



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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Foundation



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ISBN 978-984-34-0664-4

HUMAN RIGHTS
REPORT 2015 ON INDIGENOUS PEOPLES IN BANGLADESH

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Human Rights Report 2015 on Indigenous Peoples in Bangladesh

First Edition

January 2016

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Published by



Kapaeeng Foundation

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Web: www.oxfam.org.uk

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Cover Photo: Titu Chakma

Inside Photos :

Joel Chakma, Titu Chakma, Himel Chakma, Manik Soren,

Suvash Chandra Hembrom

Printed by

Tangsree Color System

Price

Taka 200

US \$ 10

ISBN 978-984-34-0664-4

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Human Rights Report 2015 on Indigenous Peoples in Bangladesh

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Prof. Mong Shanoo Chowdhury

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Kapaeeng Foundation

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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

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ILO	International Labour Organisation
IPO	Indigenous Peoples Organisation
IPs	Indigenous Peoples
JAP	Jatiya Adivasi Parishad
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

urban areas. We often come across with incidents involving indigenous peoples who are treated, without any compunction, excluded as untouchables and kept segregated from the mainstream community. They are not allowed to have food, take tea, breakfast or use the common crockeries in hotels and restaurants. A section of mainstream population still bubble with avidness to grab lands of indigenous peoples and other marginalized groups in the country by not only making false and fabricated documents but also through intimidation and threats, and law enforcing agencies, based on these false documents without verifying their authenticity, evict indigenous people from their ancestral land. They face discriminations from all quarters because they are indigenous peoples and minorities in Bangladesh. The prevailing circumstances that indigenous peoples are forced in to live with, has developed a kind of interpretation in their minds to think, right or wrong, that courts, police, administration, local government representatives, land officials, service sectors all are biased against them as they continue to be robbed off what they possess, especially lands the only means of their survival, and denied of their rights as indigenous peoples, instead of getting them redressed or protected.

As a matter of fact, it is really disturbing to note that the curve showing the trend of violation of civil and political rights of indigenous peoples has skewed up. Often time, it has been observed that different agencies of the government wrongfully interfere with the lawful rights of the indigenous peoples. The state authorities also, in most cases, appear reluctant to put a stop to such unlawful violation by state and non-state actors. It is also distressing that state actors such as members of the security forces or law enforcement agencies allegedly play supportive or passive role at the time of committing such crimes.

Human rights bring to bear upon a number of correlative duties to be obliged by the State. The duty of the State to respect human rights requires it to refrain from interfering with the enjoyment of these rights and the duty to protect human rights requires the State to prevent violations of such rights by State authorities as well as by any other third parties. As a member State of the UN, Bangladesh ratified and acceded to a number of international human rights instruments. Some of these laws have particular relevance to indigenous peoples in the country.

Editorial

Bangladesh is a blessed land with a rich cultural heritage and ethnic diversity with over 54 groups of indigenous communities, covering about two percent of the total population, have been living in the Chittagong Hill Tracts and in different pockets in the plains along with Bengalis, the majority population of the country. Indigenous communities, with their distinct languages, traditions, cultures, values, and customs, contribute significantly to the beauty, development, and sustainability of the country. However, like other parts of the world, indigenous peoples in Bangladesh are the most disadvantaged, neglected and vulnerable people in the country. The Bangladesh government has yet to develop formal policy for the development of indigenous populations. Indigenous peoples have often faced eviction from their homelands in the name of development projects and conservation, such as dams, eco-parks, protected areas, reserve forest and even the establishment of bases for State forces on their ancestral and community land. Their land has been taken away without their consent. Their culture is treated as inferior in the country. And also the indigenous peoples in Bangladesh routinely face different forms of human rights violations, discrimination and subjugation perpetrated by different State agencies, corporations, settlers and other influential actors in the country for decades. Besides, they continue to be subjected to gross human rights violations, including killing, rape, torture, arbitrary arrest, communal attack and land grabbing.

To begin with, if we venture into giving an incisive look at the situation of the plain land indigenous peoples we will fail get a better picture of them compared to the indigenous peoples in the CHT. They are pitifully discriminated and remain miserably deprived. They are denied of essential prerequisites which are basic to their survival in both rural and

Commission for indigenous peoples in the plains. The Preamble to the CHT Accord, lays down, "Reposing full and unswerving allegiance in the State-sovereignty and territorial integrity of Bangladesh regarding its hill tracts region within the ambit of the Constitution of the People's Republic of Bangladesh, the National Committee on Chittagong Hill Tracts Affairs, on behalf of the Government of the People's Republic of Bangladesh and the Parbatya Chattagram Jana Samhati Samity, on behalf of the inhabitants of the Chittagong Hill Tracts region have reached the following Accord comprised of four Parts (A, B, C, D), with a view to upholding the political, social, cultural, educational and economic rights of all the citizens of the Chittagong Hill Tracts region and expediting their socio-economic development process and preserving and developing the respective rights of all the citizens of Bangladesh." The CHT Accord was approved by the Cabinet Council on 22 December 1997 and published in the official gazette. Accordingly, the CHT Regional Council Act and three Hill District Council Acts were also passed by the parliament in May 1998. However, the experience in the past with regard to implementation of the Accord tends to point to a singular factor as responsible for non-implementation of the CHT Accord - the absence of a strong political will in the government to take concrete, unbending and bold steps as well as approach to face the reality defying all opposition and pressure from the power blocks/coteries that maintain their presence in different ministries, departments, concerned institutions and authorities of the three Hill districts and different government agencies. The power blocks opposing the Accord entrenched in the government is so powerful that strategies are designed and developed for misinterpretation and violation of the Accord to the optimum possible extent. The CHT Accord has now entered its 19th year. The Government claims that 48 out of 72 provisions of the CHT Accord have been implemented, while the JSS and several other civic organizations at the local and national level claim that only 25 of the provisions have been implemented until now. The matter of numbers (with regard to implementation of the CHT Accord) can be debated, but what is beyond any dispute is the non-implementation or only very marginal implementation of some of the most crucial, and some say "core", elements of the agreement, including on (a) de-militarization (through the dismantling of all non-permanent army camps and the withdrawal of

Being the party to these international human rights instruments, Bangladesh has the obligation to respect, protect and fulfill the rights of the indigenous peoples of the country. However, there are frequent allegations that different state agencies and departments are often engaged covertly or overtly in interfering with the enjoyment of the human rights of the indigenous peoples enshrined in the international human rights laws. In many cases, the State authorities show reluctance to prevent violations of these rights by the State agencies and other non-state actors.

On other hands, a discerning look at the scenario of the "indigenous women's" situation in Bangladesh, will unmistakably meet an unbearably shocking picture. The incidents of rape and sexual harassment of indigenous women and girls in different parts of Bangladesh are dramatically increasing. To dispense justice to all these violations is almost non-existent in Bangladesh due to corruptive justice system, and lack of respect for indigenous customary practices and usages, especially in the case of the CHT indigenous peoples. As a result, justice remains to be dispensed with in these cases allowing the culprits to enjoy absolute impunity and encouraging the offenders to commit the same crime with impunity without any fear to get punished. Bangladesh as a member of the UN system has ratified a number of international human rights instruments having fundamental bearing on indigenous peoples. These instruments include the International Convention on Civil and Political Rights (ICCPR), International Convention on Elimination of all forms of Racial Discrimination (ICERD), the International Covenant on Economic, Social and Cultural Rights (ICESCR), Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), ILO Convention 107 on Indigenous and Tribal Peoples, the Convention on the Biological Diversity (CBD) etc. However, the implementation status of these instruments in Bangladesh is far from satisfactory. The government seems to be less interested to implement the international human rights mechanisms and conventions in relation to indigenous peoples.

The thematic areas that the previous paragraphs attempted at analyzing have, in fact, contributed largely to dry up the political will of the government to implement the CHT Accord and to set up a separate Land

Acknowledgement

Documentation of yearly accounts of human rights situation in a country is, in fact, a formidable task to accomplish. Kapaeeng foundation, as in the past, has succeeded in doing so and bringing out the final reports on the human rights situation of indigenous peoples in the country for the year 2015. The success thus achieved is the outcome of combined and coordinated efforts of all who were assigned with the strenuous tasks of compilation and documentation. Credit goes to Kapaeeng that it has been able to assemble a band of skilled and persevering hands capable to accomplish the assignment with commitment and dedication. It is for this band of hard-working contributors that the Human Rights Report for 2015 could be out from the press on time. My sincere gratitude, thus, goes to Kapaeeng's organizational networks and focal persons operating across the country for constantly feeding us with relevant data and information relating to human rights violations. The organizational networks include Indigenous Peoples Human Rights Defenders' Network, Bangladesh Indigenous Women's Network, and Bangladesh Indigenous Youths Network.

I would also like to thank Kapaeeng's secretariat for regularly monitoring the media reports to help facilitate systematic documentation and to collect substantive information.

Thank also goes to all the media houses and online news services at the national and local levels, civil society organizations and individuals, and Kapaeeng's Secretariat too for their contributions towards developing the present report.

My sincere gratitude is also due to all Indigenous Peoples Organizations (IPOs) operating in Bangladesh at the grassroots level for their support and cooperation at different levels of this publication.

“Operation Uplift” or “Operation Uttoron”); (b) devolution and self-government (primarily through the CHT Regional Council and the Hill District Councils) (c) rehabilitation (through the CHT Task Force on Refugees and Displaced People; and (d) the resolution of land disputes (by the CHT Land Disputes Resolution Commission, which has been inactive or dysfunctional since its inception).

This human rights report is a set of accounts of the human rights situation of indigenous peoples and their social, economic and political status in Bangladesh which is being documented for the last couple of years. Kapaeeng Foundation, as always, looks forward to that this report will help raise awareness of the common people in Bangladesh about human rights and fundamental freedoms of the indigenous peoples in their proper perspective so much so that it helps them to go deep into the roots of the “indigenous crisis” in the country keeping an eye to the tenets of the Universal Declaration on Human Rights, and thus gradually win their support for the promotion and protection of human rights of indigenous peoples in Bangladesh, which are so long kept denied persistently.

EXECUTIVE SUMMARY

There is practically no significant change in legal and policy areas affecting the indigenous peoples in Bangladesh during the year under review. The Government passed a number of laws, regulations and policies in 2015 e.g. adoption of Bangladesh Public-Private Partnership Act 2015 and Labour Regulation 2015 in the Parliament and the Cabinet approval to Domestic Worker Protection and Welfare Policy. However, these legal and policy documents referred to, embody nothing specific about issues of indigenous peoples.

Started in 2012, the Government continued with the process of amending the Forest Act in 2015 as well. The draft Forest Act 2015 includes a number of provisions detrimental to the rights of indigenous peoples and forest dwellers. On the other hand, the amendment process to the CHT Land Dispute Resolution Commission Act 2001 in pursuance of the CHT Accord that, in fact, began in 2001 still remained to be amended even in 2015. A 13-point amendment proposal was adopted for the 2nd time to amend the Land Commission Act in January 2015. However, the amendment bill of this act is yet to be put up before the cabinet for approval before placing it in the Parliament for passage.

The Ministry of Primary and Mass Education again failed to accomplish publication of textbooks for indigenous children of primary schools in six of their selected mother tongues, an initiative started in 2013. However, the most optimistic feature in one of its policy documents, 7th Five Year Plan (FY 2016-2020) which has already been drafted, is the retention of government's willingness, as was the case with the 6th Five Year Plan, to consider implementation of the UNDRIP and ratification of the ILO Convention No. 169.

I would like to take this opportunity, too, to extend my sincere thanks to the editors and contributors' teams whose tireless efforts in compiling up-to-date information, verifying and analysing the incidents relating to human rights violations of indigenous peoples in order that this publication is made possible.

In the end, I express my deep sense of gratitude to Oxfam and all who, directly or indirectly, have lent their supports in the publication of this Human Rights Report for 2015.

Rabindranath Soren
Chairperson
Kapaeeng Foundation

peoples in the plain land were burnt to ashes, while 65 houses were reported to have been looted and ransacked by land grabbers. 44 indigenous people, 5 from the CHT and 39 from the plain land were physically assaulted and wounded by land grabbers in land related hostilities.

