

Beyond Ethnicity: Land Conflict in the CHT

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Abstract

As Bangladesh is an agrarian country, here agriculture has historically remained the dominant form of economic activity. Land is central to agriculture, because without land, it is just not possible to do any kind of farming. And due to the scarcity of land as a resource, there have always been conflict over its control. In this paper, I look into causes underpinning the land conflict which has torn apart the hilly region of Bangladesh known as the CHT in the last five decades. I show that, this struggle for the control over land is at the heart of ethnic conflict of that region. A brief historical background of this conflict is given. The legal and administrative structure which somehow reproduces these conflicts has been addressed. The situation has been worsened by taking a notorious policy like population transfer as a mean of demographic engineering. Even though a formal Peace accord has been signed between the Bangladesh government and the hill rebels, the root cause of conflict remains intact, and nothing effective has been done to settle the land issues of the region. Like the plain districts of the country, land grabbing is taking place on an ever-increasing scale, the complexity of which is discussed in detail. I argue that, though the land conflict of the CHT is ethnic in appearance, it is a class conflict in essence. I end the paper by formulating some policy recommendations to ensure meaningful and sustainable peace in the area.

Keywords: Indigenous People, Bangali settlers, Bangladesh Government, PCJSS, Peace Accord, Land Grabbing, Land Rights.

Land is at the centre of many conflicts all over the world, simply because it is a scarce resource. For agricultural activities, land is a must. Moreover, if one does not possess enough land, it is hard to start any serious business activity, at least those which involves trade and commerce. This desire for land has historically lead to different forms of land grabbing for agricultural and commercial reasons. Bangladesh is not an industrially developed country. Here, the real economy is mostly agro-based. So, most of the land grabbing taking place in Bangladesh happens for traditional agricultural objectives, though some forms of commercialization of agriculture has taken root.

Chittagong Hill Tracts, popularly known as the CHT, is a hilly region of Bangladesh. It is also a conflict-ridden area for historical reasons, some of which dates back to colonial times. Though the nature of the conflict prevailing in this region is ethnic in *appearance*, it is a class conflict in *essence*, and land is at the heart of this conflict.

In this report, first we take a look at the historical background of this conflict in relation to contradictory claims over land, after that we briefly discuss the legal and administrative structure of the region and different dimensions of the land disputes. The discussion is followed by a detailed discussion of different forms of land grabbing in the region. Finally, we finish the report by articulating some policy recommendations about what is to be done to resolute all conflicts in the CHT.

Methodology

The research underlying this report has made use of secondary data sources. Primary data collection through fieldwork in the CHT has not been possible for many reasons. In writing this report, we heavily relied on previously published books, articles, and reports on the land conflict in the CHT. However, two interviews taken through Facebook Messenger and Phone Conversations enriched this report. One was done with a member of the Hill Blogger and Online Activist Forum. The other was done with a former coordinator of Hill Blogger and Online Activist Forum. Their contributions are acknowledged with deep gratitude.

Historical Background

Chittagong Hill Tracts (CHT) is situated in the southernmost part of Bangladesh which is the only extensive Hill area of this country (Banglapedia 2015), and the natural home of the indigenous people². It borders with Myanmar on the southeast, the Indian State of Tripura on the

² As Barkat (2016a: fn1, p. 17) noted, "... the category of people known as "Indigenous Peoples" (in Bangla 'Adibashi') was never recognized as indigenous peoples. Officially, the indigenous peoples have been identified with different categories, namely 'ethnic groups', 'ethnic peoples', 'small ethnic groups', small minority groups',

North, the Indian State of Mizoram on the East, and the Chittagong District of Bangladesh on the West (see Map 1). With an area of 13184 sq km, CHT comprises one-tenth of the total area of Bangladesh. Being the only area of the country having borders with both India and Myanmar, its sensitive geographical location makes it a strategically significant part of the country.

Nothing much is known about the pre-colonial history of CHT except some information about its rulers. In the year 953, a king of Arakan occupied the present districts of CHT (Rangamati, Khagrachari, and Bandarban) and Chittagong. Later in 1240, the king of Tripura occupied the region. The king of Arakan reoccupied the region in 1575 and ruled it till 1666. The region became a bone of contention between the rulers of Tripura (present day Tripura State of India) and Arakan (present day Rakhaine State of Myanmar). Then the Mughals occupied the area in 1666 and ruled it till 1760. It was ceded to the British East India Company by Mir Qasim Ali Khan, the Nawab of Bengal, in 1760 (Adnan 2004: 20).

To understand the dynamics of land grabbing in CHT, a short introduction to its history is essential. That history can be categorized into three periods: British Colonial Era, Pakistan Era, and Bangladesh Era. Here we discuss that history in brief.

