

Bangladesh Indigenous peoples' Forum

“Indigenous peoples' Right to Education, Land and Life”

Press Conference

on the Occasion of International Day of the World's Indigenous peoples 2016

6 August 2016, Saturday, 11:00 am, Hotel Sundarban, Dhaka

Dear Journalist friends,

Greetings from Bangladesh Indigenous Peoples' Forum! We would like to thank you all for your presence just prior to International Day of the World's Indigenous Peoples, like every year.

You are aware that the 22th Indigenous Peoples' Day, proclaimed by United Nations (UN), will be observed worldwide on forthcoming 9 August. The UN General Assembly declared the 9 August as Indigenous Peoples' Day through adopting the Regulation 49/214 in 1994 and called for observing the day. After that, there have been some positive achievements in global level. Among others, establishment of the United Nations Permanent Forum on Indigenous Issues (UNPFII) in 2000, appointment of Special Rapporteur on the Rights of Indigenous Peoples in 2001, declaration of Second International Decade of the World's indigenous peoples during the period from 2005-2014, adoption of United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP) in 2007, creation of Expert Mechanism on the Rights of Indigenous Peoples (EMRIP) in 2007, World Conference on Indigenous Peoples (WCIP) in 2014 organized by UN General Assembly and adoption of remarkable “outcome document” of the conference etc. are mentionable. You are aware that, the main objective of the celebration of indigenous peoples' day is building awareness of the UN member states, different organs of the UN, international community, civil society, media, majority non-indigenous people and all other relevant stakeholders on the life, fundamental rights and human rights of indigenous peoples, language and culture, as well as self-determination of indigenous peoples.

Dear Journalist Friends,

This year too, like 400 million indigenous peoples of the 90 different countries in the World, the 3 million indigenous peoples, residing in Bangladesh, have decided to celebrate the International Day of the World's Indigenous Peoples, proclaimed by the UN, at national level. Bangladesh Indigenous Peoples' Forum has set the main theme of the day as “**Indigenous Peoples' Right to Education, Land and Life**”, in consistent with the main theme “Indigenous Peoples' Right to Education”, proclaimed by the UN in 2016.

This main theme is very significant in present reality of indigenous peoples. For the reason that, the dimensions of deprivation of indigenous peoples have started to expand from education to land rights, even to their right to life. The 3 million indigenous peoples still remain deprived of human rights and fundamental freedoms even in the 45th year of independence of Bangladesh. The indigenous peoples' languages, culture, way of life are misdirected toward an uncertain future. The indigenous peoples are continuously deprived of their right to land. The indigenous peoples have become minorities in those regions where once upon a time they were majorities, as a consequence of population transfer. The indigenous peoples have lost their ancestral lands in Chittagong Hill Tracts (CHT), Fatikchhari-Mirsarai-Shitakunda and Teknaf hills of Chittagong, Garo Hills, North Bengal, Gazipur, Madhupur forests, Patuakhali-Barguna, Khasia regions, everywhere. Let alone, establishing the humanitarian dignity of indigenous peoples, it has become difficult to survive along with self-identities and own cultures. Nevertheless, the indigenous peoples are continuing their struggles for their rights.

Dear Journalist Friends,

The UN has given emphasis on the right to education of indigenous peoples this year. The indigenous peoples think that the right to education of indigenous peoples is human rights. This main theme is very important for indigenous peoples. Emphasis should be given, especially on indigenous peoples' education in our country. The indigenous peoples have become marginalized because of historical exploitation and deprivation for ages. The indigenous peoples have been deprived of civil and political rights as well as the economic, social and cultural rights. Consequently, the indigenous peoples remain backward in general education and higher education. Our National Education Policy 2010 has recognized the requirement of progress of indigenous peoples' education and culture. The 7th objective in goals and objectives of National Education Policy states that, it aims "to remove socio-economic discrimination irrespective of race, religion and creed and to eradicate gender disparity; to develop non-communalism, friendliness, global fraternity, fellow-feeling and respect for human rights". The 23th objective states that, it aims, "to promote and develop the languages and cultures of the indigenous and small ethnic groups".

