

Land survey for conflict resolution in CHT?

It is needless to say that resolution of land disputes is an ethical and political exercise. Indigenous peoples are politically too marginalised to influence the top decision-making process of the government. Therefore, we ask the government and the Land Commission not to take a unilateral decision with regards to land survey.

ASHOK KUMAR CHAKMA

IN the wake of the violent conflicts in Khagrachari and Baghaihat, Rezaul Karim, the minister for land, expressed his view that there was no alternative to land survey for resolving land disputes in the Chittagong Hill Tracts. In the same vein, after the first meeting held in August 2009, Khademul Islam Chowdhury, chairman of the CHT Land Commission on Settlement of Land Disputes, also underscored the importance of land survey as the first step to resolution of land disputes. He declared that land survey would start very soon.

Following this declaration by two influential persons of the government, land survey seems to be a top priority of the government in dealing with the land disputes.

Therefore, before kicking off land survey, we would like to ask the government and the CHT Land Commission a few questions.

Are you going to carry out land survey in compliance with the CHT Accord? How can land survey help in resolving land disputes? Does the Land Commission have consensus on the standards or criteria to demarcate boundaries for ensuring customary land ownership of indigenous communities?

We are afraid that if these questions, among others, are not addressed carefully, all attempts of the Land Commission might end in a fiasco.

Political will of the government is essential in finding a pragmatic solution to the land problem. Therefore, the first and foremost responsibility of the government and the Land Commission is to create a broad-based political consensus on the modalities of the Land Commission's work. The CHT Accord, not land survey, should be the guiding principle in this regard. The government and the Land Commission should consider a few issues with due importance.

First, neither the government nor the Land Commission's chairman should declare land survey unilaterally; otherwise it might have many ramifications that may not be helpful for

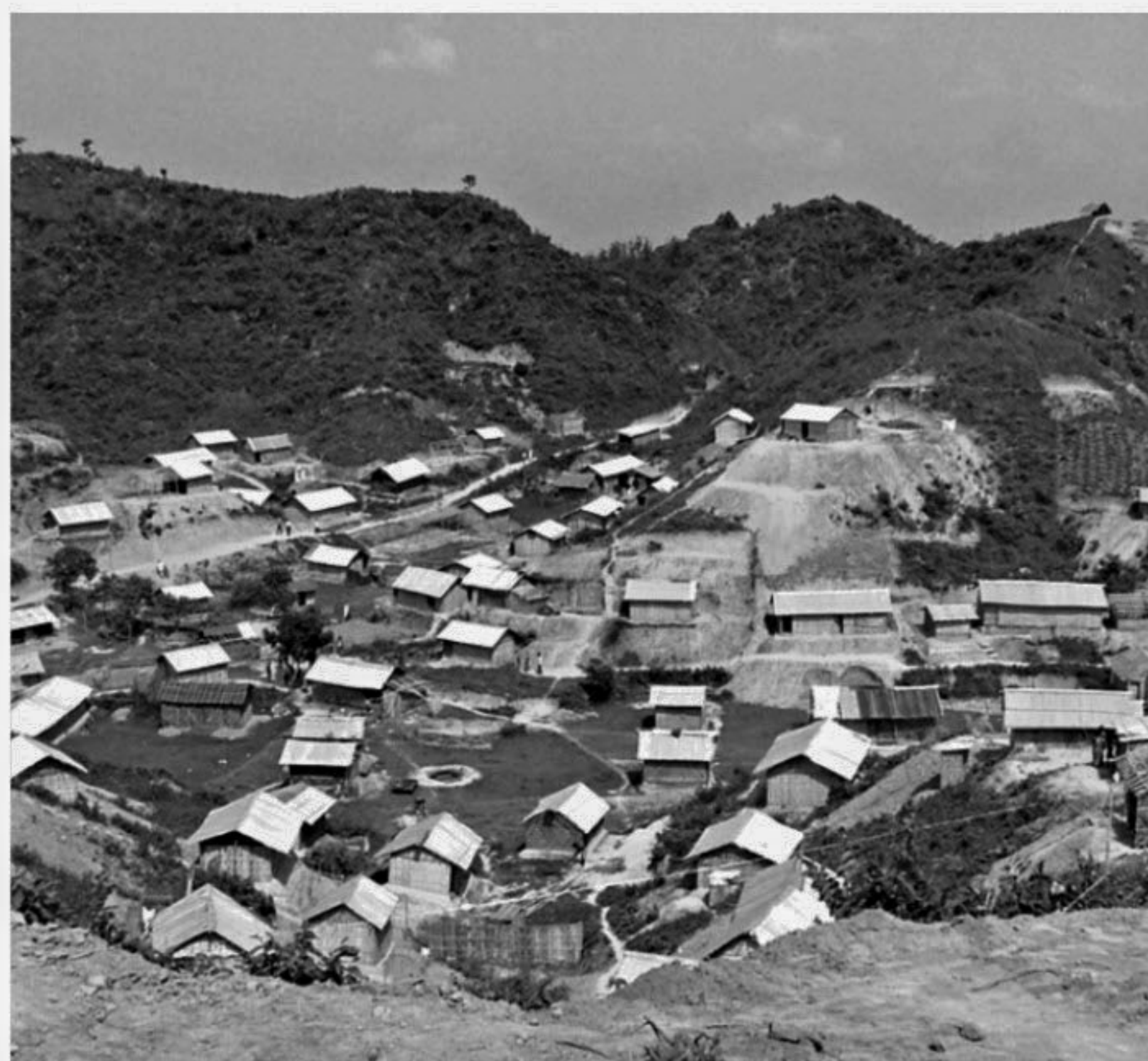
trust building. According to the CHT Accord (Section 2 of Gha) the government has a prerogative to consult the CHT Regional Council before starting land survey. The government must respect it.