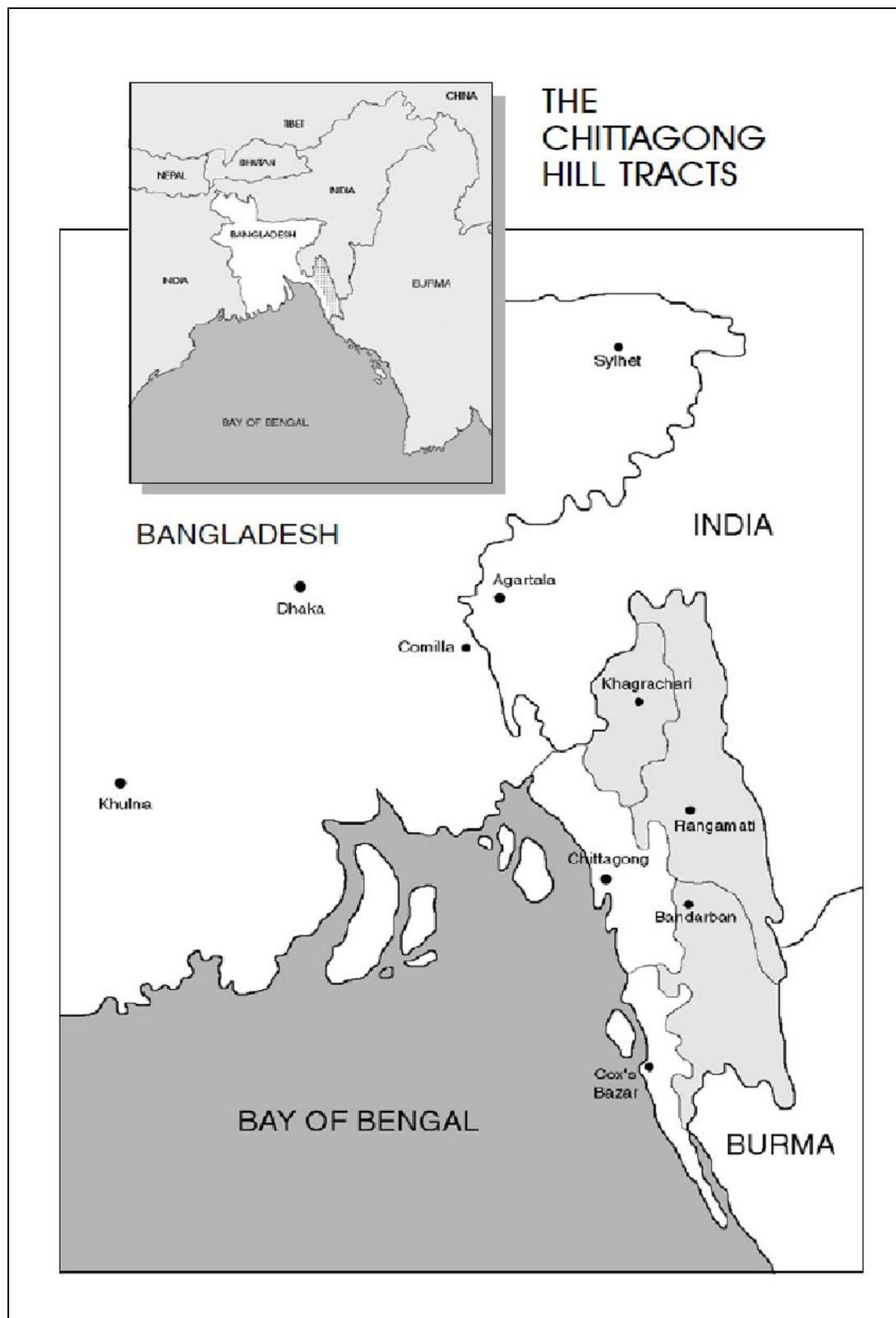
British Colonial Era

Prior to British annexation, the greater part of CHT was included in the chiefdoms of the Chakma Raja (a Chakma) and the Bohmong Raja (a Marma), the rest was ruled by chieftain of less numerous indigenous people (Roy, R.D. 2002: 3). The area was known as *Karpas Mahal* (Roy, A.D. 2017: 2). The name originated from Karpas which means raw cotton.

Even after the British annexation, the regional administration was largely controlled by the local chiefs. The chiefs paid tributes to the new British rulers, but on an irregular basis. In the 1700s, Bangali wet-rice farmers started to immigrate into the territories of the Chakma and Bohmong Rajas. When Company seized the administration of Bengal, these settlers sought British protection, and managed to take over a large quantity of Chakma lands with the tacit approval of the Company. As wet-rice farming generated higher revenues than traditional swidden-cultivation by the hill people, the profit-driven British rulers naturally favored the former. Eventually a third party of Bangali traders emerged, who added to sufferings of the hill people. In 1777, Chakma Raja Jan Bux Khan refused to pay tribute to the Company, and this led to the Chakma war which ended by the Raja's surrender and making peace with the British in 1787 (Roy, R.D. 2002: 3-4, Adnan 2004 : 20, Shelley 1992: 75, and Mohsin 1997: 28).

The British Colonial state, or 'the Crown', took over the ownership of all indigenous lands by treating them as *terra nullius* (nobody's land) in 1868, which were hitherto commonly held by the hill people (van Schendal 1995: 134, Mohsin 1997: 87, and Roy, A.D. 2017: 4). Two categories of forest land were created by the Crown in 1875, the Reserver Forests (RF) and the Unclassed State Forests (USF). These were the first steps of grabbing indigenous lands by any State actor which had a long impact on the dynamics of land grabbing in this region in the future.

'tribal peoples', 'small tribes' and the alike." In this paper, we have used indigenous people, hill people, and Paharis alternatively.



Map 1: Chittagong Hill Tracts comprises three districts: Rangamati, Khagrachari, and Bandarban. It borders with two countries: India and Myanmar. (Source: Roy, R.C.K. 2000: 20)

In 1881, formal recognition was given to the traditional structure of indigenous society by the Government of Bengal, based on three of the Chiefs - Rajas - who had the final say in social affairs of the hill people. Most of the CHT was divided into three circles. They are as follows: the Mong Circle, the Chakma Circle, and the Bohmong Circle (Adnan 2004: 21).

In 1920, the CHT was declared a 'Backward Tract'. In 1935, the Government of India Act designated the CHT as a 'Totally Excluded Area' which is also known as 'Wholly Excluded Area' (Adnan 2004: 22-23, Roy, R.D. 2000: 45). These were reactions to the growing influence of the Bangalies in the region, which made the British rulers anxious, and who wanted to isolate the whole region by severing its formal political links with the Bengal Province of British India.

In 1947, British colonial state of India was partitioned between two postcolonial independent states: India and Pakistan, on the basis of Hindu-Muslim communalism. As CHT had a 97 per cent non-Muslim population, logically, the hill people expected to be included in India. Prior to independence, their delegation went to New Delhi to talk with the Indian National Congress (INC) leaders, where Patel and Nehru assured them that the CHT will be included in India. Before leaving India, Lord Mountbatten - the last viceroy of colonial India - set up a commission chaired by Sir Cyril Radcliffe in July 1947 for the purpose of Partition. It had four members from the INC and four members from the Muslim League (Boundary Commission, Encyclopedia Britannica). The Commission was working in secret. Nobody had a clue about their intentions. Pakistan became independent on 14 August 1947. India got independence the next day. And on that day, 15 August 1947, Indian flag was hoisted in Rangamati and Burmese flag was hoisted in Bandarban. Two days later, Radcliffe award was published. The CHT was included in Pakistan. On 21 August 1947, Pakistan Army took down the flags (CHT Commission 1991: 12).

The hill people protested this inclusion in a country which was hostile to its non-Muslim citizen from its inception but for their protest was for vain. Many years later, Priti Kumar Chakma - a factional leader of Shanti Bahini (SB), who is thought to be responsible for the assassination of the founder of hill people's political organization PCJSS Manobendra Narayan Larma - sought CHT's integration in India (CHT Commission 1991: 12, 18). The raising of Indian flag in Rangamati on 15 August 1947 created an impression that the hill people were not loyal to Pakistan, which was going have a long-standing impact on indigenous lives and lands in the 24 years of United Pakistan.

Pakistan Era

Pakistan promulgated its constitution in 1956 which retained the 1935 status of the CHT as an "Excluded Area" (Shelly 1992: 30). But there was noteworthy difference with the British colonial period. In this constitution, the hill people were given the right to vote, a right they did not have in the colonial era.

To plunder the rich natural resources of the CHT, Pakistan government developed the rhetoric of 'development in the national interest' (Adnan 2004: 23). The rhetoric survived the independence of Bangladesh. Till this day, 'development' and 'national interest' has dominated the CHT discourse of national political parties from both sides of the political spectrum who forms the government of Bangladesh time to time.

The first major development intervention in the CHT was the establishment of Karnafuli Paper Mill in Chandraghona in 1953 (Mohsin 1997: 106). In 1962, Pakistan government established a new category of Protected Forests (PF), which was distinct from the existing categories of Reserved Forests (RF) and Unclassed Stated Forests (USF). Traditional Jum cultivation was prohibited within the PF areas (Mohsin 1997: 106), which was actually a step to limit the economic freedom of the hill people.