According to "Children of Ethnic Groups" section of the National Education Policy, "Measures will be taken to ensure the availability of teachers from ethnic groups and to prepare textbooks in their own languages so that ethnic children can learn their own indigenous languages. In these initiatives, especially in preparing textbooks the inclusion of respective indigenous communities will be ensured. Special assistance will be provided to the marginalized indigenous children". In the occasion of the International Day of the World's Indigenous Peoples, I demand for proper implementation of the education policy in order to develop education of indigenous peoples. I demand to appoint indigenous school teachers in the schools of indigenous inhabited regions.

Indigenous Peoples' Right to Land and Life

In one word, it can be said that, there is a carnival of land grabbing against indigenous peoples in the country. For indigenous peoples, land is the symbol of life and survival. We cannot imagine the existence of indigenous peoples devoid of land. Therefore, we say, land is life. Worldwide, the land is sacred object to indigenous peoples. The indigenous peoples consider the land, forest and nature as a part of their life, never considered it as an object for buying and selling. Therefore, the indigenous peoples never recorded their lands through land documents. The conflict between indigenous land ownership system and modern legal systems lies in such circumstance. Consequently, the indigenous peoples have dispossessed their lands, the main subsistence of their life. The gangs of influential land grabbers have robbed the lands of indigenous peoples. They have exhausted the indigenous peoples through forging land documents, intimidation and gaps in legal system. On the other hand, the government of the country, who are supposed to protect the rights of indigenous peoples, directly or indirectly always assisted the powerful perpetrators. Possibly sometimes they have attempted to take legal actions and filed charges against perpetrators, however, they have become economically more exhausted because of lengthy legal processes. There is almost no evidence of restitution through such legal battle for many years in court.

Till to date, the indigenous peoples are losing their lands. Not only because of land grabbing by the gang of greedy land grabbers, but also the indigenous peoples some times are losing their lands because of government projects such as building national parks, eco-park, reserved forests, social forestry, expansion of military camps and bases, tourist centres and so on. There were attempts to evict the Khasia and Garo indigenous peoples in the name of establishing eco-parks. But, these projects were not successful due to mass movements of indigenous peoples. However, harassments against the indigenous peoples, residing in the forest areas still continue.

Whereas the land is regarded as the symbol of their existence by indigenous peoples, their rights continue to shrink on that land now. Whereas the indigenous people regard the forests as their own, now their right to these forests is denied. The government has not taken measures to protect the customary land rights of indigenous peoples, though, ILO convention no.107 was ratified. The main point of the convention is indigenous peoples have right to ownership of those lands, which are traditionally used by them, whether they have land documents or not. If the government or any third

party attempt to forcefully taken away those lands, it will be a violation of international convention, thus will be considered as human rights violation.

Recently, the district administration has issued an eviction notice against 85 families of Nahar Khasi Punjee of Sreemangal upazila under Moulvibazaar district. The district administration has done this illegal task by taking side of tea garden authority through violating rules and regulations. The indigenous Khasis have launched an appeal about the circumstance to Sylhet Divisional Commissioner. We have learnt that, on 2 August the divisional commissioner gave verdict to withdraw the eviction notice. We welcome the verdict. But, although the Khasi indigenous people have been relieved from the eviction, there has not been any permanent solution of land problems of Khasi and Garo indigenous people in greater Sylhet region. The 350 Garo and Khasi indigenous families of Pallatol Punjee of Borolekha upazila under Moulvibazaar district are currently living in fear for dispossession of their 360 acres of land. The 187 Tripura indigenous families of Rema-Kalenga under Sreemangal upazila were compelled to take refuge in India border in order to save their, as a consequence of attack by forest department officials and outsider Bengali settlers on them. Although, these 187 families have been returned to the country, they are currently living in fear.

