

The CHT Issue and its Solution[♦]

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Introduction

The Chittagong Hill Tracts (CHT), southeastern part of Bangladesh, comprises a total area of 5,093 sq. miles (13,189 sq. km.) which is about one-tenth of the total area of Bangladesh with over 1.325 million populations (0.700 million indigenous people + 0.625 million Bengali Muslim settlers). It shares borders with Myanmar on the south, India on the north and northeast and Chittagong district on the west. It is completely different in physical features, agricultural practices and soil conditions from the rest of the country with mountains and beautiful landscapes.

From time immemorial the CHT had been the home to thirteen indigenous ethnic peoples. They collectively identify themselves as the Jumma people (High Landers), the first people of the CHT. They are the Chakma, Marma, Tripura, Tanchangya, Murung, Lushai, Khumi, Chak, Khyang, Bawm, Pankhua, Assamese and Nepalese. The Jumma people are distinct and different from the majority Bengali people of Bangladesh in respect of race, language, culture, heritage and religion.

1. Pre-British Era:

Before the colonization, the indigenous Jumma people of CHT were independent. During the whole period of the Mughal rule in this Indian sub-continent, the Chakma Kings were internally supreme and externally free. Only in 1712 there were several encounters between the forces of Chakma King and the Mughal Governor of Chittagong because of a border dispute. These were followed by a truce and by dint of which the Jumma people were allowed commercial transaction with the Bengali traders in exchange of a stipulated amount of cotton. Henceforth, there had been no external interference by any outside power in the affairs of the CHT until 1787 when an agreement was signed with the British and the British colonization started since 1860. So the Kings of the CHT reigned independently during the whole pre-British Era.

2. British Period (1787-1947):

After the battle of Pallessey in 1757 the East India Company became the virtual master of the whole of Bengal, Bihar and Orissya. The East India Company took over the administration of Chittagong on 15 October 1760 and led several military expeditions against the Chakma king to establish their colonial footing in the region from 1772 to 1787 and ultimately the Chakma king had to make a treaty named '**Cotton Treaty**' with the company at Fort Williams, Calcutta in 1787. Under this treaty the CHT was reduced into a tributary state and the Chakma king obliged to pay 500 maund (about 2000 kg.) of cotton to the company as revenue. The company maintained a policy of non-interference with the kings in governing the CHT. Later the rule of East India Company came to an end in 1867 while the British monarchy took over the power of whole India. More than a hundred years afterwards in 1860 the British government formally annexed the CHT area with Bengal and created an autonomous administrative district known as "The Chittagong Hill Tracts" with a limited autonomy. In 1900, the British government enacted the Regulation 1 of 1900 and declared it as an **Excluded Area**, in order to protect the Jumma people from economic exploitation by non-indigenous people and to preserve their traditional socio-cultural and political institutions based on customary laws, community ownership of land and so on. Regulation 1 of 1900 for more than a century acted as bulwark against the

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encroachment of the Bengali Muslim on the land of the Jumma people. In fact several provisions of the Regulation, 1900 functioned as a safeguard for the Jumma people and it prohibited land ownership and migrations of non-indigenous peoples into the CHT.

Indian subcontinent was partitioned on the basis of **two-nation theory** under the provisions of Indian Independence Act, 1947. The Bengali Muslim dominated regions were to constitute Pakistan and the non-Bengali Muslim dominated regions were to constitute the Indian Union. It was quite natural for the Jumma people who constituted 98.5% of the total population of the then CHT that the region ought to be included in the Indian Union. But the Pakistani leadership conspired with the Boundary Commission against the Jumma people. Consequently, British Indian authority ceded the CHT to Bengali Muslim East Pakistan (now Bangladesh) in a very high-handed manner violating the principles of partition. It was really an injustice to the CHT people meted out by the British at the fag end of their rule. The Jummas vehemently protested against the decision but to no avail. On 15 August 1947, the Chakma youths hoisted Indian tricolor at Rangamati, capital of the CHT, as a mark of protest against this injustice. The Beluch Regiment of Pakistani army lowered the Indian tricolor at Rangamati six days later at gunpoint.

