

# The Free Movement Regime and Protest Movement on Border Fencing in Contagious Naga Areas.

K. HOKATO SUMI

*Assistant Professor, Department of History, St. Joseph University, Nagaland*

*Abstract— The history of the North eastern region has been intricately convoluted, these problems arise out of the Geo-political influences and emergence of the Northeastern region as a potential economic hub in the South east Asian region connecting the neighboring nation as Myanmar, Thailand, Vietnam, Malaysia, Indonesia, Philippines etc. The region underwent a different phases of historical transition from an Independent entity to a subject under the Burmese, Ahoms and The British rule. This cultural cohesion further led to common cultural identity and ties among the different tribals living in different areas. The artificial boundary further created more complexities to the already existing issues and problems, with the British colonization in India and its expansion of territory to Northeastern region to buttress its rule and hegemony in India. As a result, these areas underwent one major drastic change, the physical impact of territorial boundary demarcation. The British demarcated the boundaries of this region into different division for their administrative conveniences. These settlements continue to exist under the British rule and as it rule end, it has left its dishonorable footprint of partitioning the regional territories. The boundary demarcations were done against the claims of the tribals living in this region. In order to continue administration and keep intact the hegemony in an independent India over this region, an arrangement was done post India-independence between India and Myanmar. This policy in the form of mutual arrangement came to be called as the Free Movement Regime by which the citizen of both nations were given certain relaxations in order to encourage the cultural ties and bonding between the tribals who were separated due to the artificial boundaries. However, due to the emerging complexities because of border security, threat and conflicts. The Central govt of India decided to end the FMR post the emergence of Manipur crisis in 2023. The paper examine on the emergence of Free Movement Regime, the process of Naga Integration and the protest movement against the scrapping of the FMR by various tribal bodies of the region.*

*Index Terms- Free Movement Regime, Naga Integration, Tribal Protest, Indo-Myanmar border.*

## I. INTRODUCTION

The complexities involved in the Northeastern states are largely due to the border demarcations that are closely inter-woven with ethnic identity of the different tribals inhabiting those region. The Northeast has been identified with the consciousness sometimes referred as 'Rebel consciousness'.<sup>1</sup> That also determines the Northeast India politics, the idea of exclusive homeland of the ethnic tribals are intrinsically linked to the cycle of violence and ethnic movements. The ethno class spearheads the uprisings; besides the other complexities, the regions are characterized by the conflict that mainly revolves around the geography of the region. The multi-cultural ethnic character of the people added other dynamics complexities of the ever-changing conflict of the region. The Naga case of conflict can also be categorically sum up as conflicts of the tribal with the state, tribal vs. tribal or tribal vs. non-tribal, the ethnic distinctive narratives of glorious past, distinct culture, traditions, language, and historical injustices characterize Naga identity conflicts with India, their demands of special cultural rights that aimed at enhancing their socio-economic status.<sup>2</sup>

The Naga movement for Sovereignty and integration also arises out of this ethnic identity crisis. The conflict of Nagas with India has three main reasons. Firstly, the historical claim of an independent sovereign entity. Secondly, the quest of the struggle for the recognition of that sovereignty in the modern nation-states. Thirdly, the process of integrating the segregated contagious Naga areas under one organized institution. The Naga movement was the first among the Northeastern states of India. This movement inadvertently came into conflicts with the security arrangement and policies of India. As a result, the Naga tribes are fragmented and placed into different areas under the new recognized states in an independent India. The Conflict that arises between

the Meitei's and Kuki in the 2022 is the Territorial conflicts that took shape the ethnic cleansing and in these conflicts, the Nagas got entangled in between the Kuki and Meitei territorial conflicts. Faced with another problem of separating the home among the brothers by the process of permanent sealing by fencing when Govt. of India announced the scrapping of FMR that was into force since 1950's.



Border Fencing on Indo-Myanmar

Source: Manorama/India today.

## II. INCEPTION OF FREE MOVEMENT REGIME

The FMR was a political arrangement made between the two nations, India and Myanmar post India independence in 1947 as a cross-border and cultural policies. The FMR had its inception back to 1950's. On 26 September 1950, the Ministry of Home affairs published a notification; no-4/15/50-F.I. The ministry

amended the passport rule entry into India 1950, by which the hill tribes of either citizen were allowed to enter in an area of approx. 40 km (25 miles) on India-Myanmar frontier.<sup>3</sup> It also exempted from carrying passport or visa while entering into India or Burma and allowed to carry an items equivalent to weight of head load. India permitted Burmese citizens to stay for 72 hours in India.<sup>4</sup> On the other, Myanmar government as per the Burma passport rules of 1948 allowed the indigenous nationals of India an exemption from the requirement of passport or permit to enter into Burma within the proximity of 40 km (25 miles) and allowed to stay the duration of 24 hours in Myanmar.<sup>5</sup> This mutual arrangement came to be known as the 'Free Movement Regime' where certain relaxations were given to the citizens by both nations.<sup>6</sup>

