

**Statement of Parbatya Chattagram Jana Samhati Samiti (PCJSS) to the UNDP
High Level Mission on the UNDP Project in CHT
08 January 2004, Rangamati, Chittagong Hill Tracts**

Honorable Delegates
The UNDP High-Level Mission in CHT

The Parbatya Chattagram Jana Samhati Samiti (PCJSS) would like to have the opportunity to welcome you to the Chittagong Hill Tracts (CHT), Bangladesh.

PCJSS is highly pleased that the UNDP Headquarters has kindly responded our concerns on the UNDP project named 'Promotion of Development and Confidence-building in the CHT' raised in the month of July 2003 and has decided to field a High Level Mission in Bangladesh.

PCJSS has the pleasure to inform you that the UNDP has a good record in supporting our country in promoting good governance and sustainable development. It is worth mentioning that the UNDP is one of the international development agencies that supported and acclaimed the historic CHT Accord.

It is also mentionable here that the UNDP has a strong policy for the World's Indigenous Peoples entitled 'UNDP and Indigenous Peoples: A Policy of Engagement'. PCJSS does believe that by abiding by this policy the right to self determined development of Indigenous peoples would be promoted and the Indigenous Jumma People as well as the Indigenous Peoples of the world would be able to benefit from the proper development, to fully participate in the development process and would be able to incorporate our indigenous perspectives in development planning and decision-making.

PCJSS hopes that the UNDP, in accordance with its policy and following the principle of Free, Prior and Informed Consent, would initiate development activities honoring the CHT Accord and the Jumma Peoples' priority of development.

But, it is unfortunate that the project undertaken by the UNDP – Bangladesh Country Office has undermined the rights of the Jumma Peoples that was recognized by the CHT Accord and UNDP's policy of engagement with Indigenous Peoples.

As you are aware that on 16 February 2001 three foreign road Engineers of a company employed by the DANIDA were abducted by the armed cadres of the United Peoples Democratic Front (UPDF) from a point close to an Army camp on Rangamati–Mohalchari road. Following this incident, all donor agencies had postponed their development activities in the CHT sine die. Against this backdrop, a Joint GoB/Donor Risk Assessment Mission on CHT was formed in May 2002 to review and assess the situation of risk in CHT and possibilities for renewed development activity and assistance.

The Mission carried out its risk assessment work in the three Hill Districts from 1 June to 10 June 2002. Based on the mission report and recommendations made therein UNDP has undertaken the project entitled “Promotion of Development and Confidence Building in the CHT”. On that basis, UNDP has inaugurated its field office in Rangamati, CHT on the 14 June 2003.

Since the beginning of the Mission’s field visit, PCJSS has been monitoring the activities of UNDP whether it was carrying out its activities abiding by the CHT Accord and UNDP’s Indigenous Peoples Policy of Engagement. PCJSS does believe that UNDP Bangladesh Country Office has violated the CHT Accord and its policy of engagement with Indigenous Peoples.

The project has been developed without consultation with the right quarters of the CHT. Even the CHTRC, HDC, traditional institutions and IPOs were not consulted. Dr. Manik Lal Dewan, Chairman, Rangamati Hill District Council told The Daily Janakantha on 18 June 2003 that he had no idea about the UNDP’s development plans in the CHT. The Hill Tracts NGO Forum (HTNF), network of 57 local NGOs comes up with a statement, which also does not comply with the strategy of the said project. The Rangamati Declaration adopted in 1998, which enjoys support from some donors and agencies as an excellent guideline also does not support the strategy of the said project.

