

IMPLEMENTATION OF THE CHT ACCORD

# Why a roadmap is of utmost importance

## ADP implementation slows down

*Rethink projects that are unviable*

**T**HE World Bank in its latest Public Expenditure review has found that 22 per cent of the development projects over the last five years have not expended any monies allotted to it at all. That a fifth of the annual development plan (ADP) has seen no action raises grave questions about the viability of such projects on financial grounds. We also find that about 13 per cent of projects are facing delays, but what is worrying is the static projects keep getting allocation year after year. This is a colossal waste of resources, which could otherwise have been used for more productive sectors in the economy.

A rethink is necessary at policy level as to what projects ultimately make it into the development portfolio. The current practice is to include populist projects lacking in viability but are included nonetheless as it has become a practice for lawmakers to promise the sun and the moon and everything in between to constituents at election time. Regardless of such age old practice, it is high time for a culling of non-starter projects from the ADP. The continuous addition of new projects every year hardly helps matters with such a backlog of unimplemented ones.

The ad-hoc system of planning and adopting projects without parliamentary discussion raises the risks of both cost overruns due to slow implementation and adopting projects that address short term goals as opposed to strategic ones. We can only emphasise the need for better planning at the time formulating the development plan.

## Invest in healthcare of female RMG workers

*It will also benefit the business*

**A** sector as large and as booming as RMG, with the majority of its 4.2 million workers being young women between 18 and 35, it should be a moral obligation for all factory owners to facilitate reproductive healthcare to their employees. A research study has shown that 20 percent of the female workers remain absent from work due to sexual health-related problems. Female workers have limited access to gynecological services. Such services should be ensured by the employers not just for ethical reasons but because this will increase productivity by reducing absenteeism.

A roundtable discussion held by The Daily Star and SNV Netherlands Development Organisation, has pointed out that most owners of readymade garment factories are yet to realise the economic benefits of investing in health care for their female workers. Introducing a health insurance scheme is the most logical solution. The health insurance would be jointly paid by workers and factory owners. The study cited has estimated a loss of USD 22.5 million per year due to such absenteeism. Thus from a financial point of view too, it makes good business sense to have healthy, more efficient, workers.

For the women workers who work long grueling hours, access to reproductive healthcare is crucial. Absenteeism ultimately leads to lowering of their wages which makes going to a doctor even more unaffordable. Thus it is in the interest of the industry as well as the country's progress to make sure services that promote overall health are ensured for these women workers and it is the responsibility of the employers to do this by providing health insurance.

JYOTIRINDRA BODHIPRIYA LARMA

**I**T has been 18 years since the CHT Accord was signed by the Government of Bangladesh and the Parbatya Chattagram Jana Samhati Samiti (PCJSS). It is most unfortunate that despite the promises made to the Jumma people over the decades, only 25 provisions of the CHT Accord have been realised as of now, with the core issues still unresolved.

The central issues of the CHT Accord include, among others, preservation of tribal inhabited features of the CHT region; transfer of all subjects and functions, as envisaged to be under the jurisdiction of the CHT Regional Council and the three Hill District Councils, and their enforcement thereof; holding of elections to these councils; resolution of land disputes after inserting necessary amendments to the CHT Land Dispute Resolution Commission Act 2001 in line with the CHT Accord; rehabilitation of internally displaced persons and India returnee refugees to their respective homesteads with restitution of their lands to their rightful ownership; dismantling of all temporary military camps including 'Operation Uttoron'; cancellation of land leases given to non-residents; appointment of permanent residents to all services available in the CHT on priority basis; effecting necessary amendments to the CHT Regulation 1900, Bangladesh Police Act and all other relevant laws in accordance with the spirit of the Accord and; rehabilitation of the Bengali settlers outside CHT with due honor and dignity. However, these issues remain unimplemented.

Instead of undertaking effective and visible initiatives to implement the CHT Accord, the government has resorted to empty promises claiming that 'the Accord is being implemented' or that the government is sincere in implementing the Accord' or '80 percent of the Accord has already been implemented.' They have gone as far as stating that '90 percent of the Accord will be implemented during the present term of this government'. In reality, the government continues to maintain absolute indifference as far as the implementation process of the Accord is concerned, thereby stalling its execution.

One of the major obstructions to resolving the CHT issues lies in the government's lack of resolve to bring about necessary amendments to the contravening sections of the CHT Land Dispute Resolution Commission Act,

2001. As a way out, a 13-point amendment proposal of the CHT Land Dispute Resolution Commission Act, 2001 was adopted in a meeting attended by Dr. Gowher Rizvi, Advisor to the Prime Minister, Chairman of the CHT Regional Council and representatives of PCJSS and representatives of the Ministry of CHT Affairs on January 9, 2015 at the Chittagong Circuit House. The 13-point amendment proposal was also approved by the CHT Accord Implementation Committee in its meeting held on January 20, 2015 at the office of the Deputy Leader of Parliament and a high-level inter-ministerial meeting organised by the Ministry of CHT Affairs on January 28, 2015 in Rangamati. It was also decided

supposedly anti-Accord activities and corruption.