But the greatest blow to the interests of the hill people, in the name of development, came in 1957-63 time period. It was when the *Karnafuli Multipurpose Project* (popularly known as *Kaptai Project*) was undertaken and completed by the government of Pakistan with the financial-technological assistance of the US government (Sopher 1963: 337 and Shelly 1992: 31). The project generated hydro-electricity through the creation of an artificial reservoir known as the Kaptai Lake by damming the river Karnafuli at Kaptai (Adnan 2004: 23).

This had huge consequence for the hill people, in terms of both their lands and lives.

54,000 acres of highly cultivable lands in the river valleys went under water, amounting to a loss of 40 per cent of such lands (Mohsin 1997: 102). People who lived on the lands inundated by the Kaptai Lake were directly uprooted, M. N. Larma being one of them, who would later become the undisputed leader of the hill people. Some of them crossed the international border to India as refugees, while others took shelter in the remote forested areas of the CHT becoming Internally Displaced Persons (IDP) (Adnan 2004: 24).

In 1971, the hill people discovered themselves caught between the conflict of two nationalisms, the Pakistani nationalism and the Bangali nationalism (Shelly 1992: 33). Though most of the hill people remained indifferent and refrained from taking sides, some got involved in this conflict. Amongst the indigenous leadership of that time, the Chakma and Bohmong Rajas expressed their loyalty to the state of Pakistan, while the Mong Raja and some senior Chakma and Marma political leaders joined the Bangali nationalists in their struggle against Pakistan (Adnan 2004: 25). Another group of indigenous young men joined the 'Civil Armed Forces' set up by the Pakistani forces and accompanied them during operations on the Bangali population. Adnan (2004: 26) interviewed an SB commander in Rangamati who told him, some of these operations may have involved killing, torture, and rape. Though the hill people's collaboration with the Pakistani forces was limited to some groups and individuals, this created a factually false and politically problematic view that, *all* Paharis opposed the liberation of Bangladesh (Brauns and Loffer 1990: 241). As Shelly (1992: 33, 109) and Ali (1993: 183) noted, this erroneous view was responsible for the violent atrocities carried out against the hill people by a section of Bangali nationalist forces in the closing stages of the war in December 1971.

Bangladesh Era

In 1972, a delegation of hill people's representatives led by M. N. Larma MP met with Sheikh Mujibur Rahman, with a memorandum (alternatively, a charter) containing 4-point demands. Autonomy for the CHT was the main demand of this delegation. But their appeal was rejected (CHT Commission 1991: 14, Adnan 2004: 26).

In a reaction to this rejection, Parbatya Chattagram Jana Samhati Samity (PCJSS) was formed on 7 March 1972 by M. N. Larma as the political party of the hill people (Ali 1993: 24, Mohsin 1997: 58, 165). The formation of Shanti Bahini (SB), the armed wing of PCJSS, was begun around January, 1973 (Shelly 1992: 111). In response, the militarization of the CHT begun, which led to operations by security forces against the hill peoples and involved torture, killings, rape, and other forms of violence (Adnan 2004: 27).

Sheikh Mujibur Rahman was assassinated in a military coup thought to be backed by CIA on 15 August 1975. PCJSS was banned by the new government and M. N. Larma went underground and eventually crossed over to India. The relationship between India and Bangladesh was changing and this led to India's willingness to let SB use its territory in the states of Mizoram and Tripura to set up bases. Covart Indian agencies also provided SB with military training and arms supply (Bhaumik 1996). From the second half of 1976, SB started carrying out operations against the Bangladesh security forces. Ziaur Rahman government responded by beginning full-scale militarization and counter-insurgency operations in the CHT. Besides, a process of demographic engineering also began, by pushing in Bangali settlers in the region (Adnan 2004: 29).

A full-scale civil war between Bangladesh government and PCJSS (or Bangladesh Army and SB) broke out. Both sides committed gross human rights violation, SB victimized Bangali settlers, while Bangladesh security forces and sections of the Bangali settlers victimized hill people (Shelly 1992: 123-125, Ali 1993: 165, Loffler 1991: 28, and Mohsin 1997: 185). However, as there was huge power imbalance between the parties involved, it was the hill people who suffered the most.

When Ziaur Rahman was assassinated in 1980s, General Ershad came to power. He shifted the strategy from Counter-insurgency towards Co-option dealing with the CHT question. Though he talked about 'moral persuasion', in reality, his government proffered a whole range of material incentives and concessions to the hill people. These helped the State to slow down the fighting spirit of the later. He also declared general amnesty to those who would surrender and provided them chance of being a part of the establishment. Many a hill rebel took that chance, most famous example being Priti Kumar Chakma, the alleged killer of M. N. Larma. They surrendered, returned to normal life, and some even used the new found opportunity to become government officials, get contracts for development works in the region, and even extract forest resources for enriching themselves (Adnan 2004: 31-32).

Ershad was ousted from power in December 1990. National elections were held in February 1991 which brought BNP to power. A slow peace process began, as the government started negotiating with the PCJSS on the CHT question, though they failed to reach any point of compromise (Adnan 2004: 32, Mohsin 1997: 74).

In 1996, AL government came to power. The relationship of Bangladesh with India became normalized and India gave PCJSS a deadline for the closing down of SB camps in its territory, while pressuring AL government to reach a political settlement with the PCJSS/SB. This led to signing of a Peace Accord between the government of Bangladesh and PCJSS on 2 December 1997 (Adnan 2004: 33). Though there were many positive features of the accord, there was no

constitutional guarantee to make it binding for all parties. The accord was rejected by BNP and JI, as they accused that, this accord gave too much power in the hands of the hill people which threatens the national integrity and sovereignty of Bangladesh. Some breakaway sections of the PCJSS/SB also rejected the accord, which led to the formation of United People’s Democratic Party (UPDF) on 26 December 1998. The region became more stable in a strategic sense in the post-accord era, but the problems of land grabbing by various state and non-state actors have not been adequately addressed, so a meaningful peace is still a far cry for the inhabitants of the CHT.

Land: Law and Administration

Most of the land laws were formalized in British colonial era (1860-1947) and some were in Pakistan era and some are Bangladesh era. So, many contradictory provisions are presented in various law including the CHT Regulation 1900, CHT Land Acquisition Regulation 1958, Hill Districts Council Act 1989 and the CHT Regional Council Act of 1998.

In British era, the CHT was recognized as ‘fully excluded area’ and in-migration was strictly controlled and non-residents were not allowed to enter or acquire land within this territory. In 1970, an amendment to Rule 34 of the Regulation allowed land grants to ‘outsiders’ in a restricted manner. A further amendment to this rule in 1979 watered down this restriction even further (Roy, R.D.: 2002, 19).

