Ethnic Problems in Bangladesh: A Study of Chittagong Hill Tracts

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Abstract

Chittagong Hill Tracts problem is a national integration problem from the inception of Bangladesh. In fact, this area is an isolated region of Bangladesh. From the very beginning, the people of this region had to face different types of crucial problems. Ethnicity or Adibashi, Bengali or Bangladeshi, was the first step in this respect. Settlement of Bengali in tribal areas was another problem. In an incidental manner national integration is to be considered the precondition of a strong nation. Without overcoming the nation building problem, overall development of the state is almost impossible. Analyzing this problem, knowing the history of problem as well as to know the present condition are the main objectives of this study.

1. Introduction

Bangladesh has become the dwelling place of different ethnic groups. Cultural diversity is one of the mentionable features of this country. Ethnic people of Bangladesh continue a distinct way of life in different places either plain or tribal area. In Bangladesh, tribal population consists of 897,828 (BBS, 1984) persons, just over 1 (One) percent of the total population. These ethnic minorities are scattered all over the country. Among them 464,057 has been living in Chittagong Hill Tracts (BBS, 1984). The major minority groups in Chittagong hill tracts are Marma, Chakma, Tanchingy, Sak, Shendu, Tipra, Mro, Khyang, Bawn, (Banjogoand, Pankho), Khomi and Lushai (Kuki) (Biswas, 2010:3). From the beginning, they continued a distinct way of life and they claimed as recognized them as adibashi but after independence in 1971 government suggested them to be recognizing as ethnic minority community. The modern conflict in the Chittagong Hill Tracts began when the political representatives of the native peoples protested against the government policy of recognizing only the Bengali culture and language and designating all citizens of Bangladesh as Bengalis. In talks with Hill Tracts delegation led by Chakma politician Manabendra Narayan Larma, the country's founding leader Sheikh Mujibur Rahman insisted that the ethnic groups of the Hill Tracts adopt the Bengali identity (K Singh, 2003: 222-223). This problem turned into conflict when President Ziaur Rahman shuttled the non-tribal Bengali in hill areas.

2. Ethnicity

Ethnicity has become one of the most pervasive features of political life, national, regional and international life, during the last half a century and more so in the post-Cold War era (Iftekharuzzaman, 1998: 7). The term ethnic group is generally understood in anthropological literature (Narroll, 1964) to designate a population which: (1) is largely biologically self-perpetuating, (2) shares fundamental cultural values, realized in overt unity in cultural forms, (3) makes up a field of communication and interaction, and (4) has a membership which is identified by others, as constituting a category distinguishable from other categories of the same other (Barth, 1996: 10). Ethnic communities has different identity, culture, organization, way of life, language and culture, food and dress pattern, marriage system, housing pattern, leadership pattern, social and village organization, children and ritual ceremony, social and religious festivals, and death ritual. Most of them live in hilly areas, but in recent time, they have tried to adjust themselves with globalization concept, business, main stream language etc. The word ‘ethnic’ has derived from the Greek word ‘ethnics’ refers to (1) Nations not converted in Christianity, heathens, and pagans (2) Races or large groups of people having common traits and customs or (3) Groups ‘‘in an exotic primitive culture’’ (Webster’s third New international Dictionary, 1978).
Table 1: The main ethnic groups in Bangladesh are as following:

<table>
<thead>
<tr>
<th>District</th>
<th>Main tribes</th>
<th>Population</th>
</tr>
</thead>
<tbody>
<tr>
<td>Rajshahi, Rangpur, Dinajpur, Pabna, and Kustia.</td>
<td>Santal, Oraon, Munda, Pahari, Rajbansi and Koch</td>
<td>201,726</td>
</tr>
<tr>
<td>Sylhet</td>
<td>Khasias, Meitei, (Manipuri), Pathro and Tipra</td>
<td>106,823</td>
</tr>
<tr>
<td>Mymensingh, Jamalpur and Tangail</td>
<td>Garo, Koch, Hojong</td>
<td>82771</td>
</tr>
<tr>
<td>Chittagong Hill Tracts</td>
<td>Marma, Chakma, Tanchingy, Sak, Shendu, Tipra, Mro, Khyang, Bawn (Banjago and Pankho), Khomi and Lushai.</td>
<td>464,057</td>
</tr>
<tr>
<td>Dhaka, Faridpur, Comilla, Barisal, and Patuakhali</td>
<td>Others are not known</td>
<td>42381</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td></td>
<td>897,828</td>
</tr>
</tbody>
</table>

Source: BBS, 1984; Biswas, 2010: 3.

Most tribal people were of Sino-Tibetan descent and had distinctive Mongoloid features. They spoke Tibeto-Burman languages. In the mid-1980s, the percentage distribution of tribal population by religion was Hindu 24, Buddhist 44, Christian 13, and others 19.

