

About Kapaeeng Foundation

Kapaeeng Foundation as a human rights organisation for Indigenous Peoples in Bangladesh was established on 1 April 2004 with the view to working for promotion and protection of the rights of Indigenous Peoples in the country. The term 'Kapaeeng' is derived from indigenous Khumi language, meaning 'Rights'. Kapaeeng Foundation is duly registered with the Office of the Registrar of Joint Stock Companies and Firms of Commerce Ministry, Government of Peoples' Republic of Bangladesh under the Societies Registration Act XXI of 1860.

Vision: The vision of Kapaeeng Foundation is to establish a society based on the values of justice, equity and freedom where human rights and fundamental freedoms of Indigenous Peoples are ensured.

Mission : The mission of Kapaeeng Foundation are, among others, to promote and protect the human rights of the Indigenous Peoples of the country and to conduct advocacy, lobby and campaign programme for the same at local, national, regional and international level; to establish a strong network and partnership with national, regional and international organizations and individuals working on promotion and protection of human rights as well as Indigenous Peoples rights and to raise the capacity of the Indigenous Peoples in promoting and protecting the human rights.

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KAPAEENG
Foundation

Human Rights Report 2013 on Indigenous Peoples in Bangladesh



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Kapaeeng Foundation

Editor

Dr. Dalem Chandra Barman
Mong Sing Neo

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ACRONYMS

ADP	Annual Development Programme
AIPP	Asia Indigenous Peoples Pact
BCS	Bangladesh Civil Services
BGB	Border Guard Bangladesh
CAT	Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment
CBD	Convention on Biological Diversity
ICCPR	International Covenant on Civil and Political Rights
CEDAW	Convention on the Elimination of All Forms of Discrimination against Women
CESCR	Covenant on Economic, Social and Cultural Rights
CERD	Convention on the Elimination of All Forms of Racial Discrimination
CHT	Chittagong Hill Tracts
CHTDB	Chittagong Hill Tracts Development Board
CHTRC	Chittagong Hill Tracts Regional Council
CRC	Convention on the Rights of the Child
DC	Deputy Commissioner
GoB	Government of Bangladesh
HDC	Hill District Council
IDPs	Internally Displaced Persons
ILO	International Labour Organisation
IPO	Indigenous Peoples Organisation
IPs	Indigenous Peoples
MoCHTA	Ministry of Chittagong Hill Tracts Affairs
MP	Member of Parliament
NHRC	National Human Rights Commission
OC	Officer-in-Charge
PCJSS	Parbatya Chattagram Jana Samhati Samiti

PRSP	Poverty Reduction Strategy Paper
SAD	Special Affairs Division
SP	Superintendent of Police
UN	United Nations
UNDP	United Nations Development Programme
UNDRIP	United Nations Declaration on the Rights of Indigenous Peoples
UNO	Upazila Nirbahi Officer
UNPFII	United Nations Permanent Forum on Indigenous Issues
VAIW	Violence Against Indigenous Women

EDITORIAL

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We are happy to present this “Human Rights Report 2013 on Indigenous Peoples in Bangladesh”. Kapaeeng Foundation has been continuously publishing this report, as a part of its advocacy work and awareness raising activities since 2007.

The human rights report contains six major sections regarding different issues concerning human rights of the Indigenous Peoples in Bangladesh. Human rights bear with them diverse correlative duties obliged by the State where the duty to respect of state requires refraining from interfering with the enjoyment of the right and the duty to protect requires the prevention of violations of such rights by State authorities as well as by third parties. As a member state of UN, Bangladesh ratified a number of international human rights instruments. According to these international human rights treaties, Bangladesh government has obligation to respect, protect and fulfill the rights of indigenous peoples in Bangladesh. However, different state agencies of Bangladesh have been directly engaged in interfering with the enjoyment of the human rights of indigenous peoples enshrined in the international human rights laws. In most cases, the state authority is reluctant to prevent violations of these rights by state agencies and other non-state actors.

Being a part of the human society, the rights of indigenous peoples must be protected regardless of their ethnicity, culture, religion, linguistic origins or any other status. Nonetheless, the studies of Kapaeeng Foundation found that Indigenous Peoples are the most marginalized and vulnerable groups in Bangladesh who have been facing various human rights violations continuously.

Notwithstanding, Indigenous Peoples are entitled to their human rights. But, they are regularly subjected to human rights violations. Similar to the previous years, the Indigenous Peoples were subjected to violent land grabbing, military oppression, forced eviction and displacement, physical assault, communal attacks, killing, torture, false charges, arbitrary arrest and detention in 2013. The indigenous women were also subjected to several forms of sexual violence in the same period. Injustice and human rights violation against Indigenous Peoples in the Chittagong Hill Tracts and plain land are predominantly prevalent in Bangladesh, which often were perpetrated by agents of several government agencies such as security forces, police, forest guards as well as mainstream vested quarters including Bengali settlers, private companies, public representatives, land grabbers and so on.

This human rights report is a set of accounts of the human rights violations against indigenous peoples and situations of Indigenous Peoples in Bangladesh which were documented over a year. Kapaeeng Foundation hopes that this report will help raise awareness of the people to the extent of the circumstances of human rights and fundamental freedoms of Indigenous Peoples as well as raise the willingness in supporting the promotion and protection of human rights of Indigenous Peoples in Bangladesh.

ACKNOWLEDGEMENT

First of all, I would like to express my sincere gratitude to Kapaeeng's organizational networks and focal persons working across the country by which the information of the human rights incidents have been documented throughout the year. The organisational networks include Indigenous Peoples' human rights defenders' network, indigenous youths' network, indigenous women's network etc.

In addition, media reports in Bangladesh have also been monitored regularly by Kapaeeng's secretariat. In many cases, fact-finding missions have been conducted directly by or in facilitation of Kapaeeng upon receiving media reports of human rights violations to collect authentic information.

My gratitude goes to the Indigenous Peoples organisations (IPOs) working in Bangladesh at grassroots level in the country and online news services run by indigenous peoples from which Kapaeeng receives help in monitoring human rights situations of Indigenous Peoples and in collecting information of particular human rights incident. These include, among others, Bangladesh Indigenous Peoples Forum, Jatiya Adivasi Parishad, Khagrachari District Headmen Association, CHTnews Online (chtnews.com), Khasi Welfare Society, Patra Sampraday Kalyan Parishad, Bangladesh Adivasi Chhatra Sangram Parishad, Adivasi Chhatra Parishad, Joyenshahi Adivasi Unnayan Parishad (JAUP), Adivasi Cluster Development Forum (ACDF), CHT Citizens Committee, Adivasi Jagoran Samity, Ethnic Community Development Organisation (ECDO), Durbar Nari Network in CHT etc.

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Rabindranath Soren
Chairperson
Kapaeeng Foundation

EXECUTIVE SUMMARY

Bangladesh often affirms its commitment to promote and protect human rights through its unequivocal pledge to uphold the principles and purposes of the UN Charter, international peace and security, respect for international law and rejection of colonialism and racism. However, different state agencies of Bangladesh have been directly engaged in interfering with the enjoyment of the human rights of indigenous peoples enshrined in the international laws for long, let alone the state authorities preventing violations of these rights by state agencies and other non-state actors. During the second cycle of review under the UPR mechanism on Bangladesh held at the UN Human Rights Council in Geneva on 29 April 2013, for example, the government of Bangladesh provided incomplete and inaccurate information on implementation of the CHT Accord and constitutional recognition of indigenous peoples to the UPR session, which has proved non-compliance attitude of government's commitment to the international human rights mechanisms.

Human Rights Situation

Human rights of indigenous peoples in the CHT and plain lands are still being violated in an alarming manner. In most cases, the state authority fail to investigate the alleged human rights violations properly, which were committed directly by state-machineries as well as by third parties such as Bengali settlers, illegal land grabbers, private companies and local administrations. The indigenous victims of human rights violations are often neither provided with essential protection nor co-operated in filing charges against the perpetrators. As a result, the offenders usually do not face any prosecution and punishments. State being the prime duty bearer, its reluctance and failure to meet its obligation to respect, protect and fulfill human rights of indigenous peoples are facilitating perpetrators to commit

offensive activities to a major degree. As a result, discrimination and violence against indigenous peoples including women and children continue to be a serious issue of concern in the present day.

In 2013, the numbers of human rights violations against indigenous peoples were intensified in some particular issues. At least 11 indigenous people including 4 women, 3 from CHT and 8 others from plains, were killed. In connection with fabricated cases and incidents, law-enforcing agencies and security forces arrested 42 indigenous persons including 31 from CHT. At least 10 communal attacks, 6 in CHT (including Chiitagong EPZ) and 4 in plains were conducted by the Bengali settlers and Bengali land grabbers, while houses and properties of at least 346 families, 275 from CHT and 71 from plains, were destroyed and looted. At least 47 houses including 1 from plains were set on fire and burnt to ashes, while around 2000 people of 400 families in CHT fled away to 'no man's land' adjacent to neighboring Indian state due to communal attacks conducted by Bengali settlers. In some cases, while these violations were committed by influential Bengali miscreants as non-state actors, the state actors such as members of security forces and law enforcing agencies played either supportive or passive roles.

Rights to Land and Natural Resources

Violation of rights of indigenous peoples to land and natural resources is leading to enormous illegal land encroachment by mainstream populations, politically powerful individuals and government. For instance, most indigenous families in the northwest of Bangladesh lost their traditional lands as administration listed them as 'Khas' (state-owned). The ILO Convention No. 107 on Indigenous and Tribal Populations which was ratified by Bangladesh has been a safeguard for traditional land rights of indigenous peoples. However, the government itself ignores the fact that under international human rights law, indigenous peoples have right to their traditional lands. This is not only denying indigenous peoples' access to their traditional lands but also leading to frequent violent clashes between indigenous peoples and land grabbers of mainstream population.

Land grabbing has been significantly intensified in 2013 compared to 2012. In 2013, around 3792 acres of lands in the CHT were either grabbed or went under process for occupation and acquisition while 103 bighas of

land in the plains were occupied. Of the total grabbed land in CHT, 3717 acres of lands were grabbed by mainly outsider private parties and influential persons and 75 acres by the government. For example, one such land grabber was Nurun Nahar, wife of a former Forest and Environment Minister. Throughout the year, 26 families were evicted from their homesteads and 1062 families were under threat to eviction. A total of 66 families were attacked in the plain land in connection with occupation of lands of indigenous peoples. At least 200 indigenous families fled to India from north Bengal during last five years due to land grabbing, false cases and intimidation, physical assault, sexual harassment against indigenous women by Bengali land grabbers. Besides, land grabbers with the help of forest officials chopped down 500 betel leaf trees in Sylhet which are the main sources of livelihood of indigenous Khasi people. Furthermore, allegations of irregularities and misappropriation of climate change and forestation projects in CHT which ultimately hamper livelihood of marginalised people have raised question among the people.

Situation of Indigenous Women

Despite considerable movement of indigenous peoples in the country throughout the past decade, indigenous women remain largely marginalized in terms of socio-economic status. Government's policy of eradication of racial discrimination also refuses to reserve seats of indigenous women in local government bodies and national legislative body. There are also some political factors contributing to turn indigenous women and children the most vulnerable and disadvantaged section of the country. Having non-recognition as indigenous peoples in the constitution, lack of political participation in both types of the state political structures and traditional institutions, lack of access to justice and impunity of the perpetrators, non-implementation of CHT Accord of 1997 and militarization in CHT have left the indigenous people including women completely vulnerable. Most commonly reported form of violence against indigenous women and girls in the country are rape/gang rape, attempt to rape, killing after rape, killing, physical assault/ molestation, abduction, sexual harassment, and trafficking. The numbers of sexual harassment and trafficking have been added as new forms of violation in 2013 in CHT.

In 2013, a total of 67 indigenous women and children across the country, 53 from the CHT and 14 from plain land were subjected to violence. Of

them, 15 indigenous women and children (12 from CHT and 3 from plain) were raped. A father of a rape victim committed suicide over the trauma for being unable to carry on the sexual assault of her daughter. Five indigenous Tripura girl children from a madrasa in Dhaka were rescued as they were taken from CHT to convert into Islam by force. Again, police also rescued 3 indigenous girls from Faridpur-Rajbari crossing across Dhaka-Khulna highway while they were being trafficked out to India after enticing into providing them well-paid jobs in that country. Besides, 6 indigenous women were abducted and 16 indigenous women were physically assaulted and molested. 69% of the all women victims were under age of 18. On the other, 89% of the perpetrators are found from Bengali settlers land grabbers, while 7% were indigenous origin and 4% of the perpetrators are from security forces.

There are many pending cases on human rights violations against indigenous women in different courts of Bangladesh because of unanticipated problems such as lack of follow up of the cases, complex court procedures, lack of awareness, inadequate of legal aid support centers, less interest to run a case for prolong process, lack of financial capacity and excess reliance on the government by the victims/victims' families to run their cases on their behalf. It is important to mention that in September 2013 the Women and Children Repression Prevention Tribunal in Chittagong gave verdict to hang perpetrators in a rape case. This news may bring trust to indigenous women that there is consequence for rape and consequence in non-discriminatory irrespective of one's ethnic background. It is realized that due to continuous impunity, indigenous women are increasingly becoming victims of sexual violence.

Situation of Education and Child Rights

The sufferings of the indigenous children in Bangladesh are twofold—their rights are infringed firstly, because they are indigenous, and secondly, because they are children. A major issue facing indigenous children is in terms of their right to primary education in own mother tongues. As a result, indigenous children in Bangladesh are lagging far behind their Bengali counterparts in primary education. Furthermore, the textbooks used for educating the children at primary level (and sometimes even at secondary levels) often contain distorted and misleading information about their cultures, languages, beliefs, and ways of life. This is contributing to

creation of wrong perception of the naive Bengali kids in one hand, and demotivating the indigenous children while continuing their studies.

Many indigenous children who work as 'maids' or domestic workers continue to live a very appalling life across different parts of Bangladesh. It is often the case that indigenous children are taken away from their homes and employed in the well-to-do families to do household activities like cooking, cleaning, baby sitting, and so on. As a result, the children doing so many activities get deprived of their normal way of life and many of their rights enshrined in the Convention on the Rights of the Child are violated.

280 indigenous candidates of 34th Bangladesh Civil Service (BCS) recruitment were deprived of their right of enjoying 5% quota enshrined in the civil services recruitment policies due to a controversy arose around the quota system in Bangladesh in 2013. The quota policy has remained merely on papers, as 5% quota allocated for indigenous candidates has never been maintained properly ever since its inception. A study shows that from 24th to 33rd BCS recruitments only 275 candidates were recruited out of 2051 available posts for indigenous candidates.

Implementation of Election Pledges & the CHT Accord

The issue of implementation of the CHT Accord, an election agenda of Awami League in 2008, had only been in confinement to the repeated utterance of promises during its tenure 2009-2013. With exceptions to some initiatives including reconstitution of committees as part of the implementation process, the government did not take any effective measure towards implementation of core issues of the Accord. For example, the government proved to have spelled abject failure in amending contradictory provisions of CHT Land Dispute Resolution Commission Act of 2001 during the last five-year tenure. The reasons behind non-implementation of the Accord by government even being in the power for the second time are, among others, lack of sincerity and good will of the government in implementing the Accord and possession of ultra-nationalist, undemocratic and communal outlook among the policy-makers.

Another important election agenda of Awami League in 2008 was to form a land commission to restore dispossessed land of indigenous peoples

in plain lands. The government did not take any action in this regard or even did not recall the issue at all.

Recommendations

- 1) To take effective measures to fully implement the CHT Accord of 1997 with a declared time-frame for a road map and solving land disputes of Indigenous Peoples in CHT and plain lands.
- 2) To stop the systematic and forcible displacement of Indigenous Peoples from their ancestral lands and to develop legal mechanisms to save the illegal land dispossessions of Indigenous Peoples.
- 3) To form a separate land commission for plain land Indigenous Peoples for restoration of dispossessed land.
- 4) To stop communal violence and physical abuse against indigenous women and children and to conduct judicial inquiries into the communal violence and abuses against indigenous women.
- 5) To provide constitutional recognition to the Indigenous Peoples as per international human rights instruments ratified by the Government of Bangladesh.
- 6) To conduct investigation to the human rights violations against Indigenous Peoples by National Human Rights Commission regularly.

I. INTRODUCTION



I. INTRODUCTION

There are more than 54 indigenous ethnic communities living in Bangladesh for centuries. According to the official census of 2011, total number of Indigenous Peoples in Bangladesh was 1,586,141. However, Indigenous Peoples claim their total population is over 3 million in the country. The Chittagong Hill Tracts (CHT) is the only region in the country where Indigenous Peoples are largely concentrated. Indigenous Peoples in other parts of Bangladesh are located mainly in the north-west (Rajshahi-Dinajpur), central north (Mymensingh-Tangail), north-east (Greater Sylhet), south-west (Patuakhali-Barguna-Barishal) and south-east (Chittagong-Cox's Bazaar).

10th National Parliamentary Elections and Indigenous Peoples

On 25 November 2013, amid continuous violence and uncertainty over the BNP-led opposition alliance's participation in the polls, the Election Commission announced the 10th general elections to be held on 5 January 2014. Soon after announcement of the election, the BNP-led 18-party alliance rejected the schedule and called upon countrywide blockade of roads, rail and waterways.

The BNP-led 18-party alliance demanded non-party polls-time government for the 10th parliamentary election. However, Sheikh Hasina-led grand alliance government was reluctant to form all-party cabinet led by Sheikh Hasina as polls-time government. Prime Minister Sheikh Hasina also urged BNP-led 18-party alliance to join the all-party cabinet and offered any ministry to them if they joined the said cabinet. However, the BNP-led 18-party alliance declared to boycott polls if non-party government was not formed.

Prior to the 10th national parliamentary election, indigenous peoples' organisations and civic rights groups urged all the political parties to clarify

their plans for the rights and development of the indigenous people in their election manifestos for the next national polls. It is observed that the demands of indigenous peoples remain unheard to the political parties as they are not considered a major vote bank for any political party. Even though the democratic, secular and progressive political parties and the civil societies are much vocal for the implementation of the CHT Accord and indigenous peoples' rights, have not yet come up with own programme for the same. Until this day, these political parties are seen merely joining the programmes organised by the indigenous peoples' organisations with whom they declare their oneness in respects of unity and solidarity. As a part of movement to develop the rule of democracy in the country, the political parties and civil societies have not yet come up with own political programme to the extent that is required for implementation of the CHT Accord and other causes of indigenous peoples in Bangladesh.

This time prior to 10th national parliamentary election, national political parties could not announce their election manifestos in advance. Awami League announced its election manifesto just couple of days before election to be held on 5 January. Unlike in 2008's general election, Awami League used the terms 'small ethnic group' and 'tribal' instead of 'indigenous' in its election charter for 10th General Elections to refer the indigenous people in its 2014's election manifesto.

During the 10th national parliamentary election, no national political party except Awami League and Workers' Party of Bangladesh nominated candidate from among indigenous communities. Like in 2008, Awami League nominated four indigenous candidates in Rangamati, Khagrachari and Bandarban constituencies in the CHT and Mymensingh (Haluaghat-Dhobaura) constituency in the plain land. On the other hand, Workers' Party nominated one indigenous candidate for Dinajpur-6 constituency. Besides, there were several independent candidates from among indigenous Jumma people in the three constituencies of the CHT basically supported by indigenous political parties working at regional level in the CHT. It is also observed that all the nominated indigenous candidates were men. No single woman candidate was nominated.

Like every national election, when violence against minorities and indigenous peoples in the country often takes place, in the 10th national parliamentary election also violence has already intensified in different

districts, particularly those in plain land. The rights groups blamed the police, the administration and the ruling party for failing to prevent the violence. They also claimed that the violent attacks conducted were pre-planned, implemented by a quarter trying to fulfill their vested interests. These incidents fuelled concerns over a fresh spell of attacks on the Hindus and indigenous peoples.

National Policies Regarding Indigenous Peoples

The Constitution of Bangladesh does not recognize the ethnic, linguistic and cultural minorities in the CHT and in the plains of Bangladesh as 'indigenous'. Through the 15th Amendment to the Constitution in 2011 the government termed indigenous peoples as 'tribes, minor races, ethnic sects and communities', while also calling all the people of Bangladesh, irrespective of their ethnic, linguistic and cultural backgrounds, as 'Bangalee' (Article 6.2).

The Article 23A of the Constitution states that 'The State shall take steps to protect and develop the unique local culture and tradition of the tribes, minor races, ethnic sects and communities'. The true scope or intent of Article 23A is limited anyway in that it only talks about the preservation and promotion of 'local culture(s)' without any mention of language or land rights of the indigenous peoples. Even though it may be argued that 'culture' has a broader meaning, in practice, the possibility of any such interpretation seems remote given how the term 'culture' has been used in other legal and policy provisions. Most significantly, rather than foreshadowing any new laws, Article 23A turned out to be nothing but a gist of a law that had already been in place. The 'Small Ethnic Groups Cultural Institutes Act of 2010' can be referred which was enacted to rename various cultural institutes and academies that earlier had 'tribal' as part of their names, by replacing 'tribal' by 'khudra nigoshthi' (small ethnic group).

There are some ordinary laws that make specific reference to indigenous peoples. In the plains, the only substantive one of such laws is the East Bengal State Acquisition and Tenancy Act, 1950 (at section 97), which forbids the transfer of lands owned by aboriginals to non-aboriginal persons without the express consent of the government's district officer. This law – along with the special provisions on restrictions of transfer of aboriginal lands - is specially protected in the Constitution [Article 47(2) and First Schedule], on account of administrative implications of legal

challenges regarding complex land issues, rather than on account of the indigenous peoples.¹

In contrast, the CHT has a far larger body of laws that refers directly to indigenous peoples. Some of these laws recognize indigenous peoples' customs regarding the ownership and use of lands and other natural resources. The most important of such laws is the CHT Regulation of 1900. Other laws include the Hill District Council Acts of 1989, the CHT Regional Council Act of 1998, the CHT Land Dispute Resolution Commission Act, 2001 and the CHT Regulation (Amendment) Act, 2003.

Government policy may also be understood from the national sectoral policies and programmes of the government. With regard to other national sectoral policies, e.g., healthcare, education, employment, land use, environment, forest, rural development, labour, tourism, agriculture etc. there seem to be no special measures that aim to address the problems faced by indigenous communities, especially those living in remote areas, which are quite different from those faced in other places, and which cannot be resolved through the usual programmes that were designed with the Bengali-populated plains regions in mind.

Policies are usually formulated by the government to guide its activities in a specific sector to achieve set development objectives. These objectives are meant to be beneficial to the people and formulated with the participation and consent of people from all walks of life. However, Bangladesh government does not have any formal policy for the development of indigenous populations. In regards to indigenous peoples, the policy formulation process in Bangladesh is not very participatory, and has little room for involving the indigenous peoples or their representatives. Secondly, there are some special provisions for indigenous peoples in a number of national policies, but they are not properly implemented. Thirdly, it is not the case that the constitution of Bangladesh lays out clear directions for formulating laws and policies in favour of the indigenous peoples. Fourthly, organisations and institutions representing the interest of indigenous peoples in Bangladesh are not addressing the issues as needed.

¹ An assessment of the United Nations First International Decade of the World's Indigenous Peoples 1995-2004, International Centre for Integrated Mountain Development (ICIMOD), Nepal

Second cycle of UPR on Bangladesh and Issues Related to Indigenous Peoples

The second cycle of review under the UPR mechanism on Bangladesh was held at the United Nations Human Rights Council in Geneva, Switzerland on 29 April 2013. During the second cycle of review, despite cross-cutting issues, the Government of Bangladesh made voluntary commitment for full implementation of the CHT Accord and for implementation of the ILO Convention No. 107 on Indigenous and Tribal Populations including effective participation in the consultation process for the promotion of the ILO Convention No. 169.

It is mentionable that the government provided incomplete and inaccurate information on implementation of the CHT Accord and constitutional recognition of indigenous peoples to the UPR session. However, leaders of indigenous peoples' organisations welcomed government of Bangladesh for its commitment for full implementation of the CHT Accord and for expressing positive responses to implement the ILO Convention No. 107 on Indigenous and Tribal Populations including effective participation in the consultations process for the promotion of the ILO Convention No. 169. They also expressed their concerns saying that despite committed to implement the CHT Accord in the first cycle of the UPR in 2009, the government did not take any significant step to do so.

Though UN member-states welcomed government of Bangladesh for commitment to implement the CHT Accord and to protect human rights of indigenous peoples, however, side by side, expressed their concern for failing to fulfill its commitment made at first cycle of UPR in 2009.

It is mentionable that the government's statement "the 15th amendment of the Constitution has granted for the first time Constitutional recognition to our 48 ethnic groups and tribal communities" is not fully factual. There was no single name of the 48 ethnic groups in the 15th amendment of the Constitution. There were names of 27 ethnic groups in the Small Ethnic Group Cultural Institutions Act 2010. Despite popular demand to include rest of the ethnic groups, the government ignored this demand. Hence, those ethnic groups who were excluded from the list of Small Ethnic Group Cultural Institutions Act 2010 have been suffering in all respects. Indigenous leaders also rejected the terms "tribes, minor races, ethnic sects and communities" mentioned in the 15th amendment of the Constitution. Sanjeeb Drong, the General Secretary of Indigenous Peoples

Forum also opined that the 15th amendment of the constitution, instead of guaranteeing the aforesaid demands, termed indigenous peoples as 'Bangalees' which undermines the right to self-identification of indigenous peoples. Government of Bangladesh fully concealed this human right violation in its report submitted at the UPR session, Drong said.

Though government reiterated its statement that "strong commitment to implementing the provision of the CHT Peace Accord concluded in 1997 during our previous term in office", however, government fully failed to do so during the period of last four and a half years of their tenure. The government's commitment in this regard was nothing but lip service, indigenous leaders opined. They alleged that the government provided incomplete information on implementation of the CHT Accord in one hand and on the other hand concealed many unimplemented issues.

The government statement "transfer of two thirds of the departments out of the mandated 33 to the three Hill District Councils" was not also fully true either. On the other hand, government stated that "the amendment to certain provisions of the CHT Land Disputes Resolution Commission Act, 2001 has reached the final stage in consultation with the CHT Regional Council and is expected to be placed before the Cabinet soon". However, indigenous leaders alleged that the minutes (resolution) of the inter-ministerial meeting held on 30 July 2012, where 13-point proposals for amendment of the CHT Land Commission Act were finally adopted, is yet to be prepared, though 9 months after convening the meeting have passed. As it has always been, this government also let the three Hill District Councils (HDCs) and the CHT Regional Council (CHTRC) remain dysfunctional. No measures leading to holding of elections in the HDCs and CHTRC have so far been initiated and to that end the Election Rules and Electoral Roles Rules also have not yet been formulated as per the terms of the Accord and the subsequent laws, the HDC Acts. These issues were fully concealed by the government in the UPR session, said indigenous leaders.

It is important to mention that in facilitation of Kapaeeng Foundation and Maleya Foundation, a coalition named "Coalition of Indigenous Peoples Organisations of Bangladesh" was formed in June 2012 with 17 Indigenous Peoples Organisations (IPOs) which are working for the promotion and protection of human rights of indigenous peoples in Bangladesh. Accordingly, the Coalition of Indigenous Peoples

Organizations of Bangladesh submitted an alternative report on the human rights situations of indigenous peoples in Bangladesh to the UNHRC in October 2012. Along with the state report from the Government of Bangladesh, 27 alternative reports from various NGOs were submitted during the second cycle of review under the UPR. Bangladesh Indigenous Peoples Forum and Kapaeeng Foundation were also involved in submitting another alternative report along with the Human Rights Forum-Bangladesh, a coalition of 19 human rights and development organizations formed to prepare a stakeholders' report under the UPR.

Identification of Indigenous Peoples by Ministry of Cultural Affairs

Since taken over the office in 2008, the Awami League led grand alliance government has been denying the recognition of indigenous peoples, rather framing them in different names and identities. Despite commitment in its election manifesto in 2008, the government ignored indigenous peoples and changed their position towards the recognition and assertion the rights of indigenous peoples. As part of that, the government enacted the "Small Ethnic Groups Cultural Act 2010" and distinguished categories of only 27 indigenous communities leaving over 30 indigenous communities unrecognized. The terminology "Small Ethnic Group" or "Khudra Nrigosthi" was denied by the indigenous leaders, activists and organizations. They rather vehemently asserted to use the term "Adivai" or "Indigenous Peoples" as their collective identity.

As part of its internal policy and in order to end the debate of indigenous identity and recognition of indigenous communities, the government particularly the Ministry of Cultural Affairs formed a committee to identify indigenous ethnic groups in Bangladesh. The Ministry then asked the Deputy Commissioners' (DC) offices to send names of the indigenous ethnic groups living in their administrative areas. However, very astonishingly the DCs sent around 240 names of ethnic groups in which the committee examined the list carefully and visited some places to identify the indigenous peoples. The committee finally proposed a list of indigenous peoples, which is still under consideration. However, the indigenous organizations and activists believe that this initiative by the Ministry of Cultural Affairs is fully ill motivated and conspiratory against providing the true recognition of the identity of the indigenous communities.

Indigenous Peoples in Cholonbil Area Living in Appalling Situation

More than 50,000 indigenous peoples living in Cholonbil area have fallen again in job crisis. Some of them sold labour upfront and took loan with high interest from local moneylenders (mohajan). Many of the indigenous peoples are still living from hand to mouth situation. The indigenous leaders from this region demanded to the government to rehabilitate them under the special programmes such as VGD, VGF and the allowance for the elderly people.²

It is reported that due to large scale of deforestation, they lost their livelihoods and traditional occupations such as hunting and food gathering from the forest. These affected indigenous peoples belonging to Oraon, Mahato, Rajbongshi, Rabidas, Konokdas and Santal communities mainly live in Gurudaspur & Singra in Natore, Tarash and Raigonj subdistricts in Sirajgonj.

Now these days they work as day labourers in the brickfields and other agricultural fields. Demand for indigenous persons as day labourer is higher than others because they are known as hard workers and easy to hire paying cheap wages. However, during the rainy season they don't get any work as day labourer. As a consequences, they face many problems and their daily livelihoods get affected.

It is important to mention that as they do not have work in the rainy season, thus they are borrowing money in advance for the following months (till September/October) and bonding themselves as day labourer as well as domestic and agricultural workers. As a day labourer they usually receive 150-200 taka per day whereas during the spring/autumn season they receive 350-450 taka per day as wages. So during the lean seasons, some indigenous families are being forced to take loan from the local moneylenders with high interest.

The farmers from this area who belong to Bengali community are exploiting these advantages most from the vulnerability of the indigenous peoples. Though minimum daily wage is around 350-450 taka a day, Bengali farmers are paying only 150-300 taka instead to indigenous labourers paying them upfront.

² Prothom Alo, 16 August 2013

The food shortage is severe in almost all the indigenous families of Cholonbil area. Without having any alternative source of income generation, the local influential people are engaging some of these family members in tobacco and drug business. Hence, the indigenous communities from this area need government support and special measures such as the VGF, VGD and the allowances for the elderly persons.

According to Khagendra Mahato, president of Adivasi Foundation (Tarash), a local NGO had worked and provided indigenous peoples in this area with supports for the livestock and animal husbandry, which was unfortunately been closed three years ago. Therefore, the indigenous communities from this area are suffering the food crisis which forcing them to sell labour upfront.

Thousands of Rohingyas included in voter list

According to media sources, a significant number of Rohingyas, who have been residing in Bangladesh, are allegedly enlisted in voter list of greater Chittagong region and Bandarban district. An agency of the state informed Election Commission (EC) that thousands of Rohingyas were enlisted in latest updated voter list.³

But the EC secretariat said that it did not take the complaint into account since it was busy with printing the voter list for national elections. EC could not take any immediate measures regarding such an imperative complaint. Earlier, the same agency provided a list of Rohingyas enlisted in the voter list of Cox's Bazar and Bandarban district. And accordingly an investigation was also conducted based on the list.

Training for Police and BGB personnel

On 8-9 October 2013, a two-day training programme on "Human Rights of the Ethnic Minorities in Bangladesh" for police and Border Guard Bangladesh (BGB) personnel was jointly organized by the National Human Rights Commission and International Labour Organization in Rangamati. Around 50 members of police and BGB attended this training course.⁴

³ The Daily Samakal 24 September 2013

⁴ Prothom Alo, 09/10/2013, Rangamati reporter

In the inaugural programme of this training, the Chairman of the National Human Rights Commission Dr. Mizanur Rahman stated that the criminals of the communal violence in CHT enjoy impunity. The criminals must get punished; otherwise they will continue to commit crimes.

He also added, the customary laws and rules are important for indigenous peoples, and therefore they should seriously be considered while applying laws on indigenous communities.

He further stated, prohibition to land purchase by mainstream people in CHT does not mean a violation of human rights and the constitution. The indigenous peoples have a special spiritual relationship with land. When indigenous peoples lose their land, they lose their existence too. And so, the arrangement for the land ownership of indigenous peoples in this region should be established.

MEDIA REPORTS

Dhaka Tribune

Dhaka Tribune, December 29, 2013

Not indigenous, its small ethnic groups, says AL manifesto

Muktasree Chakma Sathi

The charter used the terms 'small ethnic group' and 'tribal' instead of 'indigenous.'

The Awami League changed the term to refer the indigenous people in its 2014's election manifesto yesterday.

The charter used the terms "small ethnic group" and "tribal" instead of "indigenous."

Article 18 (i) of the 2008's manifesto reads: "Terrorism, discriminatory treatment and human rights violations against religious and ethnic minorities and indigenous people must come to an end permanently..."

But article 22.1 of the latest manifesto, states: “The result of constitutional recognition of the small ethnic groups would ensure elimination of human rights violation of religious and ethnic people and tribal...”

Article 19 of Awami League’s the party charter, however, still refers to such minority people as “indigenous people.”

The government through the fifteenth amendment to the constitution in 2011 inserted “small ethnic groups” referring the indigenous population amid huge criticism at home and abroad.

Post and Telecommunication Minister Rashed Khan Menon said the Awami League’s proposition became clear during the fifteenth amendment. He also opined that if the government remained sincere in ensuring indigenous people’s rights, such titling should not be considered as an issue.

Dhaka Tribune

The Dhaka Tribune, 23 September 2013

Government pre-empts ‘adivasi’ bill

Kamran Reza Chowdhury

It has reportedly requested the speaker not to allow any such legal proposal

The government has pre-empted an attempt to initiate a legislative proposal of a parliamentary caucus through a private member’s bill styled Adivasi Rights Bill 2013 in the current session.

Workers Party chief Rashed Khan Menon is likely to place the bill in parliament for recognition of the country’s ethnic minorities as “adivasi” and protection of their rights.

However, before Menon could submit the bill to Parliament Secretariat for initiation in the house, the government has reportedly requested

Speaker Shirin Sharmin Chaudhury not to allow any such legal proposal in the House.

The National Coalition for Indigenous Peoples has been providing secretarial support for the Parliamentary Caucus on Adivasi comprising 24 MPs of the ruling coalition. The caucus had 10 meetings with different stakeholders to get “adivasi” recognition to the ethnic minorities living the Chittagong Hill Tracts and other parts of the country.



Indigenous women dance during a gathering in Dhaka to celebrate International Day of the World's Indigenous People

The foreign ministry, which has been dealing with the issue of ethnic minorities at the UN and other forums, fears the initiation of the bill will strengthen the demand of the “tribal” people for their state recognition as adivasi.

It further says the recognition inline with the International Labour Organisation convention on indigenous people’s rights will encourage the ethnic minorities to claim rights on the resources on some specific territories.

The ministry warns that such demands may put Bangladesh’s sovereignty to question.

On July 28, Foreign Secretary Shahidul Islam chaired an inter-ministry meeting that decided to “guarantee” that such bill was not tabled in parliament and to communicate the matter to the speaker who was authorised to decide tabling of any bill in the House.

“The movers will make it [the recognition of the ethnic minorities as adivasis] a political issue if the bill is tabled as a private member’s bill,” said a foreign ministry working paper.

In parliamentary practices, all MPs, other than the ministers, are considered as private members, and they can prepare bills on any issue and place it in parliament with the speaker’s permission.

Any such bill goes to the parliamentary standing committee on private members’ bills and resolutions for scrutiny. If the committee recommends, the assembly discusses the bill to decide whether to go through it.

In parliamentary practices, the movers of such bills either withdraw their proposal or the House rejects the same by voice vote in case of the initiators’ reluctance.

The current parliament passed one such bill the leper (repeal) act moved by Awami League MP Saber Hossain Chowdhury.

Discussion on these bills in the assembly is considered as a pressure on the government. Governments in developing countries discourage private members’ bills.

On September 18, the foreign ministry requested the members of the parliamentary standing committee on the ministry to request the speaker to block Menon’s bill, saying it was “not consistent” with the country’s constitution.

Foreign Secretary Shahidul Islam confirmed the communication.

Article 23 (a) of the constitution recognises tribal people as “small ethnic groups,” not as adivasis.

“I do not see any justification of forming the caucus on this issue as there is no adivasi in Bangladesh according to the definition of the

ILO convention,” Law, Justice and Parliamentary Affairs Minister Shafique Ahmed told the Dhaka Tribune on Sunday.

According to the ILO definition, there must be conquer or colonisation of such people for getting recognition as adivasis, he said. “Such things never happened in Bangladesh.”

Menon told the Dhaka Tribune that he did not agree with what the government was doing regarding the status of the ethnic minority groups

II. MAIN HUMAN RIGHTS ISSUES



II. MAIN HUMAN RIGHTS ISSUES

Human rights carry with them different correlative duties owed by the State. Among them, the duty to respect requires the State to refrain from interfering with the enjoyment of the rights and the duty to protect requires the prevention of violations of such rights by authorities of the State as well as by third parties. As a member-State of UN, Bangladesh is a signatory of a number of international human rights covenants and conventions such as International Labour Organization (ILO) Convention on Indigenous and Tribal Populations of 1957, International Convention on the Elimination of All Forms of Racial Discrimination (ICERD), International Covenant on Civil and Political Rights (ICCPR), International Covenant on Economic, Social and Cultural Rights, Convention on the Elimination of All Forms of Racial Discrimination Against Women (CEDAW), and Convention on the Rights of the Child (CRC). According to these international human rights treaties, Bangladesh has the obligation to respect, protect and fulfill the rights of indigenous peoples in Bangladesh. However, different state agencies of Bangladesh have been directly engaged in interfering with the enjoyment of the human rights of indigenous peoples enshrined in the international laws and in most cases the state authority is reluctant to prevent violations of these rights by state agencies and other non-state actors.

Consequently, human rights of Indigenous Peoples in the CHT and plain land of Bangladesh are still being violated in an alarming manner. In most cases, the state authority fail to investigate the alleged human rights violations properly committed directly by security forces and forest guards as well as by third party such as Bengali settlers, illegal land grabbers, private companies and local administrations. In CHT, hidden patronization of security forces to Bengali settlers in human rights violations has generated a state of anarchy which fuels to amplify the existing ethnic

tention and ethnic conflicts. The indigenous victims of human rights violations are often neither provided with essential protection, nor co-operated in filing charges against the perpetrators. As a result, the offenders usually do not face any prosecution and punishments – they enjoy absolute impunity.

As a duty bearer, the reluctance and failure of the state to bear its obligation to respect, protect and fulfill is facilitating perpetrators to commit offensive activities to a major degree. There are cases where perpetrators are released scot-free even after the confession of their felony. Besides, life and safety of the witnesses and the advocates involved in the prosecution process are often threatened to jeopardy where court verdicts announce penalty in opposition to perpetrators. Discrimination and violence against indigenous peoples including women and children continue to be a serious issue in the present day. Although, many administrators state that most of these violations often have political or economic motivations, they cannot be attributed only to religious beliefs or ethnic affiliations.

At A Glance: Human Rights Violation on Indigenous Peoples in 2013

In 2013, the numbers of human rights violations against indigenous peoples were intensified in some particular issues. At least 7 indigenous people, 1 from CHT and 6 others from plains, excluding 4 women (see chapter iv), were killed and at least 36 indigenous people, 29 from CHT and 7 from plains, were arrested and detained either arbitrarily or fabricatedly throughout 2013.

Also, at the same time, at least 123 indigenous people were physically tortured and assaulted. Among them, 82 were from CHT and 41 from plains. In some cases, while physical assaults were conducted by influential Bengali miscreants as non-state actors, the state actors such as members of security forces and law enforcement agencies played either supportive or passive roles. At least 10 communal attacks, 6 in CHT (including Chiitagong EPZ) and 4 in plains were conducted by the Bengali settlers and Bengali land grabbers, while houses and properties of at least 346 indigenous families, 275 from CHT and 71 from plains were destroyed and looted. In some cases the houses and properties of indigenous families were either destroyed or looted but in some other cases the houses and properties were both destroyed and looted by the miscreants.

In 2013, at least 47 houses of indigenous peoples, 46 from CHT and 1 from plains were set on fire and burnt to ashes by Bengali miscreants, while at least 2000 people of 400 families in CHT fled away to 'no man's land' adjacent to neighboring state India due to communal attacks conducted by Bengali settlers. Besides, 1219 families had to flee from their home to safer places for security. At least 3 Buddhist temples in CHT were ransacked and defiled by security forces during their raid as well as an image of Lord Buddha was looted by them from the same temple, while 3 idols of goddesses belonging to temples of indigenous peoples were destroyed by miscreants in plain land throughout 2013.

In 2013, the number of incidents of human rights against indigenous peoples have been increased drastically compared to the previous year of 2012 both in the CHT and in the plains. A significant number of issues on destruction and looting of house and property, cross border escape, houses set on fire and insecurity among indigenous community have been seen as well as increased in 2013 in CHT and plains both.