The resistance movement started in Northeast region begins after the departure of British in India. The Nagas started their independence movement in 1947 however can be traced back to 1929 and even to 13<sup>th</sup> century when Nagas bravely fought against the intrusion of the Ahoms in the Naga territory, It was followed by the Meitei movement in 1964 and the Mizos in 1966. As these Independence, movements surge and continue, the free movement allowed to the inhabitants as cross-cultural became an advantageous, and act as a safe passage for the insurgent group of the region to carry out the atrocity in the cross border area of India and Myanmar. The insurgent groups received training from either country and make counter terror attack into India, and fled back to Myanmar. So these existences of FMR came in contradict and somewhat seen to be jeopardizing the security of the region in particular and national security at large, alarmed by the rising insurgency problems in the Northeast, it compelled the Govt. of India to revise the provisions of Free Movement Regime.<sup>7</sup>

## III. REVIEW OF THE BORDER AREAS

Post-India Independence, the border between India and Myanmar were review and re-demarcated in 1967. Consequently, in August 1968, the MHA introduced the Permit system in FMR area and revised the process of the possession of permit that allows certain area of movement to inhabitants of both India and Myanmar residing in those border areas. The citizens were now required to carry the permit issued by the Govt. of

India or Myanmar. During 1990- 2000 A.D, there was a rising insurgency, trafficking, smuggling cases in the border areas, therefore FMR was review and revised and the area under the Free Movement Regime that allow free access was reduced from 40 km to 16 km in 2004.<sup>8</sup> Following this new regulation, the Govt. of India created three official designated points as check post for the scrutiny of the border movement at-

- i. Pangsau in Arunachal Pradesh.
- ii. Moreh in Manipur.
- iii. Zokhawthar in Mizoram.

The Govt. of India also prepared a draft Memorandum of Understanding to negotiate with the Govt. of Myanmar to fence the border areas; the Free Movement Regime was review again. In 2016 under the NDA alliance through the Act East Policy, the central government of India took up a decision for the fencing of the border area and as proposed, the area up to 16 km was to be fenced. This proposal was initially plan to implement in 2017 but due to Myanmar crisis that arises out of military junta, leading to an outbreak of Rohingya crisis; it was defer to 2018.<sup>9</sup> Therefore, on 11 May 2018, India and Myanmar signed a 'Border Crossing Agreement' a stretch from 40 km was reduced to 16 km and were allowed to travel freely without the possession of Visa to either side of border, individual were also allowed to stay for a week in the neighboring country just only by possessing the 'Border Pass'.<sup>10</sup> As per all these negotiation, development and through mutual understanding, the process of fencing the border area resumed in 2017. Earlier in 2010, the border fencing was proposed under the UPA govt. The report of 2013-14 states that around 4.07 km of border area was already fenced.

In 2017, when this process of fencing was brought up there was an uproar from various Naga bodies condemning the policy of fencing the border areas, primarily because of the issue of contagious Naga areas that are inhabited by the Nagas in different areas of Myanmar, Manipur, Nagaland, Arunachal Pradesh and Assam. India- Myanmar border passes through different Indian states of Northeast. Arunachal Pradesh covers an area of 520 km, Nagaland covers around 215 km, Manipur covers 398 km and Mizoram covers an area of 510 km totaling to 1643 km.<sup>11</sup> As per the report of 2022-23, an area of 6.81 km of fencing has already been completed out of total proposed area

of 1643 km. Reportedly; a 10 km stretch in Moreh, Manipur has been fenced. Another 20 km was approved and work progressed at an estimated total budget cost of 3.2 crore, a Hybrid Surveillance System (HSS) of about 01 km was also constructed.

#### IV. REASON FOR OPPOSING THE FENCING OF FMR BY THE NAGAS

The central govt scraps the FMR on ground of the border security reasons. On the other side, the Nagas and Tribals in Northeast vehemently opposed the scrapping of the FMR. Therefore, it is necessary to understand the ground as to why the Nagas oppose the central govt. decision to fence the FMR region. The Naga areas was arbitrarily and artificially divided into different territory by the British govt. in order to consolidate its administration and buttress its paramountcy over the Nagas and thus the territory of Nagas were divided into administrative areas, political control areas and uncontrolled tribal areas thereby creating an artificial boundary between the brothers of the same Naga family. The ample example of which can be seen in the house of Konyak Chief Angh at Longwa village which was divided into India and Myanmar, a kitchen in India and a room in Myanmar.<sup>12</sup> FMR provide a gateway to the common public residing in either side of the two countries, it facilitates and promote economic pursuits and provide a cross-cultural interactions, communications and uphold the ties between the divided families.