In 2015, at least 45 indigenous families were ousted from their ancestral lands, while 1400 indigenous families including 657 from the CHT were threatened with eviction from their lands. Land related hostilities resulted in an assault on, at least, an indigenous village by land grabbers in the plain land, while a total 5,216 acres of land including 11.5 acres in the plains were grabbed by both the state and non-state actors. Such a big mass of lands, essentially, comprising Jum and mouza land in the CHT were occupied by outsider lease holders which threatened the livelihoods of hundreds of Jum cultivators particularly in Bandarban district. Also, approximately 1326.99 acres of land including 22.5 acres in the CHT were targeted for illegal encroachment or acquisition. Bringing false charges against indigenous peoples by the land grabbers is a common key tactics to preempt the resistance by the indigenous peoples in defending their lands in the country. Land grabbers in 2015, filed false cases against, at least, 28 indigenous people including 11 from the plains to break down whatever resistance the indigenous people could offer.

The activation of the Land Boundary Agreement between Bangladesh and India signed in 1974, following its passage in the Indian Parliament in 2015, caused a new problem for the indigenous peoples in the plains as a total of 360 acres of land, on which the livelihood of around 350 indigenous Garo and Khasi people of Pallathol under Barlekha upazila in Moulavibazar were dependent, was to be transferred to India.

The indigenous peoples in the CHT are generally displaced from their ancestral lands due to land confiscation in the name of plantation by so-called lease-holders & private companies, establishment of camps and tourist spots, reserved forest and land grabbing by Bengali settlers, while influential Bengalis, tea estate holders, leaders of national political parties and government authorities are responsible in evicting the indigenous peoples in the plains. In both the cases, the act of eviction is aided by disregarding the customary land management system of

Situation of Civil and Political Rights

Civil and political rights of indigenous peoples are often intimidated in many cases. Right activists engaged in their legitimate actions to protect and promote their rights to self-government, land and resources, are frequently criminalized resulting in their arrests, detention, enforced disappearances and even sometimes become victims to political killings. In 2015, at least 74 members of indigenous communities including women and school girls were arrested. They were charged with criminal offences. However, most of them were released later on bail. On the other hand, fabricated cases were framed against at least 117 indigenous souls. Besides, 13 indigenous people (including killing of three indigenous women and girls, please see 'Chapter IV: Situation of Women and Girls' Rights' for details) were extrajudicially killed in both the CHT and the plains. The recurrence of arbitrary arrests, detentions and extrajudicial killings on indigenous peoples intensified alarmingly during the year under review. Fabricated charges were brought against as many as 191 persons, 74 of whom were arrested as against only 5 persons who were indicted in 2014. The number of people arrested by law enforcers and security forces this year registered a sharp rise to 74 from 5 in 2014.

At the same time, at least 134 indigenous people, 101 from the CHT and 33 from the plains, were tortured and physically assaulted. While bulk of the the physical assaults were carried out by influential Bengali non-state actors, in many instances, the state actors such as members of security forces and law enforcement agencies played either supportive or passive roles in the commitment of such crimes.

Houses and properties were destroyed and looted by the miscreants of the non-indigenous origin. In 2015, at least 84 houses belonging to indigenous peoples in the plains were vandalised and looted and 35 houses in the plains and the CHT were set on fire and burnt to ashes by the land grabbers.

Land, Natural Resources and Climate Changes

As was in the previous years land related human rights violations against indigenous peoples continued in 2015. A total 26 houses of indigenous

Like in the previous years, most of the cases relating to human rights violation involving the indigenous peoples in Bangladesh were centred on land. The land grabbers used the heinous ploy to sexually and physically violate indigenous women and girls in order to terrorize the community to unsettle them, and thus create opportunities for them to occupy the lands belonged to indigenous peoples. For example on 19 June 2015, land-greedy riffians invaded a victim's land in Mirsarai under Chittagong, where 10 women and children were injured. On 24 July 2015, some Bengali settlers stabbed and wounded a Marma woman with the motive to oust her from her land. The alarming figures of violence committed against indigenous women and girls across the country in the recent past included not a single case of instance to prove that the victim availed justice. Rather in most cases, the perpetrator got out of bail and skipped punishment due to corruption in the justice system which often tended to be bias towards the perpetrators.

From the information available in 2015, it could be seen that cases were filed against most acts of violence, but no proper action was taken against even a single case. Malpractice in the prosecution and justice system often deprived the victims from getting redress. Failure to close the gap between acts of crime and dispensation of justice, on the other hand, encouraged perpetrators to threaten victims' family. The abductors of Kalpana Chakma, who was abducted in June 1996, could not be produced before the court to face trial till today. The investigation officer failed to submit his investigation report to the court for the 22nd times since her abduction. In the case of attack on women leader Bichitra Tirki by land grabbers in August 2014 in Chapainawabganj District, the perpetrators succeeded in obtaining bail by bribing the investigating officer and other concerned officials. The trial process of Sujata Chakma's (11 year old) murder case moves at a snail's pace. For example, deposition of five witnesses took place in 2013-2014, but no statements from other witnesses were recorded in 2015.

Situation on the Rights of Youth, Child and Education

While the overall situation of indigenous peoples in Bangladesh is in a dreadful state, the condition of the child and the youth, and the status of their rights to education in the country can hardly be deemed satisfactory.

indigenous peoples, national laws and policies, including the CHT Accord in the CHT region and the East Bengal State Acquisition and Tenancy Act 1950 in the plains. Aggravating the situation, local police and officials in the land office often play supportive roles in aid of land grabbers in the plains, while the local administration and security forces, in the main, back Bengali settlers and private companies in grabbing lands in the CHT. In fact, the biggest worrying factor in both the CHT and the plains is the 'element of impunity' which helps perpetrators of human rights violations against indigenous peoples to evade punishment, in spite of the fact that Bangladesh government is committed to comply with the international human rights norms as well as national laws and regulations in order to promote the rights of indigenous peoples in the country.

Situation on the Rights of Indigenous Women and Girls

As reported, 85 indigenous women and girls fell victim to sexual and physical violence in 2015 in Bangladesh. Among them, 44 victims were from the CHT, while 41 were from the plain land. Since 2007, a total of 434 indigenous women and girls were made victims of multiple forms of human rights violation. In 2015, at least 26 cases of rape/gang rape, 3 killing, 11 physical assault, 16 of attempted rape, 5 abduction, 6 sexual harassment, and 2 cases of trafficking were documented. A total of 69 cases of violence against indigenous women and girls in Bangladesh were documented in 2015. Of the 69 cases, 38 cases were reported from and documented in the CHT, while the remaining 31 cases were from the plains. Out of 69 cases, a total of 85 victims were reported during the period under review where 44 victims were from the CHT and 41 victims were from plain land.

The victims were found to be in the age group between 4 to 50 years. As far as the filing of cases (with the police) with regard to 69 incidents of violation was concerned, cases were filed on 46 incidents. Rests of the incidents were either resolved through arbitration or were not informed to the police for action. From the analysis of the available data, it appeared that 74% of the perpetrators were non-indigenous, while 13% of them were indigenous. 9% of the violators could not be identified, while the law enforcement and security personnel accounts for 4%.

making any real progress towards commissioning of an effective and functioning local self-governance system that ensures land and other rights for the indigenous peoples in the CHT. The promised amendments to the contravening sections of the CHT Land Dispute Resolution Commission Act, 2001 are yet to be made.

It is to be mentioned that as per the decision taken in the meeting held at Prime Minister's office on 18 February 2015 between the Prime Minister Sheikh Hasina and Chairman of CHT Regional Council who is also the President of PCJSS, the 18-page report titled: "Statement on the Unimplemented Issues of the CHT Accord" attached with 16 supporting documents as annexure was handed over to the Prime Minister on 1 April 2015. But no progress has been made in this regard to this day.

The development programs, being implemented in the CHT, are not respectful of the region's distinct cultural identity, is not self-determined, and without any free, prior and informed consent of the indigenous peoples, as stipulated in CHT Accord, the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP) and World Conference on Indigenous Peoples (WCIP) Outcome Document.

The issues concerning the rights of indigenous children seldom get space to be discussed about. There is the lack of segregated data and information on the issues of indigenous children. It is, therefore, problematic to analyze the human rights situation of indigenous children in the country. However, a general observation of their situation gives a clear indication that indigenous children in Bangladesh are doubly discriminated — firstly, because they are indigenous and secondly, because they are children. Their human rights enshrined in the Convention on the Rights of the Child (CRC), to which Bangladesh is a signatory, are routinely violated. The Child Rights Committee's review of Bangladesh held in September 2015 reflects the storyline of the situation. Bangladesh enacted the Children Act, 2013 in line with the CRC with a view to respect, protect and promote the rights of children in Bangladesh. However, the law remains largely on paper and the provisions of the Act are yet to come into force. Moreover, the Act remains silent about the issues specific to indigenous children. The whole document does not mention the word 'indigenous'. Given this backdrop, the condition of indigenous children, on the whole, in 2015 remained more or less similar to that of the previous years.

Educational rights are intertwined with the rights of the children and youth, although education has other dimensions, too, as it covers people of all the age groups. Educational rights of indigenous peoples got some focus from the policy makers in the recent years. The initiatives undertaken by the government include a plan to introduce mother tongue based education, setting up of parakendras (village-centres) and bringing the illiteracy rate down. The initiatives undertaken are, nonetheless, deemed to have fallen short of protecting and promoting educational rights of indigenous peoples including that of their children. In 2015, the situation of educational rights held out similar trends as in the past years in spite of having some mixed developments. Although a number of positive developments have been observed throughout the year, however, some initiatives actuated by the government have violated the educational rights of children, and suffered from serious limitations.

Present State of Implementation of the CHT Accord

The CHT Accord signed in 1997 has completed its 18 years without

I. INTRODUCTION



Photo: Titu Chakma

Cultural Institute” was renamed in 2010 as “*Khudra-nrigoshthir Sanskritik Institute*”, where the term “*Khudra-nrigoshthi*” in Bengali stands for “*Small Ethnic Groups*”. Article 23(A) refers to the indigenous peoples as “tribes, minor races, ethnic sects and communities” (“*upajati, khudro jatishaotta, nrigoshthi o shomprodai*”), instead of ‘indigenous peoples’. It also says that all the people of Bangladesh will be known as Bangalees (Article 6.2).¹ These provisions have violated the rights of self-determination and self-identification. The indigenous peoples’ stand on their demand for constitutional recognition and recognition of their identity and rights has been supported by the progressive citizens in Bangladesh, including the Parliamentary Caucus on Indigenous Peoples. Enactment of Acts such as, ‘Bangladesh Indigenous Peoples Rights Act 2015’ which is being drafted by the Parliamentary Caucus on Indigenous Peoples and ‘Anti-Discrimination Act’ which is being formulated by National Human Rights Commission could be a positive move, away from the negative trends, in this respect.²

The Ministry of Cultural Affairs continued in 2015 with its effort, started in the previous year, to identify the indigenous ethnic groups missed out from the list of the Small Ethnic Group Cultural Institutes Act 2010. The act recognizes only 27 out of more than 54 indigenous ethnic groups in Bangladesh. However, the ministry failed to finalise the list during the year under review. Thus this leads to the exclusion of missing out indigenous ethnic groups from development facilities provided by the Special Affairs Division (SAD). It is to be mentioned here that in some Upazilas of the plain land, Upazila administration forms a committee named ‘Small Ethnic Group Development and Coordination Committee’ headed by Upazila Nirbahi Officer (UNO) to look after the project allocated by SAD for development of indigenous peoples. The Committee includes all officers at the Upazila level as its members. Apart from these members, a hand-picked member from indigenous communities is co-opted in this committee by the Deputy Commissioner

1 Indigenous World 2012: Bangladesh Chapter.

2 National Seminar on Indigenous Peoples in Bangladesh: Human Rights and Sustainable Development Goals, authored by Raja Devasish Roy and Mangal Kumar Chakma. This paper was read out at national seminar held on 10 December 2015, Hotel Lakeshore, Dhaka

I. INTRODUCTION

In fact, no substantial changes could be discerned in term of legal and policy aspects with regard to addressing the needs of indigenous peoples in Bangladesh during the year under review. The Government passed a number of laws, regulations and policies in 2015. Among them, adoption of Bangladesh Public-Private Partnership Act 2015 and Labour Regulation 2015 in the Parliament and approval of Domestic Worker Protection and Welfare Policy in the Cabinet were remarkable and can be linked to the rights of indigenous peoples. However, these legal and policy documents referred to nothing specific about the context and situation of indigenous peoples.

