

A memorandum submitted to the IWGIA and CHT Commission members in Dhaka

To,

The visiting members of the IWGIA
Dhaka, Bangladesh.

Subject: Brief on the Present Situation in the CHT

Date: January 11, 2000

Honourable Members of the IWGIA,

We, on behalf of the United Peoples Democratic Front (UPDF), would like to express our sincere thanks and gratitude to you for taking all the troubles to come all the way down here to see and understand the post-accord situation in the Chittagong Hill Tracts (CHT). We are grateful to you for making time to meet with us. We are also happy to know that you have planned to visit the Chittagong Hill Tracts to take stock of the situation on the ground. Please, permit us to state the following:

The CHT Accord

1. The Chittagong Hill Tracts accord was signed on 2 December 1997 between the government of Bangladesh and the Jana Samhati Samiti (JSS). Both the parties to the accord never failed to assure the people of the CHT that it would bring peace and stability in the area.

No Difference with the Previous One

2. However, we on our part carefully examined the said accord and failed to find any substantial difference between this accord and the previous one signed in 1989 during the autocratic regime of General Hussain Muhammad Ershad. It should be remembered that it was under this accord of 1989 that the so-called Local government District Councils were established for each of the three districts in the CHT. The JSS opposed these councils tooth and nail on the ground that they were not enough to ensure and safeguard the national entity of the Jumma peoples. But ironically, after eight years, in December 1997, this same JSS signed an accord that has no substantial difference with the previous one they opposed so vehemently and vigorously.

We Reject the Accord

3. Since the present agreement signed between the JSS and the government failed miserably to address the main demands and to fulfil the hopes and aspirations of the Jumma people, the UPDF and its associated organizations namely Hill Peoples Council, Hill Students Council and Hill Women's Federation rejected it. In short, the accord does not recognize the different ethnic nationalities of the CHT, restore their traditional land rights and above all it does not speak a single word about whether the settlers would be returned from the CHT. Regarding the withdrawal of the military, it stipulates that the government would roll back only the temporary camps, but does not set any time frame for it. Thus withdrawal of the military even from the temporary camps has been made dependent on the mere wishes of the government. Moreover, it authorizes the government to re-deploy its armed forces any time and at any place in the CHT without prior consultation with the representatives of the Jumma peoples. [We have set out the grounds of rejection of the accord more precisely and elaborately in another publication titled "Why We Oppose Government-PCJSS Agreement". Please, find a copy appended herewith.]

Disillusionment

4. Now after more than two years, the euphoria about the accord has been evaporated and the bitter truth has revealed itself. And the more time passes, the more people become disillusioned

with the accord. Even the JSS leaders are now overwhelmed with frustration. They feel themselves cheated and accuse the government of not implementing the accord.

But why the government does not discharge its part of the responsibility arising out of the accord? Apart from the fact that the accord bypassed the main demands of the people, it has other inherent defects too, which enable the government to trample the accord underfoot. The chief of these defects is to make it binding on the JSS to perform all its duties arising out of the accord even before the government performs a single one on its part. This amounts to giving a blank cheque to the government.

Oppression on UPDF

5. UPDF and its associated organizations rejected the government-JSS accord from the very beginning. We criticized it and highlighted its flaws. But the government and JSS would not brook any sort of criticism against, and opposition to, the accord. Repression against UPDF and its supporters began, and our leaders and workers were killed, arrested, detained, tortured, intimidated and what not. So far, 10 PCP and PGP members and 4 supporters have been killed in the hands of the JSS; more than 120 of them have been arrested, though all but 43 arrested recently at Chittagong during police attack on UPDF rally, have been released by courts. Hill Watch Human Rights Forum has documented most of the incidents of human rights violations occurred since the signing of the accord.