Table 2: Ethnic Group in Chittagong Hill Tracts:

<table>
<thead>
<tr>
<th></th>
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<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Chakma</td>
<td>28,097</td>
<td>44,392</td>
<td>133,075</td>
<td>230,273</td>
<td>239,417</td>
</tr>
<tr>
<td>2</td>
<td>Tanchangya</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>19,211</td>
</tr>
<tr>
<td>3</td>
<td>Marma</td>
<td>22,060</td>
<td>30,706</td>
<td>65,889</td>
<td>122,734</td>
<td>142,334</td>
</tr>
<tr>
<td>4</td>
<td>Tripura</td>
<td>8,100</td>
<td>23,341</td>
<td>37,246</td>
<td>54,375</td>
<td>61,129</td>
</tr>
<tr>
<td>5</td>
<td>Mro</td>
<td>2,378</td>
<td>10,540</td>
<td>16,121</td>
<td>17,811</td>
<td>22,161</td>
</tr>
<tr>
<td>6</td>
<td>Bawn</td>
<td>305</td>
<td>696</td>
<td>977</td>
<td>5,733</td>
<td>6,978</td>
</tr>
<tr>
<td>7</td>
<td>Khyang</td>
<td>306</td>
<td>1,427</td>
<td>1300</td>
<td>5453</td>
<td>1950</td>
</tr>
<tr>
<td>8</td>
<td>Pangkhw</td>
<td>177</td>
<td>241</td>
<td>627</td>
<td>2,278</td>
<td>3,227</td>
</tr>
<tr>
<td>9</td>
<td>Khumi</td>
<td>534</td>
<td>1,053</td>
<td>1,941</td>
<td>1,188</td>
<td>1,241</td>
</tr>
<tr>
<td>10</td>
<td>Lushai</td>
<td>-</td>
<td>678</td>
<td>3,341</td>
<td>1,041</td>
<td>662</td>
</tr>
<tr>
<td>11</td>
<td>Chak</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>910</td>
<td>2000</td>
</tr>
<tr>
<td>12</td>
<td>Other</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>828</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td>61,957</td>
<td>113,074</td>
<td>260,517</td>
<td>441,796</td>
<td>501,144</td>
<td></td>
</tr>
</tbody>
</table>

Source: An Evaluation of Integrated Community Development Programme for the CHT

3. Methodology of the Study

In this study explanatory-descriptive research design has been followed. All of the facts relating to the study problems have been explained on the basis of secondary literature. This study is also a descriptive study as it deals with a historical event of the state. The secondary sources of data including journals, newspapers, text books, public documents, reports of various human rights organizations and NGOs have been used in this study.

4. Chittagong Hill Tracts

The Chittagong Hill Tracts, the only extensive hills in the southeast, cover about 13,184 square kilometers, approximately one-tenth of the country’s total area. The British colonial administration annexed the area in 1860 and named after it the Chittagong Hill Tracts. In 1900, the British passed the so-called 1900 Regulation, which gave the area special status, restricting settlement of non-“tribals” in the hills and separating the administration. Although the British had their own interests in mind, the indigenous people still regard this 1900 Regulation as a recognition and protection of their land rights, separate identity, and culture. When British India gained independence in 1947, the country was split into Hindu-dominated India and Muslim-dominated Pakistan. The hill people hoisted the Indian flag in the CHT on 15 August, as they had been assured repeatedly that the CHT, with a 93 percent non-Muslim population, would be included in India. Only on 17 August, two days after independence, it was announced that the Chittagong Hill Tracts had been included in East Pakistan, together with East Bengal. The Pakistani government
amended the 1900 Regulation several times, slowly eroding the special status of the ‘Chittagong Hill Tracts comprising the three hill districts of Rangamati, Khagrachhari, and Bandarban, is geographically an isolated region of Bangladesh. It is surrounded by the Indian state of Tripura in the North, Mizoram and Lushai hill in the East, Chittagong district in the West and Myanmar in the south. The area (CHT) comprises the seven main valleys formed by the Feni, Karnafuli, Chengi, Myani, Kassalong, Sangu and Matamuhuri rivers and their tributaries. Full of hills ravines and cliffs covered with dense vegetation (trees, bushes, creepers), the area is in sharp contrast to the rest of the country, which is mostly a plain of alluvial soil’ (Haque, 2001:47). The Chittagong Hill Tracts are situated between 21° 45’ and 92° 50’ east longitude. (Shelly, 1992).

5. History of Problem

In 1960 the construction of a hydroelectric dam at Kaptai was completed, flooding 40 percent of the land available for plough cultivation in the CHT and displacing hundred thousand people. In 1964 the special status of the CHT was completely abolished, although some special treatment still continued (Nishan Chakma, 2002).

Bangladesh got independence from Pakistan in 1971 with the help of the Indian army. Indigenous people in the CHT had joined the liberation forces and played an active role in the liberation of Bangladesh. However, Chakma Raja (King) Tridiv Roy—a member of the national parliament—had sided with Pakistan, as he thought that this would better serve his people's interests. This led to a general suspicion of Bengalis toward the indigenous people in the CHT who were, unjustly, regarded as traitors. Both the flag-hoisting incident in 1947 and the collaboration of the Chakma Raja with Pakistan are still sensitive issues and taken by Bengalis as an indication of disloyalty of the indigenous hill peoples to the Bangladesh state. Consequently, Manabendra Narayan Lama and others founded the Parbatya Chhatagram Jana Shanghatti Samiti (PCJSS) as a united political organisation of all native peoples and tribes in 1973. The armed wing of the PCJSS, the Shanti Bahini, was organised to resist government policies (Chowdhury, 2002).

