

*“Partnership for action and dignity”*

*Indigenous peoples evaluating the progress  
made in the implementation of the Second  
International Decade of the World's  
Indigenous peoples*

Mid-term evaluation  
Second International Decade of the World's Indigenous  
People  
2005-2014

*Questionnaire for indigenous peoples' organizations and other civil society  
organizations*



Information presented by Zo Reunification Organization, India

Unedited version

## **Part A. General questions on the implementation of the Second International Decade of the World's Indigenous People:**

1. Who are the indigenous peoples in your country? – *Our country (Zoram) was called by the then British colonizers, “Chin-Lushai country.” It may be noted that ‘Lushai’ was re-named by the Government of India as ‘Mizo,’ from 1954. The Bengalis also called us, “Kuki or Kookis,” during the British era which means mountaineers/highlanders. ‘Chin,’ means persons carrying baskets on their back or mis-pronounced as ‘Khang or Chian’ as per the Burmese scripts. The Zo indigenous people are, now, inhabiting the present region of Arakan and Arakan Hills, Chin Hills and Kachin Hills of **Myanmar**, Manipur Hills, North Cachar Hills and Cachar Hills, Tripura Hills and Mizoram of **India** and Chittagong Hill Tracts of **Bangladesh**.*

---
2. How many and which indigenous languages are practiced in the country? – *As per the Asian Linguistic Survey, these Zo Indigenous people used one language having different dialects (60 to 70 % similarity in their respective dialect).*

---
3. Has your organization or other indigenous peoples organizations established plans of concrete activities, mechanisms or benchmarks to implement the goal and objectives of the Second International Decade of the World's Indigenous People? If so please describe them. – *To cover the entire Indigenous Zo people, a traditional institution called “Zo Inpui,” is being constituted to promote our culture, social and customary activities to inherit our traditional rights in lines with the UNDRIP.*

---
4. The purpose of the UN Declaration on the Rights of Indigenous Peoples is to constitute the legal basis for all activities in the areas of indigenous issues; it has built a new foundation for the rights of indigenous peoples. How has the Declaration impacted the lives of indigenous peoples in your country? – *The Declaration has a deep impact in the lives of the Zo Indigenous people who had so long been disappointed and oppressed by the then British colonizers dividing their country into 3 divisions. One part of their territory was put under Bengal (now, Bangladesh), another one part under Assam (now, India) and the remaining part under Burma purely on administrative conveniences though in fact their territory (Chin-Lushai) was put by the then British colonizers under Excluded Area in line with the Chin Hills Regulation and the Eastern Bengal Regulation. Now, the new UN Declaration has aroused their aspiration which had so long been suppressed. Their aspiration is now, on the horizon.*

- 
5. Do the indigenous peoples in the country celebrate the International Day of the World's Indigenous People? - *Yes, we celebrated the International Day of the World's Indigenous Peoples convened by our organization, ZoRO in a befitting manner on the 12<sup>th</sup> August, 2009 at Aizawl, Mizoram and at Lamka, Manipur. Reports of the celebration at Aizawl had been endorsed to UNPFII and doCip on the 12<sup>th</sup>. August, 2009 by email. Participants of the celebration resolved to constitute a new Traditional and Cultural Institution, 'Zo Inpui.' Last year also, we celebrated the Day at Aizawl, the capital city of Mizoram under the banner of UNO unfurled by the Governor of Mizoram. The participants also resolved to strive on heart and soul together (a copy of the Resolution enclosed herewith).*
-

**Part B. Evaluation of the progress made in the achievement of the goal and objectives of the Second International Decade of the World's Indigenous People (Objectives 1 – 5 of the Second Decade):**

**Objective 1 of the Second Decade.**

**a. Asses the progress made and degree of implementation in relation to promoting non-discrimination and inclusion of indigenous peoples in the design, implementation and evaluation of international, regional and national processes regarding laws, policies, resources, programmes and projects;**

1. Asses the degree of political representation of indigenous peoples within the governing structures on a local, regional and national level. Has the State any specific provisions or positive action to promote participation and representation, if so please describe. - *Our Organization, ZoRO was constituted in 1988 and became an independent NGO after 2 years. As being NGO, there is no place for political representation. It is open for all the Zo Indigenous people to become members of the Organization at any level. It may, however, be noted that all local political parties and other NGOs are usually invited to participate in all our activities.*

2.

