

25 Years of Building Just Peace

The Journey of Struggle for Indigenous Peoples' Rights in the Chittagong Hill Tracts of Bangladesh

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MALEYA FOUNDATION

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25 YEARS OF BUILDING JUST PEACE

The Journey of Struggle for Indigenous Peoples' Rights in the Chittagong Hill Tracts of Bangladesh¹

The CHT Accord, signed on 2.12.1997, was meant to end armed violence in the CHT. It was welcomed by indigenous peoples in CHT as an opportunity to claim their rights as indigenous peoples and citizens of Bangladesh. Indigenous civil society leaders came together with NGO donors from Germany. They requested capacity-building and professionalisation to the extent of being in a position to access funds for their future activities. Given the trauma inflicted by the violent conflict, there was fear and mistrust against members and institutions of the mainland community. Therefore, involving experienced Bangladeshi NGOs in leading such a process was impossible. Donors had to think out of the box and go an extra mile in managing challenging funding procedures in order to support the post-Accord activities. Eventually it was decided to work with an international organization. This organization was considered to be neutral and given their focus on indigenous peoples worldwide, "like-minded". This introduced Maleya Foundation to the international community of indigenous activists.

Another challenge was that systems in the CHT were hardly functioning and few registered NGOs existed. Therefore, one had to build on the existing leadership even if it might be in institutions, with whom NGOs would not work otherwise. New leadership was later built up through intensive long-term processes of learning through action-reflection cycles.

Sadly, the violent conflict did not end. Government of Bangladesh did not implement key components of the Accord. This led to new shapes of conflict. The civil society organisations and donors have had to continuously adjust to new circumstances throughout their collective journey. Here are some lessons learnt from this journey:

Working With / As Indigenous Peoples

Immediately after the signing of the Accord, the Chakma Circle Chief took the initiative to develop a framework for development in the CHT along with other key CHT leaders, formally passed as "The Rangamati Declaration 1998" in the first post-accord development workshop in the hill region. This Declaration was shared widely, also with GOB. For Indigenous NGOs as well as donors, it became a reference document defining the *Dos and Don'ts* in their development engagement in the CHT.

The international debate on rights of indigenous peoples, which later led to the adoption of the United Nations' Declaration of the Rights of Indigenous Peoples (UNDRIP), informed this process in several ways. The newly emerging perspectives on indigenous values and rights added new insights and potentials. Maleya Foundation, informed by experiences from Indigenous Peoples (Adivasi) regions in Jharkhand, India, developed an "Adivasi Development Approach" and applied the approach developed by Tebtebba Foundation "Indigenous Peoples' Sustainable, Self-Determined Development (IPSSDD)"², both based on key values such as sharing, caring, collectiveness, cooperation and solidarity, promoting self-governance, collective ownership over land and resources, cultural regeneration of traditional knowledge and the application of Free Prior Informed Consent (FPIC) for all development interventions in indigenous territories.

The aforesaid values were deemed to be essential in order to ensure the adequate and appropriate implementation of Indigenous Peoples' Human Rights (HR). Maleya Foundation also addressed their concern as indigenous peoples internationally within the UN mechanisms catering to indigenous peoples' Human Rights. This opened up avenues of alliances for lobby

¹ Compiled by Edda Kirleis

² <https://www.tebtebba.org/index.php/about/IPSSDD>

and advocacy of indigenous peoples from the CHT beyond the local level. There was no ready-made formula for a post-peace agreement development concept in these indigenous areas. This, therefore, needed to be developed through a participatory bottom-up process. However, indigenous knowledge and understanding of development was not something that came automatically to people being born into indigenous communities. Many live in very different contexts and are alienated from the Adivasi values of their forefathers and mothers. It is therefore equally important to build on voices from those still practicing the Adivasi way of life as well as to learn from practices of indigenous people's development approaches in other contexts, including also from beyond Bangladesh.