The UPDF and pro-full autonomy activists are not the only victims. JSS-sponsored terrorism with connivance of the government has become the order of the day. The whole of the CHT has been terrorized. People are being intimidated, harassed and tortured for supporting the pro-full autonomy activists. For instance, on June 10, 1999, four villages at Shib Mondir area in Khagrachari district were attacked, 10 road side shops torched and 5 innocent people kidnapped. On July 5, 1999, the terrorists killed a schoolboy in Bhaibone Chara, Khagrachari, when they encircled the village at the dead of the night after the fashion of the army and fired on the villagers indiscriminately. On October 17, 1999, Chandra Bikash Chakma, 50, was killed in his Kattali village under Longudu Thana in Rangamati district for being the father of a pro-full autonomy leader. Many more of such incidents can be cited here. We have mentioned these few just to show how grave the situation has been and still is. In fact, the post-accord situation in the CHT finds its analogy in East Timore where the pro-Indonesian militias resorted to armed violence against the people who voted for Independence.

Fundamental Rights Denied to UPDF

6. The Bangladesh constitution guarantees freedom of speech and assembly. Article 37 declares that *"every citizen shall have the right to assemble and to participate in public meetings and processions peacefully and without arms, subject to any reasonable restrictions imposed by law in the interest of public order or public health"*. But the UPDF and its associated organizations are denied these fundamental rights enshrined in the constitution. Our meetings and rallies are attacked and peoples are barred from taking part in those meetings and rallies. To cite a few incidents- on April 22, 1999, police fired on the crowds of people at two places in Khagrachari who were coming to participate in the joint conference of the Hill Women's Federation and Hill Peoples Council. Two persons were killed in the attack. On October 22, 1999, a protest rally could not take place in Khagrachari as the Deputy Commissioner imposed section 144. The rally was to be held to protest the barbarous attack on the Jumma people at Babuchara by the members of the Bangladesh armed forces. Again, on December 26, 1999, police cracked down on the participants of a rally organized at Chittagong to mark the first founding anniversary of the UPDF. At least 45 members and supporters of the UPDF have been arrested during the attack. In all these incidents JSS actively helped the government to foil our programmes. In order to disrupt and sabotage our programs, it either called public meetings at the same time and at the same place, as in the case of the first two incidents, or called road blockade program, as in the case of the last.

The military is also responsible for the violation of such rights. On January 24, 1999, a group of army personnel from Baghahat army camp led by Major Ashraf attacked a meeting organized by PCP at Baghahat Cluster village. They beat up all the 47 leaders and workers of PCP gathered there for their general meeting.

Military Oppression

7. While we admit that the state of war that prevailed before the accord has now ceased to exist, we do not think that undesirable military activities have ceased altogether. According to press reports, out of 522 temporary camps, only 22 have been rolled back. No one knows whether the rest would be withdrawn. So, we still see overwhelming military presence in the CHT. Military repression is also there, though the intensity has reduced compared to the war time periods. The most recent incident involving the army is the one in Babuchara in Khagrachari district in which 3 Jumma people and a Bengalee were killed and many were injured. This single incident shows that even physical presence of the military is a threat to the safety of the people.

The army provides shelter to the terrorists, and in some places, army officers' complicity in extortion is a proven fact. The army also carries out operations in remote areas off and on, causing fears and panic among the people. In Lakshmichari, Kutukchari and some other places in Rangamati district, the army carried out massive operations in the name of destroying hashish and hemp. Houses of the pro-full autonomy leaders and workers are also searched, and their family members harassed.

Land grabbing

8. The Bangladesh government has started a process to grab lands in Bandarban. Reports have it that the government has plan to acquire 54,550 acres of land for training facilities of the Ground and Air forces. If the plan is implemented, hundreds of Jumma families, mostly from Marma, Murung, Tripura, Tonchongya and Bawm communities, will be evicted. The proposed site falls on Bandarban, Ruma and Lama Thanas. The government seeks to acquire 19,000 acres from Bandarban Sadar Thana, 26,000 acres from Lama and 9,550 acres from Ruma Thana. On 29 November, 1999, two UP Chairmen, Purna Chandra Mro and Ranglai Mro, submitted a memorandum to the Prime Minister Sheikh Hasina and put forward the following demands:

- a. to stop the process of acquiring lands for the proposed site for training facilities for the Air and Ground forces.
- b. to construct the Sualok-Lama road.
- c. to rehabilitate those families who have been evicted as a result of acquiring 11,430 acres of land in 1984-85 and in 1989-91 in the name of training facilities for the armed forces.
- d. to rescind the orders and directives issued since 1989 declaring Reserved Forest.

