

Chakma or Jumma People and Partition: The Case of Perennial Victimhood

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ABSTRACT

This is a case study on Chakmas, an indigenous population of undivided Bengal, later East Bengal, East Pakistan and presently Bangladesh. During British rule these indigenous people of Chittagong Hill Tracts (CHT) were enjoying self-rule within colonial India. The issue of identity assertion was not active. During Indian freedom struggle they started negotiating with Congress party for their post-colonial status as Indians. By virtue of the original partition award that remained in force from June to August 1947, the CHT was to remain with India. But in the final award, CHT was given to Pakistan in exchange for Ferozpur. In protest against the incorporation of the CHT in Pakistan, the extremist faction of ParbatyaChattagram Jana Samiti (CHT Peoples Association) asserted their identity as Indian citizen by hoisting Indian flag in their territory. Thus by 1947 the CHT people asserted their non-Muslim and pro-Indian Identity. But by that time, they became East Pakistanis and faced the wrath of Pakistan government for being pro-Indian. In 1960s Kaptai Dam was set up in their territory by central government of Pakistan. 54,000 acres of agricultural land in the Karnafuli river valley went under water. One lakh people became environmental refugees and crossed the Indian border. This further consolidated the non-Muslim identity of the Hill tribes. During 1960s the Bengali nationalist movement got momentum. In 1964, by amending the CHT Manual, Pakistan government repealed the excluded area status of the CHT. This was part of their communal scheme to create a division in East Bengal by instigating conflict between the non-Muslim, non-Bengali CHT people and the plain land majority Muslim Bengali community. As a result, very few CHT people could associate themselves with the liberation movement of East Pakistan. Some of the hill people were accused of collaborating with the Pakistani government during liberation war. Therefore, hill people were distrusted to some extent as pro-Pakistani by the Bengalis. Later on, monolithic nation-building process of independent Bangladesh took a heavy toll on these minority communities of the CHT. ManabendraLarma, the charismatic leader of CHT people founded the underground Rangamati Communist Party (RCP) on 16 May 1970. The RCP later transformed into the ParbatyaChattagram Jana Sanghati Samiti (PCJSS) in 1972. By the mid-1980s, apart from military activities, the PCJSS attempted to integrate the different nationalities of the CHT under the newly contrived notion of "Jumma nationalism". This newly proclaimed separate nationhood was meant to retaliate the state-led homogenization process. This initiated the ethnic conflict between CHT people and Bengalis. A peace negotiation was in process between the insurgents and the government of Bangladesh. And the fate of Chakma refugees and their repatriation was intertwined with the peace negotiation.

The study will assess how Partition made CHT community perennial victims. It would explore how this refugee repatriation issue is dealt by India-Bangladesh. The issue of refugee repatriation became a major issue during peace negotiation between Bangladesh and the CHT insurgents. India became determining factor in this connection.

Legacy of partition.

South Asian region has witnessed several ethnic conflicts which has cross border implications. It is an unending story of wall within walls. The armed conflict based on ethnic demands of Jumma indigenous people in Chittagong Hill Tracts (CHT) of Bangladesh began in 1976. This ethnic conflict had its temporal root in partition. During 1900 British rulers made a fencing arrangement in Chittagong Hill Tracts in order to separate indigenous hill people from the plain land Bengalis. In order to do so they provided limited self rule to the hill community. Tribal kings were empowered to look after internal administration and to collect taxes. This was done through 1900 CHT Manual. This manual was amended in 1920 and this amendment declared CHT as 'excluded area' independent of general administration (Nayak 2006:60).

Assertion of pro-Indian stand by Chakmas

As early as in 1920, Chakmas of Chittagong Hill Tracts formed the first political organization of the indigenous people of the CHT, namely ParbatyaChattagram Jana Samiti (CHT Peoples Association) (Dictaan-Bang-0a:2004). They negotiated with the Congress party of India for their post-colonial status. The three Rajas were negotiating for a native status for their three respective circles and then for a confederation within India. At the same time, the extremist faction of ParbatyaChattagram Jana Samiti (CHT Peoples Association) led by Sneha Kumar Chakma preferred the inclusion of the region in Indian republic (Ahmed 1993). Regardless of the mode of inclusion (confederation or republic), the CHT people in general preferred to remain with India, rather than with Pakistan. This was the assertion of their

non-Muslim identity against the 'two nation' theory. According to the original partition award that remained in force from June to August 1947, the CHT was to remain with India. But in the final award, it was given to Pakistan in exchange of Firozpur.¹ This fulfilled the Muslim League's earlier demand to include the CHT in Pakistan. In this context, the Muslim League was conscious of the non-Muslim identity of the CHT people. However, the logic behind their claim was that the CHT was merely one of the pockets in the Muslim contiguous majority areas having no contiguity to majority non-Muslim areas of Bengal and, therefore, should be included in East Bengal (Jafa 1989; Ahmed 1993). In protest against the incorporation of the CHT in Pakistan, the extremist faction of ParbatyaChattagram Jana Samiti (CHT Peoples Association) hoisted Indian flag in Rangamati. They called for an armed resistance against Pakistani authorities and, consequently, faced a massive crackdown launched by the Pakistan army (Ahmed 1993:37, 38).