Mostly, this border fencing would affect the Naga tribes as Konyak, Khamniungan, Yimkhiung and Nagas of Myanmar in the region of Sagaing, Chindwin River. The already demarcated boundaries had brought many complexities; this problem would further divide the Naga family into a fragile broken pieces. The actual areas of Naga homeland as claimed by the Nagas stretches over an approximate area of 1,20,000 km was just reduced to 16,527 km in the present form of Nagaland state of India, inhabiting only by 17 Naga tribes, is not the complete homeland of the Nagas but just a piece of a fragmented territory. In 2015, when the Naga Accord was signed between the Government of India and the NSCN(IM), The General secretary of NSCN(IM) Th.Muivah claimed that the central govt. of India had recognized the demand of the Naga integration it also claimed that as

per the Framework agreement, the govt “recognizes the unique history, identity, sovereignty and territories of the Nagas”.<sup>13</sup> As per 2017 report, approximately 43 villages, 3,000 household and 20,000 villagers comprises of Naga, Mizo, Manipuri, Arunachali tribes living in Border areas are heavily going to be affected by this fencing.<sup>14</sup> The Naga Hoho said that the Naga people are scattered across the four Indian states of Nagaland, Arunachal Pradesh, Assam and Manipur and with the Naga self-administered Zone of Sagaing division and Kachin in Myanmar. It states that out of 66 Naga tribes more than 30 Naga tribes resides in Myanmar and therefore this fencing of the areas would divide the Naga brothers living in two nations separated by the artificial boundary.<sup>15</sup>

#### V. SCRAPPING OF FREE MOVEMENT REGIME AND FENCING

On 2 January 2024, the Union govt announced the proposal to end the FMR. On 20 January 2024 at the passing out parade of the Assam, police commandos in Guwahati, Assam. Home Minister Amit Shah announced this proposal.<sup>16</sup> On 3 February 2024, Chief Minister of Manipur Biren Singh met Central Home Minister Amit Shah in New Delhi and discussed on the need of fencing the border areas. Sooner after the meeting, the central govt brought up another proposal to end FMR and to start the process of fencing the border areas. Subsequently, on 6 February 2024. HM Amit shah gave a statement that the central govt will completely fence the FMR border areas. Sooner, the protest from the tribal hohos mounted from different areas. As soon as the Home Minister, Amit Shah announced the decision to remove the FMR, the Eastern Nagaland People’s Organization (ENPO) condemned against the announcement of Central government proposal to end the FMR. The Mizoram govt and Central Young Mizo associations and Naga bodies in Manipur also condemn proposal for the fencing of the Free Movement Regime. The government of Nagaland passed a resolution asking the central govt. to withdraw the proposal of fencing of FMR as the Nagas, Mizos, Kukis has a close cultural relationship with the people of Myanmar. The Mizoram Chief Minister Lal Duhoma also objects to the decision of ending the FMR.<sup>17</sup>

The President of the Rising Peoples Party, Joel Naga immediately objected this proposal of border fencing, condemned the divisive policy intending to disintegrate and isolate Nagas and other ethnic groups of the Northeast. He further asserts that the border fencing will shatter the fragile peace in the region, that this is giving a call to insurrection of violence in the Northeast. He condemns the divisive policy of Biren Singh govt stating that CM Biren Singh cannot dictate the policy of Northeast. <sup>18</sup> Nagaland Chief Minister Neiphiu Rio also condemned and stated “the policy of fencing and that border fencing needs a thorough discussion and people have to be consulted first. If needed, we have to work out a formula on how to solve the issue of the public and to prevent the infiltration of illegal immigrants. Nagaland has a border with the Myanmar, both sides have Nagas inhabitants, village is on one side, the field is on the other side. So, there has to be a workable formula.”<sup>19</sup> Other Political figures as T.R Zeliang also condemned the fencing and state that Nagaland does not need border fencing; he also condemned the proposal of fencing back in 2017. During the general discussion on the Budget 2024-25 in Nagaland Legislative assembly, the Deputy Chief Minister TR Zeliang said that the cultural and historical significance of the Indo-Myanmar border for the Naga people. He urges the centre to reconsider its decision and uphold the importance of preserving the principles of free movement in facilitating the cross-border interaction for the mutual benefit of both nations.<sup>20</sup> The NSCN (K), Retd. Gen Nikki said that the issue of FMR is a Naga issue and that the Nagas must unite to deal practically with FMR. Nagas lived without any external obstruction on both sides of the present day Indo-Myanmar border long before India – Myanmar existed as states and that no other entity except the Nagas can be allowed to decide. How do they expect us to agree when they are trying to divide the Land of the Nagas.<sup>21</sup> The Naga tribal bodies, Global Naga Forum, Naga students’ body in Delhi, Myanmar and other condemned this divisive policy of dividing the Nagas not only by the artificial boundary but also through the policy of fencing in the name of border security.