- 
3. Identify strengths and/or weaknesses in the State apparatus capacity to approach indigenous issues. - *There are no identified strengths nor weaknesses worth mentioning in the State apparatus so far. In fact, there is no any action being taken by the state for implementation of the UNDRIP known to us.*
  4. In what types and sectors of indigenous issues has the Government focused most during the last five years? - *There is, practically speaking, no worth mentioning focused by the Governments of India and Myanmar on indigenous issues*

*during the last five years except that they voted in favours of the Indigenous peoples in the UN General Assembly. Of-course, Bangladesh abstained. It is, however, learnt that the Law Minister of Bangladesh promised during the 4 days Celebration of the International Day of the Indigenous peoples in Bangladesh that all the lands within Chittogong Hill Tracts will be surveyed to see any encroachment to the Indigenous Peoples' lands before end of December, 2009.*

---

5. In what types and sectors of issues have indigenous peoples focused most during the last five years? - *We submitted papers after papers for our rights in all the sessions conducted by UNPFII, WCIP etc during the last five years. We also submitted memorandum to the President of India and then to the Vice President of India also in matters relating to hydel power projects being executed by non-indigenous peoples in Mizoram.*
- 
6. Does the State apparatus provide information and public service in languages other than the official national language, namely in indigenous languages? - *No. The State apparatus does not provide information and public service in languages other than the official national languages in matters relating to Indigenous issues. Ofcourse, the Mizo language is used in the local self-government services.*
- 
7. Are there established public/State institutions, agencies or mechanisms to secure the participation and inclusion of indigenous peoples in the formulation of public policies? If so please describe these mechanisms. - *No. There are no such in the formulation of public policies in lines with the UNDRIP or Indigenous issues. Ofcourse, there are institutions/agencies/mechanisms to secure participation and inclusion of indigenous peoples in the formulation of public policies on limited norms disregarding the rights of the Indigenous peoples. For instance, the Constitution of India reads at Article 46, 'The state shall promote with special care the educational and economic interests of the weaker sections of the people, and, in particular, of the Scheduled Castes and the Scheduled Tribes, and shall protect them from social injustice and all forms of exploitation.' Notwithstanding this, the **Central norms** are in practice for execution of projects like hydel-projects and Oil or Natural Gas plant-projects without having any special consideration for the Indigenous peoples. In fact, the Indigenous Peoples inclusive of their lands and resources are exploited by non-indigenous people against the beautiful Article of the Constitution. That is, the local self-government is bound to bow down before the Central norms to sacrifice their lands and resources without having any special consideration in spite of reservations or special provisions enacted by the State.*

---

8. Are there government guidelines on how to formulate public policies with the participation and involvement of indigenous peoples? If so are they been used? - *No. There are no government guidelines to formulate public policies for participation and involvement of indigenous peoples in all the UN activities pertaining to the indigenous issues.*

---

9. Are indigenous peoples' institutions/organizations involved in the designing of national development plans? If so, please mention cases of involvement. - *No*

---

**b. Identify key priority areas and strategies for strengthened action in relation to promoting non-discrimination and inclusion of indigenous peoples in the design, implementation and evaluation of national processes regarding laws, policies, resources, programmes and projects.** - *Key priority areas - All the areas declared as Disturbed areas by Govt. of India including their adjoining areas viz., within Manipur, Nagaland, North Cachar Hills and Tripura with their adjoining areas. Also, the Chittagong Hill Tracts in Bangladesh and Chin Hills, Kachin and Arakan Hills in Myanmar with their adjoining areas.*

*Strategies - It is suggested that the UN may kindly extend its diplomacy with the States concerned for implementation of the UNDRIP. Without UN's initiative, the Declaration will be worth for nothing. All the Member States be incited by the UN to abide by the UNDRIP.*

