PEACEBUILDING IN CHITTAGONG HILL TRACTS (1997-2005)

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DECLARATION

I declare that the dissertation entitled, **"PEACEBUILDING IN CHITTAGONG HILL TRACTS, 1997-2005,"** submitted by me for the award of the degree of **Master of Philosophy** of Jawaharlal Nehru University is my own work and has not been previously submitted for any other degree of this or any other University.

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CERTIFICATE

We recommend that this dissertation may be placed before the examiners for evaluation.

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PREFACE

Ending of hostilities through a negotiated peace accord is a first step towards normalizing the situation in conflict affected regions. But cessation of hostilities is by no means natural or an inevitable outcome of a peace accord. Much will depend on how trauma and inter-factional rivalry are dealt with, on how local development needs are addressed, and on how institutional capacity building takes place in the post-conflict situation. It has been seen, however, that peace accords reached between belligerents often evade or fail to address the issues that have been at the core of the conflict - for example, conflict over distribution of land and other resources, or policies of ethnic or religious discrimination. Interested third parties frequently turn their attention elsewhere at this point. Yet experience shows that problems and disputes connected to implementation or non-implementation of agreements can be very severe and can even lead to renewed violent conflict. This is especially the case when disagreements revolve around issues related to the root causes of the armed conflict and when peace agreements have left important issues unaddressed. But if such issues are bypassed, the roots of the conflict will continue to fester beneath the surface, thus endangering a peace-building process.

Lasting and sustainable peace can only be based on trust between the parties and reconciliation among the people. It also requires sufficient security, a reasonable distribution of goods and burdens and the opportunity for people to take part in political processes. The responsibility for preventing conflict and building peace lies with the parties involved, but the international community can help to build up competence, capacity and institutions and by facilitating processes that provide peace incentives and promote awareness of the complete unacceptability of the costs of a conflict. Key development actors, such as the World Bank and UNDP, play important conflict prevention and peacebuilding roles in these processes.

The study undertaken tries to analyse the peacebuilding initiatives that are taking place in Chittagong Hill Tracts. However recent interventions indicate that humanitarian agencies are relatively ignorant about the complex causes of conflicts, how to resolve them, and

the best means of peacebuilding. Since the ultimate responsibility for peace lies with the community and the government, the international community's role is necessarily one of support. It has become increasingly apparent that single projects or programmes cannot bring sustained peace and reconciliation to the CHT. Peacebuilding is a long-term process that takes many years to achieve lasting results. Many local and international organisations are now involved in conflict management activities due to the growing number of violence between the armed groups and the Government. However it should be noted that the amount of solid peace work done by the international community in the Hill tracts is commendable and should not be underestimated. Throughout the peacebuilding process, humanitarian organizations can provide support by helping war affected populations' meet their basic needs; protecting their rights; and facilitating the processes of reconciliation, reintegration and rehabilitation. But peacebuilding is primarily the work of indigenous CHT people.

This study is divided into four chapters. The first chapter attempts to evolve an analytical framework. This would be reflecting upon the intricacy of peacebuilding measures. The focus would be on the post-conflict peacebuilding measures. The prospects of achieving lasting peace and the role of the international community will be discussed. The second chapter analyzes the major issues in the CHT that led to the violent conflict. It deals with the historical roots of the problem and tracing the history of the transformation of a "crisis of identity" into armed struggle. This chapter looks at the provisions of the CHT accord and examines the implementation status of its provisions. In a way, this chapter is the centerpiece of the proposed study. The focus will also be on identifying the weaknesses of the framework within which the accord was negotiated. The third chapter examines the role of the Bangladesh government, Local institutions and Traditional Leadership in delivering positive goods to the CHT. This chapter analyses the local bodies and the statutory bodies of the CHT that play a vital role in establishing peace. The chapter also identifies the constraints these institutions face for capacity building in the region. The fourth chapter examines the role of the National NGOs under the umbrella of the Hill Tracts NGO Forum (HTNF) which is extending developmental services to the people of the region. This chapter also examines the role of external actors

such as UNESCO, UNICEF, UNDP, World Bank, Asian Development Bank, ICRC, DANIDA and FAO to restore lasting peace in the region. The focus of this chapter is on the constraints that these actors face and the adverse consequences of slow and partial implementation. The concluding chapter summarises the points and tests the hypotheses. It also identifies the various constraints and prospects for sustainable peace in the CHT.

The study is imperative to understand as to whether the peacebuilding measures that are carried out by the external actors are successful enough to encompass- security, political development, social and economic development dimension of the region?; Whether the constructive and whole hearted support of the National NGOs and the Government is expected to maintain peace and tranquillity in the hills? If the government is responding positively, then what is the present status regarding the implementation of the general provisions of the CHT Peace Accord of 1997? ; Have the local bodies and the statutory bodies ever supported the Traditional Institutions? What are the constraints faced by the CHT institutions to bring about a stable peace in the hills? How do they see themselves within the overall administrative framework in terms of both administrative and development roles and responsibilities (complementary, collaborative, overlapping, or antagonistic)? What are the main current impediments to their roles as development facilitators? In what ways/areas would they benefit from external support- e.g. in terms of capacity building, training, logistics, funding, etc.?

CHAPTER I

POST-CONFLICT PEACEBUILDING MEASURES: AN ANALYTICAL FRAMEWORK

Peacebuilding has become one of the primary concerns in current world politics. It aims to prevent conflict from re-emerging[1]. Through creation of mechanisms that enhance cooperation and dialogue among different identity groups, peacebuilding measures can help parties manage their conflict of interests through peaceful means. This might include building institutions that provide procedures and mechanisms for effectively handling and resolving conflict. In short, parties are expected to replace the spiral of violence and destruction with a spiral of peace and development, and create an environment conducive for durable peace[2].

Peace building is not just about liberating people from the conflict trap but laying the foundation for sustainable peace and development.[3] International organisations, as well as Western donor countries, have in recent years laid emphasis on peacebuilding. This trend has recently been evidenced by the decision of the United Nations to reinforce its peacebuilding capacity, namely by creating a Peacebuilding Commission[4]. While substantial improvements have been made over the years, there are still considerable gaps in the development of concepts, policies and practice that would make peacebuilding more effective. The United Nations, individual states and international nongovernment

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1 Peter Wallensteen, 'Understanding Conflict Resolution: War, Peace and the Global System'. (London: Sage, 2002), p.125

2 Roland Paris, *At War's End: Building Peace After Civil Conflict* (Cambridge: Cambridge University Press, 2004); Michael Lund, "Taking Stock of Post-Conflict Peacebuilding and Charting Future Directions," in *What Kind of Peace is Being Built? Reflections on the State of Building Ten Years After The Agenda for Peace* (Ottawa: International Development Research Centre, January 2003).

3 John Paul Lederach, 'Building Peace: Sustainable Reconciliation in Divided Societies' (Washington, DC: United States Institute of Peace Press) 1997. p. 144

4 UN General Assembly Resolution, 'The Peacebuilding Commission', A/RES/60/180, 66th plenary meeting, 20 December 2005. This can be retrieved at http://daccessdds.un.org/doc/UNDOC/GEN/N05/498/40/PDF/N0549840.pdf?OpenEl

organizations (INGOs), have become increasingly involved in trying to rebuild peaceful societies in the aftermath of violent conflict. If renewed conflict is to be avoided and sustainable peace is to be ensured, it is therefore crucial that the peacebuilding activities receive adequate attention.

II

EMERGENCE OF PEACEBUILDING

The term peacebuilding entered the international lexicon in 1992 when UN Secretary-General Boutros Boutros-Ghali defined it in *An Agenda for Peace* as post-conflict "action to identify and support structures which tend to strengthen and solidify peace to avoid a relapse into conflict."[5] Since then, peacebuilding has become a catchall concept, encompassing multiple perspectives and agendas. It is indiscriminately used to refer to preventive diplomacy, preventive development, conflict prevention, conflict resolution and post-conflict reconstruction. This chapter focuses on the original definition of peacebuilding. More specifically, it examines non-military interventions by external actors to help conflict ridden societies not only to avoid a relapse into conflict, but more importantly, to establish the conditions for sustainable peace. An Agenda for Peace stimulated significant new thinking and policy development within and outside the UN.

Peacebuilding is generally associated with the promotion of positive peace, though the precise definition remains unclear. Initially, peacebuilding was defined as 'a process consisting of sustained, cooperative work dealing with underlying economic, social, cultural, and humanitarian concerns toward a durable peace'.[6] However, the measures cited as components of peacebuilding often focus on the short and medium term. These include disarmament, weapons destruction, refugee repatriation, security force training,

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5 United Nations, 'An agenda for peace: Preventive diplomacy, peacemaking and peacekeeping', Report of the Secretary-General, United Nations GA and SC, A/47/277, S/24111, 17 June 1992. Retrieved from **www.un.org/Docs/SG/agpeace.html**

6 Michael W. Doyle and Nicholas Sambanis, "International Peacebuilding: A Theoretical and Quantitative Analysis," *American Political Science Review, (Washington D.C), vol* 94, No. 779, 1996, p.45

elections monitoring, and institutional reform[7]. Peacebuilding also includes early warning and response efforts, violence prevention, advocacy work, civilian and military peacekeeping, military intervention, humanitarian assistance, ceasefire agreements, and the establishment of peace zones.

The Canadian Peacebuilding Initiative Strategic Framework describes peacebuilding as follows:

> Peacebuilding is the effort to strengthen the prospects for internal peace and decrease the likelihood of violent conflict. The overarching goal of peacebuilding is to enhance the indigenous capacity of a society to manage conflict without violence. Ultimately, peacebuilding aims at building human security, a concept which includes democratic governance, human rights, rule of law, sustainable development, equitable access to resources, and environmental security... Peacebuilding may involve conflict prevention, conflict resolution, as well as various kinds of post-conflict activities. It focuses on the political and socio-economic context of conflict, rather than on the military or humanitarian aspects. It seeks to...institutionalize the peaceful resolution of conflicts (CIDA 2002a).[8]

The more comprehensive and normative definition of peacebuilding was provided by Boulding. According to him, "the process of peacebuilding calls for new attitudes and practices: ones that are flexible, consultative and collaborative and that operate from a contextual understanding of the root causes of conflict"[9]. The approach is *transformative.*

Ryan (1990) describes that the task of peacebuilding 'involves a switch of focus away from the warriors, with whom peace-keepers are mainly concerned, to the attitudes and socio-economic circumstances of ordinary people ... So whereas peacekeeping is about

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7 Elizabeth M. Cousens, et al, 'Peacebuilding as Politics: Cultivating Peace in Fragile Societies', Lynne Rienner Publications (Boulder,Colo), 2000, pp.234-239

8 CPCC, 'What activities constitute peacebuilding?', Canadian Peacebuilding Co-ordinating Committee, Retrieved from **http://www.cpcc.ottawa.on.ca/%20chart.htm**

9 Boulding E. Kenneth, '*Peace Theory: A Reader In Peace Studies'*, (Oxford UK: Pergamon Press, 1990), p.64

building barriers between the warriors, peace-building tries to build bridges between the ordinary people'[10].

Lederach's theory on peacebuilding identifies relationship as a central component. He argues that the most important need for peacebuilders is to "find ways to understand peace as a change process based on relationship building"[11]. He goes further to say that we need to reorient our peacebuilding framework "toward the development of support infrastructures that enhance our capacity to adapt and respond to relational needs rather than being defined and driven by events and agreements". In other words, the need is to focus on the task of relationship-building and how that may be enhanced through these various processes.

Liebler points out that the conflict resolution community's concern with psychosocial issues and emotional problems has been regarded with suspicion and too easily dismissed as irrelevant to the realities of peacebuilding by traditional international relations practitioners[12]. Consistent with conflict resolution theory's emphasis on the need to address underlying human needs, international interveners need to address the underlying causes, as well as the effects, of the broken relationships manifested in violent conflicts.

Galtung defined peacebuilding as encompassing the practical aspects of implementing peaceful social change through socio-economic reconstruction and development. Galtung argues that issues of culture, human needs, and 'fault-lines of the human condition such as gender' have now entered the peace debate and are recognised as crucial[13].

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10 Stephen Ryan, *'Ethnic Conflict and International Relations'* (Dartmouth: Brookfield, 1990), p. 53

11 John Paul Lederach, *'Preparing for Peace: Conflict Transformation Across Cultures'* (Syracuse, NY: Syracuse University Press, 1995), p.178. see also John Paul Lederach, *'Building Peace: Sustainable Reconciliation in Divided Societies'* (Washington, DC: United States Institute of Peace Press) 1997.

12 Claudia Liebler, 'Appreciative Inquiry in Peacebuilding: Imagining the Possible.' In Mohammed Abu-Nimer et al (edt) *"Positive Approaches to Peacebuilding: A Resource for Innovators"*, (Washington DC: Pact Publications, 2003), pp. 150-178

13 Johan Galtung, 'Peace by Peaceful Means: Peace and Conflict Development and Civilisation' (London: SAGE Publication, 1996), p. 64

Clapham criticizes that conflict resolution influenced approach being employed by international peace-building interveners, as they bring conflict parties into precarious power-sharing agreements that ignore the power imbalances and thus become hard to sustain[14]. Sisk agrees that such power-sharing arrangements fail to reflect the power leverage brought by each of the conflict parties[15]. Furthermore, it also fails to reflect responsibility for human right abuses and war crimes committed by the very leaders that sign up to the precarious peace that often follows civil wars.

All the above said theoreticians view point suggests that peacebuilding can be as consisting of three main, interrelated objectives: creating and strengthening democratic political institutions; encouraging sustainable, poverty-reducing development; and fostering collaborative, non-violent social relations. Therefore the political, economic, and social processes related to these objectives and the normative framework in which they are situated must be viewed through a long term perspective.

III

POST-CONFLICT PEACEBUILDING

Post-conflict peacebuilding can be defined as "strategies designed to promote a secure and stable lasting peace in which the basic human needs of the population are met and violent conflicts do not recur".[16] Post-conflict peace-building seeks to prevent the resurgence of conflict and to create the conditions necessary for a sustainable peace in

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14 Christopher Clapham, 'The perils of peacemaking', *Journal of Peace Research*, vol 35, no. 2, 1998, pp.193-210.

15 Timothy D. Sisk, 'Democratization and Peacebuilding.' In Pamela Aall et al, " *Turbulent Peace: The Challenges of Managing International Conflict*" , (Washington DC: United States Institute of Peace Press, 2001), p.187.

16 Neclâ Tchirgi, Post-Conflict Peacebuilding Revisited: Achievements, Limitations, Challenges. New York: International Peace Academy (7 October 2004, prepared for the W'SP International/IPA Peacebuilding Forum Conference), 2004

war-torn societies. It is a holistic process involving broad-based inter-agency cooperation across a wide range of issues.

Boutros-Ghali draws the distinction between post-conflict peacebuilding in the context of a comprehensive peace settlement, and peacebuilding activities where the UN does not already have a peacemaking or peacekeeping mandate. The UN's Supplement to *An Agenda for Peace* defines 'post-conflict peacebuilding' as the

> "comprehensive efforts to identify and support structures which will tend to consolidate peace and advance a sense of confidence and well-being among people. Through agreements ending civil strife, these may include disarming the previously warring parties and the restoration of order, the custody and possible destruction of weapons, repatriating refugees, advisory and training support for security personnel, monitoring elections, advancing efforts to protect human rights, reforming or strengthening governmental institutions and promoting formal and informal processes of political participation".[17]

According to Levy (2003), 'post-conflict peacebuilding is now generally understood to be more than just a label to describe a project or programme, to imply that an intervention promotes positive peace through the activities undertaken, the process of implementation, and their impact or outcomes'[18]. He also argues that 'the term peacebuilding can be used to describe a varied set of activities or programmes, the manner that these programmes are implemented as well as their potential outcomes. It further encompasses efforts undertaken at different levels of the intervention and implemented by different actors'[19]. Post-conflict peacebuilding is not only about activities, methods and impacts, but also about the intentions driving the involvement, in what must necessarily be a multi-dimensional conceptualisation of policy and implementation.

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17 Boutros Boutros-Ghali, *Supplement to An Agenda for Peace: Position Paper of the Secretary-General on the Occasion of the Fiftieth Anniversary of the United Nations* Document A/50/60 - S/1995/1, 3 January 1995 (New York: Department of Public Information, United Nations) 1995. Retrieved from **http://www.un.org/Docs/SG/agsupp.html**

18. L. Levy, *'NGOs and Peacebuilding'*, Centre for Conflict Resolution, Working Paper Series No.13, Department of Peace Studies, University of Bradford, UK. 2003, p. 24

19 ibid.,

Features of Post Conflict situations:

The risk of conflict is likely to be high in post-conflict societies for four reasons. First, unless the country was not managed properly, it presumably had risk factors which made it atypically prone to conflict and these are likely to have persisted.[20] Secondly, the conflict is likely to have caused some of these underlying factors, such as per capita income, to deteriorate. Third, the conflict has changed the consequences of a given set of pre conflict risk factors: some risk factors have different effects post-conflict than pre conflict. Fourth, it will have generated grievances which themselves temporarily increase the risk of conflict. A post-conflict society should prioritize among the factors that were already contributing to risk. A society inherits a set of risk factors from its pre-conflict circumstances, these changes during conflict, and their relative and absolute effects are changed by conflict. Between them, these generic effects create risks which can be calculated society-by-society.

Post-conflict societies usually have high risks of renewed conflict during the first decade of the ending of the conflict. There is, however, much that can be done by both post-conflict governments and the international community to reduce these risks. First, it is possible for each society to identify the structure of risks and so to establish the priorities for risk-reduction. The structure of risks can be expected to differ massively between post-conflict societies, so that policy must be country-specific. Further, the structure of risks changes during the post-conflict peace[21]. As the post-conflict peace is sustained, the policy agenda should shift from managing induced grievances to the underlying problems of ethnic dominance and poverty.

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20 Ken Menkhaus, "Impact Assessment in Post-Conflict Peace-Building: The State of the Art," a paper prepared for the War-Torn Societies Project-International (April 2003); GTZ, *Joint Utstein Study*; Cheyanne Church and Julie Shouldice, *The Evaluation of Conflict Resolution Interventions: Framing the State of Play* (Ulster: INCORE International Conflict Research, 2002),p. 87; Chr. Michelsen Institute, *After War: Reconciliation and Democratization: Lessons Learned.* Summary Report (Norway: Chr. Michelsen Institute, 2000), p.43.

21 Elizabeth Cousens et al, Peacebuilding as Politics: Cultivating Peace in Fragile Societies, (Boulder, CO: Lynne Rienner Publishers, 2001), p.132

Secondly, once priorities are established, it is possible to reduce the larger risks. Both post-conflict governments and the international community have scope for a range of actions. Natural resource dependence can be reduced in the medium term and the rents managed more transparently in the short term.[22] Ethnic dominance can be made less alarming for minorities by constitutional safeguards and by guarantees by the international community.[23] Because the risks of conflict renewal are high in the early post-conflict years, there is a role for temporary intervention by the international community, both military and financial, to invest in subsequently sustainable peace.

Operational Principles of Post-Conflict Peacebuilding:

A review of practice throughout the 1990s reveals a set of operational principles that can be said to constitute a shared "post-conflict peacebuilding paradigm."[24] These are worth highlighting:

1. ***Peacebuilding is a Multi-Dimensional Enterprise with Several Pillars:*** While various actors define these pillars differently, there is consensus that peacebuilding has political, social, economic, security and legal dimensions, each of which requires attention. Distinguishing it from conventional development, peacebuilding is understood to be a highly political project involving the creation of a legitimate political authority that can avoid the resurgence of violence.
2. ***Security is Key:*** Establishing security is considered the pre-requisite for post-conflict peacebuilding.
3. ***Hierarchy of Priorities***: While peacebuilding is a multi-faceted process requiring holistic approaches, it needs to be guided by a hierarchy of priorities established

22 P.S. Douma, The Political Economy of Internal Conflict: A Comparative Analysis of Angola, Colombia, Sierra Leone and Sri Lanka (The Hague: Netherlands Institute of Internaitonal Relations Clingendael, 2003), p.43

23 David Enshar, Investing in Peace: Aid and Conditionality after Civil Wars (New York: Oxford University Press, 2002), p.76

24 Michael Lund, "Taking Stock of Post-Conflict Peacebuilding and Charting Future Directions," in What Kind of Peace is Being Built? Reflections on the State of Building Ten Years After The Agenda for Peace (Ottawa: International Development Research Centre, January 2003), pp.12-34.

in response to the specific needs and political dynamics in a given context. Establishing such a hierarchy requires an overall political strategy.

4. ***Ownership:*** The people of the war-torn society must own the reconstruction process. They must be actively involved in setting the agenda and leading the process, which is a highly political process complicated by the deep wounds of the conflict.
5. ***External Actors:*** Given the fragility of societies emerging from war, support from external actors is critical for post-conflict reconstruction. Yet , external assistance is never neutral. External actors come to post-conflict peacebuilding with multiple agendas and motivations—which are not necessarily compatible with or driven by the political realities on the ground. Proper mechanisms need to be established to ensure that external and internal actors work within a coherent strategy, establish priorities, and mobilize the necessary resources.
6. ***Capacity Building:*** A commitment to local capacity building from the earliest stages is vital for sustainability.
7. ***Time Element:*** Time has two dimensions in postconflict reconstruction. Timely, opportunistic and quick-impact interventions are critical in influencing peacebuilding outcomes. However, reconstruction itself is a long-term process that may take a generation to bear fruit. Rapid response is necessary but not sufficient for success.
8. ***Funding:*** Adequate, predictable and flexible funding is essential to support post-conflict reconstruction. Appropriate funding mechanisms are indispensable to have impact on the ground in a timely manner.
9. ***Response Levels:*** Post-conflict reconstruction involves appropriate responses at the local, national, regional and international levels.
10. ***Accountability:*** Given the high stakes in postconflict environments, the commitment to "do no harm" while supporting peacebuilding is an essential principle.

Review of Post-Conflict Peacebuilding:

Four important trends need to be considered in reviewing the record of post-conflict peacebuilding. First, although the number of violent conflicts has been on a downward trend, there is strong evidence of recidivism in many postconflict countries, as witnessed in Eritrea-Ethiopia, Angola, Sierra Leone, Liberia, and Haiti.[25]

Second, the end of conflict does not necessarily translate into peacebuilding. In numerous countries where peace agreements have held without a relapse into conflict beyond the critical period, the structural factors lying at the source of the original conflict remain unaddressed and continue to fester.[26] From Cambodia and Guatemala to East Timor and Chittagong Hill Tracts, serious issues related to land tenure, property rights, rule of law, political participation and transitional justice continue to pose serious challenges to peace consolidation and peacebuilding. Conflict prevention literature points to these structural factors as potential seeds of future wars. In other post-conflict countries such as El Salvador or South Africa where political violence has been curtailed, there is strong evidence of the mutation of political violence into criminal and common violence.

Third, even in cases where peace has held beyond the initial post-conflict phase as in Sierra Leone, Bosnia, Kosova and CHT the need for the continued presence of international community has shed serious doubt about the long-term viability of the post-conflict peacebuilding efforts in these contexts.

Fourth, if peacebuilding is designed to bridge the transition from humanitarian relief to a country's return to a conventional development trajectory, the unchanging status of most

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25 Paul Collier, Breaking the Conflict Trap: Civil War and Development Policy (Washington, D.C.: World Bank, 2003), p.76

26 James K Boyce, "The International Financial Institutions: Postconflict Reconstruction and Peacebuilding Capacities," prepared for the meeting on *Strengthening the UN's Capacity on Civilian Crisis Management*, Copenhagen, 8-9 June 2004. Forman and Patrick, *Good Intentions: Pledges of Aid for Post-Conflict Recovery*. James Boyce, *Investing in Peace: Aid and Conditionality after Civil Wars* (Oxford University Press, 2002), p.45

post-conflict countries at the bottom rungs of various development indices cannot be ignored.[27] These trends are not encouraging for countries to end conflict. However, they do not necessarily provide the basis for assessing the success of international peacebuilding efforts. For that, there is need for evaluation of external peacebuilding interventions.

Post-Conflict Peacebuilding versus Durable Peacebuilding:

Some draw a distinction between post-conflict peacebuilding and long-term or durable peacebuilding[28]. Post-conflict peacebuilding is connected to peacekeeping, and often involves demobilization and reintegration programs, as well as immediate reconstruction needs.[29] Meeting immediate needs and handling crises is no doubt crucial. But while peacemaking and peacekeeping processes are an important part of peace transitions, they are not enough in and of themselves to meet longer-term needs and build a lasting peace.[30]

Long-term peacebuilding or durable peacebuilding techniques are designed to address the underlying substantive issues that brought about conflict. They seek to move parties away from confrontation and violence, and towards political and economic participation,

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27 Tony Addison, "From Conflict to Reconstruction," Discussion Paper No 2001/16 (UNU: WIDER, June 2001), p.16

28 Scott S. Smith, *International Peacebuilding Interventions: The Role of the United Nations Observer Mission*, Conciliation Resources, 2002. Retrieved at:
http://www.c-r.org/accord/boug/accord12/therole.shtml

29 The Supplement to An Agenda for Peace emphasized on two kinds of post-conflict peacebuilding: one is linked to a multifunctional peacekeeping operation, and the other is undertaken without any peacekeeping operation being deployed. In turning to the more difficult situation when peace-building activities are needed in a country where the UN has no peacemaking or peace-keeping mandate, the Supplement outlined a dual role for the UN: through its economic, social and humanitarian agencies and programs and under the purview of the UN resident coordinator; and through political action at the level of UN Headquarters. United Nations, Supplement to An Agenda for Peace: Position Paper of the Secretary-General on the Occasion of the Fiftieth Anniversary of the United Nations, UN Doc A/50/60-S/1995/1 (3 January 1995)

30 Shepard Forman, Good Intentions: Pledges of Aid for Post-Conflict Recovery, (Boulder, CO: Lynne Reinner Publishers, 2000), p.154

peaceful relationships, and social harmony. This longer-term perspective is crucial to prevent violence and promotion of a more peaceful future. Thinking about the future involves articulating desirable structural, systemic, and relationship goals. They include sustainable economic development, self-sufficiency, equitable social structures that meet human needs, and building positive relationships.

IV

CHALLENGES TO EFFECTIVE POST- CONFLICT PEACEBUILDING

The existing body of literature sheds light on two sets of questions to explain the mixed record of international peacebuilding. The first deals with the policies, strategies, and approaches employed by external actors to determine whether these were appropriate to the challenges of post-conflict peacebuilding. The second relates to the effective implementation of international policies, strategies and approaches.

Systemic and Structural Issues:

Research on conflict and peacebuilding reveals that although the international community places great importance on "getting it right" at the country level, there are important political and systemic issues that affect peacebuilding outcomes. Five such issues deserve particular attention. Peacebuilding, despite its lofty aspirations, is a political undertaking which is ultimately dependent upon the political will and commitment of national governments. Thus, the first determining factor is inevitably the level and nature of support provided by member states.

