**Human Rights in post-disaster and post-conflict situations**

**QUESTIONNAIRE**

*as part of the consultations undertaken by the Human Rights Council Advisory Committee with members of the Civil Society with a view to preparing a research-based report on best practices and main challenges in the promotion and protection of human rights in post-disaster and post-conflict situations, pursuant to Council resolution 22/16.*

**Background:**

**Recognizing the need for a human rights-based approach to the delivery of humanitarian assistance and taking note of the Advisory Committee’s research proposal submitted to the Human Rights Council[[1]](#footnote-1), the Council, in its resolution 22/16, mandated the Advisory Committee to prepare a research-based report on best practices and main challenges in the promotion and protection of human rights in post-disaster and post-conflict situations, to foster the capacity of States in such efforts and which would have to be presented on the Council’s twenty-eighth session (March 2015).**

**It is therefore in this context that the Advisory Committee decided, at its eleventh session held in August 2013, to appoint a drafting group[[2]](#footnote-2) in charge of the preparation of this report. The drafting group will present a progress report at the twelfth session of the Committee in February 2014, before its submission to the twenty-sixth session of the Council (June 2014). The resolution also requests the Committee, in its preparation of the report, to seek views and inputs from different stakeholders, such as Member States, international and regional organizations working in post-disaster and post-conflict situations and civil society representatives. The drafting group therefore elaborated the hereunder questionnaire for members of the Civil Society.**

**Part I: General**

1. Has your country faced a situation of disaster or conflict? If yes, please indicate below which one or both and kindly proceed to answer the following questions.

**▢ Disaster – Yes, our country faced a situation of disaster. Our country, Zoram (Chin-Lushai-Kuki country), lying in the border areas of India, Myanmar and Bangladesh, got benefits from the British colonial rule. In fact, the British rule could, somehow, be stated as Golden History. Christianity was introduced which was very much appreciated by the people. The then British administration safeguarded them from exploitation and annihilation of Indian Hindus, the East Pakistani (now, Bangladeshi) Muslims and the Burmese Budhists. Their areas together with all the tribal areas of the North-East India were declared as Excluded Areas by the then British Indian Constitution of 1935, and that they were neither parts of India nor Baluchistan, or not parts of Burma or of any foreign states. But as ill luck would have it, their districts boundaries had become made as international borders after tripartite divisions of their country. That is, since partition of the then British-India viz., India, Pakistan and Burma. No one can challenge the fact that the British colony of this sacred country was inherited by India and her two sisters viz., Myanmar and Bangladesh. Of course, the Pakistani Government extended its diplomatic relation with these people during the Indo-Pakistani War (so called Bangladeshi War of Independence of 1971).**

 **The peace loving Zo-folks’ country has, since then, been obliterated. Supposing that Switzerland is put under tripartite divisions by colonialists, the social, cultural and political conditions of Switzerland could not but be declared as *Disastrous* and not a mere *Conflict*. The MNF (Mizo National Front) declared war of independence in 1966 and moved for re-unification of all the Zo-folks living under India, Burma and Bangladesh. But the Zo boy was not matched with the might of the Indian Giant together with her sister, Myanmar. Political insecurity is rampant in the whole North-East India inclusive of Myanmar and even Bangladesh even till today. The world community is aware of the fact that Bangladesh and Myanmar are under military rules resulting to influx of refugees in their neighboring countries. The political aspirations of the Indigenous peoples of the North-East India and that of the said 2 sisters can only be quenched in line with the popular UNDRIP *vis-a-vis* other UN Charters, Declarations and Resolutions.**

**Conflict - The problem, being faced by our country together with all the Indigenous peoples known as Tribals living in the Tribal Areas adjacent to India, could not be stated as a mere *conflict*. The route cause may please be studied for lasting solution of the aspirations of the peoples.**

**Part II: Post-disaster situations**

1. What is the role of your organization in attending to disasters? Does it have operational guidelines relating to a human rights-based approach?

 **The role played by our organization is in line with the consensus of all the Zofolks. For instance, all the political Presidents of Mizoram State have pledged to extend their utmost efforts for implementation of UN Declarations on the Rights of Indigenous Peoples. Moreover, representatives or participants of the Zo Indigenous People’s Conference held on the UN Day Celebration, the 24th. October, 2013 at Mawreh, a border town, also pledged for re-unification of the Zo-folks. We aspire for annihilation of all exploitations and discriminations in lines with the UNDRIP and such other UN Declarations, Charters and Resolutions.**