3. Pakistan Period (1947-1971): The seed of the conflict as well as Islamization sown

In August 1947 the British handed over the administration of CHT to the government of Pakistan. The Pakistan government recognized CHT as a fully Excluded Area and even in the first constitution of Pakistan which was passed in 1956, CHT was declared as an Excluded Area under the CHT Regulation of 1900. From the very outset, the Pakistani Government looked upon the Jummas with an eye of suspicion for being anti Pakistani as well as anti-Islamic. There was discrimination against the Jummas in jobs, business and education. The government policy was clearly revealed by the repeal of the CHT Frontier Police Regulation, 1881 disbanding the Jumma police force in 1948.

Even in 1950, violating the Regulation of 1900 the government started Bengali Muslim settlement at Longadu and Naniarchar in CHT and that Bengali Muslim settlement program continued up to 1966. Side by side, the government actively encouraged the outsider-Bengali Muslim infiltration into the CHT. To facilitate this, the Government of Pakistan amended the CHT Regulation, 1900 several times against the will of the Jumma people in order to find a legal excuse for transmigration of the non-indigenous Bengali Muslim people from the plains of present Bangladesh into the CHT with a view to changing the CHT from a non-Muslim dominated area into Muslim dominated one. As for example, the government had enacted the *CHT (Land Acquisition) Regulation, 1958* in order to grab Jumma peoples' ancestral land. Moreover, the government snatched away the rights and privileges of the Jumma people by canceling the **Excluded Area Status** of the CHT in 1963.

Further, the government had amended Section 34 of the CHT Regulation, 1900 in 1961 and later in 1971 in order to throw open the CHT region for the outsider Bengali Muslim settlers. It is relevant that Section 34 of the Regulation was a safeguard for the Jumma people which prohibited land ownership and migrations of non-indigenous peoples into the CHT.

Further still, Section 51 of the said Regulation put a restriction on the outsider Bengali Muslim migration into the CHT. That was why it was repealed in 1965 to facilitate migration as well as infiltration of outsider Bengali Muslim settlers.

The government deliberately ignored the fact that the Regulation 1 of 1900 was an indispensable legal instrument for ensuring the safeguard of the Jumma people, and that it could not be amended without mutual agreement. On the contrary, the Pakistani Government interpreted the CHT Regulation, 1900 as a legacy of British colonial administration which helped separating the CHT from the Islamic mainstream of the country.

In 1960, in the name of so-called industrial development the Pakistan government built the Kaptai hydroelectric project on the Karnafuli river in the heartland of the indigenous Jumma people which flooded 1,036 sq. km. of lands and submerged 54% (54,000 acre) of the best arable land and also displaced about 100,000 Jumma people from their ancestral hearth and homes for good. Rehabilitation

Program was a cruel farce. So among these some 40,000 Chakma were forced to migrate into India and about 20,000 other Jumma people had to take refuge in Myanmar. The Kaptai dam damaged the agro-based main economy of the CHT and brought about a permanent disintegration of the Jumma people on one hand and led to the inroads on Bengali Muslim population in the region in large number on the other. It created jobs and business opportunities for Bengali Muslim.

4. Bangladesh Period (1971- Present): The conflict came out in the open

After nine months of war of independence against Pakistan, Bangladesh emerged as an independent state on 16 December 1971. Soon after the Pakistani army had withdrawn, the Mukti Bahini (liberation forces of Bangladesh) went on a systematic rampage against the Jummas in the CHT. On 5 December 1971, 16 Jumma people were massacred by the Mukti Bahini at Panchari. Another 18 were killed at Dighinala. On 14 December 1971, the Mukti Bahini killed 22 Jumma people at Kukichara. Moreover, a huge amount of paddy land belonging to the Indigenous Jumma people in Matiranga, Ramgar and Manikchari was forcibly grabbed by the horde of Bengali Muslim from Feni district.

The indigenous Jumma people hoped that the new rulers of Bangladesh would realize their hopes and aspirations as Bangladesh rulers also struggled against the oppression and suppression of Pakistani ruler and the Jumma people would be free from oppression and discrimination. So the Jumma people demanded of the then government for autonomy in a democratic way. Unfortunately the government of Bangladesh did not respect their fundamental rights and did not write even a single word in the constitution regarding the entity and safeguard of the Jumma people. Rather immediately following the independence of Bangladesh in early 1972 the CHT underwent militarization. Three cantonments were established in Dighinala, Ruma and Alikadam during Sheikh Mujib period.

