaction with the tribe. Anthropologists and human rights groups have been concerned about the effect on the tribe of contact with outsiders. Disease and the effects of the introduction of alcohol and drugs have been cited as reasons for assisting the tribe in perpetuating its isolation until members are ready for greater contact. However, other powerful voices on the island have argued for integration, insisting that the Jarwa should be drawn into the mainstream.³

Andaman and Nicobar Islands are already working on the safety of women where every Police Station across the Union Territory is established with women and child Helpdesks. The police are specially trained to handle a situation of distress including harassment, domestic violence, sexual assault, exploitation and abuse and a Crime Against Women Cell is already functional under the CID against the issues relating to allegations of dowry deaths, demand of dowry, eve teasing, sexual assault. The police conduct surprise visits in public transport, cybercafés, public entertainment areas to prevent sexual harassment and arrest ill-behave persons. The Islands have a higher rate of domestic violence as compared to other states in India. According to a 2006 India National Family Health Survey, an average of 33% of women faces domestic violence in the course of their lives. According to him, the harassment and molestation are usually significantly increased in wives of men who drink alcohol on a regular basis.⁴

Table : 1

Statement of Crime against Women in Andaman and Nicobar Islands for the year 2014 to 2017

SL.No.	Crime Head	2014	2015	2016	2017
1	Murder	03	08	06	05
2	Attempt to Murder	03	02	12	08
3	Rape	32	36	30	21
4	Abetment to Suicide	02	01	02	00
5	Kidnapping and Abduction	17	21	31	24
6	Cruelty by her husband or his relatives	14	14	07	04
7	Dowry Death	03	00	00	01
8	Molestation	41	57	47	38
9	Eve Teasing	05	05	09	11
10	Un-natural Offence	01	00	00	00
	Total	121	144	143	112

Source: Office of the Superintendent of Police (CID) Andaman and Nicobar Administration, Port Blair (Now, Sri Vijaya Puram).

The National Human Rights Commission is organising an 'Open Hearing' of complaints on the problems of the grievances of the scheduled castes and scheduled tribes at Port Blair (Now, Sri Vijaya Puram), Andaman and Nicobar Islands on the 19th and 20th January 2017. Chairperson, NHRC will inaugurate it at Tagore Government College of Education; Port Blair (Now, Sri Vijaya Puram) at 10:00 a.m. on 19th January 2017, post inauguration, the commission will take up 10 cases in the full commission sitting to be presided over by Chairperson and Members. These cases include matters relating to Atrocities

in Scheduled Castes and other oppressed sections of society. The authorities concerned have been asked to remain present at the time of hearing of these cases. After the full commission sitting, a meeting on human rights of the Union Territory will be held with the NGOs at Secretariat, Port Blair. Thereafter, the commission will hold discussions the Chief Secretary, DGP and other Senior Civil, Police and Jail Officers on the issues raised by the NGOs. The issues of health, educational, infrastructure, problems of Jarwa community and other tribal issues are also likely to be taken up during discussion with Senior Officers of the State Government on the second day on the 20th January 2017, the delegation of the commission will visit Nicobar Islands to meet the inhabitants of the Island and officers of the Union Territory.⁵

Conclusion:

The Andaman and Nicobar Islands, despite their remote location and unique socio-cultural landscape, have made significant strides in the protection and promotion of human rights. Through the application of constitutional guarantees, special legal protections for indigenous communities and on-going developmental efforts, the region reflects Indians broader commitment to upholding human dignity and justice, however, continued attention is required to address challenges such as geographic isolation, tribal welfare and sustainable development. With a balanced approach, the islands can serve as model for integrating human rights with cultural preservation and ecological responsibility.

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