Mr. Jyotirindra Bodhipriya Larma, Chairman of the CHTRC and President, the PCJSS took up his concern over the Mission report and the said project personally and through his colleagues effectively since October 2002. Failing to get any positive response he personally handed over a statement to the UNDP on 15 February 2003 at his bungalow at Rangamati. And again failing to get any formal or informal response of this statement he sent a CHTRC member to UNDP office in Dhaka who had a lengthy discussion on 22 April 2003 and got some verbal commitments but again there have been no response based on the commitments. It is important to write here that Mr. Sudha Sindhu Khisa, Member, CHTRC and Member, Central Committee, PCJSS sent a protest letter to the UNDP on 19 November 2002 for mentioning his name in the Mission report with an ill motive which also failed get formal or informal reply from the UNDP. In the midst of these kinds of treatments the meeting of the Khagrachari District Project Facilitation Team on 29 May 2003 for selection of two pilot Upazillas and follow up actions of the CHTDF of the UNDP forced Mr. J. B. Larma raise his concern over the said project at the inaugural function of the CHTDF on 14 June 2003, while he was delivering his speech as chief guest.

In the meeting held between Mr. Larma and Mr. Lissner on 16 June 2003, Mr. Lissner said that if Mr Larma and CHTRC will talk any more about this Joint Risk Assessment Report he will treat it as CHTRC’s confrontation with UNDP. In addition, he says that in that case UNDP would take necessary steps to manage it in different way. Complete negative response and treatment received from the UNDP country office, we have been compelled to take up the matter with the UNDP Headquarters and some international support groups.

We again raise hereby the concerns bellow for your kind consideration:

- 1. Formation of Joint Risk Assessment Mission:** No representatives from CHTRC, HDCs and traditional institutions had been involved in the mission.
- 2. Report of the Risk Assessment Mission:**
 - a) The risk assessment report was prepared mainly on the basis of the information provided by the military and the police, and hence, the fairness of the report has become controversial.

- b) The Mission remains completely silent about the ongoing military rule ‘Operation Uttaron’ (Operation Upliftment) and human rights violation by the military as well as withdrawal of more than four hundred temporary military camps. Rather it advocates in favor of military presence stating that the role of the Army is to maintain a stable security environment in the CHT.
- c) The Mission in its report neither did mention clearly what were the causes of ‘unrest and risk’ in the CHT, nor did it identify who were responsible for abduction of three foreign nationals. Rather, it recognises the unrest situation as an outcome of ‘internal conflict’ between the regional political parties. On the other, the Mission remains silent about continuing communal attacks on the Jumma people by the Bengali settlers with the direct help of military and civil administration in order to occupy the ancestral land of the Jumma People.
- d) Recommendations were taken without consultation with and consent from Indigenous Jumma people.

3. On the project entitled “Promotion of Development and Confidence Building in the CHT”

- a) **Participation of CHTRC and HDCs:** In the project proposal, nothing is mentioned about the role of CHTRC and HDCs at any level of the project. Whereas according to the CHT Accord and CHT Regional Council Act of 1998 and three Hill District Council Acts of 1998 all developmental works in CHT are to be implemented through the HDCs under the supervision and coordination of CHTRC.
- b) **Generalisation of beneficiaries:** The project has included outsider Bengali settlers (transmigrated population in order to make the indigenous Jumma people a minority in their own homeland) as target beneficiaries. By giving Bengali settlers a chance of access to the benefit of this project, it will go a long way to undermine the spirit of CHT Accord to a large extent which will ultimately be a dangerous step to the very existence of the indigenous Jumma people in their own home land.
- c) **Risk Management Unit:** The Mission recommends for setting up a ‘Risk Management Unit’ (RMU) within the CHTDF field office. There is every possibility of bringing unhealthy situation among the communities and develop mistrust in lieu of confidence building by the RMU.
- d) **Free, Prior and Informed Consent:** The principles of Free, Prior and Informed Consent have not been followed by UNDP – Bangladesh Country Office.
 - ❑ No consent was taken from any institutions of CHT and Indigenous Peoples organizations prior to the Joint Risk Assessment Mission had started its activities. Only approval was taken from the GoB.
 - ❑ Although the Mission held consultation with the CHT Regional Council, Hill District Councils, Traditional Institutions, NGO and member of Civil Society Organizations, there was none from those institutions and organizations while recommendations were finalized. So, this consultation was without consent.
 - ❑ All documents provided by the UNDP were in English that are not understandable to the general people of the communities.