On the other hand, in last February the forest department declared final reserved forest enforcing section 20 of Forest Act including 14 indigenous villages in Modhupur Garh. Consequently, the Garo and Koch indigenous peoples have become under threat of eviction. The reserved forest has been declared incorporating 9,145 acres of land without any discussion with indigenous peoples. The indigenous peoples have demanded to exclude those lands which are already in their control and their traditional lands from this reserved forest.

On the other hand, thousands of indigenous peoples and Bengalis of Shahebganj-Bagda Farm area have been struggling for ages to reconstitute their land, which was previously acquired. During Pakistan era, around 1,842 acres of land owned by indigenous peoples and Bengalis were acquired by the government in order to produce sugarcane. The sugarcane is not produced on that land. Therefore, as per the condition of the agreement, the indigenous and Bengali owners of this land and their successors are the rightful claimants of this land. But the government is not returning the land showing different excuses and resorting procrastinations. Rather has filed charges against the indigenous and Bengali claimants who are organizing movements on the issue. Thus, the indigenous peoples are victimized by different harassments and attacks. Recently, the Munda indigenous people of Akkelpur Upazila under Joypurhat district have been attacked again and again in order to grab their lands.

The existence of the Rakhaine people of Patuakhali-Barguna is underway to total extinction. Their lands, temples, graveyards and homesteads all have been occupied. Once upon a time over hundreds of thousands of Rakhaine people resided at that region. Current the population of Rakhaine people at the region is less than 2.5 thousands. Most of them have migrated or moved to other places due to land grabbing and security reasons. Similarly, once upon a time, over hundreds of thousands of Tripura people used to live at Comilla-Chandpur area. Due to many reasons including lack of security they migrated or moved to other areas. Currently their population reduced to nearly 5000 at the Comilla-Chandpur region.

Chittagong Hill Tracts Accord and Land Grabbing

Although, 18 years have passed after signing the Chittagong Hill Tracts (CHT) Accord, there have not been desired progress in solution of the CHT problem due to non-implementation of the fundamental subjects of the Accord, especially, preservation of the Jumma (tribal) inhabited characteristics of CHT region, execution of different powers and functions bestowed to CHT Regional Council and Hill District Councils and holding of elections of the councils, resolution of land disputes in CHT, restitution of lands to internally displaced Jumma people and repatriated Jumma refugees and their rehabilitations, withdrawal of all temporary camps including military rule 'Operation Uttoron' (operation upliftment), cancellation of the land leases granted to outsiders, appointment of the permanent inhabitants in all kind of jobs in CHT giving priority to Jumma people, amendment of all

other relevant laws in order to harmonize with CHT Accord, rehabilitation of the Bengali settlers outside the CHT region with dignity so on.

Hence, the government has been adopting and implementing different anti-CHT Accord and anti-Jumma programmes, through putting the CHT Accord implementation process aside and leading it to an uncertainty. Without ensuring the land rights of Jumma peoples as per CHT Accord and relevant laws, thousands acres of lands, communally owned by Jumma people as Jum lands and Mouza lands, are occupied in the name of establishing BGB camps and tourist spots, in the name of declaring reserved forests and giving leases to outsider businessmen, influential bureaucrats and politicians for horticulture and rubber plantations. Even after signing the CHT Accord, 30 villages of indigenous Jumma people in Bandarban have been abandoned and indigenous villagers have been compelled to move away somewhere else as evictees, as a consequence of land grabbing. 65 Tripura families of two villages in Sajek area under Rangamati district and 31 Bawm indigenous families in Boga Lake under Bandarban district are facing threats of eviction due to establishment of tourism spot by the army. The government is making the land problem more complex further, avoiding resolution of land disputes as per CHT Accord. Despite strong opposition, ignoring public opinions the Rangamati Medical College and Science and Technology University establishment project is being implemented with police and army escorts in the name of development. Thus, government is implementing the ethnic cleansing measures through adopting anti-CHT Accord and anti-Jumma people procedures.