The second relates to the difficulty of "de-linking" post-conflict reconstruction in any given country from its regional environment. It is increasingly recognized that focusing narrowly on country-level peacebuilding efforts is unlikely to yield significant changes - especially in regions where conflicts have interlocking political, security and economic

dynamics. Yet, international approaches to peacebuilding remain almost exclusively at the country level.[31]

A third systemic issue relates to the availability and deployment of necessary financial resources for postconflict peacebuilding in a timely manner. This is a difficult policy area since it requires a radical rethinking of existing funding sources and mechanisms for post-conflict reconstruction. As mentioned above, multilateral and bilateral donors have initiated innovative ways of dealing with the funding challenge through designated post-conflict peacebuilding funding mechanisms, Conflict Pools, and multi-donor trust funds. However, with the exception of strategically important countries (such as Bosnia), analysts note the inadequacy of both the absolute amounts of aid as well as the mechanisms through which aid is disbursed.

A fourth systemic issue relates to the viability of country-based peacebuilding strategies de-linked from broader trends in a globalized world economy. For example, there is growing evidence that the failure to address international trade in conflict goods helps to sustain criminal economic networks in post-conflict contexts, thereby significantly reducing the impact of in-country peacebuilding strategies. Similarly, the steady global trade in small arms and light weapons compounds the difficulties of country-based strategies.

Finally, institutional architecture issues affect the success of peacebuilding. As already noted, there are diverse actors at the governmental and inter-governmental levels involved in peacebuilding without an effective mechanism for better alignment of their collective efforts. Despite its pioneering role in promoting peacebuilding, the United Nations remains poorly organized to deal with the challenges of postconflict peacebuilding.

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[31] Chandra Sriram and Zoe Nielsen, eds., *Exploring Subregional Conflict* (Boulder, CO: Lynne Rienner Publishers, 2004); Michael Pugh and W.P.S. Sidhu, *The United Nations and Regional Security: Europe and Beyond* (Boulder, CO: Lynne Rienner Publishers, 2003); Necla Tschirgi, "A Regional Conflict Approach to Peacebuilding," *Journal of Peacebuilding and Development,* (Washington D.C), vol I, No.1, 2002.

Other analysts challenge the appropriateness of liberal strategies in dealing specifically with the needs of post-conflict countries. There are different strands to this line of criticism. For example, a seminal study by James Boyce and colleagues on post-conflict economic strategies in El Salvador demonstrated that conventional economic reform packages are inappropriate and counterproductive in post conflict contexts. Boyce and colleagues argued that during the post-conflict transition, the goals of economic policy cannot be limited to macroeconomic stabilization and conventional structural adjustment—which are the mainstay of liberal economic policy. Instead, economic policy must also promote the adjustment toward peace. These require policies that mobilize resources for the peace process and financing the immediate costs of peace while addressing the longer-term relationship among economic growth, income distribution, and the consolidation of peace.32

Some analysts also note that donor pressure for democratization in post-conflict countries risk jeopardizing fragile peace processes and thus pose serious threats to peacebuilding. In his aforementioned book, Paris makes a similar argument. According to Paris, economic and political liberalization are particularly ill suited and counterproductive in post-conflict peacebuilding since they promote economic and political competition at a difficult and fragile phase. Instead, Paris recommends a gradual and controlled peacebuilding strategy, which he calls "Institutionalization Before Liberalization." Along with a growing body of literature on statebuilding, Paris supports the establishment of domestic institutions that are capable of managing the transition from war while avoiding the destabilizing effects of democratization and marketization.[33]

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32 James K. Boyce, *Economic Policy for Building Peace: The Lessons of El Salvador* (Boulder, CO: Lynne Rienner Publishers, 1996), p.47

33 Roland Paris, *At War's End: Building Peace After Civil Conflict, (* Cambridge, UK: Cambridge University Press, 2004), p.124.

V

PEACEBUILDING AFTER PEACE AGREEMENTS

The above review drew attention to some of the built in contradictions and limitations of current international approaches to peacebuilding. The effectiveness of peacebuilding policies also depends greatly on their implementation. The United Nations, donor governments, regional organizations, international NGOs and other international actors have individually and collectively started to document "Policy Guidelines," "Lessons Learned," and "Best Practices" in peacebuilding. These include sectoral studies on key components of the new peacebuilding agenda such as peace implementation and peace enforcement; truth and reconciliation; gender and peacebuilding; governance and participation. They also include operational lessons on inter-agency collaboration and coordination, institutional and individual skills development and training, new funding mechanisms, timing of interventions and exit strategies.

Among these studies, a series of papers produced by the Center on International Cooperation (CIC) at New York University for the June 2004 meeting in Copenhagen on Civilian Crisis Management Capabilities deserves special attention.[34] These papers not only examine the nagging problems in the civilian dimensions of peacebuilding practice by external actors, but they provide practical and far-reaching recommendations for improving the capacities of international actors.

Basically, there are several persistent problems in the implementation of peacebuilding policies and programs after signing of a peace agreement. There are difficulties in achieving the delicate balance between genuine national ownership and effective partnerships between internal and external actors.

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[34] See the papers prepared by CIC for the Copenhagen Conference: Boyce, "The International Financial Institutions"; Durch, "Strengthening the UN Capacity"; Forman, "Building Civilian Capacity"; Peter V. Jakobsen, "The Emerging EU Civilian Crisis Management Capacity"; Woodward, "Peace Operations."

1. In post-conflict contexts, there is a fundamental asymmetry of power among internal and external actors that needs to be understood and addressed through multiple means.

2. External actors often lack adequate understanding of the nature of the conflict and of the specific requirements for peacebuilding in a given post-conflict context.

3. Despite lip service being paid to 'local ownership', there is considerable disconnect between external and national processes and priorities.

4. Donors tend to channel their support in the form of time-bound projects without a strategic framework and commitment to long-term peacebuilding programmes.

5. Institution and capacity-strengthening, which are recognized as central to peacebuilding, are consistently neglected by external actors.

6. Inevitably, external interventions are underpinned by cultural values and standards, which are not necessarily in line with local values, norms and practices. An ethical dilemma arises—and needs to be addressed—when there is a serious clash between internal and external values, priorities, and societal goals.

7. In the absence of a strategic peacebuilding framework, external interventions are uncoordinated, fragmented, and incoherent.

In nutshell, external actors approach peacebuilding as a short-term, time-bound, project-based enterprise, even while acknowledging that peacebuilding is a longterm, home-grown, multi-dimensional process. Whereas the internal actors fail to make difficult judgments about the likely costs and benefits of adhering to the provisions of the peace accord that would enhance the chances for sustainable peacebuilding. As one study notes: "Although the quick fix might be unavoidable in humanitarian assistance, it should not be

applied in peace-building. The dominant approach to peace-building should therefore be re-examined and followed".[35]

VI
CONCLUSION

In this chapter we have endeavored to show that Post-Conflict Peacebuilding is characterised by a complex, multi-layered architecture of actors and mechanisms interacting in related yet disconnected security and development fields which span all territorial levels of interaction from sub-state to state, regional and global levels. A review of practice throughout the 1990s reveals a set of operational principles that can be said to constitute a shared "post-conflict peacebuilding paradigm." Peacebuilding interventions since the early 1990s have begun to exhibit certain common characteristics with the result that practice has come to substitute for doctrine. It is thus evident from the foregoing analysis that the conflict in Chittagong Hill Tracts is complex and the causes are multifaceted, spanning ethnic, economic, political, cultural, and geographic considerations. In addition, the causes and consequences of the conflict are intertwined taking peacebuilding measures to a difficult plane. While a long-term solution to this renewed conflict requires a transformation of the relationships between key actors and groups, this study addresses the immediate steps that must be taken to ameliorate the current tension and prepare a foundation for the building of a sustainable peace on the hill.

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[35] Jonathan Goodhand with Philippa Atkinson, Conflict and Aid: Enhancing the Peacebuilding Impact of International Engagement: A Synthesis of Findings from Afghanistan, Liberia and Sri Lanka, (London: International Alert & Saferworld, 2000), p.145

CHAPTER II

CONFLICT AND PEACEMAKING IN CHITTAGONG HILL TRACTS

Ending of hostilities through a negotiated peace accord is a first step towards normalizing the situation and restoring governance and democratic practices in conflict affected regions. Peace agreements are contracts intended to end a violent conflict, or to significantly transform a conflict, so that it can be more constructively addressed. Agreements have a distinct purpose and serve a value in itself towards building positive momentum for a peaceful existence. But cessation of hostilities is by no means natural or an inevitable outcome of a peace accord. Paris opines that ending of violence provides "a new set of opportunities that can be grasped or thrown away"[1].Peace agreements may deal with political and military issues, but fail to mention such social problem. Political sensitivities may result in crucial issues being removed from a peace agreement. Yet all these issues have to be addressed if peace is to be maintained. For this reason, the period following armed conflict is critical to restoration and consolidation of peace in conflict regions. Following a period of armed conflict, the situation is extremely sensitive and volatile. The implementation of peace agreements can also often be problematic.

It has been seen, however, that peace accords reached between belligerents often evade or fail to address the issues that have been at the core of the conflict, for example disputes over distribution of land and other resources, or policies of ethnic or religious discrimination[2]. But if such issues are bypassed, the roots of the conflict will continue to fester beneath the surface, thus endangering any peace-building process. This is precisely the current situation in Chittagong Hill Tracts that is becoming an important issue at the South Asian context.

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1 Roland Paris, 'At war's end: building peace after civil conflict' (New York: Cambridge University Press, 2004), p.45.

2 Paul Pillar, 'Negotiating Peace: War Termination as a Bargaining Process', (Princeton: Princeton University Press, 1983), p.32

II

BACKGROUND OF CHITTAGONG HILL TRACTS

The Chittagong Hill Tracts (CHT) – 5,093 sq. miles— is a unique territory and the only mountainous region of Bangladesh. It is located in southeast Bangladesh. CHT makes up 10% of Bangladesh[3]. There are three districts in the Chittagong Hill Tracts known as Rangamati, Bandarban, and Khagrachari. The Chittagong Hill Tracts borders Myanmar on the southeast, the Indian state of Tripura on the north, Mizoram on the east and Chittagong district on the west.

Historically, the indigenous peoples are known to be living in the CHT for centuries, with their own forms of governance and sociopolitical institutions. Today, there are about 600,000 indigenous peoples in the CHT, out of a total population of approximately a million[4]. Nearly half a million people were brought into the region through a government-sponsored population "transfer programme" during 1979-84. The indigenous people are collectively referred as Jumma people - a term derived from 'jum', the practice of shifting cultivation, common to most of the indigenous peoples[5]. They are the Chakma, Taungchengya, Marma, Sak, Khyeng, Tripura, Riang/Brong, Mru, Khumi, Bawm, Pangkhua, Lushai/Mizo[6]. Among the hill people in the CHT, the Chakmas are the most dominant and largest group, comprising about 30 percent. The Marmas are the second largest, comprising about twenty percent of the CHT population. The third largest group are the Tripuras. The rest of the tribal people are the Lushai, Pankhu and Bawm. There are minority groups who are animists or followers of variations of various religions.

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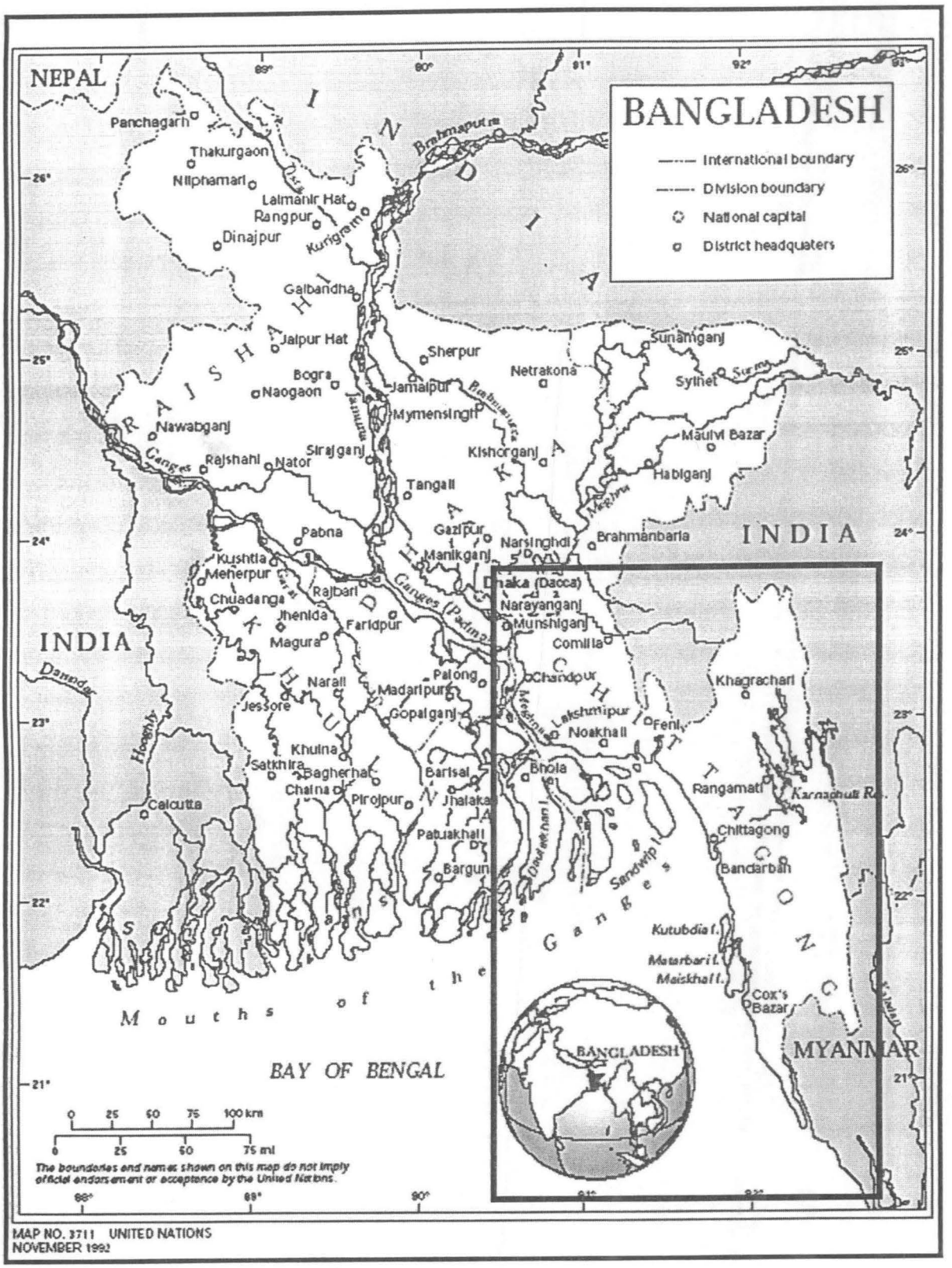
3 S.R.H. Hutchinson, 'An account of the Chittagong Hill Tracts', (Kolkata: The Bengal Secretariat Book Depot, 1936), p 42

4 Ministry of Chittagong Hill Tracts affairs, Rangamati Hill Tracts, September 15, 2003. Retrieved from **http://www.bangladeshgov.org/mochta/**

5 Irtiza Nasim Ali, 'Life in the CHT', (Dhaka: PROBE news, 1994), p.23

6 ibid.,

MAP OF CHITTAGONG HILL TRACTS, BANGLADESH



Bangla, the state language of Bangladesh, is the lingua franca for inter-tribal communication and is understood by most tribes[7]. The Chakmas speak a dialect close to "Chittagonian", which is a deviation of the Bangla language[8]. Ethnicity has had a significant impact on these groups. They share a common trait in that they are non-Bengali. However, there are many differences that have affected their level of development and access to resources. Moreover, these differences have prevented them from speaking in one voice, with the other ethnic groups at times unwilling to accept the dominance of the Chakmas[9].

The early Bengali settlement in the CHT took place during the seventeenth, eighteenth, nineteenth, and the first half of the twentieth centuries for various reasons. The Bengali population in the CHT remained small, and at the time of the partition of India and Pakistan in 1947, it accounted for only about 2 percent. However, subsequent settlement of Bengalis during the Pakistan and Bangladesh periods was large enough to give rise to resentment and hostility. The Bengalis now account for nearly half of the CHT population. This has given rise to allegations of displacement and usurpation of land.

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Origin of the Conflict:

The origin of the CHT problem may be traced back to the Mogul period[10]. The Mogul influence in the CHT became visible in the second half of the seventeenth century. Mogul rule lasted from 1666 until 1760, when the region was ceded to the East India Company. In 1776, the CHT peoples waged a war of resistance against the British East India

7 William Schendel *et al.*, 'The Chittagong Hill Tracts: Living in a borderland', (Dhaka: The University Press Limited, 2001), p.25

8 P. K.Debbarma, 'The Chakma refugees in Tripura', (New Delhi: South Asian Publishers, 2000), p. 54

9 Ameena Mohsin, 'The Politics of Nationalism: The Case of the Chittagong Hill Tracts', (Dhaka: The University Press Ltd., 1997), p.56

10 Suniti Bhushan, 'Chakma resistance to British domination' (Chittagong: Shanti Press, 1998), p.198

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Company[11], and the CHT remained relatively autonomous from British control until 1860, when it was annexed to the province of Bengal (Act No. XXII of 1860).

During the turn of the century, the CHT was recognized as an indigenous area with a certain amount of autonomy by Regulation 1 of 1900 – popularly known as the 1900 Regulations[12]. The Chittagong Hill Tracts Regulation in 1900 is also known as the Hill Tracts Manual. The Hill Tracts Manual also divided the Chittagong Hill Tracts into three revenue and administrative circles—the Chakma, the Mong and the Bohmong—each headed by a Chief or Raja[13]. A hierarchical system of authority was created, with each circle divided into *mouzas* (369 *mouzas*, each headed by a headman), and each *mouza* comprising a number of villages (each headed by their own *karbaris*). The headmen of the *mouzas* had the power to collect revenue, settle disputes, and allocate land for shifting cultivation. The Hill Tracts manual also banned the non-hill people from buying or obtaining land in the Chittagong Hill Tracts. This stated that the Chittagong Hill Tracts was recognized as the homeland of the hill people. The British government enacted this Regulation, which provided limited self-governance to the hill people and declared the Chittagong Hill Tracts as an *excluded* or *non-regulated* area. The Deputy Commissioner restricted entry of a person who was not a member of any hill people from the Chittagong Hill Tracts, the Lushai hills, and the Arakan Hill Tracts to enter the Chittagong Hill Tracts without permission.

British rule came to an end in 1947 and British India disintegrated into India and Pakistan. The Bengal Boundary Commission headed by Cyril Radcliffe, awarded the Chittagong Hill Tracts to Pakistan whereas the Congress wanted to incorporate the

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11 ibid.,

12 ibid.,

13 A.M. Serajuddin, The Origin of the Rajas of the Chittagong Hill Tracts and their relations with the Mughals and the East India Company in the Eighteenth Century. *J. Pakistan Historical Society (Islamabad)*, vol. 19, No. 52, 1971.

Chittagong Hill Tracts in India[14]. Once the Chittagong Hill Tracts was incorporated with Pakistan, the hill people felt threatened and alienated because they were predominantly non-Muslim with different culture, compared to Bengalis and Pakistanis. The hill people began to lose the traditional rights and privileges that they had enjoyed under British rule in the Chittagong Hill Tracts. The losses began with the abolition of the indigenous police force that was established in 1881[15]. Bengalis were brought in as replacements. The first constitution of Pakistan in 1956 did not change both the Chittagong Hill Tracts "excluded area" status and the Chittagong Hill Tracts Regulation in 1900[16]. However in 1962, the Pakistan Government replaced the phrase "excluded area" with "tribal area" in the Constitution of 1962.

Another significant event that heightened the tensions and animosity was the construction of the Kaptai Hydroelectricity Dam. The hill people strongly protested against the Kaptai Dam Project but the government argued that the Kaptai Dam Project would create benefits. However, the construction of Kaptai dam displaced around 100,000 people most being Chakmas and the dam submerged 40% arable lands of the Chittagong Hill Tracts. The government promised compensation in finance and substitute land to the displaced people. But only 40,000 out of the 100,000 received compensation of any kind. Some displaced people were unable to cope with the unjust compensation, so approximately 40,000 people crossed over to India as a silent protest against the politics of Pakistan.

Even when the liberation war of Bangladesh in 1971 occurred, the hill people in general felt indifferent and not hostile towards the Bangladesh liberation movement. The Chakma Raja's stance against the liberation movement earned the hill people of the Chittagong Hill Tracts the hostility of the Bengalis. Finally when Bangladesh was liberated on December 16, 1971, the Bengalis saw the hill people as collaborators of the Pakistan army due to the Chakma Raja's decision.

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14 Mahbubur.Rahman, *'Peace in CHT: The other view'*. Retrieved March 21, 2004, from http://www.bangladeshgov.org/pmo/agreement/agreview.htm

15 ibid.,

16 S. Q.Chowdhury, 'Chittagong Hill Tracts', *Banglapedia (Dhaka)*, Vol. 3, 1999. pp502- 505

III

RESENTMENT AND PEACEMAKING IN THE HILLS

When the politicians in the new state of Bangladesh began drafting its Constitution, the hill people felt as if they had to secure their own constitutional safeguards for the protection of the Chittagong Hill Tracts as a separate community. In 1972, a Hill people's delegation led by Manobendra Narayan Larma called on Sheik Mujib Rahman (1972-1975) and placed his four-point manisfesto[17]:

(i) demand for autonomy of the CHT with its own legislature;
(ii) retention of the Regulation 1900 in the constitution;
(iii) continuation of the offices of the indigenous kings; and
(iv) restrictions on amending the 1900 Regulations and prohibition of Bengali settlement in the CHT. This was rejected, the indigenous peoples urged to embrace Bengali nationalism and assimilate into the majority culture.

However, Sheik Mujib Rahman rejected Larma's demands and told him that there could be only one "nation" in Bangladesh and that the hill people should forget their separate identity and become Bengalis[18]. He also threatened them by saying that he would turn them into minorities by sending Bengalis into the Chittagong Hill Tracts. This led to the birth of the Parbatya Chattagram Jana Samhati Samiti (PCJSS) in 1972, whose main purpose was autonomy for the indigenous peoples according to the vision of the CHT people. Its armed wing, known popularly as the Shanti Bahini (Peace Brigade) was formed in 1973 'to defend against the terror, rape, torture and looting by the Bengali settlers and the armed forces.'

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17 Paul S. Chhakchhuak, 'Chittagong Hill Tracts: Stating and resolving the issues within the mountains', (Dhaka : American International School, 2004), p.26

18 Syed Anwar Husain, 'War and peace in the Chittagong Hill Tracts: Retrospect and prospect', (Dhaka: Sama Majumber, 1997), p.145

In 1975, in response to demands for autonomy, Major-General Zia ur Rehman's (1975-1981) administration increased the military presence in the area in the name of 'national security'. Since then the CHT has been fully militarized. The Zia regime perceived the CHT issue primarily as an economic one and held that economic development of the region would eventually undermine the appeal and strength of the movement[19]. The Chittagong Hill Tracts Development Board (CHTDB) was created in January 1976, which in addition to other activities embarked on community development programs. A Multisectoral Development Program was undertaken with a view to creating the necessary conditions for the longer-term socioeconomic development of the region. But with increasing militancy and armed action by the Shanti Bahini, the government was compelled to deploy armed forces in October 1976 in aid of civil law and order agencies.

The government of Bangladesh looked for ways and means to build a broad-based consensus[20]. On 2 July 1977, the Tribal Convention, a forum representing tribal people, was formed. The Tribal Convention held talks, preparatory to official level negotiation, for an enduring political solution that would be built on consensus. Despite initial interest in the process, the PCJSS subsequently backed out due to the party's internal problems. However, before the government's renewed efforts for creating conditions for dialogue to find a political solution could materialize, the process was halted due to the assassination of Ziaur Rahman in May 1981. During 1979-81 about one hundred thousand landless Bengalis were settled in the CHT, raising the ratio of settlers to tribals to 27.05 percent.

However Mohammad Ershad's (1982-1990) government continued counterinsurgency operations. It took steps to develop socioeconomic structures and pursued initiatives to ensure a comprehensive political settlement. The government declared the CHT a Special Economic Area (SEA) in August 1985, with the objective of integrating tribals and non-

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19 B.P.Barua, Ethnicity and National Integration in Bangladesh: A study of the Chittagong Hill Tracts, (New Delhi : Har-anand Publications Ltd., 2001), p.65

20 As a political measure to appease the insurgents, General Zia, the president, appointed Rajmata (the mother of the Chakma king) Benita Roy as advisor to the president, later to be replaced by A.S. Prue Choudhury. However, the political move did not produce the intended results, as both advisors belonged to the royal family and the insurgents did not have much confidence in their efficacy.

tribals into the mainstream of economic activities. In 1982 a liaison committee, formed for communication purposes and headed by Upendra Lal Chakma, failed largely because PCJSS questioned the legitimacy of the committee. A rift in the PCJSS leadership, which was also partly responsible for the rejection of the committee, led to the killing of M.N. Larma on 10 November 1983. The Priti faction surrendered to the government on 29 April 1985, signaling an indirect victory of the policy pursued by the regime[21].

On 30th August 1983, the Tribal Convention was revived with the objective of creating public support for a negotiated settlement. The government announced some important measures in October 1983, including the suspension of Bengali settlement, the granting of amnesty to insurgents, and a proposal for direct dialogue with the PCJSS leadership. The first ever dialogue was held on 21 October 1985, as congenial conditions were created by these announcements and by the activities of the liaison committee. The dialogue proved inconsequential, but both sides undertook to continue the process[22].

On 9th September 1987, the government set up a National Committee for the CHT with the then Minister for Planning as the head, with the mandate to take necessary steps for resuming dialogue with PCJSS and recommend action for solving the problems. The second dialogue, held on 17-18 December 1987, was indeed a "repeat performance." The PCJSS made a five-points demand[23] with twenty-five other detailed demands added. They are,

1. Removal of non-indigenous peoples settled in the CHT after 1947;
2. Withdrawal of all Bangladeshi armed forces from the CHT including non-indigenous police force;

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21 Rajen Singh, 'The Chittagong Hill Tracts in Bangladesh' in C. Nicholas & R Singh (eds.), '*Indigenous Peoples of Asia: Many Peoples, One Struggle*' (Bangkok: Asia Indigenous Peoples Pact, 1996), pp.134-142.

22 Maung Nyeu, 'Militarization and Persecution of Indigenous People of the Chittagong Hill Tracts of Bangladesh', (Dhaka: Amnesty International, 2002), p.67

23 Bhumitra Chakma, 'Problems of National Integration in Bangladesh: Chittagong Hill Tracts', Asian Survey (California), Vol. 29, No.10, 1989. p. 786

3. Retention of the CHT regulations of 1900 and a constitutional provision restricting its amendment;
4. Autonomy for the CHT with its own legislature and recognition of Jumma nation's right to self-determination; and
5. Deployment of a United Nations peace-keeping force and implementation of these measures under the auspices of the UN.

However the talks were unsuccessful. The majority of the indigenous peoples rejected the HDCs since they failed to address crucial issues such as the land question, the problem of refugees and internally displaced people, and administrative powers. In addition, it was also alleged that the allocation of seats for specific people did not correspond with the actual number of that group e.g. the Chakmas while constituting the majority of the total CHT population (over 48%) had 33.3 % of the district council seats, while the Marma and the non-indigenous peoples (Bengalis) were given 32% and 30% respectively. Hence the PCJSS boycotted the 1989 elections.

