

EXCLUSIVE INTERVIEW

'We have failed to own the Accord'

"I feel that question of how 'properly' the CHT was represented, or not represented, as the case might be, is far less important than the question of how acceptable the Accord's terms were, or are. The Accord does not fulfill the aspirations, or even expectations, of a large number of people in the CHT", observed Chakma King Raja Devashish Roy, while talking to Mohammad Ali Sattar, Assistant Editor, The Daily Star recently.

The Daily Star: In context of the uniqueness of the region, please give us the present socio-economic and political situation in the Hill Tracts.

Raja Devashish Roy: Despite the recent input of development programmes of governmental and non-governmental organisations and other institutions in the CHT, the overall socio-economic situation in the region is a serious cause for concern. As far as access to basic education, healthcare, electrical power, road networks and transport facilities, sanitary latrines, safe drinking water and basic government extension services are concerned the region is still among the least developed in the country.

Deaths from diarrhea and dysentery, on account of use of unsafe water, are extremely high. Plains and lowlands suitable for irrigation are scarcer in the CHT than any other region. The national goal of achieving 100% literacy in the country is unlikely to be reached soon unless special measures are undertaken. Several upazillas have a literacy rate that is lower than half that of the national rate (amongst them Lakkhichari in Khagrachari, which I visited recently) is reportedly less than 15%. None of the three district headquarters' government colleges offers more than three or four subjects each for Honours or Master's courses. The overall socio-economic situation needs to be assessed not by looking at the sums of money spent recently, but by looking at the socio-economic indicators with context-appropriate tools of assessment.

DS: How about the political situation in the CHT?

RDR: The political situation is far from what it should be, and what it can be. The political rights that were acknowledged through the CHT Accord of 1997 remain largely ignored on account of discriminatory attitudes and ignorance of the specificities of the CHT, or lack of political support at high levels, or a combination of all three.

The intra-indigenous political -- and all too often violent -- conflict between JSS and UPDF exacerbates the issue, but it is not the sole political problem of the CHT. The more important problem is an insufficient understanding at national level of the political history of the CHT as a region whose peoples' political and civil rights (not to mention economic, social and cultural rights) have long been neglected. High-level decision-making for the CHT is until today

exercised on the basis of advice from civil and military bureaucrats, ignoring the role of the CHT institutions.

The political situation is worsened by treating the CHT as a "security issue" and employing "counter-insurgency" approaches in a region that has no "insurgency" (the major conflict is intra-indigenous and political). Unlike the period before the ceasefire in the mid-90s, security forces, government installations and personnel are no longer attacked by any CHT armed groups. The current political situation can only improve if the government's policy-makers understand the history of the CHT as a self-governing area, and accordingly devolve adequate authority to the region's specialised institutions under the benign oversight of the national government in Dhaka.

DS: Do you think that the Hill region was properly represented at the Peace Talks and Agreement Signing with the government in 1997?

RDR: I feel that question of how "properly" the CHT was represented, or not represented, as the case might be, is far less important than the question of how acceptable the Accord's terms were, or are. The Accord does not fulfill the aspirations, or even expectations, of a large number of people in the CHT.

DS: What are the impediments to the implementation of the Accord?

RDR: Among the impediments towards implementation is the demonification of the provisions of the 1997 Accord whereby its provisions have been painted black. We have failed as a country to own the Accord, despite the fact that the government of the day is led by the Bangladesh Awami League, under whose leadership the agreement was signed, and who made pledges to implement it fully and faithfully in the last general election.

Another impediment is a perspective that posits: "Implementation of the Accord will jeopardise the sovereignty, security and territorial integrity of the country." I would argue just the opposite. It is implementation of the Accord that will truly integrate the region into the country's path towards development, without artificially and forcefully assimilating the CHT peoples' identity and integrity. But of course, development needs to be a "self-determined" form of development, a form of development that respects cultural identities, collective social



Chakma King Raja Devashish Roy

rights and the indigenous peoples' ethos of development.

The irony for indigenous peoples in the CHT, like in most parts of the world, is that they did not design the architecture of the state in which they live, and most importantly, they did not have a role in framing the country's constitution. Unless appropriate constitutional reforms are made with their prior, informed consent, there will be no state policy to help facilitate the implementation of the Accord, but mere governmental policies that are fickle, ad hoc and subject to changes according to the political exigencies of the party/parties in power in successive governments.