Condition of the Refugees

9. The condition of the repatriated Jumma refugees is more pathetic. The refugee leaders allege that about 3 thousand refugees have not got their lands back yet. Land disputes have become more acute as the illegal occupants of the lands belonging to the Jumma refugees continue to refuse to vacate those lands. This phenomenon is common in Dighinala.

Repression on the refugees has also been reported. On August 20, 1999, police forcibly evicted 12 families of the repatriated Jumma refugees from a transit camp in Dighinala, Khagrachari. The refugees repeatedly appealed to the magistrate on the spot for a temporary stay of the eviction drive. But the appeal went unheeded and the police and VDP men evicted them by using physical force in the presence of the magistrate.

We are for United Movement

10. What has been achieved through the Government-JSS accord falls far short of our demands. No agreement, whoever signs it, will bring peace, if it does not fulfill the main demands of the

people. Peace is indivisible. One can not live in peace at the expense of the sufferings of the others. Durable and lasting peace can be restored in the CHT only if the root causes of the conflict are gone. The accord could have been considered a step forward if it had been free from the inherent defects we have mentioned above. So, the situation has left us with no other choice but to carry the struggle forward. To this end, our declared party policy is to unite with all the progressive forces of the people in the Chittagong Hill Tracts. We also offered for talks with the JSS and proposed for a united platform aiming at a joint movement against the government. We are also concerned that there is a popular demand for dialogue between the UPDF and JSS. A large number of the JSS members are also in favour of talks. But their voices are not strong enough to force the diehard elements, who happen to be the topmost leaders, to change the policy of the party. So far, all the peace initiatives have been failed and talks could not take place between the two parties due to intransigent attitude of the JSS leaders. Our peace offer is still valid. We would like to reiterate that in spite of difference of opinions on matters relating to strategy as well as tactics, our party was and still is ready to forge a united platform with the JSS on the basis of a minimum program. Our party always stands for a united platform for all progressive forces of the people, and we have been striving to achieve this. For, only such a unity can save the Jumma people from the present crisis. When there was unity of these forces, there were real movements and the government had to yield.

Appeal To the International Community

11. Finally, through you we appeal to the international community to pressurize upon the ruling Awami League government to take the following measures:

- a. to establish genuine peace in the CHT by granting FULL AUTONOMY and fulfilling the other main demands of the people, namely, constitutional recognition to the ethnic national minorities of the CHT, restoration of land rights, withdrawal of the military and the outsiders.
- b. to withdraw all the false and conspiratorial cases filed against the members of the UPDF and its associated organizations, namely, Hill Peoples' Council, Hill Students' Council and Hill Women's Federation.
- c. to release immediately and unconditionally those UPDF members and supporters who were arrested since the signing of the so-called peace accord.
- d. to immediately stop all sorts of political repression against the UPDF and its associated organizations and to allow them to enjoy the fundamental rights enshrined in the constitution, especially the freedom of speech and assembly.
- e. to properly rehabilitate both the repatriated Jumma refugees and the internally displaced peoples.
- f. to stop the process of acquiring land in Bandarban for the expansion of military cantonments and for creating training facilities for the Air and ground forces of Bangladesh.
- g. to stop deforestation of the CHT so that the ecological balance in the region may not be further disturbed, and environmental hazards may not increase further.
- h. e. to set up tribunals for the trial of those military personnel responsible for genocides committed so far against the Jumma people, and to publish the inquiry report of HWF leader Kalpana Chakma and punish those army officers and VDP (Village Defense Party) guards responsible for her abduction and disappearance.

Rabi Shankar Chakma

Member

Convening Committee

United People's Democratic Front (UPDF)