## VI. IMPACT OF MANIPUR CRISIS ON BORDER FENCING

The problem in Manipur started when the High court recommended reservation for Meitei's, the dominant community in Manipur. The Meitei's who are Hindus are mostly concentrated in Imphal valley while the Kukis, mainly Christian dominate the hills. Kukis are concentrated near the Myanmar border like the Nagas.<sup>22</sup> The Manipur crisis had led to the loss of lives As per the report of Suhas Chakma, the Director of the Rights and Risks Analysis Group (RRAG) stated that more than 70,000 people were displaced including that of 50,698 people in the relief camp, over 12,000 fled to Mizoram, 3,000 fled to Assam and over 1,000 to Meghalaya, more than 200 people were killed and more than 4000 houses were burnt down leaving thousands injured.<sup>23</sup> It claimed that there are section of people engaged in poppy cultivation and an estimated 5000-6000 Nagas from Myanmar have been living in Nagaland since early 1970 also an influx of 30,000 immigrants from Myanmar into Mizoram and 1-lakh refugees across Mizoram and an increase to about 10% of smuggling cases and other trafficking activities in the state.

The issue of FMR re surface as Manipur crisis deepens and intensified and so on Sept 2023, the Chief Minister of Manipur, N Biren Singh urged the centre to fence the FMR area permanently. The Manipur government suspended the FMR in the state on September 2022, after the military coupe in Myanmar fearing of an influx of illegal immigrants to Manipur. The military takeover started in Myanmar and the violence in Myanmar ensued directly affected the border states of Manipur and Mizoram given the ethno-cultural and tribal linkages both Indian states, opened the door to the Chin-Kuki –Zo people of Myanmar into the Indian state of Manipur and Mizoram against the Home Ministry directives.<sup>24</sup> Due to the outbreak of recent ethnic crisis in Manipur on 03 May 2023 the Central Govt. of India review the border security at the pressure of the State Govt. of Manipur, demand to fence the border region to curb the illegal activities. The state government cited the reason of the Influx of illegal immigrants, drugs smuggling, illegal arms trafficking and increasing of other illegal activities due to the existence of Free Movement Regime that ignite the current conflict to further extent.

## VII. WHY SCRAPPING FREE MOVEMENT REGIME

The govt. of Manipur claimed that the external factor as Increased of illegal movement of drugs and weapons, huge inflow of narcotics, drugs, banned substances from Myanmar, deforestation and illegal resources extraction due to unregulated cross-border movement fuel the ethnic crisis in Manipur. It also point China influence in Myanmar and its potential impact on India's Border security poses a threat to internal security to India. Myanmar soldiers were under attack by an insurgent tribal group crossing over to Mizoram to save themselves from the onslaught.<sup>25</sup> A senior officer stated that the border fencing was in progress between pillar 79 and pillar 81. The forces wanted the area to be sealed due to anti-Indian insurgent movements and transportation of drug particularly in the Moreh area where the areas were left out of border fencing that give open access to illegal activities. The forces claimed that the major insurgent groups of the region as the People's Liberation Army and United Liberation Front of Manipur besides other groups as United Liberation Front of Asom and the Nationalist Socialist Council of Nagaland (IM) and NSCN (Khaplang) have their base camp in Manipur. These militant use the 'Friendship road' referring to FMR areas to their advantages in carrying out drug trafficking and anti-India activities. The United Nations Drug Control Programme and International Narcotic Control Board in 2001 also identified Manipur, Nagaland and Mizoram as the transit point for illegal drug trafficking from across the border becoming the epicenter of narco-business. The Konyak inhabited Eastern Nagaland border line with Myanmar, particularly Longwa, Noklak and Tobu region that are known as the silk routes are becoming a safe route for drug peddlers.<sup>26</sup> Manipur has seen frequent occurrences of violence. Indian Ministry of Home Affairs for 2022-23 revealed that 137 out of the 201 incidents of insurgency related violence took place in Manipur only.<sup>27</sup>