Second, there are inconsistencies between the CHT Accord and the Land Commission's Act. Because of these inconsistencies, the Land Commission could not function during the former AL and BNP tenures. To make the Land Commission fully operative, the government does not have any other option but to remove the inconsistencies in the Land Commission's Act without delay.

Third, rehabilitating the internally displaced persons (IDP) and returnee indigenous refugees is one of the most important provisions of the CHT Accord. As per the CHT Accord (Section 2 of Gha), land survey cannot be carried out without rehabilitation of IDPs and returnee refugees.

Fourth, how to negotiate the contradictions between the concepts of the customary land rights and *khas* lands? Local laws of the CHT deny the concept of *khas* land, as indigenous communities follow the customary rules to determine land ownership, which is supported by the CHT Accord. Therefore, the Land Commission has a mandate to resolve land disputes on the basis of existing laws, customs and systems of the CHT. Does the Land Commission have an understanding of "existing laws, customs and systems" of CHT?

Fifth, what will be the working relation between the Land Commission and the government, especially the ministry of land, while carrying out land survey in CHT? As per the Bhumu-Khatian (Parbattya Chattagram) Ordinance, 1984, the main objective of land survey is to prepare Mouza maps and *bhumu khatians*, or amending the records in *bhumu khatians*. What will be the parameters of preparing *bhumu-khatians* or demarcating the boundaries of lands? In other words, will the government take the "existing laws, customs and systems" of CHT into account as recommended by the Land Commission while carry-



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ing out land survey? If the answer is "no," the Land Commission might not be able to utilise the outputs of land survey for resolving land disputes.

Sixth, land survey is a bureaucratic and time-consuming exercise. If the Land Commission has to wait until the final output of the survey, it may not achieve its objectives. Alternatively, the Land Commission might consider starting its work in a specific upazila on pilot basis. It can deal with the issues on "case by case" basis, and the lessons learnt from this "case management" can be replicated in other areas of the CHT.

Seventh, land survey alone cannot be a means of resolving the land disputes. To support the work of the Land Commission, it is essential to strengthen other ancillary CHT institutions -- the CHT Regional Council, Hill District Councils, and the Task Force on Rehabilitation of Returnee Refugees and Internally Displaced Persons. As per the commitments of the CHT Accord, the government must empower the Hill Councils by devolving powers to them so that they can discharge

services to the people.

Eighth, effective coordination and support between the civil and military administrations are necessary. The government must make sure that the army plays an impartial role and does not associate itself with the politically sensitive settlement program of the Bengali settlers. At the same time, the government might consider forming a mixed police force to assist the civil administration in keeping law and order in CHT.

Finally, it is needless to say that resolution of land disputes is an ethical and political exercise. Indigenous peoples are politically too marginalised to influence the top decision-making process of the government. Therefore, we ask the government and the Land Commission not to take a unilateral decision with regards to land survey. The government must respect the CHT Accord and have patience to listen to the CHT people for creating an inclusive environment.

Ashok Kumar Chakma is Master of Development Practice (Advanced), University of Queensland, Australia. E-mail: ashok.chakma@gmail.com.

Tackling unemployment

The innovative idea of creating a workforce from an idle youth population will be killed and huge public money will go down the drain if the NSP acquires a partisan character for promoting and sustaining political purpose of the party in power, as well as facilitating creation of vote banks for the next general election.