Table1: Human Rights violations in 2013 and 2012

Type of violation	2013			2012		
	CHT	Plain	Total	CHT	Plain	Total
Arrest and ditention	29	7	36	1	22	23
Killing (excluding women)	1	6	7	2	6	8
Torture, assault and intimidation	82	41	123	117	16	133
Communal attack	6	4	10	4	5	9
Destruction and looting of house and property	275	71	346	17	259	276
Cross border escape	2000		2000	165		165
Houses set on fire	46	1	47			
Temple ransacked	3	-	3	2	23	25
Idol looted and destroyed	1	3	4			
Families fled to safe places for security	1219	-	1219			

Figure: 1 Human Rights violations and casualties in Bangladesh in 2013

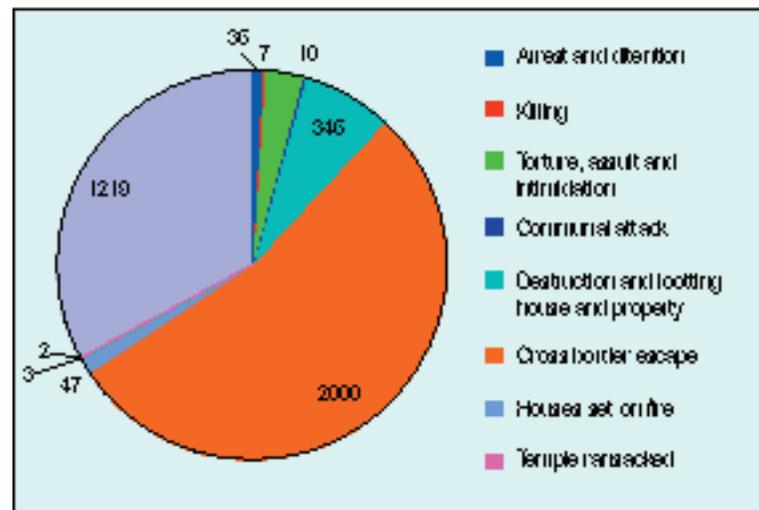


Figure 2: Basic human rights violations and casualties in CHT in 2013

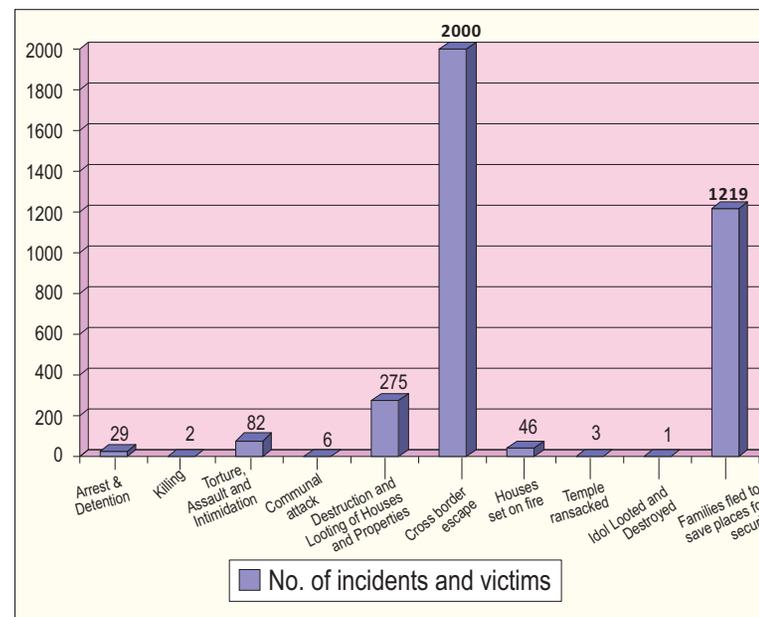


Figure 3: Basic human rights violations and casualties in plains in 2013

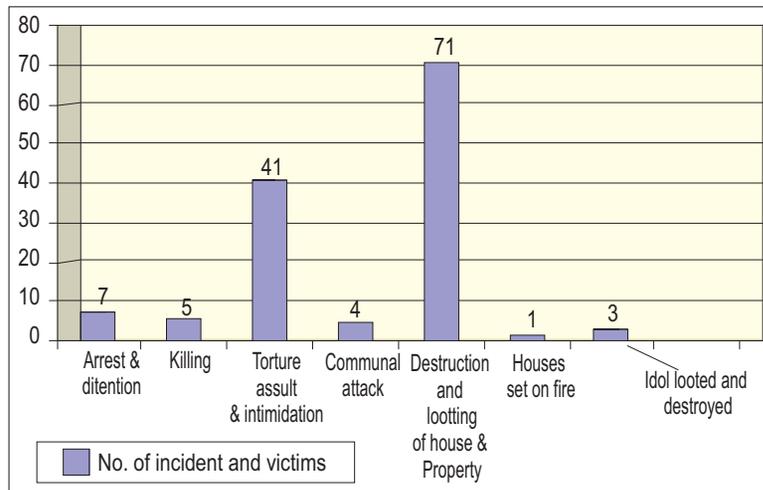
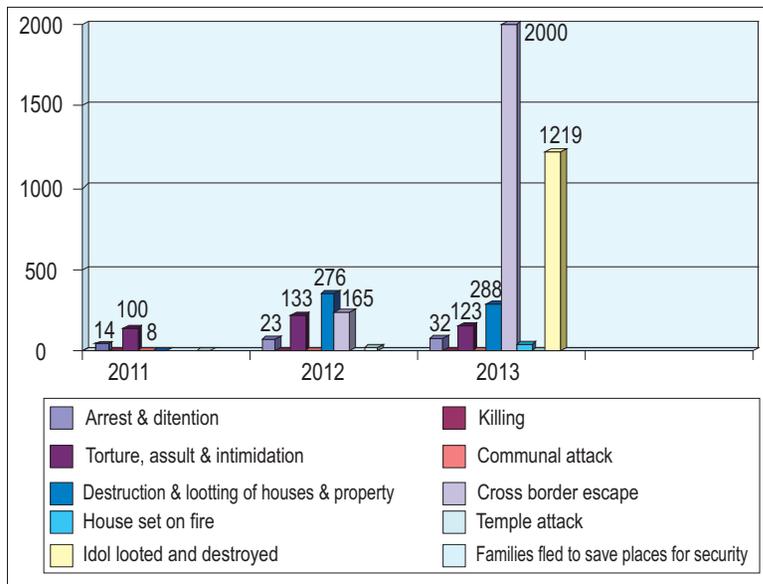


Figure: 4 Basic HR violations and casualties in Bangladesh in 2011, 2012, 2013



MASSIVE COMMUNAL ATTACK

Communal attack on indigenous villages by Bengali settlers following killing of a Bengali labourer in Matiranga

On 25 January 2013, a communal attack was made on two indigenous Jumma villages by Bengali settlers at Khedachara area of Belchari union under Matiranga upazila in Khagrachari district following an incident of shooting death of a Bengali worker and wounding of two others by armed extortionists. Around 10 houses belonging to indigenous Marma and Tripura communities of Rabidhan Marma Para and Buddha Kumar Karbari Para were set on fire.

It is learnt that on 25 January at around 7.30 pm, armed miscreants tried to kidnap manager of a brickfield in Khedachara area. Miscreants made burst fire on labourers of the brickfield while the labourers were shouting to oppose kidnapping of the brickfield manager. In this attack, a brickfield labourer named Farook Hossain (35) was shot dead on the spot and two others namely Abul Hossain and Shahajahan were wounded.

Following this incident, the Bengali settlers from nearby villages attacked Haridhan Marma Para and Buddha Kumar Karbari Para of Khedachara mouza under Matiranga upazila, about 5-6 miles north-east of Matiranga town, leaving 10 Jumma houses (7 houses of Horidhan Marma Para and 3 houses of Buddha Kumar Karbari Para) ablaze.

Army, Border Guard Bangladesh (BGB) and police rushed there and dispersed the Bengali settlers. Jumma villagers of nearby areas including Horidhan Marma Para and Buddha Kumar Karbari Para fled their homes and took refuge in the jungle fearing further attack.

Indigenous Jumma village attacked by Bengali settlers at Matiranga 10 injured, 27 families fled for safe places

On 5 April 2013 the Bengali settlers attacked on Pran Kumar Karbari village of Bornal union of Matiranga upazila under Khagrachari district. In this attack 10 indigenous Jumma people were injured. Among them 4 villagers were identified as Dhono Kumar Tripura (37), Kantharam Tripura (32), Tapan Tripura (27), son of Jobindra Tripura and Khamba Rai Tripura son of Dhono Kumar Tripura sustained injuries. Also, 27 indigenous Tripura families were forced to leave their homes because of the attack.

It is learnt that, on that day at midnight a group of terrorists raided Bengali settler villages of Borna union for extortion. The terrorists fled away after opening blank fires as the Bengali settlers resisted them. Later, the Bengali settlers led by Rafiq, member of Baranal union attacked on Pran Kumar Karbari village. As a result, 10 indigenous villagers were wounded. Furthermore, the attackers looted a mobile phone from a wounded villager. The BGB personnel accompanied the Bengali settlers during the attack to provide protection to them.

Mentionable that, on 2 April 2013, Bengali settlers numbering around 50 conducted the first attack on the same village and beat up Durjoy Tripura, one of the villagers. BGB personnel accompanied the settlers during the attack as well.

Miscreants attacked on Tripura indigenous village at Sitakunda

10 injured, 3 houses vandalized

On 16 April 2013 a group of Bengali miscreants attacked on Mosjidda Pahar Tripura village and conducted immense destruction at Sitakunda under Chittagong district. In this attack 10 Tripura men and women were injured and at least 3 houses were vandalized. A case was filed with Sitakunda police station. The incident created grave panic among the indigenous villagers.



It is learnt that, on that day, 3 drunken BNP cadres named Salauddin, Nur Uddin and Sanjay started to tease local Tripura women at their village. The Tripura villagers protested against the act. At that time a local caretaker of a garden named Kamal slapped one of the drunks and drove away from the spot as a quarrel started between two parts. After that, one of the miscreants Kamal brought some other associates including Rafique Jasim and Abchar to the spot through making mobile call and attacked on Tripura village with country-made weapons. They vandalized at least 3 houses and assaulted and injured whoever they faced. As a result, 10 men, women and elderly people including Bashiram Tripura (18), Laksmi Tripura (20), wife of Chand Tripura (24), Apati Tripura (25), and Pakhijan Tripura sustained injury. Among them the condition of Pakhijan Tripura was serious. The victims filed case against the perpetrators with Sitakunda police station immediate after the incident. Although police assured to arrest the perpetrators, no one has been arrested and prosecuted up to this writing.

Land grabbers attack dwellings of indigenous peoples at Ghoraghat upazila in Dinajpur

On 6 June 2013 at around 3.00 pm, around 200 Bengali people after being instigated by land grabber Mohammad Azizar Prodhan of Bhelain village of Ghoraghat upazila under Dinajpur district attacked the dwellings of indigenous people at Bagjapara, Tibahipara, Raghunathpur and Dighipara of Bulakipur union of Ghoraghat upazila and looted 40 cattle, 60 goats and sheep, and rickshaws, vans and bicycles of 65 families. At that time, the miscreants also went on rampage inside Bulakipur church and beat staffs and students of the church. Furthermore, they set the houses of indigenous peoples on fire during the attack. At least 13 households of the indigenous peoples were looted and at least 2 households were both looted and destroyed by the land grabbers at that time. In these attacks, 5 indigenous people were injured seriously. Ironically however, instead of arresting the miscreants, the police arrested at least 7 indigenous villagers. On 8 July 2013, two days after the attack the land grabbers burnt down the house of Nikolas Murmu.

It is learnt that, on that day, at around 9.00 am Nicolas Murmu, son of late Hopna Murmu and Rabon Murmu son of Thakur Murmu of Bagjapara of Roghunathpur went to nearby Haripara Kanagari market. The latter went

to have a hair cut while the former went for purchasing household goods from the market. At that time Mohammad Rakibul Prodhon and Saiful Prodhon son of Azizar Prodhon and Mahbubul Prodhon and Ariful Prodhon, son of Mohammad Azahar Prodhon of Bhelain village jointly seized Nikolas Murmu and tied with rope. Later, they also forcefully brought out Rabon Murmu from the barber shop in middle of the hair cutting and the miscreants continued to beat and torture the two indigenous people. At that time, two police constables of the Ghoraghat police station rescued the captives and escorted to the Bagjapara of the Roghunathpur. When Nikolas Murmu arrived at home, he found that a group of Bengali miscreants led by Mohammad Azizar Prodhon were plucking mango from the mango trees which were planted on their ancestral land by them. At that time the indigenous peoples resisted them in the presence of police forces. Afterwards, the gang left the spot. The police also left the area at the same time.

Just one hour later, a group of Bengali miscreants numbering around 200 from nearby villages led by Mohammad Azizar Prodhon and his sons equipped with country made sharp weaponries came to the spot and started to pluck the mango again. When the indigenous villagers tried to prevent them a clash started between two sides. As the indigenous peoples were totally outnumbered they retreated from the spot. But the Bengali land grabbers started to attack on the indigenous villagers and to loot the valuables of them. At that time, the indigenous peoples including men, women, children and elderly people started to flee to save their lives and took shelter in Bulakipur mission. At that moment, the Bengali attackers forcefully entered to the Bulakipur mission through breaking the gates and boundaries. Then the attackers threatened the mission in charge Father Anselmo Mardi, son of late Augustin Mardi and other 26 Apprentice priests using abusive words towards them. In the same time, the miscreants attacked on the manager of the mission Albrekus Mardi and hit on his head. Similarly they beat the apprentice priest Noresh Hembrom, son of Sakla Hembrom.

The attacks continued from 11.00 am to 02.30 pm. During the attack one of the land grabbers Mohammad Murshidul Prodhon, nephew of Azizar Prodhon died in heart attack half a kilometer away from the spot. After spreading the news of his death, the attackers amplified their assault. The land grabber Azizar Prodhon made propaganda that indigenous villagers

killed the deceased. Although the police of Ghoraghat police station were present at the spot, they failed to take necessary actions and to ensure the security of the indigenous victims.

The police recovered few of the looted valuables of the indigenous peoples and gave them back to the owners. Following this incident, Father Anselmo Mardi, son of late Augustin Mardi, Head Priest of Mariyaampur Mission and In-charge of Bulakipur Jishu Dhyani Nilay, filed a case (case no. 06/101 dated 08-06-2013) with Ghoraghat police station against 26 persons including (1) Md. Azizar Pradhan, (2) Halim Pradhan, (3) Harun Pradhan and (4) Mamunur Pradhan, all are son of late Hanif Pradhan from Bhelain village of Ghoraghat upazila charging looting and torture.

Ms. Shanti Kisku, daughter of Lokkhira Kisku from Raghunathpur (Tibahipara) filed a case (case no. 07/102 dated 11-06-2013) with Ghoraghat police station against 26 persons including (1) Md. Azizar Pradhan, (2) Halim Pradhan, (3) Harun Pradhan and (4) Mamunur Pradhan, all are son of late Hanif Pradhan from Bhelain village of Ghoraghat upazila charging looting and torture.

Ms. Sabina Baske, wife of Kartik Murmu from Raghunathpur (Bagjapara) filed another case (case no. 10, dated 14-06-2013) with Ghoraghat police station against (1) Kabirul, son of Mofajjal of Bhelain village, (2) Ariful, son of Jahangir of Haripara village, (3) Meherul, son of Tufan of Chourigachha village, (4) Rimon, son of Rahul of Haripara village, (5) Malek, son of Abed Ali of Baratipur, (6) Nuri, son of Azizar of Bhelain village charging looting and arson attack.

On the other hand, Mohammad Mahbubul Alam, son of Azahar Ali of Bhelain village of Ghoraghat upazila filed a false case (case no. 03/98, dated 06-06-2013) against 36 indigenous villagers including (1) Nicolas Murmu, (2) Khoka Murmu and (3) Upin Murmu charging killing and beating of Mohammad Murshidul Prodhon.

Mentionable, Raghunathpur village is an indigenous inhabited area. The indigenous peoples have been living in this village for generations. In this area one Nikolash Murmu, son of Hopna Murmu and their clanspeople have been enjoying their inherited property for a long time. On the other hand, the influential Awami League leader Azizar Prodhon, son of late Hanif Prodhon has been trying to occupy this land property. The local indigenous peoples accused that Azizar Prodhon has been trying to

occupy the land through violating the East Bengal Tenancy Act-1950, treachery and making false documents. Moreover, he has been harassing indigenous peoples through filing false charges against them.

In these attacks, five indigenous people were injured seriously. They were identified as-

- 1) Nikolas Murmu, son of late Hopna Murmu;
- 2) Rabon Murmu, son of Thakur Murmu;
- 3) Albrekus Mardi, son of late Karlus Mardi;
- 4) Noresh Hembrom (apprentice priest), son of Sakla Hembrom;
- 5) Patras Mardi, son of Gabriel Mardi.

Following the attack by the land grabbers, instead of arresting the miscreants, the police arrested at least 7 indigenous villagers namely-

- 1) Noren Kisku, son of late Lokkhiram Kisku
- 2) Katich Baske, son of Padu Baske
- 3) Sakil Mardi, son of Jetha Mardi
- 4) Bimol Hembrom (17), son of Jagan Hembrom
- 5) Rubel Murmu (14), son of Komolesh Murmu
- 6) Samuel Murmu (17), son of Jalu Murmu
- 7) Rabon Murmu, son of Thakur Murmu.

The victims of the looting and description of the damages:

- 1) Jorge Baske, son of late Kobiraj Baske (one out of two looted cattle got back but lost one van, one bag of rice and two bags of paddy);
- 2) Robin Mardi, son of late Luis Mardi (one out of two looted cattle got back. But lost one harmonium and his house was totally ransacked);
- 3) Rabon soren, son of late Dokkhin Soren (lost one van, one cattle and two bicycles);
- 4) Amin Baske, son of late Gonesh Baske (five out six cattle got back but his boundary was destroyed by the attackers);
- 5) Babulal Hembrom, son of Jogon Hembrom (lost seven goats);
- 6) Jogon Hembrom, son of late Renga Hembrom (lost one goat);
- 7) Biswanath Baske, son of late Baburam Baske (he got back his three cattle and two sheep but all utensil were looted);
- 8) Shanti Kisku, wife of Dukhu Hasda (two cattle and one goat got back out of two cattle and two goats);

- 9) Sobhan Baske, son of late Pandu Baske (lost one goat, beds and bed sheets, clothes);
- 10) Shanti Kisku, wife of Lokkhiram Hembrom (lost ten hens and five ducks);
- 11) Jalu Hembrom, son of late Geta Hembrom (seven cattle were looted and got back all cattle);
- 12) Subash Hasda, son of Muroi Hasda (four cattle were looted and got back all cattle);
- 13) Baghrai Murmu, son of late Hori Murmu (six cattle were looted and got back all cattle);
- 14) Rabon Murmu, son of Thakur Murmu (lost a bicycle);
- 15) Father Anselmo Mardi, son of late Augustin Mardi, priest of Mariumpur mission and in charge of Bulakipur mission (lost 240 kg rods, utensils, jackfruit and mango).

Bengali settlers attack on Jumma indigenous villages at Gomati in Matiranga

40 families fled to safe place

On 19 June 2013 at around 1.30 am about 200 Bengali settlers from Bandorchara near Gomati bazaar attacked on Takar Moni Para village, an indigenous Tripura locality at Gomati under Matiranga upazila under Khagrachari district.

It is learnt that the attackers ransacked the houses of the indigenous village. Consequently, 40 families of the village fled into forest for their safety during the attack. The Bengali settlers were equipped with weaponaries including machetes and rods, and forced the villagers to leave their homes. The villagers spent the rest of the night in the forest without any food, water and shelter. They could not go back to the village due to panic of the attack by the Bengali settlers. The Bengali settlers presumably attacked on the indigenous Tripura village to drive out the indigenous villagers and then taking over their lands. One Tofail Ahmed, a local Awami League leader, allegedly led the attack.

Communal attack on Jumma villages by Bengali settlers in Matiranga-Taindong

36 houses burnt to ashes, 261 houses looted, 902 families affected, 12 injured



Remains of Taindong village left with nothing but debris.

On 3 August 2013, the Bengali settlers conducted a massive communal attack on Jumma villages under Taindong union of Matiranga upazila in Khagrachari district. In this attack, around 36 houses of 6 villages namely Sorbeswar Para, Bandarshing Para (Bhagaban Tila), Baga Para, Monudas Para, Nuya Para (Monudas Para) and Talukdar Para including a house of Buddhist temple were burnt to ashes and at least 261 houses belonging to Jumma villages were looted and vandalised by the Bengali settlers.

In this attack, around 4,500 Jumma villagers of 902 families of 13 villages were affected. Of them, approximately 2,000 Jumma villagers of 400 families fled into the Indian border. Besides, 380 families of indigenous Tripura community of Purabari, Headman Para, Laifu Kumar Karbari Para and Krishna Doyal Karbari Para under Taindong union fled into adjacent Panchari upazila in Khagrachari district.

At least 12 people of Baga Para and Sorbeswar Para were brutally beaten by the Bengali settlers. Among them, Amrita Chakma, son of Mahendra Lal Chakma from Bandarshing Para, Shukkamoni Chakma, son of Purnabahu Chakma from Bandarshing Para and Kala Kazi Chakma, son of late Joliya Chakma from Baga Para were chopped. Some were beaten snatching them from BGB by Bengali settlers.

The Bengali settlers, who made this attack, alleged that a motor bike driver named Md. Kamal Hossain (30) was kidnapped by 'tribal' miscreants from Bandarshing Para of Taindong union on that day around 11:00 am. The attack started at around 1:30 pm and lasted till 6:00 pm.

A total loss caused by the arson, looting and destruction of houses has been estimated to be 20 million in BDT or US \$ 256,410. Ashamoni Chakma, a 2-month old daughter of Sukkamoni Chakma of Bandarshing Para died of pneumonia at Khagrachari general hospital on 10 August 2013 as Ashamoni Chakma drenched in the rain while they were returning home on 4 August 2013 from 'no man's land' of Indian territory which developed pneumonia.

Communal tension and fears had been persisting at Taindong area under Matiranga upazila for long time. Alleging extortion and kidnapping by tribal miscreants, Bengali settlers had been trying to attack on Jumma villages.

On 31 July 2013 at mid-night, Bengali settlers of Taindong area spread communal tension and shouted provocative slogans against Jumma people through loudspeaker from mosque that tribal terrorists had come to attack and asked Bengali settlers to wake up to prevent the terrorists. At that time, hundreds of Bengali settlers gathered at different places including Taindong bazaar under Taindong union and held marches shouting communal slogans.



Around 2000 Taindong victims took shelter in the 'no-man's land' adjacent to Indian border.

This caused tremendous fears among Jumma villagers of six villages namely Baga Para, Headman Para, Tonga Mahajan Para, Sorbeswar Para, Rambabudeva and Pura Bari and around 250 families of these villages fled their respective villages. Some of the Jumma villagers crossed the Bangladesh-India Border and some took shelter in the jungle of remote

areas of Taindong union. However, they returned to their village following a security guarantee by the BGB.

Matiranga-Taindong area has been subject to six waves of attacks since 1961 and each incident has forced them for relocation and made them progressively poorer. In 1960s ratio of indigenous Jumma people and non-indigenous Bengali people in the Matiranga upazila was 85% and 15% respectively, which got changed to 10% and 90% in 2013. The effective resolution of disputes over land including past, present and future, would contribute more to sustainable peace and development in the CHT than any other provisions of the Accord.

A resident of Baga Para named Anil Baran Chakma (38), son of late Dhananjay Chakma, who was victim of this attack, filed a case against 100-150 people, including mentioning name of 30 persons with Matiranga police station in this connection on 5 August 2013. Police arrested 13 persons including following persons charging with attack, looting and arson-

- 1) Md. Kamal Hossain (35), son of Mokhesur Rahman of Bottoli bazaar (who spread rumour);
- 2) Md. Abed Ali Member (55), son of late Akmat Ali of Bottoli village;
- 3) Kamrul Hassan alias Aman (35), son of late Osman Ali of Bhagya Para;
- 4) Abu Taher (28), son of Mobarak Hossain of Bottoli village;
- 5) Md. Jahangir Alam Sujon (24), son of Shahjahan and Jahanara Begum;
- 6) Md. Amir Hossain (20), son of Mafiz Mian and Monowara Begum of Bottoli village;
- 7) Md. Monir Hossain (25), son of Mafiz Mian and Monowara Begum of Bottoli village;
- 8) Md. Mehedi Hassan, a primary school teacher and leader of Bengali Student Council;
- 9) An adolescent Bengali settler.

Md. Moinuddin Khan, Officer-in-Charge (OC) of Matiranga police station produced arrested persons mentioned above before Chief Judicial Magistrate court on 6 August 2013. The arrested persons were charged with attack, arson and looting under section 143/ 147/ 148/ 149/ 447/ 448/ 323/ 324/ 325/ 436/ 427/ 379/ 380/ 506 of Bangladesh Panel Code (BPC).

It is learnt that two arrested namely Mehedi Hassan (leader of Bengali Student Council) and adolescent settler were released on bail.

Following the submission of complaint from Kapaeeng Foundation, the National Human Rights Commission (NHRC) requested the Secretary of the Ministry of Chittagong Hill Tracts Affairs (MoCHTA) to investigate the incident and to submit the report to the NHRC. Accordingly the MoCHTA appointed a deputy secretary named Md. Alamgir Hossain for investigation of the complaint. Md. Alamgir Hossain conducted an on-site inquiry from 17-19 August 2013 in Matiranga upazila. Mr. Hossain took depositions from the victims, locals, public representatives and administration and placed his 30-page report to the NHRC on 27 August 2013. The report recommended, among others, to identify mastermind of the attack and provide exemplary punishment to them, to include them as defendant in the case filed; to investigate why law-enforce agencies did not take adequate measures to control the situation; to create confident building between two communities; to keep in preparation to prevent such incidents in future.

The houses of Jumma villages burnt to ashes: Total- 35

- 1) Sorbewar Para- 18 houses
- 2) Bandarshing Para (Bhagaban Tila)- 3 houses
- 3) Baga Para- 11 houses
- 4) Talukdar Para- 3 houses

The Buddhist temples looted and ransacked: Total- 2 houses

- 1) Sorbeswar Para Janashakti Bouddha Bihara
- 2) Monudas Para Bouddha Bihara

Jumma villagers beaten and wounded: Total- 12

- 1) Amrita Chakma (29), son of Mahendra Lal Chakma of Bandarshong Para
- 2) Kala Kazi Chakma (36), son of Jaliya Mohan Chakma of Baga Para
- 3) Bakul Kanti Chakma (44), son of Brajendra Lal Chakma of Baga Para
- 4) Bishwaketu Chakma (45), son of Banshi Mohan Chakma of Baga Para
- 5) Sachilmoy Chakma (30), son of Ratnakar Chakma of Baga Para

- 6) Jiban Bikash Chakma (25), son of Madan Mohan Chakma of Baga Para
- 7) Meriya Chakma (50), son of Swara Mohan Chakma of Baga Para
- 8) Fani Bhushan Chakma (44), son of Surendra Lal Chakma of Baga Para
- 9) Shukka Moni Chakma (Shukra) (30), son of late Purna Bahu Chakma of Bandarshing Para
- 10) Chameya Chakma (30), son of Rong Moni Chakma of Baga Para
- 11) Binoy Chakma (52), son of late Birendra Lal Chakma of Baga Para
- 12) Anil Kanti Chakma (25), son of late Mandri Mohan Chakma of Baga Para.

N.B. A mobile phone and taka 7,220 from Amrita Chakma and a mobile phone from Bakul Kanti Chakma, project chairman of India-returnee refugee were seized.

List of affected indigenous families in Taindong Union and Tabalchari Union under Matiranga District:

Sl. No.	Name of Village	No. of Families	Union	Remarks
1	Bhagaban Tilla	52	Taindong	
2	Bandarasing Para	28	Do	
3	Baga Para	138	Do	
4	Sarbeswar Para	70	Do	
5	Manodas Para	59	Do	
6	Achalong Marma Para	70	Do	
7	Krishna Dayal Para	07	Do	
8	Tanga Mahajan Para	43	Do	
9	Batti Tilla	23	Do	
10	Headman Para	143	Do	
11	Porabari Para	59	Do	
12	Talukder Para	46	Tabalchari	
13	Laifu Karbari Para	168	Do	
	Total	906 (Nine Hundred and Six) Families		

Communal attack upon Jumma laborers in Chittagong EPZ area

21 injured

On 23 August 2013, Friday a communal attack upon Jumma labourers by Bengali colleagues took place at Bond Shoes Factory of Chittagong Export Processing Zone (EPZ) located near the Chittagong port. In this attack, 21 indigenous labourers were injured and 14 labourers among them are severely wounded who were admitted to Chittagong Medical College hospital and remaining 7 people primarily got treated at Datta Pharmacy. The occurrence started with a heated argument between an operator of the factory Md. Rohan and labourer Mr. Puspa Ratan Chakma, an indigenous person, while Mr. Rohan was giving lessons to Mr. Puspa about his work. At some points, Mr. Rohan objurgated Mr. Chakma for not being able to easily understand the lessons and that turned into a brawl afterwards. After the end of office hour, Mr. Chakma was attacked and beaten up by some Bengali people. The next day, some indigenous workers informed about the incident and made a complaint against the operator to the factory manager who later tried to settle the dispute through mediation of one staff of the factory. But that staff failed to do so as the operator had been absent ever since the attack was made. On same day, while indigenous workers were returning home from the factory, a group of Bengali people attacked them indiscriminately. As a result, following indigenous workers of Bond Shoes Factory Hostel and Barrister College area were injured in this attack-

- 1) Bikash Chakma (24), son of Priyo Jibon Chakma
- 2) Laxmi Sen Chakma (23) son of Sumitro Lal Chakma
- 3) Tohel Chakma (24), son of Sagar Bhasa Chakma
- 4) Shuva Ratan Chakma (26), son of Lalit Kumar Chakma
- 5) Jagadish Chandra Chakma (27), son of Nekre Kumar Chakma
- 6) Jhontu Chakma (25), son of Chinakar Chakma
- 7) Bimol Kanti Chakma (23), son of Shakyo Chakma
- 8) Kiran Jyoti Chakma (24), son of Nityanondo Chakma
- 9) Ponti Dewan (22), son of Tapas Dewan
- 10) Nishan Chakma (23), son of Rumesh Chakma
- 11) Moni Chakma (23), son of Probhat Chandra Chakma
- 12) Pradip Chakma (22), son of Shanto Sheel Chakma
- 13) Naresh Chakma (25), son of Chhanda Patan Chakma
- 14) Tilak Chakma (26), son of Abhileshwar Chakma

- 15) Shantu Chakma (24), son of Singha Moni Chakma
- 16) Mithu Chakma (27), son of Sunil Kanti Chakma
- 17) Suman Chakma (24), son of Nayan Chakma
- 18) Ripon Chakma (24), son of Karma Bikash Chakma
- 19) Sohel Chakma (25), son of Dhananjoy Chakma
- 20) Iton Chakma (28), son of Chintamoni Chakma
- 21) Tapan Chakma (23), son of Shadhan Bikash Chakma

The police took the 7 injured indigenous labourers away with a van in the name of providing the treatment and detained them in the police station. It was reported that the police did not allow the victims to talk, have food and meet the relatives either; rather they were being fined BDT 100 if they were talking.

Following this, the indigenous workers called for a strike at the workplace to protest against this communal attack. On 25 August, a meeting was held at BEPZA office with the presence of the factory owner, Jumma-Bengali workers' leaders, and representatives of administration. They came up with decisions including release of the 7 detained workers by the police in the meeting.

It is mentionable that the indigenous peoples living in remote areas facing a myriad of problems such as unemployment, political instability, insecurity, social injustice, land grabbing and so on. As a result, many of them are being forced to migrate to the big cities like Dhaka and Chittagong where more opportunities and livelihood options are available. Notably, majority of indigenous migrants (predominantly youths) go to Export Processing Zones (EPZ) in order for earning their livings. It is claimed that more than 50 thousand indigenous peoples now work in Chittagong and at least 15 thousand in the outskirts of Dhaka. Though this internal migration of the indigenous people is contributing to their economic advancement, many of them are enduring various forms of discrimination like communal and wage-related discrimination, abuse, mental and physical assault etc.

Attack on indigenous villagers by land grabbers in Cox's Bazar

7 women injured

On 11 November 2013, indigenous 'Chakma' (Tanchangya) villagers were attacked by a group of Bengali land grabbers at Mosharkholar village in Palongkhali union of Ukhiya upazilla under Cox's Bazaar district. At least

seven women sustained serious injuries and few women were sexually harassed in this attack.

On that day a gang of Bengali miscreants led by Shafiqur Rahman alias Prakash Mutia (55), son of late Abdul Manjur made a blitz upon the indigenous Chakma people of Mosharkholar as they ('Chakmas') had protested the forced grabbing of the land of Sujit Chakma (35), son of Amroracha. It is learnt that on the night before the incident (10 November), Shafiqur and his fellows dug across the dam of Sujit Chakma's fish farm and released water from therein with the intention to occupy Sujit's land that he got leased from the Forest Department few years back. On the day of the incident miscreants started to prepare the land for agricultural cultivation in order to secure Shafiqur's occupancy over that land.



Ukhiya victims sit together while talking to Kapaeeng's on-site enquiry team.

Then the Chakma villagers came to know about the incident and they protested the encroachment. At around 2:00 pm the gang of Shafiqur along with other Bengali villagers brutally attacked the Chakma villagers with deadly weapons such as knife, machete, and stick. As a result, following persons were seriously injured: 1) Shanti Devi Chakma (30), wife of Sujit Chakma; 2) Mashingfu Chakma (40), wife of Kinadhon Chakma; 3) Mashoh Chakma (27), wife of Chintaimong Chakma; 4) Newsha Chakma (26), wife of Lamong Chakma; 5) Gudume Chakma (26), wife of Olataing Chakma; 6) Shinesing Chakma (40), wife of Oyiyamong; and 7) Rukchamong Chakma (29), daughter of Choimongla. The miscreants also sexually abused the women present at the spot tearing

their clothes. Besides, the miscreants snatched the mobile phones and other valuables from the victims while the attack was being made.

Notably, even prior to this particular attack, the perpetrators used to make similar attacks against the indigenous peoples of that area and spread religious and racial hatred with the intention to grab their lands. Indigenous villagers alleged that a local influential group backs such attacks from behind the curtain. In the incident on 11 November 2013, Munu Mia, son of Shahar Mulluk alias Surur, the general secretary of ruling Awami League's Ward No. 6 branch of Palongkhali union was allegedly involved with the attack. However, persons involved with such incidents have always enjoyed impunity.

A complaint was lodged against the perpetrators naming 35 people with Ukhiya police station. On the other hand, the perpetrators also made a complaint against the victims. Assistant sub-inspector of police Shimul Barua of Ukhiya police station informed that police had made an investigation of the incident.

Later Shimul took an initiative of mediation between two parties. As a part of that a 6-member committee, comprising 3 representatives from each community (Chakma and Bengali), was formed. However, while the committee started arbitration at Ukhiya police station on 18 November 2013 around 5:00 pm, Sub-Inspector (SI) of Ukhiya police station Mr. Shimul Barua one-sidedly fined taka 5,000 to Bengali perpetrators and forced Chakma villagers to compromise with this small amount of money.

Attack on Garo community at Dhopajuri village in Haluaghat

8 Garo men and women injured

On 16 November 2013, indigenous Garos of Dhopajuri village were attacked by a group of 5-6 miscreants from neighboring Pach Choy village of Haluaghat upazila in Mymensing district. At least 8 Garo men and women were seriously injured in this attack.

It is learnt that there had been a dispute over construction of a sluice gate between Bengali and indigenous communities since the beginning of the project. The indigenous peoples had been protesting against a sluice gate project initiated by the Bangladesh government. The main objections came out of the local indigenous peoples that their lands would be submerged by water due to construction of the sluice gate, and they might



Victims of Haluaghat atrocity.

fall in trouble due to heavy water flow. In the meantime the indigenous peoples met the Member of Parliament (MP) of Haluaghat to express their concern and awareness regarding the sluice gate project. But the community people did not receive any positive response from the MP. Suddenly, after few days some Bengali mobs attacked on them in connection to this matter of project. Alhaj Suruj Mia, the UP chairman of Dhopajuri area settled the case internally withholding the justice process until the victims got well. But the construction works of the project are still going on in this village without any answer from the MP and local administration.

KILLING AND OTHER CRUEL TREATMENT

An Indigenous Malo Killed by Miscreants in Dinajpur

On 3 May 2013, Biplob Malo, 25, son of Kanju Malo, was killed by unidentified miscreants at Shidol Village under Ghoraghat Upozila in Dinajpur. His beheaded body was found at a rice field in that village the next day by the farmers who went to work in that field.

Soon after finding the dead body of Biplob, the farmers informed the police at Ghoraghat police station. Later his body was taken to the morgue of Dinajpur Medical College Hospital by the police for autopsy.

It is alleged by the locals that a group of miscreants killed Biplob with an intention to grab his land. Same miscreants had been threatening to kill

Biplob prior to his killing. Later, they forcefully drove Biplob's away family to India. Their whereabouts could not be found yet.

However, the names of the miscreants could not be known — the locals had been too fearful to disclose the names of the miscreants. No action has been taken by the concerned authorities to bring the perpetrators to justice up to this writing.

An indigenous villager killed in Naogaon

On 22 June 2013 at around 9 pm, an indigenous person named Krisno Mahato (26), son of late Nishinda Mahato of Bhogobanpur village of Khelna union under Dhamuirhat upozila in Naogaon district was killed by miscreants when he was returning to his village from nearby Chaknandan village. The motive and mystery of the killing is yet to be revealed. In this incident the younger brother of the deceased Bhushan Mahato filed a case with Dhamuirhat police station.

An indigenous villager chopped and shot dead in Mirshorai

On 19 July 2013, an indigenous villager named Nilay Kanta Chakma (42), son of Sanatan Chakma of Laksmichora village of Manikchari upozila under Khagrachari district was shot dead after chopping at Satmara hill of Jorarganj forest bit of Mirshorai upozila under Chittagong district during the hours of darkness. Following day police of Jorarganj police station rescued the deceased's body. It is learnt that, on that night at around 10:00 pm, local inhabitants heard the sound of a gunshot from the hill. Local people found the blood-spattered deadbody of Kanta Chakma when they went to the spot. Latter they informed the police.

It is learnt that, there was a bullet hole in the right armpit and a big stab wound in the neck of Kanta Chakma. He was a laborer of garden of one Mohammad Anamul Haque of Satmara hill. He lived at the hill with his wife and son along with four other indigenous people. He was permitted to work in other places also when there was no work at his workplace. That was why he lived and worked at that garden. The wife of deceased Drista Chakma filed a case with Jorarganj police station following the incident.

Deadbody of an indigenous youth rescued in Khagrachari

Corpse of an unidentified indigenous youth from Jhornatila area of Taindng union of Matiranga upazila under Khagrachari district was rescued by

police on 30 July 2013. On the day, police of Matiranga police station was informed by the local people that deadbody of a youth was hanging from the tree. Latter police rescued the corpse and sent it to Khagrachari sadar Hospital for autopsy. However, the name and identity of the youth could not found.

Two indigenous youths killed along Jhinaigati border in Sherpur

On 12 August 2013 two indigenous youths named Hemonta Koch (20), son of Kanta Koch and Shital Koch (21), son of Premananda Koch of Rangtia village of Jhinaigati upozila were killed in a lynching at Chichinga Para of Barangapara police station of Tura district under Indian State of Meghalaya after they had entered into the area through border of Jhinaigati upazila.

It is learnt that, they were beaten to death branding them as cattle lifters. In that night five youths of Rangtiya village including the two deceased went to Meghalaya after crossing the border. Among them, although 3 other youths named Shushanta Koch (19), son of Jayanta Koch, Biswanath Koch (21), son of Chechin Koch and Madhob Koch (20), son of Warlesh Koch of Rangtia village managed to escape and came back through the border when the Indians chased them. But the two youths were captured and beaten to death. Later, Border security Force (BSF) of India handed over the two deadbodies. BGB and immigration police received the bodies from them.

A Santal Elder Killed in Natore

On 30 October 2013 at around 2:30 am, Laxman Sardar, 70, son of Mogaram Sardar, died at Rajshahi Medical College Hospital following a violent attack by a group of miscreants at his home few days earlier. He was a resident of Mominpur village under Naldanga Upazila in Natore District.

It is learnt that on 25 October at around 4:00 O'clock in the morning, a group of miscreants, covered with helmet, led by Lalu, Rubel, Matin and Ratan, attacked Laxman at his home in Mominpur. During the attack was being made, the miscreants dragged Laxman and son Mathu Sardar, 30, out of their home and beat them with wood stick and iron rod.

Following this attack, locals admitted both the father and son to Natore Sadar Hospital for their treatment. When the physical condition of Laxman

deteriorated, Laxman was referred to Rajshahi Medical College Hospital for better treatment. But the doctors their could not save his life and he left this world on 30 October.

ARBITRARY ARREST AND DETENTION

Several indigenous people arrested in different times

Several indigenous Jumma youths were arbitrarily arrested and detained by security forces including Border Guard Bangladesh (BGB). Some incident of arbitrary arrest and detention are as follows:

1. On 1 February 2013, Lt. Col. Nuruzzaman, commander of Palashpur zone of Border Guards Bangladesh (BGB), arrested Kalin Tripura (35), son of Dharma Joy Tripura, a resident of Aparna Mahajon Para of Gomati union of Matiranga upozila under Khagrachari district. The victim was coming back home from Birashi Muro after working when the BGB arrested him. It was alleged that the BGB placed a home-made gun in his hand and then handed him over to the police.

2. On 25 February 2013, the second officer of Kauhali police station Md. Moshabel arbitrarily detained Nishan Chakma (19), a student of Kauhali College and an examinee of Higher Secondary Certificate, from Kauhali bazaar. He was taken to the police station, tortured and then released.

3. On 20 March 2013, army from Shuvalong camp arrested one Diganta Chakma (20) at Shuvalong Bazaar under Barkal upazila in Rangamati district. Army allegedly placed a gun in his hand and then handed him over to the police.

4. On 25 April 2013 at night, a group of BGB men from Khedachara zone surrounded the house of Motin Kumar Tripura of Gomati area of Matiranga upozila under Khagrachari district and picked up his father, Japan Kumar Tripura.

5. On 19 May 2013 at night, BGB personnel from Palashpur zone allegedly raided Takar Moni Para village of Gomati of Matiranga upazila under Khagrachari district and picked up 4 innocent indigenous villagers.

6. On 25 May 2013, Sajaimong Marma and Moni Kishor Tripura were arrested by security forces from Chenguli Para in Ramgarh. It was alleged that the army placed a gun in their hands before handing them over to the police.

7. On 29 May 2013, the BGB detained two Jumma villagers namely Monotosh Chakma (45), son of Sona Dhan Chakma, and Suresh Kanti Chakma (48), son of Bangali Charan Chakma in Baghaichari in Rangamati district.

8. On 8 June 2013, two youths namely Sushanta Tripura (25) and Amal Tripura (18) were arrested by BGB from Taipa area under Gomati union in Matiranga and were handed over to the police in Matiranga.

9. On 21 July 2013, the BGB arrested an innocent Jumma villager named Hironmoy Chakma, (45), son of Krishna Mohan Chakma and a resident of Golachari village under Rupokari Union from Baribindu Ghat in Baghaichari upazila in Rangamati district.

10. 25 July 2013, the army arrested two Jumma youths in Matiranga in Khagrachari district. The arrested Jummas have been identified as Sumanta Tripura (22), son of Jagadish Tripura of village Rengkhong Para and Kiron Bikash Tripura (25), son of Manindra Tripura from Washu.

11. On 29 July 2013, the army arrested four Jumma villagers from Sapmara under Matiranga upazila in Khagrachari district. The arrested have been identified as Gojendra Tripura (60), son of Boidya Tripura, his two sons Dharen Kishor Tripura (30) and Anil Bikash Tripura (25), and Himel Jyoti Tripura (30), son of Kishor Tripura.

12. On 5 August 2013, the security forces personnel arrested Shushanta Tripura from Ballyachari Signboard area while picketing the roads. He was handed over to the police.

13. On 29 August 2013, the army from Baghaihat zone arrested Shanashri Chakma alias Ripon, (30) a motorbike driver, and his passenger Nipun Chandra Chgkama at a check post (No. 6) in Baghaihat under Baghaichari upazila in Rangamati district. Later, they have been handed over to the police.

