



# General Assembly

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## Human Rights Council

### Forty-second session

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Agenda item 4

Human rights situations that require the Council's attention

## Written statement\* submitted by Asia Indigenous Peoples Pact, a non-governmental organization in special consultative status

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

[22 August 2019]

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\* Issued as received, in the language(s) of submission only.



## **Written statement submitted by Asia Indigenous Peoples Pact and the Naga Women's Union**

Mr. President and Members of the Council,

We would like to draw your attention to the recent development regarding the Indo-Naga peace talks and the human rights situation of the Naga people. We are concerned that serious differences have risen between the two negotiating parties and that the hard-earned peace process is at the risk of getting derailed.

In July 2019, Mr. R.N Ravi, the Government's Chief Interlocutor to the Indo-Naga peace talks was appointed as the Governor of Nagaland State which came by surprise. Further, immediate to his appointment, Mr. Ravi announced that he has been directed by the Prime Minister of India to conclude the peace talks within three months.

Mr. Muivah, the Chief negotiator of the National Socialist Council of Nagaland (NSCN-IM), has raised serious objection to the appointment of Mr. Ravi as the Governor of Nagaland and at the same time, continue as the Interlocutor of the Government of India (GOI). Mr. Muivah has raised that this is downgrading the political dialogue to a mere "law and order issue" to be settled through the Union Home Ministry. Further, the unilateral move by the GOI to sign the agreement within three months has been termed as amounting to serving ultimatum. The NSCN-IM has demanded for a new interlocutor and has made it known that a Governor will not be accepted as an Interlocutor.

The Naga CSOs are concerned because it has been reported that serious differences cropped up in the last round of the talks and the NSCN-IM leaders have expressed grave dissatisfaction. We strongly believe that the GOI of India is backtracking from the agreed principles of the talks. The Indo-Naga peace talk was seen as promising and welcomed by the Naga people, CSOs in India and the international community, when it was announced in 1997. The terms of the talks were firmly set on three principles: 1) talks to be held at the Prime Ministerial level, 2) talks to be held in a third neutral country and 3) the talks shall be unconditional.

The progress of the talks has been slow, and 22 years have passed, but we believe that several contentious issues have been hammered out and agreed upon. It has been reported that substantial headway has been made towards finding an honorable solution based on a meaningful relationship between the two peoples. The Naga people have waited patiently and with determination. However, the recent developments have once again threatened to demolish the hope for justice and peace for the Naga people. There are reports of increasing deployment of Indian military forces across Naga areas and there have been incidences where armed confrontations have been averted through the intervention of the CSOs.

It is the aspiration of all Nagas to live as a people with peace and dignity. While every Naga yearns for lasting peaceful solution to the protracted Indo-Naga political issue, it is also our earnest wish that the settlement is made consistent with the human rights principles and values founded on the principles of self-determination prominently embodied in Article 1 of the International Covenant on Civil and Political Rights (ICCPR) as well as of the International Covenant on Economic, Social and Cultural Rights (ICESCR), which is further reinforced in Article 3 of the United Nations Declaration of the rights of Indigenous Peoples (UNDRIP) that says, "All peoples have the right to self-determination. By virtue of that right they freely determine their political status and freely pursue their economic, social and cultural development".

We firmly believe that the approach of the present government towards aggressive centralization and security management will not lead to addressing political issues in a democratic manner and reduce violence. The talk is at high risk as the NSCN-IM has openly expressed being marginalized.

It is with urgency that we call on the international community, and in particular the United Nations Human Rights Council (HRC), for intervention to the Indo-Naga Peace process to help bring the talks back on track and for ensuring an honorable political solution based on the principle of human rights and democratic values.

In particular, we recommend the United Nations Human Rights Council (HRC) to:

- Urge the Government of India to honor its commitments made to the Nagas and resolve the protracted Indo-Naga political issue without further delay.
  - Call upon the Government of India to welcome third neutral party(ies), including the UN bodies, to ascertain facts on the ground, provide expert advice, and aid in bringing an honorable lasting political solution to the Naga political issue.
  - Send a human rights delegation, including the Special Rapporteur on the rights of Indigenous Peoples and mandate holders of the Expert Mechanism on the Rights of Indigenous Peoples to assess the developments surrounding the Indo-Naga peace negotiations and to ensure that GOI and negotiating parties respect democratic processes and the rights of indigenous peoples with particular reference to Article 3 of the United Nations Declaration on the Rights of Indigenous Peoples.
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