Consequences of pro-Indian stand of Chakmas

Due to the pro-Indian stand taken by the Hill communities the Pakistani government perpetrated structural violence against the non-Muslim ethnic people of the CHT.² The CHT frontier police was disbanded in early 1948 as many of its members were pro-Indian (Ahmed 1993). They were treated as anti-Pakistani by the then Pakistani Central government. In 1960s Kaptai Dam was set up by the central government of Pakiatan. 54,000 acres of agricultural lands in the Karnafuli river valleys in CHT, East Pakistan went under water. One lakh people became environmental refugees and crossed the Indian border.

The Pakistan central government amended the CHT Manual in 1964 as a strategy to marginalize the non-Muslim Hill people. The special status of the CHT as an "excluded area" was abolished. After six decades, the non-Bengali minority Hill people interacted with the Majority Bengali Muslim plain-landers. During these six decades Bengal delta meandered through a communal phase. In 1905 (five years after the CHT became autonomous) Bengal was divided along communal lines. Bengali identity was overshadowed by Hindu and Muslim identities. East Bengal became Muslim dominated area. Bengalis of East Bengal historically acquired Muslim identity. Therefore, the interaction between hill people and plain landers after six decades was not simply with the Bengali community but with the Bengali settlers who were predominantly Muslims. This further consolidated the non-Muslim non-Bengali identity of the Hill tribes. Ever since 1955, the Bengali language movement was taking the secular path. During 1963 several initiatives were taken to revive secularism in the Awami League. The Ayub administration was shocked by this popular movement for autonomy for East Bengal and its secularization. He retaliated by instigating communal hatred in East Pakistan (Chakrabarti 1978:118). The 1964 Amendment to the CHT Manual was a part of this larger communal scheme to destabilize East Bengal. In 1964 Ayub Khan opened the CHT to the plain-land Bengalis and turned it into a conflict zone along communal line. This was meant to damage the secular spirit of the liberation movement, which was gathering momentum in East Pakistan. As a result, the plain-land Bengalis started encroaching lands in the CHT. This caused

insecurity among the Hill people who became defensive. Sudden disempowerment and fear of subordination by Bengalis made them hostile.

To assert their non-Bengali non-Muslim identity they preferred to align with the communist forces of the liberation war. From 1964 to 1969, the Hill students fought the Bangladeshi liberation war under a secular leftist leadership bypassing the nationalist force. In 1966 the indigenous solidarity movement led to the formation of an underground political party called the CHT Welfare Association or ParbatyaChattagramUpajati Kalyan Parishad(UKP). It was split between violent and non-violent factions. The party supporting the peaceful movement gradually diminished and dissolved with the formation of a new political party in 1969, namely the Chittagong Hill Area Welfare Society (ParbatyaChattagram and Sanghati Samiti). The radical faction of UKP led by ManabendraLarma founded the underground Rangamati Communist Party (RCP) on 16 May 1970. The RCP later transformed into the PCJSS in 1972 (Ibrahim 2001). The armed wing of RCP was Gana Mukti Fouz (People's Liberation Army), which later transformed into Shanti Bahini in 1973.

Consequences of Monolithic nation-building process in newly emerged Bangladesh

Some of the hill people were accused of collaborating with the Pakistani government during liberation war. Therefore, hill people were distrusted to some extent as pro-Pakistani by the Bengalis. Later on, monolithic nation-building process of independent Bangladesh took a heavy toll on these minority communities of the CHT. During making of the Bangladeshi constitution in 1972 a delegation of Hill people led by ManabendraLarma met Mujibur Rahman. They demanded the constitutional recognition of their different ethnic identity; but their demand was turned down. Under Bangladesh KrishakSramikAwami League (BAKSAL) the monolithic nationhood was strengthened. Meanwhile, Mujibur Rahman was assassinated in 1975; and two decade long military rule started. During the military rule PCJSS had to leave the constitutional path and its armed wing Shanti Bahini, went underground. The Shanti Bahini carried on the two decade long insurgency. By the mid-1980s, apart from military activities, the PCJSS attempted to integrate the different nationalities of the CHT under the newly contrived notion of "Jumma nationalism". This newly proclaimed separate nationhood was meant to retaliate the state-led homogenization process. This initiated the ethnic conflict between CHT people and Bengalis. A peace negotiation was in process between the insurgents and the government of Bangladesh. And the fate of Chakma refugees and their repatriation was intertwined with the peace negotiation. Militarization was a part of the counter-insurgency strategy of the Bangladeshi government. Ziaur Rahman (1975-1981) and Hussain M. Ershad(1982-1991), was to institutionalize army's role in Bangladeshi politics. Besides Bengalization and Islamization was part of strengthening the unitary state structure of Bangladesh. Therefore the demand of Jumma nationalism was perceived as a threat.