To add to the woes, while primary, secondary and college-level education is in doldrums, the rights and existence of the Jumma people is endangered and the political situation is unstable, the government seems bent on advancing its University of Science & Technology and Medical College projects in Rangamati, in spite of popular demand to suspend the project for the time being until a consultation process is initiated to assuage the apprehensions of the local people. But defying popular demand for a dialogue, the authorities of these institutions have started taking classes under 24-hour police and army protection.

Despite strong protests, the government has been implementing directives of the Ministry of Home Affairs that include imposing restrictions on foreigners' visit to the CHT and on persons from foreign/national organisations from talking with the Jumma people without the presence of people from the administration / law enforcing agencies; transferring the Jumma police personnel to the plains from CHT and entrusting the overall responsibility of coordination of law and order upon 24 Infantry Divisions of Chittagong. In recent days, the army has intensified search operations, arrests, detention, political intimidation, etc. in the CHT.

Besides, suppression and oppression of the indigenous peoples and minority communities - including communal attacks, killings, rapes, and abductions aimed at grabbing their lands - are on the rise all over the country. Especially, in recent times, the danger of violence against indigenous women and children has increased at an alarming rate. A staggering figure of 55 incidents of violence against indigenous women and children has been reported from January to November 2015. There are allegations of involvement of many powerful influential members of the ruling party in forcible grabbing of lands belonging to the indigenous and minority communities.

As is the case with any other nation, the Jumma people do not want to see the extinction of their national identity. They do not want to be evicted from their land and territory. They want to live as proud citizens of this country with their national identities, fundamental rights and self-dignity

intact, while living in their ancestral lands and territories. It is through signing the CHT Accord that the Jumma people have reassessed their willingness to live in the country as citizens with their individual and unique identity. Taking so much time to implement the historic CHT Accord and above all, the ill-conceived activities of the government as well as the ruling class to carry forward the anti-Jumma-interest activities can never yield anything good.

The government is escalating the use of law enforcement and security forces day by day to thwart the Jumma peoples' movement against programmes which are in conflict with the Accord and the Jumma interest. If the government fails to attach importance to the sense of deprivation of the Jumma people, their hopes and inspirations, and instead continues to use state machineries and power to suppress the democratic movement of the Jumma people, there will be no point of return for the Jumma people.

The CHT crisis is both a national as well as a political problem. Hence, for the greatest interest of the nation, there is no alternative but to fully implement the CHT Accord. Merely expressing solidarity with the movement for the implementation of the CHT Accord is not enough; forces that belong to democratic, secular and progressive political parties, organisations and societies should come forward with supportive programmes.

We also call upon the present grand alliance government to ensure speedy, proper and full implementation of the CHT Accord, as well as declare a timeframe based work plan or roadmap aimed at proper implementation of the CHT Accord immediately. It should give priority to the issue of devolving all powers and functions to the CHT Regional Council and three Hill District Councils, withdrawal of all temporary camps including 'Operation Uttoron' that legitimises military domination over civil administration, resolution of land disputes by amending the CHT Land Dispute Resolution Commission Act, rehabilitation of Jumma refugees and IDPs and amendment of concerned laws and regulations, including CHT Regulation 1900 and Bangladesh Police Act. Finally, it must undertake legal and administrative steps to preserve the Jumma-inhabited features of the CHT region.

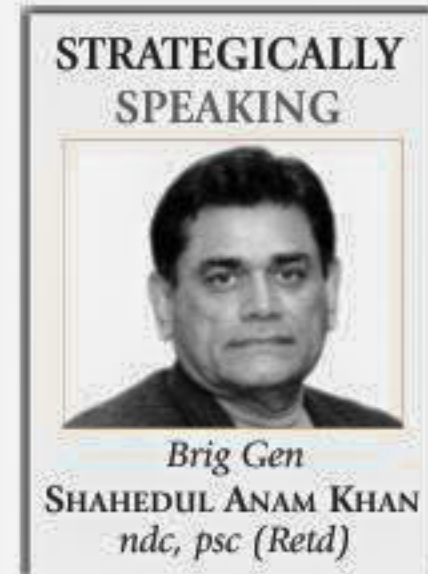
The writer is one of the signatories of the CHT Accord and President of Parbatya Chattagram Jana Samhati Samiti.

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unanimously that the Amendment Bill of the said Act will be placed before the Parliament during the winter session. But it is to be noted that even though several sessions of the Parliament, including the budget session were held after the end of the winter session, the Act, in the amended form, could not be passed till today. Despite consensus on the issue, the dilly-dallying tactics of the government in amending the CHT Land Dispute Resolution Commission Act is a manifestation of its lack of political will and sincerity in resolving the CHT crisis.

Despite tremendous opposition, the government, by virtue of its sheer majority in the parliament, has amended the Hill District Council Act raising the number of the Interim Council from existing 5 to 15. This unilateral action has allowed the Hill District Councils to engage in

# 18 years and not done yet!



Brig Gen SHAHEDUL ANAM KHAN ndc, psc (Retd)

**T**ODAY is the 18th anniversary of the CHT Accord, and it is pathetic to hear the tribal leaders still lamenting its non fulfillment in toto. Very few would take issue with them on this

count. The Accord remains only partly implemented, its more complex provisions left in a limbo all these years.

