

# 'LIFE IS NOT OURS'

**LAND AND HUMAN RIGHTS  
IN THE CHITTAGONG HILL TRACTS  
BANGLADESH**

**UPDATE 3**

**THE CHITTAGONG HILL TRACTS COMMISSION**

**1997**

## **Copyright**

© The Chittagong Hill Tracts Commission –  
February 1997

All parts of this report may be freely reproduced with due credit to the Chittagong Hill Tracts Commission.

## **Cover photo**

The Chittagong Hill Tracts Commission

## **Distribution**

Organising Committee Chittagong Hill Tracts Campaign  
P.O.Box 11699  
1001 GR Amsterdam  
The Netherlands  
fax : +31-20-6645584  
e-mail: occhtc@xs4all.nl

and

International Work Group for Indigenous Affairs (IWGIA)  
Classensgade 11 E  
2001 Copenhagen O  
Denmark  
fax: +45-35-270507  
e-mail: iwgia@iwgia.org

## **Note**

Due to document size considerations, the pictures from the printed version are not included in this electronic version.

## Table of Contents

<b>Map: Location of the CHT (Bangladesh)</b> .....	4
<b>1. INTRODUCTION</b> .....	5
<b>2. THE PRESENT POLITICAL SITUATION</b> .....	5
The National Committee on the Chittagong Hill Tracts .....	6
The District Councils .....	6
Improved relationship with India .....	6
<b>3. NEGOTIATIONS</b> .....	7
Negotiations with the Khaleda Zia government .....	7
The cease-fire .....	8
Negotiations with the new government .....	10
<b>4. REFUGEES</b> .....	11
Repatriation and rehabilitation .....	11
Further repatriation .....	12
<b>5. HUMAN RIGHTS VIOLATIONS</b> .....	12
Abduction of Kalpana Chakma .....	12
Bandarban, 15 March 1995 .....	13
Investigations .....	14
<b>6. LAND ISSUES</b> .....	14
Further settlement of Bengalis .....	14
Cadastral Survey .....	15
Occupied for military camps .....	15
'Afforestation' and other programmes .....	16
Illegal logging .....	17
Land-rights study .....	17
<b>7. NEW DEVELOPMENT PROGRAMMES</b> .....	17
Foreign-funded programmes .....	17
Oil and gas exploration in the CHT .....	19
Road construction .....	20
<b>8. ACTIVITIES OF JUMMA AND BENGALI ORGANISATIONS</b> .....	20
Jumma organisations .....	20
Bengali organisations .....	20
Military-backed organisations .....	21
<b>9. INTERNATIONAL DEVELOPMENTS</b> .....	21
The European Parliament .....	22
The United Nations .....	22
The International Labour Organisation .....	23
International campaign work .....	24
<b>10. CONCLUSIONS AND RECOMMENDATIONS</b> .....	24
<b>APPENDIX 1</b> .....	27
<b>APPENDIX 2</b> .....	27
<b>APPENDIX 3</b> .....	28
<b>Footnotes</b> .....	30

Map: Location of the CHT (Bangladesh)



## **1. INTRODUCTION**

Since the publication of Update 2 of 'Life Is Not Ours' in May 1994 the Awami League has returned to power in Bangladesh after 21 years, through parliamentary elections on 12 June 1996.<sup>1</sup> Sheikh Hasina Wazed has become the new Prime Minister. The Awami League has a majority in Parliament and again power relations in the country have changed. Prime Minister Khaleda Zia was forced to resign in March 1996 after two years of mass action by the opposition parties, led by Sheikh Hasina. This culminated in a boycott of the February 1996 elections, to push their demand for the installation of a neutral caretaker government to ensure that the next elections would be free and fair.

In its election manifesto the Awami League states explicitly that it wants to reach a political solution to the Chittagong Hill Tracts (CHT) conflict. Though aware of the Awami League's negative attitude towards the CHT issue, a cautious hope for a political settlement to the more than 20-year-old conflict was rekindled among the Jumma people when the new government took office. The Awami League will now have to fulfil its election promise.

The CHT Commission is bringing out this Update because it is concerned that the present political situation may offer a last chance for a negotiated settlement to the conflict. Given the political reality of Bangladesh, if negotiations fail this time there will be no further scope for a peaceful solution - unless there is a radical change in power relations in the country.

This Update covers the situation with regard to the Chittagong Hill Tracts both during the previous government under Prime Minister Khaleda Zia and the BNP (Bangladesh Nationalist Party), and after the installation of the present Awami League government under Sheikh Hasina in June 1996. The focus of the present Update is the peace process and the steps taken by parties to the conflict, as well as by various other interest groups.

## **2. THE PRESENT POLITICAL SITUATION**

Ironically, as the Awami League initially did not have a majority in the parliament, Sheikh Hasina had to form an alliance with ex-President General Ershad's Jatiyo Party, the same General Ershad who had been ousted by a mass upheaval in December 1990 - jointly led by Sheikh Hasina and Khaleda Zia. After by-elections and the allotment of the 30 seats reserved for women in the parliament the Awami League now has a majority, although not the two-thirds majority needed to make the constitutional amendment demanded by the Jana Samhati Samiti (JSS) to guarantee the rights and identity of the Jumma people.

Unlike Khaleda Zia's BNP and General Ershad's Jatiyo Party, the Awami League (AL) does not have its roots in the army. On the contrary, the relationship between the Awami League and the army has not been very good in the past. Awami League's leader, Sheikh Mujibur Rahman, who led the nation to independence in 1971 and became the first Prime Minister of Bangladesh, was killed together with almost his whole family by a disgruntled army faction in 1975. This ushered in a period of almost fifteen years' continuous military rule. Sheikh Hasina, Sheikh Mujib's daughter, realising that she would have to maintain a delicate balance with the military once in power, did build up some alliances within the army over the last few years. And some army officers have been given ministerial positions in: Lt. General (Rtd.) Nooruddin Khan, former Army Chief of Staff is now Minister for Power, Energy and Mineral Resources; Major (Rtd.) Rafiqul Islam Bir Uttam is Home Minister. The alliance with General Ershad in order to form a government after the elections can also be seen in this light. Even so Sheikh

Hasina will have to manoeuvre very carefully, especially with regard to the CHT where the army is still the de-facto ruler and policy maker.

After the installation of Sheikh Hasina's government the JSS unilaterally declared a continuation of the cease-fire on the condition that a Parliamentary Committee would be set up and that the dialogue would continue. However, it took several months before the Sheikh Hasina government reacted to the JSS proposal and took any concrete steps with regard to the CHT. The Home Minister of the new government Major (Rtd.) Rafiqul Islam even stated in a meeting at Khagrachari in September 1996 that the CHT problem was not on the government's priority list. On the other hand, according to some unconfirmed reports groups within the army had pressured the government to come to a peaceful settlement to the conflict. On 1 October 1996 the government announced that the Cabinet had decided to establish a National Committee on the CHT. Since then a cease-fire has been agreed upon, and negotiations started in December 1996.

In the CHT the army continues to be the de-facto ruler and its presence there is undiminished; according to military sources there are 180 army camps in Rangamati District alone. <sup>2</sup>

### **The National Committee on the Chittagong Hill Tracts**

The aim of the National Committee on the Chittagong Hill Tracts is to seek a political agreement with the JSS. The 11-member National Committee is chaired by Chief Whip Abul Hasnat Abdullah. Other members are Members of Parliament from both the Awami League and the BNP, including all three CHT MPs, and prominent citizens, such as the Mayor of Chittagong. A 10-member Advisory Committee has been added to the National Committee and some retired army officers, who previously held prominent positions in the CHT, have been included in it: Major General (Rtd.) Abdus Salam, former GOC, 24th Division Chittagong and now an MP for the Awami League, and Brigadier (Rtd.) Sharif Aziz, former Commander of Khagrachari District. Other members of the Advisory Committee are the Deputy Commissioners of all three Hill Districts and a representative of the Ministry of Defence. At its first closed-door meeting on 6 October the National Committee reportedly expressed the government's eagerness to find a political solution, rather than a military or otherwise coercive one.

### **The District Councils**

Officially the Hill District Councils, which were forced on the Jumma people in June 1989, have a 3-year term. Due to the ongoing negotiations with the JSS Khaleda Zia's government had to postpone Hill District Councils' elections and extend their term time and again. The latest extended term expired in January 1997 and according to the Act elections must be held within 60 days of completion of the term. On 30 January 1997 the Parliament passed three bills to extend the period of the Councils by another 180 days to facilitate the ongoing negotiations. Reportedly in the bills provisions were also made to dissolve the present Councils and to set up interim Councils if no fresh elections can be held during the extended period.

### **Improved relationship with India**

It may be recalled that Bangladesh won its independence from Pakistan in 1971 with the help of India. After Sheikh Mujib was killed in 1975 the relationship between both countries deteriorated fast.

With the installation of the new government in Bangladesh and somewhat earlier the new government in India, relations between both countries have again improved considerably. A significant success for Prime Minister Sheikh Hasina is the new Farakka agreement between the governments of India and Bangladesh. This concerns the amount of water from the Ganges passing through the Farakka dam on the Indian side of the border with Bangladesh; it was a long-standing dispute and previous governments repeatedly blamed India for the increasing droughts in Bangladesh. The new agreement will last for 30 years and the amount of water flowing into Bangladesh has increased enormously. Both governments have also agreed to stop their respective support to armed resistance movements, such as the Bangladesh support to the NSCN (National Socialist Council of Nagaland) and the ULFA (United Liberation Front of Assam) and the Indian support to the JSS.

### 3. NEGOTIATIONS

#### Negotiations with the Khaleda Zia government

Under international pressure and after the Shanti Bahini, the armed wing of the JSS, had declared a unilateral cease-fire in August 1992, the previous government led by Begum Khaleda Zia started negotiations with the JSS for a political solution. The first dialogue between a government committee and the JSS was held in November 1992.