Partition thus made CHT community perennial victims. During Pakistan period the great exodus (BaraParang) was the

fate of the Chakma people. The issue of refugee repatriation became a major issue during peace negotiation between Bangladesh and the CHT insurgents. India became determining factor in this connection. Refugee issue was intertwined with other bilateral issues like water sharing. Refugee repatriation was enmeshed in the water negotiation. A 20-point package facilities agreement was signed between Jumma Refugees Welfare Association and the government of Bangladesh in Agartala of Indian State of Tripura on 9 March 1997. Investing full trust and confidence in the government of Bangladesh 64,609 people of 12,222 families of Jumma refugees, repatriated to Bangladesh from Indian State of Tripura. But the returnee Jumma refugees and internally displaced Jumma people could not be rehabilitated due to non-implementation of the main issues of the CHT Accord signed between PCJSS and government of Bangladesh. Thus, ethnic peace remains a chimera. The paper has contextualised the refugee issue at the outset of both peace negotiation between government of Bangladesh and PCJSS and water sharing talk between India and Bangladesh.

Genocidal attempt and refugees

In the wake of the 1981 Ershad-led coup, around 17000 Jumma fled to Tripura, bringing the total number of refugees in the border states to 40,000. Hence, the Ershad regime was charged of making genocidal attempts. It was alleged that its military operations were of a counter-insurgency nature, concentrating mainly on the northern, most heavily (Chakma) populated part of the CHT, which was a Shanti Bahini stronghold. To refute this sort of allegations, Ershad officially abandoned state-sponsored settlement in 1983 and ruled that there would be no new land grants made to settlers (Levene 1999:359). In 1987 Ershad allowed journalists to enter the CHT region and since 1987, visits and tours by professionals and people of various walks of life to the CHT increased (Hossain 2002: 13). However, by this time the government of Bangladesh achieved its target of outnumbering the Hill people in the CHT by the late 1980s and early 1990s (Chakma 2008:97). According to Santoshito Chakma, secretary of Chittagong Hill Tracts Juamm Refugees' Welfare Association in 1980s and 90s the oppression by the government of Bangladesh compelled around 120,000 Jumma people to cross Indian border. (Chakma:2018)

Peace negotiation between government of Bangladesh and Shanti Bahini/PCJSS at the outset of India-Bangladesh bilateral negotiation

First round of talk between PCJSS and a parliamentary committee of Bangladesh was scheduled on 5 November 1992; the Shanti Bahini/PCJSS demanded India's involvement in the negotiation. In order to internalise the peace negotiation the government of Bangladesh prioritised the repatriation of Chakma refugees from India, with Khaleda herself appealing to the tribals to return. She said: "We are all Bangladeshis and Chittagong Hill Tracts (CHT) is a part of Bangladesh. It is our responsibility to develop the country unitedly through restoration of a congenial atmosphere" (Daily Star, 5 November 1992) The day after the first round of talks the tribal people were assured of a land survey of CHT only after proper rehabilitation of the refugees. The government also formed a special cell in the Ministry of Law and Justice to gather

information on the legal aspects of the family and social customs and practices of the tribals and made several appeasement promises. When the Babri mosque was demolished in India in December 1992, communal unrest followed in Bangladesh. On the Babri issue Bangladesh came closer to Pakistan and the Muslim world. On 12 December Prime Minister Nawaz Sharif of Pakistan visited Dhaka. After this visit government of Bangladesh held the second round of talks with the PCJSS on 26 December 1992 in order to repair its damaged image. The third round of peace talks was to be held on 22 May 1993. Peace talk is intertwined with refugee repatriation. In the interim, Communication Minister Col. Oli Ahmed, the head of the parliamentary committee on CHT, visited India on 2 May for talks with India's Water Resource Minister V.C. Shukla to discuss bilateral water-related issues. On the same table refugee issue was also discussed. Oli Ahmed also met the Indian Home Minister S.B. Chavan and discussed the issue of repatriation of the Chakma refugees encamped in Tripura. Intertwined was the issue of ULFA insurgents. The Indian side raised the issue of Assam separatist group ULFA having camps within the territory of Bangladesh, but the latter denied the presence of any such camp. Both sides, however, agreed upon a timeframe for the repatriation of Chakma refugees (Bangladesh Times, 5 May 1993). The water-sharing talks failed but Bangladesh managed to have a lesser deal on refugee repatriation. Thus, external bilateral factors determine refugee repatriation. The issue was complicated due to external factors like anti-India feelings in Bangladesh, water sharing issues and also India's concern over Bangladesh giving shelter to insurgents from north eastern India.