---

**c. Identify examples of "Good Practice" in the promotion of non-discrimination and inclusion of indigenous peoples in the design, implementation and evaluation of national processes regarding laws, policies, resources, programmers and projects.** (For a template that could be used for the presentation of good practices, see annex II) - *Annexure II is found to be inappropriate unless the UN Comes forward as suggested at above (b).*

---

## **Objective 2 of the Second Decade.**

**a. Assess the progress made and degree of implementation in relation to promoting full and effective participation of indigenous peoples in decisions which directly or indirectly affect their lifestyles, traditional lands and territories, their cultural integrity as indigenous peoples with collective rights or any other aspect of their**

**lives, considering the principle of free, prior and informed consent. - *The States of India and Myanmar do not, as it appears, have made any progress so far. Of course, Bangladesh is making headway for implementation of the UNDRIP. The international Day of the Indigenous peoples was celebrated 4 days. It is learnt that 5 ministers participated the celebration enthusiastically.***

1. Does the national education curriculum have a multi-cultural focus and, if so, how is this expressed? - No.
- 

2. Do indigenous peoples participate in the formulation of the national education curriculum, if so, how? - No.
- 

3. Does the Government apply the principle of free, prior and informed consent in the negotiations with indigenous peoples, if so, please present examples of negotiations.  
- *No, the Govt. does not make public notification to the general community except notification issued by Pollution Control Board for persons concerned of the locality in particular only.*

4.

---

5. If official guidelines exist on the application of free, prior and informed consent, have indigenous peoples organizations participated in the development of these guidelines?  
*No official guidelines have ever been noticed to the community concerned nor participation of indigenous people has ever been made by the sstate Government in the development of such guidelines.*
- 

6. How are the indigenous peoples represented in the country's land titling laws / land reform processes? - *Representation of indigenous people is ignored.*
- 

7. Are indigenous peoples' cultural perspectives, including traditional knowledge incorporated into national/local health plans and if so, how? - *Never incorporated into national/local health plans so far in line with the UNDRIP.*
-

**b. Identify key priority areas and strategies for strengthened action in promoting full and effective participation of indigenous peoples in decisions which directly or indirectly affect their lifestyles, traditional lands and territories, their cultural integrity as indigenous peoples with collective rights or any other aspect of their lives, considering the principle of free, prior and informed consent.**

*Identify key priority areas :-*

- 1. Bairabi Hydel project.*
- 2. Tuirial, Tuivawl, Tipaimukh and Kolodyne Da/ Hydel projects.*
- 3. Natural Gas and Oil exploration projects in Mizoram.*

*Strategies : -*

*1. Immediate adoption of the UNDRIP is a must particularly in respect of land, territory and resources of the indigenous people.*

*2. Central norms are used without having reservations or special consideration for the Zo indigenous people inspite of Art. 46 of the Indian Constitution which read, 'State shall promote with special care the educational and economic interests of the weaker sections of the people, and, in particular, of the Sheduled Castes and the Sheuled Tribes, and shall protect them from social injustice and all forms of exploitation.' The local self-govt. is cowed down by the Central Govt. to follow the Central norms ignoring Article 46 of the Constitution.*

---

**c. Identify examples of "Good Practice" in promoting full and effective participation of indigenous peoples in decisions which directly or indirectly affect their lifestyles, traditional lands and territories, their cultural integrity as indigenous peoples with collective rights or any other aspect of their lives, considering the principle of free, prior and informed consent. (For a template that could be used for the presentation of good practices, see annex II)**

*Does not arise.*

---

### **Objective 3 of the Second Decade.**

**a. Asses the progress made and degree of implementation in relation to redefining development policies that depart from a vision of equity and that are culturally appropriate, including respect for the cultural and linguistic diversity of indigenous peoples.** - *No progress to be commented worth-mentioning for implementation of the UNDRIP.*



1. Have indigenous peoples developed or implemented initiatives to recover or preserve indigenous peoples' heritage sites or other parts of their tangible and intangible heritage? Please give examples of initiatives implemented (museums and/ or schools of living traditions concerning indigenous peoples). - *Yes, a museum is established. Many people donated their valuable artistic works, monuments etc for preservation in the Museum. One youth organization, 'Young Mizo Association, popularly known as YMA' has many branches, and each of the Branch is taking care of ancient monuments or tombs etc. in their respective jurisdiction. They are the custodians of our culture, traditions etc beside ZoRO.*
- 

2. Is there an institution (for example Ombudsman, human rights commissioner etc.) to which indigenous peoples and their communities can turn to seek redress from action taken by Government institutions? If so please evaluate its impact and usefulness. - *No. There is no Human Right Commission in Zoram i., in the inhabited area of the Zo people..*

3.