14. On 13 October 2013, security forces arrested two innocent youths namely Rabinath Chakma (25) and Jhintu Chakma (22), both son of Chikka Moni Chakma of Bauro Para of Ultachari union of Panchari upazila in Khagrachari district. The victims were returning home after attending the Durga Puja. Later, they have been handed over to the police.

15. On 15 October 2013, army arrested Arun Bikash Chakma from Bhaibonchara union in Khagarchari district. Later, he was handed over Bhaibonchara police bit.

An indigenous Santal woman arrested at Godagari

On 20 June 2013, an indigenous woman name Bahamuni Hasda, wife of Lakkhan Murmu of Makranda (Turi Para) village under Godagari upazila in Rajshahi district was arrested by police based on a false charge filed by Bengali land grabbers namely Moksed Ali, Moyez and Masum, son of late Akramul. She was sent to jail on 21 June and released on the next day on bail. The woman was arrested two times previously due to the same reasons.

8 Marma indigenous people arrested by BSF in Tripura

On 25 September 2013, 8 Marma indigenous people named Aungsheprue Marma (30), Ramrachai Marma (34), Chathowai Marma (35), Abrechai Marma (38), Chathowai Marma (30), Mong Shathowai Marma (40), Dadu Marma (36) and Remrachai Marma (36) of Onto Para and Kolaprue Para of Ramgor upozila under Khagrachari district were arrested by Border Security Force (BSF) of India at sambrum of south Tripura of neighboring country India. Latter Subrum police sent them to the jail.

It is learnt that on that day the indigenous people entered into the India through remote area of Ramgor upozila Lachari para border. They were arrested by BSF of Boinsabpur camp at bordering area Boinsabpur when they were heading for Kathalchari and Luduya of Sabrum district. Latter they were handed over to police of Sabrum police station.

The 8 people crossed border to visit their relatives at Sambrum district of state of Tripura in India. Mentionable that, Marma indigenous people have been living in adjoining areas of three different states: Myanmar, Bangladesh and India. They have a culture to visit each other among the relatives who have been residing in border areas of these three different countries.

RELIGIOUS PERSECUTIONS

Idols of goddesses of indigenous peoples' temple smashed by miscreants in Natore

On 12 May 2013 at late night, a group of miscreants including Shahjahan, son of late Ramjan Ali, Nizam Uddin, son of Shahjahan, Hafizul, son of Mafer Ali, Aziz, son of Rasul, Kuddus son of Koser, Sattar son of Bashir,

Kashi son of Lebu, Mofazzal, son of late Bahaj Uddin, Sheikh Farid and Sade kali, son of Ramjan smashed 3 idols of goddesses of Laksmi temple of indigenous peoples at remote Hatipara village of Dahiya union of Singra upazila in Natore district.

It is learnt that, following day early in the morning the villagers found that the door of the temple was broken. Then they informed the members of temple committee about the matter. The committee members later informed the police when they noticed that three images of Laksmi, Parbati and Swarassati were damaged. Officer-in-Charge (OC) of Singra police station Fayezur Rahman and Upazila Nirbahi Officer (UNO) also visited the spot. But police failed to arrest any perpetrators following the incident although a case was filed with Singra police station clearly mentioning the names of the perpetrators. Following the incident, panic and grief generated among the indigenous peoples as the miscreants were freely roaming around in broad day light and police failed to arrest them as well as to ensure security of the indigenous villagers.

A Buddhist temple defiled and a Buddha image looted in Ramgarh

On 22 May 2013 at around at 3:00 pm, a group of army personnel ransacked newly built Belubon Buddhist temple and looted an image of Lord Buddha in Mraila Karbari Para under Patachara union of Ramgarh upazila under Khagrachari district.

It is learnt that, on that day a group of army soldiers from Sindukchari army zone raided the village. The soldiers entered the Belubon Buddhist temple wearing their boots on, ransacked the temple and threw away the monk's robes and other belongings on the ground. The army soldiers also took away a small Buddha image from the temple. The temple is taken care of by Ugyo Bhante from Pagal Para Buddhist temple.

Following the raid of the temple, when the army personnel wanted to visit the home of the Mraila Karbari, the head of the village, the indigenous women of the village blocked their way. At that time, the army soldiers asserted that the land belongs to one Anwar, a Bengali engineer, on which the Jumma indigenous villagers built the Buddhist temple and their houses.

But it is learnt that, the indigenous Jumma villagers and their ancestors had been original inhabitants and traditionally owners of that vicinity since time immemorial. Due to critical political situation they left the place many

years ago. As the political situation has improved, they have come back to the area and have rebuilt their houses to live there peacefully and permanently.

Before parting, the army men warned the villagers to abstain from building houses on that land, otherwise they would file cases against the villagers.

It is learnt that two Bengali settlers named Kalam and Saddam of Pagla Para village accompanied the army personnel during the action. Anwar has been trying to occupy that land by means of bribing the army and the local civil administration.

ATTACK, TORTURE AND INTIMIDATION

An Indigenous Villager beaten by Forest Officer and Village Head in Bilaichari

On 10 February 2013 in the evening, an indigenous villager named Banput Tangchangya (35) was attacked and injured by one forest officer of Taktanala bit named Ujjal Chandra Chakma and local village head Sanu Chakma Karbari at Uluchora Math Kumra village of Faruwa union of Bilaichari upazila under Rangamati district. The wounded victim was admitted to local health complex.

It is learnt that, on that day in the evening the bit officer Ujjal Chandra Chakma and village head Sanu Chakma Karbari went to Uluchari Math Kumra village and accused Banput Tangchangya as tree stealer. But he denied the accusation and claimed himself as an innocent person. He replied that the henchmen of village head Sanu Chakma Karbari had rather stolen the trees from the reserved forest with help of forest department officials. At that time, Ujjal Chandra Chakma and Sanu Chakma Karbari started beating the Banput Tangchangya. As a result Banput Tangchangya sustained several injuries. Latter local villagers admitted him at a local health complex. The elder brother of Banput Tangchangya filed a case against the perpetrators with Bilaichari police station.

Two Indigenous People Including a Buddhist Monk abducted in Cox's Bazar

On 21 March 2013 at around 7.30 pm, an indigenous Rakhain Buddhist

monk named Ven. U Chanda Wara (45) of Taw Kyaung temple (forest temple) of Cox's Bazar municipal area and his neighbor named Kyaw Kyaw (32), son of U Mong of same Buddhist temple area were abducted by a group of miscreants from Cox's Bazar township. The miscreants demanded 50 thousand taka as ransom with additional 2 thousand taka as their transportation cost. Following day, the captives were released after paying the ransom as the miscreants demanded.

It is learnt that the Buddhist monk U Chanda Wara and his neighbor Kyaw Kyaw were initially taken to Teknaf town from Cox's Bazar by a microbus in the name of showing them a patient, as the Buddhist monk practices traditional medicine. Then the miscreants took them by a Rickshaw to an unknown place from Teknaf municipal area and kept them in confinement in a house. After that the captors gave pressure on the victims' families for paying ransom directly or via Kyaw Kyaw, one of two captives. They threatened that they would kill the two people if the family members of the captives inform any of law enforcement agencies.

On 22 March 2013, after a daylong negotiation between the abductors and victim Kyaw Kyaw's family members, 10 thousand taka was paid through *Bkash* (mobile money transfer) and latter 40 thousand taka was paid cash via agents of the captors at around 7.30 pm at Cox's Bazar bus terminal area. After 2.30 hours of the payment, the captives were rescued from Five Star Market of Lengurbil road of Teknaf in critical condition. After that, the victims were taken to custody of DB (Detective Branch) police for interrogation and latter sent to hospital. It is learnt that, the victims were tortured inhumanely by the miscreants during the captivity.

Meanwhile, one Nazir Ahmad, son of late Hazi Abdul Mazid of Puran Pallan Para, 2 No. Ward of Taknaf municipality, one of the miscreants filed a false charge of cheating against the Buddhist monk U Chanda Wara. On the other hand, due to sense of insecurity and panic the victims did not file any charges against the abductors.

It is learnt that, on 23 March 2013, police went to Teknaf town for searching the miscreants along with the victims but failed to arrest anyone. In the evening, police sent the victims to the jail, based on the false charge instead of arresting the perpetrators. They were produced before the judicial magistrate court on 25 March 2013 and attained bail from the court same day.

During the captivity, the two people were provided with modest banana, bread and water only. Before two hours of their release, they were kept at gunpoint with a revolver on their head. It is known that one of the miscreants, who tortured the victims, communicated in Arakanese language with them. The group possessed modern revolver, Chinese knives and ropes with them. The miscreants were jingoist in nature, preassumably associated with any Muslim separatist groups of Myanmar, who have taken refuge in Bangladesh.

An Indigenous Worker Tortured by Miscreant in Dinajpur

On 29 March 2013, an indigenous person namely Ripon Murmu alias Upin (22), son of Bailu Murmu (a blind guy) was beaten up by Md. Jahangir Chowdhury (35), son of Kaiya Uddhin Chowdhury of village Borochandipur under Parbotipur upazila in Dinajpur district. It is learnt that, before the incident, one day an unfamiliar guy named Meser Ali tried to come inside home of Upin at midnight breaking the door with intent to rob valuables. Upin and his family members realized it and caught him red handed. They tightened up the thief with rope. In the following morning, local people called for arbitration. The thief confessed that he came to steal and apologized for his wrong doing in this mediation.

In this connection, Jahangor Chowdhury gave a threat and warning to Upin asking who gave him the power to call arbitration and to be careful in future. Consequently both of them exchanged heated argument. After few minutes Jahangir brought 10/12 people and abducted Upin from his home. Then Jahangir tortured Upin by slapping hard and beating several times. Later, Upin was released after enduring such torture and called for arbitration again for his torture. As a result, Jahangir further got angry and kidnapped him dragging in front of all the village people.

Upin's wife filed a case against culprit Jahangir with Parbatipur model police station when she could not find her husband anywhere. The case file number is GR 80/13. The Officer-in-Charge (OC) of Parbatipur model police station arrested Jahangir in the meantime.

Seven Jumma villagers tortured by Security Forces in Ramgarh

On 26 April 2013 at around 10:00 pm, seven indigenous Tripura villagers were beaten brutally by a group of Security Forces led by Major Raqib of Sindukchari camp at Boishnob Para of Boro Pilak area of Halfchari

union under Ramgarh upazila in Khagrachari district. They were released on that night with serious injuries of beating.

It is learnt that the settlers grabbed indigenous lands, and planted a mango garden together with some settler families in that area. On 20 April 2013, unknown people damaged the mango garden by cutting 218 mango tress of owner Md. Abdur Rob (45). After few days, on 26 April 2013 at around 10:00 pm, some unknown group of miscreants set a fire in a small hut of Siddiqur Rahman. The settlers began shouting and screaming when they saw the fire. After few minutes, a group of Security Forces from Sindukchari camp rushed to indigenous village Boishnob Para next to the spot of fire. The soldiers tortured the indigenous villagers of the village.

The Security Forces soldiers wanted to prove that the villagers were involved in setting fire at the settlers' village. But the Security Forces failed to establish involvement of the indigenous villagers with the arson, and released them on the same night after beating them indiscriminately. The Security Forces ordered the victims to keep silent about the incident. The victims of torture in this incident were Kanti Kishor Tripura (30), son of Binoy Kishor Tripura, Ketan Kishor Tripura (28), son of Binoy Kishor Tripura, Ratan Das Tripura (35), son of Dhananjoy Tripura, Ripon Tripura (18), son of Shanti Tripura, Ranjan Tripura (15), son of Kamalanda Tripura, Chitta Das Tripura (17), son of late Nitanda Das Tripura and Shashi Das Tripura (35).

Two Grocery Shops of Indigenous Peoples Ransacked by Miscreants in Joypurhat

On 03 March 2013 at around 9.30 am, a group of Bengali miscreants ransacked two grocery shops of two indigenous shopkeepers namely Ramesh Rabidash and Ratan Rabidash at Kushumba union of Pachbibi upozila under Joypurhat district. The goods and valuables of the two shops worthy of approximately 370,000 taka were set on fire during the arson attack.

It is learnt that the indigenous Rabidash people have been living in the area for centuries. Ramesh Rabidash and his brother Ratan Rabidash have been engaged with grocery shop business with a good reputation. Therefore, these indigenous shopkeepers were being targeted by a vested quarter and some miscreants due to their reputation and earnings.

On that day the indigenous shopkeepers kept their shops closed due to the strike of the Jamaat-e-Islami and stayed at home. Taking this opportunity of their absence, the miscreants equipped with homemade weapons destroyed the doors, windows and tin made roofs of the shops of the indigenous shopkeepers. Furthermore, they brought out the cash boxes and other furnitures from the shops and set on fire using petrol. They also threatened the indigenous peoples to burn down their houses and kill them if they would try to do anything.

The neighbors controlled and put out the fire after the miscreants went back. It is mentionable that indigenous peoples did not file any charges against anyone due to lack of security and panic. But police, UNO (Upazila Nirbahi Officer) and members of ruling party Bangladesh Awami league visited the spot and took photographic evidences of the arson attack on indigenous peoples. But no action has been taken from the concerned authorities as yet.

An Indigenous Hajong Tailor's Shop Damaged and Looted by Miscreants in Sherpur

On 18 April 2013 at around 8:00 pm, a group of Bengali miscreants led by Md. Ibrahim attacked on an Indigenous tailor's shop at Babu Bazar of Ramchandra Kura Union under Nalitabari upazila in Sherpur district. It is reported that the terrorists broke the shop and looted all valuables from the shop. The name of owner of the shop was identified as Hemendra Hajong. He belongs to indigenous Hajong people of Beltoil village in Sherpur district.

It is learnt that the incident occurred to take revenge of previous altercation between the miscreants Md. Ibrahim and Hemendra Hajong happened on 15 April 2013. On that day Md. Ibrahim ordered Hemendra Hajong to sew his clothes. As Hemendra was full of work with previous order, so he assented to deliver Ibrahim's order later after finishing previous deliveries. At a stage, altercation and scuffle was occurred between them. Following this incident, on 18 April, Ibrahim along with his gang including Md. Hasan and Md. Abdullah conducted the attack on the shop damaging a sewing machine and some new clothes inside the shop. They looted some valuables including new fabric collections of the shopkeeper. Indigenous villagers loudly shouted while attacking and destroying the shop, but nobody came to help them. Hemendra Hajong became pauper loosing

his swing machine, the only mean of income generation. It is also learnt that the miscreants in this attack are relatives of chairman of Ramchandra Kura union parishad Md. Amanullah Badshah.

When the night was over, a group of investigators including the police of Nalitabari police station, UP chairman and indigenous leaders came to visit the incident area. No case was filed yet against the terrorists. Besides, the Chairman of Nalitabari upazila parishad Mr. Bodizzaman (an agriculturist) called for a local arbitration in the evening of 20 April with presence of indigenous representatives and miscreants' representatives. Local people are still waiting for justice in that arbitration.

Generally indigenous people in Bangladesh become under attack of miscreants of mainstream population as they are one of the most vulnerable sections in the society. However, administration and law enforcing agencies hardly help them. Besides, victim indigenous people generally refrain from filing case against perpetrators fearing further harassment and attack and due to financial constraints to run case in the court. Hence, the perpetrators enjoy full impunity which encourages miscreants to violate human rights of indigenous peoples.

An Indigenous Chakma Attacked by Settlers at Panchari

On 1 May 2013 at around 2.30 pm, an indigenous person named Kalasona Chakma (55), son of Chandra Bikash Chakma of TNT area under Panchari sadar was attacked and wounded by Bengali settlers at Manikya Para village of Panchari upazila under Khagrachari district.

It is learnt that, on that day 2 Bengali settlers named Mohammad Harun (26), son of Mohammad Jainal Abedin and Mohammad Khokon, son of Mohammad Abdul of Jiya Nagar of Ultachari union under Panchari upazila in Khagrachari district went to drink local rice wine in an indigenous person's home. At that time, they tried to beat Priya Jyoti Chakma, an elderly person of Manikya Para village as he forbade them to drink rice wine. Later, the Bengali settler youths fled away from the spot as other indigenous villagers approached toward them. Subsequent to the incident, the miscreants attacked Kalasona Chakma when he was working in his paddy field. At that time, Mohammad Deen Islam (25), son of Mohammad Morshed of the same village also joined them in the attack. As a result, Kalasona Chakma sustained injury on his head. Later, police rescued him and he was admitted in Panchari health complex.

10 innocent Jumma Villagers Tortured by Security Forces in Rangamati

On 30 May 2013 at about 11:30 am, at least 10 innocent Jumma villagers of Basonta Para Lichu Bagan area under Rangamati sadar upazila in Rangamati district were inhumanly tortured by Security Forces of nearby Subhalong army camp of Subhalong union of Barkal upazila. The villagers were severely wounded as a result of beating by the Security Forces as per the local sources.

It is learnt that at that time the Security Forces, reaching the village of Basonta Para Lichu Bagan area, ordered the villagers to gather at a place. Whenever the villagers gathered at a place as per the order of the Security Forces, the Security Forces began asking about a person named Kalpati Chakma alleging him a terrorist. The villagers became feared at such behavior of the Security Forces and tried to tell the Security Forces that there was no person named 'Kalpati'; rather there was a person named 'Kalobadhi Chakma' in their village. Nevertheless, the Security Forces began beating the villagers indiscriminately one after another leaving at least 10 villagers seriously wounded.

Later, the army personnel went to and ransacked the house of Kalobadhi Chakma. Kalobadhi Chakma was not house at that time. The 9 out of 10 wounded villagers were as follows:

- 1) Laxmi Kumar Chakma (27), son of late Fuleswar Chakma,
- 2) Mr. Ananda Chakma (36), son of late Pattar Chandra Chakma,
- 3) Mr. Shanti Bikash Chakma (28), son of late Subal Chandra Chakma,
- 4) Mr. Kanak Baran Chakma (25), son of For a Chakma,
- 5) Mr. Surjya Chakma (28), son of late Pagla Chakma,
- 6) Mr. Robi Chandra Chakma (36), son of late Monu Ram Chakma,
- 7) Mr. Bana Kumar Chakma (30), son of late Pattar Muni Chakma,
- 8) Mr. Satya Jyoti Chakma (36), son of Batya Chakma,
- 9) Mr. Anil Chakma (30), son of Dafadar Chakma.

An indigenous boy beaten during hartal in Rangamati

On 10 June 2013 at 1.30 pm, when a hartal (of Bengali settlers supported communal organization named Sama Odhikar Andolon) was going on throughout the CHT, a 17-year old indigenous boy named Amar Shanti

Chakma (Babu) was beaten in front of BM Market of Banarupa in Rangamati municipality when he was going alone to Samataghat from Kathaltali in Rangamati town. The picketer Bengali settlers suddenly attacked him hitting from behind first when he was on his way to his workplace Samataghat. Almost 50-60 Bengali settlers ran towards him and beat him with stick, firewood etc. although he managed to flee away within few minutes. He got injuries on his head, chest, buttock, thigh and back.

Amar Shanti Chakma usually helps his uncle driving a country boat. His father and mother are late Arun Chakma and late Nungi Chakma. He is an inhabitant of Rengkhyong Bazaar area of No. 1 Jiptuli union under Rangamati sadar upazila.

An Indigenous Woman Shot seriously Injured by the Police in Khagrachari

On 30 June 2013 around 10.30 am, an indigenous woman was seriously injured as the riot police opened fire using rubber bullets at south Khabongpujya areas of Khagrachari district. She was identified as Chanchala Chakma (50) from Khabongpujya area of Khagrachari municipality.

It is learnt that Chanchala Chakma was working at a paddy field of Khabongpujya area during the strike and became victim of police firing



Chanchala Chakma laying on hospital bed.

when started to return home from farmland. She was admitted to Khagrachari hospital first and then transferred to Chittagong Medical College hospital with her critical health condition.

In the mean time, she underwent a successful surgery in a hospital for the second time on 3 July 2013. In total six bullets of Shatter Gun was removed from her body.

It is also reported that five more people including two indigenous women named Koni Chakma (26) and Shamalika Chakma from the same area were roughly injured by rubber bullets shot by police during the strike. During strike on 30 June 2013, the picketers of the DYF ransacked some vehicles near fire brigade office at the south Khabongpujya area. Following this, police chased the picketers and picketers also made counter chase. At a stage, police opened fire indiscriminately. The local sources informed that at least six houses were ransacked by a sudden attack of police and Bengali settlers in the south Khabongpujya village. The villagers urged for urgent investigation on the incident to the local administration.

Indigenous villagers tortured in Baghaichari

On 18 July 2013, innocent indigenous Jumma villagers were purportedly tortured by army personnel during a military operation conducted to rescue five Teletalk (the only state-owned mobile phone operating company) employees allegedly kidnapped in Baghaichari under Rangamati district. It is learnt that hundreds of army soldiers took part in the rescue operation. On that day in the morning army soliders raided a number of villages including Bongoltoli, Balukhali, Tindhalya and Rupokari ares under Baghaichari upazila in Rangamati. In Balukhali village, at least one villager named Gyanankor Chakma (35), son of Jolongo Kumar Chama was tortured and the house of his brother Saranankor Chakma was ransacked by the soldiers. The soldiers also picked up Laxmi Raj Chakma (32) and Sneha Kumar Chakma from the same village.

Besides, at around 6:00 am in the moring, the army personnel seized mobile phone sets from Purnadarshi Chakma (50) of West Balukhali, and Nobel Chakma (19) and Rubel Chakma (22) of Jhagrabil. The military operation was started since 9 July 2013 following an alleged abduction of 5 Teletalk employees by 'unidentified' terrorists.

Two innocent Tripura seriously injured after beaten by miscreants in MiroSORAI

On 19 July 2013 at around 3:00 pm, over 150 Bengalis led by Mohammad Fakir Islam attacked on the villagers of Tripura Para under MiroSORAI in Chittagong district. In this attack Ananda Tripura, son of Rajarai Tripura and Raj Kumar Tripura, son of Robira Tripura were brutally tortured after being kidnapped. Ananda Tripura was seriously injured.

It is learnt that, Mohhamad Fakir Islam, son of Omar Khan from the areas near to the forest office at Talbaria Tripura under MiroSORAI upazila, along with his gang made the attack on Tripura Para villagers on that night with the claim that his house was looted by Ananda Tripura and Raj Kumar Tripura earlier on that day.

Police rescued Ananda Tripura and Raj Kumar Tripura when they were informed about the incident and brought them to police station. At that time, local chairman and members went to the police station and informed to the police that Ananda Tripura and Raj Kumar Tripura are innocent, and they cannot do such act like robbery. When they said it, the gang of Mohhamad Fakir Islam tried to be rough on them. But police prevented them to do so. Later, police released the victims after giving treatment at a local health clinic.

An indigenous barber inhumanely beaten by a UP member in Joypurhat

On 21 July 2013, an indigenous Dalit barber named Dulal Chandra Rabidash, son of Tola Rabidash of Katapur of Pachbibi upazila under Joypurhat district was inhumanely beaten at his residence by Helal Mandol, son of late Abdul Malek, memer of Ward No. 3 of Kusumba Union Parishad under Pachbibi upazila.

It is learnt that on that day at around 9.00 am Dulal Chandra Rabidash was having meal before heading to his workplace. At that time, Mohammad Helal Mandol along with his son Mohammad Tanmoy came to his house and started beating with rods. As a result, Dulal Chandra Rabidash sustained serious injuries on his face and body. The wife of Dulal, Ms. Shohagi Rabidash was also beaten and wounded by the attackers when she tried to save her husband. The member and his son attacked on victim's mother too when she tried to prevent them. After that, the

perpetrators tied Dulal with rope and brought him to their house where he was fastened with a mango tree. Then they asked the whereabouts of their motorbike from Dulal while kicking, punching and thumping him mercilessly. They amplified torture as he denied his involvement with thievery of their property. The member Helal hurriedly took him to Union Parishad office when local people gathered and asked about the reason behind beating an innocent person. He locked up the victim in a room and announced that action would be taken later in the presence of the Union Parishad chairman.

In the meantime, some patrol police arrived at the spot. The UP member tried to hand over Dulal to the police force but they refused to take him along with them as he was terribly wounded at that time. They suggested the member to send him to police station with a guard. At that time local people including indigenous people assembled at the spot and scolded the member detecting critical condition of Dulal as well as urged to release him immediately. Finally, considering the circumstances, the member Helal and his son Tanmoy sent Dulal along with a guard named Jahurul Islam to Pachbibi police station by a motor vehicle. They also urged to file a false charge against Dulal and produce him in the court. Seeing the serious condition of Dulal, police station authority refused to accept Dulal and suggested to admit him to a hospital for treatment after handing over to indigenous people who were present at the police station at that time. Later, Dulal was admitted to emergency department of Joypurhat modern hospital.

It is mentionable that Dulal Chandra Rabidash is a poor indigenous barber who works from dawn to dusk at a barbershop of the local market and totally dependant on this occupation. He has a good reputation and does not have any bad record in police station before. Following the incident, indigenous peoples of the area demanded to arrest the perpetrators and ensure security of indigenous peoples of the area, police did not arrest anyone.

Bengali settlers spread communal tension in Matiranga

On 31 July 2013 at around 1.00 am, Bengali settlers across the Taindong union under Matiranga upazila in Khagrachari district spread communal tension following attack of alleged armed miscreants on Bengali settlers' village named Noya Para in Taindong union.

It is mentionable that Bengali settlers patrol their villages at night time to prevent any terrorist attack. As Bengali settlers' chasing, the armed miscreants opened fire to disperse Bengali settlers and then ran away from this place.

Following firing of miscreants, the Bengali settlers shouted provocative slogans against Jumma people through loudspeakers from mosque that 'tribal' terrorists had come to attack and asked Bengali settlers to wake up to prevent the terrorists. At that time, hundreds of Bengali settlers gathered at different places including Taindong bazaar under Taindong union and held marches shouting communal slogans.

This caused tremendous fears among Jumma villagers of six villages namely Baga Para, Headman Para, Tonga Mahajan Para, Sorbeswar Para, Rambabudeva and Pura Bari and around 250 families of these villages fled their respective villages. Some of the Jumma villagers crossed the Bangladesh-India Border and some took shelter in the jungle of remote areas of Taindong union.

Following this incident, on 1 August 2013 at around 12.00 noon, Dr. Mahe Alam, Upazila Nirbahi Officer (UNO) of Matiranga upazila; Mojar Soheb, acting zone commander of Jamini Para BGB Zone and Delowar Hossain, vice chairman of Matiranga upazila organised a law and order meeting at Taindong bazaar in Matiranga upazila. In this meeting, the local administration and public representatives assured security of life to the Jumma villagers and requested them to return their respective villages. Accordingly, the Jumma villagers returned their villages.

Bengali settlers ransacked 3 indigenous peoples' shops in Ramgarh

On 5 August 2013 Bengali settlers ransacked 3 shops belonging to indigenous Jumma people at Toichakma in Ramgarh upazila under Khagrachari district during the UPDF-enforced road blockade programme. It is learnt that in Ramgarh, some Bengali settler youths from Dainchara ransacked three shops— two in Toichakma and one in Belchari, belonging to indigenous Jumma people and forcefully took away Amendra Tripura, one of the owners of the shops. They handed him over to Manikchari police station after he was physically assaulted. At least 200 Bengali settlers, who came from Dainchara, participated in the attack.

An indigenous leader of Jaflong tea garden attacked by a miscreant in Sylhet

On 17 August 2013, miscreants attacked on the house of Sarbana Mohali, an indigenous leader of tea laborers and member of Union Parishad at Jaflong tea garden.

It is learnt that, on that day a local cable operator of local Radhanagar market attacked on the Sarbana Mohali's house. Following the incident a case was filed with Gowainghat police station. But police was reluctant to take any action against the perpetrator.

On 23 August 2013, the laborers of tea garden organized protest gathering and strike against the incident. On that day, the laborers organized a protest meeting in front of Radha Gobinda temple following demonstration in the Jaflong tea garden. The meeting was presided over by Agnomora, president of Cha Sromik Panchayet (Tea Laborers Panchayet) while Gobin Mohali, laborers' leader Niranjan Gowala, Syamal Nayek, Sajal Chasha and so on delivered speech in the protest meeting.

Indigenous Jumma students get victim of communal attack in Mahalchari College

On 7 September 2013, Bengali students attacked on indigenous students of the Mahalchari College in Khagrachari district. Consequently, a clash started between Bengali and indigenous students that left at least 8 injured including 3 indigenous students.

The clash took place at around 10:00 am when some indigenous student activists went to a classroom for meeting where they were barred by Bengali students. During the clash, the Bengali and indigenous students chased each other. The injured were given first aid at Mahalchari upazila health complex. The indigenous students claimed that the clash erupted when some Bengali students attacked them.

Following the attack on them, the indigenous students reportedly beat up Bengali students. The Bengali students also vandalised the windowpanes of the college. Later, police and army rushed to the college and dispersed the agitated students and finally, the situation came under control.

Robbery of three Jumma shops by Rohingya armed elements in Rajvila

In June 2013, Rohingya armed militants numbering around 10-15 persons were seen at Rajvila and Udalbania area bordering to Rangamati, Bandarban and Chittagong districts. They committed robbery of three Jumma shops belonging to Aungsing Nue Marma of Taingkhali bazaar, Chingns Mong Doctor of Taingkhali bazaar and Suisau Marma (Master) of Rajvila area under Rajvila union in Bandarban district. They also raped a Jumma woman at Rajvila area, but the incident did not reach broader audience due to social barriers.

Miscreants burn down a house of indigenous Garo person in Gazipur

On 24 October 2013 midnight, the house of Ratan Sangma (35), son of Sujit Gabil was burnt to ashes by a group of miscreants at Kewachala Garo Para of Shreepur municipality under Gazipur District. This attack was allegedly made by a group of Bengalis led by Shajahan Mia, son of late Abdul Mannan; Masud Rana, son of Sirajul Islam and Delwar Hossain, son of late Noor Muhamad, all of who are known as local Bangladesh Nationalist Party (BNP) leaders.

It is learnt that on that day at 11:30 pm Ratan went to bed along with his wife and children. At around 3:00 am in the early morning Ratan and other members of his family suddenly woke up as they felt extreme heat being emitted from the fire spreading all over their house. Then they somehow managed to get out of their house and called their neighbors for help. However, meanwhile their house was burnt to ashes along with all the valuables they had. Estimated loss of assets from this incident was approximately taka one million.

Ratan Sangma alleged Shajahan Mian, Masud Rana and Delwar Hossain for the arson as he was confirmed about the perpetrators from different reliable sources. A case [File No. 4385(3)/1] was filed against the alleged perpetrators with Shreepur model police station by Ratan's family. However, police did not take any action against the perpetrators yet. Neither took any initiative by other government agencies/representatives and non-government organizations to bring the perpetrators to justice.

It is notable that the main reason behind the attack was to grab the land of Ratan and his family, as confirmed by Ratan's family. Even six months ago Shajahan and his gang once attempted to forcefully grab their land.

At that time Ratan and other local indigenous people jointly resisted them. Since then Shajahan and companions have been threatening and harassing Ratan's family many times.

Following the incident of arson attack on Ratan Sangma's house on 24/25 October 2013, another attack was made by the same miscreants on 11 November 2013. The miscreants attacked Ashoke Chisam, son of Amulya Rema, an uncle of Ratan Sanmga leaving him severely injured.

On the day at 9:00 am Ashoke was returning home by his motorbike leaving his child at the school. When he arrived at the local marketplace, the Bengali miscreants led by Masud Rana, son of Sirajul Islam obstructed him and started bashing him indiscriminately with iron rods and sticks. Ashoke somehow managed to flee from the market leaving his motorbike behind. But he got severely injured—his hand was broken, and he got cut on his head and some other parts of the body. He has not got his motorbike back yet.

The victim went to Sreepur police station to file a case against the perpetrators the next day. However, police did not accept the case as perpetrators already had filed a fabricated case against Ashoke, Ratan and other 4/5 'unknown' indigenous persons of the Kewachala Garo Parafor vandalizing the shop.

DISCRIMINATION

Indigenous candidates deprived of quota facilities in government services in Cox's Bazar

The indigenous candidates of Cox's Bazar district, a coastal area of Bangladesh are regularly deprived of quota facilities of the government in different government jobs. For instance, Makhin Chan Rakhain, daughter of late Akhin Mong of Boro Rakhain para, Ward No. 3 of Cox's Bazar municipality is one of the deprived indigenous candidates, who was allegedly eliminated from the quota facility after successful participation in a Government Primary Headmaster Recruitment Exam.

It is learnt that Ms. Makhin Chan (Roll No. 933) was a candidate of indigenous (tribal) quota in Government Primary Headmaster Recruitment Exam-2012 from Cox's Bazar. She initially passed written test out of 2

candidates of tribal quota in the district. Then she attended oral test as a single candidate for only one position of the tribal quota. Since she answered all questions of the interview satisfactorily, she was supposed to achieve a position of Tribal quota. But she was not selected at the final stage and her roll number was excluded from the final result published by Directorate of Primary Education on 3 June 2013. On the contrary, in the final result sheet of Government Primary Headmaster Recruitment Exam only 2 positions out of 25 were filled up with the names of candidates of different districts.

10 foreigners expelled from CHT on charges of Christian missionary activities

On 29 September 2013, local administration in CHT asked 10 foreigners to leave CHT on charges of Christian missionary and other activities. Two among the 10 foreigners known were Benu Stard and Assistant Provincial Pastor Abizide Michael. Both were from Nigeria. The names of others were not known. They were known to be from Liberia and Cameroon.

They were known to have attended a function organized by the local Christian community at Chandanpati Community Centre in Khagrachari. Immediately after their participation in the function, the administration verbally asked them to leave CHT within 24 hours.

FOLLOW-UP: Case Study

Case Study-1: Murder of indigenous leader Alfred Soren: A cry for justice even after 13 years

The murderers of indigenous leader Alfred Soren at Bhimpur of Mohadebpur upozila under Naogaon district have not been prosecuted even after 13 years of the occurrence. Moreover, the perpetrators are threatening local indigenous peoples of the area to evict from their land and to kill them after they get out of jail on a bail. Mentionable that, on 18 August 2000, Alfred Soren was murdered by a group of miscreants led by chairman of Bolihari union Parishad Hatem Ali and Shitesh Bhattachariya Godai at Bhimpur indigenous village in broad daylight. During 13 years of the incident, Bangladesh Awami League, BNP, Caretaker government and lastly Bangladesh Awami League came to

power again by rotation. Nevertheless, near and dear ones of late Alfred Soren are still crying for justice.



Adivasi Chatra Parishad staged demonstration demanding justice for Alfred Soren.

It is known that after the killing of Alfred Soren two cases were filed based on penal code Article No. 302 and the Public Safety Act. But the offenders applied for elimination of the charge in high court once the BNP led four party alliances had terminated the Public Safety Act during its tenure. Besides, High court cancelled all cases which were filed based on the Public Safety Act. The defendants submitted civil petition in appellate division. As a result, the appellate division sent the case to high court again subsequent to cancellation of the elimination application of the perpetrators. Currently the case is awaiting hearing dates in the high court.

It is learnt that, the plaintiff of the case of Rebeka Soren, the sister of deceased Alfred Soren is being continuously threatened by the perpetrators. The henchmen of Hatem-Godai threatened that she would also be killed if she does not withdraw the charges against them since nobody was prosecuted after killing of Alfred Soren. On the other hand, the Awami League supporter and chairman of Bolihar Union Parishad Hatem Ali and Shitesh Bhattachariya band have been denying their involvement with the incident.

Case Study-2: Culture of impunity:

Police submits untrue reports twice on Gulshakhali-Bogachatar communal attack in Longadu

The authority of Longadu police station submitted untrue reports twice on Gulshakhali-Bogachatar communal attack case with an aim to provide full impunity to the accused Bengali settlers in Longadu upazila under Rangamati district.

Very recently on 21 August 2013, rejecting the police's Final Report for the second time, Mr. Milan Chakma, the complainant of the case, had filed disagreement petition ('Naraji') with the court of the Rangamati Chief Judicial Magistrate Court, concerning the criminal case filed in relation to the violent attack and burning-down three Jumma villages committed by the Bengali settlers at Gulshakhali and Bogachatar Union in Longadu Upazila under Rangamati district in 2011. In that disagreement petition, the complainant further appealed to the court for CID inquiry of the incident, and accepting the appeal, the Chief Judicial Magistrate (CJM) Tahmina Afroz Chowdhury ordered for CID investigation of the incident.

It is pertinent to note, based on death of a mentally-disabled Bengalis settler, named Saber Ali, Bengali settlers, with organized and pre-planned way, attacked and burnt down houses of Jumma people at Ranjit Para, Rangi Para and Shanti Nagar under Gulshakhali Union and Bogachatar Union in Longadu Upazila on 17 February 2011. In that communal attack, Bengali settlers completely burnt 24 houses into ground, and looted 6 houses belonged to Jumma people of the concerned villages. In relation to this incident, Mr. Milan Chakma, a local resident of Ranjit Para, filed a case with Longadu police station on 27 February 2011, noting 4 witnesses, and most importantly, identifying 18 specific Bengali settlers as accused of this violent act.

Based on the aforesaid complaint, Md. Ashraf Kamal Mian, a Police Sub-Inspector (PSI) of Longadu police station was officially assigned and ordered to investigate the incident. After inquiry, the inspector submitted 'Final Report' before the court on 6 March 2012. In that final report, the inspector Md. Ashraf Kamal Mian had stated that the commitment of the communal incident had been found to be true, but involvement of any person of the 18 accused, specifically identified in the written complaint,

or any other person had not been found to be true. In other words, in his inquiry report, the inspector had reported that he had found nobody to be involved with the incident, albeit he had found the commitment of the incident to be true. Finally, with the conclusion of his aforesaid inquiry report, the inspector appealed to the court to discharge the accused from the complaint of being responsible for the violent acts, and not to adjourn the case any longer unreasonably.

In that circumstance, on 3 May 2012, rejecting the Final Report of the inspector and filing a disagreement petition, Mr Milan Chakma, the complainant appealed to the court for CID inquiry of the incident of the case. However, after hearing the petition of the complainant, instead of giving order for CID inquiry, the court ordered for re-investigation to the incident, directing that the Officer-in-Charge (OC) of the Longadu Police Station himself would investigate the incident.

However, investigating the incident, like the previous inspector, the new investigation officer Mohammad Ali submitted his final report before the court on 29 January 2013. In his inquiry report, the new inspector noted that the report submitted by the first or previous inspector was completely correct; and based the conclusion of his report he appealed to the court to discharge the accused from the complaint of the case, and pointed out that the case would not be resumed unless any further information were found regarding the case.

Attending the scheduled hearing on 21 August 2013, Mr. Milan Chakma again filed disagreement petition with the court, rejecting the second 'Final Report' submitted by Mohammad Ali, the second investigation officer of the case and OC of Longadu police station; and in that disagreement petition, Mr. Milan Chakma again appealed to the court for CID investigation of the incident of the case. Eventually, hearing the petition of the complainant, the court ordered for CID inquiry of the incident of the case.

It is noteworthy that incidents of communal attack on villages of the Jummas by Bengali settlers have been happening one after another in the CHT for decades, but in every incident, no legal action is taken against the perpetrators. Although, in relation to the communal attack committed by Bengali settlers in Gulshakhali and Bogachatar unions in Longadu

upazila, a case has been filed, being biased in favour of the accused Bengali settlers, the administration have been acting to ensure impunity for the perpetrators. Thus, because of prevailing culture of impunity in the CHT, the Bengali settlers have been encouraged to inflict communal attack on the Jumma people, one after another, very systematically.

III. LAND RIGHTS AND LAND DISPOSSESSION



III. RIGHTS TO LAND AND NATURAL RESOURCES

Bangladesh government has failed to address land rights of indigenous peoples (IPs) which left thousands of 'adivasis' homeless both in CHT and the plains. Amnesty International report states, there are 90,000 internally displaced people alone in CHT. The major threat to displacement from their homesteads and farmlands is 'land-grabbing'. Due to lack of government initiative, they continue to be dispossessed of their lands by Bengali settlers and migrants. An increasing influx of other actors such as private corporations, criminal syndicates, and politically powerful individuals have also been intensifying the problem. Besides, thousands of indigenous families have already been evicted from their homesteads due to large-scale development projects such as establishment of military/para-military camps, training centres, tourist spots, eco-parks, rubber plantations and afforestation. These acts of land alienation are contrary to the applicable national and regional laws and policies (e.g. the CHT Accord), and international laws (e.g. the ILO Convention No.107 & 169) that provide safeguards for land rights of IPs.

The East Bengal State Acquisition and Tenancy Act 1950 regulates and forbids transfer of lands from indigenous to non-indigenous without consent of Deputy Commissioner in the plains. Although, the act is in practice in greater Mymensingh to some extent, it is found less institutionalized in Dinajpur and apparently absent in Rajshahi. Non-implementation of this act is leading to illegal land encroachment by mainstream populations, politically powerful individuals and government in the name of development. Therefore, the customary land rights of indigenous peoples are frequently violated. For instance, most indigenous families in the north-west of Bangladesh lost their traditional lands as administration listed those lands as 'Khas' (state-owned).

Similarly, indigenous peoples in CHT are being evicted since the CHT Accord remains unimplemented. Most indigenous peoples in the region do not have registered ownership over their lands which makes them vulnerable to land dispossession by private parties. According to the CHT Accord and Hill District Council Act, no land within the boundaries of the three Hill Districts shall be given in settlement without the prior approval of the Hill District Councils and such land cannot be transferred to a person who is not a domicile of the said district without such approval. Along with these acts, for years, ILO Convention No. 107 has been a safeguard for traditional land rights of IPs. However, frequent violation of these acts by settlers is a common phenomenon in the region. Even government itself ignores the fact that under international human rights laws, indigenous peoples have the right to their traditional lands. This is not only denying indigenous peoples' access to their traditional lands but also leading to frequent violent clashes between Jummas and Bengalis.

At A Glance: Land-related incidents and casualties of Indigenous Peoples in 2013

Land grabbing has been significantly intensified in 2013 compared to 2012. In 2013, 3792 acres of lands in the CHT were grabbed or were under process for occupation and acquisition while 103 bighas of land in the plains was occupied. Of the total grabbed land in CHT, 3717 acres of lands were grabbed by mainly outsider private parties and 75 acres by the government. One of land grabbers was wife of a former Forest and Environment Minister. Besides, another 84,542 acres of land are under process for acquisition in the name of reserved forest. Throughout the year, 26 families were evicted from their homesteads and 1062 families including 24 families in plains were under threat to eviction. A total of 66 families were attacked in the plain land with an aim to occupy land of indigenous peoples. 34 indigenous persons were either assaulted or injured during these attacks and 278 houses were looted. In connection with land-related fabricated cases and incidents, police arrested 10 indigenous persons. At least 200 indigenous families fled to India from different districts of north Bengal during last five years (2009-2013) due to land grabbing, false cases and harassment, physical assault, sexual harassment against indigenous women by Bengali land grabbers. Besides, land grabbers with the help of forest official chopped down 500 betel leaf trees in Sylhet. Furthermore, allegations of irregularities and

misappropriation of Climate Change and forestation projects in CHT has been raised. In comparison to 2012, land grabbing and attack on indigenous families regarding land-related conflicts dramatically increased in 2013.