In 1972, a delegation of the indigenous people, led by the Chakma MP Manobendra Narayan Lama, requested autonomy for the CHT, retention of the 1900 Regulation, and a ban on the influx of Bengalis. He also raised a voice of disagreement in the Parliament by saying, “You cannot impose your national identity on others. I am a Chakma not a Bangali. I am a citizen of Bangladesh, Bangladeshhi. You are also a Bangladeshi but your national identity is Bangali….They (Hill People) can never become Bangali.” However, his disagreement did not make any distinct mark on the Bangali policy makers, who saw Bangali nationalism as all-encompassing.

<table>
<thead>
<tr>
<th>Year</th>
<th>Ethnic Jumma People</th>
<th>Bangali Muslim/Hindu</th>
</tr>
</thead>
<tbody>
<tr>
<td>1941</td>
<td>98</td>
<td>2</td>
</tr>
<tr>
<td>1951</td>
<td>91</td>
<td>9</td>
</tr>
<tr>
<td>1961</td>
<td>88</td>
<td>12</td>
</tr>
<tr>
<td>1974</td>
<td>77</td>
<td>33</td>
</tr>
<tr>
<td>1981</td>
<td>59</td>
<td>41</td>
</tr>
<tr>
<td>1991</td>
<td>60</td>
<td>39</td>
</tr>
<tr>
<td>2003</td>
<td>51</td>
<td>49</td>
</tr>
</tbody>
</table>

**Table 3:** Increasing Trend of Non-ethnic Jumma People in CHT (% distribution)


However, Prime Minister Sheikh Mujibur Rahman, who himself had led the Bengali people in the struggle for their own Bengali identity and culture, failed to recognize the legitimacy of a similar demand from the indigenous peoples. He told them to forget their ethnic identities and to be "Bengalis.” I think that it has a logical cause for national integration. After General Ziaur Rahman ("Zia") came to power through a military coup in 1975, the conflict between the indigenous people and the Bengali government turned from a democratic struggle into a low-intensity armed conflict. Zia ordered full militarization of the CHT and simultaneously development of the "backward tribal" area. Next to road construction and telecommunication, settlement programs of the indigenous population in model villages (similar to the "strategic hamlets" erected during the war in Vietnam) were carried out. The fact that the CHT Development Board, set up by Zia, was headed by the military commander in charge of the CHT illustrates that these development programs were an instrument of counter insurgency. From 1976 the CHT became an area under military occupation and a training ground for counterinsurgency. Many army officers received training in the United States and the United Kingdom. The security forces controlled the administration, as well as all development programs. In the name of counterinsurgency against the Shanti Bahini, the Bangladesh security
forces perpetrated massive human-rights violations-massacres, killings, torture, rape, arson, forced relocation, forced marriages to Bengalis, and cultural and religious oppression of the indigenous people. For the first time in April 1979, a series of massacres took place in Kanungopara, where reportedly 25 indigenous people were killed by the army and eighty houses were burnt down. In a second massacre on 25 March 1980, indigenous people in Kalampati/Kaukhali were forced to line up and then the army opened fire. Reports about the number of indigenous people killed in Kaukhali vary between 50 and 300. Young women were held by the army for days and raped. In the 1980s, 10 percent of the indigenous population fled to neighboring India, and others fled to isolated jungle areas. More than ten major massacres have taken place between 1979 and 1993 in which an estimated 1,200 to 2,000 indigenous people have been killed. These and subsequent massacres formed part of the counterinsurgency strategy to drive out the indigenous population and settle Bengalis on their land. One of the army generals reportedly said in 1977: "We want the land, not the people." (Chakma, 2002).

6. Issues of the Problem

6.1 Autonomy

Buddhists (some are Christians and Hindus) has been waging a violent insurgency in quest of autonomy for the last two decades (Kabir, 1998: 11). Historically the hill tribes of CHT had always enjoyed an autonomous or quasi-autonomous status under the Mughals, British, and in United Pakistan until 1964. In the mid-seventeenth century, the area was annexed by the Mughals, but Nawab Mir Qasim Ali Khan of Bengal ceded the province to the East India Company in 1760. Under the British, the region was kept apart from both the provinces of Bengal and Assam and ruled indirectly by the Governor-General Council through the Deputy Commissioner. In 1860, the British Indian Government, which succeeded the East India company, introduced direct rule in CHT and declared it an administrative district, naming it the ‘Chittagong Hill tracts’, by act XXII of 1860. In 1990, the British enacted the CHT Regulation (Act I of 1900 through which the region has been administered until 1989 (Kabir, 1998: 13). After the annexation of the hill Tracts the British gradually whittled away the power of the Chakma and Marma kings and introduced a form of diarchy whereby the authority of the hill rajas and their officials was permitted to be exercised within the overall supervisory control of the British Raj. Despite the fact that the CHT regulation drastically limited the power of the local administration, it contained a number of provisions which were essential safeguards for the hill people’s political and economical integrity. Firstly, the hill people’s polity was recognized; secondly, the government of Bengal was barred from exercising any jurisdiction over the Hill Tracts, and the governor general of India was made directly responsible for the region; thirdly, immigration of outsiders was totally prohibited.