The land rights of the CHT are based on traditional occupations, with the land and its resources providing the enabling environment for subsistence activities (Roy, R.C.K.: 2000, 53). The indigenous people historically accustomed to use their land as ‘common property’, which was hindered by the concept of ‘the Doctrine of *terra nullius*³ in the British colonial era. In some cases, custom based rights have been transformed into customary written laws or have been formally acknowledgement by executive orders. One of the best examples is the rights of homestead land and forest of 10 acres for each indigenous family to maintain its residential purpose.

Table 1 shows right holders, regulatory law/customs, and regulatory authority for different type of resources. It is clear from the table that, there is a dominance of CHT regulation 1900 – which was formulated in the British Colonial Era - in land laws of the CHT.

Table 1: Regulatory laws/customs and regulatory authority for different right holders concerning different types of resources.

Type of resources	Right holder	Regulatory law/custom	Regulatory Authority
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³ A notorious colonial concept which, all over the world, treated indigenous people’s lands as ‘empty land’.

Homestead lands	Indigenous family	Rule 50, CHT Regulation 1900	Headman
Swidden (jum) lands	Indigenous family	Rule 41, CHT Regulation 1900	Headman, DC
Used Swidden lands	Indigenous family	Traditional customs	Headman
Forest produce	Mauza residents	Rule 41A, CHT Regulations 1900	Headman and Karbaries
Grazing lands	Lauza residents	Rule 45B, CHT Regulations 1900	Headman, DC
Grasslands	Mauza residents	Rule 45, CHT Regulations 1900	Headman, DC
Wild game	Indigenous residents	Traditional customs	Headman, circle chiefs
Marine resources	Mauza residents	Undefined	Headman
Large water bodies	Mauza residents	Undefined	Headman
Smaller aquifers	Mauza residents	Undefined	Headman
Natural resources	Mauza residents state	Standing order of DC HDC (Amendment) Acts, 1998	Headman, DC

Source: Roy R.D. (2002: 21)

The land administration has two major systems. One works for the Reserve Forests areas, the other for the rest of the region. The Reserve Forests are administrated by the Bangladesh Forest Department (BFD) under the ministry of Environment and Forest. The rest of the CHT is administrated by a medley of political and bureaucratic authorities that include both the traditional institutions of the chief, Headmen, Karbaris and the formalized elective councils of various tiers from the union to regional level.

In 1989, the Local Government Council bill was enacted for the three hill districts Khagrachari, Rangamati and Bandarban (Act 19, 20, 21 of 1989). About 22 subjects of local jurisdiction are agreed to transfer under the council authority according to the CHT accord including the land, local police, tourism etc. According to the related act (Standing order of DC HDC (Amendment) Acts, 1998), land transfer is strongly prohibited without the approval of the council. In 1999, Chittagong Hill Tracts Regional Council (CHTRC) was founded and it is the Apex regional body which reports to the Ministry of CHT Affairs. According the CHT accord, a one membered committee was formed under the CHT Land Disputes Resolution Commission Act, 2001. In 2013, an amendment was brought in some sections.

In the past, the legal framework of land tenure is administered by local indigenous authorities and each area was divided into a 'taluk'. The Headman and Karbaries are responsible for the implementation of the policy matter, under the direct control of the three Rajas who were independent of each other and exercise authority to the area under their jurisdiction.

In British period, the CHT was divided into three separate circles and the three traditional leader/kings were designated as 'Circle Chief'. It was done for the national authorities to recognize their rights to rule in CHT. Then the British divided the CHT into defined administrative units named as 'Mouza' to replace 'Taluk'. A Headman was appointed as the authority of each Mouza and each Mouza comprised a number of villages. Each village was ruled by a 'Karbari'.

The common land is those which belong to the community with shared its access. The people have the rights to use these lands by their common ownership and their traditional activities such as hunting, fishing, collecting food from the nearest jungle in these areas.

Jum cultivation is the most commonly traditional food producing process of the indigenous people. It was the principal occupation for the majority people and farmers practiced slash and burn agriculture. Every family has the right to cut a jum where they choose. They also can retain the right over the old jum and in this case, the mouza Headman decides the matter.

Every year, the 'Jum Tauzi'(list of jumiyas) had to be submitted by the Headman to the Raja/Circle Chief (Rule 42(5) of Regulation 1 of 1900). After verification of the list, the Rajas forwarded it to the Deputy Commissioner certifying the persons who were exempt from the payment of jum revenue. On the basis of the list, the Headman collected the tax. The jumiyas paid annual tax to the Rajas through the clan head or the Headman. The jum tax was collected by the village authorities and paid into the central administration. (Roy R.C.K.: 2000, 62-63). There is no formal lease required for jum cultivation.

Most indigenous people build their own houses. The right to adequate land for a house, outbuildings and surrounding the area to grow vegetables for their daily needs is an inherent right of every person. The allocation of adequate land to build a house is the responsibility of the village authorities, the Karbari or Headman ((Roy, R.C.K.: 2000, 69).

Laws are applicable to the CHT including written laws passed through formal process, executive orders of Districts Commissioner or higher authorities and the laws based on tradition, customs and land uses of the indigenous people. The personal and social laws including the system of marriage, divorce, child custody etc. are regulated by the local authorities in the customary way.

The forests are divided into three categories: Reserve Forests (RF), Unclassed State Forests (USF) and Protected Forest (PF).

There are Four Reserve Forests in CHT including the Kassalong, the Reingkyong, the Matamuhuri and the Sangu. The existing land and revenue laws are not applicable in these areas. These are administered by Bangladesh Forest Department.

The concept of Protected Forest (PF) was introduced in 1960. All Unclassed State Forest (UCF) including mouza forest (common land of the people) were categorized as PF. As the Reserve Forest, BFD has sole control within this forest. The right of access of the nearest forest is

decreased by the announcement of Protected Forest. The people have some access to the forest produce and can cultivate jum in designated areas. They work as waged labors of the BFD and plant trees in their jum fields (Roy R.C.K.: 2000, 73).

Land Disputes: Population Transfer, Ethnic Conflict, and Class Dimension

"In the CHT the land problem is the main problem." - Gautam Dewan, Ex-chairman, Rangamati District Council

Though some forms of land disputes in the CHT can be stressed back to the British colonial era (Roy, R.D. 2002: 3, Adnan 2004: 21), the form it takes in our time has its roots in the post-liberation situation of the State of Bangladesh. This began with the transmigration or *population transfer* programme undertaken by President Ziaur Rahman, which led to a violent ethnic conflict between the State-backed Bangali settlers and the hill people. Finally, there is a class dimension to these disputes, as Pahari society is far from being 'classless'.

Population Transfer

The transmigration programme, which is alternatively called 'settlement programme' and 'population transfer programme', was initiated by the Ziaur Rahman regime in 1979. It was implemented in three major phases over 1980-85 (Ali 1993: 189, Mohsin 1997: 112). It was done in such a scale that wholesale mobilization of the State machinery, involving both military and civil administration, became required. Related laws were amended in 1979 to facilitate the in-migration and acquisition of land rights by the Bangali settlers. Special military and civil committees were set up for the implementation of this initiative. However, all these were done with the secrecy of a covert military operation, as there was no public announcement about it. Moreover, the indigenous people and their socio-political leaders and representatives were not informed or consulted (Roy R.D. 1995: 65-70).