A.N.M. NURUL HAQUE

PRIME Minister Sheikh Hasina inaugurated the National Service Program (NSP) for giving work to the jobless youths in the rural areas where poverty and unemployment are rampant. Under this innovative program, 720,000 educated youths will be given three months training with monthly payment of Tk.6,000 each, and then will be absorbed in a suitable job for two years.

The NSP involves training of the selected jobless youths in a variety of fields, like disaster management, agriculture, public security, social welfare, health and family planning, physical education, environment, and services of the union and upazilla parishads.

The program has been taken up in line with Awami League's election manifesto, and is an effort to fulfill one of its major election pledges a year after it came to power. The underlying theme of this program is that after these two years, these people would be able to stand on their own feet.

The government has selected two districts -- Kurigram and Barguna -- to try out this innovative program. It will be replicated in other places if it succeeds. How the program will work, or whether there will be attempts to politicise it, remains to be seen in the future. The idea, which aims at creating an educated and trained work force to help reduce poverty, is really commendable. But it would have been better if it were backed up by a job market study.

Though a study of the job market is an important aspect for imparting skill in the developed countries, it is absent in our country as most of our policy makers seem to believe that the job situation will never improve here. But such a view is not tenable and the effort should be initiated from the top. President Barack Obama is personally supervising a job recovery program in his country.

The expatriates' welfare ministry carries out overseas job market studies and the authorities concerned with this program can use their expertise to assess the job market. Bangladesh has a huge population, but we are labeled as a poor and backward nation. The people who are now working abroad as menial labour can work as skilled ones if they are given proper training.

Information technology-based training, skill in English language, and improvement of moral qualities are urgently needed to make our jobless youths eligible to find suitable jobs in the overseas job markets. Unemployed educated youths are a burden not only to their families but also to the nation. It is the quality of human resources that defines a nation's status.

The momentum of national service is growing globally, as more and more countries around the world are developing or expanding youth civic engagement program and policies. There is growing recognition that the ingenuity, solidarity and creativity of millions of young people can be harnessed to address critical social, political and economic issues around the world.

President Barack Obama signed into law on April 22, 2009 a measure designed to strengthen national community service efforts by boosting federal funding for thousands of volunteers in fields ranging from clean energy to health care and education.

In the US, UK, Liberia, South Africa, Maldives, Botswana, and the Philippines, governments and heads of state are leading the process of establishing innovative new national youth service programs. The schemes intend to tackle challenges like youth unemployment and environmental issues, and to actively engage young people in their communities and in social service activities.

The NSP is indeed an innovative job creation program for the jobless youths in rural areas, having potential to change the socio-economic landscape of rural Bangladesh. But the success of the program depends on fulfillment of a few requirements, which are given below.

Firstly, the recruitment process must be fair, transparent and non-partisan. Secondly, a strong committee should be formed to implement it in a meaningful and sustainable fashion. Thirdly, the curricula of training should be job market-based, so that these people find jobs both at home and abroad after expiry of two years attachment period with the government bodies.

The innovative idea of creating a workforce from an idle youth population will be killed and huge public money will go down the drain if the NSP acquires a partisan character for promoting and sustaining political purpose of the party in power, as well as facilitating creation of vote banks for the next general election.

The government has also taken up an Employment Generation Program (EGP) targeting 12.5 lakh ultra-poor, of which at least one-third of the beneficiaries will be women, for giving work for 40 days during the March-April lean period, under a social safety net scheme. Such a program is essential for the rural people to stop the city bound exodus.

Surely, unemployment is one of the most pressing problems that the country is confronting today. Creation of jobs in the formal economy, which is a key objective of development policy, is totally absent. Employment in the manufacturing sector remains stagnant, while the agriculture sector that contributes nearly half of the total employment in the country shows a declining trend.

In such a situation, the NSP has come as a beacon of hope to the millions of educated but poor youths living in rural Bangladesh. But everything depends on how the government implements it.

A. N. M. Nurul Haque is a columnist of The Daily Star.

A world without nuclear weapons

As far as non-proliferation is concerned, I would like to repeat the words of Mohammed El Baradei, Nobel laureate and former head of the International Atomic Energy Agency that only in this way can the nuclear powers "gain the moral authority to call the rest of the world to curb the proliferation of these inhumane weapons."

CHAKLADER MAHBOOB-UL ALAM

NO American president has spoken out so eloquently and so forcefully, not only against the proliferation of nuclear weapons but also for their total abolition. At a summit of the United Nations Security Council, held in September 2009, President Obama said: "I called for this summit so that we may address at the highest level a fundamental threat to the security of all peoples and all

nations -- the spread and use of nuclear weapons."