In 1930, the safeguard on immigration was withdrawn, and in 1937 a revolutionary change reversed the roles of the hill chiefs and the government in the administration of the Hill tracts. Whereas previously the three chiefs where chaired with the administration of the three circles, they now found themselves assigned the role of advising the government on policy matter besides having their administrative powers reduced. In 1964, the special administrative status of the CHT was repealed by an amendment of the constitution of Pakistan Soon after Bengali immigration started in earnest.

After independence of Bangladesh in 1971, the young non-traditional leadership of the hill people lost no time in articulating the concerns of the CHT tribal people. In February 1972, a deputation headed by Manobendra Narayan Larma, a member of parliament met the then prime minister Sheikh Mujibur Rahman. They demanded that (1) the CHT should be an autonomous region with its own legislature’ (2) the new constitution of Bangladesh then in the making should restore the regulation of 1900 and thereby the special status of the hill tracts, with provision against any amendment to the Regulation, (3) the tribal chiefs should continue in office with full administrative powers, and (4) a ban on all further Bengali immigration into the CHT should be imposed (Bertocci: 1996).

6. 2 Constitutional Amendment

The problem of Chittagong Hill Tracts is recognized the tribal people as indigenous people constitutionally. According to Mohammed Homayan Kabir “The problem of separatism in Bangladesh is not to be compared, in it intensity, Magnitude, implications, and in terms of constitutional measure, with those in India, Pakistan, and Sri-Lanka. None the less separatism in Bangladesh, although professed by so few and prosecuted for so long for so much, also begs a question concerning the country’s Constitution. Indeed, some of the separatists’ demand call for constitutional amendments” (Kabir, 1998: 11). Chairman of National Human Rights Commission Prof. Mizanur Rahman said “ Constitutional recognition is a must to solve the problems of indigenous people. Indigenous people need to reach the concerns to government as they are not addressing your problems at all. The government is trying to call indigenous peoples by the name of its choice and this is unacceptable” (Khan: 2011). On 17 August 2011,
two separate demonstrations held in Rajshahi and Gazipur, leaders of indigenous peoples and rights activists of mainstream population demanded the government review the 15th amendment to the constitution, which did not recognize them as ‘indigenous peoples’ (Bangladesh: Indigenous peoples demand review of 15th amendment to constitution; Monday, 22 August 2011). According to Shamima Chowdhury—“On February, 1972, the tribal leader, Manabendra Narayan Larma, met the then Prime Minister of Bangladesh, Bangabandhu Sheikh Mujibur Rahman and placed a 4 point demand: autonomy for the CHT; inclusion of provisions similar to regulation 1 of 1900 in the Bangladesh constitution; continuity of the institution of tribal chiefs; and constitutional guarantee restricting any amendment or changes of any provisions in the constitution relating to the CHT (Chowdhury, 2001: 81). For realizing their demand in 1972 M.N. Larma formed the Parbatatya Chattagram Janasahanhi Samity (PCJSS). Shamima Chowdhury noted that “In the same year, M.N Larma formed the Parbatatya chattagram janasanhi Samity (PCJSS). In association with his followers to realize the demands of the tribal communities of the CHT. Later on 7 January 1973, the ‘Shanti Bahini’ emerged as the armed wing of the ‘Parbatatya chattagram janasanhi Samity’ (PCJSS) with jetindra Bodhipriya Larma, better known as Shantu Larma, as its commander. Bangabandhu Sheikh Mujibur Rahman took the initiative to hold a dialogue for solving the problems of the tribal community, but that initiative could not bear fruit due to his tragic assassination on 15 August, 1975. Armed insurgency in the CHT has raged since then for twenty years (Chowdhury, 2001: 83).

6.3 Bengalianization and Land Accusation
Another issue of CHT is Bengalianization and land accusation. Nazrul Islam named the Bengalianization as an induced factor. It was also an integration process but by this process more tribal people lost their cultivated land. According to Nazrul Islam – ‘It is an induced factor, of impediments to the integration process. The induced factors also relate to ‘Bengalianization’ of the CHT area by means of internal migration, political as well as natural, allegedly disturbed the traditional mode of agricultural production (from jhum plough cultivation), and to the pitfalls of modernity as resources of development efforts were constructed by the hill people as resources competition. The Karnafuli multi-purpose project, which was constructed in 1957-62 to accelerate economic development in East Pakistan (Now Bangladesh), had serious effects on the economy and life patterns of the CHT people. The contraction of the Kaptai dam caused tremendous devastation and loss to the local population, in undating 400 square miles including 54000 acres of cultivable land, which is about 40 percent of the total acreage of CHT. Almost 10000 ploughing and 8000 jhumiya (shifting cultivation) families, comprising more than 100000 persons, were affected. Compared to the loss, the rehabilitation and compensation were minimal, and the situation worsened because of, mismanagement in the process of implementation. Although the Karnafuli power project was spar to the industrialization of Bangladesh, the tribal people hardly benefited from it. Tribal employment in major industry like the Kaptai project and the Chondragona paper mills has been less than 1 percent Business is also dominated by outsiders. All these development heightened the feeling of deprivation among the tribals (Islam, 1981).