DS: Tell us something about the present status of the Land Commission. How is it functioning?

RDR: The CHT Land Commission has not, as far as I know, provided a single decision on land-related conflicts in the CHT, in the nature of a civil court, as it is empowered by law. And it should not do without an agreement about its process of work, i.e., subsidiary rules to supplement the 2001 Act have not been framed. It is not functioning properly. There are two basic problems. One is the current chairperson's dictatorial ways. The chairperson has decided the format of hearings, petitions, notices etc. without consulting with the Commission's members, including the chairpersons of the regional and hill district councils and the circle chiefs or *Rajas*. Moreover, at the behest of the chairperson, and perhaps based on the advice of certain government officials, who are not members of the Commission (only one official, the Commissioner or Additional Commissioner of Chittagong is a member), the Commission purported to start a land survey prior to dispute resolution. In any case, land survey is within the purview of the hill district council -- which is the institution charged by law with land settlements, leases, transfers, compulsory acquisition and other forms of land use --

not that of the Commission. The Commission may conduct, through the cooperation of the executive local agencies, local surveys only, not a Cadastral survey -- which would be based upon plains land ownership and use concepts largely inapplicable to the CHT, if and when a dispute before the Commission so demands. The Commission's job is not to rehabilitate people displaced on account of its decisions. That political and humanitarian decision belongs to the Government of Bangladesh, to be designed and implemented through the Task Force on Rehabilitation of the India-returned Jumma Refugees and Internally Displaced Hill people in a transparent and democratic manner.

The second major problem with the Commission is the concerned law's (Land Commission Act, 2001) conflict with the letter and spirit of the 1997 Accord. There are problems with regard to the jurisdiction of the Commission, the undemocratic quorum of its members for major decision-making, the arbitrary powers vested upon its chairperson, and problems in the process of delegation of minor authority, among others. I am glad that the Ministry of Land agreed, in principle, to make the necessary amendments to the law, based upon the advice of the CHT Regional Council, which the government is obliged to do in terms of the 1997 Accord and the CHT Regional Council Act of 1998. I am also happy to note that the chairperson of the CHT Accord Implementation Committee has advised the Commission's chairperson to act within the spirit of the Accord.

DS: Regarding the settlers' issue, what are the outstanding problems that need to be resolved first?

RDR: Firstly, it must be acknowledged that the government-sponsored Bengali migrants' existence in the CHT is economically unviable. The conditions of a large portion of the Bengali residents are also a cause for concern. The continued provision of food grain rations to the officially-listed migrants by the Ministry of CHT Affairs proves that. The humanitarian need is to provide the migrants with livelihood security, and not necessarily land grants. I have heard that many of the migrants are willing to be rehabilitated in the regions outside the CHT if they are guaranteed livelihood security. Such rehabilitation can easily be done for a few hundred thousand people, if necessary with international support, as was offered previously by the European Parliament but was refused.

Secondly, the migrants were cheated with a false promise of abundant arable land in the CHT, which they soon found was a myth. There was insufficient cultivable land in the 1960s to rehabilitate the evacuees of the Kaptai Dam in the 1960s, whereupon thousands (particularly Chakmas who were formerly lowland wet-rice cultivators) permanently migrated to India in 1964. Where would the extra land have come from in the 1980s? Obviously, by displacing indigenous

people from their homes and lands, including those that they rotationally and collectively use for jhum, forest, watersheds of rivers and streams, grasslands, grazing lands, etc. Therefore, it should be realised that those false promises cannot be kept by any government. The migrants are not to be equated with soldiers retreating from enemy-occupied territory. Even if they left the CHT will remain Bangladesh's, along with its indigenous and Bengali residents (those who came voluntarily to the CHT, and who have adapted to CHT ways over the years).

If the government-sponsored Bengali migrants, or a large percentage of them, agree to be rehabilitated ex-CHT, voluntarily, the "settler problem" would be more "manageable." Political compromises would then be easier for all concerned.

DS: Regarding the ecology, do you think the region needs more care and protection from encroachers? What has been the extent of damage to the natural forests and hills in the last 25 years?

RDR: Absolutely. But that can only happen if the indigenous peoples' community-driven and collectivist traditions of resource management and sustainable use are allowed to continue. The forest areas in the region have probably shrunk to one quarter of their size in the last quarter century. The water sources are drying up. Most CHT agricultural lands cannot produce more than one crop a year, unlike in the rest of the country. The biodiversity in the region is dwindling, except in the small community managed forests ("village common forests") under the jurisdiction of the mauza headmen, outside of the Forest Department-controlled reserved forests, which cover a quarter of the region's area. Very few perhaps know that the CHT is one of the mega-diversity regions of the world. Or perhaps was until recently.