Dear Journalist Friends,

You must be aware that, the fundamental rights including ethnicity, political, economic, land rights of indigenous peoples have not been recognized in constitution of Bangladesh. On behalf of indigenous peoples' organizations, we have frequently tried to opine that, the indigenous peoples have the right to self-identification. It is our human rights. The right to self-identification of indigenous peoples is also internally recognized. Therefore, the Bangladesh Indigenous Peoples' Forum strongly demands to recognize the fundamental rights including political, economic, land rights of indigenous peoples based on aspirations and demands of indigenous peoples through amending the constitution.

The human rights situation of indigenous peoples is not well. In order to occupy the lands of indigenous peoples and to evict them from their ancestral lands, violent atrocities including communal attacks, forced land encroachment and expulsion, rape, killing and abductions have been intensified against indigenous peoples in different regions in the country. Specially, violence against indigenous women has been increasing recently at an alarming rate. According to report of Kapaeeng Foundation, 15 indigenous people were killed in 2015. Quite a many communal attacks were conducted and the land grabbers and terrorists demolish 84 houses and vandalized and looted 35 houses of indigenous peoples. At least 45 indigenous families were evicted. Besides, 1400 indigenous families are living under threat of eviction. In 2015, 4 temples of indigenous peoples in CHT and one Hindu temple of indigenous people in plain land were ransacked and looted. In 2015, 85 indigenous women and girl child became victims of physical and sexual violence. In this year, till June 29 indigenous women and children have become victims of sexual violence.

According to Kapaeeng Foundation report, in 2015, 74 indigenous people including women and girl students of schools were arrested based on fabricated and false charges. In 2015, incidents like arbitrary arrests, detention and extrajudicial killings were intensified at an alarming rate. In 2016, this trend has increased more. Since March 2016, 2 member of PCJSS and its wings have been killed, 17 members have been arrested, 30 members have been injured, at least 50 members have been victims of false charges and over hundred members have been compelled to flee away from their respective areas due to evil scheme of local gangs of ruling party of Bandarban and Rangamati in collaboration with local administration.

Present government says, Bangladesh has upgraded to lower-middle income country. Bangladesh Indigenous Peoples' Forum strongly wants to state that, there is no reflection of this statement on indigenous peoples, who are living in remotes areas in the country; this statement is not true for them. Their existence is endangered due to human rights violations, land grabbing, suppressions and

oppressions. There is no reflection of indigenous peoples either in the account of per capita income as illustrated for the country. The UN affirms on the development of indigenous peoples' lives in the Sustainable Development Goals (SDGs). But, in this country, the existence of indigenous peoples itself is endangered. If there is lack of accountability, rule of law, democracy and transparency in the country, then unbearable miseries are descended on the lives of poor and working class including indigenous peoples.

Dear Journalist Friends,

Despite many challenges, the indigenous peoples of Bangladesh are struggling to promote their rights in association with democratic, non-communal and progressive political and civil society of the country. The media and journalist society are playing important roles in promoting rights of indigenous peoples and awareness building. Thank you very much for your cooperation in the International Day of the World's Indigenous Peoples. The Bangladesh Indigenous Peoples' Forum firmly believes that, one day the indigenous peoples will be able to establish their right to self-determination in the course of struggle. En route for this objective, similar to indigenous peoples of other countries, the indigenous peoples of Bangladesh are going to celebrate the International Day of the World's Indigenous Peoples. This day is the day of rejuvenation with new realization and solidarity in the course of struggle for establishing the rights of indigenous peoples. Ahead of International Day of the World's Indigenous Peoples, Bangladesh Indigenous Peoples' Forum and other organizations have taken initiative to organize several program of actions. These programs include:

- On 7 August day long program of Parliamentary Caucus on Indigenous Peoples at CIRDAP conference hall in Dhaka;
- On 8 August in the evening discussion meeting and cultural program of Bangladesh Garo Chatra Songhothon at TSC and Candle lightening program of Garo Student Union at Central Shahid Minar in Dhaka,
- On 9 August at 10 am, the main program of Bangladesh Indigenous Peoples Forum at Central Shaheed Minar in Dhaka –gathering, rally and cultural program. In the program Sultana Kamal will be present as the inaugurator while Rashed Khan Menon MP, Honorable Minister, Ministry of Civil Aviation and Tourism, will be present as the chief guest. Besides, distinguished citizens will be present to express solidarity.
- On 10 August a seminar will be held by ALRD and ten other organizations on land rights of indigenous peoples at CIRDAP conference hall in Dhaka.