#### The main demands of the JSS <sup>3</sup>

1. constitutional amendment to grant regional autonomy with an elected Regional Council.
2. to turn the whole CHT into one administrative and political unit named as Jummland and transfer lands illegally occupied or owned by or leased out to non-residents of the CHT to their real owners or to the Council.
3. honourable return and proper rehabilitation of those who were forced to leave for India after 1960 as well as proper rehabilitation of families affected by the Kaptai dam.
4. withdrawal of all army and paramilitary camps and cantonments from the CHT, except BDR camps.
5. proper rehabilitation of all JSS members and withdrawal of warrants and cases against any JSS member.
6. to reserve quota for Jumma people in the Civil Services and Defence Services and for students in universities and colleges.
7. to stop infiltration and settlement of outsiders in the CHT and to withdraw outsiders from the CHT to other places outside phase by phase.

At the request of the government the JSS modified its demand for provincial autonomy with a separate legislature to the demand for regional autonomy. However despite 13 rounds of talks <sup>4</sup> between the government, represented by a committee of parliamentarians, and the JSS over a 3-year period, these negotiations failed to bring about any tangible moves towards a peaceful settlement of the CHT conflict, apart from the repeated prolongation of the cease-fire by both sides. Time and again the government delayed the negotiation process by not keeping its promises <sup>5</sup> and postponing fixed dates for dialogue with all kinds of weak excuses. <sup>6</sup> The government refused to consider the demands of the JSS seriously and appeared to be mainly interested in somehow making the JSS accept the Hill District Councils, which had been forced on the Jumma people in 1989, by granting some concessions, such as providing

constitutional recognition to the ethnic entity of the Jumma People. Needless to say, this was unacceptable to the JSS. From the beginning the Hill District Councils have been rejected by the JSS and the majority of the Jumma people in the CHT.<sup>7</sup> The JSS demands a provision in the constitution for the CHT to be a separate administrative region. The region should be headed by a Regional Council with legislative, administrative, financial, cultural and other powers on top of three Hill District Councils which are to carry out development programmes. In the existing Hill District Councils the national entity, land rights and fundamental rights of the Jumma people are not safeguarded according to the JSS. Moreover, there is a provision for representation of Bengali settlers, hence legalising their presence in the CHT, while the JSS demands the settlers' withdrawal.

### **The cease-fire**

With regard to the cease-fire during the Khaleda Zia government it should be recalled that although the JSS/Shanti Bahini initially declared a unilateral cease-fire, a cease-fire was agreed upon by both sides during the first dialogue between the JSS and the government committee in November 1992.

Both the army and the JSS have regularly accused each other of cease-fire violations. The media regularly report alleged cease-fire violations by the Shanti Bahini, while the JSS has brought out reports of numerous and continuous cease-fire violations by the army. It is very difficult to verify the reported incidents from independent sources. However, many of the incidents attributed to the Shanti Bahini turned out later to have been committed by others, and according to the JSS several incidents were reactions to attacks by the army itself. As part of their ongoing disinformation campaign the army has falsely accused the Shanti Bahini clearly in order to give the latter a bad name.

#### **Alleged cease-fire violations by the Shanti Bahini**

Some examples:

The following incident was discussed in the sixth meeting between the government Sub-Committee and the JSS. The Shanti Bahini had been accused of raping a Bengali girl in Khagrachari on October 25, 1995. Mr. Hangsadhvaj Chakma of the Liaison Committee had personally enquired into the allegation. The actual incident: Mr. Abul Khair and a Chakma boy used to work at a saw mill owned by Dr. Prabhat Kumar Chakma of Khagrachari. Abul Khair's sister and the Chakma boy fell in love and eloped one night. Incidentally they came across some Shanti Bahini members at Guimara. The latter, fearing an angry reaction by settlers against the Chakma boy put them both separately in the custody of local village leaders, and then sent the girl back to her brother, Mr. Abul Khair safely.<sup>8</sup>

In another case newspapers reported a bank robbery in Rajasthali Thana, Rangamati District, on 14 June 1995, allegedly committed by the Shanti Bahini. Later it became known that the army had shot dead a few of the armed robbers and captured documents written in a foreign language. In fact the looters were from a foreign armed group that had been given shelter in the CHT.

A widely publicised case is that of the killing of 28 Bengali woodcutters in Langadu Thana, Rangamati District on 9 September 1996, allegedly by the Shanti Bahini. In a rejoinder dated 15 September 1996, the JSS denies having any involvement in the killing of the woodcutters. It can also be noted that the bodies of the woodcutters were decapitated, which is not the Shanti Bahini's usual practice. It should be noted that this incident happened while the government was having talks with the Indian government - which also touched on finding a political solution of the CHT conflict. It is possible that the woodcutters were killed at the instigation of a section of the army to sabotage any initiatives with regard to a political solution.

The Shanti Bahini has also been accused of killing several people. Mr. Subinoy Chakma, secretary general of Parbatya Chattogram Jatiyo Shanti o Samonnoy Parishad (CHT National Peace and Solidarity Council - an organisation backed by the army) was killed on 25 December 1996 at Banarupa, Rangamati, allegedly by the Shanti Bahini. On 31 December 1996 the JSS issued a statement denying that they had killed Mr. Subinoy Chakma.

The JSS claims that the security forces often attack the Shanti Bahini and so they have to fight back in self-defence, which is not a violation of the cease-fire agreement. Moreover, there are foreign armed groups, such as the Zoram Revolutionary Army from India and the Chin National Front from Burma<sup>9</sup> who have been given shelter in the CHT by the government. Some of these groups co-operate with the Bangladesh security forces against the Shanti Bahini. For example, one foreign armed group has a base next to a BDR (Bangladesh Rifles) camp in Old Lankar in the Sajek valley, Baghaichari Thana, Rangamati District. In May, 1995 this group attacked a nearby Shanti Bahini camp and the Shanti Bahini was compelled to fight back. At the time it was widely reported in the media that the Shanti Bahini had attacked the BDR camp.<sup>10</sup>

The JSS has also been accused of tax collection activities. However, tax collection was never part of the cease-fire agreement and therefore not in violation of it. For instance in one of the dialogues the government committee came up with a list provided by the army of 26 cease-fire violations by the SB. The JSS claim that those 26 allegations were not related to armed attacks on the BSF, but to their tax collection activities.

#### Alleged cease-fire violations by the Security Forces<sup>11</sup>

Some examples:

- The security forces conducted massive combing operations in Naniachar, Lakshmichari and Mahalchari Thanas on 14 June 1995, from 20-24 June 1995 and again from 28-31 August 1995 in which 500 to 1000 army personnel took part.
- On 28 September 1995 army personnel of Mahalchari Military Zone, Khagrachari District, attacked Shanti Bahini camps in deep forest areas of Bagapara, Karalyachari and Golakya and captured documents and various items.
- On 4 October 1995 security forces personnel of Hazachara Camp, Baghaichari Thana, Rangamati District, conducted a military operation in the deep forest of Machalong area. One Shanti Bahini member was seriously wounded and died in custody. According to government sources the incident was the result of an accidental encounter between the Shanti Bahini and the security forces.
- On 6 December 1995 soldiers from the 4th Field Artillery Group, Kacchaptali army camp, Bandarban District, searched Nathakgiri Bouddha Vihara and Liragaon Bouddha Vihara (Buddhist Temples) of Kacchaptali Mouza for Shanti Bahini members. When they did not find any Shanti Bahini members they interrogated the monks and desecrated Buddha images.
- On 11 December 1995 soldiers from the same camp conducted a search operation in Alekhyong Mouza, Rowangchari Thana, Bandarban District. They searched Jumma peoples' houses, interrogated and harassed them.

Also in violation of the cease-fire agreement the army has set up many new army camps. To mention only a few<sup>12</sup>: new camps respectively in Wachu Mouza, Matiranga Thana and Hazachara Mouza, Dighinala Thana, Khagrachari District in May 1995; in Kistochara, Manikchari Thana, Khagrachari District and Tarasa Mukh, Tarasa Union, Bandarban District in November 1995; in Mubachari Mukh and

in Haladyapara, both in Ghilachari Union, Rajasthali Thana, Rangamati District in December 1995; and in Kengelchari Mouza, Naniarchar Thana, Rangamati District in January 1996

Apart from the above, unarmed Shanti Bahini members have been arrested by the security forces while collecting taxes. As already mentioned tax collection does not fall under the cease-fire agreement and therefore arresting tax collectors is a violation of it.

### **Negotiations with the new government**

So far three rounds of talks have been held between the National Committee on the CHT and the JSS, on 21 and 24 December 1996, and from 25-27 January 1997. The last dialogue lasted for 3 days and was held in the capital Dhaka, whereas all previous dialogues were held in Khagrachari in the CHT. A draft proposal made by the government in reaction to the JSS demands was discussed. Neither side made any official statements on the outcome of the negotiations, but it is clear that the main issues are still unresolved: regional autonomy, amendments to the constitution, the land rights and settlers' issues (which are all closely connected), and the role of the army.

With regard to the JSS demand for the withdrawal of all Bengali settlers from the CHT the government has agreed to a withdrawal of settlers who want to return to the plains voluntarily. In connection with this it is important to note that the European Parliament has decided that part of its aid to Bangladesh should be used for the repatriation of Bengali settlers back to the plains. The Dutch government has also indicated that it is prepared to fund programmes for rehabilitation of settlers who voluntarily return to the plains. This is a positive step but the JSS argues that many settlers will not leave the CHT voluntarily because of their vested interests. The JSS also argues that the huge amount of government money that is spent on the settlers and the military in the CHT could be used to rehabilitate all the settlers in the plains.

According to press reports the government committee stressed a peaceful coexistence between the Jumma people and settlers and proposed that the Jumma people who had lost their lands or had been evicted would get it back under the existing land laws, provided that they have documents of ownership. However, this is unacceptable to the JSS as many Jumma people never had land documents or have lost them as a result of the ongoing disturbances. Moreover many people who have documents will not be able to prove their ownership as the land-records office in Khagrachari was burnt down in 1991 and on top of that many settlers have been issued falsified land records. The JSS also demands restrictions on settlement, purchase and lease of land in the CHT by outsiders and that the traditional land rights of the Jumma people should be maintained. It should be noted here that the JSS now demands that all the land occupied by settlers since 1974 must be returned to the Jumma people, whereas 1947 was earlier taken as the cut-off date. Reportedly the government side argued that these demands would require a constitutional amendment which was not likely to get approval in the parliament without the support of the BNP, and that that could be a stumbling block.