West Bengal and Tripura connection to Chakma refugee issue

Meanwhile Rashed Khan Menon, the head of parliamentary sub-committee on CHT issue and Workers Party MP met Jyoti Basu, Chief Minister of West Bengal, in the course of his visit to Kolkata to attend an international seminar organised by the Communist Party of India (Marxist). Basu promised to put pressure on the central government to resolve the water-sharing issue. He stated that the navigability at the Kolkata port would be maintained but not at the cost of Bangladesh. Basu also requested Tripura's Left Front Chief Minister Dasharath Deb to look into the refugee matter. Thus, the government of Bangladesh carried on with two-way dialogue with the central as well as provincial government regarding the refugee issue (Dainik Bangla 7 May 1993).

An agreement was signed between India and Bangladesh regarding the return of the refugees in Agartala on 9 May 1993. The third round of talks were held on 22 May, which decided to begin refugee repatriation on 8 June (Daily Star, 11 July 1993). A meeting was held on 27 May 1993 between India and Bangladesh regarding the modalities of smooth and speedy repatriation. The process was to start on verification of the names provided by the government of Tripura.

Preparation for repatriation

The government of Bangladesh formed three committees – Central Coordinating Committee, Monitoring Committee and District Committee – to oversee the repatriation. It also opened

six reception centres and shelters for the purpose. Arrangements were made to provide food, drinking water, health service and other amenities. Each repatriated family was to be provided Taka 4800 for house-building and agricultural grant and Taka 2000 as travel allowance (Daily Star, 6 June 1993). On 6 June, 1993 the Indian government sent a second list of refugees with 28,796 names, which brought the number of refugees to be repatriated to 53,405 (New Nation, 7 June 1993).

Anti-India feeling stalled repatriation

Meanwhile, the Jatiya Sangsad became turbulent over the issue of water-sharing. On 6 June the Jamaat Islami submitted a memorandum to the Sangsad urging it to internationalise the issue and file a case with the International Court of Justice demanding compensation from India and immediate start of the proposed Ganges barrage to counter the dehydrating effect of the Farakka barrage. The Jatiya Ganatantrik Party (JAGPA) followed suit. This overriding anti-India feeling overshadowed the peace process and the repatriation was stalled.

Reluctance of Refugee Welfare Association

The Refugee Welfare Association headed by Upendra Lal Chakma, based in Tripura, also showed reluctance to return until their demands were met. Chakma had been made head of the Liaison Committee by the Ershad government to carry on negotiations with the Shanti Bahini, but he left Bangladesh before the elections of the three Hill District Councils (HDCs). He showed clear apathy towards the Hill District Councils and sympathy towards the Shanti Bahini. At the outset of failure of water sharing dialogue between India and Bangladesh in spite of all arrangements refugee repatriation from Tripura camps was also stalled on the basis of unwillingness of Upendra Lal Chakma, who became the head of Refugee Welfare Association. The security of the refugees was the major concern he articulated as the reason behind his reluctance. He also wanted the involvement of international agencies and India in the peace negotiations. On the part of the Bangladeshi government, it was not prudent enough to intertwine CHT issue with Farakka issue during Oli Ahmed's negotiation with Indian ministers. To a certain point Farakka issue determined the fate of refugee repatriation. Immediately after the stalemate Bangladesh perceived that India wanted to bypass the Farakka issue at that crucial juncture. This is evident in the fact that after the repatriation was stalled the then Foreign Minister Mustafizur Rahman told newsmen that the delay in the repatriation might have been caused by some communication gap (Daily Star, 12 June 1993). He also stated that henceforth, the matter of water-sharing would be taken up with Indian authorities by the Irrigation, Water Development and Flood Control Ministry. This decision was made just before the India-Bangladesh Foreign Ministers meeting scheduled for July 1993. The agenda was to reactivate the Joint Economic Committee (JEC), a body formed some eleven years earlier, to enhance bilateral cooperation (Morning Sun, 9 June 1993). The meet was to review the whole spectrum of bilateral issues and would set the stage for a dialogue between the prime ministers of the two countries. In this crucial juncture Farakka issue was shelved under the Ministry of Irrigation, water development and flood control instead of the ministry of Foreign Affairs. The fourth round of talks with the Shanti Bahini was also scheduled