The Bangali families were selected from the plain districts who were either landless or victims of riverside erosion. They were promised material incentives like cash allowances and food rations, as well as land grants and military protection in their new location (Adnan 2004: 49). These people were themselves so poor and helpless that there was nothing to reject this lucrative offer made to them by the State of Bangladesh.

The first phase of population transfer began in February 1980. Bangali migrants were brought into the CHT by bus, lorry and motorized river craft (Ali 1993: 189). Most of them were given identity card, food rations, cattle, C.I. sheets; and each family was allocated five acres of so-called khas land (which was actually lands of the hill people) free of cost and often along with the title-deeds to the land (Mohsin 1997: 112).

The second phase of population transfer was initiated in August 1980. Most facilities for the Bangali settlers remained largely the same. But the amount of land to be given to them were reduced thanks to the limits of flat paddy land in the CHT (Adnan 2004: 49).

The final phase of population transfer started in July 1982. Ziaur Rahman was assassinated by the time and the country was ruled by another military dictator Hussein Muhammad Ershad. Initially the regime continued with the CHT policy of the previous regime, however, it eventually took the decision of discontinuing the transmigration programme by 1985 (Shelly 1992: 122, Ali 1993: 190, and Mohsin 1997: 112, 250).

Barkat (2016a: 53) viewed this entire process as *demographic engineering*⁴ which started as an integral part of political engineering. He thinks that, it was totally planned, which is deeply rooted in the existing socio-political, strategic, and global geopolitical structure. His view rings with the views expressed by other scholars like Adnan (2004) and Weiner & Teitelbaum (2001).

This transmigration or settlement or population transfer radically altered the ethnic composition of the CHT (Table 2). It is noteworthy that, even in 1974, the hill people were undoubtedly a majority in the CHT with 81 per cent of the total population. At that time, Banglalis were clearly a minority with just 19 per cent of the total population. This radically changed in just 17 years. In 1991, the rate of hill people was reduced to 51 per cent of the total population. The rate of Banglalis was increased to 49 per cent. Demographic engineering almost equaled the composition of hill people and Banglalis, and it had a huge impact on the ethnic conflict that followed in that region.

Table 2: Composition of Ethnic group in the CHT (1872-1991)

Year	Pahari (N)	Pahari (%)	Bangali (N)	Bangali (%)
1872	61,957	98.26	1,097	1.74
1901	116,063	92.98	8,762	7.02
1951	261,538	90.91	26,150	9.09
1956	300,000	90.91	30,000	9.09
1961	335,069	87.01	50,010	12.99
1974	409,571	80.59	98,628	19.41
1981	455,000	61.07	290,000	38.93
1991	501,144	51.43	473,301	48.57

Source: Adnan (2004: 57)

Ethnic Conflict

From existing literature, it is more or less that, no large-scale ethnic conflict existed between the Paharis and the Banglalis before 1971. Here and there some clash may happened, but they were

⁴ Political Demography is defined by Weiner (1971: 597) as "the study of the size, composition, and distribution of population in relation to both government and politics. It is concerned with the political consequences of population change, especially the effects of population change on the demands made upon governments, on the performance of governments, and on the distribution of political power. It also considers the political determinants of population change, especially the political causes of the movement of people."

of spontaneous character. It began in the last month of 1971, the year of Liberation from Pakistan by the creation of the new State of Bangladesh.

Bangladesh Liberation Force⁵ (BLF) and Special Frontier Force (SSF)⁶ entered into the Panchori village of the CHT to carry out a joint operation in December 1971. They allegedly killed 32 hill people on 5 December 1971 and another 22 hill people on 14 December 1971, according to former ambassador Sharadindu Shekhor Chakma. This was one of the reasons which facilitated the formation of PCJSS on 15 February 1972 (Parvez 2015: fn 178 of p. 120).

The prime minister of India, Indira Gandhi, was given a memorandum by the hill people who took refuge in the nearby Indian State of Tripura; detailing the sufferings imposed upon them in the closing days of the Liberation war⁷.

A full fledged civil war broke out between Bangladesh security forces and SB (military wing of the PCJSS) in 1976-77, which could be called a kind of politically motivated form of ethnic conflict. It ended with the peace accord signed between Bangladesh government and PCJSS in 1997. This war bittered the relation between the ethnically Bangali settlers and the ethnically Pahari natives, which is not normalised yet in the post-accord period.

Chakma (2010: 109, in Mohaiemen ed.) mentioned of 11 genocides altogether which took place in the CHT during the time period 1979-1993 (Table 3). He claimed that, these genocides were carried out mainly by Bangladesh security forces. However, in some cases, Settlers did participate.

Table 3: Genocides in the CHT (1979-1993)⁸

Place	Date	Death
Mubachari	15 October 1979	number unknown
Kaukhali-Kalampati	25 March 1980	200-300
Barkal	31 May 1984	110
Matiranga	1 May 1986	number unknown
Commillatilla/Taindong	May 1986	70
Hirarchar, Sarbotoli, K'chari,	18-19 May 1986	200
Pablakhali	8-10 August 1988	over 100
Longudu	4 May 1989	over 30
Malya	2 February 1992	30
Logang	10 April 1992	138
Naniarchar	17 November 1993	100

Source: CHT Commission (May 1991 and updates), Amnesty International (1986), and Mohsin (1997)

⁵ For details about BLF, see Uban (1985)

⁶ For details about SSF, see Parvez (2015: 61-121)

⁷ For full text of the historic document, see Rahman (2015: 143-153 Appendix 2)

⁸ For details, see Rahman (2015: 154-163)

Violence against the hill people by Bangladesh Army and Bangali settlers involved mass killings, burning of villages, torture, and rape (Adnan 2004: 30). However, there are allegations of gross human rights violation by SB too. When CHT Commission went to the CHT for carrying out an independent inquiry, they were provided with a list of insurgent activities by Bangladesh Army which enumerated incidents of killing, injuring, and kidnapping done by SB from 1979-1990 (CHT Commission 1991: 36).

In 2017, the dead body of a Bangali motorcycle driver named Noyon was found over Khagrachari Sadar-Dighinala road. Using it as an excuse, Bangali settlers torched a number of houses and shops in the Longudu upazila of Rangamati. As a consequence, indigenous people began to flee from their homes to save their lives. One Gunamala Chakma (75) was not that lucky. She lost her life in the fires set by the Bangali settlers. (DT 2017). These types of incidents happen time to time even in the postaccord period of assumed peace. It also shows that, it would take time and effort by all related parties to end Ethnic conflict in the CHT.

Class Dimension

Bangladeshi society is marked by massive elite-mass gap. According to Barkat (2016a: 233), 66 per cent of people in Bangladesh are poor and 31.3 per cent are middle class, when only 2.7 per cent are rich. These rich people are the rent-seeking oligarchs⁹ who have unmatched influence over government and politics of Bangladesh.