Against this backdrop, on 16 February 1972, a delegation of the Jumma people led by *Manabendra Narayan Larma*, then a member of parliament, called on the Prime Minister *Sheikh Mujibur Rahman* and submitted a written memorandum with four-point charter of demands consisting of –

- (1) Autonomy for the CHT;
- (2) Retention of the CHT Regulation 1900;
- (3) Recognition of the three Chiefs of the Jummas and
- (4) Ban on the influx of the Bengali Muslim into the CHT.

The Prime Minister *Sheikh Mujibur Rahman* categorically rejected these demands with his sarcastic saying- “*No, we are all Bengalis, forget your ethnic identity, be Bengalis*”. He also threatened them to flood CHT with Bengali Muslim if the Jumma people stick to their demand. So there had been no provision for the CHT and its Jumma people in the new Bangladesh Constitution of 1972. The entire region was thrown open for the waves of Bengali Muslim migration. With a view to control the movement of self-determination of the Jumma people the government started suppressive measures including infiltration of Bengali Muslim. In no way it can be denied that the creation of Bangladesh was a traumatic experience particularly for the Jumma people in the CHT. They were still reeling from the economic impact of flooding of the Kaptai Hydel Project. In a period of extreme Bengali nationalism there were serious Bengali Muslim reprisals against the Jumma people. As no provision on the CHT and its Jumma people had been included in the new constitution, so an increased numbers of Bengali Muslim settlers have been coming into the CHT since then. In fact, it was the beginning of a relentless ethno-cide as well as eco-cide in the CHT by intolerant Bengali Muslim governments on the basis of extreme Bengali nationalism.

Finding no other alternative for the protection of self-existence and right to self-determination of the Jumma people - the only political party - the *Parbatya Chattagram Jana Samhati Samiti (PCJSS)* was formed in 1972 and the *Shanti Bahini* (Peace Corps, the armed wing of PCJSS) had to encounter the Bangladesh security forces since 1975.

However, the Jumma people continuously tried to negotiate with the government on the CHT issue even after the assassination of *Sheikh Mujibur Rahman* in August 1975. A delegation of 67 Jumma people met with the President Justice *Sayem* on 19 November 1975, renewing their demands for autonomy. But the government continued to execute the policy of Islamization in CHT.

President Zia took over power on 7 November 1975 through a coup. His government branded the CHT problem as economic as well as separatist movement of the Jumma population and he sought a military solution. President **Zia** responded to the PCJSS activities with a sharply increased military presence in the CHT. The government issued military administration in the CHT named '*Operation Dabanal*' (Wildfire).

In order to resolve the problem economically, the government established CHT Development Board in 1976. However, it totally failed. On the contrary, the CHT Development Board was used as one of the counter-insurgency platforms. Several roads were constructed for military movement. On the other, road development project benefited the Bengali settlers in two ways. Firstly, as they monopolized marketing, the benefits automatically accrued to them. Secondly, the improved road communication made it easier for the Bengali settlers to migrate into the CHT. The development initiatives undertaken by the CHT Development Board produced counter-effect to the real economic well-being of the Jumma people.

President Zia began state-sponsored migration of Bengali Muslim settlers into the CHT, providing land grant, cash and rations. This program was continued in secret, the international communities were not aware of this program till mid-1980s. At least four hundred thousands of Bengali Muslim were transferred into CHT. During the armed struggle, the successive governments of Bangladesh followed same policies against the Jumma people. Since 1979, the government officially started to settle Bengali Muslim from the plain districts in the CHT to outnumbering the indigenous Jumma people and for using them (settlers) as human shield. The government declared that each settler family would be given 7.5 acres of lands and ration for unlimited period. Indeed, no cultivable land was vacant for settlement so the settlers started to forcibly occupy the land of indigenous Jumma people.

Practically, it was a program of ruthless Islamization and political marginalization of the Jumma people in the name of counter-insurgency measure. With an aim to uproot the Jumma people from their ancestral land, a long series of massacres and genocide were perpetrated by the settlers with the direct help of government forces. As such it left a horrible legacy of violence, rape, loot, murder, arson, abduction and forcible conversion, sacrilege of religion and forcible occupation of Jummas' land and property as well as gross violation of human rights for more than two decades. Thousand of Jumma people were ousted from their own hearth and home. Of them about 70 thousands Jumma took shelter in India as refugee and hundred thousands in deep forest of remote areas within the country. Thousands of indigenous children were deprived of education, health care and basic needs. Hundreds of Jumma women lost their lives, prestige and chastity. The major ethnocides are as follows:

Sl.	Massacres	Date
1.	Panchari-Dighinala-Bara Merung-Kukichara	5-14 December 1971
2.	Kalanal (Panchari)	19 December 1971
3.	Kalampati (Kawkhali)	25 March 1980
4.	Matiranga-Belchari	25 June 1981
5.	Bhushanchara-Harina	31 May 1984
6.	Panchari-Matiranga-Khagrachari	1 May 1986
7.	Rambabudeba (Matiranga)	18 May 1986

8.	Changrachari (Merung)	19 December 1986
9.	Baghaichari	8 August 1986
10.	Longadu	4 May 1989
11.	Malya (Longadu)	2 February 1992
12.	Logang (Panchari)	10 April 1992
13.	Rangamati communal riot	20 May 1992
14.	Naniarchar	17 November 1993

In order to detach the Jumma people from the movement for self-determination, the successive governments established cluster villages, namely, Adarshgram, Shantigram, Baragram and Joutha Khamar for the Jumma people. The Jumma villagers were forcibly settled down in the cluster villages. The military kept vigilance over the Jumma people setting up camp and sentry post around cluster villages. The Jumma people were compelled to maintain daily register where, when and why they went out and come back. Even they had to compel to deposit their big knives, axes, spades etc daily to the camps. The military forces used them as workers without wages and committed sexual harassment upon the women.

After *Zia*, *General Ershad* became the President of Bangladesh in 1982. He too stepped into the shoes of Zia with regard to the CHT issue. The same policies of militarization and Bengali Muslim settlement programs in the CHT were continued.

5. Dialogue between the government and the PCJSS

The PCJSS always kept the door open for dialogue for resolving the CHT problem through political and peaceful means. For this purpose, the PCJSS held 6 and 13 times formal dialogues with the government of Ershad and Khaleda Zia respectively. At the last, after holding 7 round of dialogues with Sheikh Hasina government, 'CHT Accord' was signed between the government and PCJSS on 2nd December 1997.

5.1. Dialogue with Ershad government:

The *Ershad* government sought negotiation with the PCJSS as the legitimate representative of Jumma people through a **Liaison Committee**. In order to holding dialogue between the government of Bangladesh and the PCJSS for resolving the CHT problem through political and peaceful means, a 3-member liaison committee named *CHT Liaison Committee* headed by then MP Mr. Upendra Lal Chakma was formed on 4 May 1984. However, under the supervision of the Liaison Committee, the first formal dialogue with Ershad government was held on 21 October 1985 at Logang Community Center under Panchari upazila in Khagrachari district. In this dialogue, the government recognized the CHT problem as national and political problem. The second dialogue was held on 17-18 December 1987 at the same venue where PCJSS submitted its *five-point charter of demands including provincial autonomy with a legislature* to the government. The main features of the charter of demands were:

- (1) To accord Provincial Autonomy for the CHT with its own legislature;
- (2) To make constitutional provisions prohibiting any constitutional change regarding CHT without consent of the CHT people and preventing anyone from other parts of country from settling down in CHT;
- (3) To remove from CHT all those illegal outsiders who have infiltrated into CHT from 17 August 1947;
- (4) To make special economic plans for the development of the Jumma people of the CHT;
- (5) To create favorable climate for a peaceful and political solution of the crisis in the CHT.

The government denied to accept it and even to discuss on the 5-point charter of demands saying that it was inconsistent with the constitution and a threat to the sovereignty and independence of the country. On the contrary, government side put nine-point outline for resolving the crisis. The PCJSS rejected the outline, as it could not guarantee the national entity, land rights and the fundamental rights of the Jumma people. 6 round of dialogues were held between the Ershad government and the PCJSS which ended without any fruitful result as the government enacted Hill District Local Government Council Act 1989 and accordingly formed three HDLGCs bypassing the dialogue.

5.2. Dialogue with Khaleda Zia government:

In 1991 Khaleda Zia came to power after the fall of Ershad regime. The PCJSS did not find the new government cohesive towards peaceful solution to the CHT crisis and hence PCJSS declared unilateral *Ceasefire* on 10 August 1992 forcing the government for entering into negotiation. Khaleda Zia government formed a Parliamentary Committee on CHT headed by Oli Ahmed, the then Communications Minister and the CHT Liaison Committee headed by Mr. Hangsadhvaj Chakma was reorganized. As a result, the dialogue with Khaleda Zia government was held. During negotiation the PCJSS submitted an amended *five-point charter of demands including regional autonomy with a regional council* excluding demand of provincial autonomy with a legislature to the government on 4 December 1992. Nevertheless, no solution was obtained due to lack of well intention of the government though 13 round of dialogues were held.