The Government continued with its amendment process of Forest Act in 2015 which was in fact, commenced in 2012. A number of provisions were included in the draft Forest Act, 2015 which are detrimental to the rights of indigenous peoples and forest dwellers. On the other hand, amendment to the CHT Land Dispute Resolution Commission Act, 2001 was under process even in 2015, a process that was initiated soon after the passage of the act in 2001, as many provisions of the act are contradictory to the CHT Accord of 1997. A 13-point amendment proposal was approved for the 2nd time for amending the Land Commission Act in January 2015. However, the amendment bill of this act is yet to be placed before the Cabinet for approval prior to placing it in the parliament for passage.

Although Article 23A of the Constitution of Bangladesh (introduced through the 15th Amendment), does not make specific references to indigenous peoples, it refers to the indigenous peoples in a term that was dropped by the Government, as could be evidenced from the name of the cultural institute of the ethnic minorities in the country. The former “*Tribal*

There is a good opportunity that the government of Bangladesh is committed to leading by example in implementation of Sustainable Development Goals (SDGs), which were adopted by the UN General Assembly on 25 September 2015. This universal development agenda includes six specific references to indigenous peoples. The aim of this agenda is to “Leave No One Behind”. Bangladesh wants to build on their successes, and transform Bangladesh, for the better.⁵ Indigenous peoples share this dream of other Bangladeshis.

However, the government continued, as usual, in pursuing its ‘policy of neglect’ towards indigenous peoples in 2015. This could be evidenced from the restrictions imposed (by an official letter issued on 7 January 2015) by the Home Ministry on foreign/national organisations and individuals visiting the CHT and meeting the tribal people. There was also a directive issued by the Housing & Public Work Ministry on 16 August 2015 advising the authorities concerned to exercise caution, while granting approval to use public or historical structures or premises for holding seminars, workshops or discussion meetings on indigenous peoples.

An influential quarter in the government, allegedly, stopped the flow of advertisement so major mobile phone companies for publication to two national dailies of Prothom Alo and the Daily Star. The instruction was triggered following publication of news reports on the 16 August 2015 about the killing of five men belonging to indigenous communities by the army in the CHT. The concerned authority in the government denounced the papers for failing to clearly refer to the men killed as “terrorists” and also reprimanded them for describing the men as “indigenous”, insisting that tribal populations living in the CHT should be called “ethnic minorities” instead.⁶

Home Ministry's restriction on foreigners visiting the CHT and any meeting with the tribals by national/foreign organisations & individuals needs to be watched by government men

The Ministry of Home Affairs imposed restrictions on foreigners intending

⁵ Bangladesh to lead by example in SDGs, The Daily Star, 01 October 2015.

⁶ Bangladesh Politico, Saturday, October 10, 2015, 7 things to know about the government's advert embargo

of concerned districts. Amidst a dozen of members of this committee drawn from the mainstream community, the co-opted member from the indigenous community/ies naturally can hardly play any role in the decision making.

The Ministry of Primary and Mass Education also failed to publish textbooks for indigenous children in primary schools in their mother tongues. The ministry came up with this initiative in 2013. As part of this initiative, a National Committee was formed to take care of production of textbooks, training-up the teachers and other related affairs at primary level for six indigenous languages – Chakma, Kakbarak, Mandi, Marma, Santali and Sadri.³

Despite strong pledges to consider implementation of the UN Declaration on the Rights of Indigenous Peoples 2007 and ratify the ILO Convention No. 169 on Indigenous and Tribal Peoples in the 6th Five Year Plan (FY 2011-FY 2015) entitled “Accelerating Growth and Reducing Poverty”,⁴ the Government did not take any measure in this direction even in the ending year of this national plan. However, it is encouraging amidst lots of disappointments that 7th Five Year Plan (FY 2016-FY 2020) too, which has already been drafted, retains much the same hopes expressed by the 6th Five Year Plan to consider implementation of the UNDRIP and ratification of the ILO Convention No. 169.

Conceding to the longstanding demand from the indigenous peoples in the CHT, the government declared 4 day holidays for them in the CHT beginning from 29th of Chaitra to 2nd of Baishakh (12 April to 15 April) marking Bizu, Sangrai, Boisu, Bihu etc. regarded as the national festival of the indigenous ethnic groups. The indigenous peoples in the CHT celebrate the end of the departing year and the beginning of the New Year with a series of colorful and lively festivals called Biju by the Chakma, Sangrain by the Marma, Boisu by the Tripura, Sangrain by the Mro and Bihu by the Assamese.

³ Survival Under Threat: Human Rights Situation of Indigenous Peoples in Bangladesh, edited by Prof. Mong Shano Chowdhury, AIPP & KF, August 2014.

⁴ Sixth Five Year Plan (FY2011-FY2015), Accelerating Growth and Reducing Poverty, Planning Commission, Ministry of Planning, Government of People's Republic of Bangladesh, p. 159

Maniruzzaman that refers to a letter of government intelligence agency, states that “the small communities/groups living in Bangladesh have been termed as tribes, minor races, ethnic sects and communities in the 15th Amendment to the Constitution. A vested quarter is engaged in hatching deep conspiracy to establish the unconstitutional demand of ‘Indigenous People’ with the help of domestic and foreign agencies. In continuance of this ill-concealment and conspiracy, intend to use the city-based, especially the Dhaka-centric, establishments/ structures of national significance such as, Liberation War Museum, National Martyrs’ Monument, and National Museum, Shilpa Kala Academy, TSC Square of Dhaka University, Engineers’ Institute and other important places by the vested quarter, is on the increase. The trend to cleverly involve national political personalities and government high-ranking officials in these functions is also noticeable. The letter requested the concerned authority to exercise caution while permitting the use of government structures and historical places to prevent the ill-game plan for implementation of the unconstitutional demand namely, indigenous people in Bangladesh.”

Indigenous people and citizens’ rights group in the country registered a strong protest against the impugned directive stating that there had ever been any such directive, since the adoption of the Constitution of Bangladesh that imposed restrictions on the use of words which were not included in the Constitution. Perhaps, this was for the first time in the history of democratic governance system that such directive had been considered worth issuing. The directive issued by the Ministry of Home & Public Works is counter-productive to the spirit of the constitution and to the the basic rights, as well, laid down in the Constitution.

Pourasabha election 2015: seven councilors win the election in the CHT

On 30 December 2015, the first-ever partisan elections to 234 Municipalities were held throughout the country. No mayoral candidate from the indigenous community won the election. It was reported that only two candidates from indigenous communities, one in Rangamati Municipality and the other one in Khagrachari Municipality, contested for the Mayorship in the election. But they failed to win. However, 7 indigenous candidates including two women, in the reserved seat for

to visit the CHT. Any national/foreign organisations/ individuals willing to meet any tribal organization/s or any indigenous person/s in the CHT were also restricted.

The minutes of the meeting with the agenda item titled ‘Post-Peace Accord CHT Situation and Relevant Issues’ held on 7 January 2015 at the Ministry of Home Affairs chaired by the State Minister, Ministry of Home said that “If any individual/organization of national or international origin intends to hold a talk with the tribal people of the CHT region, the presence of local administration and army/BGB shall have to be ensured, and in case of the foreign nationals intending to pay a visit to the CHT, shall also have to obtain permission by applying to the Home Ministry one month ahead.” No such restrictions exist elsewhere in the country and the foreigners do not require travelling pass to visit any part of Bangladesh as such. Such a decision of the government is discriminatory, racist, politically motivated, and transgresses the spirit of the CHT Accord. Moreover, the obligation that requires the presence of government representative from the local administration, army/BGB during interview by individuals/organizations of national or international origin with member/s of the indigenous Jumma people is nothing but an absolute manifestation of a policy of suppression aimed at strangulating the individual rights to freedom of speech and assembly. Such a discriminatory treatment to members of indigenous peoples who are citizens of the country is tantamount to treating them as 2nd class citizens. The circular issued by the Home Ministry also contravenes the fundamental rights enshrined in the Constitution of Bangladesh that stipulates “The state shall not discriminate against any citizens on grounds only of religion, race, caste, sex or place of birth.” [Article 28(1)].

HPW Ministry's directive to resort to caution in letting public premises for use to hold any function observing ‘indigenous peoples’ demand’

On last 16 August 2015, a disagreeable, deplorable and reprehensible directive with a subject-title: “On Choosing Constitutionally Recognized Words and Selection of Site for Observation of so called Indigenous Peoples’ Demand” was issued by the Housing & Public Works Ministry. The directive, signed by the Additional Secretary Mohammad

It was learnt that the government was working on a plan to establish a land port at the said Thega Mouth in Rangamati District and another land port at Ramgarh of Khagrachari District with the support of World Bank. Of them, consent was given on the proposed land port at Ramgarh by the CHT Regional Council, but considering the adverse impact upon natural environment, the existing situation and demographic problems, CHT Regional Council raised objection on construction of the Thega Mukh Land Port. However, ignoring the opinion of CHT Regional Council, the government was learned to have taken all out preparation for establishing the Thega Land Port. 123 kilometers road from Chittagong through Rajasthali, Bilaichari and Jurachari to Thega Mukh of Barkal Upazila in Rangamati District would be constructed under the 'Chittagong Hill Tracts Connectivity Project' with the financial support from the World Bank, suggested an available report. The survey for this road was learnt to have been underway. It was reported that the government had already initiated the infrastructure development plan, such as, Baghaichari-Harina-Thega Road, Naniarchar-Longadu-Harina-Thega Road, Kaptai-Bilaichari-Jurachari-Thega Road, Rajasthali- Bilaichari-Jurachari-Thega Road, etc. Accordingly, preliminary works on the plan got underway.

A World Bank paper reads: *“Roads provide access to markets, creating opportunities for people from local communities to sell their products and find work. The World Bank is providing technical support for a study on the potential for improving regional trade and connectivity between Thegamukh, on the border of Mizoram, India, and the Chittagong port. As part of the Feasibility study, the Local Government and Engineering Department (LGED) conducted an extensive dialogue in local language with villagers and local communities in Rangamati District. In first phase, 21 consultations were conducted to seek feedback on eight possible routes connecting Thegamukh and Chittagong. In the second round, LGED conducted more than 80 consultations with over 200 local people for feedback on these two potential routes.”*⁸ However, the knowledgeable sources in the CHT were surprised at this piece of on formation and expressed their ignorance about any such consultation having taken

⁸ World Bank

women, won the election as councillors. The councilors elected were: Baching Marma for Ward no. 5, Rabi Mohan Chakma for Ward no. 6 and Kalayan Chakma for Ward no. 8 in Rangamati Municipality; Atish Chakma for Ward no. 1 and Suinaching Marma for reserved Ward no. 3 (general Ward no. 7, 8, & 9) in Khagrachari Municipality and Thui Sing Prue Lubu for Ward no. 5 and Ujala Tanchangya for reserved Ward no. 1 (general Ward 1, 2 & 3) in Bandarban Municipality. Elections were also held in Matiranga Municipality under Khagrachari District and Lama Municipality under Bandarban District. But no indigenous candidates got elected in these two Municipalities. In the plain land, only one indigenous candidate Babita Mardi from indigenous community contested for the women reserved seat as councilor in Kankanhat Municipality under Rajshahi District, but she failed to return in her election.

However, it was alleged that incidents of capturing polling stations, widespread ballot stuffing, snatching of ballot papers and intimidation of rivals by ruling Awami League activists marked the first-ever partisan elections to 234 Municipalities when a man was killed and 150 were wounded in election related violence throughout the country.⁷

Establishment of Thega Land Port and initiative for construction of broad width road network connecting the port

With a view to expanding trade with the Mizoram State of India, including construction of a Land Port at the Thega River Mouth of Thega Union under Barkal Upazila of Rangamati District, the government has undertaken an ambitious plan to build a network of roads and infrastructures connecting Baghaichari, Naniarchar-Longadu, Bilaichari -Jurachari and Rajasthali Upazilas of Rangamati District with the Thega Land Port. The environmentalists and specialists thereon had expressed deep concern that construction of the proposed road network, if gets implemented, would create adverse impact on the natural environment in the localities that the proposed road will pass through, and secondly and alarmingly, it would open up spaces and opportunities for infiltration from outside.

⁷ Rigging, violence mar polls, New Age, December 31, 2015

rehabilitate them under the “Ashroyan Project-2”, an on-going project in the country. To this end, in a letter dated 3 August 2015 and signed by an Assistant Project Director (Deputy Secretary), it was requested to send specially designed project proposal for the Ashroyan Project for rehabilitation of the tribal communities in all the three hill districts. It was mentioned in the letter that ‘there is a provision of making 580 houses for the tribal communities of the Chittagong Hill Tracts in the approved DPP. Specially designed houses numbering 38 had been approved after construction as per the specially designed proposal for 39 houses under the project. Yet there were scopes to construct 542 houses more.’