in July. Meanwhile Bangladesh planned to send a high-profile delegation to the refugee camps of Tripura in order to convince the refugees to return. The delegation members were selected from both ruling and opposition parties. The government of Bangladesh was criticised by the opposition MPs for the country's weak and ambiguous foreign policy regarding the repatriation along with the water-sharing issue. The government meanwhile offered a peace package for the hills, which included continuity of the general amnesty for rebels up to 31 December 1993. It allocated taka 10,000 for each returnee family, rehabilitation of those who lost their jobs, waiving agricultural loan up to Taka 5000 and an assurance to the returnees of return of their respective land. No new army camp would be set up in CHT, Bengali settlement would be stopped, and children of the refugees would get the opportunity of being admitted to equivalent classes (POT 1993: 1056). In September 1993 a two-member delegation – Awami League MP Kalpa Ranjan Chakma and Shahjahan Chowdhury, MP (BNP) – visited the refugee camps in Tripura. A 21-member delegation from Tripura, comprising refugee leaders and officials of the state administration was expected to visit different areas of the CHT to survey if there was any difficulty in returning the lands to the repatriated refugees. On 18 September a 24-member Indian team including leaders of Tribal Refugee Welfare Association was received by five MPs who were official committee members on CHT. On 25 October 1993 the Dainik Meillat argued in an editorial that the refugee repatriation was being hindered by the Indian government as it wanted to play the Chakma card as Bangladesh was allegedly giving shelter to the ULFA insurgents. (POT 1993: 1404). On the other hand, the leader of Refugee Welfare Association, Upendra Lal Chakma, said that refugee repatriation could not be guaranteed until a peaceful settlement of the CHT issues could be reached through negotiation. Land was a big issue, he said. He also threatened to resume insurgency if the ongoing negotiations failed. He said:

“We will return to armed struggle if the government fails to guarantee our fundamental and democratic rights in the CHT. We want autonomy and a separate entity for the tribal people of the Chittagong Hill Tracts. We are not fighting whimsically but for the cause of our historically recognized rights to our homeland ... It is like a civil war in which my people as well as others of the country face death, and if the government recognizes our democratic rights, there is no need for this bloodshed.” (POT 1993: 490)

The eighth round of talks was held on 4 June 1994. The following day the Sub-Committee held talks with a four-member refugee delegation from India regarding the resumption of repatriation. Pahari Gano Parishad's leader Shoukin Chakma stressed that refugee repatriation was not the main issue. The primary issue was the political rights of the different multilingual ethnic minorities in the CHT. He criticised that the government had organised a high-profile refugee repatriation to seek praise of the world community. (POT 1994: 575).

Refugee repatriation was a part of multiple strategies

Since July 1994 the history of peace talk was the history of extension of ceasefire. The government also extended the time limit of general amnesty till 31 October 1994. Government of Bangladesh took multiple strategies to solve the CHT issue. The strategies were refugee repatriation, extension of ceasefire, extension of amnesty offer, and carrying on sub-committee level peace talk. All these had cumulative effect on the peace process. Meanwhile, the Government of India also pressurised the CHT Jumma Refugee Welfare Association to expedite the process of repatriation (POT 1994: 671).

As a result, a batch of 359 tribal refugees returned on 21 July. The Bengali settlers in the hills, unsettled by this trend, placed a ten-point charter of demands, which included: (1) rehabilitation of the landless in Khas lands; (2) writing off earlier loans and arrangement for new loans; (3) employment of Bengalis; (4) equal status of Bengali children as given to tribal children; (5) representation of all communities in the local government councils; (6) continuation of the rationing system until the cluster villages were built; and (7) introduction of judge's courts, etc. (POT 1994: 698).

Settlers who had been rehabilitated in the villages of CHT in the late 1980s, as a result of the refugee repatriation and rehabilitation process the local administration had directed the non-tribals to vacate their houses, because repatriated tribals claimed the government khas lands (POT 1994: 819).

On 15 March 1995 communal tension erupted between Pahari Chatra Parishad, representing tribal students, and ParbattyaGano Parishad, representing settlers from the plains. In consequence, refugee repatriation was stalled.

Efforts to internalise the issue

Successful refugee repatriation from all the camps of Tripura would curtail all the chances to internationalise the CHT issue, they said. Once the refugees were repatriated, the whole issue would be internalised. Efforts to internalise the refugee issue was on. The government's strategy was to rehabilitate all the repatriated refugees in the hill districts. The Refugee Welfare Association in its turn made refugee repatriation conditional upon the outcome of the peace talks. The then Indian Prime Minister Narasimha Rao assured his counterpart that he would try to expedite the repatriation process. After the election in August 1996 Chittagong Hill Tracts National Coordination and Peace Council (CHTNCPC), comprising both tribal and non-tribal people of CHT, proposed the formation of an all-party parliamentary committee to continue the peace process.