5.3. Dialogue with Sheikh Hasina government:

In 1996 Sheikh Hasina became the Prime Minister of the country. A National Committee on CHT Affairs headed by Chief Whip of the parliament was formed. The discussion was held on modified *five-point charter of demands including regional autonomy with a regional council*. It was during her regime on 2 December 1997 the CHT Accord was signed with much fanfare between the government and the PCJSS ending more than two-decade old armed struggle for self-determination.

6. Main Features of CHT Accord:

- (1) The CHT region has been recognized as a *tribal-inhabited region* and the need of preserving the characteristics of this region and attaining the overall development thereof. To preserve the characteristics of tribe-inhabited region, the following provisions were made in the Accord-
 - (a) Definition of non-tribal permanent resident has been determined by which a non-tribal person would not be permanent resident who has not lands of lawful entitlement in the hill districts.
 - (b) No land and premises, including the leasable Khas lands, within the territorial limits of the Hill Districts shall be transferable by Ijara, settlement, purchase or sale except with the prior permission of the Council.
 - (c) Only the permanent residents of the CHT shall be entitled to be considered as legally eligible for enlistment in the voters' list.
 - (d) A land commission would be formed for settlement of land disputes due to forcible land grabbing by the Bengali settlers and unlawful entitlement and acquisition.
 - (e) Responsibility of issuing permanent resident certificate was bestowed on traditional Circle Chiefs.
 - (f) All the posts of officers of all ranks and employees of different classes in government, semi-government, local government and autonomous bodies of the CHT, the permanent dwellers of the CHT shall be appointed, subject to priority being given to the Jumma people.
- (2) Provision for formation *CHT Regional Council* with the aim of making CHT a unique political and administrative unit. This Regional Council was bestowed upon the power of supervising and coordinating to the subjects transferred to three Hill District Councils (HDCs), law and order, general administrations, development, CHT Development Board,

traditional and social justice etc and the power of giving license for heavy industries. In making any law in connection with CHT, the Government shall enact such law in consultation with the Regional Council.

- (3) Provision for more strengthening of power and functions of three *Hill District Councils*.
- (4) Provision for establishment of *Ministry for CHT Affairs* where a cabinet minister would be appointed from among Jumma people and an Advisory Committee shall be constituted to lend support to this Ministry.
- (5) In order to restore normalcy in the CHT region and, to that end, in respect of *rehabilitation, general amnesty and allied issues*, both the parties have been arrived at the following consensus and agreed to undertake programs as follows:
 - (a) Withdrawal of all the temporary camps of the army, the Ansars and the Village Defence Party (VDP), excepting the Border Security Force (BDR) and permanent army establishment (being those three at the three district headquarters and those at Alikadam, Ruma and Dighinala), from CHT;
 - (b) Rehabilitation of returnee Jumma refugees, internally Jumma displaced families and returnee members of the PCJSS;
 - (c) Rehabilitation of landless Jumma families providing land settlement;
 - (d) Allocation of additional finance on priority basis for the implementation of increased number of projects towards developments in CHT;
 - (e) Quota reservation for the Jumma people in respect of government service and in institutions for higher studies.
 - (f) Provision for formation of an Implementation Committee in order to monitor the process of implementation of the Accord.

7. Root causes of CHT Problem

7.1. Right to self-determination

So it is very clear that the Jumma people had all along enjoyed a kind of self-rule during pre-British and British era. But subsequently, it had been systematically and gradually destroyed by the successive governments of Pakistan and Bangladesh. The Jumma people have a strong fear that their very existence has been under serious threat because of the governments' hostile policies. Finding no other alternative and being ignored by the governments for a political solution within framework of the Constitution, they had to wage more than two decade-long armed struggle for the right to the self determination. But the governments had always been tried to portray it as a separatist movement.