Table 1: Land-related incidents and casualties in 2013

Form of atrocity	CHT	Plains	Total
No. of houses burnt to ashes	36	-	36
No. of houses looted and ransacked	263	15	278
No. of families attacked	-	66	66
No. of persons assaulted & injured	34	7	41
No. of persons killed	-	-	-
No. of evicted families	26	-	26
No. of families threatened to eviction	1038	24	1062
Amount of land grabbed (in acres/bighas)	acres	bighas	-
Arrest	2	8	10

Table 2: Land-related incidents and casualties in 2012

Form of atrocity	CHT	Plains	Total
No. of houses burnt	-	14	14
No. of houses looted and ransacked	-	-	-
No. of families attacked	2	29	31
No. of persons assaulted & injured	10	17	27
No. of persons killed	-	1	1
No. of evicted families	13	-	13
No. of families threatened to eviction	540	185	725

Table 3: Land-related incidents and casualties in 2011

Form of atrocity	CHT	Plains	Total
No. of houses burnt	111	-	111
No. of houses looted and ransacked	6	6	12
No. of families attacked	146	19	165
No. of persons assaulted & injured	20	1	21
No. of persons killed	2	1	3
No. of evicted families	-	-	-
No. of families threatened to eviction	-	-	-

Figure 1 : Land related incidents in CHT: 2011, 2012 & 2013

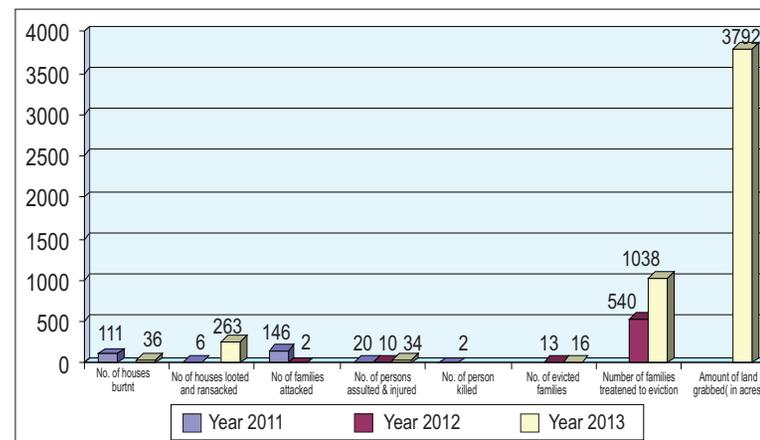
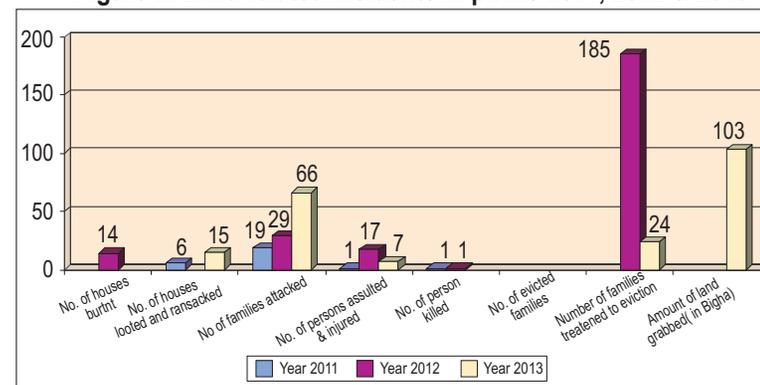


Figure 2: Land related incidents in plains 2011, 2012 & 2013



Expropriation of common lands in the name of reserved forest in CHT

On 28 January 2013, at a meeting in Rangamati presided over by the Deputy Commissioner of Rangamati hill district, it was decided to expedite the process of acquiring 84,542.42 acres of land under 22 mouzas in Rangamati district for reserved forests. In fact, most of these lands have already been declared 'reserved forest' under section 20 of the Forest Act. If the process, which began in 1982, of acquiring the remaining lands is completed, the entire lands of six mouzas and most part of the other

mouzas will be off-limits to the public, rendering hundreds of Jumma families landless.

The lands already acquired or to be acquired fall under the jurisdiction of three departments of the government, namely, Department Relating to Unclassed State Forests, Pulpwood Division and Jum Control Division.

Department Relating to Unclassed State Forest: Of the 84,542.42 acres of land that the government seeks to acquire in Rangamati district, 16,000 acres fall within the Department Relating to Unclassed State Forest. For the acquisition of these lands, the government, on 4 January 1982, issued a notification in the official Gazette under section 4 of the Forest Act 1927, which represents the first stage in a long process of declaring an area a reserve forest. It is not known how much of these lands have been acquired already, but the meeting in Rangamati decided to declare these lands as 'reserved forests' in phases rather than all at once, apparently to avoid the cumbersome process.

Mouza-wise distribution of lands to be acquired under Department Relating to Unclassed State Forests:

No.	Name of the Mouza	Amount of land to be acquired (in acre)
1.	Shukarchari Mouza No. 110	500
2.	Kudukchari Mouza No. 111	500
3.	Hazachari Mouza No. 70	3,000
4.	Ghilachari Mouza No. 69	3,000
5.	Chowdhury Chara Mouza No. 68	1,500
6.	Toichakma Mouza No. 75	3,500
7.	Kengelchari Mouza No. 79	4,000
Total:		16,000

Of these total lands, 1,391 acres are owned by individual proprietors and yet to be acquired.

Pulpwood Division: According to a memo of the meeting mentioned above, a total of 23,748.92 acres of land under the jurisdiction of Pulpwood Division Rangamati have been declared as reserve forest under section 20 of the Forest Act. The government made this declaration in two separate letters issued by Ministry of Forest and Environment on 18 June 1996 and 20 September 1998.

However, within these lands are included 59.75 acres of personal property which have not been decided upon yet. While the Revenue Department has been ordered to add the remaining 23,689.17 acres of land to the rent-roll in the name of the Pulpwood Division, the meeting decided to go for the next step with regard to the lands (59.75 acres) owned by private individuals.

Jum Control Division: On 4 January 1992, the government issued a notification under section 4 of the Forest Act for the acquisition of a total of 36,182.54 acres of land in 15 mouzas in Rangamati district. Of these lands, which fall within the jurisdiction of the Jum Control Division, Rangamati, at least 1,642.99 acres belong to private individuals while another 6,329 acres were declared 'reserved forests' on 1 March 1999. As for the remaining 28,210.55 acres, it was decided in the meeting that steps should be taken to declare those lands free of encumbrances as reserve forests.

According to a government document, a total of 9,04,456.44 acres of land have been declared reserved forests under section 20 of the Forest Act,

Mouza-wise distribution of lands acquired or to be acquired under Jum Control Division:

No.	Mouza name	Amount of land (in acre)
1.	Manikchari Mouza No. 108	1,000.00
2.	Sapchari Mouza No. 109	1,000.00
3.	Hemonto Mouza No. 123	1,000.00
4.	Bananta Mouza No. 28	1,000.00
5.	Phoolgazi Mouza No. 125	1,000.00
6.	Ghagra Mouza No. 99	2,000.00
7.	Khaskhali Mouza No. 95	10,920.00
8.	Betbunia Mouza No. 95A	
9.	Atarokchara Mouza No. 27	2,000.00
10.	Longudu Mouza No. 3	1,000.00
11.	Ultachari Mouza No. 57	4,514.30
12.	Kudukchari Mouza No. 122	2,816.50
13.	Barudgola Mouza No. 130	1,463.50
14.	Bollalchara Mouza No. 131	5,467.50
15.	Kaindyia Mouza No. 129	1,000.74
Total:		36,182.54

while 70,575 acres are in the process of being declared reserved under section 6 of the said Act.

District-wise breakdown of the figures:

Declared reserved forest under section 20: Rangamati: 5,73,270.21 acres, Khagrachari: 88,492.83 acres, Bandarban: 2,42,693.40 acres;

Under process of being declared reserved forest under section 6: Rangamati: 41,401.88 acres, Khagrachari: 7,342.67, Bandarban: 21,830.80 acres.

CHT Accord: Sub-clause (a) of the Clause 26 of the Part B of the CHT Accord provides, “No lands and premises including the Khas lands which can be given settlement, within the territorial limits of the Hill Districts, shall be transferable by lease, settlement, purchase or sale except with the prior permission of the Hill District Councils. Further, Sub-clause (b) of this Clause 26 provides “No land, hill or forest under the controlled and within the jurisdiction of the Council shall be acquired or transferred by the Government without consultation with and the consent of the Council”. The subject of ‘Land and Land Management’ is bestowed upon the three HDCs.

Reclaiming the CHT commons: Expropriation of the common lands of the indigenous peoples and ethnic minorities is pervasive all over the world. The same is also true for the Chittagong Hill Tracts, where appropriation of the communal lands has brought misery, hardship and poverty to the Jumma people.

Government finally repeals Schedule B of the vested properties Act

The Government has finally decided to repeal Schedule B from the Vested Property (Return) Act, 2013. Consequently, the establishment of the personal possession has been made easier. After the amendment, any dispute concerning this matter will be resolved under the general rules. From now on, no one needs to go to the Tribunal relating to the Vested Property. But, in the meantime, the corrupt officials of the Land Office have exploited more than 1,000 Crore Taka from the aggrieved persons. On the other hand, for seeking remedy from the Tribunal, they have wasted another 1000 Crore Taka.

From a close inspection it has been evident that though the matters included in Schedule B have to be resolved under general rule, the matters

included in Schedule A will be resolved under the Tribunal. But, in this purpose, another amendment is needed.

After the breakdown of Indo-Pak War of 1965, a law entitled “Defense of Pakistan Rules, 1965” was enacted. Under this Rule, the persons who left Pakistan from 9 September 1965 to 16 February 1969, their properties will be counted as the Enemy Property. After the independence, it was named as Vested Property. Vested Property Return Act, 2001 was enacted to return these properties to their legal owners, but later on BNP led 4 Party Government repealed this law. But the Awami League Government (2009-2013) has taken many initiatives to reenact this law i.e. they have enacted Vested Property Return Act, 2011. The main purpose of this law was to return this type of property to their true Bangladeshi owner, their legal heirs or their interested parties. For this purpose, they made numerous amendments in various times.

In 2011, two separate schedules were inserted i.e. one showing the properties vested under the possession of the government and the other the possession vested under the personal possession. The properties under Government consist 197,420 acres which have been given lease to different individuals and companies which require to be renewed each year. The properties under personal possession entail 445,720 acres. But without any justification it has made a huge public dissatisfaction marking these large amounts of properties as Vested Property.

Moreover, while finalizing the list of schedules, remarkable errors were made in the Gazette of the Government. The name of one person was recorded in the place of another person. The Dagh No. was mistakenly recorded and as a result, new category of people were added in the aggrieved list. Government ordered the possessors listed in Schedule B to vacate those properties within a fixed period which changed several times and the last date was 31 December. In the meantime, about 500,000 cases were filed for the recovery of the possession and among them about 8,500 cases were resolved. In an investigation it was found that if each of the applicants spent Taka 2,000, the total expenditure would be near to 1,000 Crore Taka all of which totally went in vain.

It was complained that when this Official Gazette with grave mistakes reached in the District level, the panic spread among the aggrieved people. With the hope of recovering their properties, these people obtained the related documents (Like CS Khatiyan, RS Khatiyan, SA

Khatiyani, Porcha, etc.) at the cost of a certain sum of money which was said to be distributed free of cost. It is estimated that if each person had spent Tk. 20,000 per head, the total 500,000 people had spent about BDT 1,000 Crore. And the total amount of the said money went into the pockets of the officials of the Land Board.

It has been found that the major part of the list of schedule was made after the repeal of Vested Property Act. The Appellate Division of Bangladesh Supreme Court, in a case in 1974, prohibited making a new list of vested properties. But this improper list included not only the properties of the Hindu minority communities' properties, but also many properties of the Muslim communities. This is now consuming a lot of time and money to the aggrieved parties.

A high official from the Ministry of Land said that by dint of this law, Pakistani government dispossessed a lot of people from the minority communities in the country. This law was repealed many times and the High Court announced this law as "A Dead Law." Despite these, this law has been revived and a lot of members from the minority communities have got victims to this unjust law and a remarkable number of people were compelled to leave this country. Dr. Abul Barakat, a renowned economist of the country, has sorted out in a recent research that 6 million people from 1.2 million families have directly and indirectly been victims of this law and they have lost about 2.6 million acres of land in the last 40 years.

Complaint against Rangamati Climate Change Trust Fund

A complaint of irregularities has been made against the project of the Rangamati Climate Change Trust Fund. The main purpose of this project was to secure livelihood of the marginalized groups through the conservation and management of the environment in the CHT. According to the complaint, BDT 29.3 million have been withdrawn from the fund using false documents.⁵

The Ministry of Forest and Environment allocated BDT 65.3 million for 10 upazillas of Rangamati district from the Climate Change Trust Fund to secure the livelihood and reduce poverty of the marginalized groups in

⁵ Daily Samakal, 20 August 2013; Daily Manobkantha, 3 October 2013 and Daily Azadi, 5 October 2013

those areas. The financial and supervisory responsibility of the fund (from January 2012 to December 2013) was given to Rangamati Hill District Council (RHDC). However, without following selection procedure RHDC handed over implementation responsibility of the project to a NGO named Porbot Manob Unnoyon O Sahajjokari Songstha (PARA). There are five key activities of the project –conservation and management of the environment through afforestation and fruits cultivation; improve living standard of forest dependent communities; construction of biogas plants; and creation of an environment-friendly tourist destination through transformation of human-waste for fertilizer production.

Sources said, a clearance of an amount of BDT 32.3 million out of allocated BDT 65.3 million have been made from the concerned ministry in previous year of which 30 lacs returned to the ministry henceforth. The remaining amount has been shown as follows:

- BDT 12.3 million for forestry and fruit cultivations;
- BDT 15.0 million for building 100 biogas plants; and
- BDT 2.0 million for production of compost fertilizer of water hyacinth.

The ministry made another clearance of BDT 17.6 million in June 2013 for forestation. But, no activity has been implemented yet.

According to the schedule book and project activities report, the project of afforestation was implemented through PARA and its partner organizations at Rajasthali, Kaptai, Kawkhali, Baghaichari, Jurachari, Barkal, Longadu, Naniarchar and Bilaichara upazilas in Rangamati district. A total of 543 thousand plants were planted on 1252 acres of lands of the beneficiaries of these areas. But field visits conducted at Kaptai and Rangamati Sadar upazilas found no sign of plantation. The beneficiaries were given BDT 10,000 in two installments. Nirod Ranjan Chakma and Dhiman Khisa, two beneficiaries of Kawkhali and Longadu upazila respectively informed that they were paid BDT 10,000 each signing on a white paper, but they were not provided with any plants.

On the other hand, BDT 15.0 million spent for setting up 100 biogas plants in aforementioned upazillas. A biogas plant costing BDT 150,000 was supposed to be set up for every 5 families in the project areas. However, most families still do not have biogas plants in many of the project areas, though PARA officials claim otherwise. At the same time, there are

examples of places where only one family enjoys all the benefits of the plant instead of five. Moreover, though PARA claims that the cost of each biogas plant it sets up is BDT 150,000, the maximum cost for a biogas plant Grameen Shakti sets up is BDT 50,000.

LAND-RELATED INCIDENTS IN THE CHT

Destiny fraudulence: ACC found no tree in many gardens in Lama

In January 2013, a team of Anti-Corruption Commission (ACC) visited the tree plantation projects of Destiny Tree Plantation Limited (DTPL) in the Chittagong Hill Tracts region. During its investigation, the ACC team found no tree in many gardens of the DTPL at Lama upazila in Bandarban though the company sold 'trees' to its investors through revenue stamps.⁶ "We have already visited a number of gardens of the DTPL and found that some gardens have few trees and there's no tree in other gardens," ACC assistant director M Toufiqul Islam said during an interview.

It is mentionable that on 31 July 2012, the ACC filed two money-laundering cases against chairman Lt. General (retd.) M Harunur Rashid, managing director Rafiqul Amin and 20 others of Destiny 2000 Limited on charge of misappropriating investors' money. Both the cases were filed with Kalabagan Police Station by ACC deputy director Mozahar Ali Sardar and assistant director M Toufiqul Islam.

ACC sources said the DTPL authorities illegally collected BDT 23,357,485,500 from people by selling 61,848,630 trees through a multilevel marketing between 3 March 2006 and April 2012.

The ACC in its inquiry earlier found BDT 2,291,020,000 in the DTPL and the BDT 21,066,465,500 misappropriated in the name of salary, honorarium, dividend, commission, incentive and promotional cost. The DMCSL authorities also embezzled BDT 11,786,123,024 by transferring the public money to other non-profitable and non-operational companies of the Destiny Group to make undue gains. After the money transfer, the ACC sources said, there are now only BDT 56 lakh left in the bank account of the DMCSL while only BDT 4.87 crore in the DTPL.

⁶ Daily Samakal, 8 & 14 January 2013

High Court rules to Forest Department over violation of Forest Act 1927

On 1 April 2013, the Supreme Court's High Court division issued a rule asking forest department why the gazette that announced Kukyachari mouza & Dhonuchari mouza of Rajastali upazila in Rangamati district as reserve forest would not be illegal. The High Court asked defendants to respond the rule within four weeks. The defendants are Ministry of Forest and Environment, Chief Conservator of Forest and Forest Conservator of Rangamati circle. The case (No. 2980/2013) was jointly filed by Bangladesh Environment Lawyers Association (BELA) and CHT Forest and Land Rights Protection Movement.⁷

According to article 4 & 6 of the Forest Act, Forest Department announce 689.33 acres of land of Kukyachari and Dhonuchari as reserve forest in 1992. However, without taking public opinion into consideration, the Forest Department solely announced entire Dhonuchari as reserve forest in later periods, which is a clear violation of Bangladesh Forest Act. Besides, Forest Department initiated a Pulpwood project as well in both the mouzas to produce industrial raw material evicting most of 161 families from their homesteads in that area.

21 Chak families evicted from ancestral land in Bandarban

In April 2013, 21 Chak families were evicted from homesteads at Badurjhiri, a village located in Alikhyong mouza under Baishari union of Naikhyongchari upazila in Bandarban district. The victims were forced to leave due to continuous torture, harassment, robbery, and illegal land grabbing. Yet, the major reason identifiable behind their recent displacement is the robbery occurred on 13 March 2013 when a group consisting of about 12/13 of robbers attacked the villagers at around 9:00 pm. They looted valuables and gave life threat to villagers before leaving. Affected families took shelter in three villages of Headmanpara, Moddyampara, and Uporpara under Baishari mouza. It is learnt that most of the evicted families are Jum cultivators (traditional shifting cultivator). Around 582 acres of land at Badurjhiri area were occupied by the land grabbers.

⁷ Daily Prothom Alo, 4 April 2013

According to villagers' statements, the robbers were equipped with guns. They opened blank fire 4 rounds of bullets while looting the valuables from the villagers. Also, the robbers threatened the villagers saying, "You will die if we see you again in the village"

Affected families left their village prior to traditional 'Sangrai' festival in April since influential land grabbers including rubber companies and fundamentalist militant groups had been inciting hired miscreants and Bengali labourers to conduct theft, robbery and intimidation on indigenous villagers for a long time with the intention to evict them from their village and occupy their ancestral lands and homesteads.

It is learnt that the miscreants often beat indigenous Chak villagers and seized their valuables. They even committed sexual harassments on indigenous women. Besides, the miscreants frequently destroyed Jum farms and orchards of indigenous Chak villagers. Therefore, the villagers were compelled to leave their homesteads at one stage.

In this regard, on 12 May 2013 Kapaeeng Foundation submitted a complaint to the National Human Rights Commission (NHRC) to conduct on-site inquiry to this incident. Following this complaint, on 13 May 2013 the NHRC requested the Secretary of the Ministry of Chittagong Hill Tracts Affairs (MoCHTA) to investigate the incident through a Deputy Secretary and to submit the report to the NHRC and accordingly the MoCHTA appointed a deputy secretary named Md. Alamgir Hossain for investigation the complaint. Md. Alamgir Hossain conducted on-site inquiry from 29-31 May 2013 in Naikhyongchari upazila. Mr. Hossain took depositions from the victims, locals, traditional leaders, public representatives and administration and placed his 32-page report to the NHRC on 11 June 2013.

The MoCHTA investigation has found evidence that indigenous Chak villagers have been evicted from their ancestral lands by influential Bengali land grabbers. The MoCHTA made a list of fourteen individuals involved in grabbing 582 acres of land belonging to the Chak community. The inquiry report recommended immediate arrest of these 14 land grabbers, return of these lands to indigenous Chak villagers and protection of their safety (please see translated version of this inquiry report placed below in this chapter).

Names of head of the families uprooted from Badurjhiri Chak Para:

- 1) Chijari Chak, son of late Athai Chak;
- 2) Athui Chak, son of late Athai Chak;
- 3) Chala Khai Chak, son of late Athai Chak;
- 4) Chala Khai Chak son of Sore Aung Chak;
- 5) Hlagya Aung Chak, son of late Ching Shwe Chak;
- 6) Aung Ching Chak, son of Hlagya Aung Chak;
- 7) Shwe Mong Ching Chak, son of Hlagya Aung Chak;
- 8) Kyakya Chak, son of Hlagya Aung Chak;
- 9) Chathau Chak, son of Chijari Chak;
- 10) Hla Mong Ching Chak, son of Hlagya Aung Chak;
- 11) Kya Mong Chak, son of Athowai Chak;
- 12) Uchathowai Chak, son of Kya Mong Chak;
- 13) Uching Chak, son of late Prue Cha Thowai Chak;
- 14) Kyachahla Chak, son of Uching Chak;
- 15) Aung Cha Nue Chak, son of late Prue Cha Thowai Chak;
- 16) Aung Chagya Chak, son of late Thoihla Khai Chak;
- 17) Kya Ching Mong Chak, son of late Thoihla Khai Chak;
- 18) Kyahla Ching Chak, son of late Thoihla Khai Chak;
- 19) Agya Chak, son of late Hla Chowai Jai Chak;
- 20) Mongowai Chak, son of late Hla Chowai Jai Chak;
- 21) Athowai Cha, son of late Hla Chowai Jai Chak.



A victim of Badurjhiri Chak Para violence.

Names of head of the families uprooted from Longadu Chak Para:

- 1) Chakra Aung Chak, son of late Rethowai Chak;
- 2) Thowai Ching Chak, son of late Jing Thowai Chak;
- 3) Uva Thowai Chak, son of late Mambau Chak;
- 4) Chwejaiu Chak, son of late Mambau Chak;
- 5) Lamra Aung Chak, son of late Ugyajai Chak;
- 6) Mong Shwe Thowai Chak, son of Thowai Ching Chak;
- 7) Aung Chau Chak, son of Thowai Ching Chak;
- 8) Mamba Aung Chak, son of Mongcha Khai Chak;
- 9) Chaihla Mong Chak, son of late Mambau Chak;
- 10) Chaihla Thowai Chak, son of Mambau Chak.

Bengali settlers attack on indigenous villagers in connection to land grabbing in Lama

14 injured, 2 arrested

On 13 April 2013, an attack was made by Bengali settlers on Marma indigenous community in Choto Nonar Bill area of Lama upazila in Bandarban district aiming at occupying land belonging to indigenous villagers. Total 14 people were injured, and 2 indigenous villagers were arrested by military from that area. It is known that Thuinumong Marma wanted to make a boundary wall on his father's land. But a group of miscreants of Md Abdul Ohab and Abul Khayer forbade Thuinumong not to build the boundary wall.

In this connection, Thuinumong filed a case against perpetrators on that day. The case file number is 501, dated 13/04/2013. After filing a case when he went to his land, he saw the miscreants had already broken the wall. When he went to protest along with community people, the Bengali settlers attacked on them. At least 14 people of both groups including Thuimong Marma (29), son of Tujathoi Marma and Nepa Marma (27), son of Kejsing Marma were injured. The settlers again made a complaint at the Champatoli army camp under Lama zone, and then on that day at 3:30 pm, a group of army led by Major Kamrul of 30 Bengali persons came to Nonar bill area, and arrested to Thuimong Marma and Nepa Marma. The soldiers took them at the local army camp, and handed them over after a night to local representatives of that area.

It is known that, Abdul Ohab was originally from plain district Noakhali. He came to Bandarban with his job at WAPDA. Later he bought a piece of

land illegally breaking the provisions of Hill District Council Act of 1989. According to Thuinumong's father, the original landowner, though he is the legal owner of the land, Abdul Ohab had been demanding illegally that land.

Land acquisition for tourist spot by military forces in Ruma

An initiative was being taken to grab the land of local indigenous peoples of Ruma in Bandarban district by Ruma army zone in order to establish a tourist spot named Anindya Parjatan Kendra. Consequently, new suspicion and anxiety emerged among the indigenous peoples of the area in connection to the land acquisition. The proposed land is located at Keokradang mountain area.

It is learnt that the amount of land of the proposed tourist spot is approximately 50 acres. The military authority stated that Prime Minister Sheikh Hasina expressed her wishes to establish a tourist spot at the proposed location during her visit earlier. The proposed area is a shifting cultivable land of Bawm indigenous people of the area.

There was nothing mentioned about acquisition of pre-occupied land for establishment of tourist spot managed by army in the Chittagong Hill Tracts Accord, they said. But it is a matter of regret that the initiative was taken to encroach 25 acres of traditionally occupied land of indigenous peoples at Lungthangchi village and Keokradang mountain area.

Villagers alleged that headmen and karbaries were not consulted prior to selection of the tourist spot. Now, if the tourist spot is established, locals will lose their traditional lands. As a result, around 100 families of Pasing Para, Rumana Para, Darjiling Para and Lungthangchi Para will face land crisis. Due to lack of farmland, agricultural production will be hampered in these areas. Consequently, peace, law and order might be deteriorated in the area. Therefore, local indigenous communities urged Prime Minister to stop land acquisition for establishment of tourist spot.

On 22 April 2013, indigenous villagers of Ruma submitted a memorandum to the Prime Minister Sheikh Hasina pleading to stop land encroachment for such tourist spot.

Indigenous villagers under threat of eviction due to land acquisition for BGB in Ruma

Paindupara, Chandupara and Chaipopara are three traditional villages

located at Paindu mouza and Poli mouza under Ruma upazila in Bandarban district. About 500 indigenous Marma families have been living in these villages for centuries. However, most lands in mentioned mouzas have already been grabbed by the forest department. The villagers depend on remaining lands for survival. Now, BGB authority is planning to occupy the remaining lands of three villages without informing public representatives and having consent from the villagers concerned. If BGB Headquarter is set up on the proposed land, residents of 500 families of three villages will be evicted from their homesteads.

The authority has already started the process of land acquisition violating CHT Accord, Hill District Council Act, and indigenous customary laws. Villagers said that BGB authority is asking them to leave their homesteads. If the plan is implemented, residents of three villages will be completely landless. In this situation, they urge Prime Minister's intervention and support to stop acquisition process.

600 acres of land under process of acquisition for commercial resort in Bandarban sadar & Ruma

Bandarban army zone authority took plan to acquire more than 600 acres of lands at Dola Mro Para (Jaban Nagar), Kaprupara (Nilgiri), Chimbuk Shola Mile, Owai Junction (Baro Mile) and Keokradong hills under Bandarban sadar and Ruma upazila in Bandarban district. The purpose of acquisition is to build luxurious commercial resort, restaurant and shopping mall in the said areas. Proposed locations are the residence of Mro and Bawm, two most marginalised indigenous communities in the CHT. Army authority already acquired 16 acres of land at Jiban Nagar under Bandarban sadar upazila. However, villagers alleged that army authority occupied more than 16 acres of land.

The villagers submitted a memorandum to Prime Minister Sheikh Hasina urging to cancel land acquisition. They said that the plan would hamper land security, social cohesion and communal harmony. Since huge amount of jum lands are included in the acquisition process, residents of the proposed locations will be landless and lose their livelihoods. This may generate anger and frustration among indigenous victims and start a new phase of violence.

UNO accused of corruption in Rowangchari

Indigenous villagers of Tetulpara under Rowangchari upazila Bandarban

district alleged that UNO of Rowangchari upazila Mr. Saiful Islam Mozumdar intentionally authorized to acquire 25 acres of indigenous communal land instead of government allocated land for establishment of BGB sectoral head office. Following the decision, they submitted a memorandum to the Deputy Commissioner demanding to build the BDR sectoral head office on government allocated land.⁸

Mr. Megya Marma, resident of Tetulpara and Mr. Re Ong Marma, Karbari, Fakyongpara accused Mr. Mozumdar for having a conspiracy to evict 80 indigenous Marma families from their homesteads intentionally. The report which Mr. Mozumdar submitted to the Deputy Commissioner stated that if government acquires proposed land at Daneshpara, 17 families would be displaced who have been living there for 200 years. In this situation, the Deputy Commissioner promised indigenous villagers to consider their demand and not harm anyone.

Settlers threaten to set up houses on indigenous peoples' lands in Kamalchari

On 22 April 2013, the local Bangalee settlers submitted a letter to the Deputy Commissioner to bring it into notice that they would erect their houses on the indigenous peoples' lands under Kamalchari mouza of Khagrachari sadar upazila on 24 April 2013 mentioning further on the letter that such step was being taken to free around 422 settler families of inhuman conditions that they encounter daily while living in cluster villages.

The letter signed by some Md. Ajghar Ali and Md. Rustam Ali further sought for cooperation from the local district administration in this regard. Meanwhile, in protest at such announcement by the Bangalee settlers, several hundreds of indigenous peoples from Kamalchari and Golabari mouzas brought out a procession, and submitted a memorandum to the state minister of CHT affairs ministry through the Khagrachari Deputy Commissioner's office at around 4:00 pm on 23 April 2013.

The memorandum bore the signatures of some Momong Marma, Tapan Bikash Chakma, Chai Hla Karbari, Romoni Marma, Boron Joy Tripura, Kong Chai Ri Marma and Nagin Tripura.

⁸ Daily Prothom Alo, 1 May 2013

In the memorandum, a serious concern was expressed by the local indigenous villagers that such provocative threat, if finally comes into action, by the settlers would severely damage the communal harmony. They urged the concerned authority to take effective measures to thwart the ill plan of the settlers.

250 Mro families under threat of eviction in Lama

250 indigenous Mro families at Lulain mouza under Lama upazila in Bandarban district were in serious threat of eviction due to continuous torture and harassment by land grabbers and smugglers. In order to get rid of Jum forest destruction, torture and sexual harassment, local Mros sought help from the Chairman of CHT Development Board.⁹

“Our lands are being grabbed, Jum forests are being destroyed and trees are being stolen,” said Chowdhury Singpat Mro, a local resident. Many elephants were used by the miscreants to steal and pull trees from the forests. Besides, incidents of rape and sexual harassment against Mro women in this area also increased alarmingly. Local Mros identified a number of outsiders as perpetrators. They named Noushed Alam, Helal Uddin and some other outsiders from Lohagara, Chittagong for being involved with land grabbing, jum forest destruction and smuggling.

“Mr. Bir Bahadur MP orders rapid action to seize the perpetrators,” said Mr. Mohammad Ismail, Chairman of Lama upazila. However, Mro families are still in risk of eviction.

33 Marma families facing threat of eviction by land grabber in Rowangchari

A total of 33 families of indigenous Marma community were facing threat to eviction due to land grabbing at Fakkhyong Para under Rowangchari upazila in Bandarban district.

It is reported that the 33 Marma families have been living in Fakkhyong Para for generations. Three acres of land of this village with a holding number 56 was recorded in the name of village head (called as karbari) Mr. Chaithowai U Mog in 1929. However, recently, a Bengali settler named Md. Samad Ali started demanding in public that the two-third of this land belongs to him.

⁹ Daily Prothom Alo, 12 May 2013

It is learnt that in 1985, Md. Samad Ali registered two acres of land of this village in his name illegally with a holding number 345. He is now giving pressure to the villagers to vacate the land. The villagers are now under threat to eviction.

Md. Samad Ali came to this village from a plain district during 1982-83. He requested local indigenous people for a shelter. The villagers provided him a land for his livelihood. Now Mr. Ali is trying to displace them from their ancestral lands. The agents of land grabber have continuously been harassing them to uproot from their village and occupy homesteads.

On 24 June 2013, the indigenous Marma villagers submitted an application to the Deputy Commissioner of Bandarban to cancel the registration of land grabber informing the real situation with recommendations of local Member of Parliament (MP) Mr. Bir Bahadur, Upazila Parishad Chairman, Mouza Headman and Union Parishad Chairman. The land grabbing issue was published in local newspapers of Bandarban district.

Marma families of Fakkhyong Para who are in threat of eviction are as follows:

- 1) Re Aung Karbari son of late Sagya U Marma;
- 2) Chathowai Prue Marma son of late Thui Aung Prue Marma;
- 3) Toung Lungya Marma son of late Chai Thowai U Marma;
- 4) Mongchohri Marma son of late Mongtu Marma;
- 5) Sauching Marma son of late Neosakhoi Marma;
- 6) Prue Saching Marma son of late Neosakhoi Marma;
- 7) Outhui Marma son of Sauching Marma;
- 8) Unue Mong Marma son of Sauching Marma;
- 9) Kyaching Nue Marma son of Sauching Marma;
- 10) Kyaching Mong Marma son of late Mong Sagya Marma;
- 11) Redase Marma son of Chathowai U Marma;
- 12) Monghla Ching Marma son of Toung Lungya Marma;
- 13) Mong Ching Marma son of late Kya U Ching Marma;
- 14) Kya Mong U Marma son of late Thowai Mong Marma;
- 15) Sai Mong U Marma son of late Methowai Marma;
- 16) Mong Mong Ching Marma son of Nue Myamong Marma;
- 17) Alung Marma son of late Shwekya Mong Marma;
- 18) Mong Nue Prue Marma son of Naji Rang Marma;

- 19) Mong Kyew U Marma son of Mongchorhi Marma;
- 20) Thui Bue Marma son of late Paihla Aung Marma;
- 21) Mongkya Ching Marma son of Chathowai Prue Marma;
- 22) Khyaboma Marma wife of late Mong Sagya Marma;
- 23) Pui Sang U Marma wife of late Mongsa Thowai Marma;
- 24) Mongdo Marma son of late Mong Sanu Marma;
- 25) Mong Ching Nue Marma son of Chodong Mong Marma;
- 26) Mirhi Marma son of late Mong Sagya Marma;
- 27) Pai Nue Mong Marma son of Moktho Marma;
- 28) Ahla Marma wife of Sau Ching Marma;
- 29) Kay Thui Prue Marma son of Ukya Ching Marma;
- 30) Mong Saching Marma son of Toung Lungya Marma;
- 31) Uchahla Marma son of Hlacho Marma;
- 32) Ubasing Marma son of Chothrowai Prue Marma;
- 33) Mongsa Prue Marma son of Toung Lungya Marma.

1000 acres of land grabbed by land grabber Md. Badiul Alam in Alikadam

Land grabber Md. Badiul Alam son of M A Rashid and his gang grabbed a thousand acres of land located at Toinfa mouza, Alikadam mouza, Chaikhyong mouza and Toin mouza under Alikadam upazila in Bandarban district. The grabbed lands belong to indigenous people and permanent Bengali residents.

Residents of four out of 21 indigenous Mro villages have been evicted from their villages due to land grabbing. The remaining villagers are also facing continuous threats of eviction by the land grabbers.

Following the incident, locals destroyed plantation made by Md. Badiul Alam and his gang on the occupied land. In response, Md. Alam and his gang made an attempt to attack on indigenous villages. Afterwards, Motabbar Ahmed, Upazila Nirbahi Officer (UNO) of Alikadam called a law and order meeting on 18 July 2013. The meeting was attended by Abul Kalam, Upazila chairman of Alikadam; Md. Riton, vice-chairman of Alikadam; Md. Hussain, Officer-in-Charge of Alikadam police station; and leaders of PCJSS, Awami League and BNP. In the meeting, Badiul Alam failed to show any legal document for these occupied land.

It is learnt that, Md. Badiul Alam and his gang have seized at least 10,000 acres of land traditionally owned by the local indigenous peoples of the

Ukling Mro village, Chonong Mro village, Probhat Tripura village, Dhormo Charan Tripura village, London Mro village, Meno Tanchangya village, Bhabi Mro village, Kalaburi Marma village and Domoching Marma village under Alikada upazila.

A team of Chittagong Hill Tracts Regional Council (CHTRC) comprising its member K S Mong, Sadhuran Tripura and Shafiqur Rahman investigated the spot on 13 June 2013 at Chaikhyong mouza. The team found that Jafar Alam and Malek Chowdhury at Toin mouza, Bulu Miya and Mohammad Idris Gazi at Alikadam mouza were active in land grabbing. Moreover, in Toinfa mouza, Ledu Miya, Gedu Miya, Harun-ur-Rashid and Idris gang were active in land grabbing along with Md. Badiul Alam.

It is worth mentioning that, there is a large syndicate of land grabbers, which is forcefully occupying lands of local Mro, Marma, Tripura and Tanchangya indigenous peoples who have been living in the area for centuries. The syndicate includes local influential persons, political leaders, government officials, and high profile bureaucrats.

Land grabbing intensified in Naikhyongchari

Land grabbing was intensified in Naikhyongchari upazila of Bandarban district last year. Md. Faruque Ahmed, a former union porishad chairman was accused of this rapid increase of land grabbing. He occupied 1000 acres of land at Bakkhali mouza, Naikhyongchari. Md. Faruque generally occupies land first and then makes plantation by taking money from various companies. At a stage when the plants grow upto a certain height, he hands over land to the companies with plantation. Md. Alamgir Hossain, Deputy Secretary of the Ministry of the CHT Affairs (MoCHTA), in his investigation report mentioned the name of Faruque Ahmed as land grabber.

On 2 August 2013, local indigenous villagers destroyed temporary farmhouse erected on the occupied land by Md. Faruque at Kamikchara mouza.

Local indigenous villagers demanded to take action against Md. Faruque Ahmed and stop land grabbing immediately. If no action is taken, thousands of indigenous villagers may be evicted from their ancestral land.

It is mentionable that in the investigation report, by Md. Alamgir Hossain it was recommended to take action against land grabbers in Bandarban district including Naikhyongchari upazila. However, no land grabber has yet been arrested as per recommendation of Md. Alamgir Hossain. Non-implementation of recommendation to arrest the land grabbers intensified land grabbing in Bandarban district, opined locals.

Initiative to set up BGB battalion headquarters evicting 58 indigenous families in Dighinala

Khagrachari district administration has taken an initiative to acquire 31.63 acres of land belong to peoples of three indigenous villages namely Santosh Kumar Karbari Para, Gobinda Karbari Para and Notu Chandra Karbari Para in Dighinala, Khagrachari in order to establish battalion headquarters of Border Guard Bangladesh (BGB).

It is learnt that, in 2002, the Home Ministry ordered district administration to acquire land for establishing BGB headquarters in order to strengthen security in Bangladesh-India border at Baghaihat of Baghaichari upazila in Rangamati district and Naraichari of Dighinala upazila in Khagrachari dostrict. As a result of this initiative at least 58 indigenous families will be evicted from their ancestral land and lost their land, if the scheme is implemented, locals said.

However, the local administration claimed, of the total proposed land, only 2.20 acres is found recorded in the name of one Ramani Mohan Chakma and late Birsan Chakma. The remaining 27.61 acres is khas, local administration claimed.

On the other hand, villagers informed that at least 15 persons own registered land and another 58 persons were allotted 0.30 acre each by the local headman. Besides, there were 2.00 acres of registered land in the name of Baghaichari Government Primary School.

There is a helipad, an Ansar camp and an army camp on 5.20 acres of land in the identified area. The helipad was established on 2.00 acres of recorded land of one Bajaram Chakma, the army camp was constructed on the 2.20 acres recorded of land of late Lalit Mohan Chakma and the Ansar camp was set up on 1.00 acre of recorded land of Manoranjan Chakma.

It is learnt that during insurgency in 1980s, indigenous peoples of the area took refuge in the neighboring India. An army zone was established at the area during that period. Refugees returned to homeland in 1998 after signing the CHT Accord, but failed to return to their homesteads. Afterwards, they filed a writ petition in 2005 to get back their homesteads. But they have not received any notice yet from the High Court. Therefore, they have become astonished and helpless when the initiative to establish BGB headquarters has been taken in the meantime.

There are total 14.20 acres of recorded land in the proposed area. As indigenous peoples have not received any notice or decision from High Court even after 8 years, finally they have started to build their homes on that land, but the army authority always obstructed them.

List of villagers who claim ownership of land:

Jatna Kumar Karberi Para

- 1) Natun Chandra Chakma, son of Jatna Kumar Chakma, Case no-166/Head, Holding no-56/A.
- 2) Jatna Kumar Chakma, son of Golak Chan Chakma, Case no-168/Head, Holding no-57/A.
- 3) Ashapura Chakma, son of Chandra Kumar Chakma, Case no-144/Head, Holding no-67.
- 4) Surajoy Chakma, son of Gula Chakma, Case no-226/Head, Holding no-51/A.
- 5) Debabrata Chakma, son of Chandra Kumar Chakma, Case no-185/Head, Holding no- 120.
- 6) Dhankala Chakma, son of Khudi Ram Chakma, Case no-203/Head, Holding no- 253.
- 7) Mohendra Chakma, son of late Puran Chan Chakma, 216/Head, Holding no-430.
- 8) Khudi Ram Chakma, son of late Nagor Chan Chakma, Case no-518/Head, Holding no- 274.
- 9) Gayanendu Bikash Chakma, son of Ranjonsur Chakma, Case no- 245/Head, Holding no- 65/A.
- 10) Ranjonsur Chakma, son of late Surendra Chakma, Case no-244/Head, Holding no-60/A.

- 11) Tandra Chakma, wife of Ashapura Chakma, Case no-237/Head, Holding no- 119.
- 12) Sunadi Chakma, son of Khudi Ram Chakma, Case no-176/Head, Holding no- 252.
- 13) Aswhini Kumar Chakma, son of late Sadhan Chandra Chakma, Case no-170/Head, Holding no- 249.
- 14) Prashanta Chakma, son of Doya Mohan Chakma, Case no- 491/Head, Holding no-236/266.
- 15) Debataru Chakma, son of Doya Mohan Chakma, Case no- 492/Head, Holding no- 237/267.
- 16) Bimal Kanti Chakma, son of Ranjanya Chakma, Case no-412/A, Holding no- 806/A.
- 17) Tapan Jyoti Chakma, son of Kamal Kumar Chakma, Case no- 410/A, Holding no-804/A.
- 18) Biwshajit Chakma son of Rajib Lochan Chakma, Case no-475/A, Holding no- 869/A.
- 19) Jagajya Chakma, son of Rangachula Chakma, Case no-452/08, Holding no-09/845.
- 20) Babul Kanti Chakma, son of Laxmi Kumar Chakma, Case no- 452/06, Holding no-07/845.
- 21) Sanakya Chakma, son of Pryo Ranjion Chakma, Case no- 452/05, Holding no- 06/845.
- 22) Kamalendu Chakma, son of Kalidar Chakma, Case no- 452/09, Holding no-10/845.
- 23) Dharma Dhan Chakma, son of Rangauda Chakma, Case no- 452/04, Holding no-05/845.
- 24) Sangha Ratan Chakma, son of Surajoy Chakma, Case no- 452/03, Holding no-04/845.
- 25) Laxmi Kummar Chakma, son of Late Indrajoy Chakma, Case no- 452/02, Holding no-03/845.
- 26) Tatul Kanti Chakma, son of Laxmi Kumar Chakma, Case no- 452/01, Holding no-02/845.
- 27) Gayna Ranjion Chakma, son of Rangamuoa Chakma, Case no- 267, Holding no- 662.
- 28) Prodip Chandra Chakma, son of late Ananda Kumar Chakma, Case no-295, Holding no- 689.