There is a myth that indigenous societies all over the world are somehow classless. It is not true, not least in the CHT. As Barkat (2016a: 234) noted, the class pyramid of hill people may be not that sharp and stable as in the overall Bangladesh, but it is surely in existence. There are rich, middle class, poor people among the hill people¹⁰.

In the CHT, the home of 12 distinct ethnic communities, there exist a distinct Chakma (and to a lesser extent, Marma and Tripura) hegemony over others (Lushai, Khumi, Chak, Mro, Bawm etc.) (Barkat 2016a: 235-36). This class formation is partly facilitated by the British colonial rulers, when they forced change in the traditional agricultural practices of the hill people, which made the valley dwelling indigenous communities (viz. Chamka, Marma, Tripura and Tanchaingya) more prosperous than others (Adnan 2004: 20). Mohsin (2000: 71) argued that, the *Jummo Nationalism* developed and promoted by the PCJSS in the civil war years is a negative and problematic construction, as it is used to strengthen Chakma hegemony over others.

⁹ For a detailed analysis of rent-seeking in global - as well as local - context, see Barkat (2016b: 23-69)

¹⁰ Barkat (2016a: 235-238) claimed that, indigenous communities are class societies where remnants of feudal social relations - as well as mindset - persists. Ethnicity is the appearance, not the essence, in the prevailing land conflicts in the CHT of Bangladesh. He argued for upholding class dimensions as prime and enjoining the hill people of the CHT with the mainstream Bangali people in the fight against rent-seeking oligarchs through a rights-based movement.

Land Grabbing in the CHT¹¹

European Coordination Via Campesina defines land grabbing as “... the control - whether through ownership, lease, concession, contracts, quotas, or general power - of larger than locally-typical amounts of land by any persons or entities - public or private, foreign or domestic - via any means - ‘legal’ or ‘illegal’ - for purposes of speculation, extraction, resource control or commodification at the expense of peasant farmers, agro-ecology, land stewardship, food sovereignty and human rights.”¹²

According to an observer, the process of land grabbing brings change in total land distribution (Adnan: 2017, 4-5). When redistributive land reform tries to bring balance in the land ownership and land rights among different classes, land grabbing procedurally does just the opposite. As only rich and powerful can grab lands, generally the poor and powerless sections of society are mostly harmed by this process.

Adnan and Dastidar (2011: 44-45) grouped land grabbing in the CHT into four broad categories as follows:

- State acquisition of the private and common lands of the indigenous people, converting these into state-owned lands.
- Forcible occupation of the private and common lands of Paharis by Bangali interest groups and agencies, resulting in the conversion of these into the private property of the latter.
- Privatization of Pahari common lands by individual members of the indigenous people, converting these into their private property.
- Acquisition of the titles lands given to Bangali settlers during the counter-insurgency by influential Bangali interest groups both inside and outside the CHT.

Land Grabbing by the agencies of State: Forest Department

In the CHT, the laws and procedures of land grabbing - which is softly referred as state acquisition - is somewhat different from those in the rest of Bangladesh. These are conducted under the CHT (Land Acquisition) Regulation, 1958, specific to the region - a draconian law which empowers the DC to use force to acquire the designated lands without even having to give any prior notice to the concerned landowner. There is no provision for any appeal against land grabbing under this law, and since 1958, it has been used by the state to acquire indigenous people’s lands for government departments and installations of security forces (Adnan and Dastidar 2011: 45-46).

According to Adnan and Dastidar (2011: 45), the Forest Department of the Government of Bangladesh is by far the largest land grabber, who is followed by the security forces.

¹¹ For writing this section, we relied heavily on Adnan and Dastidar (2011)

¹² PDF available online: <http://www.eurovia.org/wp-content/uploads/2016/11/defining-land-grabs.pdf>

Since 1989, the cumulative total of lands in the CHT targeted for grabbing by the Forest Department has amounted to a staggering 218,000 acres. These are in the so-called USF areas in which most of the lands used by the indigenous people are located. From 2009, attempts have been renewed to acquire customary lands (and, in some instances, the private property) of the indigenous people for afforestation projects to set up new RF (Tripura 2010: 65).

This kind of forced afforestation programme by the Forest Department, typically supported by international donor agencies, violates the land rights of the inhabitants of the CHT and results in the eviction of thousands of people from their settlements (Adnan and Dastidar 2011: 49).

Adnan and Dastidar (2011:48-49) also notes, afforestation programme undertaken by the Forest Department typically involve expansion of monoculture plantations which are often initiated and funded by international banks and donor agencies. For instance, major forestry initiatives in the CHT, including the National Forestry Policy of 1979 and the Forestry Master Plan of 1994, have been undertaken with the assistance of the Asian Development Bank (ADB). Generally speaking, the forestry policies and programme activities of the World Bank and the ADB in the CHT have had unfavourable impacts on the traditional land rights of the indigenous people. Their policies and projects have systematically promoted industrial forestry by expanding rubber and timber plantations and strengthening the policing function of the Forest Department. The ADB's Forestry Master Plan and other policies and projects have impacted negatively upon the forest commons, traditional land rights and community participation of the indigenous people (Roy, R.D. and Halim 2001, Roy, R.D. 2002; 2004: 17 and Adnan 2004). Forest-dwelling Pahari communities have been involved in such projects merely as providers of cheap labour. Even though formally designated a 'beneficiaries' or 'participants', they have never been allowed to have any meaningful decision-making roles in these forestry projects (Roy, R.D. 2004: 7).

This process of land grabbing by the Forest Department is going on.

In its Human Rights Report 2014, Kapaeeng Foundation noted that, "[t]he Forest Department intensified its process of acquiring more than 84,542 acres of land, declaring them RF and PF"¹³.

Land Grabbing by the agencies of State: Security Forces

In the same report, Kapaeeng Foundation also noted, "Border Guard Bangladesh (BGB) has acquired lands in violation of the customary land rights of indigenous peoples and the provisions of the Hill District Councils Act, 1998"¹⁴.

As Bangladesh Army is engaged in massive commercial activities, specially in the CHT region, sometimes land grabbing takes the form of *development aggression*¹⁵ in that area. Sajek tourist

¹³ The full text of the report is available online: <https://www.kapaeengnet.org/human-rights-report-2014-2664>

¹⁴ *ibid*

¹⁵ In a report by the Asia Indigenous Peoples Pact, 'Development Aggression as Economic Growth', development aggression is defined as a process which "through state, public-private partnerships and corporate projects – large dams, mines, logging, plantations, national parks... and the like – are displacing millions of indigenous peoples from their lands and territories... their traditional sources of subsistence, distinct cultures and ways of life. Indigenous peoples in their resource-rich lands are considered dispensable collateral damage in the name of national development or economic growth. Their individual and collective rights are systematically violated, resulting to

spot, Rangamati, is a textbook example of this development aggression - for which numerous indigenous families were systematically eradicated from their ancestral lands. Though a major tourist attraction for the outsiders, the hill people have a very negative view about this kind of development aggression (Ahmed: 2017, 113-131).