7. Solution Process

CHT’s ethnic problem is undoubtedly a long term problem that provides a strong problem of national integration. Every government (From Sheikh Mujibur Rahman to Sheikh Hasina) takes different steps to solve this problem but still this problem existing. The problem is that some ethnic activists are quite explicit that they are willing to act illegally and violent in pursuit of their aims, especially where that appearsto be the only option to obtain a hearing.

8. Formal Conflict Management Process under Different Political Regimes (From 1972 to 1997)

At the initial stage of independent Bangladesh in 1972, Parbatya Chattagram Jana Sanghi Samiti PCJSS had been formed to realize the demands of the tribal communities of the CHT and they demanded four point programmes led by Manindra Narayan Larma. These were (Shelly, 1992):

i. Autonomy for Chittagong Hill Tracts and the establishment of a special legislative body;

ii. Retention of Regulation, 1900, in the new constitution of Bangladesh;

iii. Continuation of the office of the Tribal Chiefs; and

iv. A constitutional provision restricting the amendment of the Regulation of 1900 and imposing a ban on Bengali settlement in the Chittagong Hill Tracts.

But these demands were rejected by the then Prime Minister of Bangladesh, Bangabandhu Sheikh Mujibur Rahman. Rahman outlined two reasons for the rejection of these points (Rahman, 2009: 17). Firstly, the
government was highly busy with re-establishing the administration, reconstructing the war ravaged economy, managing the counter revolutionary turbulent activities of the anti-liberation armed groups, withdrawal of Indian armed forces, achieving recognition of the country and so on; secondly, there were reports of involvement of some groups of the chakmas in the anti-liberation activities in 1971. For that reason, on 7 January 1973, ‘Shanti Bahini’, the military wing of PCJSS, emerged to achieve their demand in a violent way.

After the brutal assassination of Sheikh Mujibur Rahman in 1975 with a lots of coup and counter coup military man General Ziaur Rahman came into power. The government of Zia did not understand the political deepness of the problem and looked this issue from the development aspect rather than political aspect. As a consequence, Chittagong Hill Tracts Development Board (CHTDB) was set up under an army general in 1976 to retrieve the region from the years of neglect and under development (Rahman, 2009: 24). Later, in July of 1977, a Tribal Convention was formed to find a political solution of the problem which held talks with the tribal insurgents in four sessions from July 1977 to December 1978 (Shelly, 1992: 133). But these four discussions had fruitless outcome and with the assassination of General Ziaur Rahman, chances of further discussion was ended and no successive result was came out about the solution of this problem.

To find out a political solution of the problem in 1982, Ershad government formed a Liaison Committee headed by Upendra Lal Chakma. With the help of Liaison Committee, the first dialogue between the government of Bangladesh and PCJSS held on 1985. As a result, with two years of negotiation and talks with PCJSS, a National Committee (NC) was formed in 1987, headed by the then Planning Minister. The only outcome of the first dialogue was the recognition that the CHT problem was a political problem (Rahman, 2009: 25). At the time of second dialogue in 1987 with government of Bangladesh, PCJSS put forward five point demands (Rahman, 2009: 19-21).

Remarkable portions of the five points are:

i. Autonomy for CHT with its legislature and recognition of Jumma nation’s right of self determination which included provincial status to CHT and naming CHT as Jummaland;

ii. Retention of the Regulation of 1900 and a constitutional provision for restricting amendment of this regulation;

iii. Removal of non-tribal who had entered the CHT since August 17, 1947;

iv. Creation of circumstances favorable for peaceful and political resolution of the CHT problems; and

v. Unconditional release of all Jumma people who were given punishment, under trial and in custody of armed forces.

By these five points, they demanded almost complete control over all subjects except defense, foreign affairs, currency, and heavy industries. They also demanded withdrawal of military camps from CHTs areas. Later, Upendra Lal Chakma, head of the Liaison Committee presented seven-point demands without consulting with NC, which may be considered as complimentary for the five-point demands of PCJSS. As the reaction of these five-points, government of Bangladesh clearly stated that these demands did not fit in with the Unitary Constitutional System of Bangladesh and hence unacceptable (Shelly, 1992: 140).

To give out a solution of this unresolved problem, NC presented a nine-point proposal. Some important points of this proposal were:

i. Identification of CHT districts as a special area;

ii. Establishment of directly elected strong local bodies named ‘Zila Parishad’ in the three hill districts of Rangamati, Khagrachhari and Bandarban;

iii. Division of subjects among national government, District Level and Local level government institutions;

iv. Re-delimitation of boundaries for the unification of boundaries of districts and Tribal Circles etc.

The outcome of this 9-point was remarkable in the solution process of the problem. A Memorandum of Understanding (MoU) was signed between NC and 48 tribal leaders of Rangamati, Khagrachhari and Bandarban between August 29 and October 18 of 1988. Driving with fear of alienation from the own people in December 1988, PCJSS came out with a modified proposal for ‘regional autonomy’ in place of ‘provincial autonomy’. In February of 1989, the dialogue between NC and PCJSS could not be held because of failure of the PCJSS to consider the nine points. To implement the nine-point programme and to make the hill people not PCJSS more aware about their own rights of self determination, three Hill District Local Government Council Bills were passed between February 26 and 28 of 1989. On 25 June 1989, election to the LGCs held peacefully instead of SB’s torturing, killing and terrorist activities in the bordering areas. This election weakened the support of PCJSS in their own people. That’s why when the tenure of LGCs expired no more election was held for the opposition of SB and PCJSS postponed the election to the LGCs for holding talks between the NC and the PCJSS.