- 29) Bindu Chakma, son of Ranjon Sur Chakma, Case no- 369, Holding no- 762/763.
- 30) Badi Chan Cahkma, son of Probhat Chandra Chakma, Case no- 374, Holding no- 768/A.
- 31) Sadhan Bikash Chakma, son of Lalit Sona Chakma, Case no- 385, Holding no- 780/A.
- 32) Priyo Ranjion Chakma, son of Sadhan Chandra Chkma, Case no-399, Holding no-793/A.
- 33) Mrinal kanti Chakma, son of Bana Chakma, Case no- 401/A, Holding no-795/A.
- 34) Kamala Ratan Chakma, son of Surajoy Chakma, Case no- 452/A, Holding no-845/A.
- 35) Lelin Chakma son of Rajib Lochan Chakma, Case no-29/452, Holding no-30/845.

Shashi Mohan Karbari Para

- 1) Shachindra Lal Chakma, son of Shashi Mohan Chakma, Case no-517/A, Holding no- 912.
- 2) Babul Kanti Chakma, son of Shachindra Lal Chakma, Case no- 467/A, Holding no- 861/A.
- 3) Amor Chakma, son of Baja Ram Chakma, Case no- 471/A, Holding no- 861/A.
- 4) Santosh Kumar Chakma, son of Shashi Mohan Chakma, Case no- 623/A, Holding no- 1018.
- 5) Smriti Moy Chakma, son of late Ananda Mohan Chakma, Case no- 10/452, Holding no-11/845.
- 6) Baja Ram Chakma, son of late Shashi Mohan Chakma, Case no- 11/452, Holding no- 12/845.
- 7) Purna Chandra Chakma, son of late Shashi Mohan Chakma, Case no-12/452, Holding no-13/845.
- 8) Jagadish Chakma, son of late Ananda Mohan Chakma, Case no- 13/452, Holding no- 14/845.
- 9) Debataru Chakma, son of Kali Mohan Chakma, Case no- 14/452, Holding no-15/845.
- 10) Kalpataru Chakma, son of Kali Mohan Chakma, Case no-15/452, Holding no-16/845.

- 11) Dipayon Chakma, son of Kali Mohan Chakma, Case no- 16/452, Holding no-17/845.
- 12) Shukra Mohan Chakma, son of late Dhananjoy Chakma, Case no- 17/452, Holding no- 18/845.
- 13) Priyo Kanti Chakma, son of late Dhananjoy Chakma, Case no- 18/452, Holding no-19/845.
- 14) Kanti Chakma, son of Santosh Kumar Chakma, Case no- 19/452, Holding no- 20/845.
- 15) Sunil Kanti Chakma, son of Santosh Kumar Chakma, Case no- 20/452, Holding no-21/845.
- 16) Shyamol Chakma, son of late Ratna Kumar Chakma, Case no- 21/452, Holding no- 22/845.
- 17) Midhu Ram Chakma, son of late Ratna Kumar Chakma, Case no- 22/452, Holding no- 23/845.
- 18) Fareya Chakma, son of late Medojya Chakma, Case no- 23/452, Holding no-24/845.
- 19) Kista Ranjion Chakma, son of late Ara Kumar Chakma, Case no- 24/452, Holding no 25/845.
- 20) Bilaha Sundari Chakma, wife of late Ananda Mohan Chakma, Case no-25/452, Holding no-26/845.
- 21) Sonadhan Chakma, son of Senha Ranjion Chakma, Case no- 26/452, Holding no- 27/845.
- 22) Chandak Cahkma, son of Foreya Chakma, Case no-27/452, Holding no-28/845.
- 23) Ripan Cahkma, son of unkown, Case no-28/452, Holding no- 29/845.

Arson attack on Jumma villages by Bengali settlers in Taindong with the intention to occupy lands

On 3 August 2013 the Bengali settlers conducted a communal attack on Jumma villages under Taindong union of Matiranga upazila in Khagrachari district with the intention to occupy lands belonging to indigenous villagers. In this attack, around 36 houses of 6 villages including a Buddhist temple were burnt to ashes and at least 261 houses belonging to Jumma villages were looted and vandalised by the Bengali settlers.

A total of around 4,500 Jumma villagers of 902 families of 13 villages were affected. Of them, approximately 2,000 Jumma villagers of 400 families fled into the Indian border. Besides, 380 families of indigenous Tripura community fled into adjacent Panchari upazila in Khagrachari district. At least 12 people of Baga Para and Sorbeswar Para were brutally beaten by the Bengali settlers. The Bengali settlers made this attack alleging that a motorbike driver named Md. Kamal Hossain (30) was kidnapped by tribal miscreants from Bandarshing Para of Taindong union.

The attack was aimed at demoralizing the indigenous Jumma people and ultimately to grab their ancestral lands by staging mass-scale eviction. It is noteworthy that the Bengali Muslim marauders first started mass infiltration into Feni valley following the independence of Bangladesh and began to grab the lands of the native Jumma people on various pleas and trickeries. In 1979, the Feni Valley had been one of the spots targeted for illegal settlement of 400,000 Bengalis from different plain districts of Bangladesh. There has been no pause to the flow of illegal settlement and forcible occupation of lands in the Feni Valley even after signing of the CHT Accord of 1997. To achieve the objective, the Bengali settlers continued to perpetrate communal attacks one after another at the indulgence of the administration and law enforcing authority. The communal attack carried out on 3 August 2013 was undoubtedly a part of the whole blue print.

Land grabbing by Muzibul Haque gang in Lama

8 injured, 2 houses destroyed

On 9 September 2013, a group of Bengali terrorists numbering 20-30 led by Muzibul Haque Master (Muzibul leader) attacked on indigenous peoples working in the jum field at Polijhiri (Polikhyong) area of Rupshi union under Lama upazila in Bandarban district. The intention of the attack was to grab communal land, the victims said. Eight indigenous men including two women were critically injured during the attack. The miscreants destroyed two jum houses (temporary firm house) that belongs to indigenous cultivators. It is estimated that the land grabbers led Muzibul Haque forcefully occupied around 500 acres of land in Lama upazila.

Following the incident, Muzibul Haque and his gang attacked on Jumias a second time with iron rods and sharp weapons. The following persons were injured during the attack:

- 1) Mong Sa Nue Marma (25) son of Kyaw Swe Nue Marma,
- 2) Aung Hla Prue Marma (26), son of Mong A Marma,
- 3) U Swe Hla Marma (26), son of Kyaw Ching Sa Marma,
- 4) Mong Mra Thowai (24) son of Mei Mong Marma,
- 5) Ms. Chaw Ma Thui Marma (25), daughter of Kyaw Hla U Marma,
- 6) Aung Kyaw Thowai Marma (28), son of Mong Cha Thui Marma,
- 7) Ms. Na Prue (29), daughter of Hla Thowai Ching Marma.

On 9 September 2013, Naprue Marma filed a case with Lama police station against 18 persons including Muzibul Haque and his son Mohammad Zahir (35). Although, police claimed 13 persons were already arrested who were allegedly engaged with the incident but the main perpetrator Muzibul Haque and his son were yet to be brought into justice.

Environment and Forest Minister's wife grabs 25 acres of disputed land

On 26 September 2013, Noor Fathima, wife of Mr. Hasan Mahmood Chowdhury, then Minister of Environment and Forest, grabbed 25 acres of disputed land at Chemi mouza in Bandarban district. The land was ordained to be allotted for victims of Kaptai dam project. Locals alleged that minister's younger brother with two convicts destroyed rubber plants, tea gardens, and natural forest owned by affected families of Kaptai dam project. It is reported that the land was leased to former Jatiyo Party MP Mr. Sirajul Islam Chowdhury during 1994-95. However, the authority cancelled the contract in 2009 due to failure of fulfilling the conditions of leasing agreement. Afterwards, that 25 acres of land has been transferred to Ms. Fathima. Even though the land has been leased, later the authority was notified and accepts the mistake.¹⁰

According to the CHT Accord and Hill District Council Act 1989 (article 64), no land within the boundaries of the three Hill Districts shall be given in settlement without the prior approval of the Hill District Councils and such land cannot be transferred to a person who is not a domicile of the said district without such approval. Yet, the Deputy Commissioner leased the land to Ms. Fathima without permission of HDC. Mr. Pulu Prue, the

¹⁰ Daily Prothom Alo, 3 October 2013

Headman of Chemi mouza said that leasing agreement with Mr. Chowdhury was cancelled in 2009 due to not using the land for intended purpose. It is, therefore, questionable how the leased land has been given back to Mr. Chowdhury and transferred to Mr. Fathima.

LAND-RELATED INCIDENTS IN THE PLAIN LANDS

Land grabbing reported at indigenous cluster villages in Rajshahi

In January 2013, two and a half bigha khas land allotted for an indigneous cluster village at Bagha in Rajshahi district was illegally grabbed by a local influential family belonging to majority population. The family claimed and took over the property despite concerned authorities marked the area for allotment of indigenous settlement. Son of late Noor Mohammad claimed, the property was allotted for his father in 1964. However, "the family failed to show legal document of allotment," says Mr. Abdus Sobhan, UNO of Bagha upazila. The land has been recorded as khas recently since it was not registered. On 13 December 2012, a meeting of Upazila Khas Land Management Committee decided to allot the land for indigneous cluster village.¹¹

Land grabbers attack dwellings of indigenous peoples at Ghoraghat in Dinajpur

On 6 June 2013, around 200 Bengalis led by Mohammad Azizar Prodhan of Bhelain village of Ghoraghat, Dinajpur attacked the dwellings of indigenous people at Bagjapara, Tibahipara, Raghunathpur and Dighipara of Bulakipur union of Ghoraghat upazila and looted 40 cattle, 60 goats and sheep, rickshaw, van, and bicycle of 65 families. The miscreants attacked Bulakipur church and bashed the staffs and students of the church. They also set fire on the houses of indigenous peoples. At least 15 indigenous households were either looted or destroyed by the land grabbers during the atrocity. Five indigenous people were seriously injured in this attack. However, instead of arresting the miscreants, the police arrested 7 indigenous villagers.¹²

¹¹ Daily Prothom Alo, 1 February 2013

¹² Daily Sangbad, 15 July 2013 & Sonali Sangbad, 29 September 2013

It is mentionable that Raghunathpur village is indigenous inhabited area. The indigenous peoples have been living in this village for generations. In this area one Nikolash Murmu, son of Hopna Murmu and their clanspeople have been enjoying their inherited property for a long time. On the other hand, the influential Awami League leader Azizar Prodhan, son of late Hanif Prodhan has been trying to occupy this land property. The local indigenous peoples accused that Azizar Prodhan has been trying to occupy the land through violating the East Bengal Tenancy Act-1950, treachery and making false documents. Moreover, he has been harassing indigenous peoples through filing false charges against them (please see “Bengali land grabbers attack dwellings of indigenous peoples at Ghoraghat upazila in Dinajpur” in the chapter Main Human Rights Issues for details).

An indigenous Santal woman threatened and harassed by land grabbers at Godagari

On 20 June 2013, an indigenous woman name Bahamuni Hasda, wife of Lakkhan Murmu of Makranda (Turi para) village under Godagari upazila Rajshahi district was arrested by police based on a false charge filed by



Bahamuni Hasda tells her stories at a public hearing organized by Kapaeeng and IED.

Bengali land grabbers namely Moksed Ali, Moyez and Masum, sons of late Akramul. She was sent to jail on 21 June and released the next day on bail. The woman was arrested two times previously due to the same reasons.

It is reported that land grabbers have been threatening and harassing Ms. Hasda and her family members since 1990. They have already occupied around 16 Bighas of her ancestral land through making false document. Now, they are trying to grab her homestead. At present, a case is running in the court to protect the 14 decimal homestead. Due to harassment and false charges, 8 members of her family were compelled to leave Bangladesh and took refuge in India between April and May 2013. The land grabbers are also creating pressure on Ms. Hasda and her family so that they leave country and take shelter in India.

Land belonging to indigenous woman occupied by an influential person in Niyamatpur

The indigenous peoples of Bishnupur village of Niyamatpur upazila under Naogaon district are allegedly being suppressed by a local influential person named Ershad Ali. He has allegedly evicted an indigenous woman from khas land and has built house on another indigenous woman's recorded land through cutting trees.

On 22 August 2013 indigenous women organized protest against his suppressive acts at the Chandan Nagar Union Parishad office. At that time an evicted indigenous woman submitted a written allegation against him. It is learnt that an indigenous woman named Sukhoda Mujni was living on a piece of land for long time before her eviction. The Ersha Ali was regularly threatening her to leave the land through encroaching the khas land of nearby area. He also blocked the pathway of her homestead. At last she was compelled to migrate to Dima village of same upozila from Bisnupur village.

Another indigenous people named Babul Khal Khawar was enjoying a piece of khas land close to his house. Ershad forcefully took a tree from this land after cutting down and constructed a house on that land too. Babul's wife Rina Minj was once brutally beaten by him as she protested his oppressive activities. Although complaint was made to the Union Parishad (UP) chairman against his mischief and the chairman handed

over the matter to a UP member named Mokshed Ali for mediation, the victims did not get any remedy.

It is learnt that, due to suppression of the Ershad Ali, around 20 indigenous families were compelled to leave the village in last 5 years.

Land grabbers led by bit officer chop down hundreds of betel leaf trees in Sylhet

On 30 September 2013, over 500 betel leaf trees were chopped down by a group of miscreants consisting of 20/25 Bengalis led by Md. Atiar Rahman, Bit Officer of Muruichara Forest with an intention to grab the Jum lands of Indigenous Khasias in Belua Pan Punji under Kulaura upazila in Moulavibazaar district.

The incident took place at around 12:00 noon. The chopped trees belonged to Suvash Hagidok, Thimon Sung-o, Bakkrav Khasia and Kirid Khasia. Villagers caught bit officer Md. Atiar on the spot as soon as they came to know the incident. However, other miscreants accompanying him managed to flee. Md. Atiar was held in the custody of the Khasia villagers until 5:30 pm. Following the incident, when Md. Abdur Rahman, Officer-in-Charge (OC) of Kulaura police station arrived at Kukijuri punji with his force, the villagers handed culprit Md. Atiar over.

However, in the evening of that day, henchmen of forest bit officer Atiar Rahman made a sudden attack again on two villagers of Meghatila punji



Miscreants physically assaulted indigenous peoples and chopped down their betel leaf trees in Kulaura.

namely Mr. Angalus Khongla (45) and Juwel Snal (18) at nearing place of Muruichari bazaar. Locals rescued and admitted them at Kulaur Government Hospital.

It is notable that the Forest Act of 1927 and the Social Forestry Rules of 2004 are closely associated with livelihood and land rights of indigenous peoples in the plains. In some parts of Sylhet division, village communities of the Khasies have secured short-term written agreements over use of reserved forest land for cultivation of traditional betel leaf (*pan jum*).

However, Khasies frequently face eviction from their ancestral betel leaf punjies (villages). Land grabbers with the support of forest department often attack them to evict from their traditional pan punjies.

Indigenous peoples in Mymensingh, Chittagong, Cox's Bazar continue to live within reserved forest areas, but no written agreements are known to have been signed. Their existence and livelihoods in these areas is therefore quite precarious.

100 bighas of land grabbed in Chapainabaganj

A group of land grabbers have grabbed hundreds Bighas of land belonging to indigenous peoples at Lebudanga of Radhanagar union under Gomostapur upazila in Chapainabaganj district. Victims said, Serajul Islam and his gang have taken these lands forcefully by using false documents. Influential political leaders and police administration assist the gang, they added. Despite having arrest warrant, police do not arrest them.¹³

According to locals, at first, Serajul made a false document in the name of Mohanta Sardar, who is loyal to him. Then, Mr. Sardar took permission from deputy commissioner (DC) for land selling. Afterwards, devotee Mohanta hands over a false document to the Serajul. In response, a group of locals namely Gagan Sardar, Sunil Sardar, Jatin Sardar and Surjamoni Tirki filed a charge against Mohanta Sradar to terminate the document.

It is learnt that false deed of at least 60 Bigha land was made in his name. Among them, he handed over at least 25 Bighas to Serajul and his representatives. Locals said, Seraljul pays five thousand taka for each

13 Daily Prothom Alo, 25 September 2013

Bigha. Till to date, Mahanta received 300 thousand taka from him. It was notable that there are at least 7 criminal cases against Serajul in different police stations.

Mutation and collection of land revenue continues despite the suit filed by indigenous peoples

A complaint was raised against the Land Revenue Office of Gomostapur upazila in Chapainwabganj district to grant land mutation case of and to collect revenue from the forgers group despite a suit is already under trial by the court. Following the incident, indigenous peoples of Radhanagar union made a complaint to the Upazila Nirbahi Officer (UNO) of Gomostapur upazila.

According to the complaint, a gang of forgers made a false deed by forgery of their land amounting more than hundred bighas at Krishnapur mouza of Radhanagar union under Gomostapur upazila in Chapainwabganj district. The indigenous villagers filed a suit before the court on demanding the cancellation of the deeds. That case is already under trial in the court. However, the Upazila Land Revenue Office continued the mutation and revenue collection in the name of the alleged forger gang. The Assistant Commissioner (Land) of the said upazila was transferred elsewhere after beginning of mutation and revenue collection. Then the UNO took additional charge of the Assistant Commissioner (Land).

On 24 November 2013, Surjamoni Tirki, Rubi Tirki, Mohir Sarder, Sumoti Sarder, Sunil Sarder, Shatrughna Sarder, Narayan sarder and other indigenous peoples including victims of the fraudulent made a complaint against mutation and revenue collection of land in the UNO office.

A suit has been filed by Shirish sarder and others in the Joint District Judges' Court-2 against the alleged group member Mahanto Sarder in 2010. In 2012, Gagan Sarder and Mahir Sarder of Bosnail village also filed a suit against him at the same court. A mutation and collection of revenue were introduced on behalf of Mahanto Sarder despite the information of the suit sent to the Upazila Land Revenue Office.

Indigenous Tripura villagers threatened to evict from their village in Sitakunda

Land lease holders threatened to evict 24 families of indigenous Tripura



Members of Kapaeeng's fact-finding team interviewing a victim in Sitakunda.

villagers of Sultana Mandir Trpiura Para under Sitakunda upazila in Chittagong district if they do not leave their ancestral land voluntary by December 2013.

It is mentionable that the indigenous Tripura people have been living in Sitakunda and Mirasarai upazilas adjacent to Sitakunda hills for generations. However, the government leased out vast lands including almost all villages of Tripura community to the influential Bengali business persons without informing and taking consent of indigenous villagers. One of the Tripura villages leased out was Sultana Mandir Trpiura village under Sitakunda upazila where 24 Tripura families have been living for generations. The so-called lease holders, namely Rafiqul Alam Chowdhury and Shafiqul Alam Chowdhury threatened to uproot said 24 Tripura families if they do not leave village by December 2013.

A team of Bangladesh Indigenous Peoples Forum and Bangladesh Hindu Buddhist Christian Unity Council visited the spot and urged local administration to protect indigenous Tripura villagers and to settle them on Khas lands.

At least 200 indigenous families fled to India from different districts of North Bengal

At least 200 indigenous families fled from different districts of north Bengal

to neighboring country India during last five years (2009-2013). The Jatiya Adivasi Parishad claimed that the indigenous communities were obey to flee from their homeland for a number of political and social challenges including land grabbing by Bengali land grabbers, false cases and harassment, physical torture, sexual harassment against indigenous women and continuous communal attack on religious minorities. A brief discussion is being done about 14 refugee families among many others fled to India.

1. Mr. Sharat Chandra Murari, son of late Sohola Murari, was a resident of Bottoli village of Gogram union in Godabari upazila. He had total 10 decimals ancestral homestead and 24 decimals cultivable land before leaving the country to India. A land grabber namely Syed Morol, son of Gaffar Morol has grabbed all lands forcibly by registering in his name in local land office. Later on, the perpetrator sold again the land to Sish Mohammad, son of Nur Mohammad. Although Sharat Chandra sent a legal notice to the land grabber demanding his land under the actual possessions in his name but no positive result was came out from this land case. As a result on May 2013, they were compelled to flee their homeland with a fear of communal attack in near future.

2. Mr. Rajib Ekka, son of Bishta Ekka was an inhabitant of Chouduar village of 6 Matikata union of Godabari upazila. He had 36 bigha of recorded ancestral land (1 bigha=33decimle) in 1970. In 1975, the land was grabbed by Abhab Sorkar claiming a false document. As there was no positive result of land mitigation from formal court he left the motherland in the end time of 2013 to India.

3. Mr. Anil Akra, son of Sorya Lakra, was a local resident of Gogram union in Godabari upazila. He left the country to India for better security for his kids selling his land about 8 decimals in 2013

4. Mr Jugi Tirki, son of Gongaram Tirki was a permanent resident of Gogram union in Godabari upazila. He also sold his land about 100 acres with fear and uncertain future for his family members. He left the country to India.

5. Uttam Munda, son of Jhoru Munda was an occupier of Bottoli village of Gogram union. His ancestral lad was seized by Bengali people. And then he left the motherland to India.

6. Jogesh Kujur, son of Choitonno Kujur was a resident of Ujirpur village of Gogram union. He sold his land for fear of attack by Islamic group. He

fled to India with his family members. He sold total 41decimals ancestral land.

7. Boddinath Toppya son of Budhu Toppya was a resident of Ujirpur village of Gogram union. He sold his .3 decimals land to a Muslim family and left the country for India.

8. Ms. Eno Bala Murari, daughter of Suren Murari was a resident of Bottoli village of Gogram nion. She was threatened by a powerful Muslim family Md Hazarat Mandal, son of Islam Mandal to leave the homestead soon. Finally Eno Bala left the country to India selling her .4decimals land.

9. Noren Murari, son of Muhin Murari, was a dweller of Bottoli village of Gogram union. He left the country to India to avoid a complex court procedure about his ancestral land. His .9 decimals land was captured by Md. Hazarat Mandal. He left the country with full of tears and a grief.

10. Poresh Ekka, son of Prankista Ekka was an inhabitant of Chouduar village of 6 Matikata union. He also gone to India selling his 6 decimals land for living peacefully in near future.

11. Shachin Murari and Dulal murari, sons of Golap Murari were inhabitants of Gogram union. They had 12 decimals of homestead land. They were used to live with Muslim community in the village. Afterward, they were threatened by them, and finally they left their area for India selling their lands in June 2013.

12. Laksi Das O rao, son of Jagannath O rao was an occupant of Bhikharpara village of 7 Deupara union in Godabari upazila. He had about 2 acres and 75 decimals paternal land in this area. He left the country with full fear of communal political situation to India for a peaceful life in April 2013.

13. Babulal O rao, son of JagannathO rao was a resident of Bhikharpara village of 7 Deupara union in Godabari upazila. He also left the country to India fearing the communal attack in near future. He had total 3 acres and .33 decimals land before leaving the country.

14. Sagar O rao, son of Madari O rao was a resident of Bhikharpara village of Deupara union in Godabari upazila. He had total 3 acres land. He migrated to India leaving 1 acres cultivable land and 3 acres homestead land. He faced a communal attack by his influential neighbor Md. Tasrul Islam. He left the country to avoid more communal attack in near future.

INQUIRY REPORT

Translated Version of MoCHTA's Inquiry Report on Eviction of 21 Chak families

National Human Rights Commission

An independent statutory institution established under
National Human Rights Act 2009

Gulfesha Plaza, (12 level) 8, Shahid Selina Parvin Road, Mogh Bazar,

Dhaka-1217, Phone: Chairperson-9335513

Full time member-9336369, Secretary-9336863

Fax:- 8333219; Email: nhrc.bd@gmail.com

Mong Sing Neo

Order

Complaint no: 148/13

Serial	Date	Order	Comment
03	12/06/2013	On 12 May 2013, Mong Sing Neo, coordinator, Kapaeeng Foundation, applied to the NHRC that Bengali land grabbers and a number of business companies such as Destiny Group, Mostafa Group, Laden Group, Shahamin Group, S Alam Group, PHP Group, Meridian Group, Exim Group, Babul Group, and ACME Group have been torturing 21 families of Badujhiri Chak Para since 2008 to evict them from their ancestral land at Alikhyong, Naikhyongchari, Bandarban. They frequently torture Chak villagers, harass indigenous girls sexually, and damage Jum farms. Due to continuous torture and harassment, 21 Chak families were forced to leave their ancestral land on 9 and 10 April	

Serial	Date	Order	Comment
		<p>2013. Despite of being informed about the incident, neither government agencies nor local authority have taken any initiative. Similarly, Chak villagers were forced to escape from their homesteads once five years ago for the same reason. Currently, invaders are trying to evict another 80 Chak families from their ancestral land.</p> <p>Therefore, on behalf of Kapaeeng Foundation, Mr. Mong Sing Neo applied to the NHRC to investigate the incident, arrest land grabbers, and take appropriate measure to return the land to the villagers.</p> <p>On 13 May 2013, the National Human Rights Commission requests Ministry of CHT Affairs (MoCHTA) to investigate the incident by a deputy secretary ranked officer (Record no. NHRC/complaint/1148/13/733 (2)) and report to the NHRC.</p> <p>Following the request, MoCHTA submitted a report (Report no. 29.224.000.006.198.2013 -114) on 11 June 2013. Investigation officer Mr. Md. Alamgir Hossain, Deputy Secretary, MoCHTA, recommended the following-</p> <p>1) Arrest enlisted land grabbers (14), take legal action against</p>	

Serial	Date	Order	Comment
		<p>them, and return grabbed land to the villagers;</p> <p>2) Rehabilitate displaced families of Badurjhiri in their previous homesteads;</p> <p>3) Demarcate boundaries of legally allotted lands for plantation and bring illegally grabbed land under the control of government;</p> <p>4) Authorize permanent allotment of land for indigenous hillmen and identify boundaries of possessed land of permanent Bengali residents;</p> <p>5) File a case by police following the robbery on 13 March 2013.</p> <p>6) Replace Mr. Chahla Mong, Headman of Alikhyong Mouza by a competent person;</p> <p>7) Provide financial assistance/loan to the indigenous Hillmen for farming;</p> <p>8) Build road networks from Union headquarter to the indigenous villages;</p> <p>9) Ensure regular police inspection to the remote indigenous villages periodically (once a month);</p> <p>10) Recommendation of UP chairperson stated in article-10 of this report may be taken for consideration.</p>	

Serial	Date	Order	Comment
		<p>Please send the investigation report to the Deputy Commissioner and the Superintendent of Police of Bandarban as recommendation for further legal procedure. Please notify NHRC regarding initiatives taken according to recommendations. Send a copy of order to the secretary, MoCHTA.</p> <p>Signed by/.....</p> <p>Prof. Dr.Mizanur Rahman Chairperson National Human Rights Commission</p>	

Record no- NHRC/complaint/148/13/945 (4) Date: 12/06/2013

Copy: For secretary, MoCHTA

Secretary, MoCHTA, Bangladesh Secretariat, Dhaka

Deputy Commissioner, Bandarban

Superintendent of Police, Bandarban

Mong Sing Neo, Coordinator, Kapaeeng Foundation

Mr. Md. Imam Uddin Kabir

Deputy Director

(Complaint and Investigation)

National Human Rights Commission

Tel: 9354399

Investigation Report

Subject of allegation:

The key point of allegation brought by Kapaeeng Foundation is that 21 Chak families were forced to flee from their ancestral lands at Badurjhiri Chak Village of Alikhyong Mouza under Baishari Union Bandarban district

due to continuous torture, harassment, robbery, and illegal land grabbing. Kapaeeng identifies a number of private companies and land robbers as perpetrators of the incident.

Investigation process

1. Following the order of Secretary, Ministry of CHT Affairs, I have conducted an on-the-spot investigation from 29 May to 31 May 2013. I have visited Naikhyongchari upazila on 29 May 2013 and discussed with Upazila Nirbahi Officer (UNO), Officer-in-Charge (OC), and chairman of Baishari Union regarding allegation of force eviction. Besides, I also discussed the incident over phone with Deputy Commissioner (DC) and Superintendent of Police (SP) of Bandarban Hill District. The purpose of discussions was to get a primary picture of the incident.
2. I have visited the spot on 30 May 2013, simultaneously discussed with the affected persons and witnesses about the allegation and collected information. Since the village is located in remote area, the entire day was spent in on-the-spot inspection. Prior to our departure, journalists of Daily Prothom-Alo, Samokal, Sangu and ATN Bangla arrived at the village.
3. The next day on 31 May 2013, I collected statements of affected families and witnesses at Community Center of Headmanpara under Baishari Union in Bandarban. Notable that 10 affected families took shelter in three villages of Baishari and neighboring Alikhyong Mouza.
4. **On-the-spot inspection:** We started our journey from Baishari Union. First we ride on a Jeep, then on a motorcycle and walked for three hours before arriving at the affected village finally at 1.00 pm. The following persons were with me during inspection:
 1. Mr. Shafiqul Islam, inspector of Baishari Union along with a sub-inspector and five constables;
 2. Mr. Md. Monirul Haque, chairman, Baishari Union;
 3. Mr. Md. Alam, chairperson of Awami League, Baishari Union;
 4. Mr. Chahla Mong Marma, Headman, Alikhyong Mouza;
 5. Mr. Neula Mong Master, former chairperson of JSS, Naikhyongchari Upazila;

6. Mr. Keusi Mong, chairperson of JSS, Baishari Union;
7. Mr. Mong Nu Marma, Headman, Duchari Mouza; and
8. Mr. Habibur Rahman, office assistant of Headman, Alikhyong Mouza.

Besides, a number of villagers were present at the spot along with Mr. Khijari Chak, Karbari of Badujhiri Mouza.

Primary information:

5. Badujhiri Chak Village was established approximately 50 years ago. The first human settlement in the village was therefore built during that period. According to Khijari Chak, his father started residing in the village during his childhood. Today, he is about 60 years old. However, according to the statement of Mouza Headman (Annex-5), Badujhiri Village was founded 80 years ago.

Villagers claimed they possessed 700/800 acres of Jum land once which is reduced to less than 100 acres today. The remaining Jum land is inadequate to produce enough food for the villagers. During inspection, we came to know from the Karbari and others that there were 14 families in the village during robbery. As claimed in the allegation, 21 families were not found the village.

According to villagers' statements, the robbers were equipped with guns. They blank fired 4 bullets. 'You will die if we see you again in the village'- the robbers threatened the villagers. Considering security of women and children, they did not resist robbers. Villagers said a number of residents were attacked and injured by robbers. During our inspection of the village, we attempted to collect information about perpetrators as well.

6. According to villagers, the following amounts of land are illegally grabbed by the Bengalis:

1) Mr. Shamsul Alam (former chairperson)	60 acres
2) Mr. Jalal Ahmed (former chairperson) and gang	150 acres
3) Mr. Md. Alam (defeated candidate of last election)	150 acres
4) Mr. Abdul Mannan	15 acres
5) Mr. Kalam	20 acres

6)	Mr. Mohammad	50 acres
7)	Mr. Sirajul Haque	05 acres
8)	Mr. Mohammad Ali	12 acres
9)	Mr. A Rashid	20 acres
10)	Mr. Joynal	30 acres
11)	Ms. Rojina	15 acres
12)	Mr. Mosharef Ali and others	25 acres
14)	Mr. Md. Jakaria	25 acres
14)	Mr. Md. Shafiul Alam	05 acres

The aforementioned sizes of land grabbed by Bengalis are mostly based on the villagers' prediction, not accurately measured. Perpetrators claimed the size of grabbed land is smaller than the size villagers referred. Though, first two grabbers in the list admitted that they grabbed 60 and 150 acres of land respectively. Perpetrators involved in grabbing 150 acres of land claimed themselves landless and grabbed the land in the name of their association.

Among the persons in the list, statements of Mr. Shamsul Alam, Mr. Md. Alam, Mr. Kalam, Mr. Mohammad Ali, and Mr. Abdul Mannan were taken.

Among perpetrators, Mr. Shamsul Alam, Mr. Jalal Ahmed, Mr. Md. Alam and Mr. Kalam hold influential position in the local branch of a major political party. Political identities of remaining perpetrators were unknown. Other than the names in the list, a number of villagers mentioned the name of former chairperson of Baishari Union, Mr. Faruque Ahmed as well. He grabbed land in another Mouza. There are rumors that he always practices politics with the party in power.

7. The following agents assisted the perpetrators in land grabbing: 1) Aongchagya Chak, 2) Aoungchanu Chak, 3) Aung Kyo Chak, 4) Hla Chaaung Chak, 5) Uthowai Mong Chak, and 6) Aung Thowai Ching Marma.

They provide Headman report (allotment recommendation certificate) to perpetrators in exchange of bribe. Most often, they use a back date in preparing those reports since practice of allotment recommendation is temporarily banned by the DC.

Statement discussion:

8. Mr. Khijari Chak, Karbari, Badujhiri Chak Village, in his statement (annex-4), described the robbery occurred on 13 May 2013. The robbers threatened and forced them to leave the village, he said. Mr. Chak admitted that he and other five villagers sold 30 acres of land to settlers. He said, they were forced to sell. Now, their livelihoods are under serious threat due to deforestation and commercial use of land. They were compelled to give away 150 acres of land to settlers last year as villagers wanted to avoid conflict. If they villagers are provided security, they want to return to Badujhiri village, and if the Government issues license, they are ready to buy guns for defending themselves from the robbers, said Mr. Khijari Chak.

9. Mr. Chalahmong Marma (48), Headman, Alikhyong Mouza has been in his position for last 23 years. His father was a Headman as well. During on-the-spot investigation, he was with me for 2 days. Villagers complained he is an alcoholic. I found considerable evidence against their complaint.

In his statement (annex-5), Mr. Chahla Mong Marma said, villagers do not feel secured in the village because of land grabbing and robbery. There were 14 families in the village before robbers attacked. However, 10 families fled from the village since robbers broke in. He said, Badujhiri was founded 80 years ago. Residents of Badujhiri sold about 150 acres of land to settlers, he stated. Yet, villagers can only use their land; they are not allowed to sell them, he added. He is entitled to allot 5 acres of land to each family; but he does not allow it to settlers. He did not take any measure for those who sold land illegally.

According to Chahla Mong Marma, there are 11, 219 acres of land in Alikhyong Mouza of which 3342 acres have been allotted for settlement. He summoned Mr. Md. Alam for grabbing villagers' land illegally, but Mr. Alam ignored the notice. He took about 150 acres of land in his possession. Mr. Marma urged to arrest land grabbers and robbers. He said, 150 acres of land were compromised for settlers last year.

10. The present chairperson of Baishari Union, Mr. Md. Monirul Haque, was with me during investigation. In his statement

(annex- 6), Mr. Islam claimed that he informed UNO about the robbery as soon as he came to know the incident. Then OC was requested by UNO to visit the spot. Following the request, he sent inspector Mr. Md. Shofiqul Islam to the spot. He said the robbery occurred surrounding the land issue in the village.

Mr. Haque informed me that (1) Aungchagya Chak, (2) Aung Chano Chak of Badujhiripara, (3) Aungkya Chak of Upor Chakpara, (4) Utowai Chak and (5) Lacha Aung Chak of Moddyam Chakpara along with (6) Aung Thowai Ching Marma of Alikhyang Headmanpara facilitate land grabbing syndicate. They have been involved in illegal land trading for a long time. Since they sell land to (1) Mr. Md. Alam, (2) Mr. Joinal, (3) Mr. Mannan, (4) Mr. Ehshan, (5) Mr. Md. Ali and (6) Mr. Mongmassya Master using false documentation, tension arise in the village between the sellers and the villagers. The robbery occurs a few days following the incident.

Locals expressed discontent, as settlers possess land with the help of illegal land grabbing syndicate. Mr. Haque said, due to illegal land grabbing, villagers are under serious threat.

The chairperson recommends the following-

- 1) To form 'tribal zones' with tribe inhabited areas so that their livelihoods, culture, and traditions will be protected;
 - 2) To allot land for both landless tribals and Bengalis;
 - 3) To develop communication and transportation system with tribal villages in remote areas;
 - 4) To establish hostels for tribal students in each Union.
11. Mr. Md. Alam, son of Abdur Rahman, who is in the list of illegal land grabbers denied (annex- 7) his involvement in illegal land grabbing from locals of Badujhiri. Though, he admitted signing of an agreement for rubber plantation. Mr. Rahman also admitted that he was involved in compromising 150 acres of land last year possessed by indigenous hillmen. He acknowledged that he is not allowed to trade government property. He said that the robbers usually come from the plain districts. He planted rubber plants in 30 acres of land at Badujhiri. Mr. Rahman said, robbery has been more frequent recently.

12. Mr. Shamsul Alam (former chairperson of Baishari Union), son of late Haji Sultan Ahmed, who is enlisted as illegal land grabber said in his statement that he bought 60 acres of land at Badujhiri. The land he bought was in the possession of indigenous peoples previously. He said that trading of 'khas land' has been a regular practice in the area. He bought the land compromising with Chaks. Now he is ready to return the land to them.

As stated in the submitted document, Mr. Alam bought 60 acres of land from villagers on 3 December 2012. Now he is playing the role of senior vice-president at Awami League, Baishari Union branch. He possessed the land in the name of his five sons and other family members. The price of the land was tk. 180,000; yet, a figure of tk. 5,000,000 (five million) was shown in the affidavit. He admitted that the land was previously owned by indigenous Hillmen. He is well aware that this type of land transfer is illegal. However, considerable dissimilarities were found between his statement and the documents he provided. Please see Mr. Alam's statement (annex-8) and affidavit (annex-9).

According to Mr. Alam's statement, he possessed the land after robbery. However, I did not inquire whether there is a relationship between the robbery and the land grabbing.

13. Mr. Abul Kalam, son of Haji Syed Hossain, stated in his statement (annex-10) that he is the president of Jubo League, Ward no. 2. He admitted that he possesses 5 acres of khas land at Alikhyong Mouza. He will register the land if respective authority reinstate land settlement process. Mr. Kalam claimed he took possession of the land in 2000. According to his statement, he is now 25 years old which implies that he was a 12 years old boy when he took possession of the land! Besides, Mr. Kalam is not a resident of Alikhyong Mouza.
14. Mr. Abdul Mannan, son of Zulfiqar Ali, who is also in the list of land grabbers said in his statement (annex-11) that he bought 10 acres of land without registration. He is aware of frequent robbery in the Chak village.
15. Mr. Md. Ali, son of Abdul Hashem, is also enlisted as land grabber. In his statement (annex-12) Mr. Ali said he and his uncle

possess 5 acres of land near Badujhiri. They bought the land one year ago but did not register. Similar to Mr. Mannan, he is also aware of frequent robbery at Chak village. He admitted that Bengali associations often grab two-three times of land than the actual amount they are allotted.

16. Statements of witnesses Mr. Neuhla Mong Marma, Mr. U Kyo Yen Chak Robin, Mr. Kyaching Mong Marma (annex- 13, 14, and 15), and Chaicha Marma (annex- 17) support the complaint to a major extent.

Review:

17. The Chaks were forced to leave their homestead due to land grabbing and continuous attack in the village. Yet, the major reason identifiable behind their recent displacement is the robbery occurred on 13 March 2013. On that day, a group of robbers consisting of about 12/13 attacked the village at around 9:00 pm. They were searching for Khijari Chak, Karbari of Badujhiri. The robbers bashed anyone they found on their way.
18. Mr. Chak said he was able to run away surmising the presence of robbers in the village. They looted valuables of villagers and gave life threat to them before leaving the village. Mr. Chahla Mong Marma, a villager, was severely injured by the attack of robbers. One of his hands has been paralyzed permanently. He applied to me for financial assistance to support his treatment (annex-18).
19. No case was filed during investigation of robbery. OC and the inspector of Baishari investigation center said affected peoples refused to file a case. Referring to OC and the inspector, UNO also confirmed that no case was filed regarding the robbery. Despite of being a major crime, it is questionable why police did not file a case themselves. The three GDs of Baishari investigation center - GD no. 298, 318 and 326 are attached herewith (annex-1, 2, 3).

It is unfortunate that no measure has yet been taken following the robbery despite the issue was raised and discussed at Upazila Law and Order Committee meeting on 28 April 2013.

19. When villagers were asked why they did not file a case, they

complained of being affected more when they filed a case last year (2012). Instead of receiving justice, they were forced to compromise for 150 acres of land (annex-20).

20. 'Majhis' of Naikhyongchari are richer than 'Majhis' in Southern Bangladesh. They are influential and wealthy. Mr. Md. Alam, president of Baishari Union Awami League, is one of such 'Majhis'. He is the most influential person in Baishari Union. He has considerable influence on the police at investigation center. Based on agreement and payment, the 'Majhis' plant trees on Khas lands and hand them over to the owner. At first, they clear land and plant trees. They look after the trees up to a certain period and hand them over to the owner finally. According to displaced families from Badujhiri, Mr. Alam possesses 150 acres of land. However, he denied the complaint and admitted that he planted trees on 30 acres of land.
21. Reputed companies and organizations do not involve themselves in land grabbing directly. They operate everything from behind. Currently, transfer of ownership without permission of Hill District Council is restricted. However, in practice, ownership is transferred frequently without authorization of Hill District Council or Deputy Commissioner. Surprisingly, despite being aware of the issue, no measure has yet been taken by authority.
22. Headmen are entitled to recommend a maximum 5 acres of land for settlement. They are not authorized to permit for long term lease or permanent settlement. This power remains to the government and the DC. Yet, using Headmen certificate, poor indigenous villagers sell their allotted Jum land to Bengali land robbers. Such practice of land trading is illegal in Bangladesh. This type of land transfer often remains unregistered where transfer of ownership is processed on a stamped paper; but a mere stamped paper cannot be a legal document. Most land robbers therefore own land illegally. Besides, sellers are paid far less than the price mentioned in the affidavit.
23. Among the land grabbers who gave their statements admitted that the land they possess now was indigenous villagers' once and they are not legal owner of that land. They are aware that their process of land grabbing is illegal.