Election and refugees

On 10 October the government also appealed to the refugees to return to Bangladesh. Bangladesh High Commissioner to India C.M. Shafi Shami also tried to project CHT as a peaceful area conducive to refugee rehabilitation and mentioned the 16-point economic package announced by the government to rehabilitate the refugees (New Nation, 11 October 1995).

Election of 1996

In February, Khaleda Zia was re-elected but the election was denounced as unfair by the three main opposition parties.

In March 1996, following escalating political turmoil, the sitting Parliament enacted a constitutional amendment to allow a neutral caretaker government to assume power and conduct fresh elections. Former Chief Justice Mohammed Habibur Rahman was named Chief Advisor (a position equivalent to prime minister) in the interim government. Fresh elections were held in June 1996. With the Awami League winning the ballot, party leader Sheikh Hasina became Prime Minister. The Awami League won in all the three hill districts.

After the election in August 1996 Chittagong Hill Tracts National Coordination and Peace Council (CHTNCPC), comprising both tribal and non-tribal people of CHT, proposed the formation of an all-party parliamentary committee to continue the peace process. On 1 August a seminar was held in Dhaka on "Hill Tracts is our national problem – violation of ceasefire and peace process". Subinoy Chakma, Secretary General of CHTNCPC, emphasised at the seminar that refugee rehabilitation was the determining factor for permanent peace in the hills.

Conflict of interest between Shanti Bahini and Chittagong Hill Tracts National Coordination and Peace Council (CHTNCPC)

A National Committee on the CHT (NCCHT) was formed on 30 September 1996 and the PCJSS declared the extension of the ceasefire till 31 October. On 12 December, days before the first meeting between NCCHT and the PCJSS, India and Bangladesh signed a historic 30-years water-sharing treaty. Sheikh Hasina said: "Let us rejoice in the auspicious beginning that we have made today ... we can fulfil the expectation of our people for a fuller and richer life only if we can work hard in an environment of peace and harmony." During this bonhomie Shanti Bahini was trying to internationalise the issue. "Shanti Bahini's strategy was to give the conflict a geopolitical dimension by creating sanctuary in either Myanmar or across the Feni river into the Indian state of Tripura" (Levene 1999:353). On 25 December, Subinoy Chakma of the CHTNCPC was killed, allegedly by an extremist faction of the Shanti Bahini, which disapproved his moderate stand and efforts to reconcile tribals and Bengalis in the CHT. Shanti Bahini provoked leaders like Subinoy Chakma to cross Indian border and mobilise Chakma refugees in favour of Shanti Bahini. But Subinoy never went to India. He worked for peace and reconciliation in the hills. (New Nation 30/12/1996). According to the US Department of State's country report, the murder of "Subinoy Chakma ... was believed to have been committed by the Shanti Bahini, a tribal insurgent group, which opposed Subinoy's efforts to promote better relations between tribals and Bengalis in the CHT" (US Department of State 1999).

But any form of reconciliation between tribal and non-tribals in the CHT was discouraged by Shanti Bahini. They rather forced the leaders to communicate with refugees on the other side of the border and involve India further in order to internationalise the issue.

Shanti Bahini's stand against repatriation and reconciliation was a spoiler in addressing Chakma refugee issue during CHT peace negotiation. Peace talks were

impeded by the issue of land ownership and expulsion of settlers from lands of refugees in the CHT.

In the first round of talks with the new government the PCJSS's demands included effecting a land settlement of the refugees' choice (POT 22(4): 15). Prime Ministers of India and Bangladesh again met on 6 January 1997 to discuss and resolve certain outstanding issues. They also discussed the insurgency issues, including terrorist activities of the Shanti Bahini, and encouraging Bangladesh's export to the North-Eastern region of India. The two sides decided to form a joint working committee to combat cross-border terrorism.

On the one side Shanti Bahini was against any reconciliation between tribals and non-tribals, on the other peace talks were impeded by the issue of land ownership and expulsion of settlers.

The government side declared that lands would be returned under the existing law provided the claimants could produce documents of ownership. But the PCJSS demanded the return of land to the indigenous people from those who had occupied their lands since 1974. Earlier, the PCJSS had demanded that all non-tribals who had been living in the CHT since 1947 should be expelled and the lands should be returned to the tribal people (POT 22(30): 120).