7.2. Encroachment on land right

From the very beginning of the Pakistan regime, the encroachment on the land rights of Jumma people had been started and it has been continued by the successive governments till now. To this end, the government had enacted CHT (Land Acquisition) Regulation, 1958 and made several amendments to CHT Regulation, 1900 destroying the interest of the indigenous Jumma people. The governments have already acquired thousands of acres of land in the name of various development programs by evicting the indigenous people from their hearth and home without proper rehabilitation and adequate compensation.

7.3. Islamization Policy through transmigration of Bengali settlers

History shows that the CHT region once a predominant non-Bengali Muslim area is fast becoming a Bengali Muslim area by Islamization policies of the governments. The influx of outsider Bengali Muslim settlers into the CHT region had been started since the creation of Pakistan. Later on Bangladesh government's vigorous Islamization policies had made the situation worse than ever before. The following statistics proves the facts.

Table 1: Jumma and Bengali Settlers Population Ratio

Year	Ethnic Jumma people	Bengali Muslim/Hindu
1941	98.5%	1.5%
1951	91%	9%
1961	88%	12%
1974	77%	23%
1981	58.6%	41.4%
1991	60.32%	39.68%

By now the ratio has been farther aggravated with 51% Jumma people and 49% Bengali Muslim settlers. Moreover, the Bangladesh Military have been using the Bengali settlers as human shield and unofficial frontline civil force as counter-insurgency measures. In addition, these Bengali settlers have been participating in many ethnicides, land grabbing activities and ethnic violence under direct support of the Bangladesh military with impunity. Still, 27,702 families of the transmigrated Bengali Muslim settlers have been getting free government ration and other facilities since 1979 who have made problems more and more complicated.

Meanwhile, the Islamization policy of the government has swiftly changed the demographic balance. The Bengali Muslim population, which was only 1.5% of the total population of the CHT in 1947, has swung to a high 49% by now; whereas the Jumma population during the same period constituted 98.5% of the total population has now dwindled to a low 51%. It is crystal clear that the Jumma people are going to be a minority in their own homeland very soon, because of successive Islamic governments' prolonged and sustained Islamization policy. All these were done so that the non-Bengali Muslim Jumma people cannot have any political clout either in a vast sea of Islamic Bangladesh.

7.4. Military solution for a political problem

From the very beginning the governments have been trying to solve the political problems in CHT with military might. However, the efforts for the military solution for political problem have been miserably failed and ultimately the government has signed the CHT Accord with the PCJSS in 1997 for political solution of CHT issue.

In spite of that the government did not withdraw the temporary camps of security forces from the CHT as per provisions of the CHT Accord. Actually the military in the CHT are still acting as armed guardians of Bengali Muslim settlers and blocking the implementation of the Accord at every step.

7.5. Non- indigenous hostile bureaucracy

Almost all civil and military functionaries of the CHT region are outsider Bengali Muslim people from the plains of Bangladesh. They are more sympathetic and bias towards the outsider Bengali Muslim settlers because of their ethnic and religious affinity with them. Moreover, they have a strong anti-Jumma mindset. So they are always working against the political solution and the implementation of the Accord. Therefore, an indigenous bureaucracy in the CHT is a must without which self-rule for the Jumma people of the CHT tends to impossibility.

7.6. Lack of good governance and decentralization of power.

7.7. Non-recognition of the indigenous peoples in the constitution.

8. Problems with implementation for the CHT Accord

The CHT Accord had ended the decades long fierce armed conflict between the Jumma people and government of Bangladesh. This Accord was hailed and welcomed by not only the Jumma people of CHT and democratic and progressive political parties of Bangladesh but also by the United Nations, European Union and many democratic governments of the world and many national and international organizations and agencies and personalities as well.

On the contrary, some political parties of Bangladesh those are fundamentalist and extreme Bengali nationalist rejected it, arguing that the Accord is unconstitutional, endangers the sovereignty of the country and fails to safeguard the rights of the Bengali Muslim settlers. They have filed so far two writ petitions challenging the constitutional legality of the Accord as well as CHT Regional Council and three HDCs in order to spoil the political achievement from the CHT issue.