The JSS requested the government to give them time to discuss the proceedings of the dialogue with their members during their party congress which will be held early March. The next dialogue has been scheduled for 12 March 1997, most probably in Khagrachari.

It is noteworthy that despite some apparent starting problems, the present dialogues - 2 rounds of talks within 2 months and both lasting more than one day - seem to be more extensive than those with the

Khaleda Zia government, and both sides seem to be willing to make some concessions. It is also significant that for the first time both sides agreed to hold the January meetings in the capital.

#### 4. REFUGEES

According to official sources some 50,000 Jumma refugees still live in camps in the Indian state of Tripura, existing on the very meagre rations given by the Indian government. A large number of them have been living there since 1986. In general the camp conditions are very poor and there is not sufficient clean drinking water available as many of the installed tubewells are out of order. Many people suffer from ill-health due to this and there are regular outbreaks of disease. Reportedly more than five thousand refugees have died since 1993.

The refugees have set up their own medical facilities. They have even set up a small hospital which they are running themselves. With regard to education the refugees also set up their own schools. Before, a big problem was that at the end of high school the students could not sit for final exams. However, the new Indian government gave permission for high school students to sit for final exams.

In 1993 negotiations between the governments of India and Bangladesh about the repatriation of refugees started. Meanwhile facilities for the people in the camps were cut off and rations drastically reduced to put extra pressure on the refugees to return to Bangladesh. Finally a number of refugees agreed to be repatriated and two 'experimental batches' of refugees were repatriated in February and in July 1994 respectively.<sup>13</sup>

In connection with the pending repatriation the South Asia Human Rights Documentation Centre (SAHRDC) sent a fact finding team to the Jumma refugee camps in Tripura and brought out a report on 14 February 1994, one day before the repatriation of the first 'experimental batch', highlighting the conditions in the camps and the government policy of making camp conditions worse. On the basis of their report SAHRDC submitted a written complaint to the Indian National Human Rights Commission on 30 March 1994 against the forcible repatriation of the Jumma refugees. Finally on 22 August 1996 a hearing of the National Human Rights Commission took place. The Commission broadly agreed with SAHRDC that cutting rations and other facilities amounted to forcible repatriation and it stressed the necessity of involving the UNHCR on both sides of the border to determine the voluntariness of repatriation. The Commission also made sure that the ration supply to the refugees was reinstated and that all the arrears would be paid.

#### Repatriation and rehabilitation

In total two so-called 'experimental batches' of Jumma refugees were repatriated to Bangladesh. 379 Jumma refugee families (1841 people) were repatriated from Tripura in February 1994 and in July 1994 another 648 families (3345 people) were repatriated. Although the refugees were very reluctant to return to Bangladesh both batches finally agreed on the basis of a 16-point benefit package promised by the government of Bangladesh. However, up to the time of writing the government has not fulfilled all its promises. The Returnee Jumma Refugees 16 Points Implementation Committee issued a report on 15 October 1996 documenting all the people who have not received what they were promised. A summary of the report is given below:

##### summary of promises not fulfilled

- employment

3 people did not get their previous jobs back

25 people did, but their seniority was not maintained, as they had been assured

42 people have not been given employment, as they were promised
- land
134 people did not get their homesteads back
79 people did not get their land back, which is occupied by Bengali settlers or by the army
- false cases
23 people have been implicated in false cases, mostly filed by Bengali settlers

After the two batches no more refugees have been repatriated. The refugees refused to co-operate with any further repatriation as they felt security for their lives upon return is not guaranteed as long as there is no political settlement of the CHT conflict.

### **Further repatriation**

In the meetings between Sheikh Hasina and Indian Prime Minister Deve Gowda the repatriation of the Jumma refugees has been a topic of discussion, but no concrete steps have been taken yet with regard to this. In the second round of talks between the Bangladesh government and the JSS in January 1997 the repatriation of the refugees was reportedly dropped from the agenda at the request of the JSS.

## **5. HUMAN RIGHTS VIOLATIONS**

Although a cease-fire agreement has been in force since 1992 reports about killings, rape, illegal detention, disappearances and other human rights violations by the security forces and Bengali settlers against the Jumma people have kept coming out regularly.

### **Abduction of Kalpana Chakma**

A recent case is the kidnapping of Kalpana Chakma, Organising Secretary of the Hill Women Federation. Kalpana Chakma (23) was abducted from her home in Lallyagona Village, Baghaichari Thana, Rangamati District, allegedly by a group of armed plainclothed security personnel on the night of 11 to 12 June 1996, just hours before the parliamentary elections. Two of Kalpana Chakma's brothers were also taken outside and blindfolded by the kidnappers, but they managed to escape while being shot at. Since the kidnapping nothing has been heard from Kalpana Chakma and her whereabouts is still unknown. One of Kalpana's brothers recognised Lt. Ferdous, commander of the nearby Ugalchari army camp and two Village Defence Party (VDP) personnel - Nurul Haq, s/o Munsir Miah and Saleh Ahmed - among the kidnappers. Kalpana's mother has stated that she recognised the voice of Lt. Ferdous who had visited their house earlier. Some time before her abduction Kalpana had a fierce argument with Lt. Ferdous about an incident on 19 March 1996 in which some Jumma people were wounded and 7 houses belonging to Jumma people were set on fire by soldiers from his camp. Soon after the kidnapping some NGO's went to the CHT to investigate the case. They found that although Kalpana's brother mentioned the names of Lt. Ferdous and the VDP persons when he lodged an official complaint, there was no mention of any involvement by the security forces in the FIR (First Information Report). The investigators suspected a cover up.<sup>14</sup> The army always categorically denied any involvement in the kidnapping, however there are strong indications that the army is trying to cover up its involvement. Apparently the army does know more: army officials initially stated that it concerned a love affair and that she and Lt. Ferdous had eloped. Later on the army, wanting to give the impression that it didn't know anything after all, dropped leaflets from a helicopter promising Tk.50,000 to anyone who could give information about Kalpana Chakma's whereabouts.

Only on 7 September, almost 3 months after the kidnapping, the government set up a three-member enquiry committee to investigate the case. The committee members are former Justice Abdul Jalil (chairperson), Shakhawat Hossain, DC of Chittagong and Professor Anupam Sen of Chittagong University. After several delays the report of the enquiry committee was finally to come out on 6 December 1996, but the committee has requested a further postponement till 6 March 1997.

In the meantime all kinds of false rumours have been spread about Kalpana Chakma, such as the 'love-affair' mentioned above. An NGO, the Bangladesh Human Rights Commission (in which Saiful Islam Dildar, a so-called 'human rights worker', notorious for his close ties with the army in the CHT, is involved) announced at a press conference on 15 August 1996 that Kalpana Chakma had been seen in Tripura, India and that she had stage managed her own abduction. The Agartala-based Humanity Protection Forum investigated the allegation on the spot and after questioning many people came to the conclusion that the Bangladesh Human Rights Commission's statement was absolutely baseless and false.

Despite wide international attention, many appeals to the government to investigate the matter and a resolution in the European Parliament, the government still failed to give any clarity with regard to what happened to Kalpana Chakma and her whereabouts. People fear for her life.

Several other incidents happened in connection with the kidnapping. During a demonstration on 27 June 1996 to protest against the kidnapping a 16 year old schoolboy named Rupon Chakma was killed by a Bengali settler who grabbed a gun from a VDP personnel. The boy's body was taken away by settlers and never seen again. The same day three students, Monotosh Chakma, Sukesh Chakma and Samar Bijoy Chakma, went missing while on their way to the demonstration. They were reportedly stopped by Bengali settlers at the Muslim Block settlement, and they have been missing ever since. None of these killings and disappearances have been properly investigated.

It should be stressed here that the abduction of Kalpana Chakma got wide publicity, but unfortunately this case does not stand alone. Many other Jumma women have also been victimised. Under the military occupation in the CHT Jumma women are extremely vulnerable, especially to rape, gang rape, molestation and harassment. Over 94% of the rape cases of Jumma women in the CHT between 1991 and 1993 were by 'security forces'. Over 40% of the victims were women under 18 years of age.<sup>15</sup>

### **Bandarban, 15 March 1995**

The Hill Students' Council (HSC) obtained permission from the local authorities and then announced their annual meeting for 15 March 1995. However, on 14 March 1995 the Council of Hill People (CHP or Parbatya Gana Parishad - PGP), a Bengali settlers' organisation allegedly backed by the military, announced that it would hold a meeting at the same venue the next day. The Deputy Commissioner of Bandarban District, fearing violent clashes, then imposed Section 144 which prohibits the assembly of more than five people. Ignoring the imposition of Section 144 the Council of Hill People held a demonstration on the morning of 15 March, but no action was taken against the settlers. So the Hill Students Council decided to go ahead with their meeting in the afternoon, but they changed the venue to avoid a confrontation with the Council of Hill People. However, after the Jumma students' conference started the police intervened and lathi-charged the participants, then they left only to come back again with more police personnel and with CHP members. The police fired rubber bullets and tear gas shells at the Jumma students, lathi-charged them and arrested a number of people. Then they attacked and burnt down nearby Jumma houses, and beat up Jumma people. According to eye-witness accounts the

driver of the Chairman of the Bandarban Hill District Council, Humayun Mohammad, was the first to set fire to the house of Ms. Chengri Marma. In total some 300 Jumma peoples' houses were burnt down and more than a hundred Jumma were injured that day. Sub-Inspector Ibrahim of Bandarban Police Station himself reportedly severely beat up Ms. Mucchang Prue Marma and harassed two Buddhist monks, Rev. Waizo Marma and Rev. Narendra. One Mr. Umaung Prue Marma reportedly died from a serious head injury caused by rubber bullets.

The attack on the Jummas was widely condemned by a large number of renowned Bengali citizens, and several Bengali and Jumma organisations formed a team that went to the area to investigate the incident. As far as we know no action has been taken against the security forces and Bengali settlers involved.