In 1990, Ershad government was overthrown by mass uprising and peace negotiations were re-initiated after the restoration of democracy in Bangladesh in 1991. The then government of Khaleda Zia, after her visit from India formed a Parliamentary Committee (PC) headed by the then Communication Minister Col. (Rtd) Oli Ahmed in July.
1992 to solve the problem through constitutional means. The regime also formed a parliamentary Sub-Committee (SC) led by Rashed Khan Menon.

On November 5, 1992, the PC for the first time met with PCJSS led by Shantu Larma. Both parties reached on an agreement of cease-fire which was extended routinely every three months rounds from August 1, 1992, (about thirty-five times) until December 1997. (UNDP, 2005: 13). In December 1992, at the time second round of talks with PC, the PCJSS revised its charter and modified its demands which consist of five points.

i. Regional autonomy for the CHT with a regional council recognized by the Constitution;
ii. Restoration of land rights to the tribal people with a ban on allocation of land to the Bengalis from the plains;
iii. Withdrawal of the military from the CHT;
iv. Constitutional recognition of ethnic minorities and a guarantee that their rights would not be altered without their consent; and
v. Withdrawal of Bengalis settled in the Hills since August 17, 1947.

The PCJSS also demanded that the Constitutional provision to recognize the CHT as a special administrative unit with regional autonomy. The PC did not accept some of the demands, but the negotiations continued in the spirit of compromise. The Oli Ahmed committee met with the SB seven times. However, there were concerns and criticisms about composition of the committee, this Committee made significant progress in political dialogue and confidence building; some kind of mutual respect and understanding was seen to be developing from the process.

After the ending of Khaleda Zia regime in 1996, the newly-elected Awami League government set up a National Committee (NC) on CHT in October 1996 to solve the long-lasting conflict, Abul Hasnat Abdullah, the then chief whip played role of the convener of the NC. The first meeting between the 12 member committee and the PCJSS led by J. B. Larma was held in December of that year and followed by subsequent meetings through December 1997. After the seven rounds of talks on December 2, 1997, the historic Peace Treaty namely CHT Peace Accord, was signed between the NC and the PCJSS with the presence of the then Prime Minister Sheikh Hasina, which ended twenty two years old problem of misunderstanding and mistrust. This historical treaty consists of four main parts.

1. Part A, namely “General”, recognizes the Chittagong Hill Tracts as a tribal inhabited region; forming of new rules and regulations according to law and establishment of an implementation committee to supervise the implementation of the Accord;
2. Part B, under the heading “Chittagong Hill Tracts Local Government Council/CHT Zila Parishad”, deals with legal amendments of the Acts relating to CHT to strengthen the existing powers of the Zila Parishad and to extend their jurisdiction to include new subjects;
3. Part C, titled “CHT regional Council”, includes formation of a regional council in coordination with three LGCs where chairperson and two thirds of the seats are to be reserved for tribal people; and
4. Part D, entitled with “Rehabilitation, General amnesty and other subjects”, addresses a wide range of issues, including the rehabilitation of the tribal refugees, granting of amnesty to the members of PCJSS, establishment of land commission for land settlement etc.

9. Formation of United People’s Democratic Front (UPDF) and Their Role

During the surrender ceremony on 10 February 1998, Shanti Bahini, mostly from the Hill Peoples' Council (HPC), Hill Students' Council (HSC) and Hill Women’s Federation (HWF), openly demonstrated their dissatisfaction with the Accord and declared that they would continue the struggle for ‘full autonomy’. They waved black flags in the stadium where the ceremony was being held, chanted slogans and displayed banners denouncing the Peace Accord and the arms surrender (CHTC, 2000: 21). On 26 December 1998, the Jumma activists who had declared they would continue the struggle for 'full autonomy' launched a new political party, the United Peoples' Democratic Front (UPDF) (CHTC, 2000: 21). They did so during a two day conference organised jointly by the HPC, HSC and HWF, and attended by a few hundred Jummas. Even before the Peace Accord was signed, The Hill Watch Human Rights Forum denied the agreement and concluded that whilst the key issues; i.e. regional autonomy, withdrawal of the military and the settlers, guaranteed land rights for the Jummas and constitutional recognition of the Jumma people remained unresolved peace could not be restored in the CHT, and that as long as the main demands of the Jumma peoples were unfulfilled, no agreement would be acceptable to them. Not long after the signing of the Accord, first the HPC, HSC and later HWF split in two, one faction supporting the PCJSS and the Peace Accord, the other declaring that the Accord was inadequate and that they would continue the struggle for 'full autonomy'. The students' faction supporting the PCJSS now calls itself the Greater Chittagong Hill Tracts Students' Council (GCHTSC). After formation of the UPDF, The Chittagong Hill Tracts Commission (CHTC) has received reports from both the JSS and the UPDF, accusing each other of attacks, death threats, kidnappings, killings,
harbouring unruly elements and drug addicts, and so on (CHTC, 2000: 24). Still now, both of them are involved conflict with each other to some extents.

