

# The twisted 'facts' of CHT Accord implementation



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The 23rd session of the United Nations Permanent Forum on Indigenous Issues (UNPFII) began on April 15 and continued till April 26. The government delegation participated in it, as did the Indigenous representatives of the country. Md Moshir Rahman, secretary of the Ministry of Chittagong Hill Tracts (CHT) Affairs (MOCHTA), gave a speech before the UNPFII on behalf of the government delegation. There was nothing new in his statement. As of last year, 65 of the 72 clauses of the CHT Accord have been implemented, he said. And just like in previous years, he reiterated his promise that the Rules of the CHT Land Commission will be finalised soon. In fact, even though two-thirds of the clauses of the CHT Accord, especially the core issues, remain unimplemented, the government has continuously been propagating statements that 65 of the 72 clauses of the Accord have been implemented.

According to government information, all clauses of Part A of the Accord have been implemented. If so, then why have

responsibility to supervise and coordinate the general administration, law and order, and development of the three hill districts not transferred to the CHTRC, as per Section 9(c)?

Needless to say, the deputy commissioner and superintendent of police continue to unilaterally exercise general administration and law and order powers in the districts, bypassing the coordination and supervision jurisdiction of the CHTRC. In addition, the CHT Development Board and the three HDCs are unilaterally implementing their development programmes, ignoring the power and jurisdiction of the CHTRC.

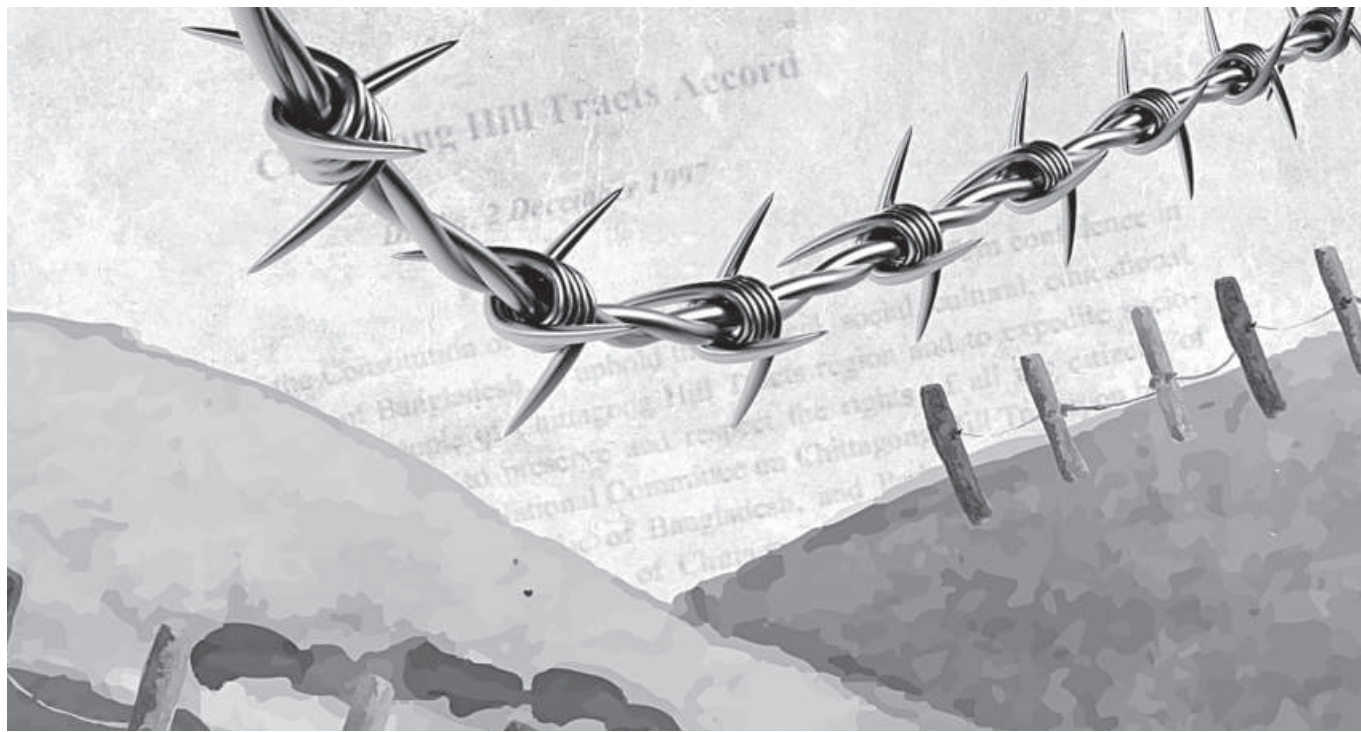
Meanwhile, the CHT ministry secretary communicated a questionable statement to the UNPFII that the development plan of the CHT region is being implemented in consultation with the regional council. But the CHTRC has always been kept away from development activities in the hill areas. Bypassing the CHTRC and even keeping the three HDCs in the dark, the government is constructing border roads