## **Investigations**

Most of the massacres of Jumma people that have taken place in the past, have never been investigated by the government. After a few massacres the government did set up an investigation committee, but never to much effect. The report of the enquiry committee set up after the Logang massacre in April 1992 in which a few hundred Jumma people were killed by the security forces and Bengali settlers, was made public. However it largely projected the army version of what had happened. The report of the Naniarchar massacre in November 1993 has never been made public. The report of the enquiry committee set up in September 1996 to investigate the kidnapping of Kalpana Chakma still has to hand in its report to the government. Moreover, never have persons responsible for any massacre or other human rights violations been tried in court. At the most a few of the responsible army officers have been transferred or given early retirement.

## **6. LAND ISSUES**

In Update 2 of the CHT Commission report the conflicting notions held by the government and by the Jumma people about land ownership in the CHT have been dealt with <sup>16</sup>. Land rights of the Jumma people remain a matter of concern as land alienation processes continue and many repatriated refugees did not get their land back - as reported above. As yet there are no indications that the land problems will be solved in a positive way. Clarity on the legal status of the Jumma peoples' traditional land rights is urgently needed.

### **Further settlement of Bengalis**

Even though government programmes to settle Bengalis from the plains in the CHT were officially stopped in 1985, settlement still continues on a regular basis. Some reported examples:

- In the early 1990s the army took over certain areas in and around Jibtali Bazar in Rangamati District whereby a number of Bengali settlers and shopkeepers were displaced. The army planned to resettle these Bengalis in Mogban mouza, Rangamati Thana, on about 500 acres of land on which 100 Chakma families had been resettled in a Joutha Khamar (collective farm) set up by the Chittagong Hill Tracts Development Board (CHTDB) in 1977-78. Each of these Chakma families had been allotted 5 acres of land which were processed by the mouza headman and the Sub-Divisional Officer (now re-styled as Thana Nirbahi Officer or TNO). However, twenty years on they were still awaiting the Deputy Commissioner's final approval. The Chakma families protested through the local authorities to the army in several written communications against the resettlement of the Bengalis. However, the army went

ahead and the Bengalis were resettled in December 1993 and January 1994, ousting the Chakma families without any compensation.

- In a letter dated 22 July 1996 (with reference to an order issued by the army) to four Khagrachari Hill District Council members, Kamaluddin, chief executive officer of the Deputy Commissioner's office in Khagrachari, requested them to look after Bengali families who had been recently settled in their respective thanas on land that belongs to Jummas.<sup>17</sup>

- Reportedly the Deputy Commissioner of Khagrachari District issued a permit to allot land to 28 Bengali families in an area under Mahalchari P.S. in the second half of 1995.<sup>18</sup>

- 37 Bengali families settled in Logang cluster-village, Khagrachari District in 1996, increasing the total number of newly settled families there to 80. It may be recalled that in April 1992 hundreds of Jumma people in Logang cluster-village were massacred by security forces in co-operation with Bengali settlers and more than 400 Jumma houses were burnt down.<sup>19</sup>

In one of the dialogues the JSS complained that the government not only continued the settlement of Bengalis in the CHT but also helped the settlers to capture administrative control. For instance when the Bengali population increased due to further settlement in Latiban Union, Panchari Thana, Khagrachari District, the government split Latiban Union into two; Latiban and Ultachari Unions. The latter now has 2700 Bengali votes and only 1100 Jumma votes.<sup>20</sup>

Apart from the settlement of new Bengali settlers the authorities have reportedly leased large areas of land belonging to Jummas to Bengalis, including non-residents of the CHT, for rubber plantations. And vast areas of forest are now owned mostly by Bengali private owners.

### **Cadastral Survey**

It was reported in Update 2 that preparations were being made by the government to conduct a cadastral survey in Bandarban District, but it was postponed under pressure of the JSS.

The International Labour Organisation (ILO) in its 83rd Session in 1996 reiterated its 'concern to the government that a cadastral survey conducted prior to a resolution of conflicting land claims between the non-tribal and tribal people (including the refugees in India and those who have been displaced within the CHT itself), and the repatriation of all the refugees in India will significantly diminish any opportunities for the original landowners to recover their traditional lands.'<sup>21</sup>

### **Occupied for military camps**

The Security Forces have occupied large tracts of plantation land and homesteads belonging to Jumma people without their consent and without paying any rent or compensation. Some of these camps have been there for more than 20 years. These lands belong to two categories: a) those for which the landowners have registered title deeds and b) those which belong to people in accordance with rule 50 (1) of the CHT 1900 Regulation. This rule 50 (1) says: '*A hillman may occupy non-urban khas land up to 0.30 acre for the purpose of his homestead with the permission of the headman of the mouza concerned without obtaining any formal settlement from the Deputy Commissioner.*' The (a) category lands can be acquired only on payment of compensation for the land and structures, trees, etc. in accordance with the Land Acquisition Regulation, 1958, or resumed in accordance with rule 50 (3) (a) with compensation for

structures and trees and for the land (if it belongs to the permanent heritable category). The (b) category lands may be resumed in accordance with rule 50 (3) (b) and 'compensation shall be paid to the occupant only for any building or structures erected thereon and for trees planted by him' (/her, note CHT Commission).

Only since about two years has the army been paying nominal compensation to the (a) category registered landowners in exchange for an informal lease up to the year 2000. However, little or no compensation has been paid for the structures and trees. In the case of the (b) category lands, there is no evidence that any money has been paid as compensation. This is in direct contradiction of rule 50 (3) (b). In neither case are the legal procedures followed, and landowners are not in a position either to refuse to give their lands or to bargain for fair compensation. In this way valuable teak plantations belonging to Jumma people have been destroyed.

### **'Afforestation' and other programmes.**

In a series of Ministry of Environment and Forests' notifications issued on 4 January 1992 and published in the Bangladesh Gazette on 21 May 1992, the government set into motion a process to create reserve forest amounting to more than 175,000 acres in all three districts of the CHT. As a result tens of thousands of Jumma people would be displaced. There were large-scale protests against these plans and consequently the government postponed them. However, the notifications were not cancelled. According to the Forest Act the landowners have to put in their claim in writing to the Forest Settlement Office. Failure to do so means that their rights will lapse. Many Jumma people are in no position to place their claims because they are internally displaced or in refugee camps in India. In a document recently issued by the Hill Watch Human Rights Forum <sup>22</sup> it is reported that several hundred claims have been put in by inhabitants of Rajasthali and Kaptai areas of Rangamati District. Even so the Forest Department went ahead and occupied the land without considering any of the claims, and without due process of law. None of the claimants have been given compensation. Moreover, on 18 July 1996 the Ministry of Environment and Forests issued a notice concerning the occupation of another 13,000 acres of land in Rajasthali area, including land mentioned in an earlier notice which had not been published. Hence the landowners had not been informed, nor given the opportunity to file any claims. In the meantime a large part of the land has already been acquired and several thousand Jummas evicted, including 200 Khyang families from Dhanuchari mouza under Rajstali Thana, Rangamati District (the Khyang form one of the 12 ethnic groups that make up the Jumma people). In 1989 five hundred of the evicted families had been forced to settle on this land in a Joutha Khamar (collective farm) under the CHTDB's Upland Settlement and Jhumia Rehabilitation Project, but despite promises they were never given any valid land-ownership documents for the 5 acres allotted to each family. The reserve forest is reportedly to be used to supply wood to the Karnaphuli Paper Mill in Chandraghona.

The government is also continuing to set up rubber plantations. For instance, on 15 July 1996 army personnel ordered the villagers of Sapchari under Ramgarh Thana to vacate the area as the government was planning to start a rubber plantation project there. <sup>23</sup>

Apart from the above mentioned threats to Jumma people's land by government programmes, Jumma people face constant oppression from Forest Department personnel. The Forest Department has lodged thousands of false cases against Jumma people, based on names obtained from the electoral register, including cases against people who are already dead or who moved to other areas many years ago. <sup>24</sup> Many Jumma people have been falsely charged and detained.

## **Illegal logging**

Officially up to the year 2000 logging in all natural forests has been banned since 1985. While on the one hand the government is pretending to be concerned about the environment in the CHT by engaging in so-called 'afforestation programmes', on the other hand illegal logging is continuing on a large scale. Occasionally large amounts of timber are recovered. E.g. in September 1996 reportedly 121,297 cubic feet of timber, worth more than Tk.1million, had been recovered by authorities from Rangamati and Khagrachari Districts and teak worth Tk. 3 lakh had been recovered by soldiers in Rajasthali Thana, Rangamati District.<sup>25</sup> Allegedly the army is also deeply involved in the profitable logging business. Apart from this Bengali private owners have vast areas of forest land in their possession and many of them get permits for logging, which according to the law should only be given in special circumstances, e.g. in case of a wedding. According to figures from the Bangladesh Bureau of Statistics the timber trade in the CHT was worth almost 20 billion Taka in 1994.

The stock of reserve forest in the CHT decreased from 23.8 million cubic metres in 1964 to 19.8 million cubic metres in 1985. The annual deforestation rate is alarming in Bangladesh; 3.3% compared to 0.6% in the rest of South Asia. The CHT water table is already lowered, affecting fish stocks, vegetation, and the habitats of birds, animals and other living organisms in the area.<sup>26</sup>

## **Land-rights study**

An extensive study on land rights, which deals with the crucial question of the traditional, indigenous land rights system vis a vis the government's land registration system, has recently been carried out.<sup>27</sup> The study, funded by the Norwegian government Development Agency NORAD, analyses the various land laws and policies and describes a large number of international instruments that are relevant in connection with obtaining the land rights of indigenous peoples. The report states that like other indigenous peoples who have successfully negotiated their rights:

*'It is essential that in Bangladesh too the necessary legislative and administrative measures are taken, with the consent and the participation of the peoples concerned, to recognise the separate identity of the indigenous peoples and their rights to their traditional lands. The rights of the indigenous peoples to their lands and its environment is recognised as a fundamental issue for indigenous peoples within the context of international standards.'*<sup>28</sup>

The report makes an extensive set of short- and long-term recommendations with regard to land rights, which 'aim to promote a long-term solution to the CHT question'. The recommendations include: constitutional recognition of the identity of the indigenous peoples in the CHT; recognition of the CHT as an autonomous indigenous area; the establishment of an autonomous regional administration in the CHT; bringing national legislation into harmony with international provisions relating to the rights of indigenous peoples; legislative and administrative measures to recognise the customary land rights of the indigenous peoples in the CHT and the prohibition of settlement, lease or transfer of land to non-indigenous persons.<sup>29</sup>

## **7. NEW DEVELOPMENT PROGRAMMES**

### **Foreign-funded programmes**

- Asian Development Bank

The Asian Development Bank (ADB) is continuing to fund so-called 'development' activities, such as afforestation programmes and rubber plantations, in the CHT. Many of these programmes are implemented by the Chittagong Hill Tracts Development Board (CHTDB), which is still controlled by the army, and are in fact part of the counter-insurgency programmes.<sup>30</sup> Such programmes and their destructive effects on the lives of the Jumma people have been dealt with in the previous chapter.