 **Our organization participated in the WGIP and UNPFII sessions more than 20 times and hence, makes approaches to all concerned. We have made Shadow reports to the UN High Commissioner for Human Rights, Civil Unit, which are learnt to have been shared with other colleagues of the Civil Unit. We look forward for full implementations of all the laborious works enshrined in the UNDRIP etc. in the hope that the times, moneys spent and all such laborious works incurred by the Indigenous Peoples of the world through and under the sponsors of the UN and its agencies or experts and other voluntary societies, will not end in smoke.**

 **It may be noted that the Central Executive body of our Organization is authorized by the National Convention convened by the Organization. It may be reiterated that all the political parties and NGOs of Mizoram provincial state, in particular, resolved from time to time, to abide by the decisions made by our Organization.**

2. Do you have a specialized mechanism to monitor human rights protection and promotion during disasters?

 **We do not have a specialized mechanism to monitor human rights protection during disasters caused by natural calamity or so. The disasters stated above, occurs to us as *political disasters* caused by colonialists and their inheritors. This is called by us as, “Hidden Colonialism,” which is felt required to be exposed to the world community to do away with political discrimination in line with Articles 45 and 46 (2 & 3) of the UNDRIP. We feel that our political condition is very simple. Hence, we do not feel it required to have specialized mechanism to pursue our political aspirations. We have to express our gratitude for all the 46 Articles of the UNDRIP which have all been found by us in lines with the statements delivered by us in the WGIP and UNPFII Sessions**.

3. Are you involved in capacity-building of Government officials on a human rights-based approach to relief, recovery, reconstruction and rehabilitation after a disaster?

 **No.**

4. Have you noticed any discrimination or neglect in provision of services, relief, etc? Are there protections/standards in place by the Government to ensure non-discrimination and the respect of the humanitarian principles of neutrality, independence, impartiality and humanity in the provision of services, relief, etc.?

 **Our approach is in respect of discrimination as a nation. Colonization had been vehemently criticized by USA before or after Decolonization Declaration of 1960. Adequate Housing can only be established if all the sons of Zo-folks can be accommodated under one roof by way of decolonization in line with the 1960 Declaration and its subsequent Declaration of 2007.**

5. What are the biggest challenges you notice that the Government faces in post-disaster situations?

 **When the Mizo National Front declared Independence in 1966, the Indian Security Forces tried to subdue them by means of burning of their houses, tortures of any sorts, raping and then grouping of almost all the villages in Mizoram on security reason. Thousands of Innocent civilians were killed.**

 **One of the biggest challenges I notice that the Government faces in post-disaster situation was an arrest made by the Govt. some time back, against our President, Mr. R.Thangmawia for his earnest efforts made for re-unification of our people.**

6. What are the biggest challenges that your organization faces in post-disaster situations?

 **Firstly, border fencings along the former district boundaries now known by the world community as International borders. Secondly, Gas exploration is being underway of which India claims 90 per cent of its royalty which is contradictory to Article 26 of the UNDRIP. Thirdly, Inner line Pass system required to enter in our territory for all other Indians are likely to do away with.**

**Part III: Post-conflict situations**

1. Do you have a specialized mechanism to monitor human rights protection and promotion during armed conflict? And in post-conflict stages?

 **Of course, Human Right mechanism was monitored during the armed conflict and when almost all the villages in Mizoram were grouped together in the like manner of Hitler’s Concentration Camps, purely on lame security reason. But this was mostly, in matter relating to excessive actions of the Indian Security Forces against civilians.**

2. Are you involved in capacity-building for Government officials on a human rights-based approach to relief, recovery, reconstruction and rehabilitation after a conflict?

 **No.**

3. Are you involved in capacity-building for Government officials on a human rights-based approach in post-conflict stages, including peace building, transitional justice?

 **No.**

4. In these capacity-building exercises, do you include the humanitarian principles of neutrality, independence, impartiality and humanity?

 **No.**

5. Have you noticed any discrimination or neglect in provision of services, relief, etc? Are there protections/standards in place by the Government to ensure non-discrimination and the respect of the humanitarian principles of neutrality, independence, impartiality and humanity in the provision of services, relief, etc.?

 **I am not interested for minor services like these sorts.**

6. What are the biggest challenges you notice that the Government faces in post-conflict situations?

 **Does not arise.**

7. What are the biggest challenges that your organization faces in post-conflict situations?

 **Our organization does not have so much interest in minor conflict but in the challenges felt required to be settled at international level.**

 **The above answers for the queries are made for favor of your kind perusal and further necessary actions.**

 Thank you,

 Yours Sincerely,

 Keihawla Sailo, Vice-President,

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1. A/HRC/AC/9/1, 10 August 2012. [↑](#footnote-ref-1)
2. A/HRC/AC/11/L.1, 16 August 2013. [↑](#footnote-ref-2)