During February 1989, the Parliament enacted government Council Acts[24]. They were

- Rangamati Hill Tracts Local Government Council Act of 1989,
- the Khagrachari Hill Tracts Local Government Council Act of 1989,
- the Bandarban Hill Tracts Local Government Council Act of 1989, and
- the Hill District (Repeal and Enforcement of Law and Special Provision) Act of 1989.
- The Special Affairs Ministry was constituted by the government in July 1990 to look after the affairs of the CHT.

24 Mohammed Huq, 'Government Institutions and underdevelopment: a study of the tribal people of Chittagong Hill Tracts, Bangladesh' (Dhaka: University Press, 2000), p. 21

All of these moves led towards a positive outcome. First, a beginning was made in the direction of autonomy. Second, the smaller tribes for the first time came to be involved in the political process which had for so long been dominated by the Chakmas, the Marmas, and the Tripuras. Another important political initiative taken by the government to solve the CHT crisis during these years was the declaration of four general amnesties. Some 2,294 insurgents surrendered and 30,390 tribals returned from camps across the border.

The government led by Khaleda Zia (1991-1996) declared a general amnesty for the insurgents with an offer of cash rewards for surrendering their arms. In a major policy statement made at Khagrachari on 12 May 1992, Khaleda Zia expressed the hope that it was possible to find a political solution through constitutional process and within the constitutional framework. During July 1992, the government appointed a nine-member committee to look into the CHT issue, with a directive to submit recommendations within two months.

The government attached utmost importance to the very sensitive issue of land ownership. The insurgency situation appeared to improve, with the PCJSS declaring a unilateral ceasefire on 10 August 1992. The Parliamentary Committee headed by Ret. Col. Oli Ahmed for conducting negotiations with the PCJSS held seven dialogues, and a sub-committee headed by Rashed Khan Menon, Member of the Parliament, held six dialogues. But the process stopped by mid-1994, while refugee repatriation stopped by the beginning of 1995, perhaps owing to the increasing preoccupation of the ruling party with instability in the political arena[25].

During her election campaign in the CHT in 1996, Sheikh Hasina (1996-2001) promised to form a "parliamentary committee" to resolve the crisis politically[26]. The Awami League in election campaigns in both 1991 and 1996 stood committed to addressing the

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25 William Schendel, *'The Chittagong Hill Tracts: Living in a borderland', (* Dhaka: The University Press Limited, 2001), p.78

26 Bangladesh Observer, 26 January 1996.

demand for a political solution to the CHT crisis. It also seemed that the people of the CHT had great expectations from the Awami League government. On September 30, the Prime Minister announced the formation of an eleven-member national committee under the chairmanship of Abul Hasnat Abdullah. The single objective of the committee was to suggest a way to find a "permanent political solution within the framework of the state sovereignty of Bangladesh." During December 21-24 the first meeting took place between this committee and the PCJSS, represented by Jyotirindra Bodhipriya Larma, also known as Shantu Larma. PCJSS members later came to Dhaka for the remaining seven meetings, which demonstrated their confidence in the peace process. This led to the historic peace accord signed on 2 December 1997[27].

The CHT Accord of 1997:

To end the 25 year insurgency, Prime Minister Sheikh Hasina signed the Peace Accord of 1997. Since the formal signing of the peace agreement- often described as 'treaty' though it is not a compact between sovereign states – on December 2, 1997, the Bangladesh public has demonstrated both acceptance and rejection of the accord. There is a growing realization that a violent military solution to the prolonged low intensity warfare would not have been feasible, but most Bangladeshis envision the CHT as their national territory and hope to enjoy its economic and strategic benefits. Consequently the accord has failed to create the national consensus desired by the Bangladesh political leadership. Those who fault the CHT accord focus on its substance as well as the process by which the compact was reached.

The Awami League flaunted the CHT pact as a 'landmark achievement' saying it would not only bring peaceful national integration but indeed open the door to the bountiful natural resources of the CHT and spur greater economic growth throughout the whole region. But the main opposition party – the Bangladesh Nationalist Party (BNP) – along with right wing groups vehemently contested the deal. BNP leader Khaleda Zia claimed

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27 Amena Mohsin, 'Chittagong Hill Tracts Peace Accord, 1997', In Banglapedia (Dhaka), Vol. 3, 2003, pp. 505-506

that the treaty would set up a parallel government in the country and urged Prime Minister Hasina to scrap it. The BNP denounced the pact as a 'Black Pact' and the opposition leaders alleged that the agreement violated both the country's sovereignty and its unitary constitution. So far it is the hitherto untested Regional Council (RC) in the CHT that had suffered the brunt of swelling remonstrance. Many feared that the new institutional construction would gravitate the region toward secession and independence. The CHT Regional Council bill was passed by the Jatiya Sangshad, the national parliament, on May 6, 1998 amidst a BNP walkout and the Jatiya Party (JP) Lawmakers' vote against it. The Pro-Islamic Jamaat –e-Islam and other right wing groups claimed that by signing the treaty, the Awami League had virtually sold the CHT, an area crucial to Bangladeshi national security and economic development.

The accord addresses four major issues in the CHT, namely[28]:

1. Devolution of power to the Hill District Councils, Regional Councils and CHT Ministry as the units of self government in the CHT;
2. Establishment of a land commission to deal with conflicts over land and natural resource rights;
3. Recognition of the cultural integrity of the indigenous peoples and the CHT as a 'tribal' area; and
4. The withdrawal of military forces from CHT and the de-commissioning and rehabilitation of JSS forces.

While the opposition campaigned that the accord had paved the road for a 'Chakm Raj' of about 5000 sq.miles of resource rich area, the Government of Bangladesh (GOB) did not agree to give the CHT complete autonomy despite the separatists' demand. Nor did Hasina's government accept the tribal leaders' long standing demand that all Bengali settlers be expelled from the CHT. The peace accord has conceded that Rangamati,

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28 Government of Bangladesh, Internet site on the peace agreement, 1998, Retrieved from http://www.bangladeshgov.org/pmo/agreement/agre_ind.htm

Bandarban and Khagrachari, the three districts that make up the CHT, will enjoy the status of a tribal – inhabitated region.

IV

THE NEW INSTITUTIONS AND DEVOLUTION OF POWERS IN THE CHT

The accord came into effect from the date of its signing. But the government and the authorities concerned have thus far not abided by the accord[29]. Steps and measures that run contrary to the agreement have been taken in the meantime. The Accord Implementation Committee has been formed. It held four meetings during the period from March to November in 1998. However, neither proceedings nor minutes were recorded, and no steps have been taken to implement decisions adopted at the meetings. Since 1998, the committee has remained completely inactive. No steps have been taken to implement provisions. Failure to implement the peace accord has resulted in very critical situation in present time[30]. Past incidents of gross human rights violations have rarely been investigated. In a few cases when official commissions of inquiry have been set up and responsibility for violations were believed to have been established, the reports were not made public and no action was taken against any army personnel involved. Rather, violations of the CHT Regional Council Act of 1998 and the three Hill District Council (amendment) Acts of 1998 against the interests of tribal people continue[31].

Chief of the Chakma Raja Devasish Roy explains:

> Apart from the problem of its non-implementation, perhaps its greatest drawback lies in the fact that it does not provide for constitutional recognition of the CHT, its self-government and legal system and the

29 Amnesty International, Bangladesh - Human Rights in the Chittagong Hill Tracts ,ASA 13.01.00, February 2000, Retrieved from http://www.web.amnesty.org/ai.nsf/Index/ ASA130012000? OpenDocument&of=COUNTRIES\BANGLADESH

30 Amnesty International, Annual Report 2000, Retrieved from http://www.web.amnesty.org/web/ar2000web.nsf/countries/7ea2b2a68ae6360a802568f200552902?Open Document.

31 Jumma Committee for International Campaign, 'Harrowing genocide in Chittagong Hill Tracts', 1999, Retrieved from http://www.angelfire.com/ab/jumma/index.html

> indigenous peoples of this region...The absence of constitutional recognition of the CHT self-government system (which existed up to 1964) also means that many CHT laws could be declared to be ultra vires to the national constitution[32].

The government authorities in the CHT and at the national level remain reluctant to preserve the characteristics of this region as a tribe-inhabited region. So far, the authorities concerned have not made any significant move toward the attainment of overall development in the interest of tribal peoples and other permanent Bengali residents. However, enduring peace appears to be elusive, and there are rumblings of dissatisfaction over the implementation of the accord[33]. So far, the authorities concerned have not made any significant move toward the attainment of overall development in the interest of tribal peoples and other permanent Bengali residents. No steps have been taken to implement the provisions. Rather, violations of the CHT Regional Council Act of 1998 and the three Hill District Council (amendment) Acts of 1998 against the interests of tribal people continue. The Accord Implementation Committee has been formed. It held four meetings during the period from March to November in 1998. However, neither proceedings nor minutes were recorded, and no steps have been taken to implement decisions adopted at the meetings. Since 1998, the committee has remained completely inactive.

A. CHT Self-Government System:

The Hill District Councils (1989):

The accord strengthens the power and authority of the 1989 Hill Development Councils. They are supposed to be responsible for 33 subjects including land and natural resources, development, environment, fisheries, primary education and health. The Council is composed of 34 members with a 2/3 indigenous majority (1/3 are to be from among the

32 PCJSS, 'Report on the Implementation of the CHT Accord signed between the Government of Bangladesh and the PCJSS', Rangamati, 2004. Retrieved from www.banglanet.org.

33 Peter Wallenstein, 'The Chittagong Hill Tracts, Bangladesh: On Difficult Road to Peace', International Peace Academy Occasional Paper, (London: Lynne Reinner Publishers Inc., 2003).p.123

Bengalis). In February 2002, the government appointed Dr. Maniwal Dewan, Mr. Nakkhatralal Dev Burman and Mrs. Maima Ching Chowdhury as Chairpersons of the Rangamati, Khagrachari and Bandarban Hill District Councils respectively. All are members of the ruling Bangladesh Nationalist Party. They have no role in national decision making processes regarding the allocation of funds for development-related projects to the CHT. The legislative prerogatives of the HDCs remain largely untested. It has also not been provided with the necessary financial resources[34]. In March 2005, the government announced plans to extend the ambit of the council.

As a result of the Peace Accord the three former Hill District Local Government Councils have been re-named as Hill District Councils (HDCs) and the relevant Act of 1989 amended. Each HDC is composed of 30 members. However, in keeping with the varying size of the "tribal" population in the three districts, the number of "tribal" members is different from each HDC. But on the whole, in all three HDCs, the majority of the members are to be from the "tribal" communities along with the Chairman. But, equally notable is that non-tribals (Bengalees) are the single largest ethnic community represented in the HDCs – where 30 out of the total 90 membership seats in the three HDCs are reserved for them[35].

The HDC Chairman and the members are to be directly elected by universal suffrage. However, these elections (last held in 1989) have been postponed since the signing of the Peace Accord36. The Peace Accord and the HDC Acts 1989 (as amended in 1998) explicitly stipulate that to participate in the HDC elections, voters must have permanent residence status in the region. Because such stipulations may require the preparation of a

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34 United Nations Development Programme, 'Report of the meeting of the Traditional Leaders on Development, Chittagong Hill Tracts Development Facility (CHTDF)', United Nations Development Programme (UNDP), Bandarban, 18 February 2004. Retrieved from www.undp.org/tl/cht

35 PCJSS, 'Report on the Implementation of the CHT Accord signed between the Government of Bangladesh and the PCJSS', Rangamati, 2004. Retrieved from **www.banglanet.org**

36 Amnesty International, Bangladesh - Human Rights in the Chittagong Hill Tracts ,ASA 13.01.00, February 2000, Retrieved from http://www.web.amnesty.org/ai.nsf/

new voter list, the matter has been mired in political controversy, and no progress toward elections has been made.

Along with their administrative roles, the HDCs are mandated to be the principal organs for implementation of development projects. Below is the list of the functions which they are mandated to supervise and implement (In total 33 - originally 21, to which 12 more have been added following the Peace Accord)[37]:

1. Settlement of disputes related to social, cultural and tribal affairs according to tribal customs and practices.
2. Co-ordination of development activities of the local authorities of the district; review of implementation of their development projects and audit of their accounts providing assistance, co-operation and encouragement to them.
3. Education (mainly primary education and adult education)
4. Health services
5. Public health
6. Agriculture and forestry
7. Live-stock development
8. Fisheries
9. Cooperatives
10. Industry and commerce (mainly small and local)
11. Social welfare
12. Culture and sports
13. Construction, maintenance and development of roads, culverts and bridges which are not the responsibility of the government or any local authorities.
14. Management of ferries which are not maintained by Government or any local authority.
15. Development and maintenance of parks, play grounds and open places meant for public use.

37 As per the Act of the HDCs, the government is to transfer to the HDCs relevant institutions, departments and directorates inside the districts that fall under the parameters of the functions mentioned.

16. Establishment and maintenance of inns, Dak bungalows and rest houses.
17. Implementation of development plans entrusted to the Council by the Government
18. Improvement of communication.
19. Drainage, water supply, construction of pucca roads and other essential public welfare activities.
20. Preparation of designs for development of the local area.
21. Arrangements for development of the local area and religious, moral and economic development of its inhabitants.
22. Police (Local)
23. Tribal law and social justice
24. Land and land management
25. Proper utilization of water resources of rivulets, canals, ponds and irrigation except Kaptai lake
26. Environment preservation and development
27. Youth welfare
28. Local tourism
29. Improvement trust and other local government institutions except Pourasabha and Union Councils
30. Licensing for local trade and business
31. Preservation of death and birth and other statistics
32. Money-lending and trade, and
33. Jhum cultivation

The government has already transferred a number of such functions (15 out of the total 33), but has yet to transfer the remainder which include important areas such as land and land management, forestry, and police forces[38]. Moreover, there has been very limited

38 Maung Nyeu, 'Militarization and Persecution of Indigenous People of the Chittagong Hill Tracts of Bangladesh', (Dhaka: Amnesty International, 2002), p.67

transfer of financial resources to the HDCs[39]. Furthermore, as per the RC Act, the HDCs are supposed to operate under the coordination and supervision of the RC, but this has not been clarified by relevant rules/regulations/ordinances that are still to be elaborated[40].

The CHT Regional Council:

The centerpiece of the accord is the establishment of the Chittagong Hill Tracts Regional Council comprising the Local Government Councils of the three Hill Districts. It has 22 elected members and its tenure is five years. The Chairman shall be a tribal with a status of a state minister. Fourteen other members will be tribal, including two women. The objective of having a Regional Council is to make the CHT a single political and administrative unit. It has powers of supervision and coordination on subjects such as law and order, general administration, development, traditional laws and social justice and the power of giving licenses for heavy industry. Although the Regional Council Act has been enacted, there is delay in the formulation of its rules and regulations[41]. Moreover 31 of the 36 subjects which come under its purview, have yet to be transferred to the HDC[42]. For example, land development tax is still being collected by the Deputy Commissioners of the Hill Districts.

Following the Peace Accord, the CHT Regional Council was established by an Act of Parliament passed in May 1998 (the Chittagong Hill Tracts Regional Council Act, Act no. 12 of 1998). The RC was set up in appreciation of the fact that[43]:

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39 Jumma Peoples Network, 'Bangladesh: The Chittagong Hill Tracts' in "*The Indigenous World 2004*", (Copenhagen: IWGIA, 2004), p.290

40 ibid.,

41 Jumma Peoples Network, 'Bangladesh: The Chittagong Hill Tracts' in "*The Indigenous World 2004*", (Copenhagen: IWGIA, 2004), 290- 301.

42 The Bangladesh Observer, 10th April, 2002 (www.bangladeshobserver.com)

43 Personal contact established with Mr. Sakil Faizullah, Communications Officer, United Nations Development Programme, sakil.faizullah@undp.org.

a. The Chittagong Hill Tracts are inhabited by under–developed tribal people;
b. Special arrangements are essential for development of the under – developed region;
c. It is necessary to expedite the process of political, social, cultural, educational and economic development and to uphold the socio-political rights of all the people of the Chittagong Hill Tracts region including the tribal inhabitants;
d. An Agreement was entered into between the National Committee on CHT Affairs and the PCJSS on Dec. 02, 1997; and
e. It is desirable and essential to establish, as part of implementation of the Agreement, a regional council for the purpose of coordination of the activities of the three Hill District Councils and for performing other related activities.

The composition of the RC membership is as follows, with the condition that its Chairman belongs to one of the "tribal" communities of the region[44]:

1	Chairman	01
2	Tribal Member	12
3	Non – Tribal Member	06
4	Tribal Women	02
5	Non – tribal women	01
6	Chairman of three Hill Districts	03 (ex-officio)
Total		**25**

44 South Asia Forum for Human Rights. (2000, April). *Peace process in Chittagong Hill Tracts*. Retrieved October 21, 2003, from http://www.safhr.org/pdf/E_new2.pdf

The Representation of the various tribal groups is as follows[45]:

1	Chakma	05
2	Marma	03
3	Tripura	02
4	Mro (Murang) and Tanchangya	01
5	Lushai, Bawm, Pangkho, Khumi, Kheyang and Chak	01

The CHT Regional Council Act stipulates the following functions of the RC[46]:

a. Over-all supervision and co-ordination of all development activities carried out by the Hill District Councils and other affairs vested in the District Councils;
b. Supervision and co-ordination of local councils including municipalities;
c. Over-all supervision of the activities of the CHT Development Board;
d. Supervision and co-ordination of general administration, law and order and development activities of the Hill Districts;
e. Co-ordination and supervision of tribal laws, practices, customs etc. and social justice;
f. Issuing license for heavy industries in the Hill Districts consistent with the national industrial policy;
g. Co-ordination of disaster management, relief activities and the activities carried out by the NGOs.

However, it is important to remember that while the Regional Council Act provides the overarching framework for the Regional Council to assume the above responsibilities, it makes its *modus operandi* contingent upon the formulation of the relevant rules and guidelines. Once again, because of the prolonged delay in this process, the Regional

45 Mohammed Rafi and Mushtaque R. Chowdhury., 'Counting the Hills: Assessing Development in Chittagong Hill Tracts' (Dhaka: The University Press Limited, 2001), p.243.
46 ibid.,

Council has not been able to realize its full potential as a regional planning and development agency[47].

Ministry of Chittagong Hill Tracts Affairs

With the signing of the Peace Accord, most of the activities of the former Special Affairs Division have been turned into a full cabinet level body with the title of Ministry of Chittagong Hill Tracts Affairs. Its creation is an indication of the special importance placed by the government on the need for accelerating the socio-economic development of the CHT48. In its bureaucratic structure and mandate, the MoCHTA is basically no different from other ministries of the government, although is has some unique features. It is bestowed with the responsibility of overseeing the overall policy formulation and planning and implementation of administrative and development activities for the benefit of the region. Unlike other ministries, the MoCHTA has an Advisory Committee, comprising of the following49;

2. Minister in charge of the MoCHTA – Chairman
3. Chairman / representative, RC
4. Chairmen / representatives, HDCs (Rangamati, Bandarban and Khagrachari)
5. MPs (Rangamati, Bandarban and Khagrachari)
6. Circle Chief, Rangamati (Chakma Raja)
7. Circle Chief, Bandarban (Bohmang Raja)
8. Circle Chief, Khagrachari (Mong Raja)
9. Three representatives of the Bengali Community one from each district, nominated by the Government (MoCHTA)

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47 Public Opinion Trends Analysis and News Service, POT, Bangladesh Series, 4 December 2004, p.1653

48 ibid.,

49 Ministry of Chittagong Hill Tracts affairs, Rangamati Hill Tracts, September 15, 2003. Retrieved from http://www.bangladeshgov.org/mochta/

The Committee is meant to link the voices of the peoples with the civil administration, and line departments. However, in terms of development and administrative responsibility, the authority of the MoCHTA vis-à-vis the government line agencies and administrative units (eg. Upazila, Union Parishads) is not clear[50], and the latter tends to continue to receive their guidance/instructions and resources from their respective Ministries in Dhaka. As a result, the co-ordination and supervisory authority of the MoCHTA remains unconfirmed and unrealized[51].

Following the 2001 elections, the BNP Government appointed Mr. Mani Swapan Dewan as deputy minister[52]. The Prime Minister of Bangladesh, Begum Khaleda Zia has kept the CHT portfolio under her personal supervision, and with it the ministerial post. The ministry, like the RC is yet to evolve as a dynamic institution with a positive role as a spokesperson for the CHT institutions and to act as an effective body in influencing national decision-making processes regarding the CHT[53]. It was alleged recently that the government has appointed Bengalis in key civil administrative posts i.e. the three Deputy Commissioners (DC) in each hill district and 25 sub-district administrators including the whole of the local police force[54]. The DCs have reportedly been issuing "permanent resident certificates" even to new Bengali settlers[55]. These certificates entitle the holder to hold land in the CHT, and to vote in the local elections

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50 Paul S. Chhakchhuak., 'Chittagong Hill Tracts: Stating and resolving the issues within the mountains', Policy Paper no. 4, (Dhaka: American International School, 2004), p.26

51 The Daily Star, 20 September 2004

52 Public Opinion Trends Analysis and News Service, POT, Bangladesh Series, 3 June 2001, p.1543

53 Public Opinion Trends Analysis and News Service, POT, Bangladesh Series, 24 July 2001, p.2363

54 Public Opinion Trends Analysis and News Service, POT, Bangladesh Series, 15 October 2001, p.156

55 Public Opinion Trends Analysis and News Service, POT, Bangladesh Series, 19 October 2004, p.1546

District Administration

Until the enactment of the CHT Local Government Council Act in 1989, the Deputy Commissioners were the most powerful functionaries in the CHT, far more powerful than their counterparts in the remaining areas of Bangladesh56. However, their powers were considerably restricted by a number of provisions and further circumscribed as a result of the institutional arrangements set out by the Peace Accord. As a result, the Deputy Commissioner has no explicit development roles or responsibilities except to attend various development committees of the HDCs and the Regional Council. Otherwise, the role of the Deputy Commissioner is focused primarily on government administrative and law and order matters.

Chittagong Hill Tracts Development Board (CHTDB)

The CHTDB was established as an autonomous body in 1976 by an Ordinance made by the President of the government for undertaking developmental activities in the CHT region. As per the stipulations of the Peace Accord and the CHT Regional Council Act, it was supposed to become the institutional wing for development work under the supervision of the Regional Council. However, as elsewhere, in this case too, in the absence of elaboration/enactment of relevant rules/regulations/ordinances, the realization of these stipulations is still to be achieved.

B. Resolving Land-Related Problems Recognition of Customary Rights:

The land commission is to adjudicate land claims taking into account customary land laws. A highly controversial Land Disputes Resolution Act was passed by the then Awami League led government in July 2001[57] giving final deciding powers to the

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56 Chittagong Hill Tracts:Local institutions', 13 March 2004, Retrieved from www.unpo.org; Also see 'Chakmas complain of lack of institutions', Public Opinion Trends Analysis and News Service, POT, Bangladesh Series, 18 January 2003.

57 PCJSS, 'Report on the Implementation of the CHT Accord signed between the Government of Bangladesh and the PCJSS', Rangamati, 2004. Retrieved from **www.banglanet.org**

Chairman of the Land Commission regarding land disputes. The Regional Council has criticised the 2001 Act as giving wide-ranging and arbitrary powers to the commissioner and has proposed 18 amendments to the Act.[58]

Land Commission:

A Land Commission was to be set up for settlement of disputes. It was to dispose of land disputes of rehabilitated refugees and have full authority to annul the rights of ownership of those hills and lands illegally settled (and illegally disposed)[59]. It has taken two and a half years to set up the Land Commission on April 6, 2000. Initially, there was a problem over the unilateral appointment of the Chairman of the Land Commission on December 1998, that is, without consulting the JSS. Eventually, the JSS accepted the appointment of a Chairman in May 1999. The death of the Commission's Chairman, Justice Anwarul Haq Chowdhury, further complicated matters. Finally a nine member Commission has been set up. Retired Justice Mahmudur Rahman was appointed as head of the commission in October 2001, without proper consultation with the indigenous peoples and/or local government. An office has been established in Khagrachari district, but the other members of the commission including the HDC and RC, the traditional rajas/kings have not been formally appointed. As of May 2004, some 35,000 cases had been filed, involving land disputes between the indigenous peoples and the state-sponsored settlers[60].

In a latest incident on 31 March 2005, the Deputy Commissioner of Khagrachari served acquisition notices to the indigenous Jumma landowners in respect of acquiring 45 acres

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58 Amnesty International, Bangladesh - Human Rights in the Chittagong Hill Tracts ,ASA 13.01.00, February 2000, Retrieved from http://www.web.amnesty.org/ai.nsf/Index/ASA130012000?Open Document&of=COUNTRIES\BANGLADESH

59 'Chittagong Hill Tracts: Bangladesh Government Supporting Transmigrants', 10 March 2003, Retrieved from www.unpo.org; Also see 'Chittagong Hill Tracts: Chakmas complain of Bangla Muslim settlements', Public Opinion Trends Analysis and News Service, POT, Bangladesh Series, January 2003.

60 Also the Khaleda Zia government has done anything in the controversial government plan to acquire 218,000 acres for afforestation in the Murung and Khiang lands within the CHT; the acquisition of some 65,793 acres for military purposes in the Bandarban and Rangamati districts; the leasing out of 18,333 acres by the Bandarban Deputy Commissioner and the much opposed Land Dispute Settlement Act of 2001 which gives the chairperson decisive powers in land dispute settlement.

of land in Babuchara under Dighinala Thana in Khagrachari district for the purpose of constructing a battalion headquarters' office of the Bangladesh Rifles[61]. Most of these Jummas were uprooted after the construction of the Kaptai Hydro Electric Project in 1960s. In 1986, all these families had to flee to Indian state of Tripura where they lived as refugees until the Chittagong Hill Tracts accord was signed in 1997.

C. Rehabilitation of Refugees and Internally Displaced People:

The state of Bangladesh constitutionally guarantees the safety of life and property of all the returnees and their family members. But the government has not taken up the process of rehabilitation for Internally Displaced Jumma People[62]. So far around 60,000 tribal were internally displaced[63]. A Committee has been formed to facilitate their rehabilitation but no measures have been taken in this regard. In violation of this provision the government is making attempt to rehabilitate the Bengali settlers in CHT. Under the accord, the rehabilitation of the tribal and internally displaced was to commence, as soon as possible, in consultation with the Regional Council, the land survey of the CHT and finally determine the land ownership of the tribal peoples and settle land disputes on proper verification. Land survey would record their land rights and thus ensure their rights. This programme has yet to be taken up for implementation. Moreover, the government has yet to take up the programme for settling two acres of land per tribal family having no land or less than 2 acres. Where no land was available in the locality, government lands were to be tapped. No progress has been made on this front.

Also all of the CHT Jumma refugee families (12,222 in number, with a total of 64,609 persons) returned to the CHT from the Tripura State of Indian. But almost 50 percent of them could not return to their own homesteads and native villages because they failed to

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61 'Chittagong Hill Tracts: Indigenous People of Chittagong Fears Renewed Army Attacks', Daily Star, 1 April 2005, **www.thedailystar.net.**

62 Jumma Peoples Network, 'Bangladesh: The Chittagong Hill Tracts' in "*The Indigenous World 2004*", (Copenhagen: IWGIA 2004), pp.290- 301.