In addition, in different districts and Upazilas (sub-districts), such as Rajshahi, Dinajpur, Natore, Thakurgaon, Mymensingh, Tangail, Gazipur, Netrokona, Sylhet, Moulvibazar, Sherpur, Rangamati, Bandarban, Khagrachari, Chittagong, Chandpur, Cox's bazaar etc. the indigenous peoples' day will be observed.

Bangladesh Indigenous Peoples' Forum would like to invite you all to participate in all these programs in the occasion of International Day of the World's Indigenous Peoples.

Dear Journalist Friends,

In the occasion of International Day of the World's Indigenous Peoples, the Bangladesh Indigenous Peoples' Forum demands that-

1. Special measure has to be taken in order to ensure the right to education of indigenous peoples. Special budget has to be allocated to develop the education of indigenous peoples. Special scheme hast to be taken so that, the indigenous peoples can enjoys the benefits of the education policy;
2. Special measures hast to be taken to provide scholarships for higher education of the indigenous students. The decision of the introduction of mother language education for

indigenous children has to be implemented rapidly and indigenous teachers must be appointed in this regard;

3. Traditional and customary land rights of indigenous peoples hast to be implemented;
4. CHT Accord must be implemented properly and roadmap should be declared for this purpose; the CHT Land Commission Act must be executed immediately;
5. The United Nations Declarations on the Rights of Indigenous Peoples (UNDRIP) adopted by UN General Assembly in 2007 must be endorsed and implemented. ILO Convention 107 & 169 must be ratified;
6. A land commission has to be formed to solve the land problems in plain land immediately. The previously declared reserved forest on the lands of Garo and Koch indigenous peoples of Modhupur Garh has to be cancelled;
7. The Indigenous Peoples' Rights Act, adopted by Parliamentary Caucus on Indigenous Peoples, has to be enacted;
8. The land rights of Khasi indigenous peoples of Jhimai, Pallatol and Nahar Panpunjee of Mulvibazar district has to be ensured and the administrative and illegal pressure on them has to be stopped and the lease of the tea garden has to be cancelled;
9. Communal attacks, false charges, harassments, suppressions and propaganda against indigenous peoples must be stopped; security of all citizens including indigenous women must be ensured;
10. 9 August , the International Day of the World's Indigenous Peoples proclaimed by UN has to be observed officially by the state;
11. The self-identity and rights of indigenous peoples hast to be recognized through amending the Constitution;

Dear Journalist Friends,

Today, on the occasion of indigenous peoples' day, Bangladesh Indigenous Peoples' Forum would like to thank you that, you have come forward to protest and resist human rights violations against indigenous peoples. The participation of different institutions including different UN agencies, international community, media, human rights organizations, NGOs should be amplified in promoting rights of indigenous peoples. Solidarity should be established and relationship should be increased between indigenous peoples and Bengali people. Initiatives on dialogues and discussion should be organized in order to increase participation of indigenous peoples in decision making processes. Foundation of trust and faith should be established where those are absent. Come forward; let us stand by indigenous peoples' side all together through removing all the barriers in promoting indigenous peoples' rights. Indigenous peoples' rights are human rights. Special roles of government, UN, civil society and mass media are emergency matters in awareness rising on indigenous peoples' issues. It is everyone's responsibility to build awareness on the rights of indigenous peoples, enshrined in UNDRIP and to recognize right to self-determination of indigenous peoples and ensuring free, prior , informed consent in political and decision-making processes.

Please come forward, let us work together to implement the main theme of indigenous peoples' day: "Indigenous peoples' Right to Education, Land and Life".

Special thanks to all of you.

Jyotirindra Bodhipriya Larma
President
Bangladesh Indigenous Peoples' Forum
Dhaka, August 6, 2016