It was apprehended with concern that the life and livelihood of the Jumma people might be jeopardized following their rehabilitation in places other than their respective lands within the region. Besides, the Accord also contained the provisions of a Task Force to identify the India-returnee refugees and internally displaced refugees for their rehabilitation. The Task Force was also mandated, as per its provisions, to rehabilitate the internally displaced Jumma refugees who were entitled, similar to those of the India-returnee Jumma refugees, to be provided with lump-sum grants, construction of houses, ration, returning of their lands including homesteads, exemption of agricultural loans and grant of easy loans, reinstating them in the earlier jobs, etc. But the government began executing its ‘blue print’ through rehabilitation of the Jumma refugees under the country-wide ongoing ‘Ashroyan Project-2’ shelving the scheme to rehabilitate the internally displaced and returnee Jumma refugees in their respective lands. This process was not only in contravention of the CHT Accord, but it did not favor, as well, the life and livelihood of the Jumma peoples.

place in the CHT. On the other hand, the paper from the World bank contains a line; ...Based on these consultations and on technical analyses, LGED shortlisted two alternatives- a road and the combination of a road and a waterway - for further assessment— suggesting a waterway as an alternative to overland roads. In fact, the waterway option, if gets government nod and get implemented, would improve the navigation in the Lake which continued getting silted over the last 60 years. The cost of transportation of goods to be ferried all along the water routes through the Lake would also be reduced to a considerable extent, and in such an event this water route could serve as the best economically viable alternative to the proposed overland roads to connect the proposed Thega Land Port, not only in terms of its huge financial involvement in implementing the ‘road building project’ but also due to its potentially massive counterproductive impact on the local population, land, forest, environment, and for that matter the entire eco-system.

In addition, it would not only accelerate the draining out of the already depleted forest resources from the region, but would result in an adverse impact on the environment as well. Furthermore, it was also apprehended that there would be large-scale infiltration of outsiders into the region, which would severely jeopardise the Jumma-habitat and its features of the region, a legally recognized status for the CHT following the signing of the CHT Accord.

Housing for the Jumma peoples under Ashrayan Project ignoring the provisions of the CHT Accord

Provisions for rehabilitation of internally displaced and India-returnee Jumma refugees in their respective homesteads and lands were categorically spelled out in the CHT Accord, 1997. 18 years rolled past since the CHT Accord was signed in 1997, but the internally displaced Jumma refugees still awaited rehabilitation in their respective lands. Of the 12,222 India-returnee Jumma refugee families, 9,780 families could not be rehabilitated in their respective lands.

Instead of taking initiative to rehabilitate the Jumma refugees as per the CHT Accord, an initiative was learnt to have been undertaken to

The Daily Star

The Daily Star, February 11, 2015

The Home Ministry directives on CHT Affairs Big brother is watching you

Special correspondent

IF you work on adivasi rights in the Chittagong Hill Tracts in some capacity, you may be familiar with an uncanny feeling that you are being followed. That your steps are being monitored, assessed and filed away for future reference, that your conversations with adivasi communities and leaders are being overheard. Initially, you try to shake off this feeling thinking that you are being paranoid, but soon this eerie impression becomes a part of the way you interact with the people and civil and military administration in the CHT. You know that you may be stopped, interrogated, asked to declare your identity and purpose of visit, and even threatened by various powerful quarters at any moment, without any real justification, and that if they do so, there is likely very little you can do.

You need no longer wonder who's following you, because according to a recent government order, if you are visiting the CHT and want to work with or talk to local adivasi communities on any issue, you will be required to "ensure the presence of local administration and the military/BGB", so that your conversations can be duly supervised and censored by the government. This means that indigenous groups cannot seek support or advice, voice demands, challenge government policies or even share their life experiences with civil society watchdogs, academics, journalists, development practitioners and other national and international organisations, without surveillance and fear of severe repercussions. But does this also mean that if I were to visit my friend M. Chakma (name not disclosed for obvious reasons) now living in Rangamati, I won't be allowed to talk to her without an officer present? The report further dictates that "check-posts at the entrances of the CHT will be made more active." Let's take a moment

MEDIA REPORTS

The Daily Star

The Daily Star, 20 January 2015, Editorial

Development without consent!

Address indigenous concerns

The establishment of a Rangamati Science & Technology University has generated widespread protests by indigenous communities and civil society groups who believe that, in the absence of full implementation of the CHT Accord, the project will further displace and deprive already marginalised indigenous communities. We urge the government to take serious note of these concerns.

Why should indigenous people be opposed to development projects? Obviously there are reasons for this opposition. First, they take it as an imposition, as the decision was taken without prior consultation with local communities and representative institutions, even though the Accord stipulates that no land within the control and jurisdiction of the Hill District Council (HDC) shall be acquired or transferred by the government without consultation and consent of the HDC. It also recognises the rights of indigenous people to decide their own development priorities through representative institutions.

Second, the track record of the government in matters of development project in the CHT has not been one of trust and confidence-building. Indigenous communities fear that they will be evicted from their lands, as they have been in the past, to make way for the institution and for non-indigenous students, teachers and staff who will consequently settle in the area.

Development in a democracy must be of, for and by the people. Any decision taken without the people's consultation and in violation of the Accord can hardly be effective or desired.

We implore the government to prioritise indigenous demands in designing development projects and to implement the accord without further delay, allaying all concerns.

region, why would we find the military still in charge of the civil administration, in sharp contradiction to the rest of the country?

While rights groups have been advocating for mixed policing (appointing more adivasi and women police, for instance) for a long time in order to address communal violence and tension in the region, the directive states that, “[m]easures will be taken to carry out a phased transfer of former members of Shanti Bahini employed in Police/Ansar in the CHT.” This implies that an already overwhelmingly Bengali law enforcement will be made even more ethnically homogenous and unrepresentative. This would inevitably end up serving the interests of Bengalis living there as opposed to the adivasi communities.

There can be no denying that the CHT has become a hostile place, not just for the adivasi communities, but also for those visiting and working on adivasi rights. Last year, the CHT Commission delegation, consisting of some of the most venerable civil society members of Bangladesh, was attacked in the presence of law enforcement members. No one was arrested. A month later, when the CHT coordinator made a personal visit to the CHT, she was again assaulted. These attacks, carried out with complete impunity, were no doubt made to intimidate them and “teach them a lesson”. The latest directives send a clear signal that the government will not tolerate dissenting presence or activities in the CHT.

The instruction to “UNDP to send a report about the implementation progress and results of the 160 million USD development projects undertaken by them in the last 10 years” is also telling in this regard. While I am all for more accountability of UN institutions, the fact that only this programme was singled out from hundreds of projects, all of which are audited, evaluated and monitored at multiple levels through similar arrangements with the government, shows that the government wants to ensure that NGO activities in the region – which are never too radical to begin with – are now further diluted down and made 'kosher'.

Instead of implementing the CHT Peace Accord, the government, which has always professed to be pro-adivasi and pro-minorities,

to allow all that to sink in: in free and independent Bangladesh, the government has essentially ordered the suspension of basic rights and imposed special restrictions on people's speech, movement and association for an indefinite period in a particular part of the country. Incidentally, there are no restrictions on visitors talking to Bengali settlers in the area.

The order, signed by State Minister of Home Asaduzzaman Khan Kamal, and dated January 18, 2015 charts out 11-point decisions on CHT affairs that are, for the most, part unconstitutional, undemocratic and in sharp contradiction to the CHT Peace Accord 1997. If previously foreign nationals had to inform the district administration of their visits, now they must seek permission from the Home Ministry a month in advance. Permission will be granted, states the report, only upon “receipt of a positive report from the intelligence agencies under the Home Ministry.” In addition, foreign nationals will have to declare their arrival and present their travel itinerary to the Deputy Commissioner/Police Superintendent. And of course, they will then be shadowed throughout the visit by officials. If the rest of Bangladesh is accessible to foreign nationals with a visa, why must there be special provisions and systematic surveillance of foreigners visiting the CHT? If the move was to ensure 'security' for foreigners, then why would they have to go through a vetting process by intelligence agencies and inform a month in advance?

The report further states, “Other law-enforcing agencies will have to coordinate their work with the 24 Infantry Division who are responsible for the overall law and order enforcement in the CHT.” This essentially means that the military will continue to be superimposed on the civil administration there. But why must this be in an area that is NOT an operational zone, nor an insurgency-infested region? The role of the military as well as BGB should be to protect the borders, as per their mandate, not to enforce law and order. One can only deduce that the government has forgotten that it ever signed a Peace Accord where it promised to withdraw all temporary military camps from the region. Seventeen long years since “peace” was officially “established” in the

affairs ministry to look after the welfare of indigenous people of plain land. Without a ministry looking after them, they are always forgotten in budget discussions and allocations, the caucus leaders told a views exchange meeting on the national budget and Adivasi people at The Daily Star Centre in the capital.

“A division for plain land adivasis can be opened at the CHT ministry. But we'll have to be careful that the step doesn't create unnecessary divisions among the Adivasi peoples,” said Civil Aviation and Tourism Minister Rashed Khan Menon. He added that the caucus would meet the finance minister to press home its demand for more budgetary allocations.

General Secretary of Bangladesh Adivasi Forum Sanjeeb Drong said about 20 lakh plain land adivasis had an allocation of Tk 16 crore in the last national budget. “So each plain land Adivasi person got 80 taka,” he said. He went on to explain that the size of the coming budget would be around three lakh crore taka. “Since Adivasis constitute over two percent of the total population, the allocation for them should be 6,000 crore taka. “But the last budget had 755 crore for the hill tracts people and 16 crore for plain land Adivasis,” he said.

Technical coordinator of the caucus Prof Mesbah Kamal said compared to the allocation for general people, shares of both hill tracts and plain land Adivasis were discriminatory.

General Secretary of Jatiya Adivasi Parishad Rabindranath Saren said about Tk 44 crore had been allocated for the development of plain land Adivasis since the country's independence. “I'm sure people have paid the state at least three or four times more than that amount in tax,” he said.

State Minister for Social Welfare Promod Mankin, lawmakers Ushatan Talukdar, Fazle Hossain Badsha, Kazi Rosy and Director (rights) of Manusher Jonno Foundation Rina Roy also spoke.

seems to be taking a hard-line stance of eradicating dissent through surveillance and even arms, if necessary. The discriminatory treatment of adivasi communities has now reached a new height with the imposition of these restrictions on freedom of speech, movement and association. This simply cannot go on in what we claim to be a democratic and inclusive Bangladesh.

The writer is a keen follower of CHT affairs.

The Daily Star

The Daily Star, 13 May 2015

Create ministerial div for plain land Adivasis

Parliamentary caucus tells budget discussion



Participants at a discussion “Upcoming (2015-2016) National Budget and Indigenous People” organised by Parliamentary Caucus on Indigenous Peoples in The Daily Star Centre of the capital yesterday. Photo: Star

The Parliamentary Caucus on Indigenous Peoples yesterday demanded creation of a division under the Chittagong Hill Tracts (CHT)

II. SITUATION OF CIVIL AND POLITICAL RIGHTS



Human Rights Violations on Indigenous Peoples in 2015 at a Glance:

The indigenous peoples in Bangladesh started growing vocal gradually. A number of right-based actions to protect and promote their rights to self-government and land and resources were found to be in progress. However, these actions by indigenous peoples' human rights activists continue to be criminalized resulting in arrests, detention, enforced disappearances and killings. In 2015, false charges were framed and cases were filed against, at least, 159 people. Among them, 74 members of indigenous communities including women and school girls were arrested. They were charged with criminal offences. However, most of them were released on bail later. Besides, 10 indigenous people (apart from killing of three indigenous women and girls, please see 'Chapter IV: Situation of Women and Girls' Rights' for details) were extrajudicially killed in the CHT and the plains. Incidences of arbitrary arrest, detention and extrajudicial killings on indigenous peoples intensified alarmingly during the year under review. A total of 159 people including 74 of arrest against whom fabricated cases were filed in 2015 while cases against only 5 persons were lodged in 2014. The number of people arrested by law enforcement and security forces this year rose to 74 from 5 in 2014.

At the same time, at least 134 indigenous people were physically tortured and assaulted. Among them, 101 were from the CHT and 33 were from the plains. Though most of the physical assaults were carried out by influential Bengali non-state actors, in many cases, the State actors such as members of security forces and law enforcement agencies played either supportive or passive roles in the commitment of such crimes.

In some cases, houses and properties were destroyed and looted by the miscreants. In 2015, at least 84 houses of indigenous peoples in the plains were vandalised and looted and 35 houses in the plains and the CHT were burnt to ashes by land grabbers.