It is illustrated by Human Rights Report 2017 published by the Kapaeeng Foundation, “In 2017, around 20,000 acres of lands belonging to indigenous peoples were brought under the process of acquisition, mostly for the establishment of special economic zones, tourism complexes, business establishments and creation of new reserve forests”¹⁶.

This is not a new phenomena, it is the continuation of a long historical process.

The process of land grabbing by the security forces began in the counter-insurgency period (1979-1997). They often evicted the hill people from their lands to set up their own camps and installations without following due state acquisition procedures. They also forcibly evicted Paharis from their lands for housing Bangali settlers brought in during the transmigration or Population transfer programme, without showing minimum sensitivity to the traditional/customary land rights of the former (Adnan and Dastidar 2011: 57).

The CHT has experienced massive land acquisition by various branches of the security forces for a seemingly unending list of installations (PCJSS 2008:20). The establishment and expansion of cantonments, camps and other facilities by acquiring Pahari lands began from the 1970s (if not earlier) and has been continuing during the post-Accord period (Chakma 2010: 26). Within the CHT, acquisition of lands by security forces (and other agencies) has been particularly excessive in Bandarban district, resulting in numerous appeals and protests by the indigenous people¹⁷.

During 1991-92, 11,445 acres of IP lands were acquired in Sualok in Bandarban for training centres of the artillery and infantry corps of the army. [...] It is reported that the acquisition of another 19,000 acres for similar purposes is currently being processed. An area of 26,000 acres in Bandarban district has been under land acquisition processes since 2001 for a training centre of the Air Force (Adnan and Dastidar: 2011, fn 74 and 75, p. 58).

Land Grabbing as the strategy of Demographic Engineering: Redistribution of Pahari Lands to Bangali Settlers

their increasing marginalization, exclusion and invisibility. When they resist, they are considered anti-development and even criminals.” (full text of the report is available online:

<https://aippnet.org/development-aggression-as-economic-growth-a-report-by-the-asia-indigenous-peoples-pact/>)

¹⁶ The executive summary of the report is available online:

<https://www.kapaeengnet.org/executive-summary-of-the-human-rights-report-on-indigenous-peoples-in-bangladesh-2017-2728>

¹⁷ Memo to the Prime Minister of Bangladesh, Sheikh Hasina, by 25 Headmen and Karbaris of Lama and Ruma upazillas of Bandarban, dated 29 November 1999.

According to Adnan and Dastidar (2011: 61-62), during the counter-insurgency, a two-pronged strategy of demographic engineering was undertaken by the state of Bangladesh. Firstly, hill people were forcibly evicted from their homes and lands by the security forces (Roy 1997: 170, Adnan 2004: 48-50, Box 4.1 and Chakma 2010: 25.). Terrified by such violence, many Paharis fled from their village settlements, leaving their lands and homes unprotected.

Secondly, Bengali settlers from the rest of Bangladesh were brought in to the CHT through a massive state-sponsored transmigration or population transfer programme and placed on Pahari lands, deliberately disregarding the latter's traditional/customary rights on these lands. The migrants were recruited from different parts of the country through the DC of the concerned districts in a massive operation, organized by the military and civil administration (Adnan 2004: 48-50). The government promised them land, cattle, rations and other facilities if they went to the CHT. Most of these settlers were first brought to a transit facility in Chittagong city, known as the Haji camp, where their papers were processed and preparatory arrangements made under the supervision of military and civil officials. They were then transported to specific locations in the CHT and initially placed on lands adjoining camps of the security forces. The civil administration selected the locations where the settlers were to be given the lands promised by the state. The security forces escorted the settlers to these locations and provided them with

protection against possible attacks by the SB.

The affected Paharis were in no position to directly oppose the takeover of their lands by settlers. Even if they could have attempted to resist such forcible occupation, the presence of the security forces in support of the settlers made it futile and dangerous to do so. Such forcible occupation of land took place even when the concerned Paharis were present and able to show titles and documents certifying their land rights. It is not surprising that the traditional land management officials of the indigenous people, i.e. the Chiefs, Headmen and Karbaris, were deliberately kept out of the process of placing settlers on Pahari lands.

Given the orchestrated nature of their transportation and implantation in the CHT, these Bengali settlers have become known as 'political migrants'. They are to be distinguished from self-propelled streams of Bengali migrants who were not transported and settled by agencies of the state as part of counter-insurgency operations.

However, many of the actual Bengali settlers never got possession of their allotted plots for various reasons. So, those subsequently claiming to be their 'successors' lack any legal basis for their purported land rights. Anyway, this hardly prevented the title (known as *kabuliyat*) and settlement documents manufactured by the exigencies of the counter-insurgency from having a much longer shelf life than had been envisaged (Adnan and Dastidar 2011: 67).

Adnan and Dastidar (2011: 70) further notes, despite the technical defects and probable legal invalidity of the title documents given to Bengali settlers during the counter-insurgency, these have been subsequently manipulated by others to tamper with land records for grabbing lands in the CHT. The general mechanism of fabrication has been for the new claimant to manufacture documents that purport to show (falsely) that he/she is the same person as the original allottee, or

his/her successor. Alternatively, a fictitious sale of the title is incorporated in the land records by signing a (false) affidavit with the complicity of concerned officials of the administration.

Various Bengali powerholders and commercial interest groups are reported to have bought the title documents from Bengali settlers languishing in guchhchhograms (cluster villages) and used these to take over their lands for setting up commercial rubber and timber plantations.

Land Grabbing by private agencies: Commercial Plantations

Land grabbing in the CHT is not limited to only state actors, as we will see in this subsection and the following one. Non state actors have their share too. Though they closely collaborate with the state.

Adnan and Dastidar (2011:77) explains, the issuance of leases on CHT lands for private commercial plantations began on a large-scale during the counter-insurgency. From 1979, the government started to award leaseholds on large consolidated tracts to private ‘entrepreneurs’ for setting up rubber and other commercial plantations and enterprises (Loffler 1991: 8, Mohsin 1997: 133-134 and Adnan 2004: 127-128). The areas leased out were mostly taken from the common lands of the IP in the USF areas that had been traditionally used by them for jum cultivation, grazing and other purposes. However, their customary rights on these were not recognized by the DC office, which treated these as khas lands or state property when leasing them out to private parties.

The groups awarded these leases were mostly members of the influential Bengali elite, most of whom did not reside in the CHT, as well as a few members of the Pahari elite. These privileged recipients were invariably well-connected to the administrative bureaucracy and the major political parties. Among them were past or present ministers, MPs, civil and military officials, journalists and other professionals, sometimes along with their wives, children, brothers or other close relatives (Adnan 2004: 127-128, Box 7.6). The whole process thus amounted to a colossal exercise in privatization in which vast tracts of Pahari common lands were ‘enclosed’ through the use of state power and redistributed to absentee members of privileged classes (Loffler 1991: 8).