63 Independent, 20 March 2004

get back their homesteads and lands. Their rehabilitation under present circumstances therefore has become uncertain. The government has not taken up the process of rehabilitation of Internally Displaced Persons at all. The task force, other than compiling a preliminary list, has not taken any other concrete measures for the rehabilitation of said persons. In violation of this provision, the government is making attempts to rehabilitate Bengali settlers in the CHT as permanent residents.

Internally Displaced People:

There are a large number of internally displaced people in the CHT due to the dam, the settlement programme and counter-insurgency strategies, as well as afforestation policies. A controversial list prepared by a task force identified some 90,208 Jumma and 38,156 Bengali families as internally displaced for rehabilitation. The indigenous peoples strongly oppose the inclusion of the settlers as 'internally displaced' contending that the settlement programme was itself a main reason for their displacement. No concrete rehabilitation efforts have been undertaken so far.

D. Cultural Integrity of the Indigenous Peoples

Before signing the accord the National Committee on behalf of the government of Bangladesh gave a commitment to JSS that Bengali settlers would be withdrawn from CHT to other plains districts. Prime Minister, Sheikh Hasina reaffirmed that commitment in a meeting with the JSS delegation on Dec 2, 1997 that Bengali settlers would be transferred to other districts. As part of that process, the government would stop providing rations to the Bengali settlers and dismantle their cluster villages. But till today the government has taken no such steps, on the contrary, the government authorities are formulating projects and providing more facilities for their rehabilitation in CHT. This has led to a widespread violence in the region. [64]

64 For instance, in August 2003, more than 350 houses of indigenous Jummas of 14 villages within Mahalchari sub-district were burnt, Buddhist temples and statues of Lord Buddha were destroyed, and two people, including one eight-month old child were killed and 10 Jumma women were raped. All this

E. Dismantling of Military Camps

After the signing of the accord and the depositing of arms by the JSS, the temporary army camps and the Village Defence Camps were to be withdrawn by phases from the CHT. The CHT Accord also provided for withdrawal of all non-permanent camps of the security forces. The provision for the withdrawal of the army from certain camps has only been partially implemented. Merely 40 camps out of about 500 military camps in the CHTs have reportedly been withdrawn since December 1997[65]. The order for army's involvement in maintenance of law and order in the CHT has yet to be rescinded as a result the army's involvement in civil administration still exists. During the conflict, in the CHT there were 230 army camps, more than a 100 BDR (paramilitary) and 80 police camps.[66] Army cantonments which were to have been removed after peace was restored are still largely there except for six main ones. Lands and premises abandoned by the cantonments, army and paramilitary camps were to be made over to their real owners by the Hill District Councils. There is no progress on this provision in the accord.

In a related development, there have been increasing reports of the presence of armed insurgent groups from neighbouring countries operating in the CHTs. It is alleged that the Bangladesh army have adopted a policy of publicizing the presence of these foreign insurgent groups as a further justification for their continued and expanding presence. Approximately one-third of the Bangladesh military is deployed there and the government reportedly spends an estimated US$125 million per year for the continued presence of the military in the region.

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happened within a few hours by the Bengali settlers led by uniformed and armed soldiers of the Bangladesh military (21 East Bengal Regiment)

65 According to the PCJSS, so far only 35 out of 500 camps have been withdrawn. The government also established more new camps at Milachari under Bandarban district and at Ghagra in Rangamati district. The army had closed down the local primary school in Ghagra to use it as accommodation while the camp was being established in July 2004. A Buddhist monastery in Barkal, Rangamati district, was also forcibly pulled down to make way for a camp for the Bangladesh Rifles.

66 Amena Mohsin, 'The Chittagong Hill Tracts, Bangladesh: On the Difficult Road to Peace', International Peace Academy Occasional Paper Series (London: Lynne Reinner Publishers Inc., 2003), pp. 122-131.

F. Rehabilitation of JSS Fighters:

Under the terms of the accord, about 2000 members of *Shanti Bahini*, the armed wing of PCJSS, deposited their arms by March 1998 and returned to normal life. The government has declared a general amnesty and the JSS have submitted lists of cases lodged against its members.[67] But the government has yet to withdraw all these cases. According to PCJSS Information Secretary Mangal Chakma, the armed forces and the Bengali settlers were responsible but blamed the Jumma peoples and lodged a case against them in the police station. Under the terms of the accord this case should have been in the process of withdrawal. Apparently, because of tension over a local political incident, the police are harassing PCP and JSS workers and the case filed before the CHT accord has been dredged up. S. B. Khisa was picked up on February 29, 2000 and taken to Rangamati jail[68].

V

CHT AND BANGLADESHI STRATEGIC CONCERNS

The strategic importance of the CHT is underlined by five considerations. First, navigation of the Chittagong seaport depends on the water level in the Karnaphuli river that meanders through the CHT. Second, facilities of the port, industries, Chittagong city, and the adjoining town depend on the power generated by the hydroelectric capability situated in the CHT. Third, navigation through and irrigation from the Karnaphuli, Sangu, Matamuhuri, and Halda rivers and their tributaries will also depend on peace and stability in the CHT. Fourth, the economy and living standards of the CHT and the entire

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67 Sumantra Bose, 'Decolonization and State Building in South Asia', Journal of International Affairs (New York), vol 58, no 1, Fall 2004, pp 95-113, see also, Paul S. Chhakchhuak, Chittagong Hill Tracts: Stating and resolving the issues within the mountains, American International School/Dhaka, 2004, p. 24

68 On 15 March 2005, Natun Kumar Chakma and 36 other UPDF members were arrested in Chittagong. They were detained for a day and freed later. On 26 April 2005 Lieutenant Colonel Momin Khan, Commanding Officer of Lakshmichari zone under Khagrachari district, picked up two Pahari Chattra Parishad activists - Sushil Chakma and Kaladhan Chakma at Boroitali village in Bermachari union. Both were beaten up mercilessly and taken to Ghagra camp in Rangamati. Later, on 29 April 2005, they were released from Bannyachola army camp.

Chittagong region are closely interlinked. Finally, most of Chittagong and even parts of Noakhali would be vulnerable should the CHT break away from Bangladesh or if an insurgency were to be sustained through the region. All three CHT districts have international borders.

As many as 21 oil and gas companies from different nations are carrying out exploration work in different parts of Bangladesh and new gas fields have been found, including one in the CHT.[69] Bangladesh's importance as a potential partner in the growing regional economy has increased owing to the huge quantity of known gas reserves and oil prospects in the CHT as well as in the country's northeastern and southeastern regions. Faced by Shantibahini insurgents, the Shell Oil company abandoned its oil exploration operations in Bagaichari in 1981. In 1984, tribal insurgents kidnapped two experts from Royal Dutch/Shell.

While vowing to continue a strong movement against the CHT accord, the prominent BNP leader Salam Talukder charged that Prime Minister Hasina's agreement with Shantibahini leader Shantu Larma was actually a treaty with India[70]. When in May 1998, the Bangladesh national legislature was considering the four bills to provide the legal cover for the agreement, the opposition and its allies said that it would increase Indian domination and lead to an ultimate Indian takeover of the hills. When the bills were passed by Parliament later that month, the BNP and its allies said that the treaty paved the way for 'hegemonist' India to enter and increase its influence on the CHT[71]. India's northeastern states are strife-torn, and from time to time the Indian government has accused Bangladesh of harboring the tribal fighters.

The CHT's khagrachari district shares a border with India's Mizoram state, whose rebels allegedly take shelter in the district's forests when chased by Indian soldiers. Indian

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69 Daily Star, 21 November 2003 (www.thedailystar.net)

70 Independent, 22 March 1999

71 Public Opinion Trends Analysis and News Service, POT, Bangladesh Series, 3 August 2001, p.1543

strategic interests require that the CHT leaders remain amenable to New Delhi's influence.[72] On the one hand, the CHT combined with the Chittagong District has brought Bangladesh to the threshold of a regional trade framework that includes the northeastern Indian states, Burma (Myanmar), Nepal, and Bhutan. The legacies of old fears, suspicions, rivalries and conflicts may run counter to the possible economic benefits that could flow between the geographically contiguous areas between India and Bangladesh[73].

VI.
CONCLUSION

In this chapter we have endeavored to trace the events that led to the conflict and the conflict resolution measures. This chapter has tried to prove the point that the most complex and difficult phase in any situation is peace-building in the early years after a conflict has reached a peace agreement. This requires a coordinated approach in which local, national, regional and international aid, development, humanitarian and human rights bodies all invest in nurturing civil society and rebuilding the institutions that guarantee the rule of law. When such guarantors of human rights are strong, it is less likely that a region emerging from conflict will again descend into it. Such efforts need to include the provision of human rights training for the law enforcement personnel for the society at large. Peacebuilding in the CHT requires lasting cooperation from all sections of the Bangladesh society, including government institutions, the ruling and the opposition parties, prominent personalities, parliamentarians, intellectuals, professionals and notables of local communities.

The post-armed-conflict situation in CHT is characterized by many uncertainties, tensions and diverging interests between the national government and the regional council, between larger ethnic groups and smaller ethnic groups, between rival factions in

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[72] Adilur Rahman Khan , *Bangladesh's ethnic minority communities*, The New Age, 2 August 2005
[73] Maung Nyeu, Militarization and Persecution of Indigenous People of the Chittagong Hill Tracts of Bangladesh, Amnesty International, 2002

the leadership, and between the indigenous groups and the Bengali settlers within local communities. In the Chittagong Hill Tracts there is general distrust of the national government's strategies for developing the region, and of the continuing presence of the military. However, these parties are thought to be interested only in exploiting the rich resources of the region, which include timber, oil and tourism. There is a general feeling among the indigenous people that they should be consulted in the decision-making related to the peace process and to development policies.

This general distrust is not with out any reasons. Over 7 years have elapsed since the signing of the Chittagong Hill Tracts Peace Accord, yet, peace remains the most elusive in the CHT. The post-Accord situation is characterized by many uncertainties, tensions and diverging interests-between the national government and the regional council, between larger ethnic groups and smaller ethnic groups, between rival factions in the leadership, and between the indigenous groups and the Bengali settlers within local communities. In the Chittagong Hill Tracts there is general distrust of the national government's strategies for developing the region and of the continuing presence of the military. There is a general feeling among the indigenous people that they should be consulted in the decision-making related to the peace process and to development policies.

It is reported that the government has deployed the Bangladesh Air Force, one unit of the Bangladesh Navy, and over 125,000 armed personnel of the Bangladesh Army, Bangladesh Rifles, Police and Ansars in the CHT in order to seize the tribal farmlands and villages. Mere presence of Military in the region has gravitated conflict in the region. Many human right organizations, including Amnesty International has condemned the human rights violations including forcible eviction of tribal families from their ancestral homes and farmlands, detention and imprisonment of innocent tribal people without charge or, trial, kidnapping and raping of tribal women, torture and harassment of tribal people, restriction on the movement of the local people, settlement of the outsider Bengalis on the lands of tribal farmers, restriction on the supply of essential commodities, extortion, looting, blackmail, chicanery, forcible conversion to Islam and all kinds of

crimes'. It is widely believed that the Bangladeshi government has been committing all sorts of things that are unfavorable to the welfare of the CHT.

There are still grievances with the tribal people. One such source of grievance has been the settlement of Bengalis on their land, negating the advantages of the CHT being their exclusive habitat. A second set of grievances resulted from the interventions by the central government, which has violated the principle of the tribals' special status. Third, there is a sense of underdevelopment; however, this sense has not precipitated a desire to see mega development projects, because one such project—the Kaptai dam—had caused havoc with tribal settlements and culture. The issues of underdevelopment rested more on matters relating to socioeconomic development, such as education, employment, and so on. In any case, there is concern that expectations in these regards have not been fulfilled. The post–accord grievances relate to the government's failure to make the CHT a completely demilitarized zone, though the government has its own considerations in deciding to maintain army camps in the region. The tribals are also unhappy with the lack of full implementation of resettlement benefits for the returnees. Besides, there is dissatisfaction over the fact that the internally displaced persons have not been fully rehabilitated. In addition, since the accord, non-governmental organizations have had easy access to the region for providing input in regard to the needed rehabilitation, resettlement, and development. The human rights lobby in Bangladesh has articulated instances of violations of human rights, especially abduction and rape.

The government has not yet interfered with the five other important ranks that the tribals are entitled to under the accord, i.e. Chairman of the Task force on Refugees, Chairman of CHTDB, and Chairmen of the three Hill District Councils. The Awami League filled in these positions during its term of office with tribals who could be considered Awami League supporters and the new government has not yet made any changes. The BNP government has suspended distribution of tender on all development projects and food grains in the three Hill Districts (Rangamati, Bandarban, and Khagrachari). Politically and historically, the Awami League seems to enjoy greater trust and working relationships with minority groups, whether ethnic or religious. Towards the end of the

Awami League regime however, there was a distancing of position and dissatisfaction over the pace of implementation of the accord. The BNP's support among Bengali settlers apparently is quite high. This has led to a situation that the peace accord brokered by the Awami League has finally trampled. The growing number of violent incidents in the Hill Tracts testifies to the difficulties in sustaining peace. It has led to a conclusion that the conflict is not over and therefore peace is elusive. There was a great deal of expectation for the peacebuilding activities to restore normalcy and sustain peace in the region. The government, NGOs and international community have been engaged in implementing programmes and projects that would help develop the Hill tracts.

CHAPTER III

THE ROLE OF GOVERNMENT, LOCAL INSTITUTIONS AND TRADITIONAL LEADERSHIP

The Peace Accord opened up opportunities for development work to begin in the Hill Tracts from 1998 onwards. This chapter analyses the efforts taken by the government, governmental institution and the traditional institutions to build peace in the region. Besides it brings out the shortcomings of all these institutions that heavily affect the peacebuilding process in the hill tracts.

The Government of Bangladesh has taken up, over the last few years, some development projects, including developing rural infrastructure, strengthening local institutions, alleviating poverty etc in the Chittagong Hill Tracts region, primarily to ensure the economic uplift of the indigenous people in general, and women and children in particular. The government policymakers believe that such programmes, if implemented, would not only empower the hill women and provide a better environment for the sound growth of the hill children, but also integrate the neglected region into the overall process of the country's political and economic development[1]. Meanwhile, the government has also been implementing some short-term projects that include reconstruction of old physical infrastructures, food for works programme and providing micro-credit. In addition to those, a portfolio of medium and long term development projects is underway in the different ministries of the government in general and Chittagong Hill Tracts Affairs Ministry in particular[2]. The World Bank, the Asian Development Bank, and the UN bodies including UNDP, WFP and UNICEF have already shown keen interest in funding these projects.

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1 The Chittagong Hill Tracts Commission, *Human Rights in Bangladesh*, 2000. Retrieved 16 April 2006, from **http://www.banglarights.net/HTML/incidence-3.htm**

2 The Bangladesh Observer, 10 April 2005

There is, however, criticism that the government-dominated development projects are being implemented without giving preferential treatment to the tribal people. Besides, the leaders of the Parbatya Chattagram Janasamhati Samiti allege that the government is not providing tribal refugees/returnees with the complete package of benefits, which was promised in the peace treaty signed between the government and the PCJSS in 1997[3]. Allegations have it that the landless people are yet to receive land from the districts administrations, the government has not returned land to their original owners, many of those are women[4]. Even many families have not been provided free ration in the recent past.

II
EFFORTS BY THE GOVERNMENT

The Government's strategy for development of the rural sector is enunciated in a series of five-year plans. The Fifth Five-Year Plan (the Plan), for fiscal year (FY) 1998-2002, identified the following objectives for development of the rural sector: (i) poverty alleviation and improvement in the quality of life for the rural poor through increasing their income generating and employment opportunities; (ii) empowerment of the rural poor through increasing their access to productive resources; (iii) attainment of food security; (iv) development of rural infrastructure, including market outlets, for improved marketing of rural products within and outside the locality; (v) development of neglected areas including the CHT; (vi) closing of the gender gap by giving priority to women's education, training, and employment, and providing special support for education of girls; and (vii) putting in place of effective local government institutions with the responsibility

3 Jyotirindra Bodhipriya Larma, *The CHT issue and its solution*. Rangamati: PCJSS, 2003.

4 Eshani Chakraborty , *Understanding women's mobilization in the Chittagong Hill Tracts struggle. The case of Mahila Samiti*, paper presented at the 15th Biennial Conference of the Asian Studies Association of Australia in Canberra 29 June-2 July 2004.

for design, formulation, and implementation of local-level development programs and projects, with the active participation of the rural population.

The government's strategy to achieve these objectives include (i) the provision of skills training for self-employment in the non-farm sector; (ii) formal and informal group formation and group development for cooperative activities; (iii) resource mobilization through individual/group savings; (iv) creation of an enabling environment for sustainable microfinance; (v) general rural infrastructure development including roads (and related bridges and culverts), small irrigation and flood control related infrastructure, and continued support for the rural maintenance program aimed at the poorest of the poor; (vi) land reform; and (vii) strengthening of local government institutions. The budget allocation in the current five-year plan for rural development is approximately Tk87 billion, more than five times the Tk16 billion provided in the previous five year plan. The majority of the budget (Tk56 billion) is allocated for infrastructure development. A major focus of the plan is local-level participatory planning and integration of the local-level development programs/projects with those at the national level. Capacity building of implementing agencies is also emphasized, and local government is to be closely involved in poverty alleviation and rural development. The plan also envisages a partnership between the public sector and NGOs, with the latter complementing development efforts of the former, and supports the development of microfinance through government and nongovernment credit agencies to increase income generating opportunities in the rural sector.

The government's plan identified three regions in the country, including the CHT, for special attention with development interventions aimed at, among other things, improving the region's infrastructure and telecommunication facilities, facilitating horticultural development, increasing the provision of safe drinking water, preventing further soil erosion, and expanding agricultural extension services. Ongoing efforts at reducing poverty in the CHT are limited to a group of public expenditure programs associated with

the development of rural infrastructure. These programs (including Food-for-Work, Vulnerable Group Development, and Rural Maintenance) serve both transfer payment and human capital accumulation objectives. Food-for-Work provides wheat in exchange for work on rural infrastructure projects, Vulnerable Group Development provides food grains and training to disadvantaged women, and Rural Maintenance employs destitute women in labor intensive rural road maintenance.

At present, the region's development activities are mainly implemented by the CHT Development Board (CHTDB) under the Ministry of Chittagong Hill Tracts Affairs (MoCHTA). CHTDB was created in 1976 and has carried out more than 1,000 schemes since then, which amount to a total of Tk2.8 billion ($57 million) including projects financed by external funding agencies[5]. The annual budget of CHTDB now amounts to about Tk500 million ($10 million). CHTDB's activities constitute about 60 percent of the total development activities in the region. Other projects and programs are being carried out by the hill district councils and sub district (called thana) administrations.

Till the Fifth Five-year Plan covering Financial Year 1998 to 2002, the Government allocated Tk 3.8 million for CHT, aimed at expediting socioeconomic development of the CHT Region as one of the priority development regions[6]. The provision of increased financial and human resources is planned for the CHT Region to support (i) better utilization of the existing health and educational facilities, (ii) improvement of transport and communications facilities, (iii) mineral resources development, (iv) expansion of agro-based processing industries, (v) provision of safe drinking water, and (vi) tourism development. The Government and local government councils had recognized the urgent need to initiate development projects and programs in the CHT Region, as a long delay in

5 Government of Bangladesh-Ministry of CHT Affairs, *A Report on the Problems of Chittagong Hill Tracts and Bangladesh Responses for Their Resolution*, Dhaka, 2001

6 Ministry of Chittagong Hill Tracts affairs, *Rangamati Hill Tracts*, September 15, 2003. Retrieved from http://www.bangladeshgov.org/mochta/

the implementation of development projects may disappoint the residents about the effect of the peace accord.

The Government agencies had also formulated preliminary project proposals for the region. By April 1999, the Government had about 40 proposals to be considered for public investment[7]. Against this background, the Government, external funding agencies, and NGOs concurred that a long-term development plan acceptable to all the concerned communities in the region is required to provide strategic direction for the region's development. According to this plan, the CHT was divided into 6 localities and the governmental agencies work in all of these.

At present, the activities of external funding agencies (UN agencies, International Organizations, Multilateral donors) relating to the CHT Region are being coordinated at meetings of a local consultative group set up by the government of external funding agencies in Bangladesh. There have been brief needs assessment studies which were carried out by the United Nations Development Programme. Because of the efforts of the government, some bilateral funding agencies commenced small-scale activities relating to health and sanitation in the CHT Region. The NGOs also help achieve the Government's special development objective to facilitate the socioeconomic development of the CHT Region, uphold the basic human rights of all the citizens in the region, and build their confidence in the effectiveness of the peace accord.

Another remarkable decision by the government recently is the decision to delegate the authority to oversee development in the Chittagong Hill Tracts (CHT) region to its regional council in line with the peace accord on the highlands. This was decided at a meeting of the cabinet committee on the CHT peace accord implementation headed by the Local Government and Rural Development and Co-operatives Minister Abdul

7 Daily Star, 21 November 2004

Mannan Bhuyian[8]. Meanwhile Moni Swapan Dewan, Deputy Minister for the CHT affairs and member of the committee , has said that "The regional council is supposed to oversee all development work in the CHT region, as the accord stipulates, but we need to sort out how the regional council would act"[9].

In the first week of June 2005, the government of Bangladesh decided to continue to provide "free food rations" to 28,000 Bengali Muslim plain settlers of the Chittagong Hill Tracts (CHTs). Many insiders feel that they were brought under the government sponsored transmigration programmes from 1978 to 1983. It is also accused that since 1978, the Bangladesh government has been providing free food rations to these plain settlers to sustain the conflict and make indigenous Jumma peoples a minority in the CHT and eventually destroy their distinct identities[10]. Initially, the Parbattya Chattagram Jana Samhati Samiti (JSS) demanded political autonomy. However, the demands of the JSS changed after the planned population transfers of the plain settlers altered the demographic composition of the region.

According to Moni Swapan Dewan, Deputy Minister of CHT Affairs, the government's proposal to provide free rations to the "new settlers" is nothing but 'to provide free rations to 65,000 plain settlers' families whom the government is reportedly planning to settle between Baghaihat and Majolong in Sajek Union under Rangamati Hill district and to those thousands of plain settlers who have already trickled into the CHT'[11]. It is reported that after the election of Wadud Bhuyan as Member of Parliament from Khagrachari district in October 2001, the settlement of plain settlers has increased exponentially.

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8 Public Opinion Trends Analysis and News Service, POT, Bangladesh Series, vol XXII, No.5, 26 March 2003, p. 19

9 The Bangladesh Observer, 15 June 2003

10 Public Opinion Trends Analysis and News Service, POT, Bangladesh Series, vol XXVI, No.7, 24 January 2004, p. 25

11 The Bangladesh Observer, 12 November 2001

The UNDP and Government of Bangladesh in their Joint Risk Assessment Report stated:

> The pervasiveness of poverty is also signified by the large number of Bengali families who have continued to receive rations since the 1980s. The number of households is currently 28,200, which at around 5.5 persons per family equals almost 140,000 persons or over 10% of the current population. On the spot checks reveal that many migrant villages in land constrained conditions, strive to receive rations, because no rice can be grown there. A question should be raised how long one can maintain some 10% of the population on rations. An inquiry should reveal whether local livelihoods are truly unsustainable and deserve long term food support and whether other solutions should be sought.[12]

The tribal people accuse that providing of free food rations only to the settlers who displace indigenous Jumma peoples from their lands is an act of racial discrimination as defined under Article 28[13] of the Constitution of Bangladesh and International Convention on the Elimination of Racial Discrimination to which Bangladesh is a party.

It is said that the government has not taken any affirmative programme for the backward section of citizens in the CHT. Though it should have been targeted towards the indigenous Jumma peoples who have been displaced from their homes, the government of Bangladesh provides free food rations only to the plain settlers[14]. However the government of Bangladesh and the Jumma Refugees Welfare Association signed three agreements - the 16-points rehabilitation package of 1994 and 20-points package of 9 March 1997, and 18 points package of 12 June 2000, to facilitate the return of the Jumma refugees. According to official statistics, 3,055 families out of the 12,222 Jumma refugee families have not been able to get back their dwelling houses, jum lands, mouza lands,

12 United Nations Development Programme, *Human security in Bangladesh: In search of justice and dignity*, 2002 ,Retrieved from www.un-bd.org/undp/CHT.pdf

13 Article 28 of the constitution of Bangladesh prohibits discrimination based on "religion, race, caste, sex or place of birth and allows the government to take "special provision in favour of women or children or for the advancement of any backward section of citizens."

14 In late July 2003, the Prime Minister's Office (PMO) of the government of Bangladesh directed the CHTs Affairs Ministry to suspend rice rations to 65,000 indigenous Jumma refugees but to provide free rations to illegal plain settlers' families in different cluster villages in the CHTs. However, due to the protest from the Jumma refugees, it was withdrawn.

and crematorium. Approximately 40 indigenous Jumma villages, six Buddhist temples of Chakmas and two Hari temples of Tripuras and one Buddhist orphanage are still in the possession of plain settlers and Army or Ansar forces in violation of the Article 17(b) of the CHT Accord.

III

STRENGTHENING THE LOCAL INSTITUTIONS

The institutional arrangements for the CHT differ significantly from the rest of Bangladesh[15]. The overall institutional setup for developmental interventions prevailing in the country do equally exist in CHT (elected bodies of people's representatives at two levels – Union and National level – along with the implementing line agencies at Upazila, District and National level), but along side there are a number of other institutions as well[16]. However there is a critical/urgent need to clarify the mandates and overlapping roles, responsibilities and authorities of the CHT institutions, both individually and in terms of an overall integrated institutional framework. While the political and democratic legitimacy and importance of establishing the CHT institutions is clear, their full significance as development institutions to serve the needs of the people needs to be further elaborated and realized. Most importantly, there is a need to clarify development visions and strategies for the CHT region[17], and within this context, to set out the role of each CHT institution in fulfilling these common development goals and frameworks.

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15 Raja Devasish Roy, *'Land Rights of the Indigenous Peoples of the Chittagong Hill Tracts'* (Dhaka: Aksant Academic Publishers, 2000), p.34, see also Amena Mohsin., *'The Chittagong Hill Tracts, Bangladesh: On the Difficult Road to Peace'*, International Peace Academy Occasional Paper Series (London: Lynne Reinner Publishers Inc., 2003), pp. 122-131.

16 Statement by Udvasan Chakma, Secretary for International Affairs, Hill Student Council (PCP), Chittagong Hill Tracts, 2003. Retrieved from www.unpo.org.

17 Jumma Peoples Network, "Bangladesh: The Chittagong Hill Tracts" in *The Indigenous World 2004*, (Copenhagen: IWGIA, 2004), pp.290- 301.

Unlike the rest of the country, following the overturn of military rule in the early 1990s the old District Councils *(known as Hill District Local Government Councils in the CHT)* were never dissolved[18], but were instead re-instated in a slightly different form (i.e. Hill District Councils—HDCs) after the Peace Accord of 1997. The Peace Accord is also responsible for the creation of two new institutions - CHT Regional Council (RC) and Ministry of Chittagong Hill Tracts Affairs (MoCHTA). The Chittagong Hill Tracts Development Board (CHTDB) was established in 1976 for undertaking developmental works in the region. With the signing of the Peace Accord, it was to be brought under the supervision of the RC as its development wing. And in addition to the above institutions, the CHT has a traditional structure of Circles based on the customs of the local indigenous groups with Circle Chiefs or Rajas, and Headmen at Mouza and Karbaries at village levels.