---

4. How is the issue of fair sharing of benefits from the use of genetic resources or other natural resources approached in the country? Please describe examples of positive/negative experiences. - *The Zo community is un-paralled and unique. Each village is like a big family. Their lands are community lands. Most of them are still depending on jhuming or shifting cultivation. Every year they shift their jhuming cultivation from one area of land to another area. That is, they share the land and own the land collectively. Their land tenure system is quite different from others. But all resources like, natural gas, oil etc pertaining to their lands which they inherited from their fore-fathers from time immemorial, are, now, owned by the State which is, now, claimed by us in line with the UNDRIP.*
- 

**b. Identify key priority areas and strategies for strengthened action in relation to redefining development policies that depart from a vision of equity and that are culturally appropriate, including respect for the cultural and linguistic diversity of indigenous peoples.**

*Department of Environment and Forests has developed teak etc. plantations in areas which have potentiality for agricultural purposes. Revenue reserves are notified in many river valleys without having any idea for development of agricultural extensions. In fact, all the lands belonged to the Zo community from their chieftainship era. Ofcourse, their chiefs were landlords. But all the lands were*

*community land oriented. Any persons irrespective of castes or creeds, could profess shifting cultivation in those lands on payment of 3 tins of paddy to the chiefs. That is why, we could state that the lands did belong to the community. Their culture and tradition had links with jhuming to a great extent. Government's plantations stand on way to modern system of Horticulture and Agricultural developments for the people.*

*New Zealand, though voted against the indigenous peoples in the UN General Assembly, has done a good practice which is more or less in line with the UNDRIP by giving back the State's plantations to the Maories indigenous people with huge sums of dollars as rentals. We would suggest same strategies for strengthening action.*

---

**c. Identify examples of "Good Practice" in relation to redefining development policies that depart from a vision of equity and that are culturally appropriate, including respect for the cultural and linguistic diversity of indigenous peoples. (For a template that could be used for the presentation of good practices, see annex II)**

*Example of good practice has already been indicated at (b) above. There are no examples of Good Practice worth-mentioning in our country. Bolivian Parliament has adopted the UNDRIP and the Supreme Court of Belize also, has already set up an example for having regarded the indigenous peoples' rights as International human rights. Furthermore, in the Democratic Republic of Congo, the government has endorsed the Declaration. (Annexure II seems not applicable in our answers to the queries).*

---

#### **Objective 4 of the Second Decade.**

**Asses the progress made and degree of implementation in relation to adopting targeted policies, programmes, projects and budgets for the development of indigenous peoples, including concrete benchmarks, and particular emphasis on indigenous women, children and youth.**

1. Does the States provide education in mother tongue/bilingual (at what educational level is the mother tongue education offered)? - *The State has put education at the discretion of the indigenous peoples, No further answer may arise.*
  - 2.
- 

3. Are there indigenous teachers in local schools? - *Yes.*

- 
4. Are there national programmes to target and secure the quality of education and training of indigenous teachers? -

*Yes, the national norms and UGC's (University Grant Commission's) norms are adopted at will by the indigenous peoples. These are also under the discretion of the indigenous peoples.*

- 
5. Are there programmes or initiatives to support the education of indigenous professionals, for example in terms of quota in educational institutions? -

*The State is very much liberal in this respect. Tribal Scholarships are financed by the State for all those students reading in all recognized colleges and universities.*

- 
6. How does the country approach the issue of customary law of indigenous peoples versus national legislation? Please provide examples of action taken (positive /negative). -

*Customary laws of the indigenous peoples are honoured by the national legislation. The indigenous people can profess their customary laws.*

7. How does your organization approach the issue of gender equality? Are there specific activities for the empowerment of indigenous women, socially, economically, culturally and politically? -