Values and Vision

Maleya Foundation consists of indigenous activists who are directly affected by the conflict and its aftermath. They constantly explore multiple ways of contributing to political and social change to ensure taking forward their own peoples' collective rights. Being paid is not their first preoccupation. What drives them instead is a deep commitment, derived from their own cause, for indigenous values and practices far beyond their own territories. Forming an NGO and working through a project mode is just one part of their commitment. They do not see their work as "project implementation". Much of Maleya Foundation's work is voluntary-based. Even for those employed for project implementation, there is lots of voluntarism beyond working for a project. This has led to an extraordinary sense of ownership among Maleya Foundation's staff and associates. This commitment is sustained by a very strong value base and related organizational culture. Maleya Foundation has identified core values that everyone is accountable to. This is the core of their collective ethos. People working with them are not just accountable to contracts or structures alone. A collective spirit is being promoted and nurtured throughout. The values practiced in their collective ethos are: participation, justice, honesty, community cooperation and orientation, equality, equal rights, transparency, freedom, rationality, collectivism, pluralism and inclusiveness. While the personal commitment matters, their Adivasi vision is not meant for biological indigenous peoples only and goes far beyond the local realities of the CHT. It is led by self-governance, collective ownership over land and resources, cultural regeneration based on communities' knowledge and respect for the territorial identity of each community.

Holistic, Strategic and Flexible Multi-level Engagement

Space for indigenous peoples' civil society is shrinking severely, a tendency within an overall severe shrinking space scenario for civil society in Bangladesh as a whole. The non-recognition of indigenous peoples is the starting point for special harassment against them and their institutions. The militarized situation in the CHT allows for placing the issue in the discourse of counter-insurgency and counter-terrorism, giving far-reaching freedom to security forces.

In such a restricted and militarized situation, divide and rule strategies need to be analysed regularly. NGOs have to manage a situation where their staff suffer from increased work burden and mental pressure. They have to constantly find creative ways of continuing their work and need donors' understanding of such circumstances.

From around 2008 onwards, Maleya Foundation developed the strategy of accompanying civil society organisations and movements. One reason was that in the violent conflict setting, direct work on sensitive issues by Maleya Foundation itself as NGO was not possible. Furthermore, their outreach was not considered large enough. Traditional Youth organisations were approached and women and senior elders engaged in civil society developed their own platforms respectively. Issue-based networks, e.g. working on climate change, emerged. Strengthening and accompanying these made the approach more creative, flexible and strategic. Youth mobilization tends to require a lot of conflict sensitivity to choose the right people and institutions, including a constant critical assessment of contextual changes regarding class, gender, ethnicity, politics and their effects. The role of an engaged civil society group of highly respected indigenous elders has helped to mobilize a mass movement putting pressure on politically violent

indigenous actors. However, working with elders needs critical reflection of leadership and hierarchies (based on age, sex, or class) prevalent in indigenous societies. Altogether, it has proven effective to work through many networks and platforms of all kinds in order to make a difference.

Besides strengthening local alliances by the above-mentioned multi-stakeholder approach, it has proven equally effective to seek alliances on national and international levels. National alliance building with civil society leaders helps to access otherwise hard-to-reach actors such as the army or national political party leaders. This is crucial for policy advocacy. In a context of fear, mistrust, surveillance and shrinking space, such alliances cannot be taken for granted, but need to be very strategically nurtured.

On an international level, international indigenous peoples organizations and platforms, such as Tebtebba, IIFB, International Indigenous Peoples Forum on Climate Change (IIPFCC) provided crucial opportunities to access the climate change conferences (UNFCCC/COPs) and the UN mechanisms for the rights of indigenous peoples. Solidarity is also extended by Europe-based platforms. These mechanisms allow for alliance building with civil society and government actors promoting the causes of indigenous peoples, ensuring that CHT issues are internationally known and addressed. Another crucial level of alliance building facilitated by the donor organisation, is on South Asia level with India, Nepal, Pakistan as well as in the Eastern Himalayan region, linking civil society from Myanmar, China's Yunnan province, Northeast India, Nepal, Bhutan and CHT, who share geographic and cultural commonalities.

