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Chittagong Hill Tract (CHT) is a highland region situated in south-eastern Bangladesh. The area covers the hilly districts of Rangamati, Bandarban and Khagrachari. Strategically, the region holds importance as it shares border with the Indian states of Tripura and Mizoram, and also with Burma. CHT is characterized by ethnic diversity. The three dominant ethnic groups in the region are Chakma, Marma, and Tripura. The other groups are Bawm, Chak, Khyang, Khumi, Lushai, Mro, Phangkha, and Thangchangya. The 11 indigenous ethnic groups in the Chittagong Hill Tract are collectively known as Jumma. The Jumma settled in the region around the 16th century. From the 19th Century, the Bengali people- dominant ethnic group of Bangladesh – started settling in the highland regions, thereby bringing about a considerable change in the demography of the region. Currently, the population of the Bengalis is equal to that of the indigenous Jumma people. The origins of conflict in CHT region can be traced to the administrative neglect and the denial of land rights to the indigenous ethnic groups.

Nature of Conflict

During the British rule, CHT was given the status of a specially administered area. However, in 1963, a Pakistani constitution amendment eliminated the special status and now the local administration was entirely in the hands of Bengalis. The Jumma people paid a heavy price for the modernizing activities which were pursued in this region. The construction of the Kaptai Dam on the river Karnafuli in Rangamati district led to the displacement of over 100,000 Jumma people. The government did not pay any heed to their concerns and around 40,000 indigenous people took refuge in India.

The indigenous people spontaneously supported the struggle for the establishment of a Bengali nation with the hope that their needs and aspirations would be realized in the independent Bangladesh. A mention must be made here of King Mo Pru Shein, chief of Mong circle who participated in the liberation war and took part in direct fighting in the areas of Akhuara and Behrab. He contributed 33 weapons, 4 cars and substantial monetary aid to the liberation war and was later honored with the rank of colonel. Other prominent freedom fighters from the CHT region were Karun Moham Chakma and Khagendra Nath Chakma, the latter killed by Pakistani occupational army on May 5 1971.

However, the plight of the *Jumma* people did not improve even after Bangladesh attained independence. At the time of the framing of the Bangladesh constitution, a hill-people delegation led by Manobendra Narayan Larma called on Sheikh Mujibur Rahman and demanded that the CHT region be granted full autonomy along with its own legislature and that there should be a check on the influx of non-tribal into the CHT region. However, the 1972 constitution of Bangladesh failed to address the issue of ethnic diversity in the region and despite the demands of the indigenous people, did not grant constitutional safeguards or an autonomous status.

The demands of CHT people were rejected by Sheikh Mujibur Rahman, who insisted that there was only one 'nation' in Bangladesh, and even urged the hill people to forget their separate tribal identity and come into the fold of the Bengali community. These events led to the formation of a solidarity association -the Parbattya Chattagram Jana Samhati Samiti (PCJSS) by the CHT tribal groups on March 7 1992. In 1973, an armed wing -Shanti Bahini (peace force) - was established.

The discontentment among the Jumma was further aggravated by the transmigration program of the government of Bangladesh. Around 400,000 Bengali settlers were encouraged to settle in the CHT region as the military regime of Ziaur Rahman began the process of rehabilitating thousands of landless Bengalis in the three hill districts of the region. In mid 1979, Ziaur Rahman allocated 60 million Takas to a scheme that envisaged the settling of 30,000 Bengali Muslim families in the CHT region. These settlers indulged in the forceful acquisition of the land leading to the wide scale displacement of the indigenous Jumma population.

The rehabilitation of landless Bengalis continued under the regime of President H.M. Ershad in the 1980s. During Ershad's era, the PCJSS's demand for the autonomy of the CHT region, the withdrawal of Bangladeshi security forces from the region, and deployment of a UN peacekeeping force were rejected by the government on the pretext that they lay outside the framework of the Bangladeshi constitution.

This period was marked by gross violation of human rights of the Jumma people. They were frequently subjected to violence, rape, murder, forceful religious conversions, and displacement from land. It is estimated that during this period, around 70,000 tribal people took refuge in India, and another 100,000 were displaced. Moreover, the acts committed by security personnel in the CHT, that constituted a breach of human rights, were immune from persecution, and none of the major political parties condemned the atrocities committed by the military in the region. In the late 1980s, CHT virtually became a fiefdom of the military as military officials started reaping profits from the plantations and forest resources of the area.¹ The myopic approach of the successive military regimes thus aggravated the problem of integration of the indigenous tribes of the CHT region, and fuelled the conflict further.