The conflict in Manipur begin since 03 march 2023 between Kuki-Zomi and the Meitei, when on 27 march 2023 the Manipur, High Court recommended reservation for Meitei's, the dominant community in Manipur. But subsequently, On 22 February 2024, the

Manipur High Court ordered the deletion of the paragraph. The Manipur high court deleted the paragraph as ‘Misconception of Law’ and Para 17 (iii) that was earlier passed on 27 March 20023, under the Chief Justice of Manipur High Court MV Muralidaran that recommended for the inclusion of Meitei /Meitei community in the Scheduled Tribe list was revoked under the Bench of Justice Golmei Gaiphulshillu stating that as per the verdict of the Supreme Court constitution bench, Courts cannot and should not expand jurisdiction to deal with the question as to whether a particular caste, sub-caste; a group or part of the Meitei’s who are Hindus are mostly concentrated in Imphal valley while the Kukis, mainly Christian dominate the hills. Kukis are concentrated near the Myanmar border like the Nagas.<sup>28</sup> The FMR regulates cross-border movement and keeps a record of such movements. The conflicts in Manipur requires a deeper diagnosis. Blaming it on cross-border support will not resolve the antagonism that exists between the tribes.<sup>29</sup>

#### VIII. PROTEST BY TRIBAL BODIES AGAINST THE FENCING OF FMR AREA.

The fencing of the border area was started in 2017 but at the outcry of protest by the different Naga civil organizations and Tribal Hoho, the construction of fencing was suspended for some time. This proposal was not being able to execute due to the protest of the civil bodies in 2017, Rohingya crisis in 2018 and the outbreak of covid pandemic in 2020. Naga Hoho, UNC condemned over the border fencing that the border demarcation are done as per survey of 1953 carried out by Prime minister of India, Jawaharlal Nehru Burmese Prime Minister Unu. These bodies urge that they will accept the boundary demarcation done by the British govt in the Naga Hills. The ACAUT also condemned the policy of fencing and asked the state govt to safeguard the interest of the Nagas living in the border areas.

The Khiamiungan Tribal Council (KTC) has objected to Union Home Minister Amit SHAH announcement on scrapping the FMR and build fence along the Indo-Myanmar border cautioning that it would compel to counter the move if the govt of India jeopardizes the oneness of Khiamiungan community. The KTC stated that the arbitrary imaginary line that demarcated their

soil stretching from BP139 Thongsonyu to BP146 ITC (DAN) Pangsa was neither consented nor accepted by the people of Khiamiungan.<sup>30</sup> Asserting that restricting their movement on the pretext of controlling smuggling of illegal substances is unjustifiably, the council said such a move would have an impact including losing traditionally owned jhum land and fields as people own land on both sides of the border. Khiamiungan nagas has 46 villages that fall under India and more than 182 villages under Myanmar.<sup>31</sup>

The Naga Student Federation writes to UN, General Secretary Antonio Guterres expressed grave concern over the looming serious threat posed by the Indian occupational forces to fence the arbitrary India-Myanmar border and Abolish the Free Movement Regime. The NSF viewed that the proposal to fence the Indo-Myanmar border and scrap the free movement regime is yet another repressive tactic to subjugate the Naga people and control their day-to-day activities, it stressed that these measures not only violate their historical and traditional rights but also infringe on their inalienable human rights.<sup>32</sup> Seeking UN intervention, the NSF urged the UN to immediately stop the programme for abolishing Free Movement Regime and the Proposed fencing on the arbitrary India-Myanmar boundary in Naga homeland. They urged the UN to monitor the state affairs across the Naga homeland and support for peaceful resolution to the Indo-Naga Myanmar political issue.<sup>33</sup> NSF also states; “The land and hills between the Chindwin River and saramati mountain range, presently on the Burma side, are an integral part of the Naga heritage. It is crucial for India to acknowledge the historical truth that these territories belong to the Nagas. The Naga people on both side has suffered the consequences of arbitrary division imposed by the external forces. The Nagas on the Burma side were forced into conflicts with the govt of Burma, while those on the Indian side were embroiled in struggle with the Govt. of India. The FMR has played a crucial role in facilitating interactions between people residing close to the India-Myanmar border. Abolishing this regime will not only restrict the cultural and social exchange between communities but will also add a layer of tension to an already delicate situation.<sup>34</sup>