In all these years it has been of great importance to apply an holistic approach. Maleya Foundation is engaged in grassroot work in local villages of all indigenous communities living in the CHT, where based on participatory developed village development plans, communities organize for local social and economic change. They facilitate access to livelihoods, education, health services and revive cultural practices. This is accompanied by activities by local civil society movements and groups who work on issues such as violence against women, land grabbing, access to legal remedy, democratic institutions or ensuring free, prior and informed consent (FPIC) as well as empowerment and orientation of the youth. The movements, in alliance with other non-indigenous national social activists, rather than NGOs, involve in policy dialogues with Government of Bangladesh. Maleya Foundation also joins in capacity building as well as lobby and advocacy activities in the context of international movements for indigenous peoples' rights and for conflict transformation.

Feminist Approaches

From the beginning, a feminist social movement in the CHT was founded. Rather than limiting feminist change to NGO project implementation, this platform provided and mobilised feminist leadership in all sub-districts. Through this, their work is perceived as a local movement rather than as a short-term project.

Feminist engagement in conflict requires a balance between responding to individual cases of violence and working on a long-term and structural change of power relations. This requires sufficient resources. The more severe the conflict, the higher the need to respond to acute cases. It is also harder to find time for working on structural change.

In the case of political division leading to societal segregation, women were found to be the only ones able to reach out to the perceived "other", provided they are not part of the divide.

The platform also sought strategic coalitions with mainland and South Asian feminist NGOs. These are effective when both sides respect each other and consciously avoid falling into a pattern of competition rather than cooperation. In order to avoid paternalism, mainland feminist NGOs need to listen and understand indigenous societal power dynamics and cooperate with local feminist leaders rather than implement programmes directly. Feminist engagement in indigenous territories requires an intersectional approach. Indigenous women face different forms of discrimination that intersect with each other. They are victimized both as women and as

indigenous. Mainland feminists need to understand the related dynamics to build a sustainable basis for cooperation.

There are also challenges for the management of indigenous peoples' NGOs: Patriarchal societal structures in indigenous communities put additional pressure on women staff who have several social responsibilities in their families. An organisation which expects high commitment from its staff in the first place, makes it hard for them to combine this with household and family duties. Special efforts are required to support and nurture women and their careers.

Conflict Sensitivity and Peace Building

Maleya Foundation realized quickly, that experiences of violent conflict shape their engagement for indigenous peoples' rights, be they originated from before the Accord or after. It was therefore decided very early on to build capacities in methods of conflict sensitivity and conflict transformation by systematic training and accompaniment throughout their engagement, in cooperation with experienced peace practitioners from the globe. This turned Maleya Foundation into a very competent organization in the field of conflict sensitivity and peace building. Today, their expertise is sought after by other NGOs in South Asia. 28 mainland Bangladeshi NGOs and other initiatives in India have been trained and accompanied by Maleya Foundation in methods and approaches of conflict transformation and conflict sensitivity. Maleya Foundation particularly provides excellent professional skills in the field of systemic conflict analysis.

To work for peace, social change and indigenous peoples' rights in a challenging context, multiple inter-related strategies by local actors and donors in combination have proven to work best. Conflict Transformation requires alliance building on many levels. Peace building and Human Rights work can go hand in hand, if a strategic approach is chosen. When it is not possible or counterproductive to raise issues of Human Rights or indigenous peoples' rights, Maleya Foundation uses the development agenda and refers to issues of poverty or uses the SDG framework with special reference to "Leaving No One Behind".

Youth mobilization for peace is a key strategy. It requires a lot of conflict sensitivity to choose the right people and institutions, including a constant critical assessment of contextual changes regarding class, gender, ethnicity, politics and their effects.