The trend of settling landless Bengali settlers in the CHT region continued even after a civilian government was formed in Bangladesh in 1991 under Khalida Zia. Further, the growing militarization of the region resulted in increasing arms clashes, which continued till the mid 1990s.

The 1997 CHT Peace Accord

On account of the increasing pressure on Bangladesh government to adhere to democratic norms and respect the indigenous rights of the people, the Awami League government, which came to power in 1996, signed the Chittagong Hill Tracts Peace Accord with PCJSS on 2 December 1997, thereby ending the conflict formally. The peace treaty was signed on December 2, 1997 by Abul Hasanat Abdullah, now Barisal district Awami League secretary and the then convener of national committee on Chittagong hill tracts affairs and Parbattya Chattagram Jana Sanghati Samiti president Jyotirindra Bodhipriya Larma. The peace accord acknowledged the uniqueness of the CHT region and increased the share of the indigenous tribals in the local administration.

Autonomous bodies known as the Hill District Councils were constituted in the three districts of the CHT. The accord further provided for the rehabilitation of the Jumma people who had fled to India. A Land Commission was established that was empowered with the authority to cancel the lease of land given to non-tribal people.

International Response

International organizations like the United Nations and European Union have strongly advocated the protection of indigenous rights in the CHT region. The United Nations, under its development program (UNDP) supports the Promotion of Development and Confidence Building in the CHT through the Chittagong Hill Tracts Development Facility (CHTDF). CHTDF supports the indigenous population of the region through the formation of local development communities and women's group, that focus on issues such as health, education, and women empowerment.² The CHTDF promotes social cohesion and peace across the region through supporting the establishment of community policing forums, sensitization of police and of young people in sports for peace camps.

Out of the total budget of €42 million of the UNDP Program for "Promotion of Development and Confidence Building in the CHT", the European Union is the principal donor with its total contribution of €23.5 million.³ The European Union High Commissioner Catherine Ashton stated in 2011 that EU was committed to maintaining peace and stability in the conflict driven region, and also facilitating the implementation of the 1997 peace accord. The EU has also funded Local Trust-Builders Network, in partnership with UNDP, Sweden, Denmark, Japan and United States

Assessment of Implementation

Even after a decade and a half since the signing of the peace accord, the situation continues to be grim in the CHT region. The region is characterized by continuing violence and unabated violation of human rights. Since the signing of the accord, 50 indigenous leaders were killed in clashes and 100 were abducted. In July 2013, eight indigenous leaders were killed in clashes with the security forces.⁴ Despite the demilitarization clause in the 1997 peace accord, military camps continue to assert their presence in the region. In January, 2013, there were 400 military and paramilitary camps in the region.⁵

There are three major reasons for the non-implementation of the provisions of the accord. Firstly, the divisive politics of Bangladesh has stalled the progress of the peace accord. The Bangladesh Nationalist Party (BNP) has opposed the accord since its inception, and has used it for reaping electoral gains.

Secondly, the military has played a major role towards non-implementation of the peace process. On the pretext of establishing peace, it has targeted the indigenous population, thereby exacerbating the discontentment among the natives.⁶ The PCJSS has further alleged that army camps continue to remain in the region and also that the land commission was not effective.

Thirdly, the Bengali settlers in the CHT region are opposed to the internationalization of the conflict, and allege that the indigenous people receive fund from foreign agencies to deliberately

foment trouble in the area. They have floated a number of organizations to defend their interests and most of these organizations receive the backing of major political parties. For instance, Parbatya Chattagram Sama Adhikar Andolan, one such organization backed by the BNP alleges that the indigenous people are getting international assistance to fight against them.

The electoral process as well as the composition of the national parliament in Bangladesh lends its support to the protection of the interests of Bengali community in the CHT region. The policy of promoting Bengali settlements in CHT regions by successive Bangladeshi governments has resulted in a demographic shift in the region and this implies that even the non – Bengali representatives who get elected are members of mainstream political parties that have largely been apathetic to the plight of the indigenous people of the CHT region.

Although the social tensions have been exacerbating between the indigenous tribal and the Bengalis, yet the accords have no provisions to address the issue. There have been repeated instance of violent conflict between the two communities. In January 2015, there were reports that in Rangamati at least 30 people were injured when a rally of the Hill Students Council protesting the inauguration of a new medical college education program was attacked by cadres of the ruling party's Chattra League and other organizations. Despite the administration invoking Article 144, Pahari homes and stores in Bhedbhedi, Champak Nagar, Tribal Adam, Banarupa, Ananda Bihar were attacked by the Bengalis resulting in communal clashes.