In 1996 the government and ADB agreed on the implementation of a seven-year People Oriented Forestry Programme as part of the Bangladesh Forestry Master Plan. This Master Plan was launched in 1991 with the assistance of ADB and UNDP. The People Oriented Forestry Programme is carried out in Bandarban District and three other areas in Bangladesh. NGOs will be involved in implementation of the programme.

#### - UNICEF

Since 1985 Unicef has been involved in the CHTDB's Integrated Community Development Programme, mainly constructing community centres and supplying drinking water to (cluster) villages.<sup>31</sup> From 1985 to 1995 Unicef allocated Tk. 270 million for the programme. In 1996 the second phase of the Community Development Programme started. Unicef allocated about Tk. 147 million of the total cost of roughly Tk. 217 million. The project covers programmes for informal child education, immunisation and drinking water supply, and should be completed by the end of the year 2000.<sup>32</sup>

#### - International Centre for Integrated Mountain Development (ICIMOD)

ICIMOD has been involved with several programmes in the CHT in close co-operation with the CHTDB, mostly since 1992. What is remarkable is that in 1995 Major General M. Azizur Rahman, General Officer Commanding (GOC) of the 24th Infantry Division, Chittagong, was a Board member of ICIMOD in his function of chairman of the CHTDB. Bangladesh as a member country of ICIMOD has a permanent seat on the Board of Governors.

One of the projects that ICIMOD is involved in is the 3-year ADB-funded Sloping Agriculture Land and Technology (SALT) demonstration project, which started in 1994. Its main objective is 'to develop sloping agriculture land technology models for different agroecological zones and farming systems in the CHT. The project is implemented in Lama, Bandarban District and in Khagrachari, by the CHTDB. According to Jumma sources within the project area many new Bengali settlers have been given land and loans, while only a few tribal families have been included.<sup>33</sup>

Another ICIMOD activity in the CHT is the organisation of training on sustainable mountain agriculture and agriculture-environmental development projects. Jointly with the Government of Bangladesh, the Special Affairs Division, the CHTDB and Bangladesh Institute of Development Studies (BIDS), ICIMOD organised a 3-day National workshop: 'Hill Districts of Bangladesh, Experiences in Development' in Rangamati from 23-25 January 1995. It is striking that in the workshop report environmental and sustainability concerns are important topics, but there is no mention of the root causes: the displacement of 100,000 people by the Kaptai dam in the early 1960's, the settlement of more than 400,000 Bengalis from the plains in the CHT between 1979 and 1985 by the government and the ongoing and devastating illegal logging activities. Nor are the underlying political problems or the military occupation of the CHT mentioned. The recommendation that 'all action programmes implemented should be in conformity with the mandate of a number of international conventions to which Bangladesh is a signatory' cannot make up for these blatant omissions. Moreover recommendations such as undertaking schemes to cultivate herbal medicinal plants as high-value cash crops and to prepare a master plan for eco-tourism, if implemented, would be the beginning of a sell-out to foreign capital, unless the entire process is controlled by the Jumma people themselves.<sup>34</sup>

ICIMOD was set up in 1983, and Bangladesh has been active member of the Board of Governors since the start. The objective of ICIMOD is to 'help promote the development of an economically and environmentally sound mountain ecosystem and to improve the living standards of mountain populations, especially in the Hindu Kush - Himalayas region'. The organisation is funded by the governments of Denmark, Germany, The Netherlands, Austria, Norway, Switzerland and Japan, as well as by the European Community, the ADB, FAO, UNEP, UNESCO, Ford Foundation, IDRC and MacArthur Foundation.<sup>35</sup>

### **Oil and gas exploration in the CHT**

An important development is the 1996 resumption of gas and oil exploration in the CHT. Since 1963 the presence of gas and oil have been suspected in the area, but earlier explorations failed due to political circumstances. The first explorations were stopped during the Bangladesh Liberation War in 1971. In 1982 Petro Bangla and the multinational Royal Dutch Shell began joint explorations. Shell withdrew from the CHT after 5 of its officials were kidnapped by the Shanti Bahini in 1984, and released only after a ransom of Tk.10 million had been paid. Since then no exploration has been carried out in the CHT.

The government of Bangladesh recently signed production-sharing contracts (PSC) with several foreign companies to explore for oil and gas deposits in several areas in Bangladesh, including the Chittagong Hill Tracts. The UMC Bangladesh Corporation (UMCBC), a subsidiary of the United Meridian International Corporation (UMIC) of the USA, will explore for oil and gas in all three CHT districts for a total period of seven years. If oil and gas are discovered the company will be allowed a production period of 20 years for oil and 25 years for gas, according to the agreement with the government.<sup>36</sup>

The British oil exploration company, Cairn Energy starts a survey on exploration of gas in the three hill districts in February 1997. In January 1997 this company and Holland Sea Search Holding NV (of the Netherlands) discovered a huge gas reserve in the Sangu field, offshore in the Bay of Bengal.<sup>37</sup>

The government has offered foreign companies special concessions, in line with the general government policy of opening the country's doors wide to foreign capital. Foreign oil companies do not need to pay royalties, signature bonus, corporate tax or import tax on machinery and they will be allowed to repatriate all their profits. Many foreign companies are now investing millions of dollars, anticipating huge profits from oil and gas which they will be able to export unhindered. Among the companies that are expected to participate in bidding in February 1997 are; British Gas Plc., Exxon Corporation (US), Mobil Corporation (US), Union Texas Holdings Inc. (US), Royal Dutch Shell and the Irish Tullow Oil Plc.

It is not known whether the government has had any talks with the JSS about oil and gas exploration, nor what the JSS position is on this matter. The explorations will have tremendous consequences for the future, economically, socially and environmentally. Experiences elsewhere demonstrate that the consequences for the local population can be disastrous, not only in terms of health - due to pollution caused by oil exploration - but also in terms of repression. In Nigeria the oil company Shell has a very bad reputation for causing intense environmental pollution and for seeking protection from the Nigerian army against activists who expose and resist their malpractices. The Nigerian writer and activist Ken Saro Wiwa and several others who had been prominent in their resistance to Shell's activities, were executed by the military government in 1996. Saro Wiwa had sharply criticised Shell for causing environmental destruction and accused it of being contemptuous of local people's lives.

In Colombia oil explorations have led to militarisation of the area under exploration, the consequence is that the local population suffers serious repression by the army.

The crucial question of who will control the CHT's natural resources in the future - the government, the Jumma people or both together - will need to be part of future negotiations.

### **Road construction**

Several new roads have been constructed in the CHT. As long as the CHT is under military occupation roads serve, first of all, the military. In 1996 a road from Baghahat to Machalong and Sajek in Rangamati District to open up the Kasalong Reserve Forest and control the Mizoram border area was built, and another newly constructed road runs from Chimbuk to Thanchi in Bandarban District.<sup>38</sup>

There are also plans to build a new highway, connecting Rangamati with Chittagong, funded by the Asian Development Bank. The proposed highway would be forty feet wide and could have a severely damaging effect on the sensitive ecology in the CHT. Therefore, according to ADB's own policy, there should have been an Environmental Impact Assessment (EIA). However, no such study has been made.<sup>39</sup> The new highway will cause the removal of many people from their homesteads, and other negative effects. This is already creating tension among Bengali and Jumma people. Besides the new highway is likely to further facilitate logging of the meagre forest reserves.

## **8. ACTIVITIES OF JUMMA AND BENGALI ORGANISATIONS**

### **Jumma organisations**

Jumma people's organisations such as the Hill Peoples' Council, Hill Students' Council and Hill Women's Federation have continued their mobilisation and organisational activities. They have organised demonstrations, conferences and meetings and brought out regular publications. There is increasing co-operation between Jumma organisations and Bengali organisations. The jointly organised investigations of human rights violations is one example.

The Hill Women's Federation is taking part in a coalition of women's groups. As a result of that many women's organisations campaigned against the abduction of Kalpana Chakma and some organisations jointly sent an investigation team to the area to find out what had happened.

Representatives of the Hill Women's Federation also took an active part in the NGO Forum of the UN World Conference on Women in Beijing in 1995. They brought forward the issue of militarisation and in particular the vulnerability of indigenous women to (sexual) violence in a militarised situation.

### **Bengali organisations**

An increasing number of Bengali organisations have become involved in the CHT issue and have started activities with regard to the issue, often in co-operation with Jumma organisations.

Organisations such as the National Committee for the Protection of Fundamental Rights in the CHT continue to be active. The National Committee organised several seminars in collaboration with Jumma people's organisations to discuss the CHT issue. The most recent seminar was held in Dhaka on 26, 27 September 1996 in preparation for the 4th International CHT Conference to be held in Bangkok from 23-26 February 1997. Several hundred people attended the seminar 'CHT: Peace Democracy and Self-Determination' and discussed the topics of land rights, repatriation of Jumma refugees, women's rights, militarisation in the CHT, the question of national minorities and their self-determination, and a political solution to the CHT problem. Water Resources Minister Abdur Razzak spoke at the inaugural session and reportedly said that the CHT problem should be solved peacefully, not by the police or the military. The following resolution was adopted by the seminar participants:<sup>40</sup>

1. immediate release of Kalpana Chakma and a trial of the abductors.