In the CHT today, it is crucial to overcome ethnic divides and develop common denominators bringing people from different ethnic communities together. The history of a common indigenous peoples' struggle in the CHT is an important learning and reference point.

Conflict analysis is key to working in and on conflict. Maleya Foundation's analyses involve as many stakeholders as possible and are updated regularly in order to remain relevant. Strategies and activities are revisited after each (biannual) conflict analysis update. In order to be inclusive, every strategy needs to be discussed by all relevant actors before going ahead.

Small local actors, NGOs and social movements are crucial to successfully work on conflict. It is often hard for them to access funds and other support. Donors need to recognize this and provide support opportunities for such small and diverse actors.

Principles of Partnership and Process Orientation

Such social and political work for indigenous peoples' rights needs continuous long-term funding commitments. Maleya Foundation, however, required much more support than mere project funding: Listening, solidarity, alliance building, lobby/ advocacy facilities, exposure, capacity building, and scholarships. These inputs were provided by their donor and partners. In return, Maleya Foundation provided overall analyses and reports, field visit access and intensive sharing opportunities in meetings and workshops. Sustainable impact was achieved due to this holistic strategic approach, working with local partners, reaching out to local, national and global level.

Long-term trustful personal linkages with and personal commitment of staff in donor agencies have been of critical importance. But it is not enough to build on individuals only. It is important to convince the donor to institutionalise this kind of cooperation. The combination of long-term engagement of the institution and the person in charge is a success factor. Rigid regulations of limiting donor staff's commitment may jeopardize project quality. Trust does not develop overnight.

Auditors and compliance staff need to understand themselves as capacity builders, helping to improve the financial systems. Particularly, when projects are complex and when, in a post-war context, partners are not yet experienced. As the work is so sensitive within a violent conflict setting, compliance has to consider the shrinking space environment and find ways of reporting that do not endanger the work on the ground. Donors need to be conflict sensitive and train their staff accordingly.

Maleya Foundation looks at the whole journey as a strategic and holistic process. Each initiative and each project are part of this. Maleya Foundation has developed a long-term vision as described above. Based on this, a mission statement as well as strategy with project indicators as milestones was developed. Donors, associates and supporters share the vision.

It is based on the commonly shared belief that indigenous peoples have much to contribute in the current global crisis: ecosystem protection and biodiversity, social and societal alternatives. The world needs to understand that indigenous peoples' recognition and support contributes to the world's survival.

KEY INSIGHTS

- The United Nations' Declaration of the Rights of Indigenous Peoples (UNDRIP) opened avenues and alliances for lobby and advocacy of indigenous peoples from the CHT internationally.
- Working with an indigenous peoples' approach means practicing collective values: Participation, justice, honesty, community cooperation and orientation, equality, equal rights, transparency, freedom, rationality, collectivism, pluralism and inclusiveness.
- The work is focussing on self-governance, collective ownership over land and resources, cultural re-generation, communities' knowledge and respect for the territorial identity of each community.
- Holistic, Strategic and Flexible Multi-level Engagement is required in order to make a difference.
- An Intersectional feminist approach allows to address power imbalance on all levels.
- Building local competence in conflict transformation and conflict sensitivity, is key to successful work in and on conflict.
- Conflict transformation is about strategic alliance building on all relevant levels.
- In a strategic approach, Peace Building and Human Rights based approaches, both on civil/ political as well as on Economic, Social and Cultural Rights, go hand in hand.
- Conflict analysis is key to working in and on conflict. Maleya Foundation's systemic conflict analyses involve as many stakeholders as possible and are updated regularly in order to remain relevant.
- Small local actors, NGOs as well as movements are crucial to successfully work on conflict. It is often hard for them to access funds and other forms of support. Donors need to recognize this and provide support opportunities for such small and diverse actors.
- As working for peace and indigenous peoples' rights is a long-term process, continuous long-term support is required: Funding, listening, solidarity, alliance building, lobby/ advocacy facilities, exposure, capacity building, scholarships.
- In conflict, donors have to think out of the box and go an extra mile in managing challenging funding procedures in order to support
- Donors need to be conflict sensitive and train their staff accordingly.
- Long-term trustful personal linkages with and personal commitment of staff in donor agencies combined with long-term institutional engagement are of critical importance.
- Auditors and compliance staff need to understand themselves as capacity builders, helping to improve the financial systems. Conflict sensitive ways of reporting need to be found that do not endanger the work on the ground.
- Indigenous peoples have much to contribute in the current global crisis: ecosystem protection and biodiversity, social and societal alternatives. The world needs to understand that indigenous peoples' recognition and support contributes to the world's survival.