*Our organization has nothing to do with gender inequality since, all the Zo indigenous people have no problems as such.* -

- 
8. In adapting to and preventing negative impacts from climate change have there been any specific activities/initiatives directed towards indigenous peoples' communities or livelihoods by indigenous peoples themselves or by the Government? -

*Dam Constructions, Natural Gas and Oil explorations and Construction of Indian Railway into the heart of the Zo indigenous peoples' territory are being streamlined/underway in lines with the Indian national norms without having any special consideration as per the Indian Constitution (Art.46) for the interest of the Zo indigenous people. These are against Art. 26 of the UNDRIP. It may be noted that the beautiful words contained at the said Article are not adhered to.*

- 9.

- 
10. Has the Government established specific targets and benchmarks or made any specific commitments on the improvement of indigenous people's lives? -

*Yes, the State/Government of India has done a lot, and is making headway for the improvement of the Zo people. In the meanwhile, their overall major or potential economic developments are being taken away from them and are given to non-indigenous people viz., corporations or companies and the Government/State itself. All the lion's shares of the indigenous people's resources are being looted away from the indigenous people at the sight of the indigenous people stating that the Central norms are to be followed. The indigenous people could not but follow the Central norms even at the expense of their lands and resources. This system of developments is not the aspiration of the people as it is by far the system of sustainable developments for it entails exploitation of the land, people and their resources.*

11.

- 
12. Does the national budget contain specific budget lines supporting the implementation of activities/programmes on indigenous issues? - *Yes, the national budget of India contains specific budget lines supporting its own volition in the course of Central norms and not in lines with Implementation of the UNDRIP nor the Constitution (Art. 46) as yet. We pray and hope India, Myanmar and Bangladesh will follow Bolivia in due course.*

---

**b. Identify key priority areas and strategies for strengthened action in relation to adopting targeted policies, programmes, projects and budgets for the development of indigenous peoples, including concrete benchmarks, and particular emphasis on indigenous women, children and youth.** - *Does not arise.*

---

**c. Identify examples of "Good Practice" in relation to adopting targeted policies, programmes, projects and budgets for the development of indigenous peoples, including concrete benchmarks, and particular emphasis on indigenous women, children and youth (For a template that could be used for the presentation of good practices, see annex II)** - *Does not arise.*

---

**Objective 5 of the Second Decade.**

**a. Asses the progress made and degree of implementation in relation to developing strong monitoring mechanisms and enhancing accountability at the national level, regarding the implementation of legal, policy and operational frameworks for the protection of indigenous peoples and the improvement of their lives.**

1. Is there a government or other report or research documenting the situation of the country's indigenous population and the numbers of indigenous peoples in the country? - *Census records are available for all the people of the State indicating number of Scheduled Tribes etc. in all the provincial states. But consolidated statement of all the indigenous peoples in the country is not known to us.*

- 
2. Is there a specific government unit or institution responsible for monitoring and reporting on indigenous peoples' situations at national level? - *Does not arise for implementation of the UNDRIP.*

- 
3. Are indigenous peoples identified in the national census? Numbers of Tribals are identified .

---

**b. Identify key priority areas and strategies for strengthened action in relation to developing strong monitoring mechanisms and enhancing accountability at the international, regional and particularly the national level, regarding the implementation of legal, policy and operational frameworks for the protection of indigenous peoples and the improvement of their lives.** - *There are no such key priority areas and strategies identified by the States of India and Myanmar so far. Of-course, there are some progresses in Bangladesh. For instance, the Law Minister promised to verify the land issues in the Chittagong Hill Tracts before end of December, 2009. Again, we presume that all the responsibilities in these respects rest with the UN.*

---

**c. Identify examples of "Good Practice" in relation to developing strong monitoring mechanisms and enhancing accountability at the international, regional and particularly the national level, regarding the implementation of legal, policy and**

operational frameworks for the protection of indigenous peoples and the improvement of their lives. (For a template that could be used for the presentation of good practices, see annex II) - *Annexure II is found to be inappropriate in the case of the Zo Indigenous people since, the States (Governments) of India, Myanmar and even Bangladesh have not instituted strong monitoring mechanisms at regional or national level.*

---