secretary of the CHT ministry mentioned that "efforts to conduct digital land survey and management" have been taken in the CHT. But there is a provision in the CHT Accord that the land survey can be carried out only after the resolution of the land disputes. Since the land disputes have not been settled yet, if the land survey initiative is taken before such settlement, it will be a direct violation of the Accord.

Despite the provisions in Section 7, bank loans of 879 returnee Jumma refugees have not yet been exempted. For one instance, a loan of Tk 22,000 taken out by four members of the Parbatya Chattagram Jana Samhati Samiti (PCJSS) has not been exempted in the last 26 years.

Land leases given to non-locals have not yet been cancelled, despite the provisions in Section 8. As a result, Jumma people are constantly being uprooted from their homesteads in the name of the army's tourism and camp expansion mission as well as due to forcible land grabbing by leasing companies and settlers.

The secretary of the CHT ministry claimed that 241 temporary camps have been withdrawn. But according to the PCJSS, out of 545 camps, 66 camps (in two phases of 31 and 35) were withdrawn soon after the Accord (between 1997 and 2001) came about and another 35 camps were withdrawn in 2009 after the assumption of state power. That makes for a total of 101 temporary camps being withdrawn, and more than 400 camps still being active in the CHT. Moreover, new camps are being



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legal and administrative steps not been taken to preserve the tribal area status of CHT, as per Section 1 of this part? Why are outsiders infiltrating the CHT, unabated, to undermine the tribal area status? Why are non-permanent residents being given permanent resident certificates, jobs, and other facilities based on that certificate? Not only this, they are also being included in the voter list of three hill districts in violation of the provisions in the Accord.

It is true that the CHT Accord Implementation and Monitoring Committee has been formed as per Section 3 of Part A, but this committee still does not have its own office, manpower, and funds. Furthermore, none of the decisions taken in the meeting of the committee were implemented. For example, a decision was taken at the committee's 2010 to cancel the jurisdiction of issuing permanent resident certificates of hill districts vested on the deputy commissioner in violation of the CHT Accord, but this decision was not implemented.

Besides, in several meetings of the Accord implementation committee, the decisions were made to transfer the subject of "Police (Local)" and "Preservation and Development of Law and Order" to the three Hill District Councils and to form a "hill district police force," but they have not been implemented.

If all the clauses of Part A of the Accord have indeed been implemented, why have the other laws applicable in CHT—including the Police Act, 1861; Police Regulations; Forest Act, 1927; and Chittagong Hill-tracts Regulation, 1900—not been amended to give effect to the said provision of the Accord as per Section 2?

The government also claims that 32 of the 35 clauses of Part B of the Accord have been implemented. If so, why have law and order, police, land and land management, forest and environment, tourism, and development of communication systems not been transferred to the Hill District Councils (HDCs)?

In addition, despite Section 9 of Part B, the voter list has not been prepared including permanent residents of the hill district and the election of three HDCs has not been held. The question to the government delegation is: why, even after 26 years, have the election rules and electoral rules for the HDCs not been formulated?

According to the government, all 14 clauses of Part C related to the CHT Regional Council (CHTRC) have been implemented. So why was the power and

various connecting roads, destroying plantations and houses of Jumma people, and evicting Jumma people from their villages without compensating affected families.

Furthermore, the government is not following the provision of making laws for the CHT in consultation with the CHTRC, stipulated in Section 13. In fact, even when the CHTRC's advice is sought by the government, it is ultimately ignored, as was seen during the formulation of the CHT Development Board Act, 2014 and the amendment to the three HDC acts in 2014.