TIMELINE OF THE JOURNEY

Important Events for/by Maleya Foundation

- 1997 INGO Donors invite representatives of CHT civil society and traditional leaders to explore cooperation
- 1998 Rangamati Declaration, a local initiative to define a development agenda for CHT
- Capacity Building Programme for potential NGOs led by Indigenous Peoples (Adivasi) in the CHT initiated
- 2000 Hill Tracts NGO Forum founded
- 2001 Establishment of Women's Task Force later re-named as Women Resource Network (WRN) working on women's rights and against violence against women
- 2007 Field work in 27 villages of all ethnicities in CHT initiated, preceded by Adivasi Facilitators' Training and training for field facilitators from local community
- Capacity Building on Conflict Transformation started
- Maleya Foundation is part of the (United Nations Framework Convention on Climate Change, Conference of the Parties (UNFCCC-COP)' negotiation observers' team of indigenous peoples
- 2009 Bangladesh Indigenous Peoples Network on Climate Change and Biodiversity (BIPNet) established
- Maleya Youth Group established
- 2017 Maleya Foundation co-founds the Eastern Himalaya Network on Climate Change (EHNCC)
- 2018 Maleya Foundation-related PhD students from CHT receive scholarships to study Social Sciences abroad
- 2020 Maleya Foundation-related leaders from CHT studying Peace and Conflict Studies in Cambodia
- 2021 Maleya Foundation starts facilitating the CSCT (Conflict Sensitivity and Conflict Transformation) Orientation Programme for 28 NGOs from all over Bangladesh
- 2022 Academe-Civil Society partnership on indigenous issues initiated
- 2023 Maleya obtains UNFCCC-COP observer status

Important Events in the Context

- 1997 CHT Accord 2.12.1997
- 1998 Formation of United People's Democratic Front (UPDF), opposing the accord
- 2001 Bangladesh Nationalist Party (BNP) comes to power
- Scholarship for CHT indigenous students in Australia by AUSAID through UNDP
- 2002 UN Permanent Forum for Indigenous Issues (IPFII) founded
- DANIDA providing funding to small NGOs in the CHT
- 2005 United Nations Development Programme (UNDP) 's Development intervention in CHT started
- 2007 Parbatya Chattagram Jana Samhati Samiti (PCJSS) split; PCJSS-MN emerged
- Politically motivated violence between armed wings of divided CHT parties
- Adoption of United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP)
- Military-aided Caretaker Government
- 2009 Awami League comes to power
- Bangladesh Constitution amended, failed to recognise Ips accurately and adequately
- 2013 CHT Civil Society groups organized Human Chain against the Political Motivated Violence
- 2014 Government of Bangladesh's order not to use the word "Indigenous/ Adivasi" in official documents
- 2017 UPDF split, a new group formed: UPDF (Democratic)
- 2018 Mog Liberation Party's activities start
- 2019 Foreigners' visit restricted in CHT
- CHT Regulation -1900 contested in Court
- Kuki-Chin National Front (KNA) activities start
- 2020 Public protest against Land Grabbing for Hotel Building in Naithong Pahar, Bandarban District
- 2021 Khudro Nrigoshthi/Tribal Quota Cancelled
- 2024 Interim government established



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