All these have resulted in a large number of separate layers of institutional mechanisms for delivering development services to the people. In addition to this multiple-layer complexity, there is an absence of clear operational rules and administrative frameworks for most of these institutions[19]. For example, the supplementary rules and regulations as well as the administrative orders essential to activating government institutions such as the Regional Council, are still to be elaborated/approved by the Government. As a consequence, the mandates and authorities of the respective CHT institutions tend to overlap considerably, leading to inter-institutional confusion and differences that, in the end, greatly hampers smooth delivery of relevant services to the people.

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18 Jyotirindra Bodhipriya Larma, 'The CHT issue and its solution' (Rangamati: PCJSS, 2003), p.___., see also Jumma Committee for International Campaign, *Harrowing genocide in Chittagong Hill Tracts*, 1999, Retrieved from **http://www.angelfire.com/ab/jumma/index.html**

19 Amena Mohsin., '*The Chittagong Hill Tracts, Bangladesh: On the Difficult Road to Peace*', International Peace Academy Occasional Paper Series (London: Lynne Reinner Publishers Inc., 2003), p.111. see also William Van Schendel *et al*, 'The Chittagong Hill Tracts: Living in a Borderland' (Dhaka: The University Press Limited, 2001), p. 14

As a result, the core triad of CHT institutions that have been devised to respond to the specific needs of the CHT people (MoCHTA, RC and the three HDCs) are still to realize their full potentials as development agents[20]. In all the three cases, there is still a wide difference between what they are meant to perform and what they are actually doing. These differences tend to create frustrations in the minds of the office-bearers of the concerned institutions, and to limit their effectiveness in facilitating and supporting development.

Government's resolve to strengthen Union Parishad:

Empowerment of local government institutions will remain a far cry if people's participation is not ensured in development activities. Union Parishads (UPs) are such institutions at the grassroots level where people's participation in uplift activities is not at all encouraged. Local Government Division of the Ministry of Local Government Rural Development and Cooperatives has announced the implementation of local Governance Support Project (LGSP). This is a five-year project to start from July 2006. Total budget of the project is taka 1421 crores (US$ 206 million) of which GoB will provide Taka. 541 crore ($ 78.4 million), World Bank Taka 769 crore ($111.5 million) and UNCDF/UNDP and European Commission taka 111 crore ($16 million).

The objective of the project is to promote the mandate and responsibilities of the Union Parishad (UP) by increasing financial resources available to them and enhancing their capacity to meet the priorities of the community, and at the same time empower the community to hold UP accountable. As envisaged, the government is committed to decentralization and strengthening of local government, and is developing strategies of Local Governance by undertaking different pilots. The government has already introduced Block grant of taka 2 lac for each Union Parishads in 2004. Now development

20 Bushra Hasina Chowdhury, 'Building Lasting Peace: Issues of the Implementation of the Chittagong Hill Tracts Accord', Program in Arms Control, Disarmament, and International Security, (University of Illinois at Urbana–Champaign), August 2002, p.32.

partners have come forward and supporting government initiative, which includes expanding incentive based block grant to well performing UPs, enhancing UPs accountability to communities and improving the public expenditure monitoring system.

The government received a approval of US $ 111.5 million credit from the World Bank for supporting a programme to develop an accountable local governance system for the Union Parishads (UPs). Under this system, the Union Parishads will better respond to the community needs and deliver services through a transparent fiscal transfer system. Bangladesh's Poverty Reduction Strategy Paper (PRSP) has identified community participation and oversight as an important element for strengthening the local governance. The Government has already taken important steps, particularly through introduction of the Union Parishads block grant from 2004. During the Poverty Reduction Strategy Implementation Forum in November 2005, the government and the development partners committed to support the expanded accountability of local governments. Accordingly the Local Governance Support Project (LGSP) in its first year will focus on capacity building of the Union Parishads, particularly regarding financial management and procurement.

After this capacity building period, the UPs will receive additional fiscal transfers through the government's block grant system. It is said that this new initiative would increase equitable distribution of financial resources to the Union Parishads in many provinces including the CHT. It will also strengthen local governments' ability to respond to the community development priorities, and build the capacity of Union Parishads to undertake strategic planning and design, and also to manage scheme implementation. Alongside the block grants, a safety net programme for the rural poor in CHT has also been piloted through its Union Parishads.

World Bank Country Director Christine Wallich noted that expanding the block grant programme of the government provides an important and strategic opening to

strengthening local governments and catalyzing the emergence of an effective system of local governance. The emergence of effective local governments can create space for broader political participation and bring with it a chance for greater accountability of the state to citizens. According to her, the project draws on the government's own framework as well as pilots such as the CHT Local Government Development Project funded by the United Nations Capital Development Fund (UNCDF) and Tangail Rural Development Project funded by the Japanese Government.

However it is seen that the Upazila Development and Co-ordination Committee (UDCC) distributes the amount to Union Parishads. The directorates of the Ministry of Local Government are authorised to submit the development planning, according to the procedures of ADP allocation. Development planning for Union Parishads is formulated according to the recommendations of the administration. This is contrary to Union Parishads' autonomy; however, as the allocation is made indirectly while the central government and its agencies play an important role in the total process. The criteria for allocation are based on three factors at the upazila level: population, area and backwardness. As there is no elected people's representative in the upazila, the administrative department of the government controls the distribution process. The problems involved in the procedure are as follows. The entire amount comes to the UP in three or four instalments. This creates an obstacle in proper development planning and its implementation since Union Parishads remain unaware about the actual amount, resulting in their improper planning. The absence of elected representatives in upazila leads to a tendency of bureaucratic and political intervention in allocation of funds. People's priorities are ignored and Union Parishads show less interest in participatory planning.

The question remains as to how the government of Bangladesh utilizes the funds spent for the development programmes. While there is no concrete information, it is possible that funds of the United Nations Specialised Agencies and many multi-lateral and bilateral donor agencies support the programmes which only favour the plain settlers.

IV

TRADITIONAL INSTITUTIONS: STRUCTURE AND FUNCTIONS

Alongside, MoCHTA, RC and HDCs, the Traditional Institutions and Leadership are to play a special role in terms of land and revenue matters in the CHT. The Circle Chiefs, together with the Headmen are to be consulted on matters affecting land and revenue administration of the region, although in practical terms, these provisions have been largely ignored during the periods following the independence of Bangladesh[21]. Apart from the above functions, the Chiefs (and to a lesser degree also the Headmen) have the judicial authority of trying cases that are not of a criminal nature, with the power of a magistrate. Following the Peace Accord, subsequent legislation has provided due recognition to these authorities of the Circles Chiefs (and also the Headmen). The traditional institutional arrangement in the CHT is comprised of the Circle Chief, Mouza[22] headman and village Karbari. Based upon centuries-old practices, it provides critical leadership, often acting as "custodian and repository"[23] of the traditional "social system/values"[24] of the indigenous communities. Alongside, it is entrusted, by law, with important public duties on land and revenue administration, protection and management of natural resources of the mouzas, administration of tribal judicial system and the provision of advice to the government authorities.

With the colonization of the region by the British in the late 18th century, the latter subordinated the role of these institutions to overall British supervision and defined the powers and functions of the Chief and Headmen. From the late 19th century onwards,

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21 Independent, 20 March 2004

22 A **Mouza** in the plain districts only denotes a revenue unit. In the CHT, it is, in addition, an administrative unit comprising of several villages under a Headman. A mouza can be multi-ethnic.

23 Bushra Hasina Chowdhur, 'Building Lasting Peace: Issues of the Implementation of the Chittagong Hill Tracts Accord', Program in Arms Control, Disarmament, and International Security (Ilinois: University Press, 2002), p. 3

24 ibid.,

there were several regulatory laws and executive orders culminating in the Chittagong Hill Tracts Regulation Manual 1900, popularly known as CHT Manual 1900 which still remains as the basic regulatory law for the administration of the region. Other important laws on administration include Hill District Council Acts 1989 and the subsequent amendments and Chittagong Hill Tracts Regional Council Act 1998.

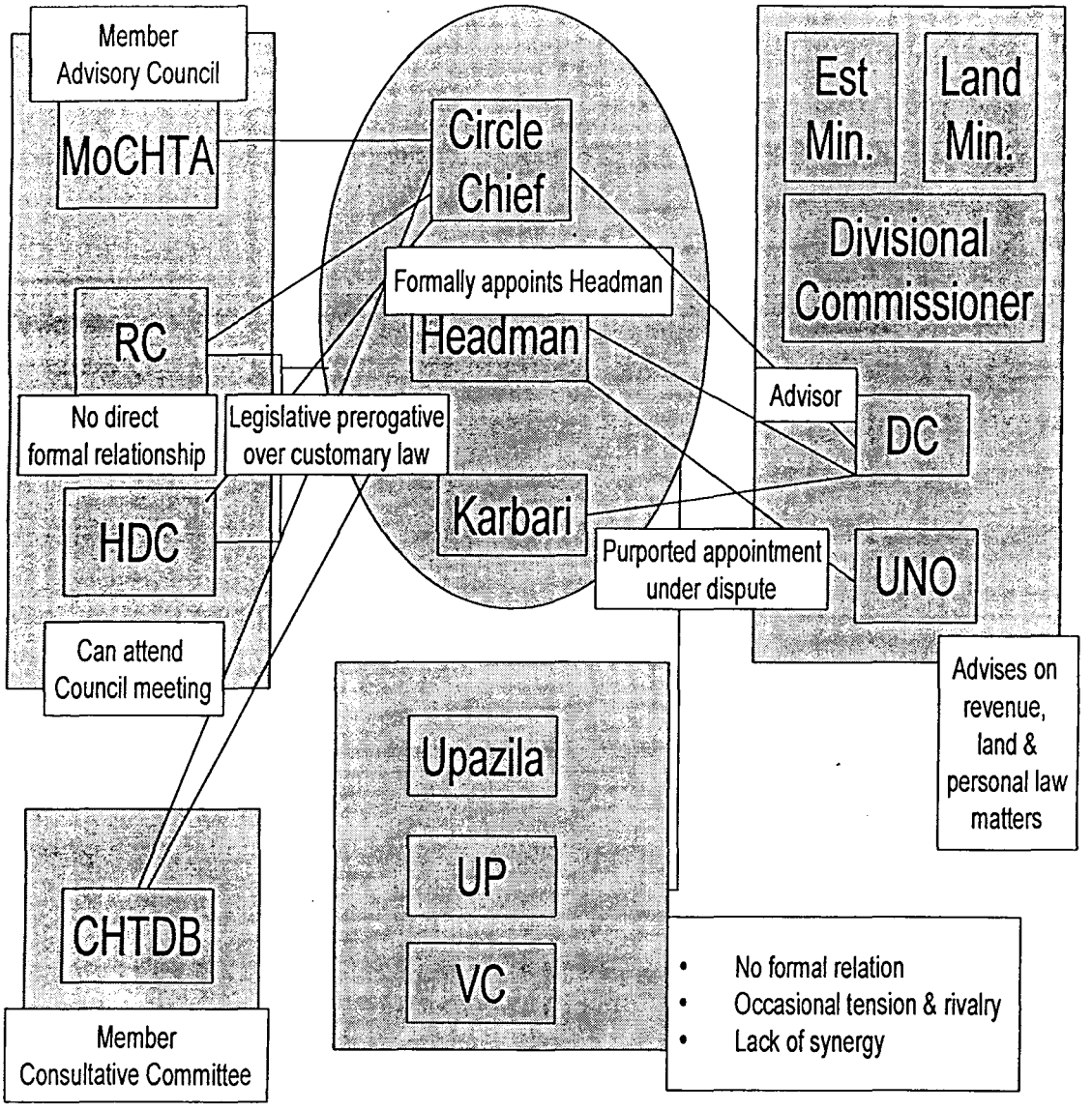
As described above, the system is based on a three-tier authority, at its top being the **Circle Chief**. At present, there are three Circle Chiefs in the CHT, the Bohmong, the Mong, and the Chakma. Unlike in the case of the Chakma Chief, the designation of the other Chiefs does not denote names of a people or a tribe but the personal title of the Chief concerned. For example, the Chakma Circle Chief is not the Chief of only the Chakmas, he is the Chief of all the subjects who live under the Chakma Circle.[25]

The geographical boundary of each Circle does not exactly follow the boundaries of the districts but on the whole, the Chakma Circle is coterminous with the Rangamati district, the Bohmang Circle with the Bandarban district and the Mong Circle with the Khagrachari district[26]. The position of the Circle Chieftainship is hereditary, with succession usually passing from the father to the son in the case of the Chakma and the Mong Chief and to the eldest and the fittest of the royal family in the case of the Bohmong Chief. A woman member can also succeed in the position of Chieftainship under certain circumstances – usually when there are no male heirs.

25 South Asia Forum for Human Rights. (2000, April). *Peace process in Chittagong Hill Tracts*. Retrieved October 21, 2003, from **http://www.safhr.org/pdf/E_new2.pdf**

26 Public Opinion Trends Analysis and News Service, POT, Bangladesh Series, 3 June 2003, p.1543

Institutional Setup in Chittagong Hill Tracts



Source: United Nations Development Programme, Bangladesh

The principal responsibilities of the Circle Chief are the following:[27]

1. The Circle Chiefs act as advisory council to the Deputy Commissioner. They assist the Deputy Commissioner with information and advice on administrative matters of their Circles. *In keeping with this advisory role, S/he also sits as member in the Advisory Council of i) the Chittagong Hill Tracts Development Board ii) Ministry of Chittagong Hill Tracts Affairs and iii) CHT Land Commission. They can also attend the meetings of the HDCs within their concerned Circles.*
2. *Circle Chiefs are entrusted with the implementation of the government's orders and directives in the Mouzas of their Circles.*
3. He ensures training of the Headmen in matters related to revenue collection, maintenance of peace and order, welfare-oriented programs etc. under his personal supervision.
4. Circle Chiefs promote education, health service and material development of the people.
5. He settles issues/disputes referred to him by the Headmen as and when necessary. In the CHT, civil and criminal cases are not many as disputes are settled locally by the Circle Chiefs.
6. Circle Chief can impose a fine of upto Tk. 50 *(not revised since British period).* They can put under detention an offender until an order of the Deputy Commissioner is received. The Circle Chief can distribute the money realized from fines to the aggrieved persons according to the prevailing social customs.
7. He is responsible for collection of revenue and depositing the same to the treasury after deducting his and Headman's share as per prescribed rates.
   (Source: CHT Regional Development Plan by ADB, 2001)

Below the Chief, the Headman, apart from her/his role as revenue collector within the Mouza, also plays vital roles in matters related to customary laws, resolving local level

27 Public Opinion Trends Analysis and News Service, POT, Bangladesh Series, 6 March 2001, p.2876

disputes and maintaining of law & order inside the Mouza. The position of the Headman is usually hereditary with no bar for a female member inheriting it[28]. The position of Headman is not necessarily based on ethnic affiliations. In fact, a few Headmen belong to the non-tribal community. In earlier days, when the Raja (Circle Chief) were sovereign over his territory, the Headman used to be appointed from the family which was conferred the title of *Dewan*. The Dewans were like feudal lords in their area. Since the later part of the British rule, the Headmen are nominated by the Circle Chief and appointed by the Deputy Commissioner. There is no Tahsilder (a revenue officer in the Sub-registrar's office) in CHT.

The main specific functions of the Headman may be briefly stated as follows[29]:

1. Collection of land revenue and depositing the same to the Government treasury; he collects Jhum tax from Jhum families;
2. The Headman is also responsible for looking after the land within his Mouza. He is supposed to keep land records. In matters of settlement, transfer, purchase or sale of landed property, his consent is required.
3. S/He prepares Jhum *Touzi* annually and submits the same to the Circle Chief. Jhum Touzi refers to a statement containing some information relating to Jhum families and payment of Jhum tax etc;
4. S/He provides assistance in land disputes, survey, lease and transfer of Government land;
5. Settlement of minor civil and criminal disputes; Settlement of disputes brought to him by the people of the Mouza to ensure justice following the prevailing social norms and customs. He can impose a fine of upto Tk. 25;

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28 Public Opinion Trends Analysis and News Service, POT, Bangladesh Series, 11 September 2003, p.143

29 Asian Development Bank, 'CHT Regional Development Plan', Annual Report 2002. Retrieved from www.adb.org/bangladesh/cht development

6. Maintenance of law and order and assisting administration and police in prevention of theft and other crimes.
7. Protection of forest and other resources;
8. Communicating Government directives and policies to the inhabitants of the Mouza;
9. Regulation of Jhum cultivation and cutting of bamboos and other trees;
10. Maintenance of ferry ghats.

There are Headmen Associations in each of the three Circles. These work as a collective platform for relevant advocacy and lobbying. Situated at the lowest of the tier, the Karbari is the head of a village/community. S/he assists the Headman in all relevant matters. S/he also arbitrates (along with other village leaders) disputes among the communities. Similar to Circle Chief and Headman, the position of Karbari is also substantively hereditary[30]. The three circles are divided into 373 mouzas and 4,103 para/villages. These are usually geographically larger than the similar units in the plain districts but have fewer inhabitants. Of the three Circles, the Chakma Circle is the largest in terms of geographical area. It covers part of Khagrachari district and almost the entire Rangamati district.

Problems Faced by the Traditional Institutions:

Despite their formal recognition by the public authorities and their presence among the CHT communities, the CHT Traditional Institutions and Leaderships are crippled by diverse problems. The most common and important are:

i) Inadequate knowledge in legal matters and about their respective duties and responsibilities. This problem is all the more compounded by the absence of

30 Public Opinion Trends Analysis and News Service, POT, Bangladesh Series, 19 October 2004, p.154

information on essential laws and administrative orders in easily understandable format.

ii) Lack/absence of awareness about the administrative role of the Traditional Institutions and Leaderships among government officials in particular;

iii) Inadequate formal education;

iv) Poor financial benefits (low monthly honorarium);

v) Absence of support staff; staff is required for inspection of land and fixation of lease land; It may be mentioned that the Headman is assisted by the Karbaris who represent a village/para; The Karbaris are regarded as Gram Pradhan (Village Chief). A Karbari receives, however, only 200 taka per month.

vi) Opinions of Headmen/Karbaris are not obtained/taken by DCs before granting lease of land and issuing permit;

vii) Advice not taken during allotment/acquisition of land by the government;

viii) The Traditional Institutions and the Headmen in particular, are not always involved in development activities within the Mouza. All government development initiatives are done/channeled through the UP Chairmen and Ward members but when something goes wrong, the Headmen and the Karbaris are often blamed.

ix) Declining regard of the Government/Administration to the Headmen.

x) No or inadequate training for the Headmen and Karbaris

xi) Lack of office accommodation

xii) Low priority provided to capacity building of headmen/karbaris in mainstream development issues and programs.

Despite serious disruptions over the past decades, the various traditional institutions such as Circle Chiefs, Headmen, Karbaris, etc. still have a preponderant influence in the life of the CHT communities. Now following the Peace Accord - which also explicitly recognizes these *institutions* - and with the initiatives of various development partners in support of developmental interventions for CHT, it would seem timely and appropriate to

explore how these traditional leadership/institutional arrangements could be a facilitating conduit for achieving the results of these development interventions.

Being deeply interwoven and embedded into the fabrics of the CHT communities and also often being the only representative of the government present at the lowest level of the grassroots communities, the traditional leaders and institutions can be considered as "legitimate representatives"[31] of the CHT peoples and communities. Despite their important role among the CHT communities, it is still to receive due recognition from the relevant stakeholders, especially the government. The Traditional leaders and institutions face a number of problems in properly carrying out their duties and responsibilities. Although, these problem are varied in nature, they can be broadly summarized with the following:

(1) logistics and other equipment – most of the traditional leaders at the lower tiers do not have the requisite logistics and other necessary equipment that could greatly facilitate in delivering their responsibilities efficiently

(2) *Capacity building and other human resources development initiatives* – in most cases the traditional institutions are not sufficiently aware of their full role and responsibilities and also many of them do not have formal educational backgrounds

(3) T*here is a general lack of various materials,* e.g. Compendium on Customary Laws, that could be used for capacity building of the traditional leaders.

Donors can be a vital support group for building the capacity of the traditional institutions and leaders. They can provide the requisite supports in this regard by:

31 Mohammed Huq, 'Government Institutions and underdevelopment: a study of the tribal people of Chittagong Hill Tracts, Bangladesh' (Dhaka: University Press, 2000), p. 21

1) supporting with necessary resources and

2) supporting in different advocacy & lobbying initiatives.

IV
CONCLUSION

In this chapter we have tried to prove that the CHT Peace Accord remains the overarching reference towards initiating any efforts for the capacity building of the Traditional Institutions in CHT. The Peace Accord is not a political document, it is the minimum guarantee for the survival of the indigenous communities of the CHT with their own distinct culture, traditions and heritage. On the implementation of Peace Accord, both sides have taken action on the Peace Accord – although the Indigenous people have done relatively more than the government. The Indigenous people have done all that they can do directly to enact the Peace Accord they have fulfilled their end of the bargin (P. Chakma, personal communication, March 9, 2006). The Indigenous people have laid down their arms, although they were in the end enticed to do so with a money reward and a promise of amnesty. There is indirect action that the Indigenous people have started to do by bringing attention to the lack of action taken by the government – they have been holding demonstrations and hartals lately. The government however can do much more to act on their part of the accord. The government of Bangladesh has given the Indigenous people a district council, regional council and a ministry in the government; the district councils consist of a chairperson (tribal) a number of tribal and non-tribal members and some women members (tribal and non-tribal). The next scale up from the district councils is the regional council, which has power over all three districts; the Regional Council is in charge of land, law, development, and finance. The next step up in the governmental chain is the Ministry of Hill Tracts affairs; this branch of the government is in charge of the administration and development of the CHT overall – this is a government set up that no other region in Bangladesh has (M. Heyn, personal communication, February 26, 2006), however the government must still pull out the military from their temporary

camps and put them into garrisons, and repatriate the refugees currently in India (P. Chakma, personal communication, March 9, 2006). The government must take much more action on the Peace Accord while the only thing the Indigenous people can do is continue to bring attention to that fact that nothing is being done. Meanwhile foreign aid agencies develop and donate their help to try to make Bangladesh a better place (P. Chakma, personal communication, March 9, 2006).

This chapter has also identified the problem faced by the traditional leadership and institutions, one of the most vital being lack of resources. However the traditional institutions play a very important role with regard to the land management, forestry and conservation of natural resources. Probably, no other institutional stakeholder in the region has as deep an understanding on the above matters as the traditional institutions. This chapter opines that despite their proximity with the people and understanding of the intricate nature of the different problems in the CHT, the traditional institutions are seldom consulted and involved in the relevant processes by the government.

CHAPTER IV

THE ROLE OF NON GOVERNMENTAL ORGANISATIONS AND INTERNATIONAL COMMUNITY

In the course of the 1990s the international community pledged over USD 100 billion in assistance to conflict resolution and peacebuilding in 30 to 40 countries. This has had some positive results, but there is still a large gap between the UN Charter's vision of peace and what many countries are in fact experiencing. The international community seems more willing to cover some of the enormous costs of violent conflict than to do what is necessary to prevent them and lay the foundation for lasting and sustainable peace. The sums that have been allocated are far smaller than those that were pledged, planning and coordination of efforts have seldom been adequate and efforts have frequently not been sustained. Peace has deteriorated into conflict in far too many cases. The purpose of participating in international conflict management is not merely to prevent or put an end to hostilities and to help victims. The overriding goal of the international community is to contribute to the achievement of lasting and sustainable peace within and between states. When peace efforts succeed, this is usually the result of a combination of political initiatives, humanitarian assistance and long-term economic development co-operation. This means that a coherent foreign policy must be pursued towards conflict-affected countries and regions, with development policy as an important and integral element.

In the case of Chittagong Hill Tracts, apart from the governmental institutions, there are Non Governmental Organisations (NGOs) and other external actors that help in rebuilding the society in the hill tracts. The NGOs include the local indigenous NGOs and National NGOs. The External actors include donor countries, international organizations, UN and multinational companies.

National NGOs:

In Chittagong Hill Tracts the nongovernmental organizations (NGOs) are doing more peacebuilding activities than governmental agencies. They have a long-term presence in many of the areas of the hill tracts which are afflicted with continuing intractable conflicts and are in a position to engage in a wide variety of peacebuilding activities. This has led to a tremendous increase in the number of NGOs. The official report of the government has noted the increase in the proliferation of NGOs in the region from 97 NGOs in 2000, 145 in 2002 to 192 in 2004. As a result, while there are a good number of NGOs with divergent interests working in the region, most of them are just evolving and gaining experience. This is particularly true of the local indigenous NGOs who have been able to start their activities only during the last three years. This fact is all the more important given the need for gigantic reconstruction and other developmental work in the region[1]. Because most of the NGOs are involved in works relating to development, relief and advocacy, which are of direct and visible benefit to the people, they have achieved a high degree of good will in the region. In addition, many of the NGOs have skilled personnel who can intervene in conflict situations creatively in order to bring resolution. This fact has been recognized by the United Nations as well as international funding agencies like the World Bank who now bank upon the resources of NGOs for conflict resolution, particularly in areas like early warning, reconciliation, and peace building.

The involvement of the NGOs—particularly the local indigenous NGOs—is crucial and it helps by addressing meaningfully the development projects. Moreover, many of the indigenous peoples feel that their frustrations, problems, and aspirations cannot be truly addressed by organizations from the outside because of the particularity of the problems—ethnic, social, cultural, geographic, religious, etc. Such worries have already been raised on several occasions. It has also been indicated that the bureaucratic and administrative rigidity of the large national NGOs may not be appropriate to the

[1] Jumma Peoples Network, "Bangladesh: The Chittagong Hill Tracts" in *The Indigenous World 2004,* (Copenhagen: IWGIA 2004), 290- 301.

particularity of the CHT peoples. So, the genuine participation of the indigenous peoples and their representative organizations can be ensured in any development process.

Some 100 non-governmental organisations operate in the health, nutrition, and population sector in the CHT, working mainly in supervising microcredit and women's empowerment programmes. Despite their recent existence and small size, it is rightly argued that the indigenous NGOs represent many of the genuine concerns, voice, and aspirations of the indigenous peoples of the CHT— especially in matters related to institution building and development activities. Another point to be observed is the development of the local indigenous NGOs in the CHT following the path of their predecessors at the national level and, starting with small-scale relief and rehabilitation operations and growing into larger service delivery and/or social-mobilization organizations. It is generally stated that in a country that is divided along the lines of political affiliation, voices of moderation are one of the most precious things to be nurtured.

The Hill Tracts NGO Forum:

The Hill Tracts NGO Forum (HTNF) was founded in 1999. It is an association of NGOs that are composed of and run by permanent residents of the Chittagong Hill Tracts (CHT), including both indigenous inhabitants and long-time Bengali-speaking residents[2].