II. STATE OF CIVIL AND POLITICAL RIGHTS

Bangladesh is one of many countries known for ratifying almost all the international human rights treaties including the International Covenant on Civil and Political Rights (ICCPR), the "International Covenant on Economic, Social and Cultural Rights (ICESCR), the International Convention on the Elimination of All Forms of Racial Discrimination (ICERD) etc which-

- affirm civil and political rights of all peoples living in Bangladesh to participate in political, social and economic spaces;
- prohibit racial discrimination in all its forms and to guarantee the right of everyone, without distinction as to race, colour, or national or ethnic origin, to equality before the law;
- treat all acts of tortures as offences, under its criminal law; and prohibit all kinds of torture, or cruel, inhuman or degrading treatment or punishment.

Indigenous peoples have the right, by virtue of these international human rights treaties and the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP), to be protected from genocide, arbitrary execution, torture, forced relocation, or assimilation; and have the rights to enjoy freedom of expression, association, and religion.

As a signatory to a number of international human rights covenants and conventions, Bangladesh has the obligation to respect, protect and fulfill the rights of indigenous peoples. However, different State agencies have been directly engaged in interfering with the human rights of indigenous peoples that are enshrined in international law, and in most cases, the state authority is reluctant to prevent violations of these rights by state agencies and other non-state actors.

protest against and demand for halting academic activities of Medical College and University of Science & Technology in Rangamati until full implementation of the CHT Accord of 1997. The conflict soon transformed into Jumma-Bengali communal clashes spreading like a wild fire across the town. The conflict was carried out on to the next day, 11 January 2015. The violence left a toll of 30 people including 20 Jummas who got injured on 10 January and three houses including two houses belonging to indigenous Jummas were burnt to ashes.



30 people including 20 Jummas reportedly injured in the clash. P.C.: The Daily Star

Communal attack on indigenous Santal village in Dinajpur

25 houses gutted and 65 houses vandalized & looted

On 24 January 2015 the indigenous Santal village named Chirkuta (Habibpur) under Mostafapur Union of Parbotipur Upazila in Dinajpur District came under attack by a group of local Bengali land grabbers.

The incident took place at around 7:30 am when Zahurul Islam (50) and his brother Ziarul Mandal sons of Mohammad Ali from Habibpur village of Parbotipur Upazila under Dinajpur District started working in the land belonging to Joseph Tudu, an indigenous Santal man. On hearing this, Joseph Tudu and his family members rushed to the place of occurrence. They tried to prevent the land grabbers, and in the process exchange of

Table1: Human Rights Violations in 2014 and 2015

Type of violation	2015			2014		
	CHT	Plain	Total	CHT	Plain	Total
Arrest and dition	52	22	74	5	0	5
Killing	7	3	10	2	6	8
Torture, assault and intimidation	101	38	139	84	42	126
Communal attack	4	1	5	3	4	7
Destruction and looting of house and property	-	84	84	15	10	25
Person crossed border escaped /migrated	-	-	-	500	150	650
Houses set on fire	3	32	35	58	-	58
Temple ransacked	-	-	-	4	1	5
Idol looted and destroyed	-	-	-	5	1	6
Families fled to safe places for security	-	-	92	-	-	92
No. of persons against whom case filed	128	31	159	-	-	-

Massive Communal Attacks

Communal conflict sparks off at the inauguration of a Medical College in Rangamati town

Ignoring the adverse sentiment of the Jumma people, at large, Prime Minister Sheikh Hasina's settlite-aided inauguration of Rangamati Medical College from her official residence Gono Bhavan, on 10 January 2016, sparked off fresh communal clashes across the Rangamati town. The conflict began when the members of Chatra League and Juba League, student and youth wings of ruling Awami League, inexcusably pounced on members of Pahari Chatra Parishad (Hill Student Council) who were observing a dawn-to-dusk road and waterway blockade in

constituted of Touhidul Islam, Additional District Magistrate of Dinajpur District; Sushanta Sarkar, Assistant Superintendent of Police (Sadar circle) of Dinajpur; and Jahangir Alam, Assistant Commissioner of Land of Parbotipur Upazila.



Communal attack leaves only debris in Chirakuta.

PC: Bivuti Bhuson Mahato

The following were the Santal villagers against whom the land grabbers filed case. Names appearing from serial No. 1 to 19 were arrested:

1. Barnabas Tudu (40) s/o late Manir Tudu
2. Habil Tudu (55) s/o late Manir Tudu
3. Antinues Tudu (22) s/o Joseph Tudu
4. Emelius Tudu (20) s/o Josef Tudu
5. Jibon Hembrom (22) s/o Vadu Hembrom
6. Khalil Tudu Ripan (25)
7. Lazarus Tudu (20) s/o Habil Tudu
8. Juwel Tudu (22)

arguments ensued which, soon, turned into a quarrel between the two groups. At a certain stage, a dozen of (local Bengali) people joined Jahurul's side, and the quarrel immediately transformed into a violent clash. The Santals had to shoot arrows to defend themselves. In the conflict, Rakib Tudu, Ruben Tudu and Kablu Tudu received wounds while Zahurul's son Safiul Islam Sohag (22) died later.

On hearing the incident, hundreds of people belonging to Bengali community from local areas, equipped with local-made lethal weapons including ramda, machete, sharp knife, and dagger, encircled the whole Chirakuta Santal village. The police arrested 19 villagers and took them away. As soon as the police left the scene, the assailants attacked the village, set 25 houses on fire, vandalized 65 houses and looted all the belongings of Santals including food grains, kitchen utensils, furniture, cattle and tube wells, leaving all the villagers literally destitute. The assaulters also set to fire a primary school run by Caritas-Bangladesh. The perpetrators also mercilessly tortured five indigenous villagers viz., Mikhalina Murmu (28 and in an advanced stage of pregnancy), Mikhael Tudu, Rakib Tudu, Kablu Tudu, and Raben Tudu. Later, Mikhalina Murmu (28), Mikhael Tudu were taken to Dinajpur hospital.

Later, Mahmudul Hoque (29), uncle of deceased Saiful Islam Sohag, filed a case no. 22, dated 24/01/14) with Parbotipur police station against 28 Santal men by name and 14 unknown indigenous villagers. On the other hand, one of the Santal women victims Nilima Hembrom also filed a case no. 29, dated 28/01/2014) against 76 identified attackers and many unknown persons with the Parbotipur Police Station in connection with the attack. However, the police took no legal action against the alleged attackers, although all the 19 indigenous Santal persons who had been taken arrested were kept under detention without trial.

It was worth mentioning that Zahurul Islam claimed the ownership of land belonging to Joseph. Several attempts were made to settle the matter through arbitrations in presence of the local elders. But each time Zahurul Islam miserably failed to produce documents in support of his claim.

Following the attack, a three-member probe committee was formed by Shamim Al Razi, the Deputy Commissioner of Dinajpur District to investigate the incident on 27 January 2015. The probe committee was

The 'Jago Parbtyabasi' (Awake Hill Dwellers) called a 72-hours strike from 11 to 13 March 2015 to foil the pre-scheduled official visit of the CHT Regional Council Chairman, Jyotirindra Bodhipriya Larma. It was learnt that when Mr. Larma's convoy reached Balaghata of Bandarban Town, the terrorists attacked the last moving vehicles one jeep and two motorcycles. The terrorists set fire on one of the motorcycles during the attack. It was learnt that the attack was led by Abidur Rahaman, kamal Uddin, Nurul Alam, Golam Sarwar, Abdul jalil, siraj Khalipha and Yasmin Chowdhury, at the incitement fuelled by Mujibul Haque and Zaved Reza, Mayor of Bandarban Municipality.

12 Jumma people were wounded in the attack. Among them the seriously wounded were — Pushwe Thowai Marma (40), Parimal Chakma (23), Swapan Tanchangya, Mong Ba Thowai Marma (52), Rocky Tanchangya and Rambabu Marma (60). They were admitted in the Bandarban Sadar Hospital in critical condition. Pushwe Thowai Marma was by struck by a sharp weapon on the head and body. Later on, as the condition deteriorated, Rambabu Marma, Mong Ba Thowai Marma and Rocky Tanchangya were sent to Chittagong Medical College Hospital.

Communal attack on Jumma villagers following a murder in Manikchari

On 3 September 2015, a group of Bengali settlers carried out an attack on indigenous Jumma villagers at Chikkabil area under Manikchari Upazila in Khagrachari District following the murder of a Bengali settler. At least, four indigenous villagers were severely injured in the attack.

It was reported that a Bengali settler named, Mohammad Abdul Matin (40) of Harbil Hlapaindang village under Manikchari Upazila was murdered at around 3:30 am by some unidentified terrorists. Following the incident, a group of Bengali settlers numbering about 40 to 50 from Manikchari Cluster village led by Mohammad Akbar (25) s/o Nuru Islam and Mozammel (25) accompanied by a group of security forces went to the place of occurrence and beat two indigenous villagers severely, whom they found there, and handed them over to Manikchari Police Station. Then they went to Harbil Hlapaindang village. But the villagers had already fled to the jungle the previous night following the murder. As

9. Bifol Mardi (20) s/o Noren Mardi
10. Noren Mardi (51)
11. Mosoi Tudu (58) s/o late MohonTudu
12. Chelsu Hembrom Rengta (45)
13. Renatus Hembrom (40) s/o late Regna Hembrom
14. Rakib Murmu (32) s/o Suren Murmu
15. Romesh Soren (50) s/o late Dhanai Soren
16. Alfaskius Tudu (43)
17. Karlus Tudu (30) s/o GoneshTudu
18. Bachu Barman (38) s/o late Ghutu Barman
19. Hayus Tudu Thosa (42) s/o Churkai Tudu
20. Josef Tudu (55)
21. Mikhael Tudu (45) s/o late RaghunathTudu
22. Aihass Tudu (45) s/o Churkai Tudu
23. Kistu Tudu (35) s/o late Sam Tudu
24. Gudai Tudu (58) s/o late Manir Tudu
25. Srimon Tudu (35)
26. Noren Mastar (42)
27. Vadu Hembrom (50) s/o late Chotu Hembrom
28. Benedic Tudu (25).

Communal attack on the convoy of chairman of CHTRC in Bandarban by fanatic groups

On 11 March 2015 fanatic activists of 'Jago Parbtyabasi' (Awake Hill Dwellers), an anti-Accord elements and communal group, attacked the Bandarban-bound convoy of the CHT Regional Council (CHTRC) chairman in presence of the law enforcers at Balaghata under Bandarban Municipality in Bandarban District.

They also attacked the Jummas outside the college campus at the College Gate area and in front of the UNO office. They pulled out Apu Talukder, a service holder, from the CNG and severely wounded him in front of the UNO Office. Apu Talukder was taken to Rangamati Sadar Hospital with severe injuries. With an ulterior motive, three shops close to College Gate were vandalized and looted, and two motorbikes were also broken.

Following the incident, three cases were filed with the Kotwali police station in this connection. Sultan Mahmud Bappa, President of Bangladesh Chatra League Rangamati College Branch, lodged a case no. 07/106, GR 358/15 dated 17-10-2015 against 9 Jumma students by name including 40 to 50 unknown persons.

One shopkeeper of College Gate, named Mohammad Shah Alam (45) s/o Oli Ullah Patwari filed a case no. 05/104, GR no. 356/15 with Kotwali police station on 17 October 2015. Allegations for attacking, vandalizing shops, looting and arson were brought against 24 people by name and 150 to 200 others as anonymous.

The third case no. 06/105, GR no. 357/15 dated 17–10–2015 was filed with Kotwali Police Station by the Sub-Inspector of Kotwali police, Muhammad Romiz Ahmmed against unnamed 200 hill people and 200 Bengali people for carrying out attack, obstructing police from performing their duties and damaging government and public properties.

Attack, Torture and Intimidation

Arson attack on house of indigenous people in Sherpur

On 2 February 2015 at 12:00 noon, the house of Nitya Tanti was attacked and set on fire. Mother of Nitya Tanti, Bironi Bala (70), his wife Shikha Bala (42) and daughter Hasi Bala (20) received severe injuries when they came out to prevent the attackers. The villagers somehow managed to put out the fire and hospitalized the victims.