10. Role of Civil Society

Civil society can play an effective rule in a conflict-prone area. The role of civil society in conflict resolution is, indeed, minimal in Bangladesh (UNDP, 2005: 20). The repression policy of the government was one of the salient reasons to remain them silent. While the Accord was signed between two parties it was hailed by the tribal people as well as civil society also expressed optimism about the agreement. Fakhruddin Ahmed, a former foreign secretary said, “the agreement is very positive. The agreement will help bring peace and stability in the country and as a consequence long standing problems of the CHT will be removed” (Rahman, 2009: 39). There are several Bengali organisations and individuals supporting the Jumma peoples’ cause. “The National Committee for the Protection of Fundamental Rights” in the CHT, an organisation of Bangladeshi citizens, has for a long time supported the struggle of the Jumma peoples and continues to speak out for their rights (CHTC, 2000: 29). Several student organisations, women's organisations, progressive political parties and institutions have demonstrated their concern for the Jumma peoples' cause and now work closely together with Jumma organisations. Bangla Academy also published three volumes about the positive role of the indigenous peoples in the CHT during the Bangladesh liberation war of 1971. The Bangladesh Adivasi National Co-ordinating Council, in which Jummas are also involved, jointly observed the International Day of the World's Indigenous since 1993. In the CHT itself the Adivasi Bangali Kalyan Parishad (Indigenous Bengalis' Welfare Council) was set up in 1986. They supported the Peace Accord and worked with the JSS (CHTC, 2000: 30). It can be said that at present Bengali civil society emerged from the different segments of the society increasingly taking interest in the implementation of the Peace Accord.

11. Role of NGOs

NGO, either national or international operates it function by following its own framework and guidelines and by following the State policies where it functioning. Before the Peace Accord, 'development programmes' had been instruments of the government and military with which to carry out counter-insurgency programmes in the CHT, control the population and prevent them from actively supporting the JSS and Shanti Bahini. Road construction, telecommunication, so-called population rehabilitation programmes and so on, principally served counter-insurgency purposes (CHTC, 2000: 44). After signing of the Peace Accord, more of the NGOs in the CHT are involved in furthering of the development process with extensive funds. The Asian Development Bank (ADB), along with UNDP and other donors, is among the very few institutions that have been funding programmes in the CHT on a large scale for many years. Following the signing of the CHT Peace Accord, in July 1998, the World Food Programme (WFP) initiated a three year 'Expanded Food Assistance' (EFA) programme in the three districts of CHT. The programme covered three activities: Integrated fish culture, livelihood support initiatives and rural road maintenance (AIPP, 2007: 35). UNDP Bangladesh with its project under heading, Chittagong Hill Tracts Development Facility (CHTDF) has been working to engage NGOs in the development process of the CHT. Since 2004, CHTDF has been assisting the government in transferring decentralized power to the Hill District Councils (HDC) and other institutions of local governance in charge of implementing the peace accord and providing public services. UNDP also undertakes a project titled ‘Promotion of Development and Confidence-building in the Chittagong Hill Tracts’ has two aims (AIPP, 2007: 34).

i. Facilitating the resumption of substantial international development assistance to the Chittagong Hill Tracts (CHT) which was suspended in February 2001 as a result of a serious kidnapping incident in the CHT; and

ii. Supporting the formulation and start-up of a multi-sectoral Development Support Programme in the CHT which is funded by UNDP and other donor institutions.

The ADB has funded mainly road construction, afforestation and cluster village programmes, which were manifestly all part of the counter-insurgency programme of the Bangladesh army particularly during the armed conflict. After the CHT Peace Accord, the ADB extended its support for the preparation of a Ten Year Regional Development Plan for the CHT in 2000 (CHTC, 2000: 45). Furthermore, DANIDA, the Royal Danish Government’s development agency organised consultations for formulating its five-year long programme titled, “The Human Rights and Good Governance” (HRGG) Programme on indigenous peoples of Bangladesh in 2003, where indigenous peoples were appropriately consulted. (AIPP, 2007: 34).

Some of the major aspects of the Peace Accord that have already been implemented:

i. A separate Ministry named Ministry of Chittagong Hill Tracts Affairs (MoCHTA) was formed in 1998. Presently Mr. Dipankar Talukdar of Rangamati district is working as the State Minister of the Ministry. But in practice, roles of the Ministry are not favorable to the interest of the CHT people.

ii. Regional Council headed by Mr. Shantu Larma was formed in 1998. Full execution of the Act is yet to be made and Rules of Business of the CHTRC is kept pending without any approval by the Government.

iii. The Accord Implementation Committee was first constituted in 1998 but its existence was not maintained after the BNP party came to power in 2001. Though, a new committee has formed but in practice it has no effective functions.

iv. Hill District Local Govt Council was renamed as Hill District Council (HDC) through passing a bill in the Parliament. So far, out of 32 subjects of different ministries, on average 18 subjects were handed over to Hill District Council. Election of the HDCs is yet to be held and no subject has been transferred since signing of the Accord. Voter list only with the permanent resident of CHT is yet to be prepared for the election of HDCs. Unwillingness of the tribal leaders to leave their present portfolio in Hill District Council is also a cause.