If it takes nearly as long to fulfil the post-conflict pledges as the conflict had lasted then one could make a few rational assumptions. One, the Accord was faulty with loopholes, second, the government is unwilling to proceed with it further to avoid any more constitutional complications, third, the government is unwilling to allow the Accord to go through legal scrutiny in the court of law.

On the contrary, if we were to take it that none of the three is true, the only question that can follow is, why, even after 18 years, have not all the provisions of the Accord been implemented?

Every year preceding the 2nd of December, and even on that day also, and this year was no exception, the tribal leaders led by Shantu Larma lament, justifiably, the lack of progress in the full implementation of the Accord, and every year they come out with veiled threats of force to achieve their aim. And every year we see words of hope thrown at them by government highups.

In the last several years we have heard nothing from the CHT Accord Implementation Committee, which is headed by the deputy leader of the House, as to the progress of the Accord implementation. However, the PM's advisor on foreign affairs has always held out high hope to the tribal people of the CHT. This year he implored them to have patience and faith in the government. After 18 years, to ask someone to have patience is an unkind joke and belittles not only the one advising patience, but also the people he is advising. May we ask as to what has been done regarding the 12 CHT specific laws and 26 related laws which, according to the advisor, need to be amended?



Abul Hasnat Abdullah, MP and Convener of National Committee, on behalf of the Government of Bangladesh and Jyotirindra Bodhipriya Larma, on behalf of the peoples of CHT, sign the CHT Accord, 1997 on December 2, 1997. Prime Minister Sheikh Hasina is seated on the extreme left.

Perhaps reminding ourselves of what the same advisor said in the past on the CHT issue will put the matter in perspective. In 2012 he had expressed his optimism that the 1997 CHT Peace Accord would be implemented in full in 'the next one year'. We could not share his optimism then, and after three years, regrettably, we add, our position has been vindicated.

It is quite understandable that the BNP would soft pedal on the matter, having opposed the Accord in the first place, when it was running the government. But the position of the AL, who had authored the Accord, is quite baffling. It is difficult to believe that the political parties will not have realised that the state has made a commitment to a section of its people which cannot be abrogated.

Is Shantu Larma wrong in questioning the sincerity of the government towards the Accord that it

itself had penned? We ask again, as we have done in the past, why has the government not appealed against the High Court verdict on the writ that sought and got its ruling that declared some of the provisions of the agreement unconstitutional in 2010, since it violates the unitary structure of the state? There is a stay of the Appellate Division verdict since April 2010 and the government has not gone for a regular appeal yet. And there are at least six such Articles, namely 36, 80, 122, 143 and 144 of the Constitution, that the Accord is in conflict with. And ways will have to be found to reconcile the contradictions.

It is for all the major political parties to ensure application of all the provisions of the Accord. It cannot be lost on them that all the major political parties, starting from the JP to BNP and lastly the AL, had made endeavours to solve the CHT issue and had engaged the PCJSS in dialogue of sorts. It is

another thing that the AL succeeded in materializing the idea in 1997. One wishes that on matters like this the other political parties could have been taken onboard so that that the accord would be owned by all who would then be obligated to see it through when in power.

Personally Mr. Larma has a lot at stake. He put his credibility with his people on the line by signing the Accord. And he may have compelling reasons to threaten to relapse to the days of the 1980s.

The Accord was a remarkable step towards a lasting solution of a conflict that had gone on for more than two decades. It is an irony that what was seen as a means of a permanent conflict resolution may well hold within itself the potential for the eruption of another conflagration.

The author is Associate Editor, The Daily Star.

## LETTERS TO THE EDITOR

letters@thedailystar.net

### Abandon Rooppur Nuclear Power Plant project

It seems that the government has become so obsessed with producing more electricity that they don't care about the effects it will have on our economy and environment. I was very disappointed when I came to know from news reports that Rooppur Nuclear Power Plant would require a staggering \$13.5 billion! It has been disclosed that when the government first seriously floated the idea of this plant in 2009, some experts had said that it would require around \$2-3 billion.

From the very first moment when people learnt about this plant, they protested vehemently; conscious citizens and experts were against it. They explained the reasons: for instance, Bangladesh is at high risk of earthquake, and we are not as technically developed as countries like Japan. Since Bangladesh is a small country, in case of radiation, people will not be able to move to safer places.

Ignoring all this, how could the government make plans to spend such huge amounts of money to produce electricity when there are innumerable other issues to be addressed? Dhaka has been branded as the second least liveable city. Roads and highways are in a dilapidated condition, rivers and channels are slowly disappearing, traffic jams have become unbearable, hospitals are in a sorry state, our airports are not up to standard, and the list goes on. The government must seriously consider abandoning plans of setting up the Rooppur plant for the sake of the nation.

Nur Jahan  
Chittagong