Nitya Tanti's daughter, Hasi Bala happened to be a teacher working at a BRAC-led local school. Nitya Tanti promised BRAC to give a piece of land, in donation, to construct the school building. However, Mohammad

no one was found in the village, the attackers and the security forces moved to Sikke Para (village) and reached there at around 3:00 pm. They vandalized Mrasa Marma's house as soon as they reached there and beat 4 people mercilessly before hitting them with sharp weapons. The perpetrators fled the scene as soon as members of ruling political party arrived there. All the 4 people wounded in the beating were hospitalized. No case was filed in this connection till the writing of this report.

The two detainees were Rui Prue Chai Marma (50) s/o Mawmongshi Marma and Usha Maung Marma (40) s/o Chora Marma both from Hlapaidang Para of Manikchari upazila.

The 4 indigenous 4 people who sustained severe wounds were Mrasa Marma (70), former Karbari/Village Head, s/o Risai Marma; Rangchai Marma (42) s/o Mrasa Marma, Kyawsai Marma (16) s/o Ransai Marma, and Re-da Marma (12) s/o Rangchai Marma all from Sikkebill under Manikchari upazila.

Communal violence erupted following clash between students in Rangamati

15 injured, three shops vandalized and two motorbikes broken, case filed against 33 persons

On 17 October 2015, a clash between Bangladesh Chhatra League (BCL), student wing of ruling Awami League and Pahari Chhatra Parishad (PCP), student wing of PCJSS sparked off communal violence at the Rangamati Government College premises that spread instantly to some pockets in Rangamati town. At least 15 Jumma people sustained fatal injuries during the attack. Amar Sindhu Chakma, Komesch Chakma, Pulak Chakma, Apu Talukder and Elin Chakma were identified among them.

It was learnt that an altercation between BCL and PCP activists started following the misbehavior to BCL member Saurav Tripura and an outsider student named Shamsuzzaman Bappi by the PCP activists. At a stage, the BCL workers attacked the PCP students. Jumma students also chased the attacking Bengali settlers. At a certain stage in the later, Bengali settlers from outside joined the attacking BCL workers instantly.

Chakma (55) w/o Deba ranjan Chakma from Karbari Tila; Gyana Ranjan Chakma (30) s/o Sadhanya Chakma from Karbari Tila; Myamal Kanti Chakma (40) s/o Kali Chandra Chakma from Rangapanichara; Padma Devi Chakma (50) w/o Upendra Lal Chakma from Rangapanichara and Parantu Chakma (30) w/o Nibir Kanti Chakma from Rangapanichara.

Security forces arrested 11 protesters from Maini Bridge area. The arrestees were handed over to Dighinala Police Station and sent to the jail next day. The arrested persons were- Shanti Bijoy Chakma (22) s/o Maratsabua Chakma from Jouta Khamar area; Shyamalendu Chakma (31) s/o Laxmi Bikash Chakma from Tarabanya; Chuklu Chakma (18) s/o Juddha Moni Chakma from Dhuluchari; Suman Chakma (22) s/o Kyama Prue Chakma from Noya Para; Ripan Chakma (25) s/o Shashi Mohan Chakma from tarabanya; Purnaraj Chakma (27) s/o Prati Ranjan Chakma from Tarabanya; Rup Kumar Chakma (37) s/o Krishna Kumar Chakma from Uttor Milanpur; Anil Bikash Chakma (37) s/o Kalachokha Chakma from Tarabanya; Bhagat Chakma (23) s/o Balaram Chakma from Chongrachari; Sadhan Bikash Chakma (18) s/o Amitya Chakma from Dhuluchari and Lilu Chakma (18) s/o Priyanath Chakma from Kamakuchara.

Based on a case filed by Md. Israfil, Officer-in-Charge of investigation cell against 800 anonymous and 56 people by name, Shuddhajoy Chakma (46) s/o Ramya Chakma from Kshetrapur of Boalkhali union and Sona Ratan Chakma (30) s/o Karuna Moy Chakma from Thana Para were arrested on 19 March 2015.

Attack, vandalizm and arson in indigenous villagers of Noagaon

On 29 April 2015 at around 2:00 am, the indigenous village of Akbarpur under Patnitala Upazila of Noagaon District looked deserted following an arson and terrorist attack, looting, and act of vandalism carried out by miscreants engaged by some local influential quarters. Altogether 19 houses belonging to 8 indigenous Oraon people were damaged in the incident. The victim families were leading a subhuman life under the open sky, and were in fear. The indigenous Oraon people including some landless Bengali families had been living by the side of a pond of

Rahamatullah (50) and his son Mohammad Roni (30), who lived in the neighborhood, hit upon a plan and accordingly projected one of their relatives named, Nipen Tanti as owner of the land wherein the School was to be constructed. Nitya Tanti sought help from the police following which the plotters attempted to occupy the land by force and attacked Nitya Tanti's family members and set their house on fire.

Attack on peaceful rally against BGB camp establishment in Dighinala

9 injured, 13 arrested, case filed against 56 persons & 800 unknown

On 15 March 2015, the law enforcers allegedly carried out an attack on a peaceful rally brought out by the Land Protection Committee demanding withdrawal of the newly constructed Sector Headquarters of Border Guard Bangladesh (BGB) at Babuchara under Dighinala Upazila in Khagrachari District. As a result, 9 innocent people were injured and 13 were arrested. A case was filed against 56 people by name, while 800 others were shown as unknown.

The Land Protection Committee staged a peaceful rally, at 10 a.m. on 15 March 2015, and marched from Dighinala Upazila Sadar to Babuchara demanding withdrawal of the newly constructed Sector Headquarters of Border Guard Bangladesh (BGB) at Babuchara.

It was learnt as the rally of Land Protection Committee proceeded, people from the neighboring localities on either side of the road joined it spontaneously. But the rally was obstructed by the security forces at the Maini Bridge. Moreover, security forces also put up barricades at Karbari Tila, Udol Bagan and Noapara for which the separate gatherings had to be held at the four points. At a certain stage, skirmishes broke out at Karbari Para between the people in the rally and the law enforcers who opened blank fire to stop the clashes. The incident left 9 villagers wounded, 13 Jummas were detained and a case was filed against 56 Jummas by name and 800 others who were named.

The injured persons were identified as Tridip Chakma (32) from Kripapur; Maharani Chakma (60) w/o Kanungo Chakma from Noapara; Suchana Chakma (40) w/o Basana Kumar Chakma from Karbari Tila; Deba Ranjan Chakma (60) s/o Brihatnala Chakma from Karbari Tila; Mayarani

went there to plant aurum on their land near the camp on that day as usual. The BGB personnel threatened Khyaisama Marma with dire consequence. This angered the disabled Thoaihla Maung Marma and he tried to encounter the Commander by calling name to his best expression. The Subedar, getting enraged highly, took the boy to the camp and beat him mercilessly.

Indigenous teenager shot death in Patnitala

On 22 June 2015, following a dispute over lands a minor boy was shot death while several others were wounded at Patnitala under Noagaon District. It was learnt that the landless indigenous Oraon people and local Bengali families had been living, since long, in the unregistered lands by the Badhua Pond of Akberpur village under Patnitala of Noagaon District. Earlier, on a number of occasions Abdul Matin & Company, claiming the



P.C.: Jagonews24.com

land to have been recorded in their names, carried out attacks on the landless peoples. Abdul Matin & Company comprising 50-to-60 men, equipped with sticks, vandalized and set to fire the dwelling houses of both the indigenous peoples and the Bengalis. The villagers tried to protect their houses and belongings. Influential Abdul Matin fired four shots at the villagers with his licensed gun. At this, Mithun Oraon (14) s/o Sunu Oraon died on the spot and the following people were wounded – (a) Hafizul Haque (25) s/o Mahtab Ali, (b) Belal (28) s/o Joinal, (c) Noor

Akbarpur village since long. The influential quarter had been trying to oust the indigenous people from their dwelling places for a pretty long time. A case was filed with local police station against 16-19 attackers. Accordingly, police arrested them but they came out from the jail by taking bail.

Arson attack on indigenous villagers in Mahadebpur

On 9 May 2015, at around 1:30 am the dwelling houses and hay stacks of indigenous peoples in Cheragpur village of Mahadebpur under Noagaon District were set ablaze by two mindless drug addicts viz. Sultan s/o Israfil and Moen s/o Alim, and their accomplices. After hours of fire fighting, the fire brigade could not put out the fire. The culprits also razed to the ground the entire vegetable plants grown on 10 Katas of land owned by one Sunil Tomba. Six houses were completely burnt to ashes. Miscreants also set fire to a temple. Robi Ekka filed a case with Mahadebpur Police Station against the two drug addicts and unknown 19 other persons on 10 May 2015.

Miscreants loot fishes and attack indigenous people in Tanore

On 29 May 2015, a group of miscreants led by Azizul Alam, Taleb, Rezaul and Shahin equipped with country-made lethal weapons looted fishes worth BDT 100,000 approximately from the pond owned by Chunku Tudu of indigenous Gural village under Tanore Upazila in Rajshahi District. The miscreants beat up the protesting villagers and threatened them with life. Elizabeth Tudu d/o Chunku Tudu went to the police station to file a case on the incident but the police refused to file the case. Rather, police accepted a case filed by the perpetrators against indigenous villagers and arrested three indigenous villagers in this connection. At least 20 indigenous families were victimized due to the attack.

Speech impaired indigenous teenager tortured in Thanchi

On 24 April 2015, a BGB Camp Commander allegedly severely beat one indigenous Thoaihla Maung Marma (13), a tongue-tied boy, after taking him to the camp at Tindu Union under Thanchi Upazila in Bandarban District. Thoaihla Maung Marma and his mother Khyaisama Marma (30)

their way to Barthali village to participate in the forthcoming Union Council election campaign of newly created Barthali Union under Bilaichari Upazila in favor of the chairman candidate Atu Mong Marma an member candidate for Ward No. 4 Birbahu Tripura. All the arrestees were kept under detention for no reason, allegedly, to prevent them from working in favor of Atu Mong Marma.

The Barthali camp authority detained the arrestees in the camp for the whole night and instead of handing them over to Bilaichari police station under Rangamati district, sent them to the Ruma Police Station of Bandarban District on 15 August. The Ruma police authority released all the arrestees and handed them over to Shuva Mangal Chakma, Bilaichari Upazila Chairman on 16 August. After release, excepting one, the other 7 men joined Atu Maung Marma, chairman candidate of Barthali Union Council to help him out in the election. But to utter surprise, the Barthali army camp Commander allegedly again arrested the 7 on their way to Barthali area, in spite of being introduced by Atu Mong Marma himself as his election workers. Atu Maung argued for their release but the security forces got him out from the camp with intimidation and threatening.

Afterwards, on 18 August 2015, the alleged commander, accompanied by a group of security personnel, set out for Ruma Upazila taking the 7 arrestees along with them. On the way, the security personnel allegedly inflicted physical torture and caused severe injuries to 4 of them. The arrestees were again handed over to Ruma Police Station at around 5:00 pm on that day. However, as no case was filed with specific allegations against the arrestees, police released them within a short time. The victims were 1) Chandra Lal Chakma (Rahul), Bilaichari; 2) Jyotimoy Chakma, Dhapyachari, Bilaichari union; 3) Uttam Chakma, Digalchari, Bilaichari union; 4) Shuvamoy Chakma, Amtali, Bilaichari union; 5) Bankim Chandra Tanchangya, Tarachari, Farua union; 6) Biramoy Chakma, Bhalachari, Kengrachari union; 7) Sunil Tanchangya, Kutubdiya, Bilaichari union; and 8) Dipayan Chakma, Kerongchari, Kengrachari union.

From among the persons freed from detention, two persons, namely, Jyotimoy Chakma and Uttam Chakma were admitted in Bandarban

Islam (35) s/o Nazim Uddin, (d) Sayeda Khatun (30) wife of Shaidul Islam.

The Fire Service arrived and brought the fire under control. Later, the agitated villagers surrounded Abdul Matin's residence. Police arrested the killer Abdul Matin, his brother Abdul Majid, Mozam and 14 other people involved in the attack.

Attack on indigenous Garo villagers in Netrokona, 3 injured

On 18 July 2015 at around 8:00 pm, a group of miscreants belonging to Bengali community, numbering about 50, led by Golap Mian raided Mongarha Garo village under Kalmakanda Upazila in Netrokona District. In this attack, Alok Hajong, Sanuya Thigidi and his wife Tapasi Nongmeen were critically wounded. It was learnt that Golap Mian alongwith his group went into the Mongarha Garo village, unwarranted, at night on the day of occurrence. This led to an altercation between the villagers and the intruders. At a stage of heated exchange between them, Golap Mian led his group to attack the indigenous village.