A Joint Working Group meeting was held between officials of the Home and Foreign ministries of India and Bangladesh and representatives of India's Border Security Force (BSF) and Bangladesh Rifles (BDR) from 28 to 31 January 1997. The problem of ULFA, NSCN and Bodo insurgencies in the seven North Eastern states of India was discussed along with issue of the Shanti Bahini in the CHT. Refugee repatriation was also discussed. BNP leader A.Q.M. Badruddoja Chowdhury opposed the Indo-Bangladesh agreement to combat cross-border terrorism because, he said, it went against the national interest of Bangladesh. On her return from India, Prime Minister Hasina was optimistic about the solution of the CHT problem. She said that development in the fields of economy, education, trade and commerce were important in the CHT in order to restore peace there. Sustainable peace would help to harness vast resources in the CHT for further development of the economy of the country. During this time an eight-member delegation of the NCCHT headed by Chief Whip Abul Hasanat Abdullah left for Agartala to bring back 48,000 Chakma refugees. All the committee members except for two BNP members visited the refugee camps (POT 1997: 225). The refugee leaders put pressure on the delegation to withdraw army camps and expel Bengalee settlers from the CHT. They demanded the involvement of the United Nations High Commission for Refugees (UNHCR) and the International Red Cross in the repatriation and rehabilitation process in order to internationalise the issue.

Foreign investment and refugee issue

This was the time when Bangladesh was eager to attract foreign investments in various sectors, including power generation and oil and gas exploration. Japan and the US were also eager to invest in the country. A six-member Japanese delegation led by Japan Itochu Aviation Co. chairman

KoyaMita expressed its keen interest in the gas sector. Bangladesh's task was to convince the investors of its investment-friendly environment. During this time, the Daily Star (18 February 1997) reported that Western companies were showing an interest in the resource-rich hill tracts, including oil and natural gas, but the Shanti Bahini was causing trouble for them. The report said:

Five major foreign companies formed a consortium under the leadership of the Trade and Investment Department (TID) of the United Kingdom for a massive investment to build a new port near the Chittagong sea port. They had chosen a suitable place in the mouth of river Karnaphuli to set up the planned container terminal, likely to cost \$300 million. Hence successful and early conclusion of the CHT peace process became a priority for the government (POT 1997: 234). The government sent a second delegation to Tripura on 6 March, to expedite the repatriation process and was optimistic about the start of repatriation by mid-April. Several rounds of talks were held between the two sides in Tripura. The government offered a 20-point package and the refugee leaders raised seven-point demands, which included peaceful resolution of the CHT issue through substantial dialogue with the PCJSS (POT 1997: 249). Thus, PCJSS got support from refugees of Tripura. But they failed to fulfil the aspiration of refugees. The 16-point package for repatriation of the Jumma refugees from Tripura, agreed to in 1993, had not been faithfully implemented and as a consequence refugees had stopped returning. The refugee issue was of great importance to the government, but not for the PCJSS. In fact, ShantuLarma wanted to drop the issue of repatriation from the agenda for discussion. According to him, the issue was the concern of the governments of Bangladesh and India, that the PCJSS had nothing to do with it. Furthermore, the PCJSS was blamed for disrupting the repatriation. In an interview on 4 June 1994, ShantuLarma said, "We have said before and we are saying it again, once a political solution is found the refugee problem will be automatically resolved."

In March 1997 the NCCHT, led by Abul Hasanat Abdullah, and CHT Refugee Welfare Association, led by Upendra Lal Chakma, reached a 20-point agreement. A joint task force would be constituted comprising NCCHT members and tribal refugees to supervise the implementation of the agreement. However, The most important issue of rehabilitating Bengali settlers outside the CHT remained ambiguously unaddressed due to the PCJSS's lack of bargaining power to make the issue unequivocally enumerated in the accord, rather than taking only verbal assurances from the government. This lack of circumspection led to further unfathomable fissures in the accord. As a logical corollary to this compromise, the core issue regarding land remained unaddressed, leaving a large number of indigenous repatriated tribal refugees and IDPs in dire straits.

Refugee repatriation started on 28 March. Inaugurating the repatriation programme, Abul Hasanat Abdullah said, "We have hundred per cent commitment and sincerity toward solving their problem and this has already been demonstrated in the steps taken" (POT 1997: 315, 316). The first phase of repatriation concluded on 7 April, with a total of 6,701 tribals of

1,248 families returning from 28 March. On 7 April, 708 refugees returned through the frontier camp of Tabalchhari in Matirangathana. Bengalis in the hill districts, protesting against these developments, put forward a six-point demand to Prime Minister Sheikh Hasina. The CHT National Coordination and Peace Council (CHTNPC) meanwhile prepared to organise 26 peace conferences, starting from May 1997, to foster peace in the region, to build confidence between the tribal and non-tribal communities in the hills, in an attempt to generate an alternative forum for reconciliation between representatives of 13 recognised non-tribal and tribal groups, comprising Chakma, Marma, Tanchongya, Bom, Chak, Khuni, Khyang, Lushai, Mro, Murung, Pankhua, Rakhain, and Tripura along with Gurkha, and Assamese of Muslim, Hindu, Buddhist and Christian communities living in the hill districts. A day before the peace talks commenced, Prime Minister Hasina said in a meeting in Dhaka, "We want economic development of the people of the (CHT) region" utilising its natural resources. Her government was trying to harness the oil and gas resources by attracting foreign investment in the CHT region (POT 22 1997: 479). In a written statement on 14 May, the chairman of the NCCHT said, "We have agreed to all matters, and an agreement will be signed very soon" (POT 1997: 495). He refused to speak regarding the status of Bengali settlers, constitutional recognition for the ethnic and cultural minorities,