2. immediate trial of the killers of 28 woodcutters in Pakkuakhali, Rangamati.
3. immediate opening of a new dialogue with the JSS and the dialogue has to be held in Dhaka.
4. recognition of a constitutional guarantee for Jumma people and to ensure the land rights of Jumma people.
5. immediately start to find a solution for the problems of Jumma refugees at home and abroad.

### **Military-backed organisations**

Even though democracy has been restored to the country, the CHT remains under military control. Outside democratic control the military continues with its disinformation campaign, aimed at creating confusion and disorder and dividing the Jumma people. With the help of the army more organisations have been set up to counter the Jumma people's movement. The army, as well as certain sections of the civil administration play an active, if shadowy, role in these organisations. In September 1995 the Khagrachari-based Pahari Chattro Parishad, Pahari Gono Parishader Santra Protirodh Committee (PPSPC - PCP, PGP Terrorism Resistance Committee) was set up; both Bengalis and Jumma people are involved in it. Its main aim is to sabotage the Jumma peoples' Pahari Chattro Parishad (PCP or Hill Students' Council) and Pahari Gono Parishad (PGP or Hill Peoples' Council). To create even more confusion these military backed organisations invariably choose names that resemble the names of Jumma peoples' organisations.

The Hill Watch Human Rights Forum (HWHRF), a human rights organisation of Jumma people, has brought out a report on the PPSPC which gives a list of kidnappings, attempted kidnappings and other activities.<sup>41</sup> The PPSPC also organised several demonstrations both in Dhaka and in the CHT. According to the HWHRF landless and poor Jummas were given false promises of financial assistance and were forced to participate in the demonstrations. The military-backed PPSPC president Alok Chakma is allegedly accused of various criminal offences. Other Jumma sources reported that on 7 March 1996 PPSPC activists, popularly called the 'masked force' attacked the house of a Hill Peoples' Council leader. When hundreds of villagers came out to resist the attack, the police joined the masked gang and attacked the crowd. One Amar Bikash Chakma was killed and his dead body was not returned to his family for cremation.

The people of Khagrachari, including respected Jummas and Bengali leaders have approached the Deputy Commissioner many times to take legal action against the armed gang, but the DC reportedly expressed his inability to take action because the gang received the backing of higher authorities in Dhaka.

In 1996 the Organising Committee CHT Campaign received a publication 'Atrocious Activities of PCP' by the Parbatya Gono Parishad (Council of Hill People), the military-backed organisation of Bengali settlers that was responsible for the Naniarchar massacre in November 1993. In the publication 38 so-called human rights violations perpetrated by the Hill Students Council (or Pahari Chattro Parishad - PCP) between January 1994 and March 1996 were listed. The Organising Committee CHT Campaign gave a copy of the publication to the PCP (Hill Students' Council) and asked them for their reaction. In reply the HSC circulated 'A Thousand Lies Cannot Substitute a Truth. In Reply To The Malicious Propaganda By Council Of Hill People' in which the allegations by the CHP were refuted. According to the Hill Students Councils most of the incidents concerned false allegations, were distorted and/or fabricated.

## **9. INTERNATIONAL DEVELOPMENTS**

Apart from the change in relations between Bangladesh and India mentioned earlier in this report, there have been no significant changes in Bangladesh's alliances with other countries since Sheikh Hasina

became the new Prime Minister. The government maintains its close links with western countries and Japan - which provide the bulk of development aid and as has already been mentioned the Sheikh Hasina government has opened the doors widely for foreign capital to invest in the country. Development aid by donor governments and by donor agencies, several of which have explicit human rights objectives, has continued in more or less the same ways as under the previous government. Without this aid the Bangladesh government would never be able to maintain the massive military presence in the CHT. In this way donors directly, but mostly indirectly, are partly responsible for the military occupation and the continued human rights violations perpetrated by the security forces against the Jumma people. In this respect the European Parliament has taken a positive step which may in some way facilitate a solution for the settlers issue in the CHT.

### **The European Parliament**

In a significant move the European Parliament adopted an amendment of the Committee on Budgets in October 1996, which states that part of the aid to Bangladesh is *'for the repatriation of Bengali settlers in the Chittagong Hill Tracts (CHT) back to the plains.'* In justification it states: *'One of the main human rights violations concerning the Chittagong Hill Tracts (CHT) people is population transfer (of Bengali settlers coming from the plains into the Hill Tracts), which is a main cause of conflict in the region. The Bangladesh Government claims it is willing to repatriate the Bengali settlers if funds are provided.'*<sup>42</sup>

The European Parliament has also adopted a resolution in connection with the abduction of Kalpana Chakma in October 1996. It:

1. Calls for the immediate release of Kalpana Chakma;
2. Calls for an impartial committee of inquiry to clarify who bears responsibility for the abduction of Kalpana Chakma, in particular in relation to the role of elements of the army in her disappearance;
3. Condemns all repressive policies relating to the indigenous populations in the CHT and considers that it is the responsibility of the government to ensure full respect for human rights and fundamental freedoms in this region;
4. Calls on the Bangladesh government to open direct political talks with all the parties concerned in the CHT to find a political and negotiated settlement to the various demands of the local people;
5. Considers that all policies of colonisation and militarisation in the CHT must be halted as a matter of urgency in order to encourage the search for a solution to the conflict;
6. Calls on the government to allow unrestricted visits by delegations from humanitarian and human rights organisations in the CHT and to ensure complete freedom of movement for the local population;
7. Calls on the government to stop hampering the humanitarian aid and the development projects intended for the people of the CHT.

### **The United Nations**

For a number of years Jumma people and others have raised the CHT issue at the United Nations. The Bangladesh government has been questioned several times by UN bodies about human rights violations. For instance the UN Special Rapporteur on Torture stated in 1995 that he continues to receive reports of torture and rape by security forces personnel against Jumma people in the CHT.<sup>43</sup> In his report in 1996 he stated that he has *'reminded the Government (of Bangladesh) of a number of cases transmitted in 1994 regarding which no reply had been received'*.<sup>44</sup> Some of the cases relate to incidents of torture. Special Rapporteurs on various occasions also requested the Bangladesh government to allow them to visit Bangladesh in the light of the consistent, systematic and flagrant human rights abuses in the Chittagong Hill Tracts.

In relation to the Naniarchar massacre in 193 the UN Special Rapporteur on Extrajudicial, Summary or Arbitrary Executions in his report to the 51st Session of the Commission on Human Rights <sup>45</sup> stated that he was not provided with full information into the killings at Naniachar by the Bangladesh government. The Special Rapporteur urged the Bangladesh government to *'fulfil its obligation under international law to clarify the circumstances of each alleged violation of the right to life with a view to identifying those responsible and bringing them to justice, and to take appropriate measures to prevent similar acts from happening in future'*. During the Session the Special Rapporteur also deplored the fact that Bangladesh had refused to extend an invitation to visit Bangladesh. In the same session, the European Union called upon Bangladesh to allow the Special Rapporteur to visit Bangladesh.

The Naniachar massacre of November 1993 has also been raised several times by various Non-Governmental Organisations (NGO's) and Jumma delegates. A representative of the Jumma Peoples Network raised the issue of the Naniachar massacre at the Working Group on Indigenous Populations in 1994. In its exercise of the right to reply, the Bangladeshi delegation said that the Inquiry Commission on the Naniachar Massacre submitted its report on 26 May 1994 and that the government had accepted its recommendations. The Bangladeshi delegation further stated that the government had initiated a departmental inquiry and four cases had been registered. Moreover, a detailed reply had been sent for the consideration of the United Nations Sub-Commission on Prevention of Discrimination and Protection of Minorities. The Jumma Peoples Network formally approached the Permanent Mission of Bangladesh in Geneva on 2 August 1995 to seek a copy of the report. However, a Mission official informed the Jumma Peoples Network on 4 August 1995 that it cannot provide a copy of the report as it is not a public document.

During the 47th Session of the Sub-Commission on Prevention of Discrimination and Protection of Minorities The Jumma Peoples Network raised the issue again, and requested the Sub-Commission to make the report which Bangladesh had submitted to the Sub-Commission under the 1503 Confidential Procedure, public. The Bangladesh delegation objected to this.

The fundamental issue here is that the report of the Naniachar Inquiry Commission that was handed in to the Bangladesh government on 26 May 1994 has not been made public. The people of Bangladesh have the right to be informed about the findings of any Inquiry Commission. The government must disclose the names, ranks and company/brigade of the security personnel responsible for the Naniachar Massacre to establish transparency on human rights abuses.

### **The International Labour Organisation**

In its report of the 83rd Session, 1996 the International Labour Organisation (ILO) requested the Bangladesh government (among others) to give further information on the Naniarchar massacre. Noting that it continued to 'receive reports of human rights violations against tribal inhabitants' of the CHT, the ILO also requested the government to 'provide detailed information on measures taken or contemplated to protect the life and property of the tribal inhabitants of the Hill Tracts'. <sup>46</sup>

With regard to the Hill District Council Acts and the 1900 Regulation, which are both applicable to the CHT but have contradictory implications, the ILO requested information from the government about whether it 'has considered withdrawing the Hill Districts (Repeal and Enforcement of Law and Special Provision) Act, 1989. It also recalls its request for further information regarding the mechanisms in place to ensure conformity between the Hill district Local Government Council Acts and the 1900 Regulation, including procedures to resolve any divergencies.' <sup>47</sup>

## **International campaign work**

Jumma people have become increasingly active in international campaign work. Jumma people take an active part in UN fora in Geneva and in international alliances and conferences. For the first time Jumma people themselves have organised an international conference on the CHT. The (4th) International CHT Conference 'Working Towards Peace' is scheduled for 23-26 February 1997 in Bangkok, Thailand. The main aim of the conference is to make a contribution to the peace process in the CHT. It intends to 'look at and develop ways and means to assist the parties in working out suggestions to overcome pre-defined obstacles to a peaceful solution'.<sup>48</sup>

Both in Europe and in Australia there are active Jumma Peoples Networks. The Jumma Peoples Network of the Asia Pacific, Australia has been campaigning against Australian food aid for Bangladesh which benefits the army. About 87 % of the Australian aid to Bangladesh is food aid while about 10 % of the rice and 3 % of the wheat under the Public Food Distribution System, which is all food aid, is distributed to the security forces. The Jumma Peoples Network of the Asia Pacific, Australia requested the Australian government to make its aid to Bangladesh conditional upon the withdrawal of the military from the CHT and the pursuit of a political solution and to introduce strict monitoring of all AusAID projects and programs in Bangladesh.