Indigenous youth injured in an attack in Mymensingh

On 29 July 2015, an indigenous youth Liton Chandra Barman (27) s/o Jiten Barman of Tamat village under Kachina Union of Mymensingh District was severely beaten by neighbor Delwar Hossain (40) and his men. The victim sustained critical injuries and was admitted in Shakipur Upazila Hospital and later he was sent to Bhaluka Upazila Hospital. According to Liton's family member, despite Liton's best effort to refrain Delwar from becoming violent, Delwar came with his men at night and assaulted Liton. The next day on 30 July 2015, Delwar appeared again and threatened Liton with life and advising him to leave the village to avoid dire consequence.

8 Indigenous Jumma people tortured under detention in Bilaichari

On 14 August 2015, an officer of Barthali camp under Ruma zone of 29 Bengal allegedly arbitrarily arrested 8 persons from Barthali Union under Bilaichari upazila of Rangamati district. The arrestees were on

12. Suniti Bikash Chakma (38) s/o Sudha Haran Chakma of Ashutosh Karbari village under Matiranga
13. Dulal Moni Talukder (21) s/o Jyoti Talukder of Bijitola under Khagrachari Sadar
14. Kanti Tripura (24) s/o Logendra Tripura
15. Mono Bikash Tripura (32) s/o Ram Dayal Karbari of Ram Dayal Karbari Para under Matiranga.

Indigenous houses attacked by the miscreants in Gazipur

On 3 September 2015, one landgrabber named Atikul Dhali and his gang drove out one indigenous family from the village by beating them and putting their house under lock and key at Sonab area of Kaoryde Union of Sreepur Upazila under Gazipur District. Though the police opened the lock after two days on 5 September 2015, the victim family members did not come back to their house in fear. Three members of the family, injured critically, were admitted in the hospital.⁹

Romij Dhali and Atikul Dhali, both s/o Kuddus Dhali from West Sonab village, involved in peddling country liquor, had been plotting to evict the indigenous families of Gopal Chandra Barman and Nitun Chandra Barman from their homesteads for a long time. Atikul Dhali, after serving three months imprisonment, began striving to drive them out from the village. As part of their blue-print, Romij Dhali forcibly planted some plants in the land owned by Nitun Chandra Barman. While Nitun Chandra Barman tried to prevent them, Romij Dhali and his men began beating him and injured badly. They also beat up Gopal Chandra Barman who was mentally. The miscreants locked their houses. The victims, disable were later hospitalized by the vilagers in the Sreepur Health Complex. On being informed of, the Officer-In-Charge of Sreepur Police Station Asaduzzaman sent the police force and the houses got unlocked. Bimal Barman, daughter of Gopal Chandra Barman informed that though the police unlocked the houses. But still the miscreants were found roaming around with sticks. Natun Chandra Barman, lying in hospital bed, said that they had filed General Diary to the police station against the

⁹ The Daily Samakal, 6 September 2015

Sadar Hospital as they were critically injured due to severe torture meted out to them by the army personnel.

15 innocent indigenous people harassed in Matiranga

On 25 August 2015, the security forces detained and harassed 15 innocent Jumma people from Kamini Member Para of Matiranga Upazila in Khagrachari District. They were returning home after attending a social arbitration meeting. The detainees were handed over to Matiranga Police Station on the same day. Since no charge was brought against the detainees, police released them at 10 pm on that day. The detainees were—

1. Gyanendu Tripura (42) s/o Pubadha Tripura of Golabari, Khagrachari
2. Tapan Chakma (42) s/o Bikiran Chakma of Champaghat, Khagrachari
3. Palash Tripura (28) s/o Dayal Krishna Tripura of Bolahaja village under Matiranga
4. Joy Tripura (29) s/o Jol Kumar Tripura of Akbari village under Khagrachari Sadar
5. Shubhasish Khisa (35) s/o Kalyan Moy Khisa of Champaghat under Khagrachari Sadar
6. Sumes Tripura (25) s/o Hira Moy Tripura of Mongaram Para under Khagrachari Sadar
7. Banor Tripura (28) s/o Niru Bikash Tripura of Bolahaja Para under Matiranga
8. Jeny Tripura (29) s/o Khan Kumar Tripura of Akbari Para under Khagrachari Sadar
9. Ripon Tripura (35) s/o Akhin Kumar Tripura of Bolahazara Para under Matiranga
10. Milan Kanti Tripura (25) S/O Purba Chandra Tripura
11. Jagat Kumar Tripura (35) s/o Lopen Kumar Tripura of Champaghat, Khagrachari

their boat, argued as to why they lied. At this the fishermen turned wild. They kicked and beat him with oars that he fell into the water from his boat. This came to the notice of some people, and they were rescued by them. The attackers, by then, left the spot. But the inhabitants of Amtali village caught the fishermen. An arbitration meeting was arranged with leaders of both the communities present on 13 November 2015 to settle the matter. As per the decision adopted in consensus in the arbitration, an amount of Taka 1500 was realized, as fine, in favor of Taba Priyo from the convicted fishermen and the fishermen were asked to seek apology from the victim. Taba Priyo forgave and returned Taka 300 to the fishermen. The matter was thought to have been settled there, but the fishermen could not reconcile to the outcome of the arbitration. They incited and organized other settlers living in Gulshakhali area of Lngadu Upazila. They encircled the Rangamati-bound launch with small boats on 14 November and attacked the Jumma passengers inside.

On hearing about the incident, the Maini army zone Commander Lt. Colonel Mahub Rahaman rushed there and surrounded the attackers. By this time, Baghaichari Upazila Chairman Bora Rwishi and Officer-in-Charge of Baghachari Police Station Mohammad Zakir Hossain Fakir reached there with a police force. No case was, however, filed in this connection. The leaders of Bengali settlers were learnt to have sought an apology for the incident.

A Buddhist monk harassed in Barkal

On 1 December 2015, a Buddhist monk Ven. Dharmatisya Mahastabir was allegedly harassed by some BGB personnel at Barkal Zone jetty in Barkal Upazila of Rangamati District. The local Buddhists, in protest, staged demonstration in Barkal Upazila Sadar. The Buddhist monks alleged that they were harassed and subject to disgraceful treatment at Barkal Zone jetty. But the concerned BGB personnel denied the allegation.

It was learnt that Ven. Dharmatisya Mahastabir, A boat of Rangapani Sadhanapur Meditation Center, was returning from Thegamukh of Choto Harina and Ujyangchari after attending two religious functions. Along with him there were several other monks including Ratna Sthabir, Shanta

perpetrators which might have instigated the attack on them leaving them seriously injured.

An indigenous villager beat by security forces in Alikadam

On 8 September 2015, an innocent indigenous villager named Fethuai Marma (39) s/o Thuai Ching Marma was harassed by a group of security forces from Yangsa camp under Alkadam Zone during a search operation at Bara Para under Youngsa union of Alikadam Upazila in Bandarban District. Though they found nothing objectionable, they beat the householder Fethuai Marma until he lost his sense. Before leaving the village, they collected signature from 10-12 villagers in a blank paper under compulsion. Wounded Fethuai was taken to Lama Health Complex the next day.

Jumma passengers aboard a boat attacked by Bengali settlers in Longadu

On 14 November 2015, the indigenous Jumma passengers travelling in a Rangamati-bound launch 'Birotibihin' came under sudden attack carried out by Bengali settlers equipped with sticks, oars and spears at Amtali area under Baghaichari Upazila in Rangamati District at around 9:00 a.m. on 14 November 2015 near local BGB Camp. Four indigenous people were injured in the attack. The injured were identified as —

- 1) Bishika Chakma (45) w/o Sumati Chakma, Tripura Para of Tulaban under Baghaichari
- 2) Koruna Chakma (24) d/o Indra Kumar Chakma, Madhyam Pablakhali, Baghaichari
- 3) Jyotirmoy Chakma (31) s/o Subhas Basu Chakma, Jibtali headman Para, Rangamati
- 4) Subhodi Chakma (33) s/o Koruna Moy Chakma, Kusumchari, Barkal

It was learnt that on 4 November 2015, one Tabapriyo Chakma (50) of Hirachar village wanted to know from 4-5 Bengali settler fishermen, who were fishing near that village, whether they had fish with them. The fishermen told him that they had no fish. But Taba Priyo, seeing fishes in

forces arrested Mithun Sen, Shahdat Hossain and teacher Shashi Prabhat is in this connection and handed them over to the police.

Seven indigenous people arrested in Barkal

On 12 March 2015, members of Border Guard Bangladesh (BGB), in a drive, arrested seven persons including a woman from Jaljan Ghat area under Barkal Upazila of Rangamati District. The arrested were Bian Sang (29), Lalsam Sang (28), Zirkumtang (32), Joytan Bawm (46), Salman Bawm (7), Lalboat Tangbam (35), and Mijpareng Bawm (38). All of them were inhabitants of Bandarban District. The BGB-22 team arrested them from a trawler in the area. Searching the trawler they recovered goods including clothes, cosmetics and different types of electronic goods.

An indigenous youth arrested in Rowangchari

On 19 May 2015, an indigenous youth Priti Bhushan Tanchangya was arrested by security forces from the tea stall of Mongkhing Rakhaine at Rowangchari Bus station of Rowangchari Upazila in Bandarban District. While he was being taken as arrested, a security personnel shot him in the thigh.

It was learnt that a group of security personnel from Rowangchari surrounded the tea stall of Mongkhing Rakhaine at Rowangchari Bus station around 11 am. By this time Priti Bhushan Tanchangya who was having tea along with his friends in the tea stall slipped away through the backdoor sensing danger. But later, he was captured from a farm house. As was being led away as captive, one of the army personnel shot him in the thigh. The victim was admitted first in the Bandarban General Hospital, and then later he was shifted to the Chittagong Medical College hospital in a critical condition. After treatment, Priti Bhushan was sent to jail.

Three indigenous students detained in Khagrachari

On 1 April 2015, the security forces allegedly arrested three indigenous students, Dipon Tripura, Angkyaw Ching Marma and Santosh Chakma from Guimara under Matiranga upazila in Khagrachari district. They were handed over to the police. The Sub-Inspector of Guimara Police Station

Jyoti, Shilabiswa, Binoy Rakshit, Nagsen et al. The BGB men allegedly stopped their boat, got the monks down, and searched the boat and all other belongings of the monks. Bijoy Ranjan Chakma, former member of Rangamati Hill District Council and Rai Sona Chakma, former Vice-Chairperson of Barkal Upazila Council informed that the BGB personnel and Security Branch people examined the Buddha images by striking round each of them to make sure that no illegal goods or gold were hidden inside. Even, the images of Lord Buddha were taken to the goldsmith for examination. The dining pots and goods given in offerings were also searched out. Barkal Zone BGB source informed that the search was a routine search and the monks were shown due honor during the search.¹⁰

Arbitrary Arrest and Detention

Three persons including a Jumma school teacher detained in Longadu

On 5 January 2015 at 1:00 pm, a group of security forces of No.1 East Bengal Regiment from Longadu Zone allegedly surrounded Tintila Bazaar of Longadu and conducted a thorough search in many shops including the Union Council Office Quarter, Rajani Gandha. Later, they recovered 200 grams of gun powder from Kanchan Library and detained two Bengali people and one Jumma from the library.¹¹

During the search, the library proprietor Mithun Sen (28) s/o Nepal Chandra Sen of Tintila village was in the library. Shashi Prabhat Chakma (45) s/o Dharma Charan Chakma, assistant teacher of Bengichara Government Primary School of Longadu Upazila went there to buy some books. At this time, a Bengali settler named Shahdat Hossain from Bhasanya Adam village gave a call to the teacher over cell phone informing him about gun powder and told him to show the place where the gun powder was kept. Accordingly the said teacher told the security forces and they recovered the gun powder in the library. The security

¹⁰ The Jugantar Daily 2 December 2015

¹¹ The Daily Amaader Samoy, 9 January 2015

Khagrachari District identified. They were Napa Marma alias Sabuj s/o Shoihla Prue Marma and Durjoy alias Babu Chakma who were, allegedly, found in possession of fire arms and receipts of extortion.

Seven indigenous villagers detained and tortured in Ruma

On 12 October 2015, seven indigenous villagers including karbari (village head) and Union Council member from Barthali Union of Bilaichari Upazila under Rangamati District and Ruma Upazila under Bandarban District were detained and allegedly tortured by the security forces from the nearby camp. The victims were arrested following the abduction of tourists Abdullah Jubayer, Zakir Hussain Munna and a local Guide Praching Hai who were picked from new Pukurpar of Borthali Union on 8 October 2015.