[2] Adivasi Unnayan Kendra (CIPD), Anannya Kallyan Sangathan (AKS), ASHIKA, Ashroy-Angan, Association for the Livelihood of the Origins (ALO), Bangladesh Rural-Agriculture Progressive Association (BRAPA), Boli Para Nari Kallyan Samity (BNKS), Borgang Nari Association (BORNA), Eco. Development Organization (Eco-Dev), Community Advancement Forum (CAF), Community Development Foundation (CDF), Family Development Foundation (FDF), Global Mission , Gram Unnayan Sangathan (GRAUS) , Hill Blind Welfare Association (HBWA) , Hill Research & Development Program (HRDP) , Hill View Foundation (HVF) ,Hilly Homes, Hope Bridge,Humanity Welfare Association (HWA) ,Indigenous Multiplex Development Organization (IMDO) , Indigenous People Development Center (IPDC) , Jum View Foundation (JVF) , Jumbi Mohila Kalyan Samity (JMKS) , Jumchab Metta Foundation (JMF) ,Juno Pawr, Kabidang , Kapo Seba Sangha (KSS) , Khagrapur Mohila Kalyan Samity (KMKS) , Madhyam Latiban Bahumukhi Kalyan Samity (MLBKS) ,The Moanogharians , Milanpur Mahila Samiti ,Mro-chet, Mubachari Sramajibi Mahila Kalyan Samity (MSMKS) , N.Z Ekhata Mohila Samity, Organization for Integrated Social Development (OFISD), Parbatya Bouddha Mission (PBM) , Parbattya Jumia Punarbashan "O"Paribesh Sangrakkhan Sangstha (PAJURECO) , Parbattya Palli Karma Sahayok Foundation (PPKSF) , Parbattya Palli Unnyan Sangstha (PPUS) , Parbatya Samaj Seba Foundation (PSSF) ,Pera Chara Mohila Kalyan Samiti (PMKS) , Pratysa, Protibandi Kalyan Sangstha (PROKOS) , Rangamati Development Associates (RDA) , Rurowa Laue

The HTNF was established to coordinate and strengthen the activities of local NGOs and to help ensure that development activities in the region are carried out in accordance with the rights and needs of the CHT peoples, and their culture, traditions and beliefs.

HTNF is committed to fostering peace and people-oriented development in the region. It seeks to play an active role in the development process through its member NGOs. However, it is equally committed to ensuring that the development role of other 'actors' is in conformity with the wishes and aspirations of the people of the CHT, and is carried out in a transparent, participatory and accountable manner. HTNF seeks to bring about an effective and respectful partnership between the CHT peoples and communities and concerned government agencies, NGOs, development planners and the general public at large.

The Hill Tracts NGO Forum has a strong network of member NGOs, and their development partners that would help in the development process, and to give due importance to the following matters:

1. To ensure that all development programmes in the region be conducted in a manner that is consistent with the culture and the basic and fundamental rights of the indigenous peoples and the long-term Bengali residents of the region;
2. Since the CHT region has been neglected for a long period regarding its development, and since resources available to be mobilised for development are limited, the relatively disadvantaged and underprivileged section of the CHT residents should be identified on a priority basis for inclusion in development programmes, rather than to include those who receive education, health care, food grain and other welfare benefits from the government on a

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Tathang (RLT) , Sangbi Mahila Kalyan Samity (SMKS) ,Social Advancement Society (SAS) , Survival, Tah Zing Dong , Tarum Development Organization (TDO) , Taungya , Thang Zhang , Toymu , Trinamul Unnayan Sangstha, Valedi Multiplex Social Welfare Association (VMSA) , Welfare Association (WA) , Zabarang Kalyan Samity (Zabarang) , Ananda Nagar Mohila Samity, Chittagong Hill Tracts Human Resource Development Organization. (CHT-HRDO) , Chetana Shisu Sadan (Chetana) , Dev. Service Association (DSA) , Ethnic Poor Advancement Committee (EPAC) , Hillahily Development Foundation.

regular basis and without difficulty. In particular, people from the categories mentioned below should be given priority:

- India-returned Jumma refugees;
- Internally displaced indigenous people;
- Jana Samhati Samiti returnees and their families;
- Indigenous and Bengali people affected by the Kaptai Dam;
- Jum (swidden) cultivators;
- Indigenous inhabitants of the Reserved forests;
- Members of the indigenous peoples with small populations;
- Indigenous peoples that are relatively disadvantaged and underprivileged.

3. To ensure transparency and accountability in all development programmes of national and international development agencies in the Chittagong Hill Tracts, and to ensure that local institutions and organizations are involved in such programmes as participants and stakeholders;
4. To ensure all development programmes of national and international development agencies in the Chittagong Hill Tracts, comply with and adhere to the principles and provisions of all national and international laws, declarations, treaties, conventions, covenants, agreements, accords and other instruments concerning the rights of indigenous peoples.

International NGOs :

The presence of International NGOs in the hill tracts is hardly a new phenomenon. The International Committee of the Red Cross has cared for the victims of conflict situations for some time. More recently, a number of international humanitarian organisations like Care International, Oxfam, ActionAid among others have been highly visible players in coping with disasters. What is different about the human rights NGO activism in zones of conflict is that many groups are now playing a leading role in trying to defuse nascent or full blown conflicts, as opposed to just cleaning up the human suffering that results. These INGOs have developed a wide range of conflict prevention and resolution

activities including monitoring conflict and providing early warning of new violence; opening dialogue between adversarial parties; playing a direct mediating role; strengthening local institutions for conflict resolution; and helping to strengthen the rule of law and democratic processes in the region[3]. A distinction should, perhaps, be drawn between the role of giant international organisations with large bureaucratic structures suited to channelling aid from outside government and non-government sources, which, now predominate in the development world, and that of the smaller bodies which are more common in peacebuilding.

International NGOs involved in peacebuilding are generally concerned with building the local capacity for change. They are not dictating terms but trying to support what is needed locally by identifying and helping people and groups who are trying to fulfil these needs. The local groups identify what action is required, and the INGOs attempt to raise the necessary funding, as well as supporting the action in other ways, for example through training, technical advice or 'solidarity'. Like development INGOs, they have had to become more professional and more bureaucratic in recent years, to respond to the demands of funders for the 'correct' paperwork for funding applications and progress reporting. Indeed, this burden is arguably greater for them because they tend to be smaller.

International Organisations and Donor Governments:

Donor countries generally give aid because it is in their own interest to do so. Undoubtedly some aid is given with humanitarian motives in mind; however, most foreign aid is given for variety of political, strategic and economic reasons that benefit the donor countries in the longer term. In the case of CHT, the aid is given basically on humanitarian grounds[4]. The Donor governments have so far continued to give huge

[3] Bhatia, Michael., "Post-conflict Profit : The Political Economy of Intervention", *Global Governance* (London), no.11, 2005, pp.205-224

[4] World Bank, 'Global Monitoring Report 2005: Strengthening Mutual Accountability - Aid, Trade, and Governance', January 2006, p. 45.

amounts of aid to the Government of Bangladesh, while they go no further than expressing 'concern' about the situation in the CHT when they meet the Bangladesh government leaders and officials e.g. during the annual Bangladesh Aid Consortium meeting, held in Paris each April[5]. It is often accused that none has considered taking more concrete action such as making continued aid to Bangladesh conditional on a speedy solution to the CHT crisis, or applying cuts in the aid disbursed, despite questions raised in some of their national parliaments6. Recently, the European Union has expressed its willingness to fund withdrawal programmes of the Bangladeshi settlers from the CHT, but EU is fully continuing its other aid programmes in Bangladesh[7].

In Chittagong Hill Tracts the following countries provide developmental aid through their agencies. They are : Australia - Australian Agency for International Development (AusAID) ; Canada - Canadian International Development Agency (CIDA); Denmark - Ministry of Foreign Affairs: Development Policy Section; European Union - European Commission: Development Directorate-General (AfD) ; Germany - Federal Ministry for Economic Cooperation and Development; Japan - Ministry of Foreign Affairs: Official Development Assistance ; New Zealand - New Zealand Agency for International Development (NZAid); Netherlands - Ministry of Development Cooperation; Norway - Ministry of Foreign Affairs: International Development Program ; Sweden - Swedish International Development Cooperation Agency (SIDA) Switzerland - Swiss Agency for Development and Cooperation (SDC); United Kingdom - Department for International Development (DFID)

Some of the international organizations, providing assistance to the development on Chittagong Hill Tracts are - Asian Development Bank , European Bank for

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[5] United Nations, Economic and Social Council Commission on Human Rights, Sub-Commission on Prevention of Discrimination and Protection of Minorities, Working Group on Indigenous Populations, GENEVA, 26-30 July, 1993. This article can be reached at http://www.cwis.org/fwdp/Eurasia/un-jumma.txt.

[6] The Daily Star, 23 November 2003

[7] *Public Opinion Trends Analyses and Services*, Bangladesh Series, vol XXII, No.4, 5 January 2002, p. 19

Reconstruction and Development, International Bank for Reconstruction and Development (IBRD: The World Bank), International Organization for Migration (IOM), United Nations (UN), United Nations Children's Fund (UNICEF), United Nations Development Programme (UNDP), United Nations Environment Programme (UNEP), United Nations High Commissioner for Refugees, World Food Programme, World Health Organization (WHO).

This raises a fundamental question for donor agencies and humanitarian organisations working in Chittagong Hill Tracts: Can projects help people recover what they lost without increasing antagonism between adversaries? This is the key to peacebuilding - focusing assistance, and the mechanisms for providing it, in ways that increase long-term understanding and mutual interdependence between the opposing communities. That means establishing methodologies, mechanisms and working procedures that create or develop connectors between communities as they improve the life of the communities and their members. For example, UNDP has a large, successful seed multiplication programme for the CHT[8]. Beyond its immediate impact, it has connected farmers from different backgrounds and geographical areas across the country.

The joint UN-Government of Bangladesh Mission on 'Promoting Economic Opportunities in CHT', has submitted its final report recently9. The report was the outcome of the assessment after completing a two-month survey in three hill districts- Rangamati, Bandarban and Khagrachhari. The joint team comprising seven other UN, International and Bangladesh government agencies, coordinated by UNDP has put forward a 14-point recommendation aimed at successfully tapping the opportunities mainly focusing four major areas - youth employment in CHT, marketing and rural Infrastructure, private sector investment and community based tourism.

Michel Heyn, Director, UNDP, CHT-DF has recently told that "the CHT holds huge economic potentials... now the mission report again also reveal it... now this is time to go

[8] *Public Opinion Trends Analyses and Services*, Bangladesh Series, vol XXII, No.5, 26 March 2003, p. 19

[9] *Daily Times*, 28 July 2005

for action to change the fate of people of the region and as well as the country,"10. World Bank (WB), Asian Development Bank (ADB), European Union (EU), Japanese Embassy, JICA and Japan Bank of International Cooperation (JBIC), NoRAD, UNDP, FAO, ILO, WFP and Canadian International Agency are working with the mission as donor agencies. The UNDP, of late, signed it's largest-ever US $ 50 million development project for the next five-years in CHT. The organisations which participated in the mission are: United Nations Development Programme (UNDP), International Labour Organization (ILO), Food and Agriculture Organization (FAO), World Food Programme (WFP), Federation of Bangladesh Chambers of Commerce and Industries (FBCCI), World Tourism Organization (WTO)and Kathmundu-based International Centre for Integrated Mountain Development (ICIMOD).

II

PEACEBUILDING ACTIVITIES

CHT Region Development Plan:

A large-scale migration of people from other parts of the country into the Chittagong Hill Tracts (CHT) Region, which started in the early seventies, led to turmoil and insurgency. Subsequently, a large number of indigenous families fled to neighbouring India. These events slowed down the development process for 20 years. Now within the context of the peace treaty, there are efforts that seek to alleviate poverty among the hill people, thereby protecting the special characteristics of the CHT as an area inhabited by indigenous communities with characteristic cultural backgrounds.

The INGOs and the donor countries have assessed the local needs in the CHT through field surveys and participatory planning consultations (workshops at district level), and by studying previous study and survey reports. Emphasis was laid on assessing the socio-economic characteristics and the prevailing physical and environmental conditions in the

[10] *The Bangladesh Observer*, 13 March 2006, http://www.bangladeshobserveronline.com/new/2006/03/13/city.htm

CHT. Access to the CHT resources in relation to poverty and development potential was identified. Both socio-economic, technical and environmental constraints which hamper regional development were identified, together with existing institutional constraints.

Ongoing development plans and activities were screened through an iterative consultation process involving key stakeholders. An investment programme for 2001-2010 with project descriptions (at pre-feasibility level) was prepared. The programme was then included into a broader Regional Development Plan that had the region-wide community support. The development options identified were related to sustainable hill agriculture, valley bottom irrigation agriculture improvement, community forestry, agro-industry and marketing of agricultural products and minor (wood and non-wood) forest produce. The plan also focuses on strengthening the region's economy, improving infrastructure and social services, and restructuring the civil sector. A Strategic Environmental Assessment has also been prepared. The consultations and data collection for the elaboration of the ten-year region development plan were carried out from April 2000 through April 2001 and the final report including identified investment proposals worth US$ 270million was submitted to GOB in June 2002.

There are various projects under these plans. Some of them are:

Chittagong Hill Tract Rural Development Project:

This Project, supported by Asian Development Bank and Swedish government, helps to reduce the incidence of absolute poverty in the CHT through: (i) increasing employment and income-generating opportunities through improved rural infrastructure, (ii) providing access to training and improved on and off-farm productive technology; (iii) increasing the availability of microfinance services to expand productive activities, and (iv) strengthening the capacity of local government institutions, NGOs, and beneficiaries to plan and implement local development activities, thus providing a sound institutional capability for further development initiatives. The loan was approved by ADB in October 2000. However, pending the Security Assessment report conducted in 2002, the Project was only declared effective in October 2002.

Urban Governance and Infrastructure Improvement Project ($60 million):

This Project will assist the selected Pourashavas to: (i) enhance accountability in municipal management, and strengthen capabilities in the provision of municipal services; and (ii) develop and improve physical infrastructure and urban services to increase economic opportunities. The Project will also promote the active participation of women citizens in municipal management and services as well as address the issue of the urban poor. The CHT Khagracchari and Bandarban are two of the selected 22 Pourashavas to be covered by this Project. The Project was approved in November 2002

Chittagong Hill Tracts Development Facility (CHTDF), Dhaka:

A focal and supervisory office is created within UNDP/Dhaka to facilitate donor collaboration, Government/donor cooperation and policy development, and to overview project progress, reporting and follow -up joint programme formulation.

1. **Chittagong Hill Tracts Development Facility (CHTDF), Rangamati:** A partnership team and office is established in Rangamati to provide day to day technical advice, assistance and support to the CHT institutions – with sub-offices at Khagrachari and Bandarban;
2. **Quick Impact Fund (QIF):** The QIF is providing a dedicated and direct source of funding for community-designed and managed small projects for poverty reduction;
3. **Confidence Building Initiatives:** Confidence Building Initiatives is providing support, including consultancy and sub -contracting arrangements, to examine a range of development and confidence -building issues and to formulate a multitude of projects as appropriate in support of these.
4. The **Long-Term 5 Year Programme** will be based on the learning/experiences gained during the pilot period. It is now at the final stage of formulation and is expected to obtain final approval from the GoB by September/October'04. In addition to the above features of the Pilot Project, the Long -Term programme will consists of 4 distinct components;

5. **Capacity Building of the CHT Institutions** (including MoCHTA, RC, HDCs)
6. **Regional/Cross community Development Initiatives** (including employment of Youth, Private Sector Investment, Marketing and Rural Infrastructure Environmental Protection, disaster Management, Health Interventions, Basic Education)
7. **Confidence Building to Resolve Long -Standing Issues** (Including Dialogues, study tours, Exchange Visits, Land Dispute Resolution, Community Managed Forestry, HDC Elections, Minority Interests and Cultural Diversity, Sports for Peace, Returned Refugees)
8. **RDD (Best Practices in the CHT):** UNDP/CHTDF is coordinating and facilitating a search for small project 'best practices' that have been initiated and successfully implemented by local communities in the CHT.

Upgrading and Rehabilitation of Rural Infrastructure:

The inadequate road and trail network is a major deficiency in the CHT, and improvements are needed to connect the scattered rural communities with the existing growth centers. The rural infrastructure component of the Project targets improvements for feeder roads and rural roads and construction of bridges and culverts. These improvements will increase the access of remote communities to health and education facilities, lower the costs of transport, and result in higher prices for agricultural outputs and lower costs of inputs. Indicative rural infrastructure targets proposed under the Project include improvement of (i) up to 75 km of feeder roads type B and up to 350 km of rural roads; (ii) construction of about 6,069 meters of bridges and culverts needed for these roads and to fill gaps in some existing roads; and (iii) provision of vehicles, large machinery, equipment and consulting services to successfully implement the component. With the exception of the municipal areas, road distribution funding has been allocated on the basis of population. Construction priorities will be established through a consultative process with the involved communities. Standard LGED designs, specifications, and implementation procedures will be used for the roads. Much of the

work will be carried out using labor intensive procedures through local labor contracting societies.

A critical policy issue in infrastructure development in CHT is the need to ensure sustainability of the benefits derived from the investments. In this regard, continuing assistance is required to encourage the Government and LGED to improve the system and arrangements for maintenance. The International NGO's policy dialogue with the Government has focused on this issue through implementation of the following:

(i) *Action for Maintenance of Rural Infrastructure under the first Rural Infrastructure Development Project (RIDP):* LGED prepared a plan for budgetary allocations required to maintain rural infrastructure improved under the first RIDP and has been providing sufficient funds for routine and periodic maintenance of feeder roads in accordance with the plan.

(ii) *Institutional and Financial Action Plan for Maintenance of Rural Infrastructure.* — This plan is being implemented under the Second RIDP22 to increase the capacity of local governments for adequate maintenance of rural infrastructure. Under the plan, LGED established a rural infrastructure maintenance cell in December 1992 and completed a comprehensive inventory of feeder roads and rural roads in May 1993.

(iii) *Action Plan for Directions in Management Development of LGED* — This plan, which aims at strengthening the management capacity of LGED in rural development activities including maintenance of rural infrastructure, was prepared under the MANCAPS TA and was adopted in March 1995 by a national workshop involving many external agencies. A number of the recommendations are being implemented through ongoing projects. The Project will carry out the remaining recommendations, including those related to resource mobilization at the local level.

In 1993 the Government, for the first time, allocated a specific budgetary line item to LGED for the maintenance of rural infrastructure for the whole country. The amount was

Tk250 million. This allocation has gradually been increased and totaled Tk1 billion in FY1999. However, the Government funds need to be supplemented by resource mobilization at the local government level and the financial performance of the union councils requires substantial improvement. Many of the roads to be upgraded under the Project will require a high level of maintenance, and in the future, will impose a significant increase in the annual road maintenance costs for the area. The existing work programs alone are unlikely to be able to accommodate this incremental cost beyond the life of the Project. ADB received Government assurance that the requisite financial allocations will be made to LGED through the Rural Infrastructure Maintenance Program and to the lower tiers of the local government structure to ensure adequate maintenance of the improved infrastructure. Upgraded rural infrastructure also will be maintained through local labor contracting societies. In addition, local community groups and union councils also will be responsible for subsequent maintenance of structures upgraded under the Project. The beneficiaries will be instrumental in the selection, design, and implementation of village infrastructure activities, and therefore will be responsible for maintaining most of the village infrastructure provided under the Project.

The prioritization and final selection of rural roads has been done through further study of district indicative development potential maps25 and district rural road inventory maps26 to be developed by LGED's Geographic Information System (GIS) Unit, and further discussions with target communities and union councils. Site selection for small road structures (bridges, crossings and culverts) will be carried out during project implementation through local participation and will reflect local priorities. The following criteria will be applied in reviewing proposals for such structures: (i) investment will be limited to spanning of gaps or replacement of badly damaged structures; and (ii) investment should increase the connectivity of the rural road network by making lengths of road that connect rural areas into a higher level of network, or to an important place, continuously passable by wheeled vehicles. These participatory procedures are familiar to LGED and have been used successfully in the ongoing ADB-financed Third Rural Infrastructure Development Project.

Community Development:

Community-specific efforts are needed to fill gaps in the social and economic infrastructure. Unlike their counterparts in the plains districts, communities in the CHT are usually small and scattered. They are characterized by the absence or poor state of basic amenities such as infrastructure for drinking water, drainage, sanitation, markets, and community buildings. The Project has responded to the needs for priority small-scale socioeconomic infrastructure to be identified and prioritized by the communities. A community investment fund (CIF) has been established and managed by the project management unit (PMU) at the regional level to provide block grants of approximately $70,000 to each union council area for community development activities. The CIF has financed demand-driven, community-based investments in small-scale civil works or other socioeconomic infrastructure, on a direct payment basis between the PMU and the contractors. Each investment could be for an individual village or for a group of villages.

Examples of investments eligible for financing include (i) economic infrastructure such as mini-irrigation works, solar paneling, and small markets; and (ii) social infrastructure such as village health posts, community water/sanitation schemes, literacy centers, and community centers. Items that will not be eligible for financing under this component include purchase or leasing of land, rehabilitation or construction on private land, completion of unfinished construction projects, and facilities that do not directly or indirectly increase the productivity of the poor. A significant indicator of "demand" under this component is the extent to which communities are willing to contribute to investments and to the O&M of the completed project facilities. A community's contributions to an activity are an important criterion for its eligibility for funding. Contributions could include cash, labor, or beneficiary participation in planning, implementation, and O&M. The communities are to base their level of contribution on what is affordable, with some flexibility to accommodate especially difficult circumstances. Investments made from the CIFs will attract differing percentage contributions, but in general will be 10-25 percent of a subproject cost. Asian

Development Bank approved $70.0 million at its Third Rural Infrastructure Development Project held on 20 November 1999.

Mahalchari Humanitarian Project:

Mahalchari Another notable initiative by the United Nations is the Mahalchari Humanitarian Project[11]. The Mahalchari Humanitarian Assistance Project aims to assist more than 400 families in the Chittagong Hill Tracts to rebuild homes and lives that were devastated in the outbreak of violence on August 26th 2003. The families all live in one of nine communities that were attacked when tensions over land erupted. The Government and NGOs were quick to respond with emergency food and medical assistance. Meanwhile the United Nations (UN) fielded a mission to assess the long-term recovery needs of the nine communities.

Alongside, the World Food Program (WFP) and UNICEF have launched a collaborative project in three districts of Chittagong Hill Tracts (CHT) in Bangladesh. Under the pilot initiative entitled 'Food for Education Project' snacks will be provided daily to some 18,000 children in 933 'para' or 'community' centers, in Rangamati, Khagrachari and Bandarban districts. This project for the first time takes WFP's fortified biscuits to the CHT pre-primary school children attending para-centers supported by UNICEF and the government of Bangladesh. This joint initiative is a part of the two agencies' global partnership and has been made possible through funding from the government of Australia.

The project aims to help alleviate micro-nutrient deficiencies in pre-school children and improve their attendance and enrollment in schools. The biscuits are specially made to help school children focus and concentrate better and garner more energy to participate in educational activities. The present pilot phase of the project is expected to continue until December 2006. UNICEF Representative in Bangladesh Louis-Georges Arsenault welcomed the joint initiative to support children in CHT and said, "The nutritional

[11] *Daily News Monitoring Service*, 11 March 2004, www.bangladesh-web.com.

support the UNICEF-WFP collaborative project takes to young school children in the CHT para centers is an important intervention that will help bolster children's health as well as their learning abilities."[12] WFP has been implementing special projects in CHT since 1998. Two key programmes are ongoing that aim to improve household food security in the region:

Poverty Reduction Programme:

The objective of the Project is to help reduce the incidence of absolute poverty in the CHT. A supporting objective will be to provide a confidence-building environment to underpin the peace accord. These objectives will be achieved through (i) increasing employment and income-generating opportunities through improved rural infrastructure; (ii) providing access to training and improved on- and off-farm productive technology; (iii) increasing the availability of microfinance services to expand productive activities; and (iv) strengthening the capacity of local government institutions, NGOs, and beneficiaries to plan and implement local development activities, thus providing a sound institutional capability for further development initiatives. The Project scope includes (i) upgrading basic rural infrastructure of feeder roads, rural roads, and trails (including bridges and culverts); (ii) a community development component that will establish a community investment fund in each subdistrict to provide matching funds for small-scale activities at the village level; (iii) provision of microfinance to enable the poor to improve their income generation capacity through development of microenterprises; and (iv) project management support.

Development and Confidence -building in the Chittagong Hill Tracts (CHT):

This is a US $ 1.99 million UNDP direct execution Preparatory Assistance aimed at establishing and initiating a conducive framework for development and peace consolidation in the CHT[13]. It will do so by assisting a process to clarify and initiate

[12] *The Daily Star*, 18 November 2005
[13] *The Daily Star*, 12 November 2005

effective institutional arrangements and capacity -building models, testing innovative methodologies for poverty reduction through self -reliant community development, formulating a multitude of confidence-building measures, and facilitating government/donor collaboration and policy development.

Vulnerable Group Development (VGD) Programme:

The (VGD) programme is World Food Program's largest development programme worldwide covering annually more than 500,000 ultra -poor women in Bangladesh [14]. The programme was extended to include all unions of Chittagong Hill Tracts in 2003 and targets 5,550 women in the region. The overall goal of the VGD programme is to enable ultra -poor women to overcome food insecurity, boost their nutritional status and to provide them skills to improve their financial independence.

The Ministry of Women and Children Affairs (MWCA) manages and implements this programme. The same NGOs delivering the training package for the Rural Road Maintenance project are contracted to deliver the VGD training. On average, a total of 50 VGD cardholders from each union were selected from all 111 unions of Chittagong Hill Tracts. The programme strategy covers the provision of 30 kg cereals/month food assistance for one year, capacity building training activities and graduation into regular NGO development activities. An additional component within the VGD programme is the Women's Training Centre (WTC). There are nine centres in CHT that provide awareness and income generation skills training to nearly 330 economically and socially vulnerable women.

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[14] *Public Opinion Trends Analyses and Services*, Bangladesh Series, vol XXIII, No.103, 25 June 2003, p. 29

Sustainable Environment Management Programme (SEMP):

This is a five year programme, started with a launching workshop in October 1999[15]. Activities involved preparing an Environment Management Action Plan for CHT following the NEMAP participatory planning process[16]. Till March 2000, 15 grassroots workshops with stakeholders conducted. UNDP is supporting implementation of some of those priority pilot projects as a follow up of NEMAP CHT. Component consists of Participatory Upland Resources Management (US$801,000) executed by the Ministry of Environment and Forest. Under this programme the access to Forest Land for Social Forestry Activities project finds an important place.

Most forestland is unclassified but offers the potential for social forestry activities. Under the Forestry Sector Project, the Government is making an effort to increase access of local communities to forestland for social forestry activities. Parliament passed on 10 April 2000 the Forest Act Amendment 2000, which proposes a set of draft rules aimed at establishing regulatory framework conducive for implementing social forestry activities in the country.[17] The Government is currently undertaking stakeholder consultations to secure input on the draft rules. The Project will liaise with the Forestry Sector Project to continue the dialogue with the Government on this issue. There are many options for participatory forest projects involving joint ventures between the Forest Department and local communities, but the Forest Department has been unwilling to accept this activity as part of an overall development strategy. Forestry development opportunities that could be developed under the proposed loan would be limited by the above constraints. Satisfactory resolution of these issues will require a clear forestry policy, including

[15] Sustainable Environment Management Programme (SEMP) is the first follow-up activity in the implementation of NEMAP (National Environment Management Action Plan). It is being executed by the Ministry of Environment and Forest (MoEF) from October 1998 and is expected to be completed in December 2006. SEMP comprises of 26 components (including PMU – Programme Management Unit) for 25 different projects and is being implemented by 21 Sub-Implementing Agencies (SIAs) through a 26 million US dollars grant from UNDP. SEMP is the largest programme of UNDP in Bangladesh.