The Naga United Council urged Union Home Minister Amit Shah to re-instate the FMR at Tusom-Somrah sector along the Indo-Myanmar border in Ukhrul district of Manipur. A memorandum submitted to the deputy commissioner of Ukhrul to re-instate as per the agreement of 10 March 1967. Scrapping of FMR in recent times at Tusom-Somrah and other Naga district stretching from the north of Moreh town to Nagaland state has severed social, cultural ties during the festival season, Marriages, funerals, cultivation and economic activities besides the Naga tribes as Tangkhul, Anal, Moyon, and Lamkang Naga are scattered in different district in Manipur and Sagaing division in Myanmar.<sup>35</sup>

In a memorandum submitted to Union Home Minister through the Senapati District Deputy Commissioner, the UNC said that the Indo-Myanmar borders were delimited and demarcated by two bilateral agreement between India and Myanmar on 10 March 1967 by dividing many ethnic tribal communities along the artificial, imaginary line drawn without the informed consent of the villagers and the relegated to the status of ethnic minorities on both sides of the borders. India-Myanmar govt established the Free Movement regime which had been in place since 1970s with periodic revision, the last being in Jan 2018 as part of Narendra Modi Act east policy to safeguard the traditional rights of the largely tribal communities residing along the borders keeping in mind the traditional social relations and permit those residing along the border to travel 16 km on either side of the unfenced boundary without visa restrictions for 72 hours with valid permits issued by the designated authorities on either sides.<sup>36</sup>

The UNC said that there had been incidents of emergency health issues, educational tours, seasonal livelihood activities, marriages, funeral cultivation and economic activities. Further a stated that the Tangkhul, anal, Moyon, Lamkang Naga has a population in Myanmar Sagaing region. The union govt attempting to address the influx of illegal immigrants through the porous border, the state and the union govt may find other mechanism to curb the menace instead of scrapping FMR and construction of wall and fencing. The United Naga Council state that “Nagas are not convinced that ending free movement Regime will not serve any purposes as it would neither ease of

smuggling of arms and drugs nor influx of illegal immigrants in Naga areas on both sides, the indo Myanmar fencing supposedly framed to be constructed in Naga dominated areas measuring about 80 km stretch in Tengenoupal and Chandel district of Manipur is an apparent violation of International environmental laws”<sup>37</sup>

The Nagaland govt has expressed a reservation about the centre move to fence the border with Myanmar and end the Free Regime Movement that allows the border villagers to cross the border without travel documents. The Nagaland Deputy CM Y. Patton on Monday expressed the resentment in his visit to cm of Mizoram that any resolution regarding fencing the Indo-Myanmar border would be unacceptable for the Nagas. Nagaland opposes centre move to fence Indo-Myanmar border, end FMR.<sup>38</sup>

The Global Naga forum on 16 Jan 2024 submitted a memorandum to Lok Sabha MP Rahul Gandhi who is currently in Nagaland as a part of the congress Bharat Jodo Yatra and appeal for his leadership in bringing a peaceful resolution to the Indo-Naga political problem. The Global Naga Forum quote – memorandum, It is in this context that we wish to bring to your kind attention the fact that post-colonial India has also been tied up with the fate of the Naga people. By the time you were born, other and our future determined by India and Burma / Myanmar had written our history for us. In the interest of truth and a better future , not in bitterness, we must remind you that in 1953 prime minister Jawaharlal Nehru and U NU drew without consent of our people an imaginary boundary between their newly independent countries with that an artificial separation of the Nagas and its land across the international border was created. The global Naga Forum submitted a memorandum to Rahul Gandhi under the Convenor of GNF Chuba Ozukum and Co-convenor Professor Rosemary Dzuviachu.<sup>39</sup> The Global Naga forum placed emphasis on the military invasion of Naga homeland in the 1850s ; armed resistance by Nagas; iterations of ceasefire and peace missions; bloodshed galore; imposition of extra –judicial military law (AFSPA)1958) still in force, which makes atrocities and human right abuses against Naga by Indian armed forces; broken agreement like the 9- point agreement with the Naga National Council in 1947; and at

present, the stalled negotiations on the basis of the framework agreement made the Indian govt and the NSCN/ GPRN in 20115. After all these and more, now we are learning that the Indian govt , in collusion with the chief minister of Manipur, is considering renegeing on the FREE movement regime agreement with Myanmar, which would not only criminalize Naga visiting one another across the border but render establishing social and cultural ties extremely difficult as well as make next to impossible the nurturing ties and communities for mutual assistance in times of need'/these are the violation of international law and of the indigenous right of the Nagas.<sup>40</sup>