However, it is very painful that though the government of Bangladesh, in particular the then Awami League government, signed the Accord, but she has no sincerity to implement the Accord. The BNP led present coalition government is also following the same policy. As a result, though more than five years have been passed after signing of the Accord, most of the provisions, especially the main issues of the Accord, such as, formation of Land Commission for settling the land disputes, rehabilitation of returnee Jumma refugees and internally Jumma displaced families, withdrawal of temporary camps of security forces and military administration, preparing voter list only with the permanent residents of CHT, effective enforcement of the three HDCs and CHT Regional Council Act, rehabilitation of the Bengali settlers outside CHT and etc. have either left unimplemented or partially implemented. The main causes for non-implementation of the Accord are:

8.1. Machiavellian double standard

The idiosyncratic mindset of the Bengali Muslim ruling elite, intelligentsia and bureaucrats deeply affected by a chauvinistic mentality is largely responsible for the total non-implementation of the Accord even after the elapse of 5 years of its signing. Moreover, the government's Islamization policy is the major obstacle to the implementation process. This is why the government is following a double standard policy. On one hand, it has taken a delaying tactics of giving only lip service to the Accord without any further implementation and on the other, it is relentlessly going on with a vigorous Islamization policy very secretly. Moreover, a vested quarter very often raises question of unconstitutionality of the Accord as a measure for pressure-tactics.

8. 2. Dilly-delaying tactics and non-cooperation of the government

The Chittagong Hill Tract Regional Council Act, 1998 has clearly defined the authority and functions of the CHT Regional Council which is supposed to be the apex body supervising and coordinating almost all affairs in the Region. But the Chairmen of three Hill District Councils who belong to the ruling party, Chairman of the CHT Development Board and all units of civil administration such as Deputy Commissioners of the districts, UNOs of the sub-districts, District Superintendents of Police and OCs of Police Stations are performing their duties independently ignoring the supervisory and coordinating authority of Regional Council over them. It is a known fact that almost all of the functionaries are outsider Bengali Muslim people who have a deep-rooted anti-Jumma bias. Further, the Ministry of CHT Affairs has added a lot to this problem. The Ministry does not care much for the supervising and coordinating authority of the Regional Council. The Ministry very often bypasses the Regional Council and it communicates directly with the District Councils, Development Board and other agencies etc. treating the Council as an in between unnecessary body.

The bureaucrats have a common and non-sense plea that the CHT Affairs Ministry is not their parent Ministry at all, they are serving under different line Ministries and so they are not bound to follow the instructions of CHT Affairs Ministry, Regional Council and 3 Hill District Councils. It is a clear case of sabotage on the part of the government to buy time for Islamization. Under the circumstances, chaos and confusion reign supreme instead of peace and normalcy in the region.

8. 3. Militarization continues

The Jumma people are still under military rule through the *Operation Uttoron* (Upliftment). Under this *Operation Uttoron* the army personnel can commit any kind of atrocity with impunity. In the recent past, they, in collaboration with the local administration and police and the Bengali Muslim settlers committed large-scale atrocities even during post-Accord period at Baghaihat, Babuchara, Chhotomerung and Ramgarh. The military authority continues to be final policy making and law enforcing authority in the CHT. So very often the military authority is charged with whipping up of communal violence against the Jumma people. Again, the military authority is aiding, abetting and instigating the Bengali Muslim settlers for the forcible occupation of more and more Jumma peoples' land. Even the military authority itself is acquisitioning more and more Jumma's land on one pretext or another. The Jumma people have no redress against this injustice. Further the military authority still receives over 10,000 metric tons of food grains every year for *Pacification Program* to rehabilitate more and more Bengali Muslim settlers as counter-insurgency-cum political measures. Clause 17 of part Gha of the Accord stipulates demilitarization that all military, para-military, ansar and village defense forces shall be withdrawn. So far the government is not willing to do this. As an eye-wash, so far the government has withdrawn only 31 less important army camps out of more than 500 camps. This is a clear violation of the said provisions of the Accord. Above all, it is an open secret that the military authority has already spawned a fifth column quisling outfit named the United Peoples' Democratic Front (UPDF) under its patronage to eliminate the PCJSS members and pro-Accord people. Therefore, the demilitarization as per relevant provisions of the Accord is a must for the peace and progress of the region.

8. 4. Non-stopping and non-withdrawal of Bengali Muslim settlement

Still the infiltration of the outsider Bengali Muslim settlers is continuing. The recent infiltration cases of Longudu, Dighinala, Barkal, Nakkyangchari, Lama, Alikadam, Mohalchari, Matiranga, Manikchari and many other places are glaring examples. So, the cases of illegal land grabbing by the settlers have recently come to a dangerous pass. The government civil functionaries with the active support of military authority are patronizing this expansionist program with funds allotted under so-called "Pacification Program", NGO Program and various other covert and overt programs.

