

Hon'ble Mr. Justice G.S. Singhvi and
Hon'ble Mr. Justice H.L.Gokhale
C/o The Registrar
Supreme Court of India
Tilak Marg
New Delhi
110 001
India

February 21st, 2013

Dear Justice G.S. Singhvi and Justice H.L. Gokhale,

Regarding: Special Leave Petition (Civil) No 12125 of 2010 (LG, Andaman and Nicobar Islands & ORS (Petitioners) v M/s Barefoot Inns and Leisure PVT Ltd (Respondent).

Survival International very much welcomed the Honourable Court's interim order of January 21st, 2013. The ban on tourists travelling along the Andaman Trunk Road has significantly reduced the traffic through the Jarawa's reserve. For example, on February 19th, 2013 the total number of vehicles driving through the Jarawa's forest was 194. This is an almost 70% reduction from the pre-interim order average of approximately 580 vehicles a day.

Whilst we appreciate that this is an extremely positive step towards giving the Jarawa back control over their land and resources, we respectfully urge the Honourable Court to make the ban on tourists permanent and to order the Andaman Administration to set up an alternative sea route and to close the road through the Jarawa reserve completely. As you will be aware, the road was ordered to be closed by the Honourable Court in 2002 – an order which has been flagrantly ignored by the Andaman Administration.

We also understand that the Honourable Court asked the Andaman Authorities whether 'they want the Jarawa to be kept in isolation or to be

assimilated in the mainstream.' May we respectfully submit to the Honourable Court that this is not a matter for the Andaman Authorities to decide but for the Jarawa tribe themselves. History has shown that pushing tribal people into the mainstream robs them of their self-sufficiency and pride and leaves them struggling at the edges of society – diseases, suicides and addictions soar. This is not a future that anyone would wish for the Jarawa.

The Jarawa's right to self-determination must be respected – they must be allowed to control the amount, and type, of contact they have with outsiders, and to choose, what, if any, changes they make to their way of life. It is not a question of mainstreaming or isolation, but rather about their right to choose and control how they live their lives on their own land. This is enshrined in the very positive 2004 Jarawa policy, which states,

'A policy of maximum autonomy to the Jarawas with minimum and regulated intervention shall be adopted by the Government towards the Jarawas. There shall be no intervention in cultural life of the Jarawas and they will be left at liberty to develop according to their own genius and at their own pace. No attempts to bring them to the mainstream society against their conscious will or to rehabilitate them in separate islands / locations at this stage of their social development will be made'.

May we respectfully urge that no attempt is made to change this policy and that there should be no efforts to bring the Jarawa into the mainstream 'against their conscious will' at any point.

Contrary to occasional reports by vested interests, the Jarawa have shown no sign of wanting to enter the mainstream. Other than accepting medical treatment from outside, they remain self-sufficient on their land. No one who works closely with the tribe and speaks their language has ever suggested that they wish to leave their forest and join the mainstream. When required to leave their reserve for medical treatment they are always desperate to return.

Please do not hesitate to contact me if you would like any clarification on the points in this letter. I would be happy to provide more information on the dangers of pushing tribal people into the mainstream, including examples from other tribes around the world.

Yours sincerely,



Stephen Corry
Director
Survival International