DS: The government has taken up plans to promote tourism. Are there any local initiatives here to develop the region to attract more tourists? Do you have plans that might help the government enrich the tourism industry?

RDR: Tourism, in order for it to be respectful of ecology and the CHT peoples' culture, spirituality and social norms, must be people-owned, people-led and people-oriented. The only type of tourism that may be acceptable to the local people is one which is low capital-oriented, locally owned and managed, or at least co-owned and co-managed by local people, respectful of the local ecology, architectural traditions and with proper waste management. A form of tourism that brings in thousands of visitors that add pressure to local sewerage and water supply systems, pollute the air, water and soil with plastic bags, and sonically pollute the area (like loud city visitors do in Lowacharra Park in Sylhet, to the woe of the silent denizens of that forest) is the last thing that the CHT needs.

DS: Thank you for your time.

Mirpur Stadium in Pakistan?

SHAHEEN ANAM

NEITHER the full throated "Pakistan Zindabad" slogan nor the hundred or so flags of that country could impress the Pakistani captain Shahid Afridi, who did not have a word of praise or gratitude for the 24,000 enthusiastic supporters at Mirpur stadium witnessing the match between Pakistan and the West Indies on March 23rd. He just thanked the Pakistanis who had flown all the way to watch the game. Alas! This goes to show the value he has for the sincere and most misplaced support for his team in Bangladesh.

That the Pakistan team played with determination and clinical efficiency is above question and therefore deserves the support and respect of all cricket lovers. However, how far we take that support is an issue here. Is it necessary to wave the flag of any country when we show support? And that too a coun-



ANISUR RAHMAN

try such as Pakistan, whose army has been involved in a brutal genocide, murder and rape of unarmed civilians of Bangladesh? I will not go into the details to remind everyone what was happening on March 23rd forty years ago. Most of us know that. I wonder if the same scene would be enacted, the same flag waving done and 'Pakistan Zindabad' slogan raised even if the game were

held on March 25? I wonder and shudder at the thought.

I know many, even my friends, will protest and admonish me, saying we should look ahead and stop living in the past. They will also say, "Don't mix politics and sports." I don't think I am doing either, I am just talking about self-respect and dignity. It was humiliating to many who found the atmosphere as ludi-

crous to sit through and hear comments from Pakistanis who said, "We did not know Bangladeshis love us so much" or "It seems this stadium is actually in Pakistan!"

Standing on the eve of forty years of independence we have so many mixed feelings of how much we have achieved or have failed. But one thing is certain: we are blessed to have our own independent homeland, our beloved Bangladesh. The war of liberation was our finest hour and we remember it with pride and pain. At the same time we want to be friends with Pakistan; we have no ill feelings towards its people. However, this relationship has to be based on mutual respect and understanding. Shouting 'Pakistan Zindabad' and waving Pakistani flags in a stadium will do neither. It will only result in being ignored by a captain who neither has the decency nor etiquette to acknowledge this misplaced support.

The writer is Executive Director, Manusher Jonno Foundation.

READERS' COMMENTS

A Nobel laureate does not retire

Bangladesh has lost its reputation, millions of poor Bangladeshi villagers depending on Grameen are shaky and confused. So-called intellectuals are showing their true colours.

We, the conscientious Bangladeshis, also have to take the blame for staying in our shells and not protesting at the very start of the orchestrated allegations against an honoured and decent human being, a visionary who has devised and shown a successful method of eradicating poverty. Don't know when we will start learning from our mistakes and change the national culture of jealousy.

Nazrul Islam, Sydney

FS's tirade against the Star: Top diplomat's not so diplomatic words

The questions that remain unanswered are whether the FS had in fact undertaken the foreign trip; if he did, did he meet the affected Bangladeshis, the IOM and the concerned authorities for securing some redress of the affected Bangladeshis. That would, or not, vindicate the editorials on the subject, or that of the pain-stricken civil servant's diatribe.

Dr. Abu Reza

HC again upholds rule of law: Taher's place vindicated

The voice of millions is reflected in the well-written editorial. The historic verdict provides true guidance to our future generation and inspired them immensely.

Fulgence