Therefore, immediate stopping of new Bengali Muslim settlement as well as rehabilitation of all Bengali Muslim settlements outside CHT is a must. The Bengali Muslim settlers should be sent to their original homeland in the plains.

If this is done with right earnest, the work of the CHT Land Dispute Disposal Commission will be much easier and at the same time the controversies centering round the inclusion of outsider Bengali Muslim settlers in the voter list as well as the issuance of the permanent resident certificate of the CHT by the Deputy Commissioner will be resolved easily.

8. 5. Paucity of land and development issue

Experiences show that all development programs do not mean really a development for the Jumma people. The total land area of the CHT region is 32,59,520.00 acres. There are 26,86,000.00 acres of forest in CHT which amounts to 82% of the total land of the region. Out of which 7,99,550.00 acres are reserved forest, 32,250.00 acres are protected forest and 18,54,200.00 acres are unclassified state forest. So the Jumma people have only 18% of the total land of the region for their survival.

It is to mention here that land suitable for cultivation is only some 100,000.00 acres or about 3.2% of the CHT's total land. So, this small amount of cultivable land is inadequate for survival of 700,000 Indigenous population. Moreover, 625,000 Bengali Muslim settlers, state-sponsored political migration to the region from the plains of Bangladesh, has put more than enormous pressure on the survival of the Indigenous people of the region.

The rest of the CHT land is suitable only for horticulture, forestry and shifting cultivation, which cannot sustain the livelihood of over 1.325 million populations. In addition, the government has undertaken lot of measures and policies to exterminate the Indigenous people of the region through capturing thousands acres of their recorded land in the name of pulpwood and rubber plantation as well as building military infrastructure for Army, Navy and Air Force.

In the past, some development programs caused serious harm to our ecology, ethnicity and traditional ethos. In the name of development programs, such as Kaptai Hydel Project, the Karnaphuli Paper Mills, the Karnaphuli Rayon Mills, Pulpwood Plantation, Expansion of Reserved Forest, Social Forestry Program and Private Rubber Plantation etc. the Jumma people had to part with their ancestral land, hearth and home and property. In exchange of these developmental programs, the Jumma people got nothing significant.

9. Solution to the CHT problem

- (1) Immediate implementation of the CHT Accord in letter and spirit;
- (2) Demilitarization of the CHT region;
- (3) Stopping of Bengali Muslim outsider infiltration into the CHT and immediate withdrawal of the Bengali Muslim settlers from the CHT region to their original homeland (plains of Bangladesh) for their proper rehabilitation;
- (4) Proper rehabilitation of the repatriated Jumma refugee on their ancestral land and properties, which have been forcibly and illegally occupied by the Bengali Muslim settlers with direct support of military;
- (5) Proper rehabilitation of the PCJSS ex-combatants as per the Accord;
- (6) Immediate functioning of Land Dispute Disposal Commission for speedy return of land property that has been illegally occupied by the Bengali Muslim settlers;
- (7) An indigenous civil bureaucracy at all levels in the CHT region is a must;
- (8) A comprehensive voter list must be prepared only with the permanent residents of the Region and on the basis of that voter list election of Hill District Councils and Regional Council should be held immediately;
- (9) The government must take positive steps for the effective functioning of the CHT Regional Council and three Hill District Councils;
- (10) Constitutional recognition of the indigenous peoples and the CHT Accord.

10. Conclusion:

I have been personally involved with the CHT issue from the very beginning to till today. I believe that it is the responsibility of the government to implement the CHT Accord whereas the government is very much reluctant to implement it timely and properly. Until the handing over of arms and ammunitions the government seemed to be very much committed towards the implementation of the Accord but gradually it is proven that the government has come to sign the Accord with a mindset not to implement it but used the Accord to take away the arms in order to crush the Jumma people's resistance movement. Therefore, I strongly feel, support from national and international community is urgently needed. So far my experience goes, regarding conflict resolution and peace building for the indigenous people of the CHT and other parts of the world I have realized that –

- (1) Integrity and commitment of the government as well as of the national policy makers are needed;
- (2) Support and influence from national and international communities are required;
- (3) Involvement of international mediation is necessary;
- (4) Role and influence from the UN and donor communities are important for achieving rights and implementing the Accord;
- (5) Exercise of might is very important for the recognition of the rights as well as enforcement of it.