24. According to indigenous customary law, private ownership of land is not recognized especially on Jum land. However, they can live and cultivate on community land with permission of Headmen. Since private ownership is absent, it is difficult to reestablish possession on their land once land robbers grab it. In different period, the government authorized temporary lease (40 years) to different persons for rubber plantation and other commercial use. Deputy Commissioner also authorizes a maximum 25 acres of private land.
25. Many high profile government officials and influential political leaders grabbed hundreds of acres of land. These land plots were allotted either in their name or in the name of reputed companies. They were leased a maximum 25 acres of land. Yet, many of them grabbed three-four times more than the given amount. Some of them even grabbed without a lease.
26. In some cases, more than 25 acres of land were leased to the same person. Nine family members of the owner of PHP Company were given 75 acres of land each (675 acres in total). However, local indigenous villagers complained the company grabbed more than 675 acres of land. Though, Mr. Abul Hossain, local manager of PHP Company claimed that they did not grab any additional land. It is difficult to justify his claim without measuring the size of land. Mr. Hlakujai Chak, a resident of Baishari Mouza claimed in front of Mr. Hossain that PHP Company grabbed his 5 acres of land illegally. The statement of Mr. Hossain is attached herewith (annex-16).
27. The same complaint has been raised against many companies and organizations. Statements of locals during investigation support this complaint to a major extent. Since most land is Khas, nobody claims its ownership once any land is grabbed.
28. With the favor of Headmen, a number of dishonest people manage some cultivable land at first; then they plant trees on that land and finally after 2/3 years transfer that land to influential persons or powerful companies. Most often Headmen are bribed in this regard.
29. According to submitted document, Mr. Md. Shamsul Alam, former chairperson, Baishari Union, bought 60 acres of land from

villagers on 3 December 2012. Now he is playing the role of senior vice-president at Awami League, Baishari Union branch. He possessed the land in the name of his five sons and other family members. The price of the land was tk. 180,000; yet, a figure of tk. 5,000,000 (five million) was shown in the affidavit. He admitted that the land was previously owned by indigenous Hillmen. He is well aware that this type of land transfer is illegal. However, considerable dissimilarities were found between his statement and the documents he provided. Please see Mr. Alam's statement (annex-8) and affidavit (annex-9).

According to Mr. Alam's statement, he possessed the land after robbery. However, I did not inquire whether there is a relationship between the robbery and the land grabbing.

30. Among 14 families, 4 families are still living in village. They will also leave the village soon after harvesting. Evicted families have returned to the village temporarily for harvesting. They took shelter in three villages of Baishari Mouza- Headmanpara, Moddyampara, and Uporpara.
31. Allotment of land in the name of firms and cooperation has been a new technique of land grabbing at Baishari. Using this technique, 150 acres of land was grabbed by 'Kariyamura Agro-firm Limited' last year.

Illegal land grabbing through 'compromise agreement' is a regular practice at Baishari. On 29 February 2012, indigenous villagers were forced to compromise 150 acres of land. According to compromise agreement, a case was filed at Nikhyongchari police station regarding land dispute between two parties. The agreement was moderated by a number of respected locals. In this regard, Mr. Khijari Chak, Karbari of Badujhiri, represented the indigenous villagers and the other side was represented by (1) Mr. Jalal Ahmed (former chairperson), (2) Mr. Shafiul Alam, (3) Mr. Mozaffar Ahmed, (4) Abdul Latif. All the representatives of the other side are residents of Baishari Mouza. However, they grabbed land under Alikyong Mouza.

Among the respected locals are (1) Mr. Md. Alam, president of Baishari Union Awami League; (2) Haji Shamsul Alam, former chairperson; (3) Chelhlam Marma; and (4) Towachaching.

32. First two representatives of the other side are land grabbers and the other two are their agents. Within one year of the so-called compromise agreement, Mr. Shamsul Alam, a moderator (2nd in the aforementioned list), grabbed 60 acres of land forcefully.

Indigenous villagers filed a case with the police station in 2012. The authority transferred the case to Baishari investigation center. However, inspector of the investigation center appoints Mr. Md. Alam to resolve the dispute. Consequently, Mr. Alam forced them to compromise 150 acres of land. Therefore, indigenous villagers did not file a case after the robbery.

The three political leaders Mr. Md. Alam, Mr. Jalal Ahmed and Mr. Md. Shamul Alam grabbed a total of 360 acres of land. Of them Mr. Md. Alam and Mr. Ahmed grabbed 150 acres of land each while Mr. Shamsul Alam seized 60 acres.

33. The invaders are being inspired by illiteracy and greed of Mr. Chahla Mong, Headman of Alikhyong Mouza. Therefore, incidents of land grabbing are increasing rapidly. He is not aware that Headmen are not allowed to allot land for the residents of other Mouzas.

34. Earlier, robbery used to take place only on the road. Yet, recently houses at the indigenous villages have been being looted.

35. Despite two and a half months have been passed after robbery, no responsible official has visited the spot except the inspector of investigation center. Even the UP chairperson and the Headman did not visit the spot and inquire the incident prior to my visit. Not a single NGO or a political leader came forward to rehabilitate the affected families. Even the Parliamentary Caucus on Indigenous Peoples was silent about the robbery.

36. It has been complained that Deputy Commissioner's office is involved with the practice of illegal land grabbing. According to Hill District Council Act, prior permission of Hill District Council is mandatory in terms of land transfer. Yet, Deputy Commissioner's office disobeys the act. Since 'The Chittagong Hill Tracts Regulation 1900' has not yet been abolished, Deputy Commissioners their selves authorize permanent settlement of

land without permission of Hill District Council. In this regard, legal basis of the settlement process should be verified.

37. **Reasons of land grabbing:** According to the locals, the reasons of illegal land grabbing are- (1) perpetrators do not face prosecution; (2) once a land is grabbed, it can be freely utilized; (3) absent of land survey and difficulty of demarcating boundaries; (4) rumor and wrong information that the land will be recorded in the name of land grabbers if the land survey is conducted in future; (5) patronization of invaders by high profile officials and public representatives; (6) lack of initiatives by CHT Regional Council and Hill District Council.

38. **Opinions:**

- 1) The complaints Kapaeeng Foundation raised are primarily verified as legit. Yet, 10 families were evicted from Badujhiri; not 21 families as stated in the complaint. There were 14 families at the village before robbery.
- 2) Locals confirmed that along with Destiny Group, Mostafa Group, Laden Group, Shamin Group, S Alam Group, PHP Group, Meridian Group, Exim Group, Babul Group, and Acme Group, a number of other reputed companies are involved in illegal land grabbing. Though, they are not directly associated with recent robbery. It also came to my attention that some influential figures are also involved in land grabbing. Foremost of them are Mr. Faruque Ahmed, former chairperson of Badujhiri Union, and Mr. Shirajul Rahman Sojol. A number of indigenous agents assist the land grabbers. Among locals, they are known as 'Dalal' (collaborator).
- 3) The complaint that villagers of Longadu Chakpara were uprooted five years ago due to continuous torture and harassment was found true and valid.
- 4) Local administration was found incooperative.
- 5) The complaint that another 80 families of five villages under Baishari Mouza are in the risk of eviction was not possible to verify. I suggest to investigate the complaint.

39. Recommendations:

- 1) Identified land grabbers enlisted under article-6 of this report should be arrested. Illegally possessed land should be returned to the villagers.
- 2) Evicted families of Badujhiri are required to be rehabilitated in their previous homesteads with security.
- 3) Boundaries of legally allotted lands need to be demarcated and take illegally grabbed land under the control of government.
- 4) Authorize permanent settlement of land for indigenous Hillmen and identify boundaries of possessed land of permanent Bengali residents.
- 5) The police should file a case following the robbery on 13 March 2013.
- 6) Mr. Chahla Mong, Headman of Alikhyong Mouza should be replaced by a competent person.
- 7) Indigenous Hillmen should be provided financial assistance/loan for farming
- 8) Road networks from Union headquarter to the indigenous villages should be developed.
- 9) The police should inspect remote indigenous villages periodically (once a month).
- 10) Recommendation of UP chairperson stated in article-10 of this report may be taken for consideration.

MEDIA REPORTS

The Daily Star

The Daily Star, 10 July 2013

Grabbing of Indigenous People's Land in Dinajpur

All political parties involved

Discussion told

Speakers at a discussion yesterday claimed that an all-party syndicate has been grabbing pieces of land of indigenous people at Ghoraghat upazila of Dinajpur and demanded administrative and legal actions against it.

The remarks came in the backdrop of an incident on June 6 when Bangalee land grabbers attacked indigenous people in the upazila and torched their houses over a land dispute leaving one Morshedul Alam dead. Police arrested seven indigenous men in this connection.

Bangladesh Adivasi Forum and Kapaeeng Foundation organised the discussion at Dhaka Reporters' Unity. At the discussion, a civic delegation led by Pankaj Bhattacharya, president of United National Awami Party, which recently visited the areas, shared their findings and experience.

The speakers demanded immediate release of the arrestees, compensation to the victims and safety and security for indigenous people.

Pankaj Bhattacharya said no case was filed and nobody was arrested for torturing the indigenous people living there.

He criticised the role of local administration and alleged that ruling party men led the attack on June 6.

Columnist Syed Abul Maksud, among others, spoke.

The Daily Star

The Daily Star, August 5, 2013

Plain Land Indigenous Communities

They lost over 6 lakh bighas of land in 30 years

Seminar told

Staff Correspondent

Plain land indigenous communities, including Santal, Hajong, Khashi, Orao, Dalu, Patro and Pahan, have lost over six lakh bighas of land to grabbers in the last three decades, said speakers at a seminar in the capital yesterday.

“The current value of the lost pieces of land, approximately six lakh seven thousand bighas, is Tk 9,043 crore,” said Dr Abul Barkat, chairperson of Bangladesh Economic Association, citing a study conducted by Association for Land Reform and Development and Bangladesh Indigenous Peoples Forum.

The seminar titled “International Day of the World’s Indigenous Peoples and Land Rights of Indigenous People” was organised by the Bangladesh Indigenous Peoples Forum in Cirdap to mark the International Day of the World’s Indigenous Peoples, to be observed on August 9.

In addition, the study also revealed that in the Chittagong Hill Tracts (CHT) region, the amount of land used by indigenous communities for Jum cultivation reduced from 73.4 percent to 48.8 percent in the last three decades, whereas land used for commercial agriculture has gone up to 32 percent from 10.4 percent, stated Dr Barkat.

“This shows how much the livelihood and lifestyle of the indigenous people have been transgressed upon by outsiders,” he added.

Correspondingly, indigenous people currently make up less than half of the total population of the CHT region, whereas three decades ago, they used to be the vast majority, said Dr Barkat, quoting the study.

Chakma Raja Devasish Roy emphasised the need for implementation of the CHT Peace Accord, 1997.

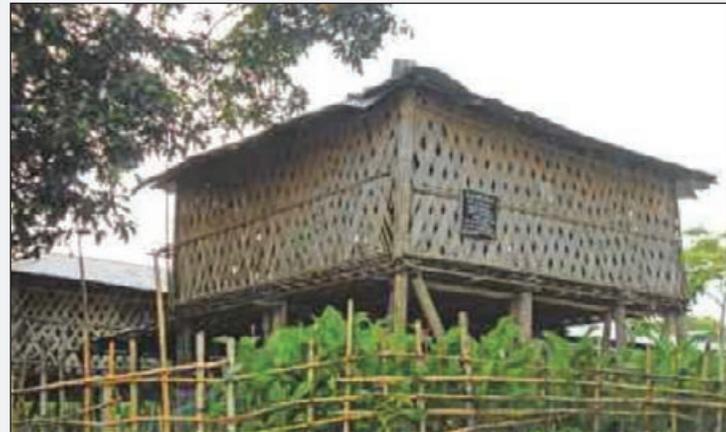
The accord maintains that only the hill district councils (HDC) can administer and grant land exchanges, whereas in reality, the deputy commissioner still holds that power, with HDCs and indigenous chiefs only playing an advisory role, said Raja Devasish.

The Daily Star

The Daily Star, August 18, 2013

Mros at stake

Land grabbers, loggers driving the community out of their homes Sanjoy Kumar Barua



Triratna Mro Behar, a temple of the Mro community, and Mro houses. Photo: Sanjoy Kumar Barua

A gang of land grabbers and timber traders are gradually pushing the Mro community in Lama upazila of Bandarban to leave their homes.

The Mros, like other indigenous people in Bandarban, Rangamati and Khagrachhari districts, depend on Jum cultivation on slopes of the hills for their livelihood. They clear pieces of land in the forests and cultivate the crops that can be grown there.

Mokbul Ahmad, known as Mokbul Ukil in the area, has been occupying these pieces of land and employing Rohingyas to grow crops there, local people said.

When indigenous people protest or ask for compensation, Mokbul, who is a lawyer by profession, threatens the Mros with filing false cases against them or having them face dire consequences.

Mro families have been there for decades but Mokbul has recently constructed wooden and bamboo structures and shops, grabbing their land, said Bashi Mro, head of Lulain Chahla Para of Lulain mouza, and Tanglai Mro who had already been dislodged.



Occupied by the grabbers at Lulain of Lama in Bandarban.
The 'Mokbul Ukil market', built on the land of Mro people at Lulain.
Photo: Sanjoy Kumar Barua

Mokbul sheltered Rohingyas in some portion of the illegally occupied land and rented out the structures he had constructed, they said.

He, however, refuted these allegations. He told The Daily Star he had purchased some pieces of land from indigenous people and that he was cultivating some other pieces of land through the approval of the headmen of the mouzas the land is part of. But Mokbul failed to show any approval copy.

Kanfor Mro, chief of Lulain mouza, said he had given Mokbul permission to stay in the area but Mokbul had been extending his control over a bigger area without his authority.

Some 15 families in Kalbarpara of Padukhal and two families of Mongla Para and three families of Kachuchara area have already left their homes in the last two years and 250 others are living there in fear of being forced out, he added.

Mokbul lives in Chittagong and has links with Khorshed, Morshed and Nawshad — three brothers from Chittagong, who smuggle timber from the Lama forests, said Shakwa Mro of Palongmukh Para, Shingwa Mro of Kuichara Para and Mengchong Mro of Dheoa Para.

They let their 26 pet elephants loose to drag felled trees down the hills and through the brooks, said people from the Mros community, also known as Murongs, the second largest indigenous group in the district.

These elephants often go on the rampage and eat Jum crops or destroy them. Moreover, they pollute the water of streams, on which indigenous people mostly depend for drinking, in the forests while carrying logs across them, local people said.

The trio also occupied forest land and began growing crops there.



An elephant being used to pull timbers in Lulain. Photo: Sanjoy Kumar Barua

The remaining Mro families will also leave the Lulain and Lemu Palang

mouzas if the activities of timber smugglers and land grabbers continue, said Gazalia Union Parishad Chairman Bathoyasingh Marma.

The issue has been raised at various forums but there is still no visible action on this yet, he added.

On a spot visit to Lulainmukh and Lulainmukhbazar areas, 45 kilometres from the Sadar upazila, this correspondent saw elephants moving around freely.

Mohammad Yasuf, an employee of the three brothers, said they were felling trees under a deal with the Lulain mouza chief and that they were not doing anything harmful to the local Mros. "If they do, locals will be given compensation three times the damage."

Lulain mouza chief Kanfor Mro admitted reaching an agreement with Khorshed but said the deal had already been cancelled.

The brothers said they used to do business seven to eight years back with permission from the mouza heads but were no more involved in this. They even refused to have Yusuf as their employee any more.

Kanfor Mro said he had permitted them to fell some trees in the forests but the three had continued cutting logs in violation of the agreement.

The allegations of land grabbing and felling of trees may be true, said Lama Upazila Nirbahi Officer Helal Uddin, but "it is difficult for us to take action to stop these as the area is far from the locality."

IV. WOMEN RIGHTS



IV. WOMEN RIGHTS

Despite considerable movement of indigenous peoples in the past few decades, indigenous women in Bangladesh remain largely marginalized in terms of socio-economic status. As it has often been observed, the vast majority of indigenous women face multiple forms of discriminations because of their sex, race/ethnicity, language, culture, religion and class. Because they face multiple forms of violence and discrimination to the full enjoyment of their human rights, indigenous women have become one of the most disadvantaged and vulnerable groups in Bangladesh in terms of almost all the development indicators like income, access to markets, health care, ancestral lands, education, employment, land, water and sanitation, and political participation. They face disproportionately high rates of poverty and are subjected to violence, such as domestic violence and sexual abuse, trafficking, and armed conflict. Continuous marginalization from almost all development sectors has left this group completely vulnerable across the country.

In fact, the lives of indigenous women in Bangladesh are defined by struggle and survival no matter whether they are from the hills or the plains. Their stories of deprivation and discrimination are similar across the country. Indigenous women are at the great risk of becoming victims of sexual and gender based violence, communal aggression, corporate aggression, land grabbing, and so on. Moreover, initiatives in the name of development such as dams, eco-parks, national parks, protected forests and establishment of the bases of security forces on their ancestral and community lands of indigenous peoples have left the lives and livelihoods of indigenous women in sheer insecurities. Ironically, most of the perpetrators, including members of security forces, settlers, corporations, and government officials, of such human rights violations belong to mainstream Bengali population. However, concerned government

authorities play either passive or supportive roles against such human rights abuses.

Alongside the broader society, indigenous women in Bangladesh are also vulnerable to different forms of violence within their own communities as well. Domestic violence against indigenous women is increasing among the indigenous communities. Also, like the mainstream society, patriarchy happens to be rooted in the indigenous communities. The traditional laws and family roles of indigenous societies still contain significant patriarchal and sexist elements. Thus, indigenous women are becoming particularly vulnerable to such violence both within their own communities and in the broader society.

Besides ratification of international women rights treaties, there are some remarkable interventions and initiatives undertaken by Bangladesh Government to eliminate violence against women (VAW) including indigenous women. Among these, three separate courts were set up in the CHT in 2008 to try cases of torture of women and children under the Women and Children Repression Prevention Act 2000. The government has also set up victim support centre for the first time in Rangamati to provide rehabilitation assistance to women victims with the support of UNDP-CHTDF program. The National Women Development Policy of 2011 adopted in 2011 succinctly contains some provisions on indigenous women and categorizes indigenous peoples as backward and small ethnic groups. In addition, section 376 of the Penal Code of Bangladesh provides that whoever commits rape shall be punished with imprisonment for life or with imprisonment for a term which may extend to ten years.

However, not only the above mentioned initiatives failed to ensure justice for indigenous women, but also protect them from the risk of becoming continuous victims by perpetrators since the number of violations on indigenous women is increasing day by day. The policies and special initiatives failed to ensure justice to indigenous women so far because the indigenous women are rarely consulted when policy and interventions are initiated, formulated and amended for the particular contexts.

There are also some political factors that are contributing to the vulnerability of the indigenous women and have turned them into one of

the most disadvantaged groups in Bangladesh. Having no constitutional recognition as indigenous peoples of Bangladesh, lack of political participation in both types of the political structures--mainstream and traditional, lack of access to justice and impunity of the perpetrators, non implementation of the CHT Accord of 1997 and militarization in the CHT have left the indigenous peoples including women completely at risk. No doubt, the above mentioned political issues are contributing an unsecured environment and causing great suffering to the indigenous women across Bangladesh. Even the local government officials tend to feel encouraged to commit human rights violations on indigenous groups including women as they receive official proclamations/orders from the top level of the state apparatus against indigenous peoples, such as recent denial of the government about the existence of indigenous peoples in Bangladesh.

Non-implementation of the CHT accord of 1997 created a subject of deprivation in regards to human rights of indigenous women. Implementation of the CHT Accord can be the first step towards protecting indigenous rights in the CHT. Although present govt. pledged in its election manifesto to implement the CHT Accord fully, it has not stepped forward with effective measures with a time-framed 'road map' directing to implementation of the Accord. Due to lack of effective steps to withdraw more than 300 temporary military camps from the region, military dominance still continues as before. Besides, land expropriation, fanatic activities of Bengali settlers, and mainstream population-dominated administration are leading the insecurity and sufferings of indigenous women to be twice as much the Bengali women in the country.

Finally, government's discriminatory policy refuses to reserve seats for indigenous women in local government bodies such as the Upazila Parishad, Union Parishad and Poursava in Bangladesh. In 1997, a law for the direct election in the reserved seats for women members in these local government bodies was passed. But there was no separate reserved seat for indigenous women. Such systematic lack of representation of indigenous women in all levels of local government bodies denies indigenous women the right to make their issues and concerns at the forefront of government decision-making. The lack of political advocates for indigenous women undoubtedly makes it more difficult to bring national attention to the society wide problem of violence against women, as well

as to build focused political will to find solutions to the problem and improve their social position.

At A Glance: Violence Against Indigenous Women (VAIW)

Since available mechanisms have failed to protect indigenous women of both in plains and the CHT from violence, the numbers of human rights violation have been increasing day by day. The record shows that, from the time of establishment of the formal judicial courts in the three hill districts in the CHT in 2008, none of the perpetrators of sexual violence against indigenous women and girls was prosecuted till date. From January 2007 to July 2013, there were at least 227 reported incidents of violence against indigenous women. As per table 1 below, most commonly reported form of violence against indigenous women and girls in Bangladesh are rape/gang rape, attempt to rape, killing after rape, killing, physical assault/ molestation, abduction, sexual harassment, and trafficking. The numbers of sexual harassment and trafficking have been added as new forms of violation in 2013 in CHT.

The record shows from 2007 to 2013 there were at least 227 (CHT 176, plains 51) reported incidents of violence against indigenous women and girl children who faced violence in both CHT and plains. In 2013, a total 67 indigenous women and girl children across the country, 54 from the CHT and 13 from plain land, were subjected to violence. Of them, 15 indigenous women and children (12 from CHT and 3 from plain) were raped. Total two (2) indigenous women were killed in a domestic torture by their husbands in CHT. Attempt to rape were made on 9 indigenous women including 3 from plains while 10 women sexually harassed by Bengali settlers in CHT. 5 indigenous Tripura girl children from a madrasa in Dhaka were rescued, who taken there from the CHT to convert into Islam by force. Again, police also rescued 3 indigenous girls from Faridpur-Rajbari crossing on Dhaka-Khulna highway while they were being trafficked out to India after enticing them to provide well-paid jobs in that country. Besides, 6 indigenous women were abducted, and 16 indigenous women were physically assaulted and molested. 69% of the all women victims were under 18. 89% of the perpetrators are found from Bengali settlers, while 7% were indigenous and 4% members were from security forces in CHT.

There are many pending cases on human rights violations against indigenous women in different courts of Bangladesh because of unanticipated problems such as lack of follow up of the particular cases, complex court procedures, lack of awareness, inadequate of legal aid support centers, lack of financial capacity, and excess reliance on the government by the victims/victims' families to run the cases on their behalf. Still there is no remarkable and significant case where justice was ensured for indigenous women through the formal justice system till date due to the above mentioned gaps except for the case of Morium Murmu, an indigenous women plains, who was killed after rape. Another rape case was also given a verdict in September 2013 from a Women and Children Repression Prevention Tribunal in Chittagong. These news may bring trust to indigenous women that there are consequences for rape, killings, and other forms of human rights violations not matter what a perpetrator's ethnic background is.

The table below shows summary of the VAWI cases documented so far covering the period of 2007-2013

Table 1: Types of Violence Against Indigenous Women in Bangladesh (2007-2013)

Year	Rape/Gang Rape	Killed after rape	Killed/ shot dead/	Physical assault/ molested	Attempt to rape	Kidnap	Sexual harassment	Trafficking	Total
2007	5				3	1			9
2008	3		1						4
2009	2	2	2	6	3	1			16
2010	7	3	2	6	5	2			25
2011	11	5	2		8	5			31
2012	17	4	3	36	13	2			75
2013	15	2	2	16	9	5	10	8	67
Total	60	16	12	64	41	16	10	8	227

Figure: 1 Highest rate of violence against indigenous women in Bangladesh (2007-2013)

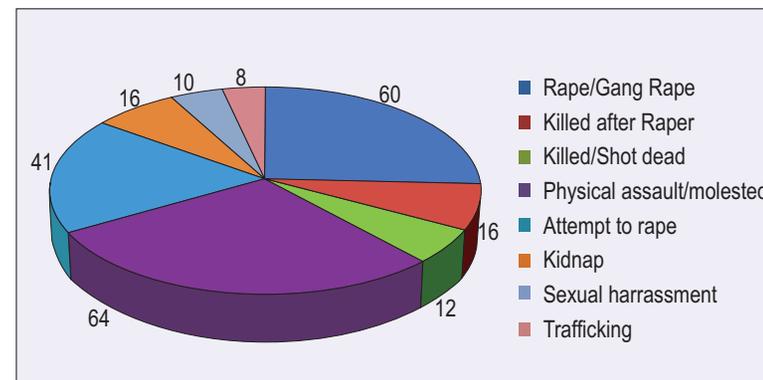


Figure: 2 Age of indigenous women victims of violence in 2013

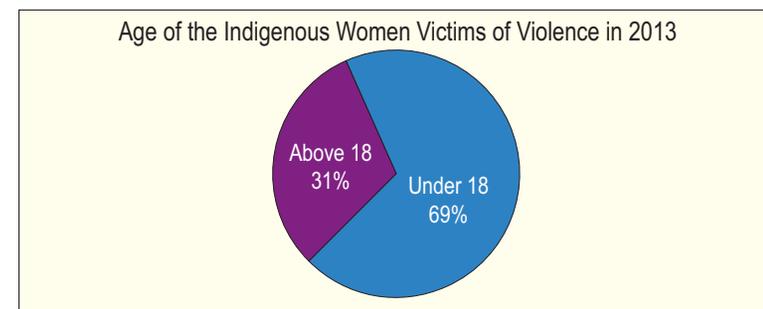


Figure: 3 Ethnicity of perpetrators of violence in 2013

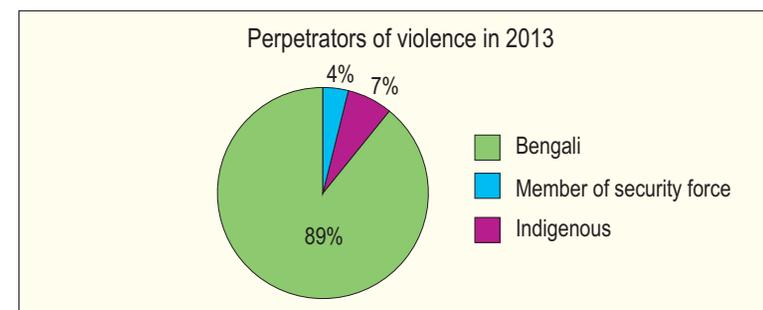


Table 2: Types of Violence Against Indigenous Women in the CHT (2007-2013)

Year	Rape/Gang Rape	Killed after rape	Killed/ shot dead/	Physical assault/ molested	Attempt to rape	Kidnap	Sexual harassment	Trafficking	Total
2007	5				3	1			9
2008	2								2
2009	2	2		3	3	1			11
2010	5	3	1	5	4	1			19
2011	10	3	2		7	4			26
2012	14	3	1	23	12	2			55
2013	11	1	1	12	6	4	10	8	53
Total	49	12	5	43	35	13	10	8	175

Figure:4 : Types of Violence Against Indigenous Women in the CHT (2007-2013)

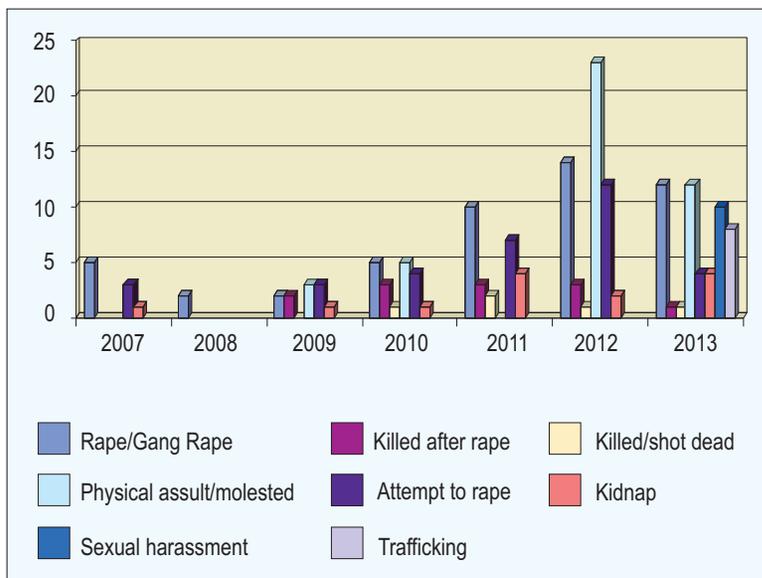
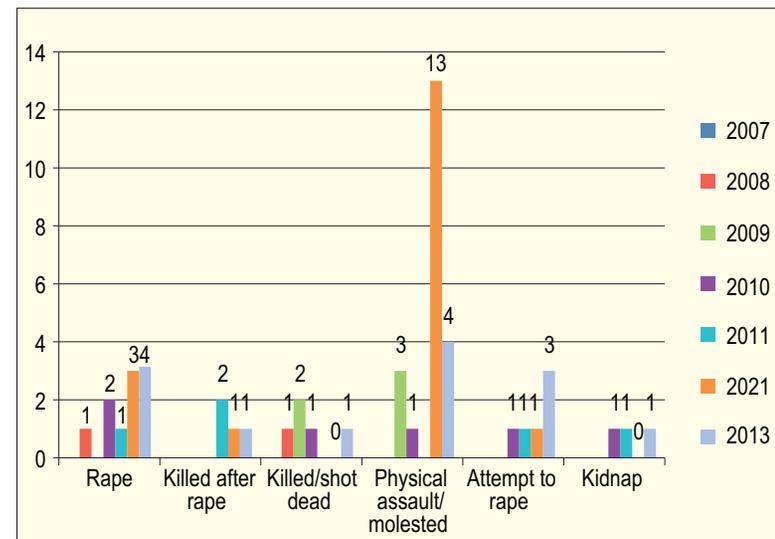


Table-3: Statistics on VAIW: Plain Land Indigenous Women in 2007-2013

Year	Rape	Killed after rape	Killed/ shot dead/	Physical assault/ molested	Attempt to rape	Kidnap	Total
2007							
2008	1		1				2
2009			2	3			5
2010	2		1	1	1	1	6
2011	1	2			1	1	5
2012	3	1	2*	13	1	-	20
2013	4	1	1	4	3	1	14
Total	11	4	7	21	6	3	52

* Including one committed suicide following miscreants sexually harassed in front of her mother

Figure: 5: Statistics on VAIW: Plain Land Indigenous Women in 2007-2013



Rape/ Gang Rape

1. On 5 January 2013, a 12-year old indigenous Chakma girl was raped by a Bengali miscreant namely Md. Towfique (27), an unemployed youth and ex-employee of Savar EPZ at Savar in Dhaka for consecutive three days after abduction. It is reported that the victim went missing from Savar EPZ (Export Processing Zone), area in Dhaka. After that, the victim's relatives started looking for her nearby area of their residence, but could not find her anywhere. At a stage, the relatives filed a General Diary (GD) with Ashulia police station. On 8 January 2013 at around 4:00 pm Md. Towfique was arrested from Fantasy Kingdom area by local police. And then the victim was rescued from a house nearby the Fantasy Kingdom. The victim was found very weak, and bleeding was continuing while she was rescued. On 9 January, she was taken to Dhaka Medical College hospital for treatment and medical test, and took her to Magistrate Court for her statement. The victim informed that the perpetrator Md. Towfique abducted her through treachery and seduction. She was forcefully raped by the abductor during her captivity.

2. On 6 January 2013 at 2.30 pm an indigenous girl (16) was raped by her neighbor Mr. Priyadarshi Chakma at Laifupara village of Tabalchari union and Borobil mouza under Matiranga sub-district in Khagrachari district. It is learnt that at around 2:00 pm, victim went alone to grab some herbs from nearby bushes. Suddenly she met Priyadarshi on her way to bush and after few minutes Priyadarshi attacked onto her back side by tiding up her mouth, then he took her at nearest silence area in jungle and raped her forcibly. When the victim shouted out, the villagers came at the spot of incident. The local people beat him with bamboo stick on his both shoulders. A case was filed (case no-13/13) with Matiranga police station under Women and Children Repression Prevention (Special Provisions) Act 2000. It is noteworthy that a few months ago, Priyadarshi attempted to rape victim's elder sister, he was unsuccessful that time in raping because villagers caught him before the incident.

3. On 8 February 2013, an indigenous girl (12) allegedly gang-raped at tea garden in Moulvibazar district, she was found in a serious injured at Nandarani tea garden of Kamalganj upazila of Moulvibazar district on 9th February 2013 after allegedly gang raped nightlong by criminals. The men left her tied up with rope round her hands and feet. The survivor was transferred with an unconscious state to Moulvibazar Sadar hospital right

after rescued by community people. Family members informed that the survivor is a part-time tea garden worker, went missing in the evening on 8 February, and was found lying in an unconscious state in the garden area at noon on 9 February after searching her nearby areas. Survivor's family members also alleged that criminals forcibly took her to the garden and raped her nightlong and then left her with an unconscious state. No criminals have been arrested in this gang rape.¹⁴

4. On 24 February 2013 a 13-year an autistic indigenous Chakma girl was reportedly raped by a Bengali settler at Nakshachari village under Sajek union of Baghaichari upazila in Rangamati district. It is learnt that the incident happened on that day around 3:00 pm while the victim went out for a walk. Finding her alone, Md. Mamun (21), son of Jalil, of Baghaihat bazaar, took her into a roadside jungle and committed rape on her. The villagers recovered the girl from the jungle, but failed to nab Mamun as he escaped riding his motorbike. A rape case (no. 4, dated 24 February 2013) was filed with Baghaichari police station. Police arrested perpetrator Md. Mamun from his house. The victim was admitted at Rangamati district hospital for medical test, and the medical test found positive.¹⁵

5. On 26 March 2013, a Bengali settler boy (14) Md. Belal Hossain son of Md. Nurul Islam of Kalapani village, allegedly raped an indigenous Marma girl (8), who is a school student of class III of Hapchari government primary school of the Hapchari mouza under Guimara police station in Ramgarh upazila of Khagrachari district. It is learnt that the girl went to attend a sport programme at her school in the celebration of Independence Day of Bangladesh. On her way back home, Md. Belal Hossain suddenly seized and raped her forcibly in quiet place. The survivor bled profusely as was admitted to Khagrachari Sadar hospital. A case was filed with the Guimara police station in connection with the incident. Police arrested the culprit.

6. On 4 April 2013, a 12 year old Tripura indigenous girl was raped by a truck driver Md. Forkan (30) at Keranihat village under Satkania upazila in Chittagong district. The victim is a domestic worker at Pintu Tripura house at Keranihat village. Mr. Pintu Tripura was posted in Satkania for his

14 Girl gang-raped at tea garden in Moulvibazar, The Daily Star, February 10, 2013

15 The Independent, 25 February 2013; Daily Purbaknoe, 27 February 2013

job in Grameen Shakti and both of them are originally from Baillyachari village of Matiranga upazila in Khagrachari district. It is reported that the culprit was trying to influence her to talk silently with each other often every day when the girl goes to collect water for household purpose regularly. She refused his ill proposal in scared several time. On the incident's night, the girl was sleeping in her room, and she was awakened at midnight by someone who threw water in her face through window, and then she came out to check outside. Suddenly she was tighten up with a piece of cloth by culprit Forkan. He took her to a nearby area, and she was forcefully raped by perpetrator Forkan. The girl was found by the villagers when she shouted for help. The culprit fled away from the incident's place.

7. On 4 May 2013, an indigenous girl (13) was gang raped by three men namely Lablu Singh (28), Jhanik Singh (30) and Md. Aftan (38) in Bhobanipur union under Sherpur upazila in Bagura. It is learnt that the girl came out from her home to go to toilet at around 12 am midnight. Suddenly she was tightened up by her neighbor Lablu Singh, and took her to a nearby area, and she was forcefully raped by three persons one by one. They put knife on her throat so that she feels scared to shout while raping. The culprit fled away from the incident's place. She bled profusely and was admitted to Upazila Health Complex on next night of incident. Police arrested one perpetrator Jhanik Singh among three miscreants. The victim's family filed a case with Sherpur police station against the miscreants.

8. On 21 May 2013, an indigenous woman (30) was raped by a Bengali settler namely Fazlur Rahman alias Babul (40) a trader by profession, son of Md. Sirajul Haq of Bortoli Hajipara in Guimara under Khagrachari district. It is learnt that the culprit went to the victim's house in the village of Dewan Para and committed rape forcibly when he found her alone in home. When she screamed, the people nearby rushed there and caught the rapist. The mob gave him a sound thrashing before handing him over to the police. At 10:00 pm police arrested Babul when a case was filed against him with Guimara police station.

9. In June 2013, Rohingya armed militants raped a Jumma woman named Naima Marma wife of Chingsa Mong Marma at Rajvila area and Udalbaniya area bordering to Rangamati, Bandarban and Chittagong districts, but the incident was not come out due to social barriers.

10. On 25 July 2013 around 12:00 pm – 1:00 pm a 13 years old indigenous girl was raped by a Bengali settler namely Md. Malek (20), son of Md. Idris of Rupbanmukh area of Suvolong Union under Barkal upazila in Rangamati district. The victim is a student of grade five of Paityachara Primary School under Shuvolong union. It is learnt that the victim went to Rupbanpur area from her village Paityachari by boat while she was looking for their cattle at noon. Culprit Malek also followed her footsteps silently. And at one stage, he raped her forcefully when he found her alone in isolated jungle. The rapist fled away after getting beat up by the girl's paddle. Immediately, the girl's parents including some villagers brought a complaint against the culprit to a local Bengali leader Md. Alam Foraji. Following the allegation, elderly people led by Md. Alam wanted to settle down the case by paying 5,000 taka as compensation for the victim in local arbitration. The victim family returned home without receiving money, as they were not happy with the punishment. The victim bled profusely and was admitted to Rangamati District Hospital. No case has been filed with the police against the perpetrator.

11. On 11 September 2013, an 11-year old indigenous Chakma girl was raped by a Bengali settler named Md. Johir (45) son of Abdul Aziz at Rangipara of Bogachodor union under Longadu upazila in Rangamati district. It is learnt that, the victim has been suffering from an epileptic seizure since her childhood. The culprit Md. Jahir raped the victim when he took her away alone in nearby area Kolabagan in the name of megalic therapies as well as religious healing to ward off evil spirits and appease deities from her body. The local public representatives tried to minimize the problem secretly creating pressure on victim's parents and indigenous communities by fining the culprit taka 60,000 as a compensation of the rape. But the victim's parents filed a case with Longadu police station, but police could not arrest the culprit yet. The Magistrate of Rangamati sadar recorded a statement of victim under section 164 with a Chakma male interpreter while victim's parents were not allowed to stay inside during the statement.

12. On 27 September 2013, a 20-year old indigenous woman Namita Tripura was reportedly raped by a Bengali settler Hafizur Islam Ripon (26) son of Jainal Abedin of Matobbor Para under Matiranga municipality in Khagrachari district. It is learnt that the culprit entered the Namita's room silence and raped her forcibly. When the victim was screaming, Hafizur

tried to flee, but the local guardians of the victim Milon Kanti Tripura and his wife caught him on spot. The victim committed suicide by hanging herself in her room after the incidents over trauma when the issue flashed into public forum. The police arrested Hafizur Islam, but completely refused to register a case in this connection. On the following morning Milon Kanti Tripura went to Matiranga police station to file a case against Ripon, but the police did not accept the allegation. The police sent the dead body to Khagrachari Sadar Hospital for post mortem examination.

13. On 30 September 2013 an indigenous girl (12) student of class five, daughter of Sontosh was raped allegedly by Md. Mithu (22) son of Md. Abdur Rahman of South Chokjodu village under Dhamoirhat upazila in Naogaon district. It is learnt that the culprit raped the victim forcibly in a silent place when the girl went to bring cattle from field. Victim's mother Luchia Mardi filed a case with Dhamirhat police station (case No. 19, dated 30 September 2013). Police could not arrest the perpetrator yet.¹⁶



Kapeerang Foundation, BIFF and Bangladesh Hindu-Buddhist-Christian Unity Council organized a press conference following an on-site enquiry of the incident in Tabalchari, Mirsarai.

14. On 12 November 2013, an indigenous Tripura girl (14) was gang raped by two miscreants namely Md. Alauddhin (21) and Md. Joinal Abedin (25) of Tripura Para village in the area of Talbaria of Mirasarai sadar union under Mirsarai upazila in Chittagong district. Her father Alindra

¹⁶ The daily Gramer Kagoj

Tripura (37) committed suicide over the trauma for being unable to carry on the sexual assault of her daughter on 13 November the next day of the incident. Mr. Alindra was a daily labor and he was sole earning member for his family members. It is learnt that on the sexual assault day, the girl came out from her room to go to toilet at around 8:00 am. Suddenly the two miscreants tightened up her, and took her to a nearby area forcibly. She was raped by the rapists one by one repeatedly. People rescued her when she was screaming. Mr. Alindra filed a case with Mirasarai police station against two culprits before committed suicide on 13 November. The perpetrators were arrested by police and sent to jail.¹⁷

15. On 22 November 2013, an eight years old indigenous girl student of Toichakma government primary school under Ramgarh upazila in Khagrachari district, was raped by a Bengali settlers.

Attempt to Rape

1. On 24 January 2013, a 7 year old indigenous girl has been subjected to an attempted rape by a Bengali settler in Tabalchari under Matiranga Upazila of Khagrachari district. The victim is a student of class II of Tabalchari P K Government Primary School. The incident occurred at 1:30 pm when the girl was coming back from school. A Bengali settler youth grabbed and forced her into a jungle and then tried to rape her. A local Marma boy immediately gathered his friends and then rushed to the spot, when he heard the shouting of the girl. The culprit ran away, leaving behind his sandals. The Jumma youths then rescued the girl and escorted her home in Kadamtoli village. The girl's parents and local elders have informed to the local public representatives for justice.

2. On 2 March 2013 an indigenous Marma girl (18) was rescued with senseless condition from the jungle nearby Khipyapara-Asambasti bridge under Rangamati municipality in Rangamati district. The victim was admitted at Rangamati district hospital with critical condition. It is learnt that the victim was taken to a restaurant in Rauzan under Chittagong district by three Bengali girl students. After having snacks she became senseless. Later, she got back her sense and recovered herself in a jungle

¹⁷ The daily Independent, 1 November 2013

along with two Bengali youths including a government service holder. They tried to rape her, but she narrowly escaped from that area. The victim is originally from Kaukhali upazila under Rangamati district bordering to Rauzan upazila. No case was filed against this incident.¹⁸

3. On 10 April 2013, Md Jashim, a daily labor attempted to rape an indigenous Tripura girl (20) in Raj Kumar Karbari Para under Patachara union of Ramgarh upazila in Khagrachari district. According to source, Jasim is a resident of Modhupur village in Nakapa, was employed as a day labor by Sonadhan Tripura in Raj Kumar Karbari Para to crush bricks. At about 11:30 am he went to the house of Nagendra Tripura, the neighbor of Sonadhan Tripura. However, Nagendra was away to the bazaar at that time and Jasim attempted to rape his wife when he found her alone at home. But the woman resisted him with a stick and screamed for help. People from nearby area rushed there and rescued her. The villagers caught Jashim and then handed him over to the police with Ramgarh police station.

4. On 12 May 2013 an indigenous college girl (17) in Sarakpara village of Jhinaigati upazila under Sherpur district was attempted to rape by Md. Muslim (24) son of Musa Mia of Baigorpara upazila in Sherpur district. It is learnt that Muslim blockaded the road by his motor bike when the girl was going to college. He wanted to take her in a quiet place against her will. The girl shouted loudly and then the culprit fled for the spot. Mr. Luis Nengminja, vice chairman of Tribal Welfare Association, demanded a punishment soon for the offender in this connection. A case was filed with Nalitabari police station against the perpetrator by victim's father Rabin Nangsha. Police arrested the criminal.