The NSF president Medovi Rhi in corresponding to the Wire said that, this arbitrary intervention by the Indian government would certainly affect the ongoing Naga peace talks, as the Central government also needs to be equally sincere and committed to bring peace. This termination of FMR will once more divide the Naga people and further stated, the imaginary line drawn between Myanmar and India is anyway arbitrary and made without keeping our history in mind. The international border runs through some people's houses as for instances in Longwa village in Mon district, the international border runs through the chief's house, dividing his living quarters and the kitchen. I want to ask the union govt. how we to implement termination of FMR in those areas.<sup>41</sup>

The Tribal groups like Mizoram's Young Mizo Association of Mizoram, Manipur's Zo United and Nagaland Naga Students Federation have announced their opposition to it. Reacting strongly, the Zo united issued a statement, "The FMR should stay in place, you cannot ignore sociology and the history of tribals by trying to put a fence between the brothers. People residing in the region are all from the same racial stock, with familial ties that are much older than the borders drawn up by the British".<sup>42</sup> While the Chief Minister of Manipur, Assam and Arunachal Pradesh respectively favored the centre decision of fencing the border areas.<sup>43</sup> The Chief Minister of Assam Himanta Biswa Sarma gave a statement and wrote in his twitter handle, "Yet Another decisive step to secure Bharat, I welcome the efforts of Hon'ble Home minister Shri Amit Shah ji to terminate the Free Movement Regime. This policy along with the ongoing fencing of the Indo-Myanmar border will help build a full proof

mechanism to check infiltration and insurgency in the North East. Under the leadership of Shri Narendra Modi ji, we are witnessing long-term solutions that will bring lasting peace and progress in our region."<sup>44</sup>

All Naga students Association Manipur led by its president M Luikang Luckson and six others called on Governor of Manipur Anusuiya Uikey at Raj Bhavan and submitted a memorandum to the union Home Minister through the Governor demanding reversal of the decision to scrap the Free Movement Regime and re-instate the same in Naga areas along the Indo-Myanmar border. The ANSAM said that the strict implementation of ILP and NRC and constitution of population commission would yield good results rather than border fencing and scrapping of FMR. The governor of Manipur Anusuiya Uikey said that the issues of illegal immigrants and insurgency were discussed in the NEC meeting held recently at shillong and the Centre is taking it seriously. ANSAM leader AC Thotso claimed that the Indo-Myanmar boundary is a historically imaginary line. He said that scrapping of FMR on the pretext of checking illegal immigrants and insurgency is unacceptable to ANSAM. ANSAM appreciate the steps taken to up by the govt of India to check illegal immigration into Manipur but sealing the border and putting restrictions on movement of people is unacceptable.<sup>45</sup>

#### CONCLUSION - WILL REMOVING FMR SOLVE THE PROBLEM

If removing the FMR resolves the problem of Manipur and illegal immigrant, that will be good but that will not solve nor stop the movement of people across the border. Atleast now with the implementation of FMR, the govt has the data of the record but once FMR is removed there will be no records. FMR might be stopped but the 'porous border' would in difficult to be checked.<sup>46</sup> Naga people had been fragmented by borders and boundaries, by ideologies and interest which had been immensely hindered efforts towards unity. External pressures and geo political dynamics have further complicated the path to liberation." Govt of India has decided to divide the Nagas further by scrapping the free movement regime agreement with Myanmar and building a fence in the middle if the territory, the occupational forces have no right to do that. The President of Federal Govt. asserted that one



pertinent aspect, why Nagas are against the FMR is the cultural unity or bonds. The cultural exchanges flourishes as individual from different naga tribes and sub-tribes come together to share their common customs, languages, and stories enriching the collective tapestry of Naga identity.<sup>47</sup>

On 16 February 2024, the Nagaland Indigenous People's Forum organized a meeting in Dimapur of which organization from Manipur, Assam, Mizoram, Nagaland attended the meeting namely as Kuki Inpi Manipur, Zo reunification Organization(Mizoram) Kuki Inpi (Nagaland) Indigenous Peoples of Mung-Dun-Chun Kham-Assam Northeast India (IPMDCKANEI)Manipur Youth Organization, Nagaland GB federation, Nagaland Tribes Council, Eastern Nagaland People's Organization, Senior Citizens Associatio Nagaland, United Naga Tribes Association on Border Areas, Project Constitutional Justice, The Naga Rising, Chakhroma Youth Organisation. Political organization like NPF, NDPP, RPP, KK Sema, former member of Parliament C Apok and MLA Kuzholuzo Nienu. Ex diplomat Gautam Mukhopadhyaya that came together to reinstate the provision of FMR and resist the decision of fencing the Border of North Eastern Region. Gautam Mukhopadhyaya states that the interest of one state govt, representing one ethnicity has been prioritized over all other communities of the region." It is purely anti-tribal and anti-democratic and should be opposed from that very simple ground. Border security and regulation can be regulated by having a custom office in addition to the existing immigration office in Moreh. Other communities in the region are treating the Manipur crisis as a problem between the Meitei's and Kukis but the hands off approach would only bring the fire home, the fire in Manipur is now reaching all the state of North east by the announcement of repealing the FMR and fencing the border.<sup>48</sup>

