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Country/ entity	India Mizoram
Region	Asia and Pacific Asia and Pacific
Agreement name	Memorandum of Settlement Between The Government of Mizoram and the Hmar People's Convention (HPC)
Date	27 Jul 1994
Agreement status	Multiparty signed/agreed
Interim arrangement	Yes
Agreement/ conflict level	Intrastate/intrastate conflict ( India-Adivasi Conflicts (1955 - ) (Northeast India) )
Stage	Framework/substantive - comprehensive
Conflict nature	Government/territory
Peace process	India-Hmar-Bodoland peace process
Parties	Sd/- (HMINGCHUNGHNUNG) President, Hmar People's Convention Sd/- (LALFAKZUALA) Chief Secretary, Govt. of Mizoram
Third parties	-
Description	An agreement settling the conflict between the Government of Mizoram and the Hmar People's Convention. It provides for devolving greater administrative powers to the Sinlung Hills Development Council, and an amnesty for members of the Hmar People's Convention.

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Agreement document	<a href="#">IN_940727_Memorandum of Settlement Between the Government of Mizoram and the HPC.pdf</a>    <a href="#">Download PDF</a>
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## Groups

Children/ youth	No specific mention.
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Disabled persons	No specific mention.
Elderly/age	No specific mention.
Migrant workers	No specific mention.
Racial/ethnic/national group	No specific mention.
Religious groups	No specific mention.
Indigenous people	<p>Groups→Indigenous people→Substantive  Page 2, ADMINISTRATIVE AND OTHER STEPS:  5.1 With a view to satisfying the desires and aspirations of Hmar community in Mizoram, the State Government will initiate measures for use of Hmar language as a medium of instruction up to Primary level and recognition of the Hmar language as one of the major languages of the State of Mizoram.</p> <p>Page 2, ADMINISTRATIVE AND OTHER STEPS:  5.2 The Government of Mizoram will take steps for the promotion and preservation of Hmar culture and assistance may be provided as permissible under the rules by the Department of Art and Culture.</p>
Other groups	No specific mention.
Refugees/displaced persons	No specific mention.
Social class	No specific mention.

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## Gender

Women, girls and gender	No specific mention.
Men and boys	No specific mention.
LGBTI	No specific mention.
Family	No specific mention.

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## State definition

Nature of state (general)	No specific mention.
State configuration	No specific mention.
Self determination	No specific mention.
Referendum	No specific mention.
State symbols	No specific mention.
Independence/ secession	No specific mention.
Accession/ unification	No specific mention.
Border delimitation	No specific mention.

Cross-  
border  
provision

No specific mention.

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**Governance**

Political institutions (new or reformed)

Governance→Political institutions (new or reformed)→New political institutions (indefinite)

Page 1, Objective:

3. The main objective of the Memorandum of Settlement is to give adequate autonomy to the Sinlung Hills Development Council for social, economic, cultural and educational advancement of the people under the jurisdiction of the Council.

Page 2, ADMINISTRATIVE AND OTHER STEPS:

5.3 A new Civil Sub-Division will be opened at Sakawrdai and the Sub-Division Offices of different Departments will also be established at convenient locations in the area...

Page 2, ADMINISTRATIVE AND OTHER STEPS:

5.4 For the social, economic, cultural and educational development of the people of the people in the north and north-eastern parts of Mizoram comprising an area to be specified and agreed upon by Government of Mizoram and HPC, Sinlung Hills Development Council will, by notification in the Office Gazette, be constituted by the Government of Mizoram and separate fund will be earmarked for schemes which may be specified for implementation within the area of the Council.

Page 2-3, COMPOSITION OF THE COUNCIL:

5.5 The composition of the Sinlung Hills Development Council during the interim period of 2 years shall be as follows:-

- 1) President, Hmar People Convention - Chairman
- 2) Any sitting MLA of the area (to be nominated by Govt.) - Vice Chairman
- 3) 17 Nominated members from the area (14 members to be nominated by Chairman Of the Council and 3 members by the Govt.) - Members
- 4) Representative of Finance Department - Member
- 5) All sitting MLAs of the area - Members
- 6) Representative of Planning Department - Member
- 7) Representative of Rural Development Department - Member
- 8) Deputy Commissioner concerned - Member
- 9) Development Officer (Sr. IAS or MCS Officer) - Member-Secy.