and guarantee to regional council. Also, no joint communiqué was issued after the dialogue. At that time the parliament session was in progress and the opposition was demanding a detailed report of the talks, but the government insisted on keeping matters secret. A 14-member team of refugee leaders and Indian officials led by Vice-President of Jumma Refugee Welfare Association, Ranjit Narayan Tripura, visited Khagrachhari to inspect the rehabilitation of the refugees from 29 to 31 May. They expressed satisfaction over the steps taken; only a few exceptions were observed due to land dispute (POT 1997: 587). Finally the peace accord of 1997 was signed between Bangladesh government and PCJSS. The PCJSS claimed that during negotiations, the government verbally committed that the Bengalis who had settled after the late 1970s would be resettled outside the CHT (Rokonuddowla 2007: 7). However, because of this gap in the provision of the accord the hill refugees and IDPs of the CHT who had been uprooted and forced to move from place to place on both sides of the border found their former lands occupied by others. They were not able to reclaim their lands (Rokonuddowla 2007: 8). He said that although certain quarters inside and outside the government were raising the refugee issue in India, they were silent regarding the IDP problem arising out of communal tension and displacement from land forcibly taken away by the Bengali settlers (Samad 1997: 255).

Conclusion

At a Glance: Present Status of refugee repatriation January 2013

Repatriation of the Jumma Refugees	As per the 20-Point Package Agreement, 12,222 families numbering altogether 64,609 tribal refugees repatriated to CHT from Tripura State of India. Most of the families got financial privileges.	From among the tribal refugees, 9,780 families have not yet got back their lands and homesteads and hence could not go back to their homes.
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Source: Report on the Implementation of the CHT Accord, January 2013, Published by Information and Publicity Department, Parbatya Chattagram Jana Samhati Samiti (PCJSS).

In the 17th Session of the United Nations Permanent Forum on Indigenous Issues held in the UN Headquarters, New York, on 16-27 April 2018 Santoshita Chakma, the chairman of Chittagong Hill Tracts Jumma Refugees' Welfare Association appealed for three main issues-

- Effective and speedy implementation of 20-point Package Agreement and provisions of the CHT Accord;
- Rehabilitation of Bengali settlers outside CHT.
- Withdrawal de facto military rule 'Operation Uttoron' (Operation Upliftment) from the CHT.

Depending fully on government of Bangladesh 64,609 people of 12,222 families of Jumma refugees, repatriated to Bangladesh from Indian State of Tripura. But the returnee Jumma refugees and internally displaced Jumma people could not be rehabilitated due to non-implementation of the main issues of the CHT Accord and the 20-point package facilities agreement. It is estimated that 9780 Jumma families were never returned their lands while 40 ancestral villages of refugees who returned are still under Bengali occupation. Many returnee Jummas either have not got back their jobs or their seniority is not acknowledged, and outstanding government loans have not been wiped out. Due to Bengali

occupation proper rehabilitation of refugees has not been possible. They returned but with fear of army and settler Bengalis. The inclusion of non-tribal families was seen as an attempt by the government to legitimise the settlement of plains Muslims in the hills in consonance with its attempts at homogenisation. Task Force for CHT has been reconstituted four times with four consecutive chairmen but rehabilitation of Internally Displaced Persons has remained unaddressed. The ineffectiveness of Land Dispute Resolution Commission is also responsible for the failure to proper rehabilitation of the repatriated refugees and IDPs in the CHT. This shows how refugee repatriation and rehabilitation got entangled with issue after issue but remained unresolved making Jumma people perennial victims. Historically this is the legacy of partition. Partition thus has erected such a wall between Jummas and Bengalis residing in the same land which makes reconciliation a far cry and ethnic peace remains a chimera.

Notes

1. On 13 August 1947, Radcliffe decided not to give Ferozpur (a Muslim majority district) to Pakistan, and gave the CHT in the eastern part. See Jafa (1989:107).

2. Systematic destruction of tribal economy, changing mode of cultivation, demographic change through the Kaptai Dam Project and Bengali settlement, industrialization and resource exploitation were the

few strategies of structural violence perpetrated by the government of Pakistan. For detail see Dictaan-Bang-oa (2004).

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