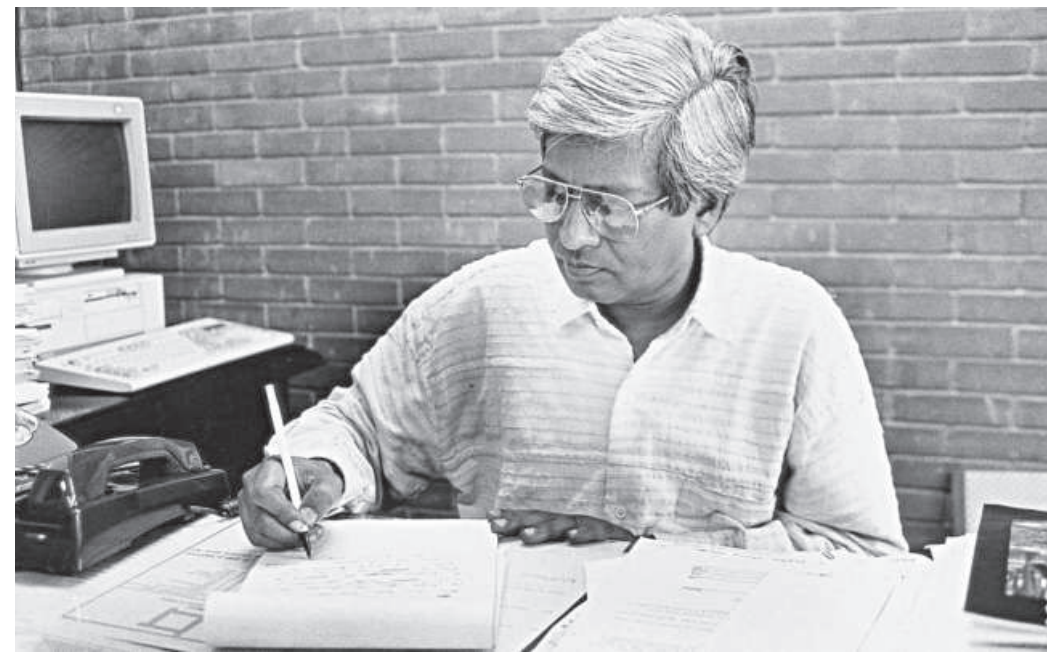
The government also claims that 15 of the 19 clauses in Part D of the Accord have been fully implemented, two have been

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partially implemented, and two are in progress. If so, then, according to Articles 1 and 2, why has it not been possible to rehabilitate even a single one of the 83,000 internally displaced families? And why did the 9,000 India-returnee refugees not get their land back? Why were landless Jumma families not given two acres of land settlement, as stipulated in Article 3?

While it is true that the CHT Land Dispute Resolution Commission has been formed under Sections 4, 5, and 6, not a single land dispute has been settled in the last 26 years. The government has kept pending the work of formulating the rules of the Land Commission for the last seven years. As land disputes are not settled, the Indigenous Jumma people are continuously losing their land.

In his speech before the UNPFII, the



**Sir Fazle Hasan Abed (April 27, 1936 - December 20, 2019)**

PHOTO: ARCHIVE

## Life of a revolutionary dreamer



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**GOLAM MORTOZA**

While a common perception is that women are physically unfit for hard manual labour, the truth is that women can carry burdens that men could never take on. This was the viewpoint of Sir Fazle Hasan Abed; everyone's beloved Abed bhai. We were travelling to Habiganj and he was talking about his experiences from 1974: "No one considered women as an important part of the society. I visited Roumari and found out that the male members of the community had abandoned their families. The women were struggling to survive amidst the famine with their malnourished children. Whatever food they could gather, they would feed it to their children. So, it was not the men but the women who took up responsibility in times of crisis. They kept struggling till the end to get out of danger. The lesson I learned was that when women are given the right opportunity, they can turn the impossible into the possible."

By nature, Abed bhai was a reticent person. If you asked him anything, rarely would he answer in detail. One had to ask him something repeatedly to get a concrete answer. But when it came to the struggles of women, he needed little prodding to continue. "Society prevents women from getting things done. It creates many impediments for them," Abed bhai was always reiterating. During that period, poultry and livestock diseases were very common. Farmers often lost their cows to diseases, too. Usually, such misfortune would also mean that the poor farmer lost all his possessions.