On February 19-20, 2010, the Bengali settlers torched about 360 houses of the local tribes. Besides, two indigenous people were killed in clashes with the security forces. Riots broke out again in July 2013 claiming at least eight lives. A common feature of these rights was that most of them happened in the very front of the eyes of the law. It has also been alleged that the Bengali settlers are patronized by the local leaders of all major political parties.⁷ These incidents of communal violence can be collectively attributed to the culmination of mistrust and mismanagement of the CHT region over the years.

Further, the accord has been criticized on its lack of addressing a number of issues. Firstly, the peace accords have a distinctly executive overtone on account of not being protected by any constitutional safeguards, and thus are open to a revocation or amendment by the government.⁸ Although 17 years have passed since signing of the Accord, the Land Commission has still not been given powers to conduct its work properly by enabling eviction of illegal land grabbers and give the Paharis back their land. The Hill District Councils and the Regional Council have not been given powers by which these institutions can carry out their work fully.

Secondly, the 1997 accords do not address the issue of infiltration of illegal settlers in CHT area. According to the 1991 census of Bangladesh, illegal settlers accounted for 77.16 per cent of the population growth in CHT between 1981 and 1991.⁹ Moreover there have been reports that the fleeing Rohingyas from Myanmar have illegally settled in the CHT region. It was reported that in 2009, 5,000 families of Myanmar's Rohingya Muslim refugees were settled in Nakhyangchari, Ruma, Lama, Alikadam and Sadar area of Bandarban district with direct support from the government authorities. They were issued "permanent resident certificate" and were included in

the local voter's list, which is a clear violation of the CHT Accord. Development and employment facilities sanctioned in the name of the local indigenous people were being routed to them.¹⁰

Thirdly, the CHT does not provide any mechanisms for environment protection despite the fact that the region faces a plethora of environmental issues such as deforestation, mono-plantation and industrial logging, siltation of rivers and lakes, floods, drying up of streams and springs, and finally illegal poaching of rare wildlife species.¹¹ Environmental degradation is one of the major causes behind the poverty of the indigenous populations. Moreover, economic activities that are on paper prohibited by law carry on unabated. For example, tobacco cultivation, despite being strictly prohibited in CHT goes unchecked. It was estimated that around 60 to 70 thousand metric tons of firewood was being burnt in 2,000 tobacco processing kilns every year, causing depletion of reserve and natural forests, threatening environment and ecology in the hills. Tobacco cultivation also has an adverse impact on the soil fertility and once tobacco is cultivated, it is difficult to grow other crops on the same land.

Another example of carrying out an illegal economic activity is setting up and operating brick kilns in CHT region. Despite, a 2009 order of High Court prohibiting setting up and operating brick kilns in Chittagong Hill Tracts goes on illegally in collusion with the local officials.¹² The brick kilns burn at least 80 thousand maunds of firewood annually destroying the natural forests in the region. This not only affects the fertility of soil in the region, but also poses serious health threats for the indigenous population as they run the risk of being affected with various diseases including bronchitis and asthma due to environmental pollution.

The Way Ahead

The CHT region continues to be engulfed in a state of conflict with the indigenous hill people and the Bengali settlers pitted against each other. As examined above, the major reason for the persisting conflict can be attributed to the lack of sufficient political will and an unaccommodative attitude of the Bangladeshi ruling elites, including the Awami League. Irrespective of the government at the centre, the process of *Bengalistic* or *Islamisation* of the CHT has continued unabated.

The ethnic question should be seen in the broader context of democratic governance. The socio-economic development of indigenous people of CHT region should be integrated into the priorities of the Bangladesh government and the reconciliation and integration process must ensure that the indigenous people of the CHT are granted their constitutional rights.

It is imperative for the Bangladesh government to ensure the effective implementation of the provisions of the 1997 peace accord and for this the first prerequisite is the dismantling of the unholy nexus of settlers-local political leaders-armed forces. However, this is by no means an easy task as these groups have developed vested interests to maintain status quo in CHT. The withdrawal of the military could be the first step towards breaking this nexus.

The failure to pursue a peace-building will foment discontentment among the native populace and will escalate the conflict. Any efforts towards peacemaking must involve a greater role of the indigenous tribal leaders. Legislative measures recognizing the indigenous right to ownership of

land need to be implemented. The government must also openly take the help of the national and international NGOs and development agencies, including UNDP to take measures to improve the economic and social conditions of the indigenous people in the Chittagong Hill Tracts. A digression from any of the above suggested policy measures will lead to the continuation of the conflict, thereby eluding even a remote possibility of peace in Chittagong Hill Tract region.

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