In this context, it is worth highlighting the fact that this was the first time in its sixty-nine-year history that a Security Council summit was chaired by an American president. At Obama's urging, the Security Council unanimously adopted a resolution which called for "further efforts in the sphere of nuclear disarmament" to achieve "a world without nuclear weapons." The resolution also urged all countries to sign

the Nuclear Non-Proliferation Treaty of 1970.

There is no doubt that twenty years after the end of the Cold War, Obama has taken a giant leap forward and put the dream of nuclear disarmament on the American agenda. But the problem is that for the realisation of this dream he will have to deal with not only the hawks in America but also the leaders of the other four permanent members of the Security Council -- Russia, China, Britain and France -- who also happen to be nuclear powers.

This was not the first time that attempts were made to curtail the number of nuclear weapons. The first nuclear disarmament treaty was signed between the US and the Soviet Union in 1963, which banned tests of nuclear weapons in the atmosphere, in outer space, and under water. All tests were effectively confined to underground sites.

In 1968, the two superpowers signed the Nuclear Non-Proliferation Treaty (NPT) in which they "agreed not to promote the spread of nuclear weapons to countries that did not already possess them." Britain followed the example of the US and joined the treaty immediately. But France and China, the other two nuclear powers, did not sign the treaty until 1992.

But the fact that today there are several other nuclear powers, -- India, Pakistan, Israel and North Korea -- proves that the NPT was breached. The most significant negotiations between the two superpowers were conducted through START I (1991) and START II (1992) treaties under which they agreed to reduce significantly their strategic nuclear weapons.

In this context, it is important to highlight the fact that these pacts never made any firm commitment to eliminate all nuclear weapons. True, the superpowers destroyed some of their old and perhaps unsafe nuclear devices. But the fact remains that today, twenty years after the fall of the Berlin Wall, the United States and Russia still have more than 20,000 nuclear weapons, thousands ready to launch within minutes.

Leaving aside Britain and France, who have their own stockpiles of nuclear weapons that very rarely come under scrutiny, Belgium, Germany, Italy and the Netherlands store American nuclear bombs on their air force bases and have planes capable of delivering them. Under the Nato agreement, pilots from these countries are trained and kept ready to engage in nuclear war at a moment's notice. Although the United States withdrew its nuclear weapons from Greece in 2001, it is widely believed that the US still stores nuclear weapons in Turkey. These, in my opinion, are clear violations of the spirit of the nuclear Non-Proliferation Treaty.

More recent attempts in the sphere of

nuclear disarmament have always ended up as ploys by the nuclear powers to prevent other countries from developing nuclear weapons. While negotiating non-proliferation, they not only wanted to hold on to their existing nuclear arsenals but also, in certain cases, wanted to develop new and even more sophisticated bombs. For example, when President Bush signed a limited arms reduction treaty in 2002, he was seriously considering a Pentagon proposal to develop a new generation of more usable (as opposed to self-detonating) nuclear weapons which could cut through thick rock and penetrate deep into the earth.

Even the most recent Security Council resolution of September 2009, in this field urged all countries that had not yet signed the 1970 nuclear Non-Proliferation Treaty to sign it, but remained virtually silent on concrete proposals for complete disarmament. The resolution targeted North Korea and Iran as international rogues for secretly trying to develop nuclear weapons, and asked all UN members to enforce tough sanctions on them.

North Korea tested its first nuclear device in 2006, while Iran insisted that it was merely interested in the peaceful use of atomic energy. But the resolution did not mention Israel's secret stockpile of nuclear weapons. At the summit, both Brown and Sarkozy ranted and raved against Iran but remained completely silent about Israel. Now my question is: Is this the way to build trust among nations and gain moral high ground?

No one underestimates the dangers of a frightening new world of ever-expanding nuclear appetites in which the traditional deterrence of nuclear weapons in the hands of only a few nations will most probably not work. At the same time, one appreciates the difficulties involved in overcoming the fear and distrust accumulated between Russia and the United States during the long years of the Cold War. But the dangers are so great for the world, including themselves, that it is imperative that they take step by step concrete measures by first making a clear commitment to the goal of a world without nuclear weapons, banning all nuclear testing, taking their missiles off a hair-trigger alert, and then gradually destroying all of their nuclear weapons.

As far as non-proliferation is concerned, I would like to repeat the words of Mohammed El Baradei, Nobel laureate and former head of the International Atomic Energy Agency that only in this way can the nuclear powers "gain the moral authority to call the rest of the world to curb the proliferation of these inhumane weapons." In next month's review meeting of the nuclear Non-Proliferation Treaty, the negotiators on behalf of the nuclear club would do well to remember this advice.

Chaklader Mahboob-ul Alam is a columnist of The Daily Star.



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Putting a stop before it explodes.