[16] National Report on Implementation of United Nations Convention to Combat Desertification, Bangladesh, Ministry of Environment and Forests: Dhaka, 2001
The article can be reached at http://www.unccd.int/cop/reports/asia/national/2001/bangladesh-eng.pdf.

[17] *The Daily Star*, 13 September 2001

clarification of land classification, and a review of the system of permit allocation with the aim of developing appropriate regulation for allocation of permits to individuals and communities for forest exploitation.

Microenterprise Development:

The generation of additional income through the expansion and/or development of microenterprises at the farm and household level can significantly reduce poverty among the Project's target beneficiaries. Despite its resource constraints, the CHT has opportunities for investments that can be practically implemented. Capital to access better agriculture inputs is needed to enable farmers to improve their farming systems. Capital is also needed for diversification into other income generating activities to supplement the income from crops. Specifically, this includes investment in fertilizer and improved seeds for staples and horticulture crops (fruit trees and vegetables). Capital also will be required to develop small private nurseries to provide seedlings required by farmers. Households will need credit to purchase small animals such as chickens, ducks, and goats, where appropriate, and to invest in other activities such as fishponds and small-scale agro-processing. Households also will require credit to diversify and/or supplement their income sources through off-farm activities such as weaving, tailoring, small machinery maintenance facilities, bicycle/tricycle repair, and petty trading.

Formal credit providers have a long history of involvement in the CHT. Their services, however, have not been targeted at the poor, predominantly rural population. Some NGOs have been providing very limited microfinance services to the CHT population since implementation of the 1997 peace accord, with limited success. Strong consideration is given to using NGOs to establish savings and credit groups at the village level and to provide short- and medium-term credit for a range of on-farm and off-farm enterprises, and supporting services for the target population. The microenterprise development component will be targeted at households with annual incomes of less than Tk20,000, and will primarily focus on supplying services to women, who are expected to make up at least 70 percent of project borrowers. To support the credit provision through

the NGOs, the Project will fund a concurrent program to train potential borrowers in credit use awareness and skill development. Prior to obtaining financing under the Project, prospective borrowers must have taken part in the training program.

It is a fact that the strength of the NGOs lies in their flexibility, as they can work in remote and sensitive areas, where government organisations are less welcome[18]. This is more correct as far as CHT is concerned. However, such a view of the local indigenous NGOs also puts them in a difficult position with respect to the government. This has been witnessed in the accusations and counteraccusations in March–April 2001 between the government and indigenous NGO leaders in the national media. The government accused some local indigenous NGOs of working against the stipulations of the peace accord and involvement in subversive activities against the state. The NGOs concerned vehemently denied these accusations and protested against government measures to have them supervised by the security agencies.[19] They described these measures as denying the right to development and universally recognized fundamental human rights of the indigenous peoples. But despite this tussle between the government and indigenous NGOs, the government seems to have accepted the principle of 'particularity' regarding the activities of NGOs in the CHT region. As per the stipulation of the peace accord, the former Special Affairs Division has been converted to a new, full-fledged ministry with the name of the Chittagong Hill Tracts Affairs Ministry, to be headed by indigenous representatives of the CHT. This ministry is vested with powers to look after the activities of the NGOs in the region.[20]

Participatory Primary Healthcare Project:

The overall objective of this primary health care Project is a sustainable improvement in the health status of the population in the CHT. At present this Project is reaching out to

[18] DANIDA, *Denmark's Development Assistance in 1999*, 2000, Retrieved from http://www.um.dk/danida/english/dac_99/02_chapt/2.02.asp .

[19] *Independent*, 20 March 2004

[20] *The Daily Star*, 13 September 2004

over 60,000 local people, around 40% of whom are living below the poverty line. The Project is identifying and training Community Nurses to provide safe delivery and an acceptable level of pre- and postnatal services, upgrading the skills of Traditional Birth Attendants, and promoting personal and family hygiene, vaccination for children, family planning, and the prevention and treatment of communicable diseases. The Community Nurses are also providing services at the health centres, and are organising outreach clinics in extremely isolated areas.

1. Dhaka Ahsania Mission (DAM), an established Bangladeshi NGO focusing on community development through education,
2. Gram Unnayan Sanghaton (GRAUS), a local NGO based in the Chittagong Hill Tracts which focuses on Bangladesh's indigenous communities,
3. Ekata Mohila Samity, another local NGO based in the Chittagong Hill Tracts which concentrates on women's rights and development, and

Land Tenure Security:

Land tenure issues have been at the root of the civil unrest that has affected the CHT over the last two decades and the peace accord proposed two specific measures to address the problems: (i) a land commission was to be established to review and rule on all the disputed titles, and (ii) a new and comprehensive land ownership survey was to be undertaken. Little or no progress has been made in either of these areas. During a benchmark survey by a national NGO and the participatory rural appraisals, all ethnic groups expressed concern over the land ownership issue. There was a general comment that individual enterprise development and the subsequent improvement in incomes would not gain momentum while land issues remained unresolved. Much of the disputed land is flat or of low contour and is able to support a full range of agricultural enterprises. The tribal community also sees the activities of the land commission and the land ownership survey as an important process in recognizing ownership in traditional tribal land areas and providing individuals with a secure title for enterprise development. Little progress has been made toward establishing a fully-functioning land commission. A

retired judge has been appointed by the Government to chair the commission. However, until a case pending in the Supreme Court over rightful appointment to the commission of one of the tribal ex-officio members is resolved, the commission will not be fully formed and cannot begin its activities. The activities of the land commission are integrally linked to the undertaking of a fair and comprehensive land survey in the CHT in light of concern that the survey would be used to strengthen the case for settlers against the indigenous population, many of whom have traditionally never held paper evidence of title to land.

The National NGOs, including BRAC, Proshika, through this Project and the CHT Region Development Plan 20 TA currently under implementation, is pressurizing the Government to seek ways for the land commission to be formed and become functional in a way that would be satisfactory to the CHT's population. The Project will also assist through providing legal literacy training to promote awareness among stakeholders (beneficiaries, traditional leaders, and local elected government officials) of their legal rights and providing training and information to empower them to exercise those rights. The goal of such training is to provide local communities with basic awareness of the law and concept of rights.

Psychological Change and Reintegration:

The purpose of building community seems to be about creating greater harmony, tolerance, liberalism, even consensus between conflicting local parties. In this sense it is almost tautological to say peacebuilding in the CHT requires community building, it is as if community is peace. This general view is challenged by equally wide recognition that conflict is inevitable, and probably desirable in a dynamic society, so long as it is manageable and managed. People are driven to act on the basis of their subjective interests, which may not be selfish, but are often contrary to other people's interests and are inevitably a source of conflict. The view of community as peaceful co-existence is also challenged by the recognition that a sense of community is often bound up with identity issues, which can spill into violence. At best the initiatives will create systems and cultures where conflict does not destroy people's lives.

At the stage of attempting to reintegrate formerly warring parties, the issue of NGOs' need for local legitimacy comes up. Here is a difficulty for NGOs. To be able to act locally, NGOs need local support and to get that they need local people to see them as having some legitimacy in their approaches and actions in that specific local situation. But that image of legitimacy is subjective and local support will be linked to finding favour with certain interested parties amongst many, groups with shared social or political identities and ideologies that are likely to be deeply affected by the experiences of the previous months or years of war. Legitimacy with one party can rule out support by another or even a workable relationship. The best example one can quote for this dilemma is the 2002 incident where intra armed group conflict exploded spoiling the efforts of the NGOs in Khagrachari district of CHT.

At this psychological, personal, culturally sensitive level, NGOs and CBOs will have a considerable advantage over INGOs or Government if they wish to use it. INGOs simply do not have the local understanding and sensitivity needed. They can recruit local staff to enhance their understanding, but it is managerially more efficient to support local NGOs to fulfil this role from their independent efforts. Government is constrained by law and bureaucratic needs from certain kinds of negotiations. The state - if it is aiming to distribute benefits equally - is constrained by objective criteria created to simplify the task of rationing scarce resources in fair or equitable ways. Thus equitably-oriented state bodies are hampered in negotiations between local parties, because a successful process depends on the development agency being able to adapt to local conditions and negotiate special arrangements with diverse parties.

III

Is Aid Effective?

It is said that Bangladesh government is increasingly exerting pressure on international organizations to state the number of expatriates from CHT to a minimum[21]. The result is

[21] *The News Today*, 28 August 2004, http://www.newstoday-bd.com/

that the brunt of the burden of creating appropriate humanitarian intervention falls on international community who are as much affected by the conflict as the people they are trying to serve.[22]

In any ongoing conflict situation, assistance should be strategically provided in a way that promotes reconciliation among warring parties rather than emphasising their differences[23]. It should aim to help beneficiaries regard improvements to their lives as resources that are too good to lose in further conflict, rather than resources that will help them adopt their fighting position again. In case of Chittagong Hill Tracts, the developmental assistance being offered at times tends to widen the differences between the government and the tribal factions.

In a reflection on CHT's history, and the present state of development, Ameena Mohsin laments that 'the development aid system still neglects most of the non-economic aspects of development in favour of a narrow economic-technical approach'.[24] According to Bhumitra Chakma, issues including human rights, income inequality, authoritarianism, humiliation, fear and impunity are wrongly being ignored, he argues:

> (This) allows the processes of exclusion and humiliation to continue unabated, if not to become strengthened, to the greater pleasure of those benefiting from them. Hence, much development aid helps to lay the groundwork for further inequality and mal-development, as well as structural, and, eventually, acute violence.[25]

The donor community continues to dodge its responsibility by ignoring or down-playing the fact that the government of Bangladesh is still maintaining a huge military force in the CHT. One of these is the Asian Development Bank, which has funded huge schemes

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[22] Hardley, 'Aid and Development', *Bangladesh Journal of Peace Studies* (Dhaka), vol. 3, 2005

[23] Duft Hobson, 'Reconciliation and State building', *International Security* (MIT), Vol. 27, No. 2 (Fall 2003), pp. 5–47

[24] *Public Opinion Trends Analyses and Services*, Bangladesh Series, Vol XXXV, No.45, 25 December 2005, p. 33

[25] ibid.,

in the CHT; others are those governments which give direct support or training to the Bangladesh military. For example:

1. **USAID (United States Agency for International Development)**
   Financed Kaptai Hydroelectric Dam benefited the outsider Bangladeshi settlers, while dispossesing thousands of Jummas of their arable prime land.
2. **SIDA (Swedish International Development Agency)**
   Funded Forest Development Proiect created job opportunities for the Bangladeshis only.
3. **UNICEF (United Nations International Children's Emergency Fund)**
   Aided Drinking Water Supply Scheme benefitted only the army camps, the Bangladeshi settler colonies, urban centres, and concentration camps.
4. **WHO (World Health Organization)**
   Organised Malaria Eradication Project has been used to protect the armed forces and the Bangladeshi settlers.
5. **ADAB (Australian Development Assistance Bureau)**
   Sponsored Chengi Valley Road Building Project has been used to facilitate military deployment in the remote parts of the CHT and to open up the interior to the Bangladeshi immigration.
6. **ADB (Asian Development Bank)**
   Financed *Joutha Khamer* Projects or Joint Farming Projects are really concentration camps for the Jumma farmers who have been forced to leave their ancestral homes and farmlands to accommodate the Bangladeshi invaders.

IV

CONCLUSION

It should be noted that not all activities carried out in CHT qualify automatically as peacebuilding. Over the years many development actors have worked in the region without regard to the level or the causes of the conflict. Many actors work *around* conflicts as if they did not exist, instead of working *in* or *with* conflicts and doing something about them. At its worst, development cooperation can help cement or exacerbate a conflict if the geographical or ethnic distribution of the assistance is perceived as unjust, if support is given to controversial aspects of public policies or if the assistance is perceived as divisive in other ways. Development cooperation is organised so that it does not aggravate the situation. Therefore the first step is to prevent the assistance from having adverse results. The second is to achieve the best possible results. It is becoming increasingly recognized that development co-operation in conflict-affected countries such as CHT should be aimed at reducing the potential for conflict and addressing the causes. The challenge is to make sure that development co-operation helps to prevent conflict and promote peace, thus paving the way for poverty reduction and development.

It is in this regard the Hill people and various Human Rights Groups had appealed to donor countries to stop their aids to Bangladesh. Sweden responded to their appeal by stopping the Forest Development Project on the grounds that the Bangladesh Government refused to employ the Jumma people in the project. Australia, similarly, pulled out of the road building project because the road helped the military and the Bangladeshi settlers to move deep into the Jumma homeland.

CHAPTER V

SUMMARY AND CONCLUSIONS

The present study is an attempt to identify the increasing importance of peacebuilding, and in order to ensure that there is a better chance that peace efforts will achieve the desired results. It is now 12 years since the UN report *An Agenda for Peace* introduced the term "peacebuilding". But although the need for and the importance of peacebuilding are widely acknowledged, the measures that are being implemented to promote lasting and sustainable peace are not to any great extent based on analyses or strategic planning. This is a serious shortcoming and it must be rectified.

This study has identified that Post-conflict peacebuilding is evidently not a simple process. There are significant limitations and complications that need to be addressed, including political and resource constraints, lack of political will, and lack of capacity to implement terms of the peace agreement. Boutros-Ghali draws the distinction between post-conflict peacebuilding in the context of a comprehensive peace settlement, and peacebuilding activities. In the latter situation, it is not clear who has the responsibility for implementing, monitoring and coordinating peacebuilding activities, and the parties to the conflict are not bound by any agreement as to their part in the peacebuilding process.

The mere cessation of hostilities and a peace accord cannot be equated with the establishment of a sustainable peace. The benefits of peace promised in the accord have to be felt by the inhabitants of the CHT. Unfortunately, the stagnation in the implementation of the provisions of the peace accord creates serious doubts about a lasting peace. Rehabilitation of refugees remains incomplete, settlement of land confiscated from the tribal peoples has been complicated by the fact that the Bengali settlers have nowhere to go. Withdrawal of the army camps has moved at a slow pace. The tribal people of CHT for over two decades have been the targets of gross human rights violations. They must now be assured that their fundamental rights, including their economic, social and cultural rights are respected. Moreover, absence of constitutional

guarantee (needs a two-thirds majority) seriously weakens the peace accord. The main opposition party continues to encourage Bengali settlers from 'outside' to remain.

II

Though the 23 year old struggle for autonomy of the *jumma* peoples of the Chittagong Hill Tracts in Bangladesh came to a close with the signing of a peace accord on December 2, 1997, doubts are increasing about the government's implementation of the accord in view of the protracted delays and its diluted enactment. This can be seen especially in the commitment to the transfer of administrative responsibility to a Regional Council and the functioning of the Land Commission which was has been set up only in April 2000. Within the tribal peoples and their support groups, there is a split between the pro-accordist and anti accordists who have challenged the accord as not fulfilling the demand for full autonomy.

The post–accord grievances relate to the government's failure to make the CHT a completely demilitarized zone, though the government has its own considerations in deciding to maintain army camps in the region. The tribals are also unhappy with the lack of full implementation of resettlement benefits for the returnees. Although the Ministry for the Chittagong Hill Tracts has been established, the Advisory Council has yet to meet. The ministry, it is felt, occupies a marginal status within the ministerial set up of the government. In addition, since the accord, non-governmental organizations have had easy access to the region for providing input in regards to the needed rehabilitation, resettlement, and development.

It is important to note that there are other issues that are relevant to the successful implementation of any accord or document of understanding between two parties. Two such issues may be mentioned here. To be effective, any accord must be based on the universal consensus of all the players in the field. Second, the representative and authoritative status of the principal actors must not be denied or challenged. To take up the first issue, the two major political parties in Bangladesh, the Awami League and the

Bangladesh Nationalist Party (BNP), tend to adopt antagonistic postures with respect to each other, whatever the issue. The successive regimes since the emergence of Bangladesh have involved themselves with peacemaking initiatives, the governments of Ziaur Rahman and that of Khaleda Zia being no exception. This has been discussed in detail in earlier parts of the study. In fact, the peace initiative of the Awami League government has been built on earlier initiatives. But the BNP, then in opposition, had opposed the accord as being contrary to constitutional principles and regarded it as a "sell out," staging protest demonstrations.

As to the issue of the legitimacy of representative roles of the parties to the accord, the Awami League's role in arriving at the accord by a committee headed by the party's chief whip in the Parliament has been open to criticism. The committee signed the accord on behalf of the government of Bangladesh. An all–party committee, including the BNP, would have earned better legitimacy for the accord document. Lack of cooperation between the two parties and the BNP's continued boycott of Parliament made the issue of all-party consensus moot. On the other side, other tribal groups and organizations questioned the authority of PCJSS to assume a representative role for all tribal groups and reach an understanding with the government. The Pahari Gano Parishad (PGP or Hill Peoples Council), Pahari Chatra Parishad (PCP or Hill Students Council), and Hill Women Federation (HWF) have argued that the PCJSS settled for less because of their own internal politics, and failed to achieve full autonomy for the *pahari* (hills) people. The Hill Women Federation is a politically active and motivated group. Thus, these issues weaken the status of the accord and undermine its implementation process.

There are many possible solutions for the peace and prosperity of these two groups of people. Power should be given to people lower in the political chain. The higher in the chain the solution is the more politically charged. There are also other solutions, amending the constitution, implementing the treaty; the second of course is obvious. Amending the constitution can be done, although it would no doubt be incredibly time consuming and difficult, however this is important to the resolution of the conflict. The solution must be comprehensive, because the people will follow something if they know

or think it will work. External actors must remain in the middle of the conflict because they will put pressure on the government which may eventually lead to action on the Peace Accord, they can also donate aid in many forms – development, money, and food are just some of those.

III

Another important observation is that most of the CHT institutions suffer from a chronic lack of resources – including inadequate human resources/staffing, budgets and materials. This has a definite crippling effect on their potentials to facilitate and support development. The most efficient, streamlined and effective institutional arrangements between the CHT institutions to promote and support development, needs to be further defined and activated. There is opportunity for positive, development-focused communication and consultation between the CHT institutions and with the Government and through an interaction with the donor community, to determine and carry out key measures that will enhance institutional development capacities in the CHT.

Four issues have become clear and warrant the attention of the international community. First, this study has shown that there are few accessible records or accounts based on current peacebuilding experience in CHT. The records that do exist are often held in the files of organisations and in reports to donors. So often, these records are not available to inform and assist in general learning about peacebuilding practice. Second, when international organisations do promote peacebuilding activities, they must do it in a way that fosters community ownership of conflict management activities so that the responsibility for sustaining the results of peacebuilding effort rests with these communities. Third, greater support needs to be provided to sector focused NGOs so that they can build their capacity in methods, practices and techniques of peacebuilding and improve their effectiveness in conflict management activities. Fourth, better coordination of information and dialogue on practices of peacebuilding is clearly required. The issue of how to integrate peacebuilding into humanitarian and development assistance programs is most lacking. In this connection, the development of a strategic framework

approach, involving local communities and administrations in the decision-making and implementation of peacebuilding processes needs urgent consideration.

The international community builds capacity to manage reconstruction after a conflict has ended. Apart from the obvious destruction of infrastructure, presence of armed groups and difficult working conditions, there are several other characteristics of post-conflict conditions that are to be taken care. First, civil conflicts seldom end in clear cut victories for one side. Post-conflict conditions are inherently unstable. There are winners and losers. The winners may have settled for less than they sought to achieve. Even if one side appears to have won, how the winner treats the defeated party will be critical to whether national reconciliation takes place and the sustainability of peace. A new government may be an unstable alliance of competing parties or consist of an uneasy collection of former fighters and technocrats who sat out the war in relative comfort abroad. Second, a conflict affected country's ability to utilize aid is low immediately after the conflict due to institutional and physical constraints. Third, public expectations of the benefits from peace are likely to be high. After suffering from war, the people expect a "peace dividend" and want it immediately, even though such expectations are inevitably unrealistic. Fourth, given the risks of conflict re-emerging and the high expectations inside and outside the country for results on the ground, the challenge for the new post-conflict government is to lift the ability of the country to absorb aid productively when donor resources are most likely to be available. Since the greatest constraints to implementing programs are institutional—human capacity and organization—strengthening institutions will not only provide the usual long-term benefits from aid, but will also enable the country to use aid effectively when it is most available and to mitigate risks from unfulfilled expectations.

The CHT needs a comprehensive and coherent peacebuilding measures at the local level that is just and sustainable. Their call for unity, self-determination and independence should be listened to and taken into consideration by the international community. The efforts of HTNF, NGOs, communities, and other local and international actors are to be applauded and have definitely made a positive difference on the lives of many people in

the CHT. Nonetheless, it is vital that these efforts become part of a comprehensive approach and not a substitute for political action within CHT and at the national level. A case in point is a situation that occurred in Khagrachari in April 2002. After weeks of negotiations and mediations, the peace committee in Khagrachari planned to hold a major, traditional reconciliation meeting between two rival groups of the tribal armed groups – PCJSS and UPDF. Before they could implement this activity, they received reports that the GoB intended to seize the main road between Khagrachari and Ponjuiku. As the location of the meeting was next to this road, the peace meeting had to be postponed and the fighting between the two groups has continued. This example shows that while working together to reduce and mitigate inequality and violence at the community level, this is only one part of the task. Key actors at the local level (including tribal chiefs, women, youth, and village leaders) and the political leaders at the international level need to work with local leaders to advocate for change and condemn practices by armed groups that enable and fuel local conflict.

For near about a decade, CHT has been in one crisis after another. In the recent months, there have been new signs that this perpetual state of crisis can be brought to an end. There is a definite fatigue with war in CHT. There is the new unity bringing the UPDF and PCJSS together. There are broad community-based peacebuilding activities and the peace agreement brokered by PCJSS remain intact, albeit, fragile. More than ever before, there is a need for donor commitment to support sustainable livelihoods development and consolidate the fragile peace agreement and strengthen the achievements of peace building efforts to date. Experience in CHT shows that peace and development are complementary. Peace can lead to development and development can create the opportunity for peace. Development will not be effective without peace and peace will not be sustained without development. Peace and development are both essential to achieve the ultimate objective of enhancing the security and livelihoods of the people affected by conflict in CHT. In order to strengthen opportunities for peace, a clear commitment from donors for a coherent and enhanced development assistance programme is urgently required.

IV

In consideration of the shrinking international (donor) commitment – both in resources and time – increasing effectiveness of peacebuilding activities is critical. Priorities need to be set. Several key priorities that would avoid duplication of effort and discourage parallel peace structures are listed below.

- Ensure that peacebuilding activities are linked to, and complement programmes that are directed toward the basic means of survival: food security, water, shelter and health services
- Promote sustainable community development and economic revitalization where progress in conflict management is evident and where peace agreements remain intact; provide more resources for participatory community development.
- Address the needs of displaced and vulnerable groups (including ex-combatants): support provision of basic needs (food, water and shelter), provide health, education and training services and support the integration of displaced people within their new communities
- Strengthen local authorities so that they can fulfil key tasks: train local officials (commissioners, chiefs, local leaders) to better fulfill their roles and responsibilities – including participatory decision-making methodologies and conflict management practices, improve capacity of local offices by providing additional staff and equipment, establish effective bonds between officials and the people through community-based projects
- Promote peace education and awareness: peace education, awareness and respect for human rights should be emphasized at the school, youth, community and leadership levels
- Strengthen Partnership: The challenge for the CHT community is to promote, support and maintain a new strategic alliance between their leaders and the government - one of the aims of this strategic alliance must be to ensure good governance

APPENDIX 1: INTERNATIONAL COMMUNITY AND THEIR ACTIVITIES IN THE CHT

DONOR COUNTRY / ORGANISATION	PROGRAMMES/PROJECTS OF IMPORTANCE
AUSTRALIA	**Promotion of Development and Confidence Building in the Chittagong Hill Tracts — Community Empowerment an d Quick Impact Fund Component (A$150,000):** The project will be implemented by UNDP in pilot areas/communities spread across the 3 Districts (Bandarban, Khagrachari, and Rangamati) of CHT. A range of participatory and empowerment approaches will be designed , tested and confirmed to empower the 'Para' communities and for effective use of the Quick Impact Fund. The main activities would be to develop strategies, train community facilitators, organize initial 120 para development committees and select/support s mall projects, expand empowerment process and QIF to 500 communities, disburse QIF funds and provide financial management training, organize technical backstopping of QIF small projects. **Mahalchari Humanitarian Assistance Project (A$ 50,000):** Funds have been provided to UNDP for supporting activities aimed at providing basic agricultural support to the 311 affected families of the Mahalchari incident, in the Mahalchari Upazilla of Khagrachari Hill District. The plan is to provide seeds, fertilizers/pesti cides, replacement farm tools and implements, fodder and feed for cattle for 311 families. AusAID has provided a total of 19 Bachelors & Masters level scholarships at Australian universities for students from the tribal groups in the CHT since 1997/98 to 2003/04 under the Australian Development Scholarships (ADS) program.
DENMARK	Support to NGOs on crop cultivation, horticulture, forest conservation, income generating activities, primary health care and malaria. Hygiene promotion, sanitation and water supply project.
EUROPEAN UNION	Supporting Synergy Foundation on community reforestation and land rights ; EC contribution 715,000 euro Supporting Water Aid, a British NGO, on water and sanitation. EC contribution 817,313 euro

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	Supporting One World Action and Gonoshasthaya Kendra to provide access to basic primary education for poor and marginalised groups, especially girls, in 13 district s including Bandarban CHT EC contribution 1,104,233 euro. Intended support for access to education for most disadvantaged groups - implemented by NGO CARITAS of France. EC contribution 258,634 euro Intended support for community owned and locally executed water and sanitation by NGO CAFOD EC contribution 365,518 euro Intended support for improving literacy of tribal communities in remote areas by NGO TEARFUND. EC contribution 749,964 euro Mahalchari UN Humanitarian Response Programme executed by UNDP with Caritas and others EC Contribution 762,472 euro.
NETHERLANDS	*In the medium and long run the Netherlands considers education,health and integrated water management (including drinking water) to be priority sectors, to which it may provide financial assistance in the CHT, as it does in other parts of the country.*
GERMANY	Primary Health Project (to start soon)
NORWAY	*Norway To be considered when the regional bodies are in place and the roles and respo nsibilities of these bodies in relation to central level bodies have been clarified*
SWEDEN	Sweden has been supporting the local NGO International Development Foundation (IDF) during 2000 – 2003. Continued support is under consideration. Sweden considers education and health to be priority sectors, to which it may provide financial assistance in the CHT, within the framework of sector programmes covering the whole nation or separate districts.
ASIAN DEVELOPMENT	**Forestry Sector Project ($50 million):** The Project aims to enhance conservation of forests in select ed protected areas; increase overall wood production; and

BANK	institute sustainable management of forest resources through local community participation, institutional capacity building, and policy reform. The Project comprises 17 subprojects over 18 of Bangladesh's 31 forest divisions including Bandarban. **CHT Region Development Plan (ADB TA # 3328 -BAN, $1 million**): following the assessment of local needs and the potential for economic development, a region development plan (master plan) was formulated. The plan focuses on strengthening the region's economy, improving infrastructure and social services, and restructuring the civil sector. A Strategic Environmental Assessment has also been prepared. The consultations and data collection for the elaboration of the ten-year region development plan were carried out from April 2000 through April 2001 and the final report including identified investment proposals worth US$ 270million was submitted to GOB in June 2002. **Chittagong Hill Tract Rural Development Project** ($30 million): the Project will help reduce the incidence of absolute poverty in the CHT through (I) increasing employment and income -generating opportunities through improved rural infrastructure, (ii) providing access to training and imp roved on- and off-farm productive technology; (iii) increasing the availability of microfinance services to expand productive activities, and (iv) strengthening the capacity of local government institutions, NGOs, and beneficiaries to plan and implement local development activities, thus providing a sound institutional capability for further development initiatives. The loan was approved by ADB in October 2000, however, pending the Security Assessment report conducted in 2002, the Project was only declared effective in October 2002. Project consultants are mobilized now and implementation of project components have been started. Estimated total project cost was $60 million with financing by the government, PKSF, and the beneficiaries. **Urban Governance and Infrastructure Improvement Project** ($60 million): the Project will assist the selected Pourashavas to (I) enhance accountability in municipal management, and strengthen capabilities in the provision of municipal services; and (ii) develop and improve physical infrastructure and urban services to increase economic opportunities. The Project will also promote the active participation of women citizens in municipal management and services as well as address the issue of the urban poor. The CHT Khagracchari and Bandarban are two of the selected 22 Pourashavas to be covered by this Project. The Project was approved in November 2002.