Granting leases for private plantations (and other commercial enterprises) had the effect of enabling non-resident Bengalis to circumvent the pre-existing legal restrictions on their holding of land rights in the CHT. Furthermore, most of the recipients of the leaseholds had been able to use these as collateral to raise substantial bank loans, which were typically used for purposes quite different from developing the plantations¹⁸.

In effect, these so-called private entrepreneurs among the Bengali elite were enabled to make windfall gains in terms of land and capital, without having to make any significant investment from their own pockets. This state-orchestrated mechanism served to create a class of largely

¹⁸ “According to Moniswapan Dewan, a former state minister in charge of the Ministry of CHT Affairs, such lease titles had been mortgaged to obtain Taka 300 million of bank loans by the elite recipients, much of which had not been paid back. Comments made at roundtable in Dhaka on 30 September 2010, organized by the national daily, Prothom Alo.” (Adnan and Dastidar 2011: fn 129, p. 78)

absentee leaseholders with vested interests in continuing access to, and control over, large tracts of land in the CHT. Correlatively, there was little concern among policymakers about dispossessing ordinary Paharis in order to allot plantation leases to their own colleagues, supporters and clients as a form of political patronage.

Adnan and Dastidar (2011: 79-80) further noticed, in particular, transfer of Pahari common lands to private plantations was observed to be excessively high in the district of Bandarban. The state of plantation leases in Bandarban in recent times has been reviewed by an anonymous report from reliable sources. It estimates that altogether 1,605 plots had been leased out for private plantations, of which the largest numbers were located in Lama, Alikadam, Bandarban Sadar and Naikkhongchhari upazillas (in descending order). In these four upazillas, an estimated total of 40,077 acres had been given out on long term (40-year) and renewable leases for rubber and horticulture plantations to people with addresses in Dhaka, Chittagong and other places outside the CHT. Many civil and military officials, as well as political leaders and professionals belonging to the Bengali elite, had obtained hundreds of acres of plantation leases for themselves and their relatives.

The lands on which these plantation leases were issued by the DC office in Bandarban had been forcibly taken from the common lands of Mro, Chak, Tripura and other ethnic groups. In addition to depriving the indigenous people of their traditional swidden lands, false cases had been lodged against them to pressurize them to leave or sell out their remaining lands.

Land Grabbing by private interest groups: Big Businesses, NGOs and Land Dealers

This is specifically a postaccord emerging trend. Commercial interest groups from outside, led by influential Bengalis, including business houses, commercial NGOs and powerful land dealers (real estate brokers) are increasingly engaged in land grabbing (Adnan and Dastidar 2011: 86-87). Significantly, this type of commercial interests grabbed not only the lands of the IP but also those of ordinary Bengali settlers who were allotted lands by the state during the counterinsurgency. In some cases, they were reported to have purchased the titles (known as *kabuliyats*) of settlers who had failed to get possession of their designated plots (e.g. allottees of R-Holdings). [...] In numerous instances, these commercial interest groups used armed gangs to impose their will and deployed hundreds of workers to clear the grabbed lands, cut down the pre-existing trees and vegetation, and start new plantations. They also used a variety of other mechanisms, inclusive of bribery, to forge title documents and induce Pahari Headmen to provide necessary reports and recommendations. These distinct mechanisms were often used in a definite logical sequence, as elements of a *multi-pronged and integrated strategy* of land grabbing.

From this discussion it is clear that, both state and non state actors are involved in land grabbing in the CHT region. They include public agencies like the Forest Department, the civil administration, and the security forces. But they also include private agencies like plantation leaseholders, big businesses, commercial NGOs, etc (Adnan and Dastidar 2011: 107). And then there are government officials and some members of Pahari elite, who themselves take part in this process. Land grabbing not only involves the land of indigenous people, but also ordinary Bengali settlers too. The conflict is intra-ethnic as well as inter-ethnic. So, it should be boldly

asserted that, the conflict in the CHT region is ethnic only in appearance, in its essence it is a class conflict.

As Barkat (2016a: 222-223) concludes, “the issue of unpeopling of the indigenous people, in essence, is primarily not a ethnicity-based issue. This is clearly a “class” issue (may not be in the classical traditional sense of the term). This is a ‘class’ issue wherein the upper class of the rent seekers grab everything from natural resources to verdict of the court, from labour of weaker sections of the people to product of their labour etc, and in doing so they use all possible means and ways including ethnicity, religion, legal and extra-legal instruments and institutions, power, politics, muscle. The aim is simple: To become wealthy by taking away wealth from others who are weak; and not to become wealthy by creating wealth by themselves and to multiply that grabbed wealth (not only during the period of primary accumulation of wealth under capitalism, but also throughout all the stages of capitalism including under imperialism) and, thereby, create a condition in which the State, Government, Politics become subservient to them - the rent seekers-grabbers (in this case grabbers of resources of indigenous peoples). Hence, without any doubt, it should be acknowledged that the whole issue of unpeopling and extermination of indigenous peoples, both politically and economically, is a class issue. And, fighting class issue using ethnic identity is decidedly a misnomer, and such struggle is destined to fail; such battle is inherently a losing battle.”

Policy Recommendations

There is no quick fix to the land conflict in the CHT region of Bangladesh. This is because, the reasons of this conflict is deeply rooted in both history and society, as well as in the existing class relations of the capitalist world order. Keeping that in mind, some policy recommendations are given below:

- The historic peace accord of signed between the government of Bangladesh and PCJSS should be fully implemented.
- Hill people, who were forced evicted from their homes and thus became refugees and Internally Displaced Persons (IDP) in the days of counter-insurgency, should be repatriated to their ancestral lands.
- Any further illegal grabbing of indigenous lands, whether by public or private agencies, should be stopped. Any ongoing project which involves land grabbing, whether in the name of national interest or development, has to be stopped immediately. Hill people, who already lost their lands, should be financially compensated for their loss.
- Land Commission is formally set up as a consequence of the peace accord of 1997. However, the lack of political will on the part of the State of Bangladesh means that, it is functionally inoperative. This situation needs to be changed; the Land Commission should be vested with enough institutional power, so that they can able to settle land disputes.
- Hill people have traditional and customary land rights which had been neglected by the State of Bangladesh for so long. This should be changed. These traditional and customary land rights have to be formally recognized by the State of Bangladesh.
- The relationship between Bangali settlers and the Hill people is not a friendly one. From all historical records, it is clear that, the Bangali settlers have been used as a toll of demographic engineering by the State of Bangladesh and its security forces. In this process, Hill people faced a reality which can be called ‘unpeopling’. Moreover, given the limited amount of land in the CHT, it is not possible to accommodate both the communities. So it is better to withdraw the Bangali settlers from the CHT and relocate them in the plain districts. But it would take a lot of time because of the prevailing nationalistic political atmosphere. However, as there is no alternative to this, the withdrawal policy should be implemented slowly: step by step.
- The very concept of RF is problematic, as it was developed in the British colonial era, this concept should be radically revisited and necessary reforms should be placed in motion.

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