Page 3, COMPOSITION OF THE COUNCIL:

5.6 The headquarters of the Council shall, during the interim period of 2 years be Sakawrdai and it shall have a separate office with supporting staff.

Permanent headquarters of the Council after the interim period shall be decided by the Government in consultation with the Interim Council. No salary or TA/DA will be admissible to the Vice Chairman and he will draw his salary and TA/DA as MLA from the Budget of the Mizoram Legislative Assembly. The other non-official members of the Council will be entitled to such allowances as are admissible to the non-official members of the State Planning Board.

Page 3, COMPOSITION OF THE COUNCIL:

5.7 The Chairman of the Council will initially be the President, HPC, who will be provided with vehicle and residential quarters/bungalow and personal staff as determined by the Government. The Chairman will hold office for two years initially. Composition of the Council and the manner of nomination/ election of the Chairman and members, after expiry of the interim period of two years, shall be decided by the Government in consultation with the Interim Council. The terms of office of the Chairman and the Council shall

Elections No specific mention.

Electoral  
commission No specific mention.

Political  
parties  
reform No specific mention.

Civil society No specific mention.

Traditional/  
religious  
leaders No specific mention.

Public  
administration No specific mention.

Constitution No specific mention.

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## Power sharing

Political  
power  
sharing

Power sharing→Political power sharing→Executive coalition  
Sub-state level

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Territorial  
power  
sharing

Power sharing→Territorial power sharing→Autonomous regions

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Page 3, POWERS AND FUNCTIONS OF COUNCIL:

5.8 The powers and functions of the Council will be indicated below:-

- 1) To make plan out of earmarked fund. The plan will be implemented by the Department concerned. The plan made by the Council will be subject to the approval of the Government.
- 2) To reallocate fund from one Scheme to another within the area and within the Sectoral allocation, provided that in case, the proposed new scheme is not identical in nature with the approved scheme, approval of the Government will be necessary;
- 3) To draw up calendar of works for various Departments in the area and oversee their implementation;
- 4) To make recommendation to the Government as deemed necessary in the interest of better planning, implementation and monitoring;
- 5) To obtain information from any officer in the area regarding progress of plan schemes;
- 6) To review the progress of the area plan once in a quarter; and
- 7) Any other functions that the Government may allot from time to time.

Page 4, FREQUENCY OF COUNCIL MEETING, ETC:

5.9 The Council shall meet at least once in three months. The Chairman will have the power to invite any two Government officials or non-officials, to attend any particular meeting of the Council, if considered necessary.

Economic  
power  
sharing

No specific mention.

Military power sharing	No specific mention.
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## Human rights and equality

Human rights/RoL general	No specific mention.
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Bill of rights/similar	No specific mention.
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Treaty incorporation	No specific mention.
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Civil and political rights	No specific mention.
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Socio-economic rights	No specific mention.
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## Rights related issues

Citizenship	No specific mention.
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Democracy	No specific mention.
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Detention procedures	No specific mention.
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Media and communication	No specific mention.
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Mobility/ access	No specific mention.
Protection measures	Rights related issues→Protection measures→Other Page 2, Restoration of Normalcy: 4.4 The HPC undertake not to extend any support to NSCN, ULFA and other such underground groups by supply of arms or providing protection or in any other manner.
Other	No specific mention.

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## Rights institutions

NHRI	No specific mention.
Regional or international human rights institutions	No specific mention.

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## Justice sector reform

Criminal justice and emergency law	No specific mention.
State of emergency provisions	No specific mention.
Judiciary and courts	No specific mention.
Prisons and detention	No specific mention.

Traditional Laws No specific mention.

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### **Socio-economic reconstruction**

Development or socio-economic reconstruction Socio-economic reconstruction→Development or socio-economic reconstruction→Socio-economic development  
Page 2, ADMINISTRATIVE AND OTHER STEPS:  
5.3 ...The Primary Health Centre at Sakawrdai will also be upgraded into 30 bedded Community Health Centre.

Page 2, ADMINISTRATIVE AND OTHER STEPS:  
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National economic plan No specific mention.