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FOOD AND AGRICULTURAL ORGANISATION	*Integrated Horticulture and Nutrition Development* *Thana Cereal Technology Transfer and Identification Project Integrated Forestry and Agricultural Development in the unclassified state forest areas in the CHT for the settlement of nomadic tribal farmers.* *Conduct in-depth technical assessment in agriculture, forestry and livestock sectors in the three hill districts. Under SPPD for US$ 178,000*
INTERNATIONAL FEDERATION OF RED CROSS AND RED CRESCENT SOCIETIES	The Bangladesh Red Crescent Society (BDRCS) with support of the International federation of Red Cross and Red Crescent Societies (IFRC) implementing Chittagong Hill Tracts Development Programme (CHTDP) in 3 CHT districts since 1998. The activities include emergency relief, disaster preparedness, and development activities. This programme will cov er 9 Upazillas in three districts, Rangamati, Bandarban and Khagrachhari under CHT region. The basic mandate of the programme is to facilitate peacekeeping initiatives through conflict preparedness and BPI interventions. The BDRCS will also promote humani tarian values through disseminating principles of RC/RC movement in the CHT districts. The programme covers about 300 communities under 24 unions of 9 Upazillas in 3 CHT districts and supports selected communities with the programme activities and also focus on those which have not yet covered under this programme depending on the criteria of improving living condition in the communities. The aim of the programme is to introduce and establish a systematic approach to ensure the formation of Union Development Committee (UDC) in all 9 Upazillas where at least 40% female members to be included and are effectively promoting humanitarian values, promoting harmonious relationship with each others and DP/DR measures among the communities.
INTERNATIONAL LABOR ORGANISATION	Women's Empowerment through Employment and Health (WEEH) project. The main objective of the WEEH project is improved socio -economic well-being and health for rural women and their familie s. The undertaken activities in CHT all focus on women small – scale entrepreneurs, both from indigenous (*Chakma, Marma and Tripura*) and Bengali communities. The completed activities include : i) Enterprise Development and Business Management (training and refresher training courses); ii) Skills training (poultry rearing,

	apiculture, mushroom cultivation, new weaving designs etc.); iii) A 3 -minute film about a *Chakma* woman Tea Stall owner and her business to be aired on CNN. This film was produced by a loca l film maker and ILO HQs in close cooperation with the project; iv) In depth Case Studies of indigenous and Bengali women entrepreneurs focusing on socio - cultural aspects to be followed by a 20 minute film in June -July; v) Training of Trainers of NGO (IDF) on " Decent Work for Women Entrepreneurs" followed by awareness -raising workshops involving women entrepreneurs in CHT in June/July 2004.
UNITED NATIONS DEVELOPMENT PROGRAMME	**Development and Confidence -building in the Chittagong Hill Tracts (CHT).** This is a US $ 1.99 million UNDP direct execution Preparatory Assistance aimed at establishing and initiating a conducive framework for development and peace consolidation in the CHT. It will do so by assisting a process to clarify and initiate effective institutional arrangements and capacity -building models, testin g innovative methodologies for poverty reduction through self -reliant community development, formulating a multitude of confidence-building measures, and facilitating government/donor collaboration and policy development. These elements of the Preparatory Assistance will provide the foundation for a follow-up to "Joint GoB/ Multi -donor Development Support Programme" recommended by the recent Joint Risk Assessment Mission Report. UNDP has set in place the following facilities and funds to provide timely te chnical assistance and targeted financial resources for determining and demonstrating the most effective strategies for achieving the development objective: *Chittagong Hill Tracts Development Facility (CHTDF), Dhaka*: A focal and supervisory office is created within UNDP/Dhaka to facilitate donor collaboration, Government/donor cooperation and policy development, and to overview project progress, reporting and follow -up joint programme formulation *Chittagong Hill Tracts Development Facility (CHTDF), Rangamati:* A partnership **team** and office is established in Rangamati to provide day to day technical advice, assistance and support to the CHT institutions – with sub-offices at Khagrachari and Bandarban; *Quick Impact Fund (QIF):* The QIF is providing a dedicated and direct source of funding for community-designed and managed small projects for poverty reduction; *Confidence Building Initiatives*: Confidence Building Initiatives is providing support,

	including consultancy and sub -contracting arrangements, to examine a range of development and confidence -building issues and to formulate a multitude of projects as appropriate in support of these. The **Long-Term 5 Year Programme** will be based on the learning/experiences gained during the pilot period. It is now at the final stage of formulation and is expected to obtain final approval from the GoB by September/October'04. In addition to the above features of the Pilot Project, the Long -Term programme will consists of 4 distinct components; **Capacity Building of the CHT Institutions** (including MoCHTA, RC, HDCs) **Regional/Cross community Development Initiatives** (including employment of Youth, Private Sector Investment, Marketing and Rural Infrastructure Environmental Protection, disaster Management, Health Interventions, Basic Education) **Empowerment of the CHT Communities through Self -reliant Development** (2500 Para Development Committees to be established for small project development) **Confidence Building to Resolve Long -Standing Issues** (Including Dialogues, study tours, Exchange Visits, Land Dispute Resolution, Community Managed Forestry, HDC Elections, Minority Interests and Cultural Diversity, Sports for Peace, Returned Refugees) **Mahalchari Humanitarian Project** - The aim of the UNDP humanitarian Response Programme is to alleviate further suffering and to help with the sustainable recovery of 433 families overwhelmed by violence that effected: 9 tribal villages in Mahalchari on August the 26th 2003. The programme is funded from contributions from ECHO, Aus Aid, DANIDA, BHC and OCHA. To date measurable progress in meeting these key objectives has been achieved.
UNITED NATIONS EDUCATIONAL CULTURAL AND SOCIAL	**Development of an Atlas of the Languages and Ethnic Communities in CHT**. The main objective for developing this atlas is to recognize and establish the ethnic plurality of the CHT region and of Bangladesh in general through systematic presentation of spatial and quantitative characteristics of distribution of ethnic communities in the three hill districts.

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ORGANISATION	Developing literacy materials for the Ethnic communities of the CHT. The principal objective of this project will be to develop a set of literacy materials in the three major ethnic languages using the Bangla alphabets following the existing primary education curriculum. The project has components of communication, capacity building, writing, pre -testing and dissemination in order to develop effective and appropriate mother tongue based learning materials.
UNITED NATIONS FUND FOR POPULATION ASSOCIATION	UNFPA is supporting CHTDF for strengthening the service delivery on Reproductive Health to improve the quality of life of women and child. The objective of the project is to increase the accessibility and availability to clinical contraception, RTI/STI case management, Emergency Obstetric care, safe motherhood and FP services particularly for the most vulnerable population and youth. Strengthened capacity in serv ice provision, referral and networking to address the three delays in safe motherhood and family planning choices. UNFPA is supporting the three Mother and Child Welfare Centers (MCWC) in the three districts of CHT for providing EOC and FP services. These have been widely appreciated by all stakeholders, including the communities, the GOB and other development partners.
UNITED NATIONS INTERNATIONAL CHILDRENS EDUCATION FUND	UNICEF is supporting CHTDB for the implementation of Integrated Community development project. The objectives of the project is to improve the socio –ecnomic condition of the children and women of disadvanta ged families of CHTs through providing some basic services through Para centers (community center) for reduction of infant and child mortality, nutrition defiency, water borne diseases and increase literacy rate by introducing formal and non -formal education among the distress families. So far 2220 Para centers have been established which covers 50% population of CHTs and over 3000 women have been trained on pre -primary education, Health, Nutrition, maternal Health, Family planning to run those Para center . The total project cost is US $ 8.01 million for the period of 1996-2005. □In 9 upazilas (Baghaichari, Rangamati Sadar, Rajathali, Khagrachari Sadar, Matiranga, Laxmichari, Rwangchari, LAMA and Nykhongchri) UNICEF is providing support for hygiene education, sanitation promotion, safe water supply. Through this project all (475) primary schools will be provided necessary water and sanitation facilities and education. **The total project costs is US$ 4.2 million for the period 2001 -2004** □UNICEF is supporting 3 district HQ Pourshavas in CHTs for the improvement of sanitation and water system in urban slum and fringe. The major activities consist of *establishment of*

	community latrine, water supply system, solid waste management, hygiene education etc. The project is implementing through DPHE. **The total project cost is US$ 60,000** GIS-microplanning is introduced in CHTs for effective planning by all sectoral departments and agencies. All necessary hardwire and software are provided to CHTDB to run the project. The projec t cost is US$ 50,000 during 2002 -2005
WORLD FOOD PROGRAMME	WFP has been implementing special projects in CHT since 19 98. Two key programmes are ongoing that aim to improve household food security in the region: **Rural Road Maintenance Project (RMP)** The current (second) phase of the Rural Road Maintenance Project runs from June 2002 to May 2005 and is implemented jointly by the Local Government Engineering Department (LGED) and local NGOs. It targets 9,100 ultra -poor women who are selected by local communities according to specific selection criteria. In return for the road maintenance work, participants receive a daily wage of rice, cash and savings. These savings are released to participants at the end of the three-year cycle for investment in income -generating activities of their choice. At the end of the project, around 12,000 km of rural roads will have been main tained, guaranteeing improved access to local communities. *BENEFICIARY CAPACITY BUILDING* . The project invests in human capital by providing a comprehensive package of health and family planning, nutrition, basic literacy and numeracy, and income skills training. The provision of food and cash enables women to both gain and preserve productive assets, while the education and training empowers them to take their own decisions and to better their future and that of their families. *NGO AND COUNTERPART CAPA CITY BUILDING.* A total of seven local indigenous NGOs were selected to deliver a culturally -appropriate training package to the beneficiaries, using participatory methods. WFP has devoted its time and resources to develop the capacities of these local NGOs through extensive training and logistical support. As a consequence, the NGOs are stronger organizations with whom WFP can continue to build partnerships in the future. The previous project established local Food Aid Committees to assist in beneficiary selection, and this successful approach is being used again. Similarly, WFP continues to support the capacity building of LGED and government counterparts. This project sets a model of how UN agencies, central and local government and local

	indigenous NGOs can work together to support ultra -poor and disadvantaged communities at the grass-roots level. It requires a total of 30,000 mt. of rice and costs around US $21,000. **Vulnerable Group Development (VGD) Programme** The (VGD) programme is WFP's large st development programme worldwide covering annually more than 500,000 ultra -poor women in Bangladesh. The programme was extended to include all unions of Chittagong Hill Tracts in 2003 and targets 5,550 women in the region. The overall goal of the VGD pr ogramme is to enable ultra -poor women to overcome food insecurity, boost their nutritional status and to provide them skills to improve their financial independence. The Ministry of Women and Children Affairs (MWCA) manages and implements this programme. The same NGOs delivering the training package for the Rural Road Maintenance project are contracted to deliver the VGD training . On average, a total of 50 VGD cardholders from each union were selected from all 111 unions of Chittagong Hill Tracts. The programme strategy covers the provision of 30 kg cereals/month food assistance for one year, capacity building training activities and graduation into regular NGO development activities. An additional component within the VGD programme is the **Women's Training Centre (WTC).** There are nine centres in CHT that provide awareness and income generation skills training to nearly 330 economically and socially vulnerable women. *The two-year programme requires 4,000 mt. of rice, with an estimated total cost of US $1,000.*
WORLD HEALTH ORGANISATION	WHO provides technical support in the health sector through the Detailed Work Plans (Biennial) developed jointly with the government. These work plans include regular budget as well as extra - budgetary fund for selec ted priority areas. For all priority programme areas e.g. Malaria control, Roll Back Malaria (RBM), EPI, Polio Eradication, TB Control and other communicable diseases control, CHT is given high consideration.
WORLD BANK	The World Bank is involved in urban infrastructure development and municipal capacity - building in the three district head quarters under its Municipal Services Project. About US$4 million have been committed for thes e works in the three towns (including roads, drainage, landing ghats, public toilets, dug wells, etc.) and executed by LGED and municipalities.

APPENDIX II STRENGTHS, WEAKNESSES, OPPORTUNITIES, THREAT ANALYSIS OF CHT ORGANIZATIONS

ORGANIZATION	STRENGTHS	WEAKNESSES	THREATS	COMMENTS
MINISTRY OF CHT AFFAIRS	• Tribal Minister • Formally has advisory committee bringing together the members of parliament (MP), Regional Council (RC), hill tract district councils (HDCs) and rajas • Part of peace accord • Access to other ministries and potential political support • Potential for advocacy and watchdog role.	• Dhaka-based • Lacks outreach • Appears to lack data base, and technical and planning staff • Apparent inability to provide good policy advice • Status within overall ministry structure • Advisory committee not yet established • Does not appear to play strong advocacy role	• Low status and career appeal for staff • Political differences with RC and some tribal organizations • Sensitivity of CHT issues • Duplication of administrative structures • Perceptions of organization by external agencies	• Potential at national level, but appears ineffective • Can block action • Lacks realism when dealing with external agencies • Uncertain political commitment to carry through peace accord • Appears subservient to Government wishes
CHT DEVELOPMENT BOARD	• Long role in region • Institutional knowledge of development • Supported by Ministry • Staff in three districts • Implementing agency for some projects begun prior to peace accord	• Historical involvement with the past and Government treatment of CHT • Formed 1975-1976 and hence association with military activities • Failure in the past to carry out its mandate to ensure active participation of tribal population in development	• Association with the past not the future • Lack of trust in its commitment to indigenous peoples • Peace accord requires that it should be under the general and overall supervision of the RC • Lack of tribal staff	• Redundant organization following Peace Accord • Government failure to transfer its staff to other organizations to simplify overall administration • Slowly being phased out in terms of externally funded activities • Chair has status of deputy minister

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REGIONAL COUNCIL	• Outcome from peace accord • Brings three districts together • Potential for holistic strategic planning • Strong tribal representation • Provision for indirect election from HDCs • Social justice issues its direct jurisdiction • Has formal power to resolve any conflicts between three HDCs • Receives minutes from HDCs	• Few staff, and lack of planning capacity • Appointed not elected, as basis for HDC election still lacking • Based in Rangamati but difficult logistics for Bandarban and Khagrachari meetings • No rotation of meetings to other sites • Low population density gives it lower "voice" than rest of country • Has failed to organize HDCs as combined voice	• Political and administrative rivalry • Lack of independent ability to act (staff, resources) • Salience of CHT issue may diminish nationally	• Has the moral high ground as overall coordinating body for CHT, but lacks capacity to deliver at this stage on its role • Supported by external agencies but remnants of past support to Chittagong Hill Tracts Development Board (CHTDB) • Could be seen as transitional institution until CHT development has progressed and full decentralization to HDCs can take place
HILL DISTRICT COUNCILS	• In theory, democratic (elected) • Connects region with lower levels • Increased powers compared to rest of country as outcome to peace accord • Chairmen meet monthly with RC • Monthly district planning meeting with line ministries • Potential for better	• Appointed only four members • Scope for rivalry between various HDC chairmen • No overall planning staff and only limited engineering capacity deputed from Local Government Engineering Department (LGED) • Large agenda for monthly meetings • Poor systems for processing monthly	• Subject to political Influence can be replaced, which limits scope of action • Line ministries control major funds and hence can direct development on national basis • Elite pressures limit scope for action • Hard terrain, so difficult to contact all people • Lack of trained	• No agreed criteria for assessing relative needs of three HDC areas • Each HDC has manageable population base to respond to local needs • Geography and tribal differences support continuation • Compete in effect with CHTDB for conduct of

APPENDIX II STRENGTHS, WEAKNESSES, OPPORTUNITIES, THREAT ANALYSIS OF CHT ORGANIZATIONS

	representation of community views • Send minutes to minister and RC • Chair may write to line ministers with copy to CHT Minister	meeting agency • Dependent on deputy commissioners for planning input • Needs presence at budgetary allocations	agricultural staff hampers capacity to assess development needs.	small projects, and continuation of CHTDB is confusing
UPAZILA EXECUTIVE OFFICE	• Overview of district and subdistrict development • Apparent coordinating and interface role • Access to all line ministries and CHTDB as well as deputy commisioners; • Upazila executive officers receives training in planning and development administration	• Not responsive to mass population • No holistic planning framework • Male only • Not responsive to district councils • No direct link to RC direction • Staff may not attend at workplace	• Subject to political & other influences • Self interest may undermine capacity to work and cause reaction • Could lose influence if union and district level work more effectively • Few tribal staff	• Insufficient time and research to adequately assess its role, capabilities, and trustworthiness • Has a significant role for local communities
UNION COUNCILS	• Directly elected • Also has appointed women representatives • Local knowledge • Well established system in Bangladesh • Can combine traditional and democratic systems when headmen are union council chairmen or members • Some training provided	• 2 staff or less • Limited training, education • Limited discretionary funds • Limited understanding of planning processes • Limited capacity to set priorities • May just respond rather than initiate development • Not all members receive	• Inability to deliver promises made at elections • Elections may give almost complete turnover so reducing knowledge of past processes • Members may be too closely identified with MPs rather than local issues	• Traditional karbori may be ignored but may be more trusted • Require clarification on goals, roles, functions • Lack of conceptual understanding of governance • May require better communication systems to be effective so can be

APPENDIX II STRENGTHS, WEAKNESSES, OPPORTUNITIES, THREAT ANALYSIS OF CHT ORGANIZATIONS

	by National Institute of Local Government • Deal with development projects through Government funding	training • women may not be given voice • only relatively wealthy can pursue issues		accountable
LOCAL NONGOVERNMENT ORGANIZATIONS (NGOS)	• Altruism for public good • Contact with local communities • Cover a range of tribal communities • Small geographic area and potential to be extremely responsive • Can link with national NGOs and learn from past experience	• Most extremely new • Lack management, planning, and review systems • Limited funds • Some derived from elites and aim to capture external funding • May have unrealistic expectations of external funding • Limited absorptive capacity • Lack of local telephone lines	• Local NGOs may not be able to develop fast enough, and national NGOs may be supported for pragmatic reasons • Insufficient experience to identify alternative strategies • Fewer resources of national NGOs so may always struggle	• Capacity yet to be tested and proved • Proposed guidelines on credit interest rate indicates lack of understanding for longterm sustainability • Government agencies act to restrict their scope • Local NGOs need to develop strong unified voice
National NGOs	• Existing management structure • Planning and review mechanisms • Extensive project experience • Financial capability • Track record with external funding agencies	• Not local • Distrust from local bodies • Potential new form of paternalism • May lack patience and preparedness to foster competitors	• Proposed NGO guidelines specific to CHT may require local partnerships • May wish to protect own reputation	• Unclear if they wish to support local development • Great potential to learn from their experience but needs to be balanced with protection of tribal rights

APPENDIX III MAJOR VIOLENT INCIDENTS IN CHT (POST ACCORD)

DATE	VIOLENT INCIDENTS
14 JULY 1998	Members of the tribal population were reportedly subjected to continuing arbitrary arrest, torture and unlawful killing. Following an amnesty for tribal opponents announced by the Bangladesh Government in 1998 some *Shanti Bahini* (Peace Force) members had surrendered and several dozen others had been released from jail. However, fighting between one faction of the *Shanti Bahini* and law enforcement personnel continued.
2 MAY 1999 BHUSANCHARA	Members of the *PCJSS* killed at least 77 Bengali settlers at Bhusanchara, near Barkal, and close to the Indian border. The following day tribal families living in six *mouzas* (an administrative unit comprising a few villages) in Barkal area were reportedly attacked by army forces. At least 110 villagers were killed. In June, soldiers reportedly fired on unarmed civilians, a few dozen of whom were gathered at one villager's home for a private celebration.
29 MAY 1999.	It is reported that the armed cadres of Shanti Bahini led by PCJSS killed 7 soldiers of Bangladesh Army on duty in a sudden attack on 29 May 1999.
16 DECEMBER 1999.	*Massacre at Longadu:* The Bangladesh Army attacked the tribal people near Rangi Para under 23- Bagatchar of Langadu Thana and set hundreds of houses on fire and killed many people and children on December 16 and 17, 1999.
29 APRIL 2000.	*The incursion at Panchari :* The Army swooped on Panchari and Matiranga of Khagrachari district. According to data at least 38 people were killed and other 20 tribals were injured in this incursion on 29 April 2000.
31 MAY 2000	*The massacre at Bhushanchara* : The armed cadres of Shanti Bahini under the leadership of Major Rajesh stormed into the Bengali villages at Bhushanchara of Basket thana in Rangamati and massacred 350 men, women and children on the same night and set fire to these villages on 31 May 2000.
15 SEPTEMBER 2000.	*The Murder at kawkhali* : The armed cadres of Shanti Bahini killed 13 Bengali people attacking the Bengali habitat village at kwakhali in Rangamati with the active direction of Shontu Larma on September 15,2000.
16 FEBRUARY 2001.	The armed men of PCJSS Kidnapped foreign experts working for the exploration of oil and gas at Simutang Gas field of Manikchari. And later they freed the foreigners taking a huge amount of ransom.

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	The tribal groups abducted foreign consultants of Kamserox Company and the Danish Engineer at gun point from Rangamati-Khagrachari- Mahalchasri Road's Guniapara area on February 16,2001. These foreigners were taken into their hideouts at kalapahar. These foreigners were also freed in exchange of a huge amount of ransom.
12 JUNE 2002	The PCJSS members kidnapped 38 BNP supporters following the election of the National Parliament of Baghaichari Thana in Rangamati on June12, 2002. Most of them were Bangalee People.
9 SEPTEMBER 2002	*The massacre at Pakuakhali* : It is reported that the PCJSS abducted 34 Bangalee people from Boromohila area who went there to cut wood from Gulshakihali, Gaghachara, Mainee, Boromohilla and kalaka- Pakuakhali under Bashaichari Thana of Rangamati on September 9,2002. Later they killed 28 of them.
24 APRIL 2003	It is reported that the BDR locked the houses of sleeping people and set those houses on fire in which 7 people including women and children of a same family died at Comilla Tilla of Khagrachari on April 24, 2003.
JUNE 2003	In October Amnesty International published a report - *Bangladesh: unlawful killings and torture in the Chittagong Hill Tracts* - which detailed extrajudicial killings and torture of non-combatant tribal people reportedly committed by military and paramilitary personnel. Many of the incidents described took place in the first half of 2003.
24 AUGUST 2003	*Recent happenings at Mahalchari :* The tribal terrorists kidnpped a Bangalee hindu youth namely Rupom Mohajon from the playground of Singinala School situated at Mahalchair on August 24,2003 . This time also they demanded a huge amount of ransom for his release. In this incident , five Bangalee youths were injured seriously and became crippled for ever. As a sequel to all these incidents, about 300 houses of tribal including 4 houses of Bangalee were burnt to ashes.
26 AUGUST 2003	One such terrorizing event took place most recently on August 26, 2003 in 10 villages of Mahalchari in the district of Khagrachari. First the BDR soldiers opened fire to scare the *Jumma* villagers. Then thousands of Bengali Muslim settlers, armed with machetes, spears, axes, and kerosene, swooped down on the indigenous *Jummas*. They severely beat up Binod Bihari Khisha, a community elder, and then handed him over to armymen, who in turn tortured him to death. Then the mob of armed settlers, accompanied by the

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	Bangladesh army, went on a rampage. They burnt down more than 360 homesteads in 10 villages of Mahalchari. It is reported that 79 houses of Babupara, 70 houses of Lemuchari, 12 of Noa Para, 38 of SawMill Para, one house of Thali Para, 37 houses of Pahartali, 96 of Basanta Para and Kerengyanal villages, 4 of Durpajyanal and 22 of Ramesu Karbari Para of Mahalchari sub-district, Khagrachhari, were burnt down.
24 DECEMBER 2003	The BDR committed a widespread killing at Ramgar Bazar on December 22,2003 in which they killed 22 people and injured 50 others. In returen the tribal outfits killed 13 BDR personnel in their sleep by setting their camps on fire and shooting them at Hajachara of Ramgar on December 24, 2003.
19 JULY 2004	Tribal villagers were reported to have been tortured in police camps at Mohalchari, Ranga Panichara and Bakchari, and in army camps at Bhaibhonchara and Thalchara in the same period. Army operation during 2004 resulted in dozens of villagers being beaten, and in some cases, arrested, especially in the Khagrachari area . Tribal villagers in the Panchari area were said to have been arbitrarily arrested and ill-treated in late November and early December.
23 MAY 2005	On 23 May 2005, police reportedly raided the office of UPDF office at Swanirbhar Bazaar in Khagrachari district and arrested 16 of its members including its district coordinator Sachib Chakma, Pradipan Khisha, Ranjan Moni Chakma, Pulock Chakma, Ronnie Tripura, Kerington Chakma, Anil Bikash Chakma, Apu Chakma, Soumitra Chakma and Natun Kumar Chakma. Police also picked up Hill Women's Federation President Sonali Chakma and General Secretary Antarika Chakma.
26 APRIL 2005	On 26 April 2005 Lieutenant Colonel Momin Khan, Commanding Officer of Lakshmichari zone under Khagrachari district, picked up two Pahari Chattra Parishad activists - Sushil Chakma and Kaladhan Chakma at Boroitali village in Bermachari union. Both were beaten up mercilessly and taken to Ghagra camp in Rangamati. Later, on 29 April 2005, they were released from Bannyachola army camp. Common Jummas too face numerous repression. Since 23 April 2005, the military from Ghagra, Lakshmichari and Sindukchari camps have been reportedly carrying out massive operations in Lakshmichari, Kawkhali and Kudukchari areas. They are frequently raiding Jumma villages, beating and interrogating innocent villagers and arresting people on suspicion of being members of the UPDF.

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