5. On 20 July 2013 Md Ismail Hossain of Pakurihata village of Dhunat Upazila in Bogra district attempted to rape an indigenous woman (20) of same village. It is learnt that on that day at noon the victim went to collect firewood to prepare a family lunch. Seeing her alone Ismail proposed her to have an illegal sex with him and at one stage he tried to rape her. The perpetrator fled away from the spot while the girl was shouting for help. He beat her inhumanly before leaving the spot. The victim's husband filed a case against the culprit on 21 July 2013 with Dhunat police station.

18 Hari Kishor Chakma, Prothom Alo, 7 March 2013

6. On 2 August 2013, police constable Bakul from Guimara police station attempted to rape an indigenous housewife in Ballyachari village under Matiranga upazila in Khagrachari district. The incident took place at 8:00 pm in a residence-cum-shop near the Kabutorchara passenger shed on Khagrachari-Chittagong road. Local people rescued her when she was shouting, and Bakul then ran away from the spot. He was on duty patrolling the road when he made the rape attempt. When the incident was flared in public, the higher police officers of Guimara police station rushed to Mongpai Marma's shop to settle the issue with him. However, they refused to take disciplinary action against the offending policeman.

7. On 19 September 2013, an indigenous with disable girl (14) was attempted to rape by Bengali guy named Mohammad Ali at Khalidpur village of Kushdoho union of Nobabganj upazila in Dinajpur district. The relative and neighbors of the victim held the perpetrator and handed over to the police. The girl with disable informed at the Nobabganj police station that, she was wandering exterior in the morning when her neighbor Mohammad Ali grasped her and tried to rape her by taking to a nearby bush. He also tore her cloths. At that time the other neighbors including her aunty rushed to the spot hearing her scream, then they informed the police. According to the local sources, similar allegation was raised earlier against the Mohammad Ali. A case was filed against the perpetrator in this connection with Nobabganj police station.

8. On 23 September 2013, Jabbar Islam, a soldier of Bangladesh army, was caught up and beaten up by indigenous people of Jarulchari village in Dighinala upazila in Khagrachari district while he was attempting to rape a housewife (21) at her house. The incident took place on that day at about 9:00 pm when Jabbar Islam came to her home in absence of her husband. Villagers came to rescue her after hearing her screaming and caught up the Bangladeshi soldier in uniform. A group of military forces from the Jarulchari camp led by the camp Commander Lokman Ali came to rescue him. After assuring the villagers appropriate legal action against Jabbar Islam, they whisked him away to the camp. However, no action has been taken against him so far.

9. On 28 September 2013, a Bengali settler youth Mr. Alamgir attempted to rape an indigenous girl (14) when she was taking bath at a tube well in Doluchari village of Sapmara area in Matiranga upazila in Khagrachari

district. The victim is a class nine student of Matiranga Municipal High School. After failing to do so, he took a bite at her back. All this took place in the presence of her friend, who got frightened but shouted scream for help, and then people from nearby rushed there and rescued her.

Sexual Harassment

1. On 1 February 2013 an indigenous college student of grade XI was sexually harassed by three Bengali youths namely Md. Imran, Md Hamid and another unknown youth at Balaghata bazaar area of Bandarban municipal area under Bandarban district. It is learnt that the victim was sexually harassed and threatened by three youths while she was in the market during her shopping. Immediately she reported about the incident to the college hostel authority and later the authority informed the police about the matter. The local shopkeepers tried to prevent the miscreants, but they did not bother them and instead snatched away the mobile phone set from one of the shopkeeper. Perpetrator Imran is a member of the Bangali Jubo Parishad (Bengali Youth Council). UNO of Bandarban sadar gave him a verdict of punishment for a year jail for doing this violence.¹⁹

2. On 2 February 2013 an indigenous Tripura (17) college girl were sexually harassed by a Bengali youth named Md. Salman son of Mohammad Harun at Milanchari resort area of Bandarban municipal area in Bandarban district. The incident occurred when the girl was returning home after finishing the classes at her to village Saingya Tripura Para under Bandarban municipality. At around 4.00 pm when she reached at Milanchari resort area of the Bandarban-Thanchi road, Md. Salman, a worker of private resort, suddenly caught her. The victim was finally able to free herself and fled away. The matter was brought to the local administration in Bandarban. The perpetrator Md. Saman went absconding after this incident.

3. On 21 March 2013, sexual harassment news flashed out in public that at least 7 indigenous primary school girl students have been facing sexual harassment for seven to eight months by a school teacher named Arup Kumar Mutsuddi of Jibtoli Chaiman Para Government Primary School of

19 Daily Purbakone, 2 February 2013

Rangamati Sadar upazila in Rangamati district. A case was filed against the perpetrator with the technical help of BLAST with Rangamati police station. Police arrested the alleged perpetrator from a town of Rangamati. In the meantime, the students and local people organized a human chain demanding immediate of suspension from his job in front of Deputy Commissioner Office in Rangamati.²⁰

4. On 4 October 2013 a minor Chakma girl (11 year) studying in five grade of Bilaichari Primary Model School of Bilaichari Bazaar area of Bilaichari upazila of Rangamati district was sexually harassed by her school and private teacher named Md. Kawsar Ali alias Kawsar Master. The accused teacher was arrested by police in face of demonstration and protest rally organized by local students and guardians. It is learnt that on that day at about evening time, she was just passing time playing at a place a bit away from her house. At that time, the above said Md. Kawsar Ali came close to the girl and harassed sexually touching different parts of her body. As the girl began crying, the teacher offered her some money and said her not to tell anyone about it. Then, the girl came back home and disclosed the matter to her parents. A case was filed with the Bilaichari police station in this connection and the Case No. is 01, dated 06/10/2013, section-10 under Women and Children Repression Prevention Act 2000 (amended 2003).

Killing

1. On 9 March 2013 an indigenous female teacher named Krayori Marma (26) was killed in a torture of her husband at Mongtu Chowdhury Para under Matiranga upazila in Khagrachari district. It is learnt that in an altercation between wife and husband on 9 March 2013 at 7.00 pm, the husband Labrechai Marma, a driver of UNDP office in Khagrachari, severely beaten his wife Krayori Marma. The husband kicked and boxed at the abdomen of his wife. Krayori Marma was taken to Matiranga hospital with critical condition and then transferred to Chittagong Medical College hospital. She died at 6.00 pm at CMC hospital. She was a Head Teacher of Harun Headman Para Primary School of Matiranga upazila.

20 <http://bangla.bdnews24.com/bangladesh/article604886.bdnews>, রাঙামাটিতে যৌন হয়রানির অভিযোগে স্কুল শিক্ষক গ্রেপ্তার।

2. On 4 August 2013, an indigenous woman named Sabina Soren (32) was killed allegedly by her husband Golap Hasda at Khitka village of Nachole upazila in Chapainawabganj district. It is learnt that the incident was occurred with a family argument, and at one stage the victim's husband hit in victim's head with an axe. The victim had died before reaching Rajshahi Medical College Hospital. A case was filed against the killer. Police arrested the culprit.²¹

Abduction

1. On 27 March 2013 an indigenous girl Yori Marma (20) was kidnapped by some Bengali youths in Chittagong, but was released about 10 hours later in the evening. She lives in a rented house with his brother at Shersha area of Chittagong and works with Asian Garment Factory in the same area. In early morning, she went to Bayezid area to collect some medicine and four Bengali youths kidnapped her from there. The kidnappers called her brother demanding fifty thousand taka for the safe release of her. Victim's brother filed a general diary with the Bayezid police station. After 10 hours she was released alone.

2. On 30 March 2013 an indigenous woman (21) from Bodhinajoth village of Omorkhana union under Panchagarh sadar upazila in Panchagarh district was abducted by Maruf Chowdhury (21) with the help of Meraj Uddhin Chowdhury (30) and Mahbub Rahman (31). The victim is an assistant teacher of Pelkujoth Government Primary School. It is learnt that on that day the victim was coming back from school, and during her way back home Md. Maruf kidnapped her. Soon after abduction, the victim's brother informed with Panchagarh police station, but police did not accept his written complaint as well as police did not register any case file against the abductor. Even, police did not take any action to rescue the woman or to arrest the kidnapper and his friends. Police treated the case as love case to avoid easily without showing any evidence and even confronting the girls' voice to the family/public.

3. On 24 June 2013, an 8-month old baby boy namely Bidrojoy Tripura son of Hatiram Tripura and Hamboti Tripura kidnapped in Adikapara village of Ruma upazila in Bandarban district. It is learnt that a Bengali man grabbed him when baby was sleeping in his cradle in a *jum* house. The parents

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were working in the *jum* field, and their 7-year old daughter Anamika Tripura was also in the house to look after the baby.²²

4. On 29 July 2013 at around 11:00 am a 11-year old Pangkho indigenous girl was tried to kidnap by a Bengali settler in Rangamati on the street of Rangamati Police Line Government Primary School in Rangamati town. The local residents rushed there and rescued the girl while the girl was shouting. The kidnappers fled away from the place. The victim is a student of grade IV of Rangamati Mission School. The guardian of the girl informed the incident with Kotwali police station. However, no case was filed in this regard. On 31 July 2013 residents of Jumma and Bengali caught perpetrator from fishermen colony near DC Banglow area of Upper Rangamati. He was identified as Md. Arif. He is a fisherman by profession from Moheshkhali area of Chittagong district. He was handed over to the police.

5. On 10 August 2013, an indigenous Chakma girl Elika Chakma (13) from Chadarachara village of Atarokchara union of Longadu upazila in Rangamati district was abducted by a Bengali Settler Md. Kamal (30) of same union. The victim was a student of class five of Bhangamura Model Government Primary School. It is learnt that culprit Md. Kamal was a fisherman. Soon after abduction, the victim's father Prabhat Chakma filed a case with Longadu police station registering a GD no-434 on 14/08/2013. Police could not rescue the girl, and no one was arrested as well.

Trafficking

1. On 2 January 2013 police rescued 16 indigenous Tripura children from a madrasa (Muslim education centre) named Abuzor Giffari Mosque Complex under Sabujbagh police station in Dhaka. The children were converted to Islam by force. The children were taken from various villages of Bilaichari upazila in Rangamati district and belong to indigenous Tripura and Chakma community. 5 children were girls among 16 indigenous children. The girls' names are Sumola Tripura, Sunila Tripura, Reni Tripura, Mayani Tripura, Julima Tripura. It is learnt that the parents of 11 children were brought to Dhaka under the supervision of local collaborators and hence the parents were compelled to take back their children to the

22 <http://bangla.bdnews24.com/bangladesh/article640193.bdnews>, কুমায় শিশু অপহরণ।

Madrasahs. The kids are living in extreme poverty. Most time they have to starve and passed their nights without food. So, when they got offer from brokers to send their children to schools, they agreed with them. As an agreement, they had to give finger print in some paper, but they did not know what was written there. They were also not aware that their children have been sent to Madrasa. The kids are under 18.

2. On 8 July 2013, three indigenous girls namely Isanasi (18), Jhumi (18) and Khami (18) rescued in Faridpur district while they were being trafficked. Police rescued three young indigenous girls from Faridpur-Rajbari crossing on Dhaka-Khulna highway while they were being taken to Jessore from Dhaka by a passenger coach. According to police sources, acting on suspicion on-duty traffic policemen searched the coach-Dhaka Metro-BA-14-1490 and found the young indigenous girls inside the vehicle. It is alleged that the girls were picked up from Alikadam upazila of Bandarban district. The police said they were being trafficked out to India after enticing into providing them well-paid jobs in that country.²³

Killing after Rape

1. On 30 March 2013, an indigenous girl named Bithi Deo (7), daughter of Gabriel Hadima and Purobi Deo of village Panihata of Nalitabari upazila under Sherpur district was brutally killed after rape by a miscreant. The girl was a student of class one of Panihata Christian Mission School. She used to go to school from her grandfather's house of same village regularly since her parents work in Dhaka city for their jobs. It is learnt that the girl was being late in the evening of 31 March, and then relatives of victim started searching her and later found the dead body in a bush which is very close to her neighbor Mr. Kanti Deo. Primarily, it is assumed that the girl was killed after rape by Kanti Deo when rapist found her alone in the bush, because Kanti Deo is hiding somewhere after the incident. On 31 March, the dead body was taken to the district hospital of Sherpur for autopsy. A murder case was filed against Kanti Deo with Naniatoli police station of Sherpur district.

2. On 9 April 2013, an indigenous girl named Champa Chakma (8), daughter of Rukkeya Chakma was killed allegedly after rape at

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Rangapanichora village of Merung union of Dighinala upazila in Khagrachari district. She was a class three student of Dokkhin Rangapanichara Government Primary School. It is reported that on 9 April 2013, Champa and her younger brother with speech disabilities went to jungle to collect wild vegetables in Rangapanichara. Champa's parents and villagers were worried when Champa's younger brother came back home alone in the evening. He tried to make community people understand that Champa was forcibly taken away from there by three Bengali settlers, and he was able to escape from the scene. On the next day, Champa Chakma's dead body was found in Rangapanichara jungle with two chopping marks around her neck. The police rushed to the spot to rescue the dead body under its custody.

Physical Assault

1. On 27 January 2013 police charged baton on the picketers including women activists in Bandarban district during a half-day roads and waterways blockade programme in three hill districts of CHT demanding arrest and punishment of the rapists of 14-year old indigenous Marma girl in Kaukhali. In this baton charges, one indigenous women rights activist namely Chohla Marma (18) was injured. Moreover, Shahana Begum, Amit Tripura, John Tripura, Fancies Tripura, Rafael Tripura and George Tripura were also injured. It is reported that police charged baton on the rights activists when they were picketing in the bus stand area of Bandarban town at around 9:30 am. Roads and waterways blockade in the district was by and large peaceful. The activists blockaded the roads by burning tyres.

2. On 6 March 2013, an indigenous woman named Kusum Bala (45) wife of late Shachindranath Karmakar was smashed and vandalized by a group of miscreants at Bagjana village of Pachbibi upazila in Joypurhat district. This attack was allegedly made by a group of Bengalis led by Md. Jahangir Alam, Bagjana UP member. The miscreants also beat another indigenous guy named Suren Hasda when he came out to protest against the violence. However, meanwhile their homes were damaged along with some valuables they had.

3. On 25 April 2013, two Bengali settlers named Alauddhin Kosai (45) and his son Russel Kosai (16) beat an indigenous Marma girl named Thuima Ching Marma (35) wife of Chathowai Prue Marma at Bangalhalia Bazar

area of Rajsthal upazila in Rangamati district. It is learnt that Alauddhin and his son went to cut bamboo at Chathowai Prue's bamboo garden without any permission from owner. The miscreants started beating and hitting her inhumanly by their sticks while she tried to oppose them from cutting their bamboos. The perpetrators fled away when local people gathered at the incident's place. The victim was seriously wounded and received treatment from adjacent Union Parishad Clinic.

4. On 29 April 2013, total 6 indigenous peoples including 3 indigenous women namely Madhobi Soren (10), Rima Soren (30) and Rina Soren (25) were injured on a communal attack to Santal community by Bengali miscreants with the intention of eviction from indigenous ancestral land in Godabari. A group of 10-12 miscreants started smashing and looting house on Gonesh Soren house in Dador village. When Gonesh and his family members came to protest against violence they beat up them brutally. A case was filed against the criminals.

5. On 2 June 2013 at late night about 2:30 am, an innocent indigenous woman named Sapna Tripura (27), wife of Suklo Marma of village-Dulyotali Bazar Para of Dulyotali union under Laxmichari upazila of Khagrachari district became victim of inhuman beating by a group of terrorists. She was injured severely. It is learnt that at that time a group of terrorists numbering 15 persons led by Suchendra Chakma (32), going to the Dulyotali Bazaar Para, surrounded by the house of Mrs. Sapna Tripura and woke the family members up and then began beating Sapna Marma. As a result of heavy beating, Sapna Marma became seriously injured.

6. On 30 June 2013, around 10:30 am, three indigenous women were seriously injured after an open fired by riot police using rubber bullets in south Hobongpuje area of Khagrachari district. It is learnt that police and settlers jointly planned to attack indigenous community to create a communal conflict within local society during the time of strike. In this incident an indigenous woman Chanchala Chakma (50) from south Hobongpuje area was seriously injured after an open fired operation by police. She was admitted in Khagrachari hospital first with her serious health condition. Moreover, the source informed that 2 more indigenous women named Koni Chakma (26) and Shamalika Chakma from same the area were seriously injured by rubber bullets used by police.

7. On 9 September 2013, Md. Iman Ali (37) beat up inhumanly an indigenous woman Kadra Besra (35) of Kashim Nagar of Shotogram union

under Birganj upazila of Dinajpur district. The culprit beat up Kadra Besra brutally hiring a gang of local miscreants when she protested to stop land grabbing on her own cultivated land. A case was filed against Md. Imam Ali.

8. On 9 September 2013 at around 8.00 am two indigenous women named Chaw Ma Thui Marma (25), daughter of Kyaw Hla U Marma and Na Prue (29), daughter of Hla Thowai Ching Marma including 5 indigenous peoples were critically injured on a gang attack of land grabbing on indigenous peoples led by land grabber Mujibul Haque along with a group of 20-30 Bengali terrorists at Polijhiri (Polikhyong) area of Rupshi union of Lama upazila under Bandarban district. At first, they threw the powder of chili on the face and then attacked with rods and sharp weapons. The terrorists also smashed up the Jum house (temporary firm house) belonging to the indigenous Jum cultivators. A case was filed against the perpetrators with Lama police station, and police claimed that, 13 persons were already arrested who are allegedly engaged with this incident but the main perpetrator Mujibul Haque was not arrested yet.

9 On 10 December 2013, a soldier of Boradam army camp allegedly beat 3 indigenous women named Santana Chakma (45), Seema Chakma (18) and Aina Chakma (18) severely in Dighinala upazila of Khagrachari district. It is learnt that, on the incident day, the victims went to their land adjacent to the Boradam army camp, for their household works. The warrant officer of the camp ordered them to stop their work and leave the place immediately. The victims protested against such order, and then, an argument ensued. At one stage of altercation, a group of soldiers led by the warrant officer himself swooped on the victims with clubs. Later the locals rescued the victims with serious injuries and had them admitted to Dighinala hospital.

FOLLOW-UP: Case Study

Case Study-1: Kalpana Chakma Abduction: Cry for justice for 17 years

On 12 June 1996 at mid-night Kalpana Chakma (23), the Organizing Secretary of Hill Women's Federation (HWF), was abducted from her home at New Lalyaghona under Baghaichari upazila in Rangamati district.



Her brother Kilindi Kumar Chakma identified the abductor as then Lieutenant Ferdous of Kojoichari army camp and two Village Defence Party (VDP) personnel Nurul Haq and Saleh Ahmed. Mr. Kalindi Kumar Chakma filed a case against them after the incident on 12 June 1996 with Baghaichari police station case file no-2, dated 12/06/96 under section 364 Kidnapping or abducting in order to murder. There have been much national and international news, reports, human chains took place demanding Kalpana Chakma's justice in last 17 years, but sad news is that justice for Kalpana Chakma is not ensured yet. The case is now being investigated by the police superintendent of Rangamati.

At first, police officer carried out an investigation where he failed to name any suspects, due to what it said was 'insufficient evidence'. Later an inquiry commission was set up by the Government which also found no involvement of the military or the VDP in the abduction. The commission interviewed 94 people and submitted a 40-page report to the Ministry of Home Affairs in 1997 and concluded, 'Kalpana Chakma has willingly or unwilling been abducted but it was not possible for us to identify the abductor for lack of witnesses and evidence and there remains no grounds to recommend that legal action should be taken against anyone'.

In 2010, Rangamati court ordered the reinvestigation of Kalpana Chakma's case when Kalindi Kumar Chakma, formally expressed his discontent with the findings. A new Final Report was submitted after two years of investigation on 26 September 2012. The human rights activists rejected CID's final report on the case of abduction of Kalpana Chakma

and demanded independent, impartial and credible investigation into the abduction since the investigation report already created questions about the justice of abduction of Kalpana Chakma.

In January 2013, Kalindi Kumar Chakma once again submitted a Court Order expressing his discontent with the latest findings and failure to investigate the accused suspects during the original investigation. As a result, the court rejected the Final Report and instructed the Police Superintendent Amena Begum of Rangmati Hill District to further conduct an investigation into the case and stated that every effort should be given to rescuing the victim Kalpana Chakma. Following the fact, SP Amena Begum failed to submit her investigation report on 10 December 2013 the Rangamati Court gave her a new date and asked her to submit the report on 26 January 2014.

Case Story-2: Attempt to rape in Lama: Perpetrator released on bail

On 30 July 2011 Bengali settlers attempted to rape a 15 years old indigenous girl at Siletuya Paea village of Rupashi union under Lama upazila (sub-district) in Bandarban district. The settlers killed brutally 3 indigenous people who went to the spot to rescue the girl. The victims were identified as Mr. Aung Sha U Marma (70), Ms. Hla Powang Prue Marma (40) and Mong Nue Ching Marma (5) were killed brutally by Bengali settlers when they went to rescue her on the spot. A case was filed against the perpetrators with lama Police station. Police arrested one killer with a connection of this case. Some local public representatives gave a commitment to follow up the case in near future. Unfortunately no follow up investigation was done on this incident due to financial barriers as well as complex court procedures. There was no formal body that followed up the case throughout the entire process for this particular case. The case could not begin at all district court. The alleged killer got bail in the mean time. And no one is following the progress of the case intensively.

Case Story-3: Killing of Bolimila Chakma: Still under trial

On 7 July 2012 an indigenous Jumma woman named Bolimila Chakma (40) wife of Durgamoni Chakma was killed allegedly by Bengali settlers in Uluchara area under Rangamati municipality in Rangamati district. It is reported that she was killed after rape by Bengali settlers when she went



Indigenous women and men stage demonstration demanding justice for Bolimila Chakma.

to collect water to the stream down. Deep cut marks were found on her neck when police brought dead body to Rangamati general hospital for post-mortem. On 8 July 2012, the victim's uncle filed a case with Rangamati police station against three Bengali settlers name Sohel (26), Sohel (25) and Manaiya (26) of vedvedi area in Rangamati town. Following the allegation, police arrested the culprit Md. Sohel (26) on 9th July 2012. The criminal was taken on 10 July to the district court granting on 5 days remands of criminal. It's now in stage of investigation by CID. It is learnt that the investigation has been quite unorganized or without any proper guideline. CID office of Chittagong called the victim's uncle including 3 persons to cross examine their records regarding the case in last November 2013. The next hearing date at district court on this case is on 16 January 2014.

Case Stury-4: Killing of Ponemala Tripura: Trial still going on

On 4 September midnight, 2009, a 50-year-old indigenous woman, Ponemala Tripura was killed in Sindukchari of Khagrachari district. Her dead body was recovered from their Jhum field by the villagers in the morning on 4 September. She was staying alone as in a small jum house to protect her crop from wild animals as she usually did in turn with her husband. She inherited the land from her father but in the 1980s four Bangali men had been given settlement on that land by the government-sponsored trans-migration program of counter-insurgency. The dispute was never settled and the locals suspected that this was a violence carried



Indigenous women demand justice for Ponemala Tripura.

out by these four men to revenge her non-cooperation to hand over her land to them. A case was filed under the state complement against five criminals. The criminals were arrested and got bail in the mean time from high court as no one was following the case. In the meantime, seven public hearing sessions have been held in district court. Now witnesses and evidence hearing session will be started from January. In the mean time first witness hearing session was canceled due to no court was close

Case Stury-5: Killing of Sujata Chakma: Justice yet to be ensued

On 9 May 2012, Sujata Chakma (11), daughter of late Jyotish Chandra Chakma of Ultachari village under Atarakchara union of Longadu upazila in Rangamati district, was raped and strangled by the culprit, Ibrahim Elahi. The victim's Biton Chakma filed a case following the incident with Langadu Police station in the same day of the incident. On 10th May 2012, police arrested the culprit with the help of local people. In 2011, Md Ibrahim raped a chakma girl (13) from same area. Later, rapist Ibrhim was identified and arrested, but got released on bail one month before committing the rape and killing



Sujata Chakma

of Sujata Chakma. No personal lawyer has been appointed for that case. It was learnt that in the afternoon of 13 May 2012, a local court in the district town of Rangamati sanctioned 5-day remand of Ibrahim Elhai. In the mean time, a series of precaution have been held in Rangamati court.

19 Oct 2012, Charge hearing of Sujata and Bishaka's case was happened at District court Rangamati. Police brought the culprit at court for hearing and reading the charge. The bail of him is cancelled by district judge. District court decided that every case hearing of these two cases will be held in every 15 days. Another hearing of Bishakha's case happened on 15th January, 2013. As no lawyer from criminal's side Ibrahim (criminal) himself questioned Bishaka. It is learnt from lawyer that this system is allowed when no lawyer from criminal side then court allows it for better judgments. On the other hand, on 3rd March 2013 Sujata case hearing was happened. Two hearing dates were set up for rape and murder case on 18 March and 20 March 2013. As there was no witness present for Sujata and Bishakha case so court could not arrange prosecution as at least four are needed. It is learnt that, six witnesses are better to face prosecution. 26 September. The next witness hearing date is on 6 January 2014 for both cases.

Case Stury-6: Murder and rape of Sagori Oraon: Justice yet to be ensued

On 19 May 2012 a 7-year old minor indigenous girl named Sagori Oraon was killed after rape by Bengali auto-rickshaw driver named Nannu Mian (25) son of Ataur Rahman at Mohammadpur village of Paharpur union under Badalgachi upazila of Naogaon district. Relating to this incident police filed a case. On 23 May 2012 at around 5.00 pm police arrested the perpetrator Nannu Mian. No bail was allowed for the killer by district judge. It is learnt that the perpetrators family members are negotiating with the victim's family members to withdraw the case.

V. EDUCATION AND CHILD RIGHTS



Photo : Jewel Chakma Foran

V. EDUCATION AND CHILD RIGHTS

Overall Situation on Education and Child Rights

Around three million indigenous peoples of Bangladesh, belonging to over 54 ethnic groups, with their distinctive cultures, languages, customs, beliefs, and identities, have made enormous contributions to the emancipation and formation of this country. Yet, indigenous peoples in Bangladesh in general have been suffering from oppression, discrimination, and subjugation perpetrated by both state and non-state actors ever since the liberation of this country in 1971. As a consequence, their cultures, languages, customs, beliefs, and identities are at the verge of extinction.

In such circumstances, the issues indigenous children's human rights are often overlooked and not much discussed about in the realm of rights of indigenous peoples. The sufferings of the indigenous children in Bangladesh are twofold — their rights are infringed firstly, because they are indigenous, and secondly, because they are children. In addition, the issues in relation to the rights of indigenous children are very problematic to handle with given that many such issues are often condoned by the society considering as though they were 'just'.

A major issue facing indigenous children is in terms of their right to primary education in own mother tongues. In order to establish this right, indigenous peoples have been asserting for the arrangement of primary education in their own mother tongues for a long time. Studies also show that indigenous children learn better in own mother tongue. But then it has to be thought in school, which is not the case of indigenous languages in the country. As a result, indigenous children in Bangladesh are lagging far behind their Bengali counterparts in primary education. Furthermore, the textbooks used for educating the children at primary level (and sometimes even at secondary levels) often contain distorted and

misleading information about their cultures, languages, beliefs, and ways of life. This is contributing to creation of wrong perception among the naive Bengali kids towards indigenous peoples in one hand, and demotivating the indigenous children while studying.

Education, especially primary education, being very pivotal for the development, is intertwined with different challenges facing indigenous children. One such crucial issue is religious conversion — indigenous children from poor families are being forcefully converted to Islam. Indigenous children are being taken away by Islamic fundamentalist groups from their family with the pretext to take those children into good schools. But the kids are actually taken to madrassas for religious conversion. Similarly, indigenous children from insolvent families, who are taken to well-to-do indigenous and non-indigenous families to work as domestic workers, are also often given the promise that they would be provided with good education. But in reality such children are barely provided with good education in the homes they work, if they are provided at all. Rather such indigenous children are often tortured or harassed by the family members of their employers.

In order for ensuring higher education for the indigenous students and securing their employment after they graduate, there is a 5% quota policy in higher education as well as in the government jobs. However, in both the cases, there is no coherent policy and entire issue is often entangled with bureaucratic interventions. As a result, 5% 'Tribal Quota' is never maintained in both higher education as well as in the government services. During last 10 batches of Bangladesh Civil Service (BCS) examinations, very few candidates were recruited. This practice continued in the recently held preliminary test of 34th BCS.

In order for the proper protection and promotion of the rights of the children around the world including indigenous children in Bangladesh, the Convention on the Rights of Child (CRC) was adopted in 1989, along with different international human rights treaties and standards. If domestic sphere of Bangladesh were looked at, it would be seen that Bangladesh has also taken different measures for the protection of the children of the country. Such as, the Constitution of Bangladesh stretches the importance of advancing the backward society with special arrangement. Alongside, legislations such as Children Act 1974, Children Rules 1976 and National Child Labour Elimination Policy 2010 were also formulated among others

in order for ensuring proper development of children of the country. Recently government enacted Children Act 2013 in accordance with the CRC to fill the gaps of the previous legislations. But it is yet to be seen how enforcement of this law protects and promotes the rights of the indigenous children of the country.

Primary education in indigenous languages denied

While the elementary education has been made free and compulsory for every individual by the Universal Declaration of Human Rights (Art. 26), the issue of obtaining primary education by indigenous students in their own mother languages has remained a less focused area in the realm of right of education. In Bangladesh also, indigenous students are denied of enjoying their right to education properly—in particular, the right to primary education in their own languages remains as an issue of negligence by the policy makers of the country.



Adivasi Chatra Parishad demands for arrangement of primary education in indigenous languages.

It is observed that historically the laws and policies in Bangladesh are not friendly towards primary education of the indigenous children in their own mother tongues. The education system in Bangladesh does not properly recognize the languages, cultures, and identities of the indigenous peoples in the education system of Bangladesh. As a result, indigenous students

lose their motivation to study. In this regard, a major challenge emanate from the absence of a system of education at primary level that incorporates indigenous languages. The medium of primary education, including the textbooks and other reading materials, has always been in Bengali and English. These unfamiliar languages throw enormous challenge towards indigenous students to cope with.

As a result, while the enrolment rate is very low, the dropout rate of indigenous students at the primary level is very high. A report by ADB in 2001 shows that whereas the overall enrolment rate in Bangladesh was 86.6%, the enrolment rate of indigenous children in the indigenous inhabited CHT region was only 56.8% (ADB 2001). In regards to dropout rate, the situation is even worse. The drop out rate of the enrolled students at school in the early primary is 60% (ADB 2001), which is nearly double the national dropout rate.

In order to to address this problem the government took some initiatives previously. For example, a very important government policy named The National Poverty Reduction Strategy Unlocking the Potential - National Strategy for Accelerated Poverty Reduction (2005, 152-153) states: “It is necessary to provide education to adivasi/ethnic minority people with a curriculum that allows learning in their own language at primary level.” Also, very importantly, the National Education Policy of 2010 (2010, 11) states in its strategies for primary education:

- Measures will be taken to ensure the availability of teachers from ethnic groups and to prepare texts 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.

Besides, the Chittagong Hill Tracts Accord of 1997, an agreement signed between the indigenous peoples’ organisation of CHT and Bangladesh Government, clearly says about the inclusion of primary education in their respective mother tongues. Despite enshrinement of the right of indigenous children’s to primary education in so many important government documents, the government did not undertake any initiative to implement them – they remained merely on paper.

At the beginning of 2013, the Ministry of Primary and Mass Education took an initiative to begin education for indigenous peoples in their mother tongues at pre-primary level. In this regard, government formed a national committee which made recommendations to prepare textbooks, train teachers and other affairs in six indigenous languages – Chakma, Marma, Kakbarak, Mandi, Santali and Sadri. The suggested textbooks are supposed to be published in January 2014. However, preparation of pre-primary education in six indigenous languages including teachers training and, preparation of textbooks and curriculum has not been completed up to this report.

Considering primary education in own mother tongue very pivotal for increasing literacy among them, indigenous peoples have been asserting for demands for decades. Indigenous peoples' movement for obtaining primary education in indigenous languages continued in 2013 as well. On 10 January 2013, indigenous Santal peoples put forward a seven-point charter of demands to the government, which included their demand for primary education in their mother tongue besides Bengali, establishment of Santal language academy, publication of books in Santal language, and establishing language academy under the Mother Tongue Institute in a press conference in Rajshahi. Similarly, on 13 February 2013, an indigenous student organization named Adivasi Chhatra Parishad (Indigenous Students Council) also asserted for ensuring the right to start education in their mother languages in an event marking the International Mother Language Day held in Pabna. Other than putting the demands forward to the government, some Indigenous Peoples Organisation (IPOs) have taken some 'informal' initiatives to provide the indigenous students with primary education in their mother languages. One such remarkable initiative was taken at some Buddhist temples in Bandarban district where an annual exam was held for the first time in the history on 11 January 2013.

School textbooks provide misleading information regarding indigenous peoples

Some of the primary school textbooks contain distorted and misleading information regarding indigenous peoples of Bangladesh. This distortion of information encompasses food, clothing, religion, language, and other aspects of cultures and identities of different indigenous communities of Bangladesh.

“Mro people are generally Buddhist... Their one of the most delicious foods is ‘nappi’.” “The Garos and the Khasis do not have their own scripts.” “The Tripuras’ houses are higher than those of the Chakmas and the Marmas’.” Such wrong information have been provided in the chapter named *Khudro Jatisotta Porichiti* (Introducing Minor Races) of the book *Bangladesh O Bishwa Parichoy* (introduction to Bangladesh and the world) of class five. Mro people do not practice Buddhism, and ‘nappi’ is favorite not to the Mros only, it is a favorite food of all the indigenous communities in the. And though the Garos do not have their own scripts as such, they have been using Roman script for a long time. Furthermore, the information provided that the Tripuras’ houses are higher than the houses of the Chakmas and Marma’ is also wrong since generally there is no distinction between the architecture of houses of these communities. Such information distortion is prevalent also in the drawings used in this chapter, which are not compatible whatsoever with the cultures and ways of life of indigenous peoples.



Textbooks in indigenous languages are yet to reach the hands of indigenous kids.

Indigenous leaders and rights activists opine that such misrepresentation of indigenous culture and way of life in the school textbooks is providing disgraceful information about indigenous peoples to the naive kids of the country. They also claim that this would contribute to the creation of a

negative impression towards indigenous peoples among the young Bangali students. As Sanjeeb Drong, the general secretary of Bangladesh indigenous Peoples Forum says, "...This would create a negative perception towards Indigenous peoples in the minds of the Bengali kids. Prior to including such write-ups in the textbooks, the Government should seek opinion from the indigenous intellectuals and researchers about the write-ups. In this way many confusions can be evaded."

Domestic labor throws indigenous kids into dire situation

Many indigenous children who work as 'maids' or domestic workers continue to lead a very appalling life across different parts of Bangladesh. This is particularly widespread in the households of the urban areas who employ indigenous children from poor families as maids.

It is seen in both the Bengali and indigenous societies that there is a culture of employing maids to assist in different household activities of the well-to-do families in Bangladesh. Indigenous persons, who work as helping hands, are often seen to be working for indigenous families. If seen positively, this system assists families of both kinds—solvent and poor families. In one hand, it helps well-off families getting some comfort at the cost of some money. On the other hand, it lets poor families secure employments that help them make a living and augment their incomes.



However, the problem arises when indigenous children are employed as domestic workers. It is often the case that indigenous children are taken

away from their homes and employed in the well-to-do families to do household activities like cooking, cleaning, baby sitting, and so on. As a result, the children doing so many activities get deprived of their normal way of life and many of their rights enshrined in the Convention on the Rights of the Child are violated. The situation gets worse when they endure physical, sexual, mental, and other forms of violence from the family members of the homes where they work. However, such of violence are often condoned by the society as 'just'.

In an incident in September 2013, Mechainu Marma, a 12-year old indigenous Marma girl was found in Dhaka with scars all over her shoulders, chest, and neck because boiling water had been poured on her by her employer Ume. After she was tortured in such a brutal way, she was not given proper medical treatment. Two weeks later Ume's sister took Mechainu to her home in Naikhyongchari upazila under Bandarban district. And only then she got treatment as her father Mong Me Marma took her to a local hospital. After two more weeks, Mong Me managed to file a case with Mohammadpur police station in Dhaka. However, police did not take any action against Ume Marma and her husband Khi Mong as meanwhile they had received bail from the High Court. It is notable that this was not the first time Mechainu endured torture, she had been suffering from different kinds of torture ever since she was brought into her employer's house. And though she was given the promise that she would be provided with education while bringing her to the employer's house, she did not get anything but torture and harassment by her employer's family members.

While the situation is so dire, the domestic laws and policies of the country fail to give adequate protection to the indigenous (and non-indigenous) children. Mainly the loopholes in the laws and policies can be said to be attributing to the situation. For instance, the Bangladesh Labour Act, 2006 does not include anyone including indigenous children engaged in work as domestic worker under the definition of worker it provides (NHRC 2013, 43). Likewise, the National Child Labour Elimination Policy-2010 does not clearly say the maximum age up to which a child would be prohibited from working (NHRC 2013, 43). Furthermore, protection of these indigenous children through the Children Act, 2013 is yet to be seen as this law is yet to be enforced properly.

Above situation invokes the government to undertake adequate measures to address the problems of indigenous children working in households and protect their rights. Amendment of loopholes in the existing laws and policies and proper enforcement of good laws and policies may contribute to enhancement of the situation.

Indigenous children being converted forcefully to Islam

Indigenous children from some remote indigenous inhabited areas of the country are being forcefully converted to Islam from their respective religions. Children from the poor and illiterate indigenous families are the prime victims of such conversion as such families cannot send their children due to financial insolvency and remoteness of the schools from their localities.



A group of rescued indigenous kids standing with their parents.

The indigenous communities belonging to more than 54 groups in the country practice Buddhism, Christianity, Hinduism, animism and other faiths. But most indigenous peoples, except for a tiny section of indigenous Monipuri ethnic group, practice Islam, the religion practiced by majority of the population of the national community of the country. In order to convert these non-Muslim indigenous communities, religious fundamentalists are working secretly with the view to 'Islamize' whole country. In this regard, they are using education to lure the indigenous families.

Since most of the indigenous communities live in far-flung areas of the country, indigenous children do not have access to good schools, if there are schools at all. Indigenous kids have to cross miles on foot to go to (and come back from) schools. Besides, many indigenous families cannot afford to send their children to good schools due to financial hardship given that indigenous peoples are one of the most impoverished sections of the national community. As a result, when they find any opportunities that may ensure good education for their children, they try to tap those opportunities.

In such circumstances, religious (Islamic) fundamentalists attract such indigenous families by alluring them that they would provide education in good schools. These religious fundamentalists never take indigenous kids to good schools, but rather take them to Madrassas with the intent to convert them into Islam. It is notable that Madrassas are educational institutions to provide religious education to the Muslim students.

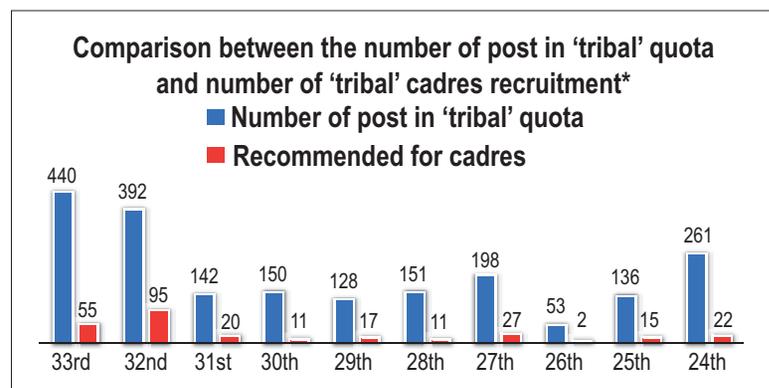
Earlier this year on 02 January 2013, police rescued 16 indigenous children from a madrassa named Abuzor Giffari Mosque Complex under Sabujbagh police station in Dhaka. The children were converted to Islam by force. The children were from Rangamati district of the CHT and belong to indigenous Tripura and Chakma communities. Also, on 4 February 2013, another group of indigenous Tripura children were rescued in Dhaka by the leaders of Hill Students' Council and Tripura Student Forum leaders of University of Dhaka. The children were being taken to a madrassa in Pirojpur district from the Chimbuk areas of Bandarban with the excuse that they would be admitted at a missionary school.

The Constitution of Bangladesh prohibits forceful provision of religious lessons to the children of the country. As Article 41(2) of the Constitution states, "No person attending any educational institution shall be required to receive religious instruction, or to take part in or to attend any religious ceremony or worship, if that instruction, ceremony or worship relates to a religion other than his own." Yet, forced conversion of indigenous children to Islam continues as indigenous children and their families fall into the 'trap' of education. The state is failing to establish the right to education of indigenous children in one hand, and it is violating its constitution on the other.

Yet, so far any initiatives from the government agencies and non-government organizations cannot be seen in order to save the indigenous children from being converted to a religion from their own religions. Neither proper data about how many children have been converted into Islam can be found from both government and non-government agencies. If immediate steps are not taken to prevent such conversion, many indigenous children will lose their beliefs, culture, language, and way of life.

Quota contention deprives indigenous candidates in BCS recruitment

280 indigenous candidates of 34th Bangladesh Civil Service (BCS) recruitment were deprived of their right of enjoying 5% quota enshrined in the civil services recruitment policies due to a controversy arose around the quota system in Bangladesh earlier this year.



The constitution of Bangladesh requires special measures to be taken for the marginalized communities of the country such as indigenous peoples in employment as well as other service. As in order for ensuring employment of such communities Bangladesh Constitution's Article 29(3)(a) states: "Nothing in this article shall prevent the state from making special provision, in favor of any backward section of citizens for the

*Source: International Labour Organization's (ILO) ongoing study (2013) entitled "A Qualitative Study on Quota Policy for Indigenous and Tribal People in Government Services of Bangladesh," being conducted by Sheikh Saiful Islam.

purpose of securing their adequate representation in the service of the Republic." In compliance with this provision, 5% quota named 'Tribal Quota' in the civil services was initiated in 1985 for indigenous peoples in Bangladesh.

However, this quota policy has remained merely on papers, as 5% quota for indigenous candidates has never been maintained properly ever since its inception. A study (ongoing) conducted by International Labour Organization (ILO) (2013) shows that from 24th to 33rd BCS recruitments only 275 candidates were recruited out of 2051 available posts for indigenous candidates. Which means only 13.40 percent of the allocated 5% 'Tribal Quota' was fulfilled. The claim comes from the civil servant recruiting body Public Service Commission (PSC) of Bangladesh is that the reason behind this non-fulfillment is 'unavailability' of indigenous candidates!

While the situation of BCS recruitment is so grave, some vested groups have always been active against the quota allocated for indigenous peoples. Such groups often claim that indigenous peoples in Bangladesh are well advanced now, so they do not need quota of 5% any more! And another claim they have been making recently is civil service recruitments should be based on meritocracy, not by allocating quotas. Such controversy around quota was at its peak around the period of the preliminary test of 34th BCS this year. A group of Bengali candidates of this batch of BCS even protested on the streets against quota allocated for indigenous peoples, women, children of freedom fighter and persons with disability.