According to the ANSAM, "The permanent sealing off the border is not an ideal solution for curbing illegal immigrants but it will cause another human crisis and is highly uncalled for. We are also concerned and committed to checking the same in the state of Manipur and neighboring states. If the govt. is serious about dealing with the issue of illegal immigrants and to curb influx of immigrants, the govt may invoke various mechanism, by implementing the

National register of citizenship, constitution of population commission, a Strict implementation of Inner Line Permit with the sincerity of te security agencies under the govt but scrapping of FMR is not tenable and it is a dehumanizing process in nature. It disrupt the traditional ties of people living on both sides of the border who has immovable assets across the border and their livelihood activities, age-old relationship of social, custom amongst the people. It will amount to cross violation of human rights and the act of grave dehumanization." Such a premature decision on the part of the govt. to erect a physical fencing border along the whole stretches of Indo-Myanmar border between the house, families and community is illogical and for the Nagas is nothing less than rubbing salt in the wounds. The articles 36 of UNDRP, United nation Declaration on the Rights of Indigenous Peoples 2007 recognizes the rights of Indigenous peoples divide by the international borders to maintain and developed the contact with their people across the border, particularly for spiritual, cultural, and economic purposes and India being the signatories of UNDP should withdraw the scrapping of FMR and reinstate the it to avert the ignition of the strong s spark of civil unrest in the North Eastern States of India.<sup>49</sup>

The Nagaland Deputy Chief minister TR Zeliang during the 75<sup>th</sup> republic celebration held at the DDSC Stadium dimapur said that that the central govt plan of fencing the Indo-Myanmar border could be due to some areas in Manipur where illegal immigration takes place.<sup>50</sup>The border fencing could be required such as in Manipur where illegal immigration takes place however he said that I in states such as Nagaland and Mizoram, where families and kin's live on either side of the border, it will create several problems. Therefore, in Naga occupied areas, we do not require fencing.<sup>51</sup> Not only Nagaland that protest the fencing of the FMR areas but Mizoram stand strongly against the scrapping of FMR, In latest development on 17 may 2024.

The ZoRO- Zo Reunification Organization, General Secretary, L Ramdinliana Renthlei warned the centre that if the centre goes ahead with the proposed fencing of FMR, the Mizo youth will take up arms. The leaders state that the People living on both the eastern and western side of Mizoram- Myanmar border of river

Tiau can't be divided by the boundary that was imposed by the British colonial rulers. According to the Home department there are 34,141 people from Myanmar are taking shelter in different parts of Mizoram since February 2021.<sup>52</sup>

Regardless of political or strategic policy or agenda the different leaders must be following, Nagas, as a whole must realize this fencing will go on to make the Nagas more divided and will separate a home into two pieces permanently, that will become difficult to reconcile for eternity. The Naga leaders must not remain a silent spectator but must muster all its strength as the wolves to at least protect its folks from the predator. The dividing line that was invisible hitherto yet had caused so much division is now going to be visible and the fence will divide the home. What are the possible alternatives arranged for the common people, the poor people residing in those border areas? The impact on their livelihood, survival will be for the fittest in these circumstances and therefore the govt must prioritize the humanity rather than the fencing of the FMR.

The Manipur crisis should not be an excuse for the incompetent govt of Manipur to bury the cause of the Nagas just like that and central govt is in pursuit of mending the wounds of the Nagas without actually healing the wounds. Before the wounds are stitched, it has to be cleansed and medicated well and after fully completing the necessity must be stitched otherwise the wounds even stitched will get decomposed from the inside and must cause an unrest in the body. The Govt. of India is following the same pattern of stitching the wounds without doing the needful, without solving the problem of the protracted Naga issue and the quest for Naga Integration, it wants to fence and rather proposed to partition to divide the Nagas permanently and handicapped the Nagas for eternity.<sup>53</sup> In either case, the Nagas are similar to that patient, who is going to suffer the consequences of immoral and unethical stitching of wounds.

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