- ❑ No one from the CHT institutions and Indigenous Peoples Organizations (IPOs) was invited in the launching programme of the Mission Report.
 - ❑ The Mission Report was not supplied to the people who participated in the consultation.
 - ❑ The CHTRC, HDCs, Traditional Institutions and IPOs were not properly consulted during process of the project planning.
 - ❑ Although, after the inauguration of the project, several meetings took place between the UNDP and CHTRC the opinions provided by the CHTRC were not taken into consideration.
 - ❑ The project document was not supplied to the CHTRC, HDCs, Traditional Institutions and IPOs. Although the project document was supplied to the CHTRC, eight days before the inaugural ceremony, there was no breakup budget.
 - ❑ No social and environmental impact assessment was carried out prior to the implementation of the project.
 - ❑ Mr. Lissner has referred to the concerns raised by Mr. Larma as well as CHTRC and PCJSS on the project as frustration.
- e) **Recent Activities:** Although the UNDP headquarters decided to review the project, the CHTDF has kept continuing the following activities without consultation of CHTRC:
- ❑ Signed lease agreement with Bandarban Hill District Council
 - ❑ Contacted NGOs in all three districts to do ground work
 - ❑ Issued offer letter to the newly recruited employees
 - ❑ Employed two consultants for Resource Database and Directory Exercise
 - ❑ Completed draft of different Guidelines
 - ❑ Some regular procurement of equipments made
 - ❑ Organized workshop
 - ❑ Organized meeting with UP Chairmen where the UNDP officials sought security from the chairmen for starting their activities.

4. Recommendations:

Upon the circumstances mentioned above, the PCJSS, on behalf of the CHT people, recommends the followings:

- a) To undertake all UNDP projects in accordance with the letter and spirit of the CHT Accord;
- b) To make the indigenous peoples and permanent Bengali residents as the only beneficiaries of the projects and in this regard, the followings should be given priority:
 - ❑ Internally Displaced Jumma Families
 - ❑ Returnee Jumma Refugees
 - ❑ Forest Villagers
 - ❑ Jum (swidden) Cultivators
 - ❑ Indigenous Jumma and permanent Bengali people affected by the Kaptai Dam
 - ❑ Landless and poor permanent residents living under poverty line
 - ❑ Women

- Indigenous peoples with small populations that are relatively disadvantaged and underprivileged
 - Ex-combatants families of PCJSS
- c) To ensure full and effective participation of CHTRC at all levels of the projects;
 - d) To involve the HDCs at implementation level;
 - e) To involve Hill Tracts NGO Forum (HTNF) and its member-NGOs in the development process;
 - f) To ensure involvement of indigenous women and youth in the development process;
 - g) To undertake development programmes adopting the UN principle of Free, Prior and Informed Consent of the indigenous peoples and permanent Bengalis;
 - h) To scrape the Risk Management Unit;
 - i) To change objectionable points of the Risks Assessment Mission's Report;
 - j) To ensure transparency and accountability of development programmes of UNDP; and
 - k) To ensure all development programmes of UNDP complies with the principles and provisions of all national and international laws, declarations, treaties, conventions, covenants, agreements, accords and other instruments concerning the rights of indigenous peoples.

Finally, PCJSS believes that your intervention would be able to find out an acceptable way forward and expects that all development initiatives would take places in CHT according to the perspectives of the indigenous Jumma people of CHT and the permanent Bengali resident herein.

Sincerely Yours,

Chandra Shekhar Chakma

General Secretary

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Enclosed:

1. Statement of PCJSS on UNDP project in CHT circulated in July 2003
2. Comments of Mr. Lissner on the Project
3. Statement of Mr. Sudha Sindhu Khisa, member of CHTRC and central member of PCJSS on JRA Mission Report
4. The Chittagong Hill Tracts Issues and its Solution written by J B Larma
5. CHT Accord of 1997

6. Rangamati Declaration of 1998
7. In-depth report on the Kidnapping of three foreign nationals in the CHT
8. An Account of Communal Attack on the Jumma People in Mahalchari
9. Report on the Major Communal Attacks by the Bengali settlers
10. Report on human rights violation by the Bangladesh Security Forces
11. Newspaper clippings
12. Report on the Implementation of CHT Accord (to be sent)