As an aftermath of their protest, PSC republished the preliminary result where 280 indigenous candidates 'failed' to succeed in the preliminary exam though they had passed and duly fulfilled all the criteria to be qualified for the next stages of the BCS examinations. As a result controversy arose and different reports came out in the newspapers on this issue. Later, victim indigenous candidates filed a case against the result claiming against the result. The case is still active in the high court.

Children Act of 2013: Beginning of A new era for indigenous children in Bangladesh?

On 20 June 2013, the Parliament of Bangladesh passed the Children Bill

2013 superseding the Children Act 1974. Unlike previous legislations on the rights of children in Bangladesh, this law named Children Act 2013 is in conformity with the Convention on the Rights of Child (CRC).

Similar to many other countries in the world, Bangladesh has had some focus on the rights of the children through enshrinement of the rights of children in the constitution and different laws and policies of the country since its independence. As Article 28(4) of the constitution states: “Nothing in this article shall prevent the State from making special provision in favour of women or children or for the advancement of any backward section of citizens.” Besides, government promulgated laws and policies such as Children Act 1974 and Children Rules 1976 in order for protection and development of the children of the country.



However, these laws and policies failed to provide adequate opportunities that children of the country needed for their proper development as these laws and policies are not comprehensive enough to embrace many major issues facing the children of the country. Moreover, these laws are not in proper conformity with the CRC, the only international law especially for the rights of children, which is considered as the standard for the rights of the children across the globe.

Since the Children Act 2013 was enacted in compliance with the CRC, rescinding the *Children Act of 1974*, this law is expected to provide the children, including indigenous children, with proper protection and

promotion of their rights and create adequate room for their development as decent citizens of the country. This act brought about some positive developments in favor of the rights of children inter alia harmonization with the CRC, constitution of National Child Welfare Board, protection of child victims and witnesses, establishment of child help desks in the police station, measure for wellbeing of the children, child-friendly arrest procedure, and juvenile court at district level. And a very significant change brought about by this law is in terms of sentencing the convicted children — whereas previously there was life term imprisonment or capital punishment as the highest punishment for the convicted children, current law awards the convicted children with maximum of ten years of imprisonment.

Having said that, this new law is likely to face enormous challenge in terms its proper enforcement since the experiences from the previous legislations demonstrate that enforcement of them were problematic because some of the existing rules, customs and practices in the society are unfriendly towards proper development of indigenous children. The challenge is be even more for the issues of indigenous children of the country given that indigenous peoples in the country as a whole are under constant oppression, subjugation, and exploitation by both the state and non-state actors. The issues facing indigenous children are distinct from their mainstream counterparts also because of the distinctive cultures, customs, rules, beliefs, and identities indigenous children have. It is seen that indigenous children’s human rights are often infringed not only because they are children, but also because they are indigenous.

Given such circumstances, will the *Children Act 2013* be able to address the issues of indigenous children across the country properly? Being a very fresh law, it is too early to answer this question. Time will say how the enforcement and effectiveness of this law to protect the rights of indigenous children of Bangladesh in future.

Residential hostels kept pending to start in Bandarban and Rangamati

Total five residential hostels for indigenous students were built in Bandarban 2011 to cover education for the most disadvantage children with a construction cost of three millions taka. As a result, at least 500 indigenous children are deprived of receiving proper education due to not

running the hostels in remote areas. It is learnt that CHT Affairs Ministry has no plan and budget yet to revive the hostels in these areas. A promise made by the chairman of Bandarban Hill District Council to continue these residential hostels from the fund of Hill District Council from this year 2014 until national government fund is approved. Although the plan was to continue their education at primary level in early time of 2013, lack of government interests and budget allocation could not ensure the opportunity of education for indigenous children. Irrespective of the Education Ministry claims that the constructed buildings were not included or registered under PEDP-III plan. So, budget allocation was not ensured to run the hostels in 2013. Due to the above-mentioned reasons, two constructed residential student hostels could not launch in Ghagra union of Kaukhali upazila and Atarokchara union of Longadu upazila in Rangamati district. Each hostel can accommodate in Rangamati at least 40 boys and 40 girls as per the plan.

MEDIA REPORTS

Dhaka Tribune

The Dhaka Tribune, August 14, 2013

Indigenous languages facing negligence, risk of extinction

Muktasree Chakma Sathi

The lack of preservation initiatives may expedite the process of their extinction

The government is yet to take concrete measures to preserve the country's endangered languages, especially those spoken by the indigenous people, and protect the rights of linguistic minorities.

The problem persists despite the fact that there is a government institution with the particular responsibility to take care of endangered and near extinct languages. The International Mother Language Institute (IMLI) was launched on March 15, 2001 and the label "international" meant that its area of work and research would include languages and linguistic heritages of other countries as well.

According to sources, other than the Bangalees, there are at least 45 groups of people indigenous to the country, with an approximate number of 30 languages spoken. Experts say many of these languages have no standard written forms, meaning the history, tradition, wisdom and knowledge of these communities are passed on orally. The lack of preservation initiatives may expedite the process of their extinction, but equally importantly as pointed out by Sanjeeb Drong, general secretary of Bangladesh Indigenous Peoples Forum would also stand opposed to the linguistic rights enshrined within the constitution.

The Article 23(a) of the constitution says: "The state shall take steps to protect and develop the unique local culture and tradition of the tribes, minor races, ethnic sects and communities."

Sanjeeb said: "The government is denying indigenous children their right to have a primary education in their own (mother) languages a right also stressed upon in the National Education Policy of 2010."

Shourav Sikder, a professor of linguistics at the University of Dhaka, told the Dhaka Tribune that the 30 or so languages that exist in the country have been in practice for centuries among the indigenous communities. "The number of these peoples would be over 1.6 million, according to the 2011 population survey. I think the government should take strong measures to protect indigenous languages, or else we may have to risk losing them at some point or another soon," he said.

He further said a lack of government initiatives some times affects adversely school enrolments of the indigenous children. "While the overall school enrolment in the country is 97-99%, according to a survey conducted by the UNDP, enrolment of indigenous children is only 67%."

"The reason behind this is obvious: these children are not feeling comfortable in schools due to language barriers." Rights activist Tandra Chakma, referring to another survey on primary education in the Chittagong Hill Tracts, conducted by Manusher Jonno Foundation, said a significant number of these enrollees leave early from education. "They drop out of school almost as quickly as they enrol," she said.

Director General of IMLI Jinat Imtiaz Ali, however, told the Dhaka Tribune that they would soon launch an ethno-linguistic survey that would pave the way for providing education in indigenous languages. "The survey is intended to find the exact number of languages available in the country and their current condition. Once we are through with that, we will take measures that would help appropriately preserve these languages."

"Usually, an ethno-linguistic survey takes 10-15 years to finish, but in our case, it will take less. However, we are currently considering launching a one-year pilot project at a cost of Tk40m. Based on its findings, we will revive near-extinct languages and develop grammar for languages that don't have one to be used in textbooks and literature," Ali added.

The ruling party in its election manifesto had pledged to ensure the cultural and linguistic rights of indigenous people. The Chittagong Hill Tracts Peace Accord, signed by the same party in 1997, also highlighted the importance of protection and preservation of languages.

The Daily Star

The Daily Star, August 23, 2013

Setting Minimum Age for Employment at 15

Govt urged to ratify ILO convention

Staff Correspondent

Speakers at a seminar yesterday urged the government to ratify International Labour Organization (ILO) convention that has set the minimum age for employment at fifteen. Bangladesh Shishu Adhikar Forum (BSAF) organised the seminar in Biam auditorium of the capital.

"It is important to outlaw the involvement of children below the age of fifteen, in labour, so as to promote them to go to school and develop effectively as individuals," said BSAF Director AS Mahmud.

The Minimum Age Convention by ILO will ensure that this can be so, he added. Labour and employment ministry Secretary Mikail Shipar supported the demand, and pushed for the activation of the child labour monitoring cells in the zila and upazila levels, that are to ensure underage workers are not being employed.

There is also discussion regarding assigning a unique sixteen digit code to every registered birth, so that certificates cannot be faked, and the actual age of individuals can be verified without involving them into work, he added.

He also urged that compulsory education be extended up to eighth grade, and the government pilot project providing free meals in some schools, be extended to all.

daily sun

The Daily Sun, 22 October 2013

Tribal children lagging behind in pry education

Ahamed Ullah, back from Mymensingh

A large number of tribal children in Haluaghat upazila of Mymensingh district cannot complete primary education because of extreme poverty, lack of awareness among their guardians and lack of patronage of the local influential.

Sources in local upazila education office said at least 24.37 percent students of the upazila had left primary schools before completion of primary education.

Local people also blamed lack of incentives from the local solvent and influential people for the high level of dropout rate among the tribal children.

Haluaghat Upazila Education Officer (Primary) Mohammad Abdul Hye told daily sun that tribal children are the highest in number in terms of dropout rate while only 3 to 5 percent of the total tribal students pursue higher and technical education.

During a recent visit to Haluaghat upazila, this correspondent also found similar picture. Bangladesh Sangbad Sangstha with the financial assistance of Unicef arranged the field trip under “Advocacy and Communication for Children and Women Development (4th phase) Project”.

The total number of students at pre-primary and primary levels is 49,763 at 312 primary schools of different categories under Haluaghat upazila. Of them, 156 are government primary schools. Besides, Brac, Karitas and other private organisations are working in the area to promote education.

Nowadays the trend of school dropping has been on the decline following the government’s school feeding and stipend systems while the dropout rate was higher in the past days.

But feeding and stipend programme are not available at non-government schools. The government only helps them by providing textbooks and question papers during the PSC examination.

Upazila Education Officer Mohammad Abdul Hye said poverty and lack of awareness among people could be identified as major causes of dropping out from school.

About 50 percent of the tribal people migrate to urban areas hampering education of their children, he said.

He also mentioned that language is another problem for the tribal children. They (tribal children) face difficulty in understanding Bengali Alphabet.

The scenario can improve if a mother tongue-based early childhood care and education policy is implemented for tribal children in the area, he added.

He said there is need for introduction of special stipend system for the poor children particularly for the tribal children.

Konaruram, a teacher of Gushbel Adibashi Primary School run by Brac, said they get a monthly salary of Tk 2,300 with which they find it difficult to support their families.

Teachers of Biroi Dakuni Primary School, a missionary school, narrated almost identical stories of problems.

The total population of Haluaghat is 269,372 with about 15 percent tribal. There is little scope of employment for the people in the area excepting farm work.

Many children especially those from tribal communities find seasonal work at coal importing companies.

VI.
OVERVIEW ON IMPLEMENTATION OF
ELECTION PLEDGES &
CHT ACCORD



VI. OVERVIEW ON IMPLEMENTATION OF ELECTION PLEDGES & CHT ACCORD

A. ELECTION MANIFESTO OF BANGLADESH AWAMI LEAGUE-2008

Ninth Parliamentary Elections-2008: A Charter for Change

18. Religious Minorities, Disadvantaged People and Underdeveloped Areas

i. Terrorism, discriminatory treatment and human rights violations against religious and ethnic minorities and indigenous people must come to an end permanently. Security of their life, wealth and honor will be guaranteed. Their entitlement to equal opportunity in all spheres of state and social life will be ensured. Special measures will be taken to secure their original ownership on land, water bodies, and their age-old rights on forest areas. In addition, a land commission will be formed. All laws and other arrangements discriminatory to minorities, indigenous people and ethnic groups will be repealed. Special privileges will be made available in educational institutions for religious minorities and indigenous people. Such special privileges will also apply for their employment.

ii. The 1997 Chittagong Hill Tract Peace Accord will be fully implemented. More efforts will be directed toward the development of underdeveloped tribal areas, and special programmes on priority basis will be taken to secure their rights and to preserve their language, literature, culture, and unique lifestyles.

B. IMPLEMENTATION STATUS OF THE CHT ACCORD (2009-2013)

The issue of implementation of the CHT Accord, which had been an

election agenda of Awami League assuring that the CHT Accord would fully be implemented, has only been in confinement to the repeated utterance of promises during the last five-year tenure of the Awami League led grand alliance government. Following the forming the government on 6 January 2009 with the landslide victory in the election, with exceptions to some initiatives including reconstitution of committees as part of the implementation process, the government did not take any effective measure towards implementation of core issues of the Accord.

It may be recalled that the Awami League government argued that it had only 3 years and 8 months for implementation of the CHT Accord, after signing of the Accord on 2 December 1997 – so inadequate a time to implement the Accord. Hence, the party came up with its manifesto promising to implement the Accord to the fullest should it voted to power. But it is a matter to regret that the grand-alliance-led government, even after enjoying the second-time power for five years, stepped no measure directing to implement the CHT Accord but caused the time to get exhausted for no reason by way of uttering one after another promise.

CHT Accord Implementation Committee:

After assuming the power, on 25 May 2009, Awami League-led present Grand Alliance government appointed Ms. Sajeda Chowdhury, Deputy Leader of the Parliament as convenor of the Committee (as representative of Prime Minister). Since then the Committee held five meetings on 19 August 2009 in Rangamati, 26 October 2009 at Jatiya Sangsad Bhaban, 26 December 2010 in Khagrachari, 22 January 2012 and 28 May 2012 at Jatiya Sangsad Bhaban. However, no step has been taken to implement the decisions of the meetings. No office setup, appointment of staff and allocation of fund for the Committee were made.

Transfer of Subjects and Functions under the HDCs

On 12 May 2009, Nursing Training Institute and on 29 December 2011 Youth Welfare Department were transferred to Rangamati HDC and Khagrachari HDC respectively. In addition, on 8 November 2012, five functions of institutes/works, namely Health Engineering Directorate (under Health and Family Welfare Department); Bangladesh Agriculture Development Corporation (BADC) and Cotton Development Board (CDB) in Khagrachhari zone (under Bangladesh Agriculture Expansion

Department); Ramgarh Hatchery Farm (under Fisheries and Livestock Department) and Government Child Home (Shishu Sadan) (under Social Welfare Department) were transferred.

However, the most crucial subjects, such as, law and order of the district, land and land management, police (local), secondary education, forest and environment, local tourism, preservation of statistics on death-birth, Jum cultivation etc. are yet to be transferred to the HDCs.

The subjects have not yet been transferred to the HDCs. On 1-3 July 2013, Dr. Gowhar Rizvi, advisor to the Prime Minister on international affairs organised a meeting with secretaries of different ministry to transfer subjects to the HDCs. The meeting decided to transfer all subjects to the HDCs by 30 August 2012, however, the decision has not been executed yet.

A total of 12 subjects, out of 33, have been transferred to the HDCs since 1989.

General and Overall Supervision of the CHT Development Board by CHTRC

Awami League-led present Grand Alliance Government appointed Mr. Bir Bahadur, MP from Bandarban, as Chairman of the CHTDB on 24 March 2009, but the Board continues to ignore the CHTRC's supervision. Nevertheless, the Board has not been complied with the provisions of the Accord. On the other hand, the CHTDB Ordinance, 1976 has not been amended as per the Accord.

Making Law on the CHT Affairs

Present government passed Local Government (Pourasova) Act 2009, Small Ethnic Group Cultural Institutes Act 2010 and Wildlife (Protection) Act 2012 without having consultation with the CHTRC.

While framing up laws, the CHTRC is not being consulted with and recommendations of the CHTRC are not being accepted.

Rehabilitation of Internally Displaced Jumma People

Present GoB reconstituted the Task Force with Mr. Jatindra Lal Tripura, MP from Khagrachari, as Chairman of the Task Force in March 2009. Following the reorganization of the Task Force, three meetings were held on 5th October 2009 and 27th January 2010 at Khagrachari Circuit House

and on 26th January 2011 at Chittagong Circuit House. But no action has been taken by the Task Force except holding meeting.

It is mentionable that in an illegal meeting held in 2000, the earlier Task Force led by Dipankar Talukdar, MP, unilaterally declared 90,208 tribal families and 38,156 settler families to be internally displaced families. Violating the Accord, a letter dated 19-07-1998 was sent to the Task Force from the Special Affairs Division directing to rehabilitate the Muslim Bengali settlers under the status of 'internally displaced families' in CHT.

The Internally Displaced Jumma Peoples are yet to be rehabilitated. Though it was decided to withdraw said Office Order issued from the Special Affairs Division on 19-07-1998 whereby the Muslim settlers were taken into account as 'IDPs', it has not yet been withdrawn.

CHT Land Commission and Settlement of Land Dispute

So far, 4 successive retired justices were appointed as the Chairman of the Land Commission including Khademul Islam Chowdhury who was appointed by the previous government on 19 July 2009. Though the Land Commission was constituted, the function of the Commission remains non-starter. Following the expiry of service tenure of the latest Chairman Khademul Islam Chowdhury on 18 July 2012, the Chairman post of Land Commission remains vacant. The CHT Land-disputes Resolution Commission Act, 2001 with several sections contravening to the CHT Accord, was passed by the then Awami League government.

With the grand alliance forming a new government in January 2009, the CHTRC once again sent the recommendations to the government on May 7, 2009 for consideration. After convening a dozen meetings, the Ministry of CHT Affairs (MoCHTA), after consultation with the CHTRC, finalised 13-point amendment proposals of the Act and sent them to the Ministry of Land on June 20, 2011 for taking necessary initiatives to place it to the cabinet and Parliament for final adoption.

Later on, the land ministry sent them to the CHT Accord Implementation Committee twice, seeking its opinions. Accordingly, the Accord Implementation Committee in its 4th and 5th meetings held on 22 January 2012 and 28 May 2012, approved them. The 13-point proposal for amendment of the CHT Land Dispute Resolution Commission Act was also adopted in the inter-ministerial meeting held on 30 July 2012 with the law minister in the chair.

On 27 May 2013, the Ministry of Land placed a draft amendment bill titled “CHT Land Disputes Resolution Commission Act (Amendment) Bill 2013” before the cabinet, which approved it on June 3. On June 16, it was introduced in the Parliament for adoption. The Parliament sent it to the Parliamentary Standing Committee (PSC) on the Land Ministry for review. However, PSC is yet to send its opinions to the Parliament.

However, out of the 13 amendment proposals, only 10 have been incorporated in the “CHT Land Disputes Resolution Commission Act (Amendment) Bill 2013.” Among them, eight provisions have been placed in conformity with the 13-point proposals and the other two provisions have not been incorporated properly. These include exclusion of the word “practices” in clauses (a), (b) and (c) of the Sub-section 6(1) and the words “occupied land” in clause (c) of the Sub-section 6(1). Besides, there are three important proposals which are totally missed out in the amendment Bill 2013.

On 16 July 2013, the PSC took first hearing from CHTRC, PCJSS and other organisations, which demanded amendment of the Land Commission Act 2001 as per 13-point amendment proposals. The second hearing from representatives of the Bengali settlers’ organisations in CHT was taken place, in which they demanded abrogation of the CHT Accord and repealing of the CHT Land Dispute Resolution Commission Act 2001. The Parliamentary Standing Committee held its last meeting on 3 October 2013 but despite the issue of CHT Land Dispute Resolution Commission (Amendment) Act 2013 Bill topped the agenda, the Committee put it aside without any form of discussion.

Cancellation of Land Leases

During the period of the present government, though 593 plots of lands given in lease to the outsiders were cancelled in Bandarban district, later on, most of them were restored to the lease holders through the process of various forms of corruption and irregularities.

Of the 2000 plots of lands, the leases of approximately 50 thousand acres of lands were not cancelled. Rather fresh giving of lands in lease commenced and continues.

Withdrawal of All Temporary Military and Paramilitary Camps

Following the formation of a new government by the grand alliance a total

of 35 camps including a brigade headquarters were withdrawn in July 2009. Since the signing of CHT Accord, a total of 66 camps out of more than 500 have been withdrawn so far.

On the contrary, a kind of ‘de facto’ military rule has been imposed through promulgation of ‘Operation Uttoron’ (Operation Upliftment) in 2001. Around 400 temporary camps are yet to be withdrawn and the military rule maintained under the Operation Uttoran is yet to be lifted.

CHT Affairs Ministry and its Advisory Committee

The Ministry on CHT Affairs has been set up. Present GoB appointed Dipankar Talukdar, MP from Rangamati, as state minister of the ministry. But the Advisory Committee to the MoCHTA has not been reorganized and hence it remains non-functional.

The Ministry is not capable of discharging its duties and responsibilities as per its Rules of Business and does not play supportive role towards implementation of the CHT Accord.

C. ISSUES RELATED TO INDIGENOUS PEOPLES AND CONCERNS THEREOF (2009-2013)

Formation of Land Commission for indigenous peoples in plain lands

Election Manifesto of Bangladesh Awami League-2008 stipulates that a land commission will be formed for plains indigenous peoples. All laws and other arrangements discriminatory to minorities, indigenous peoples and ethnic groups will be repealed. Special privileges will be made available in educational institutions for religious minorities and indigenous peoples. Such special privileges will also apply for their employment. The government is yet to form a Land Commission for plain land indigenous peoples despite its assurance in its election manifesto.

Issue: 15th Amendment to the Constitution and Recognition of Indigenous Peoples

As per one of the judgments of the Supreme Court of Bangladesh, the Awami League-led present grand alliance government made 15th amendment to the Constitution of the country on 30 June 2011. Ignoring strong demands from the indigenous peoples of the country, the present

government denied to recognize the fundamental rights of indigenous peoples in the recent constitutional reform.



Civic groups demand for full and proper implementation of the CHT Accord

Despite demand of PCJSS, in the fifteenth amendment of the constitution, the government did not provide constitutional safeguard to the CHTRC Act 1998 and three HDC Acts 1998 enacted as per the CHT Accord. It is mentionable that during the signing of the Accord, government said that government could not provide constitution recognition/safeguard to the CHT Accord, as at that time, Awami League-led government did not have two-third majority in the parliament to amend the constitution. However, if Awami League gets two-third majority in the parliament, then it would provide constitutional recognition/safeguard to the Accord.

In the Fifteenth Constitution (Amendment) Bill, the government ignored the demand of indigenous peoples for recognition of their fundamental rights including recognition as indigenous peoples. However, the government recognised the culture of indigenous peoples in the fifteenth amendment stating that “the State shall take steps to protect and develop the unique local culture and tradition of the tribes, minor races, ethnic sects and communities”. It is mentionable that the terminologies “tribes, minor races, ethnic sects and communities” are not accepted by the indigenous peoples.

Further, fifteenth amendment provides that “the People of Bangladesh shall be known as Bangalees as a nation and the citizens of Bangladesh

shall be known as Bangladeshis”. Indigenous peoples rejected this provision arguing that they are Bangladeshi as citizens, but they are not “Bangalee” as a nation. They all are a separate nation possessing separate identity, culture, customs, language and society apart from Bengalis. Indigenous peoples rejected the Fifteenth Amendment of Constitution saying that it undermined the human rights and fundamental freedoms of indigenous peoples.

Indigenous peoples demanded to review the 15th amendment to the constitution, which did not recognise them as ‘indigenous peoples’ and their fundamental rights. They urged the government to ensure indigenous peoples’ right to land along with their political, economic, cultural and social rights enshrined in the constitution.

Demands for Constitutional Recognition of Indigenous Peoples:

- 1) Provide constitutional recognition of national entities, languages and cultures of indigenous peoples;
- 2) Provide constitutional recognition of special governance arrangement of CHT region for the protection of political, economic, cultural and religious rights of CHT;
- 3) Provide seat reservation for indigenous peoples including women in the parliament and local government councils;
- 4) Ensure constitutional provision with a guarantee that no amendment of constitutional provisions and laws relating to indigenous peoples will be made without the prior consent of indigenous peoples;
- 5) Recognise the rights to control over land, territory and natural resources of indigenous peoples;
- 6) Provide constitutional recognition of the CHT Accord signed in 1997 and laws formulated under this Accord.

Women Development Policy 2011 and indigenous women

The Awami League and its alliance parties committed to pass the National Women’s Development Policy (NWDP) in its election manifesto for the 2008 elections. Ministry of Women and Children Affairs (MoWCA) and women activists together worked to update the policy. Eventually, NWDP, 2011 was approved on 7 March 2011 by the present government.

It is worth mentioning that following the UN’s Fourth Women’s World Conference held in Beijing (1995), the Women’s Development Policy was

declared by the then government in 1997 in the light of BPFA, UNCEDAW and the Constitution. Gender equality was the key spirit of the policy. A national action plan was also prepared for implementation of the policy by the government, in consultation with women's rights activists.

In 2004, the NWDP was changed towards a reverse direction in a very undemocratic way, where the spirit of gender equality was dropped. The religious extremist parties of the then alliance government managed to do so with the support of government machineries. The women's movement in Bangladesh resisted strongly and continued its struggle to reinstate the NWDP in 1997. The caretaker government again declared NWDP, 2008. This time the same group violently opposed the policy and got support from some of the members of the advisory committee to the caretaker government. So the NWDP was kept under lock and key. A strong women's movement continued and wider national consensus built up.

It is also mentionable that no provision for indigenous women is included in earlier editions of the NWDP. Indigenous women rights groups criticised the government for not taking into consideration the indigenous women's rights while formulating the National Women's Development Policy in 1997, 2004 and 2008.

However, some provisions on indigenous women have been incorporated in the NWDP 2011, though the policy terms indigenous peoples as "backward and small ethnic groups". The Section 38 of the NWDP 2011 is as follows:

38. Special programmes for the women of the backward and small ethnic groups

38.1 To ensure all rights for development of small ethnic groups and backward women.

38.2 To undertake initiatives so that women of the small ethnic groups can develop themselves maintaining their own traditions and culture.

38.3 To undertake special programmes with an aim to develop the backward women.

Indigenous women rights activists criticised the NWDP 2011 arguing that it does not mention anything state and communal violence against indigenous women at all. They said that indigenous women face unique

discrimination distinct from the women of the mainstream population. Indigenous women rights activists said that government did not consult with the indigenous women in formulating or amending the NWDP. That is why NWDP lacks several issues which are crucial for indigenous women. As indigenous women belong to distinct ethnic groups, they face problems distinct from the problems faced by the mainstream women.

National Education Policy and Indigenous Peoples

The grand alliance government undertook initiative to formulate a modern education policy. For this purpose, the government constituted a 16-member committee headed by Prof. Kabir Chowdhury on 8 April 2010 to formulate the national education policy in line with the 1974 Qudrat-e-Khuda Education Commission.

The committee included a few recommendations on indigenous peoples in the education policy. It mentioned in the aims and objectives of the education policy in chapter-I that one of the objectives of education is to develop cultures and languages of all small ethnic groups including indigenous peoples of the country.

Further, the indigenous children's issues were included in the primary education of chapter-II of the national education policy that indigenous teachers and textbook will be provided for indigenous children in order to study through their own languages. Indigenous communities will be involved in implementing this work, particularly in formulating the textbooks. The education policy also mentioned to provide special supports to the marginalized indigenous children. Primary schools will be established in all adivasi-inhabited areas (hill tracts and plain land) where primary schools do not exist. If needed, attention will be given to provide hostel facilities to the students and teachers of those areas where inhabitation of indigenous are scattered, with aim to provide admission facility for indigenous students.

In addition, there is also a paragraph on higher education for indigenous students including freedom fighter children in higher education in chapter-VIII in which it mentions that special support including residential facilities and scholarships will be provided to the children of freedom fighters, small ethnic groups including indigenous peoples, disadvantaged and other groups in order to continue their study.

Wildlife (Protection and Safety) Act 2012 and Indigenous Peoples

On 8 July 2012, the Jatiya Sangsad (Parliament) adopted the Wildlife (Protection and Safety) Act 2012 without having consultations with and opinions of the Chittagong Hill Tracts Regional Council and indigenous peoples of the country. Indigenous leaders, environmentalists and rights bodies expressed deep concern over some provisions of the Act. During the adoption of the Wildlife (Protection and Safety) Act 2012 bill in the parliament on 8 July, Environment and Forest Minister Hasan Mahmud said that the government consulted with indigenous leaders during the formulation of the Act. However, indigenous leaders alleged that the government did not organise any meaningful consultation with Indigenous Peoples of the country.

Conversely, this Act would cause losing their rights and affect the rights of forest dependent people and forest dwellers who are mostly indigenous peoples. The Act did not ensure the minimum rights of the forest dependent people's including the traditional occupations, livelihoods and traditional resource management system.

Small Ethnic Groups Cultural Institutes Act 2010

The Small Ethnic Groups Cultural Institutes Act, 2010 was passed without consulting with indigenous peoples on the terminology to be used, recognized only 27 out of more than 54 "small ethnic groups" thus facilitating to exclude them from the 2011 population census and development facilities provided by the Special Affairs Division (SAD) which looks after the welfare of indigenous peoples in the plains. There is no decision-making role of indigenous peoples in the SAD and the demand for forming an advisory committee comprising representatives of indigenous peoples is being ignored by the government.

The terminology 'Small Ethnic Groups' was rejected by indigenous peoples. In addition, indigenous peoples and CHT institutions (CHTRC and HDCs) were not consulted during formulation of the Act.

Indigenous Peoples' issues in the Sixth Five Year Plan

The present grand alliance government led by Awami League decided to switch back to the five year plan mechanism. As per the decision, the government formulated the Sixth Five Year Plan (FY2011-FY2015) titling

"Accelerating Growth and Reducing Poverty", which came into operation from July 2010.

Indigenous peoples' issues (mentioned as "Ethnic Communities") are included in the 6th Five Year Plan under "Chapter 9" titled "Reaching out the Poor and the Vulnerable Population" (page 424-425, Part-2, Sectoral Strategies, Programs and Policies). An action plan for participation, social inclusion and empowerment of indigenous peoples, among others, has been taken in this chapter.



Round table of Civic groups demand implementation of the CHT Accord

In the proposed actions for indigenous peoples in the Sixth Five Year Plan, the intervention and actions for achieving the strategic objectives are indicated below:

Bangladesh has around forty-five different small ethnic communities comprising of 2 million people. Some of the 'hardcore poor' of Bangladesh are found among these communities.

One of the major areas of interventions is: The Government would consider implementing the UN Declaration on the Rights of Indigenous Peoples 2007 and ratify the ILO Convention 169.

Amendment to the Forest Act-1927 and opinion of Indigenous Peoples

The Cabinet on 10 November 2010, in principle approved the proposed amendment to the Forest Act-1927 sparking mixed reactions among the

forest-dependent people in the CHT and plain lands. The amendments contradict the CHT Accord of 1997, the CHTRC Act of 1998 and Rangamati, Khagrachhari and Bandarban HDC Acts of 1998, and the Chittagong Hill Tracts Regulation 1900. The amended proposals, if approved by the parliament, would result in creating a conflict among the Forest Department, the CHTRC and the three HDCs over the authorities over forest resources.

The definition of 'Notified Forest' in Section 34 of the proposed amendment is a matter of concern for the forest-dependent people. The dispute between the forest department and the forest-dependent people has become a permanent syndrome as the government has declared some areas protected and reserved forest without legally recognizing the traditional rights of the forest-dependent people on cultivation, irrigation, access and others issues. The adivasi communities will face massive displacement if the land under the HDCs were to be brought under the proposed 'Notified Forest' through the amendment. The HDCs will lose their legal status in opposing such anti-people decision by the forest department. The amendments, if implemented, would create a conflicting situation with the violation of the Forest Act 1927, CHT Regulation 1900, and the Rangamati, Khagrachhari and Bandarban Districts Council Act (Section 64). Again, the amendments may cause disputes between the forest department and the HDCs.

Filing false cases by the forest department against adivasi communities and the forest-dependent people in the CHT and plain lands is common practice. The proposal for increasing the punishment for forest related offences and crimes would strengthen the corrupt officials and employees of the forest department giving them more opportunities to make the helpless and poor people dependent on the forest their hostages. It will enhance corruption in the forest department. Increasing the punishment will make the forest-related crimes 'non-bailable' resulting in the languishing of the accused persons in custody. Instead, there should be a section to punish the forest officials for filing false cases against the adivasi communities and the forest-dependent people.

Ministry of LGRD issues a racial letter against Indigenous Peoples

On 11 March 2012, Ministry of Local Government and Rural Development (MoLGRD) issued a racial letter against indigenous peoples. The letter

titling "regarding celebration of Indigenous Peoples day" signed by deputy secretary of the MoLGRD Dr. Md. Sarowar Bari was sent to all Deputy Commissioners (DCs) of the country on 11 March 2012. The DCs forwarded it to Upazila Executive Officers (UNOs) and UNOs forwarded to all Union Parishads (UPs), the lower administrative units of the country. The letter stated that in April 2010 a bill named "Small Ethnic Group Cultural Institute Bill 2009" was passed in the parliament. Recently these ethnic communities were termed as small ethnic group in the constitution. On 26 July 2011, foreign minister Dr. Dipu Moni briefed diplomats and development associates that the tribal people of the CHT are not indigenous peoples. The letter also stated that like previous years, this year Indigenous Peoples are going to undertake several programmes on the occasion of the next Indigenous Peoples day on 9 August. They may organise adivasi fair, cultural show, seminar, rally and other programmes at different places of the country including Shaheed Minar, Cox's Bazar and even on electronic media on the occasion of next Indigenous Peoples day. The national dailies may publish supplementary issue on this occasion. With this backdrop, MoLGRD, in said letter, asked the deputy commissioners-

- a) to issue necessary direction that no important person of the government delivers any speech to be contradictory to the government policy on Indigenous Peoples during the Indigenous Peoples day.
- b) to monitor intensively that no support from the government' side is granted to any programme of the Indigenous Peoples' Day.
- c) to take necessary measure to propagate that there is no Indigenous Peoples in Bangladesh, by collecting necessary information and evidences in this regard.
- d) August is a month of mourning, so unnecessary delighting ceremony should not be organised during this month.

Indigenous leaders said that it is nothing but a racial act of the government. Every citizen has the rights to liberty, and freedom of assembly and association. Constitution of the country stipulates that the State shall not discriminate against any citizen on grounds only of religion, race, caste etc. So, the letter issued by MoLGRD is direct violation of the fundamental rights enshrined in the constitution. They also added that Awami League-led grand alliance government is acting more fanatic than the communal and fundamentalist groups.

Police obstructed the rallies of indigenous peoples in Joypurhat, Khagrachari and Bandarban districts. In an inter-ministerial meeting held on 21 July 2011 in the presence of representatives from the Prime Minister's office, Foreign Ministry, Ministry of the CHT Affairs, Military Headquarters and Intelligence Departments, the Government decided to erase the term 'indigenous' from all laws, policies, documents and publications of the Government. The current 6th Five Year Plan changed the terminology from 'indigenous' to small ethnic communities.

MoCHTA's Letter on Tribal-Indigenous Issues

The Ministry of CHT Affairs (MoCHTA) sent two letters titled "misdeed to call 'tribal' communities as 'adivasi'" and "mischief to brand hill terrorist activities as extremism of Muslim settlers" to different government authorities including those of three hill districts.

MoCHTA's letter titled "motivated attempt to brand terrorist activities of hill tracts as extremism of Muslim settlers" issued in December 2009 referring Armed Forces Division, Operation and Planning Department, Dhaka Cantonment no. 2929/ops/ci dated 15/10/2009 mentioned that

"...certain tribal vested persons are propagating against Bengalis living in CHT and by taking advantage of this propaganda the (certain tribal persons) are trying corner to Bangladesh in the international level. In the meantime they have been desperate to be identified themselves as 'adivasi' instead of 'tribal' so that they could enjoy indigenous peoples' rights declared by United Nations and other international agencies. Side by side by achieving the recognition as 'adivasi' they can put international pressure upon the government in order to protect the interest of 'adivasi'. Thus they are also thinking that they can easily achieve autonomy by recognising themselves as 'adivasi' peoples. As part of this conspiracy, they are trying to brand Bengali settlers as 'Muslim' Bengali settlers. It could be hindered communal harmony among the communities living in the CHT."

MoCHTA, in its letter signed by Md. Mazibur Rahman, Deputy Secretary (Coordination-2), also mentioned that it was ordered to take necessary actions to maintain harmony among the overall communities in the hill districts for the sake of maintaining of law and order in the CHT region. In another letter, MoCHTA also stated that

"...the tribal communities have been named as 'tribe' in the Hill District

Acts, CHT Regional Council Act and CHT Accord of 1997... Nevertheless the tribal communities have been called 'adivasi' instead of 'tribal' by certain tribal leaders, intellectuals, educated persons living in hill tracts, even journalists."

Indigenous leaders and civil society of the country protested against this letter. They termed that the content of the letter was fully politically motivated, fabricated & imaginary and provocative to communal sentiment and motivated by racial malice. Such type of extreme communal, racially malicious and politically motivated letter was their beyond expectation particularly during period of Grand Alliance Government which came to power with the commitment to change and to establish secular democratic liberal welfare state.

Indigenous leaders opined that the statement of the MoCHTA's letter is nothing but to suppress indigenous peoples and to deprive of their just rights. In the letter, the movement for establishment of just rights of indigenous Jumma peoples has been tried to brand as 'anti-Bengali' and 'misdeed of certain individuals' and communal incitement and anti-indigenous peoples attitude was clearly reflected in the letter.

MEDIA REPORTS



New Age, EDITORIAL, Tuesday, August 6, 2013

All is not well in CHT

THE arson attack on four villages of the hill people in Khagrachari by Bengali settlers on Saturday, which left at least 100 houses gutted and prompted the villagers to flee to no man's land on the Bangladesh-India border at Matiranga upazila, provides a poignant pointer to increasing tension in the Chittagong Hill Tracts. According to a report published in New Age on Monday, the trouble began over a rumour that a Bengali settler had been abducted. The attack seems to have so

unnerved the hill people that they refuse to return home from the no man's land despite assurances of safety and security by the state minister for CHT affairs; hardly anyone can blame them for feeling vulnerable after an attack that turned their homes into ashes in a few hours. The affected villagers also claim that a number of people were killed in the attack, which is yet to be confirmed.

It is unfortunate that natural peace remains elusive almost 16 years after the CHT peace treaty between the then government of the Awami League and Parbatya Chattagram Jana Sanghati Samiti, the political umbrella of the secessionist Shanti Bahini brought to a close more than two decades of guerrilla warfare in the hill tracts; it is not quite surprising, though. After all, while three different governments have been at the helms since the signing of the treaty, there has not been much progress in its implementation. It is true that some provisions of the treaty are in contravention with the constitution and need to be amended. However, it is also true that some provisions of the treaty are free from legal and constitutional glitches and thus could have been effectively implemented in all these years.

That these provisions have not been implemented, nor has there been any significant move to amend the unconstitutional and unlawful provisions, tends to highlight the general apathy, if not antipathy, of the ruling elite, composed of majority Bengalis, to the causes and concerns of minority ethnic communities of the hills. Such apathy or antipathy could very well be traced to nationalistic chauvinism of the majority Bengalis, which might have had prompted the hill people to take up arms so many decades ago in the first place.

Suffice to say, the failure, if not unwillingness, of the ruling elite to effectively implement the CHT treaty could only deepen suspicion among the hill people of the former's intent. Moreover, the endless influx of Bengali settlers, along with their increasing highhandedness, could be viewed by the hill people as part of an elaborate scheme to drive them away from the ancestral lands.

Worryingly still, with the passage of so many largely fruitless years, in terms of effective implementation of the treaty, the problem of mutual mistrust—between settlers and hill people, and among hill people—

may have become already intractable. The ruling elite need to act, and act fast, before it snowballs into a full-blown crisis. For starters, the government needs to identify Saturday's attackers and have them punished, and also arrange for rehabilitation of the affected hill people immediately.

The Daily Star

The Daily Star, Sunday, December 8, 2013

CHT Peace Accord AL bluffed about full implementation Say indigenous leaders, rights activists

Staff correspondent

Although the Awami League's electoral pledge was to fully implement the Chittagong Hill Tracts (CHT) Peace Accord, it has done nothing but making empty promises one after another in the last five years of its rule, indigenous leaders and rights activists said yesterday.

This government's only visible attempts in this regard were limited to holding five meetings of the CHT Accord Implementation Committee, they told a human chain in front of the capital's Jatiya Press Club under the banner of Nagorik Samaj.

Meanwhile, due to lack of effective steps to withdraw the more than 300 "temporary military camps" from the region, military dominance continues as before, they said.

"We cannot but feel more worried, as the election draws closer. We're uncertain what policy the new government will adopt about implementation of the accord," said rights activist Sultana Kamal.

No matter which party comes to power or whatever situation the country is in, the demand for defending the rights of such a large population must be more vociferous, she added.

"The indigenous people have been deprived of basic human rights for many years. Implementing the peace accord will be the first step towards protecting their rights."

At a discussion at Dhaka Reporters Unity following the human chain, speakers urged all political parties to prioritise the issue of the accord's implementation in the next parliamentary election.

"If the state's attitude towards the indigenous peoples of the hills remains unchanged for long, they will be wiped out from their native land in near future," said Sanjeeb Drong, general secretary of Bangladesh Adivasi Forum. Parbattya Chattagram Jana Samhati Samiti (PCJSS), an organisation of indigenous communities of the CHT, signed the accord with the then AL-led government on December 2, 1997.

The Daily Star

The Daily Star, Thursday, October 24, 2013

CHT Land Dispute Resolution Commission Act

Incorporate proposed amendments

Rights defenders urge government

Staff Correspondent

Columnist Syed Abul Maksud addresses a press conference organised by Kapaeeng Foundation in the capital's The Daily Star Centre yesterday demanding complete incorporation of a 13-point amendment proposal to the Chittagong Hill Tracts Land Dispute Resolution Commission Act 2001 and its passage in the current parliament session. Photo: Star

Some rights defenders yesterday urged for the complete incorporation of the 13-point proposal in the bill containing amendments to the Chittagong Hill Tracts (CHT) Land Dispute Resolution Commission Act 2001 and passing it in the current parliament session.

Addressing a press conference Kapaeeng Foundation organised in the capital's The Daily Star Centre, they said passing the bill would be an opportunity for the government to prove that they fulfilled their last election pledge.

They also demanded that the political parties include indigenous people's issues in pledges for the upcoming election and that the government completely implements the CHT Peace Accord 1997 as the government had signed the accord.

Indigenous people's leaders have been demanding the changes in the act for over a decade and proposed the 13 points to make the commission functional and resolve land disputes.

Only eight of their proposals were completely incorporated, two were included "partially" while the remaining three were left out, indigenous

leaders told The Daily Star earlier.

The bill is now being reviewed by the parliamentary standing committee on the land ministry.

The prime minister's adviser on international affairs, Gowher Rizvi, had repeatedly assured of implementing the accord



Columnist Syed Abul Maksud addresses a press conference organised by Kapaeeng Foundation in the capital's The Daily Star Centre yesterday demanding complete incorporation of a 13-point amendment proposal to the Chittagong Hill Tracts Land Dispute Resolution Commission Act 2001 and its passage in the current parliament session. Photo: Star

within the present government's tenure, said Sanjeeb Drong, general secretary of the Forum for Indigenous Peoples of Bangladesh.

"Now we want to see the government keep its commitment by passing the bill in the last session of the parliament," he said.

Razib Mir, faculty of Jagannath University's journalism department, read out a written speech while columnist Syed Abul Maksud was present as chief guest.

Rabindranath Soren, president of Jatiya Adivasi Parishad; Shamsul Huda, coordinator of Alliance for Land Research and Development; Nur Ban Liton, director of Ain o Salish Kendra; and Associate Prof Robayet Ferdous of Dhaka University's journalism department were present.