v. A Land Commission headed by a retired justice was formed in 1999. The Government also enacted “CHT Land Dispute Settlement Commission Act 2001” for functioning of this commission and resolves the land disputes. The Committee, reconstituted by the current Government in May 2009, has held only a few meetings since that time and so far no land dispute has been resolved.

vi. A total of 12,222 tribal families repatriated from Indian state of Tripura have been rehabilitated. A Task Force has been formed to ensure proper rehabilitation of refugees and IDPs in CHT. In 2009, the Task Force was reconstituted where Mr Jotindra Lal Tripura is working as chairman of the task force but the definition of an internally displaced person is still unresolved and, consequently, this clause of the Accord remains substantially unimplemented.

vii. General amnesty was promulgated for the surrendered PCJSS members. All police cases filed during insurgency period against the members of the PCJSS have been withdrawn.

viii. During the period 1998-2004, a total of 200 security forces camps were closed down from different parts of CHT, mostly from remote areas. In August-September 2009, 35 more security forces camps including one Infantry Brigade were withdrawn.

ix. Total 1,989 surrendered members of Shanti Bahini were given Tk 50,000/- (i.e. equivalent to $700.00) each for their rehabilitation. But rehabilitation of PCJSS members including providing loan on easy condition is yet to be implemented.

x. 325 seats in different higher educational institutions are kept reserved for the tribal students. Tribals are given priority for jobs in Government, semi-government and autonomous bodies in CHT. A total of 705 surrendered Shanti Bahini members were recruited in the national police force.

13. Present Condition since 2009

Soon after signing the Accord, the then Awami League government (1996-2001) implemented a few provisions of the Accord. On the other hand, BNP led 4-party alliance and The Caretaker government led by Dr. Fakhruddin Ahmed did not take any effective initiative to implement the Accord since 2001 (Kapaeng Foundation, 2013: 154). The running government took few steps about implementation of the CHT Accord. These were basically reconstitution of some committees and appointment of some posts (Kapaeng Foundation, 2013: 154-155). These include:

i. Reconstitution of Task Force on Rehabilitation of Returnee Refugees and IDPs by appointing Mr. Jotindra Lal Tripura, ruling MP from Khagrachari as chairman of the Task Force on 23 March 2009;

ii. Appointment of Mr. Bir Bahadur Ushoi Sing, ruling MP from Bandarban as Chairman of the CHT Development Board on 31 March 2009;

iii. Appointment of retired justice Mr. Khademul Islam Chowdhury as Chairman of the CHT Land Dispute Resolution Committee on 19 July 2009;

iv. Reconstitution of CHT Accord Implementation Monitoring Committee by appointing Ms. Syeda Sajeda Chowdhuary, Deputy Leader of Parliament as Convener of the Committee on 19 August 2009;

v. Declaration of withdrawal of 35 temporary camps including a bridge headquarters;

vi. Transfer of 7 offices/works of previously transferred subjects in 2009 and 2012 etc.
14. Other remarkable incidents of the time are as follows

- In July 2009 a parliamentary committee on affairs in the region recommended the cancellation of leases for rubber and other commercial plantations to non-tribal and non-local people in the three hill districts. By August 2009, leases of 8,175 acres of land had reportedly been cancelled while leases of another 15,000 acres are known to be awaiting immediate cancellation.
- In January 2010, the government authority issued a controversial letter to the different Government authorities in the region directing them to use the word *upajati* (ethnic minority) rather than *adibashi* (indigenous people) (UN, 2011: 14).
- In February 2010 in Baghaihat and Khagrachari, an incident of inter-communal violence resulted in the burning down of nearly 500 homesteads, most of which belonged to indigenous peoples (UN, 2011: 16).
- On 13 April 2010, the High Court of Bangladesh declared the Chittagong Hill Tracts Regional Council Act of 1998 unconstitutional and illegal in that it violated the sanctity of a unitary state. In its judgement, the High Court also declared a few sections of the three amended Hill District Council Acts of 1998 illegal and unconstitutional following the submission of a writ petition filed in 2000.
- On 29th September 2011, Ministry of Chittagong Hill Tracts Affairs (MoCHTA) with support from CHTDF organized a workshop on "Harmonization of laws relating with HDC and other Local Government Institutions" in Rangamati. The main objective of this workshop was to identify effective coordination mechanisms between HDC and Local Government Institutions that will minimize the overlapping and conflicts of their development activities (CHTDF, 2012: 11).

15. Conclusion

After singing the peace accord and implementation of few provisions of it, still now CHT people have faced enormous problems. More than fifteen years have passed since the signing of the Chittagong Hill Tracts Accord, yet most of its provisions remain unimplemented, or only partially implemented, specially the key issues including settlement of land disputes, demilitarization and the devolution of authority to local institutions. It is important to note that one of major limitations of the accord is- no time frame was developed for the implementation of the various provisions of the Accord. Government should be concerned about these entire problems and should also take necessary and effective steps to resolve it as a national problem. Ethnic minority groups are the part of the nation and overall development of our country is not possible without participation of them.

References