Other organisations also remain active in support of the Jumma peoples cause. In September 1996 a number of European based organisations issued a joint memorandum to donor governments and institutions which give aid to the government of Bangladesh.<sup>49</sup>

The memorandum pointed out that many of these donor governments have adopted 'good governance' and the observance of human rights as criteria for giving aid. However, they are reluctant to put any real pressure on the government of Bangladesh to take effective measures to stop the human rights violations and to actually come to a political solution in the CHT. The memorandum accuses these donors of sitting back and waiting for the outcome of the negotiations.

The memorandum also points out that although the prospects for a political settlement may be better than under the previous government, there are absolutely no guarantees that renewed negotiations will lead to a political settlement between the government and the JSS as there are still many obstacles to overcome.

## **10. CONCLUSIONS AND RECOMMENDATIONS**

1. The political situation in Bangladesh has changed only marginally with the inauguration of the Awami League government. The relationship between the elected government and the army has not changed much, the army is still a powerful political force in Bangladesh and democracy has not been restored in the CHT, the area remains heavily militarised. A process of demilitarisation of the CHT must begin immediately. The present military occupation of the area has not created the preconditions for peace and has obstructed political and economic development.

2. The new government represents largely a small national elite, albeit an alliance of different sub-sections than represented by the previous governments. The national elite has over the years proved itself insensitive to the interests of indigenous peoples, the poor and women.

3. In the early 1970's when the Awami League was in power, it did not show any understanding of the demands of the Jumma people in the CHT. This was a period in which the conflict could still have been resolved without any bloodshed. It was the Awami League government's intransigence which prompted

the JSS to opt for armed resistance. It would be a real achievement if the present government could reach a peaceful solution to the conflict which is satisfactory to the Jumma people.

4. The political constellation that has come into being now offers a last chance for a realistic, long-term political solution. The present government has shown rather more eagerness to open a dialogue with the JSS than previous governments, while the JSS has demonstrated its readiness for new dialogue, despite the fact that earlier negotiations have been exposed as government tricks.

If the present government fails to come to a political settlement with the JSS, then future governments, made up of mainstream parties, will undoubtedly again resort to the option which has been followed time and again: that of repression, disinformation, criminalisation and isolation of resistance movements, and victimisation of the civilian population. With a strong military presence and a mass influx of Bengalis from the plains this option may lead to temporary 'pacification' of the area, but in the long run this 'solution' can only produce renewed resistance along ethnic lines, as numerous similar situations elsewhere have shown. Militarisation and repression thus may serve to extend the conflict from the present generation to the next.

5. The most problematic aspects of a political solution are a). land rights and b). the right to regional autonomy.

ad a). With regard to land rights, the present negotiations can be successful only if the traditional systems of land rights in the CHT are acknowledged by the government, if a special arrangement is made for the CHT in which local notions of land ownership are recognised within the state's legal system, and if sufficient measures are taken for the Jummas who have lost their land since 1971 due to theft, unlawful occupation or flight. The CHT Commission proposes the creation of an international commission of jurists, specialists in land rights, to work out solutions for this very complex issue. It is imperative that Jumma lawyers are included in such a commission.

ad b). The negotiations cannot be regarded as successful unless they lead to changes in the constitution which provide for CHT regional autonomy in all matters, except foreign policy and national defence. Such regional autonomy would also have to guarantee internal democratic procedures. Social stability in the CHT in the future is conditional on safeguarding the democratic and cultural rights of the various ethnic groups that make up the Jumma people. It would also have to guarantee due concern for the fragile ecological balance in the CHT.

Nor can the negotiations have a lasting result unless there is a comprehensive plan for the re-migration of the settlers from the plains, for which generous funds have to be made available. The CHT Commission proposes to set up a committee of re-migration experts, human rights experts, Members of Parliament and representatives of the international donor community to advise the government on the implementation and phasing of resettlement. The repatriation of the Jumma refugees from India should be co-ordinated with this process of resettlement of Bengali immigrants.

6. Human rights violations have continued in the CHT. It is vital to have a continuing (human rights) monitoring capacity in the CHT. The Commission recommends a Special Rapporteur (of the UN) on the CHT issues, supplemented by continuing investigatory and advisory work by the ILO, Amnesty International and other competent NGO's. UNHCR, ICRC or any other international body should be involved to monitor the voluntary repatriation of the Jumma refugees.

Human rights violations in the past should be thoroughly investigated and all enquiry reports must be made public. Violators of human rights should be tried in court and punished.

7. As no development programmes in the CHT can escape being part of the Bangladesh government's counter-insurgency programme, the CHT Commission calls upon all aid-granting states and agencies to

stop funding programmes in the CHT - until demilitarisation has taken place and a political settlement has been implemented.

All donor governments, in particular those governments that profess concern for human rights violations, must take concrete steps to contribute to the ending of human rights violations in the CHT, and to facilitate a political settlement. The Commission welcomes the decision by the European Parliament to provide funds for the resettlement of Bengalis in the plains and calls on all donor governments and institutions to provide funds only for programmes that will promote demilitarisation, rehabilitation of settlers in the plains, autonomy, the resolution of land issues and development initiatives of the Jumma peoples themselves.

## **APPENDIX 1**

### **Brief history of the Chittagong Hill Tracts**

The Chittagong Hill Tracts in the southeastern corner of Bangladesh is the homeland of 12 tribal hill peoples numbering about 600,000. Covering 5,093 square miles (10 percent of the country) and rising as high as 10,000 feet in places, the hill ranges contain limited cultivable land, most of it of low quality, in contrast to the very fertile multi-croppable alluvial plains of Bangladesh.

The hill people differ markedly from the Muslim Bengali majority. The largest groups, the Chakma and Marma, are Buddhist, the Tripura are Hindu, while the smaller hill peoples such as Bawm, Pankhua and Mru are Christian or practice their traditional beliefs. They practice a mixed farming of plough cultivation in the fertile valleys and swidden agriculture on the hill slopes, known as jhum cultivation.

The British annexed the Chittagong Hill Tracts in 1860 and in 1900 passed a Regulation which kept the area apart from the plains by limiting migration and separating the administration. In 1947 the Chittagong Hill Tracts became part of East Pakistan.

Between 1957 and 1963 the government built a massive hydroelectric dam at Kaptai which flooded 54,000 acres of plough land taking 40 percent of the terrain available for cultivation from the tribal farmers. 100,000 hill people were affected, few received any compensation and thousands fled to India. 40,000 were moved to Arunachal Pradesh by the Indian government. By now there are 60,000 of them living there, still stateless, even though many of them have been born in India since.

After the Bangladesh war of liberation the hill people had hoped for political recognition and some form of autonomy within the state of Bangladesh. However, this was denied to them. In 1972 the PCJSS (Chittagong Hill Tracts People's United Party, or JSS for short) was formed and in 1976 its armed wing the Shanti Bahini started guerilla attacks against the Bangladesh army and Bengali settlers who had inundated the hills by moving up from the plains.

Between 1979 and 1984 a government transmigration policy brought 400,000 settlers into the Hill Tracts, to an area where there was already a scarcity of land after the construction of the Kaptai dam. Together with the transmigration policy a huge militarisation of the area took place. The military have used counter-insurgency against the guerillas as an excuse to oppress the tribal people. For over 20 years disturbing accounts of killing, torture, rape, arson, forced relocation, cultural and religious oppression of the hill people have come out.

In 1989 the Bangladesh government brought in a new District Council law. The claim was that it would bring autonomy to the Hill Tracts under Councils led by predominantly tribal people. However the paltry powers of the District Councils with regard to important issues such as land rights and their establishment by force has greatly discredited their claim to be autonomous bodies.

## **APPENDIX 2**

### **The establishment of the Chittagong Hill Tracts Commission**

Alarmed by reports about human rights violations that kept pouring in from the Hill Tracts since the seventies human rights organisations and NGO's started taking up the issue and gave wide publicity to it. Questions were raised at the United Nations and the International Labour Organisation. However, the Bangladesh government continuously denied that there were any problems at all. The idea for an independent international commission of investigation arose during December 1985 when the then Bangladesh Minister of Finance announced to a meeting at the Danish Parliament in Copenhagen that the Bangladesh government would be delighted to welcome a mission to the CHT. In 1986 the first

International Conference on the Chittagong Hill Tracts was held in Amsterdam and there a resolution was passed to establish an independent commission to investigate allegations of human rights violations in the hill region.

At the end of 1989 the Chittagong Hill Tracts Commission was officially established at the initiative of the International Working Group on Indigenous Affairs (IWGIA) and the Organising Committee Chittagong Hill Tracts Campaign. The Commission is jointly chaired by Douglas Sanders (Professor of Law) from Canada and Wilfried Telkämper (Vice President of the European Parliament) from Germany. Other Commissioners are Rose Murray (Aboriginal Community Worker) from Western Australia, Leif Dunfjeld (Sami Lawyer) from Norway and Hans Pavia Rosing (Representative in the Danish Parliament) from Greenland.

The Commission was ready to travel in November 1990. Four resource persons were requested by the Commission to be present for the trip to India and Bangladesh: Teresa Aparicio (Denmark), Jenneke Arens (the Netherlands), Andrew Gray (Great Britain) and Wolfgang Mey (Germany). Unfortunately at the last minute the Commissioners Leif Dunfjeld and Hans Pavia Rosing were unable to travel due to ill health and the latter due to a general election in Denmark.

After obtaining permission from the Indian government the Commission visited the refugee camps in Tripura from 21-26 November and after that proceeded to Bangladesh. The Bangladesh authorities reconfirmed their permission to travel to the Hill Tracts and the General Officer Commanding (GOC) Chittagong of the 24th Infantry Division of the Bangladesh Army gave the final approval. He gave the assurance that the Commission could travel freely and unlimited in the Chittagong Hill Tracts and would be allowed to talk to anyone in private. The army co-operated as much as possible with the Commission throughout its visit. The Commission spent in total 23 days in the hills in December 1990.