A group of boys and girls were trained for three months to become veterinary workers. In Abed bhai's words, "Someone commented that girls won't be able to give injections to the cows," said Abed bhai. "But the girls did a better job than the boys. Still, the refrain of 'girls can't do it' didn't stop. After the first batch, I stopped taking in boys; all the subsequent para veterinary workers were girls."

This was the story Abed bhai liked to tell anyone who said girls could not do something or the other.

"Bangladeshi girls can do everything. They carry a pail full of water and a child at the same time. They climb up steep land effortlessly. There is no work that girls can't do. Such thoughts only prove the limitation of the male mindset."

At the time, the child mortality rate was extremely high in Bangladesh. Tetanus itself would cause the death of seven percent of infants every year. A shot of tetanus toxoid could prevent this, so Abed bhai decided to focus on providing this life-saving vaccine to children. Collecting vaccines and training people on how to give injections was the easy part. But the vaccines needed to be stored in freezing conditions, and so refrigerators had to be arranged at thana levels. Temperature control was also required while taking them to the villages. When BRAC was running a chicken vaccination project, they faced the same problems. However, the situation was dealt with by carrying the vaccines inside ripe bananas, which kept them cool.

A vaccine project for children of massive scale, however, was impossible for BRAC to go ahead with without the government's support. Abed went to see the then president Ziaur Rahman, who was duly impressed. However, the practical problem was that all thanas still didn't have access to electricity. The then president assured him, "I have set up the Rural Electrification Board. Within five years, all thanas will get electricity. But now you should think about something else. The vaccine initiative will need a few years to reach fruition."

Abed started thinking and determined that the main culprit behind child mortality was diarrhoea. In 1968, the then South-East Asia Treaty Organisation Cholera Research Laboratory (now icddr,b) had come up with the oral saline formula consisting of salt, glucose, and potassium. However, it could not be taken to the people. BRAC started collaborating with icddr,b and a huge workforce was trained to popularise saline.

Abed bhai told us, "Our workers have reached

each and every village household. Men, women, imams from mosques, and village *matobors* were made to understand and learn the saline making process. We used to mark rice cooking pots to show them how to measure half litre of water. We had to do so many experiments. We realised that poor people perceived saline to only be for them, not for the rich. So we started advertising on TV and their perception started changing."

After its success in Bangladesh, Indonesia and several countries from Africa took help from BRAC and started their own oral saline initiatives with success.

BRAC was founded in response to the aftermath of the Liberation War. Abed bhai once said, "I went to England for higher studies before the war, and I had specific plans. However, after the war, only the betterment of the country and people occupied my mind. Even though I was in the UK during the war, I still worked to liberate Bangladesh. As a continuation of that effort, it was inevitable that I'd return and establish BRAC. Marietta was my girlfriend then, and we were supposed to get married. But she refused to go to Bangladesh, and I refused to

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stay back in the UK. At that point in time, there was only Bangladesh in my thoughts. Marietta significantly contributed towards the war, too. However, I chose my country over her."

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Abed bhai held high opinions about Tajuddin Ahmad: "If Tajuddin was not cast aside and was instead given more opportunities, Bangladesh's history could have been different. Tajuddin had unmatched education, honesty, and leadership capabilities."

Abed bhai defined a great and worthy leader as someone who always steps down to accommodate a worthier leader, saying, "Nelson Mandela could have stayed in power for 10 more years if he wanted to, but instead he paved the way for the future [worthy leadership] by stepping down."

About his achievements, Abed bhai was very self-effacing: "Maybe people think I am a successful person. I established the world's largest NGO and I've received many awards and prizes. However, I did not work for awards. I am satisfied with my work because I've worked for the people, the poor, and for those who are not in everyone's thoughts. But I am not complacent. Still a lot of work is left to be done."

BRAC is continuing his "remaining work," both at national and international levels. We lost Abed bhai to a life-threatening disease on December 20, 2019. Had he survived, we would have celebrated his 88th birthday on April 27 of this year.

Translated from Bangla by Mohammed Ishtiaque Khan