Natural resources No specific mention.

International funds No specific mention.

Business No specific mention.

Taxation No specific mention.

Banks No specific mention.

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## Land, property and environment

Land reform/ rights	No specific mention.
Pastoralist/ nomadism rights	No specific mention.
Cultural heritage	Land, property and environment→Cultural heritage→Intangible Page 2, ADMINISTRATIVE AND OTHER STEPS: 5.1 With a view to satisfying the desires and aspirations of Hmar community in Mizoram, the State Government will initiate measures for use of Hmar language as a medium of instruction up to Primary level and recognition of the Hmar language as one of the major languages of the State of Mizoram.  Land, property and environment→Cultural heritage→Promotion Page 2, ADMINISTRATIVE AND OTHER STEPS: 5.2 The Government of Mizoram will take steps for the promotion and preservation of Hmar culture and assistance may be provided as permissible under the rules by the Department of Art and Culture.
Environment	No specific mention.
Water or riparian rights or access	No specific mention.

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## Security sector

Security Guarantees	No specific mention.
Ceasefire	No specific mention.
Police	No specific mention.
Armed forces	No specific mention.

DDR

Security sector→DDR→Demilitarisation provisions

Page 1, Restoration of Normalcy:

4.1 With a view to restoring peace and normalcy in Mizoram, the HPC on their part agree to undertake, within the agreed time-frame, all necessary steps to end all under-ground activities, to bring out all underground personnel of the HPC with their arms, ammunition and equipments to ensure their return to civil life, to abjure violence and help in the process of restoration of normalcy. The modalities of bringing out all underground personnel will be worked out. The implementation of the foregoing will be under the supervision of Government of Mizoram.

Intelligence  
services

No specific mention.

Parastatal/  
rebel and  
opposition  
group  
forces

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Page 1, Restoration of Normalcy:

4.2 The HPC shall take immediate steps to amend, as may be necessary, its articles of Association/ Constitution so as to make them conform to the provisions of Law.

Page 2, Restoration of Normalcy:

4.3 The Government of Mizoram will take steps for relief/ rehabilitation of all HPC underground personnel who had joined the HPC prior to 18th December, 1992, coming overground and ex -gratia will be paid to the next of kin/heirs/ dependants of the HPC killed during the insurgency.

Page 2, Restoration of Normalcy:

4.4 The HPC undertake not to extend any support to NSCN, ULFA and other such underground groups by supply of arms or providing protection or in any other manner.

Page 4, OTHER MATTERS:

6.1 The Government of Mizoram have appreciated the concern and pressing demand of the HPC delegation, particularly regarding political safeguard as available under the Sixth Schedule to the Constitution of India. Accordingly the Government of Mizoram will take immediate measures for inclusion of an area to be specified within the HPC Demand Area of Mizoram and the other non-Schedule to the Constitution of India so that the above-mentioned areas are safeguarded under the Sixth Schedule to the Constitution of India.

Page 4, OTHER MATTERS:

6.2 On fulfillment of the stipulations contained in Para 4.1, no member of the HPC now coming overground shall be prosecuted for offences committed in connection with underground activities. Investigation of all cases registered in Mizoram which are in progress currently against HPC personnel shall be dropped forthwith and those convicted of any such offence shall also be granted remission of sentences.

Withdrawal  
of foreign  
forces

No specific mention.

Corruption No specific mention.

Crime/  
organised  
crime No specific mention.

Drugs No specific mention.

Terrorism No specific mention.

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## **Transitional justice**

Transitional  
justice  
general No specific mention.

Amnesty/  
pardon Transitional justice→Amnesty/pardon→Amnesty/pardon proper  
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Courts No specific mention.

Mechanism No specific mention.

Prisoner  
release No specific mention.

Vetting No specific mention.

Victims No specific mention.



Missing persons No specific mention.

Reparations No specific mention.

Reconciliation No specific mention.

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## **Implementation**

UN signatory No specific mention.

Other international signatory No specific mention.

Referendum for agreement No specific mention.

International mission/force/similar No specific mention.

Enforcement mechanism No specific mention.

Related cases No specific mention.

Source <http://hpc-democratic.blogspot.co.uk/1994/07/memorandum-of-settlement-between.html>

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