Previously several missions to the Chittagong Hill Tracts, among others by the ILO and Amnesty International, had been carried out, however, they had very restricted access to the area and had been continuously accompanied by the military. Thanks to the generosity of the Bangladesh authorities the Chittagong Hill Tracts Commission was the first fact-finding team ever that was given permission to do their investigation work freely in the Chittagong Hill Tracts.

### **APPENDIX 3**

#### **Main Conclusions of 'Life Is Not Ours.', May 1991.**

1. The Chittagong Hill Tracts are under military control...
2. In spite of repeated military and governmental statements that incidents will be prevented, attacks by the military and Bengali settlers on hill peoples have continued...
3. People lie in order to function in the oppressive situation in which they find themselves.... Investigators who travelled with military or government officials cannot regard the information they received from hill people, local government officials or settlers as reliable unless the interviews took place in private.
4. The settlement of Bengalis from other parts of Bangladesh has occurred with massive violations of property rights of hill people...
5. There is a massive and largely involuntary reorganisation of population occurring in the CHT. The creation of cluster villages for hill people and settlers has been rapidly expanding... It is clear that the programmes are forcibly and illegally separating hill peoples from their traditional lands...
6. There is a constant denigration of the economic, social and cultural characteristics of the hill people by government, military and settlers...
7. There are very serious ecological threats in the CHT... Much of the logging seemed to be illegal with military complicity or involvement... The carrying capacity of the hill lands is clearly limited and decreasing...
8. There have been serious problems with the process of developing the new system of District Councils.

9. There have been massive violations of the human rights of the hill people in the CHT.

## Footnotes

<sup>1</sup> The CHT Commission: 'Life Is Not Ours', Land and Human Rights in the Chittagong Hill Tracts, CHT Commission, May 1991; Update 1, March 1992; Update 2, April 1994, distributed by Organising Committee CHT Campaign, P.O.Box 11699, 1001 GR Amsterdam, The Netherlands and IWGIA, Fiolstraede 10, DK 1171 Copenhagen K, Denmark.

<sup>2</sup> As remarked by an army officer in connection with the kidnapping of Kalpana Chakma in June 1996.

<sup>3</sup> For a complete list of the JSS demands and the reaction of the Khaleda Zia government to it see: JSS Publication 15 October 1996, Charter of modified five point demands and a brief outline of Regional Autonomy with a Regional Council.

<sup>4</sup> Seven rounds of talks between the JSS and the full government committee and six rounds with a sub-group of the government committee.

<sup>5</sup> Such as not sending its reaction to the JSS demands or a draft proposal in time, not releasing arrested JSS members, not fulfilling its promises to the repatriated refugees, etc.

<sup>6</sup> Such as the Ramadan, a SAARC meeting, etc.

<sup>7</sup> To summarise the objections of the JSS and Jumma people to the Hill district Councils:

- The presence of Bengali settlers is formalized and legalised.
- Only minor powers are given to the Councils, mainly concerning development.
- Land rights of the hill people are not safeguarded and there are no provisions for the return of land illegally acquired from hill people by Bengalis. Moreover, only 10% of the total area of the Hill Tracts is under the jurisdiction of the District Councils.
- De-facto control does not lie with the District Councils, but with the military.
- The District Council elections were not free and fair, and were characterised by coercion and intimidation.
- The District Council Act '89 has no constitutional basis and can be changed or repealed at any time without the consent of the hill people or their representatives.

See further: 'Life Is Not Ours', Land and Human Rights in the Chittagong Hill Tracts, CHT Commission, May 1991.

<sup>8</sup> Report on the Sixth Group Meeting held between the Sub-Committee of the Bangladesh Government Commission and the Jana Samhati Samiti on October 25, 1995, written by Ramendu Shekhar Dewan, November 26, 1995, based on a letter sent to him by the Jana Samhati Samiti on 27 October, 1995.

<sup>9</sup> See Burma Debate, Vol.III, No.6, November/December 1996.

<sup>10</sup> This example has been reported by Ramendu Shekar Dewan, Spokesperson of the JSS in Europe in a report dated August 24, 1995, based on a letter by the JSS dated 19 July 1995.

<sup>11</sup> See various reports by Ramendu Shekar Dewan, Spokesperson of the JSS in Europe; The Deteriorating Situation In The Chittagong Hill Tracts, Report by , 2 June 1995, based on a letter written by the JSS on 1.5.1995

<sup>12</sup> See various reports by Ramendu shekar Dewan, spokesman of the JSS in Europe; The Deteriorating Situation In The Chittagong Hill Tracts, Report by , 2 June 1995, based on a letter written by JSS on 1.5.1995

<sup>13</sup> See Update 2 of 'Life Is Not Ours' 'Life Is Not Ours', Land and Human Rights in the Chittagong Hill Tracts, Chittagong Hill Tracts Commission, April 1994.

<sup>14</sup> Ain O Shalish Kendra: Abduction of Hill Women's Federation Leader: Recent Developments, dated 8 July 1996.

<sup>15</sup> In a statement of the Hill Women Federation at the NGO Forum at the UN World Conference on Women in Beijing in 1995.

<sup>16</sup> See Update 2 of 'Life Is Not Ours', Land and Human Rights in the Chittagong Hill Tracts, Chittagong Hill Tracts Commission, April 1994, p. 26,27.

<sup>17</sup> Rejoinder issued by the JSS, dated 15 September 1996.

<sup>18</sup> See Report by Ramendu Shekhar Dewan, November 21, 1995, based on a letter sent to him by the Jana Samhati Samiti on 27 October 1995.

<sup>19</sup> Rejoinder issued by the JSS, dated 15 September 1996.

<sup>20</sup> Reported by Ramendu Dewan on August 24, 1995, based on a letter by the JSS on 19 July, 1995.

<sup>21</sup> Report of the Committee of Experts on the Application of Conventions And Recommendations. General report and observations concerning particular countries, 83rd Session, 1996, ILO.

<sup>22</sup> The So-called Afforestation Programme: Jumma People Face[s] Eviction in Rangamati, Chittagong Hill Tracts, 10 October 1996, Dhaka, bu Hill Watch Human Rights Forum.

<sup>23</sup> Reported in 'Present situation in CHT June 12 '96-Aug. 31 '96', by Peace Campaign Group New Delhi.

<sup>24</sup> For details see report of a press conference organised by the Chakma Chief in Rangamati on 13 January 1996 in which village headmen and villagers lodged their complaints in the Bangali daily Bhorer Khagoj of 18 January 1996.

<sup>25</sup> Reported in the Daily Star (a national newspaper) of respectively 8 September 1996 and 30 September 1996.

<sup>26</sup> Forestry Master Plan, 1993, vol. 1, p 7 and 6. Information provided by Jumma Peoples Network of the Asia Pacific Australia.

<sup>27</sup> Land Rights of the Indigenous Peoples of the Chittagong Hill Tracts, Bangladesh, Rajkumari Chandra Kalindi Roy, 1996, distributed by Jumma Peoples Network in Europe.

<sup>28</sup> id. p. 114.

<sup>29</sup> id. p.129-134.

- 
- <sup>30</sup> See: 'Life Is Not Ours', Land and Human Rights in the Chittagong Hill Tracts, CHT Commission, May 1991.
- <sup>31</sup> See: 'Life Is Not Ours', Land and Human Rights in the Chittagong Hill Tracts, CHT Commission, May 1991.
- <sup>32</sup> Daily Star from Internet [http://www.bangla.net/bd\\_news](http://www.bangla.net/bd_news) 2 and 5 October 1996.
- <sup>33</sup> This has been reported by Ramendu Shekar Dewan, JSS representative in Europe.
- <sup>34</sup> Hill Districts of Bangladesh. Experiences in Development. Report of the National Workshop held in Rangamati, Bangladesh, January 23-25, 1995, ICIMOD.
- <sup>35</sup> All this information is obtained from ICIMOD's own publications.
- <sup>36</sup> Financial Express, from Internet [http://www.bangla.net/bd\\_news](http://www.bangla.net/bd_news) 30 January 1997.
- <sup>37</sup> The Independent, from Internet [http://www.bangla.net/bd\\_news](http://www.bangla.net/bd_news) 2 February 1997.
- <sup>38</sup> Present situation in the CHT, by Ramendu Shekar Dewan, based on a report by the JSS from 1 April 1996.
- <sup>39</sup> See Jumpada, April 1996, a publication of the Jumma Peoples Network of the Asia Pacific Australia.
- <sup>40</sup> The present situation in the CHT, by Sanchay Chakma, President of the Hill Students' Council, undated, received November 1996.
- <sup>41</sup> See The so-called P.P.S.P.C.: A New Phase of State Terrorism in Chittagong Hill Tracts, Bangladesh, by Hill Watch Human Rights Forum, February '96.
- <sup>42</sup> Draft amendment 0873, tabled by Mr. Brinkhorst, rapporteur on behalf of the Committee on Budgets.
- <sup>43</sup> UN Document E/CN.4/1995/34.
- <sup>44</sup> UN Document E/CN.4/1996/35/Add.1.
- <sup>45</sup> UN Document E/CN.4/1995/61.
- <sup>46</sup> Report of the Committee of Experts on the Application of Conventions And Recommendations. General report and observations concerning particular countries, 83rd Session, 1996, ILO.
- <sup>47</sup> id.
- <sup>48</sup> From: An Invitation To The International Peace Conference On Chittagong Hill Tracts. Working Towards Peace.
- <sup>49</sup> Memorandum on the Chittagong Hill Tracts to Donor Governments and Institutions giving Aid to the Government of Bangladesh, dated 2 September 1996. Joint Memorandum of the following organisations: Organising Committee CHT Campaign, Indigenous Council The Netherlands, Netherlands Centre for Indigenous Peoples (NCIV), Tribal Act (France), Flemish Support Group for Indigenous Peoples (KWIA, Belgium), International Work Group for Indigenous Affairs (IWGIA, Denmark), Anti-Slavery International (UK), Survival International (UK), Gesellschaft für Bedrohte Völker (Society for Threatened People, Germany), European Alliance with Indigenous Peoples.