The security forces men handed them over to the Ruma Police Station. The detainees were — Pasing Mro (45) s/o Ringklang Mro, Karbari of Pasing Para, Barthali Union; Ona Chandra Tripura (45) s/o Habuha Tripura, member of Borthali Union, Seprue Para of Barthali union; Menpon Mro, former UP member, Jarulchari Para; Lal Ram Bawm, Bogha Lake Para, Ruma and Joypal Barua, shopkeeper of Ruma Bazar, Ruma.

On the other hand, the security forces personnel conducted operation on 15 October 2015 and arrested three villagers, Youngrung Mro (30) s/o Namreng Mro, Barthali Union member; Rignrao Mro (36) s/o Kaifa Mro, Jarulchari Para and Menpung Mro (51) s/o Mente Mro, Jarulchari Para.

Among them, Pasing Mro, Ona Chandra Tripura, Ringrao Mro, Youngrung Mro and Menpu Mro were charged with a robbery case filed on 6 September 2015 and the two others, Lal Ram Bawm and Joypal Barua were shown arrested under Section-54.

Five indigenous youths held allegedly with arms in Khagrachari

On 19 November 2015, five indigenous youth were arrested by the police from Khabongpajya area under Khagrachari Municipality in Khagrachari District. It was learnt that Mohammad Shamsuddin, officer-in-charge (OC) of Khagrachari police station conducted a search at Khabongpajya

alleged that the three were arrested on suspicion in connection with the extortion case filed by the army on 27 May 2015. The police released Aung kyaw Ching Marma and Dipon Tripura a little later after they took charge of the arrestees from the army. Santosh Chakma was produced before the court on the following day and got released on bail later.

Five innocent people detained and harassed in Barkal

On 8 September 2015, a group of security forces allegedly detained five innocent indigenous villagers from Rasthamatha of Eraichari village under Subalong Union of Barkal Upazila in Rangamati District charging them with extortion.

The detainees were— Ranjit Chakma (45) s/o Derchoga Chakma; Alpana Chakma (37) w/o Ranjit Chakma; Rozina Chakma Rashmi (35) w/o Sadhan Moni Chakma; Lakkhi Kumar Chakma (45) s/o Punnya Mohan Chakma and Millesaw Chakma (40) w/o Lakkhi Kumar Chakma, all from Eraichari village.

The detainees were, first, taken to Banjogichara camp and afterwards they were taken to the Jurachari camp from where they were handed over to Jurachari Police Station. Later on, the Jurachari police handed them over to Barkal Police Station the next day. Police released them later.

Two Jumma youths held in Kaukhali

On 13 September 2015, the security forces held two Jumma youths from Poyapara under Kaukhali Upazila in Rangamati District, allegedly, charging them with extortion. The arrested persons were identified as Kawng Ching Prue Marma (22) and Kyaw Chi Aung (22).¹² They were handed over to Kaukhali Police Station and a case was filed against them.

Two Jumma youths held in Ramgarh

On 14 September 2015 early in the morning, the security forces held two Jumma youths from Patachara area under Ramgarh Upazila in

¹² Bannglanews24.com 13 September 2015

Bablu Hembram was a central committee member of Santal Students Association and used to stay in the Hostel run by CARITAS. But he began staying at his home following eviction of the students from the hostel in November last year.

Indigenous person hacked to death in Rajshahi

On 18 February 2015, an indigenous man was allegedly hacked to death by miscreants at Bautia Marafela of Godagari Upazila in Rajshahi District. The deceased was identified as Ganesh Tudu (40), a resident of the area. Godagari police officer-in-charge SM Abu Farhad said local people found the body lying on the veranda of his house and informed police.

Indigenous teacher slaughtered in Khagrachari

On 12 March 2015, an assistant teacher of Khagrachari Government Primary School, Milon Bikash Chakma (53) was slit to death by some unidentified miscreants at Paschim Kayanghat under Mahalchhari upazila of Khagrachari district. The miscreants slaughtered Milon Bikash Chakma at around 1:30 am at his house when he was sleeping. His wife Birlata Chakma was also critically injured in the attack. She was sent to Khagrachhari Hospital.

Indigenous youth shot death, another one injured by Forest Guard in Kaptai

On 8 July 2015, an indigenous youth Rajkumar Chakma (32) s/o Krishna Moni Chakma of Arachari village under Bilaichari Upazila of Rangamati District, was shot dead and injured another villager Aung Thuai Prue Marma by a Forest Guard from a Forest Petrol Party led by Nirmal Kumar Kundu, Forest Bit Officer of Arachari Forest Bit Office.

Both the victims were out in the forest to collect firewood for domestic use when they came across the Petrolling Party who fired at them. As there had been an arbitral compromise between the Forest Department and the bereaved families of the victims, no case was filed. As per the compromised reached through arbitration, the family of the deceased was supposed to get BDT 200,000 while the person injured was to be

area and arrested (a) Ziko Tripura (36), (b) Pratim Chakma (40), (c) Swapan Chakma (30), (d) Ranju Chakma (30) and (e) Nikat Chakma (19) at around 2:00 pm on that day. The police claimed to have seized two guns, eight bullets and Taka 89 thousand from their possession. A case was filed with the Khagrachari Police Station under the Arms Act and for their involvement with extortion.¹³

Killing and Other Cruel Treatment

Indigenous student slaughtered in Rajshahi

On 9 January 2015, an indigenous student named Bablu Hembram (25) studying M.A. (Sociology) in Rajshahi College was slit to death. He was from Moenpur village of Tanor Upazila under Rajshahi District. The death body of Hembram was recovered by police from his house in the morning on that day. A case was filed by Mohesh Hembrom, father of the deceased. However, police could not come up with any arrest.¹⁴



Civic groups march in the capital protesting the killing of Bablu Hembram.

P.C: KF

¹³ The Daily Star, 20 November 2015

¹⁴ The Daily Amader Samoy, 09 January 2015

MEDIA REPORTS

The Daily Star

The Daily Star, January 21, 2015

Fear, threats trigger Adivasi displacement

Anwar Ali, Rajshahi



For generations, this land at Rajshahi's Chatrapukur village has been a graveyard for indigenous people. But not anymore. *Some local Muslims have set their eyes on it, erecting makeshift toilets and cow barns on it. They even kept haystacks right on two graves.* Photo: Anwar Ali

Over 150 indigenous families in different villages of the district's Godagariupazila have migrated to India following persecution by Bangalee settlers and communal attacks during political turmoil in the last two years.

Many more are prepared to go amid the ongoing flare-up of violence.

Indigenous people had been the majority in at least a dozen villages since the British era. But things changed as hundreds of shoal (char) people, mostly victims of river erosion in Chapainawabganj, started settling in the villages a few years back.

compensated BDT 50,000 from the Forest Department. However, family of the deceased was given only BDT 100,000 so far.

Five killed and four captured in an armed clash in Baghaichari

On 15 August 2015, in a gun fight between the army and armed elements, five armed cadres were killed and four were apprehended at Baribindughat of Boradam under Rupakari Union of Baghaichari Upazila in Rangamati District.

On a tip off information, early in the morning on that day the army from Baghaichari zone raided the houses of Gyana Jyoti Chakma and Binoy Jyoti Chakma of Baribindughat of Boradam where members of the armed group were reported to have been staying. Sensing the presence of the army, the armed elements opened fire that prompted the army to encounter them. After two hours gun fight, the army captured three self-loading rifles, two Chinese rifles, one LMG, one SMG, one pistol and about five hundred ammunitions from the spot. The incident left 5 gunmen dead and 4 captured alive. The deceased were identified as-

1. Khokon Tripura (20) s/o Majaiya Tripura, Master Para, Guimara union
2. Tatumoni Tripura (33), s/o late Banamali Tripura, Singinala, Mahalchari
3. Rubel Chakma (16), s/o Dipayan Chakma, Barpul Para, Naniarchar
4. Kiran Chakma alias Jackson Chakma (30), s/o Sukhamoy Chakma, Balukhali, Baghaichari
5. Babuiya Chakma Babul (26), s/o Prahar Chandra Chakma, Dipu Para, Baghaihat.

The dead bodies were taken to Khagrachhari Sadar Hospital for autopsy. The arrested persons were identified as Abhilash Chakma (30) s/o Gyana Jyoti Chakma; Binoy Jyoti Chakma (58) s/o Shubha Ranjan Chakma, Sonabi Chakma w/o Binoy Jyoti Chakma and Pratyasa Chakma (12) d/o Binoy Jyoti Chakma from Baradam.

Saidur Rahman, headmaster of Bottoli Adivasi Government Primary School, said about 75 percent of his students were from indigenous families in 2009. Last year, the number came down to only 41 out of 412 students. It is likely to decline further this year.

A rough study shows around 250 Munda, Santal and Urao families from Birganj, Sadar and Ghoraghat upazilas of Dinajpur, Panchbibi of Joypurhat, Dhamurhat and Potnitola of Naogaon and Godagari of Rajshahi migrated to India in the last two years.

Of them, over 150 are from villages of Godagari said Rabindranath Soren, president of Jatiya Adivasi Parishad. The villages are Bottoli, Shialipara, NotunShialipara, Gopalpur, Kurbaria, Gogram, Adarpara, Chouduar, Basantapur, Gunigram, Agolpur, Sahanapara and Dighipara.

“Adivasis are living in constant fear amid the ongoing political violence across the country. They feel insecure also for not getting justice following incidents of murder, rape and land grab. So they choose to leave the country,” he said.

Chitto Ranjan Sardar, convener of Barind Human Rights Defenders Foundation, said the ethnic displacement began in the '80s. After a decade's interval, it started again in 2001 and rose after the political unrest intensified in 2013.

The authorities, however, trash reports of Adivasi displacement from Godagari.

Acting UNO of Godagari Alamgir Kabir said, “We have no reports of indigenous migration to India. Some of them might have left due personal reasons. No such situation has arisen in the country that indigenous people have to leave.”

Echoing his view, SM Abu Forhad, officer-in-charge of Godagari Police Station, said, “We are highly sensitive to the rights of indigenous people. There is no threat to them, why would they leave country?”

Published: 12:00 am Wednesday, January 21, 2015

<http://www.thedailystar.net/backpage/fear-threats-trigger-adivasi-displacement-60895>

Threats from these settlers made the already-vulnerable Adivasi communities feel more insecure. Then there were BNP-Jamaat-led attacks on minorities in 2013 and early last year, especially after the war crimes verdict against Delawar Hossain Sayedee and the January 5 polls.

Selling out land and properties, the indigenous families in the Godagari villages have left ancestral homes secretly at night for different places in India, particularly Murshidabad, Burdwan and Malda by crossing the border via brokers.

“This is not a country for us to live in,” said a frustrated Proshanto Murari of Shialipara village. His father Anonto Murari already went to India seven months ago and he is likely to leave anytime along with his brother and two sisters.

Fourteen Munda families out of 22 in Shialipara village, six out of eight in Notun Shialipara village and nine out of 32 in Bottoli have left while the rest are bidding for their time. Talking to this correspondent on Saturday, some Adivasi people of Bottoli and Shialipara said the Bangalee settlers do not allow them to play drums, intimidate them during their rituals and often threaten to grab their land.

Sudeb Shaw of Bottoli village took this correspondent to nearby Chhatrapukur where the Munda families have long been using a roadside abandoned land to bury their dead.

The settlers recently set up a makeshift toilet on the graveyard and are using the land as a temporary cow barn, Sudeb said, adding they even kept haystacks right on the graves of his parents.

Narayan Murari, a freedom fighter, said there are graves of three indigenous war heroes at the site.

Anisur Rahman, a new settler, admitted that “it was wrong to set up the toilet” and said they would remove it soon. He claimed the land belonged to him and indigenous people were using it without his knowledge.

The number of indigenous students in local schools has also drastically decreased as their families are sending the children first.

Presently the migrating Arakanese families are living at Kyouk Taw Dhama hall, some of whom are falling ill. The physicians from Kyouk Taw hospital under the leadership of Dr Tun Aye are treating the inmates.

Dr Tun Aye admitted that for a short term measure, the arrangement was fine, but they would need more doctors and other accessories in the days to come. He has already informed the local authority about the problem. He also appealed to the volunteers to support the cause and urged anyone interested in the mission to contact him at 09 254 690 859.

<http://narinjara.com/index.php/arakanese-flee-from-bangladesh/>

Narinjara, Thursday, January 22, 2015 12:12 | Comments Off

Arakanese flee from Bangladesh

San Maung Than

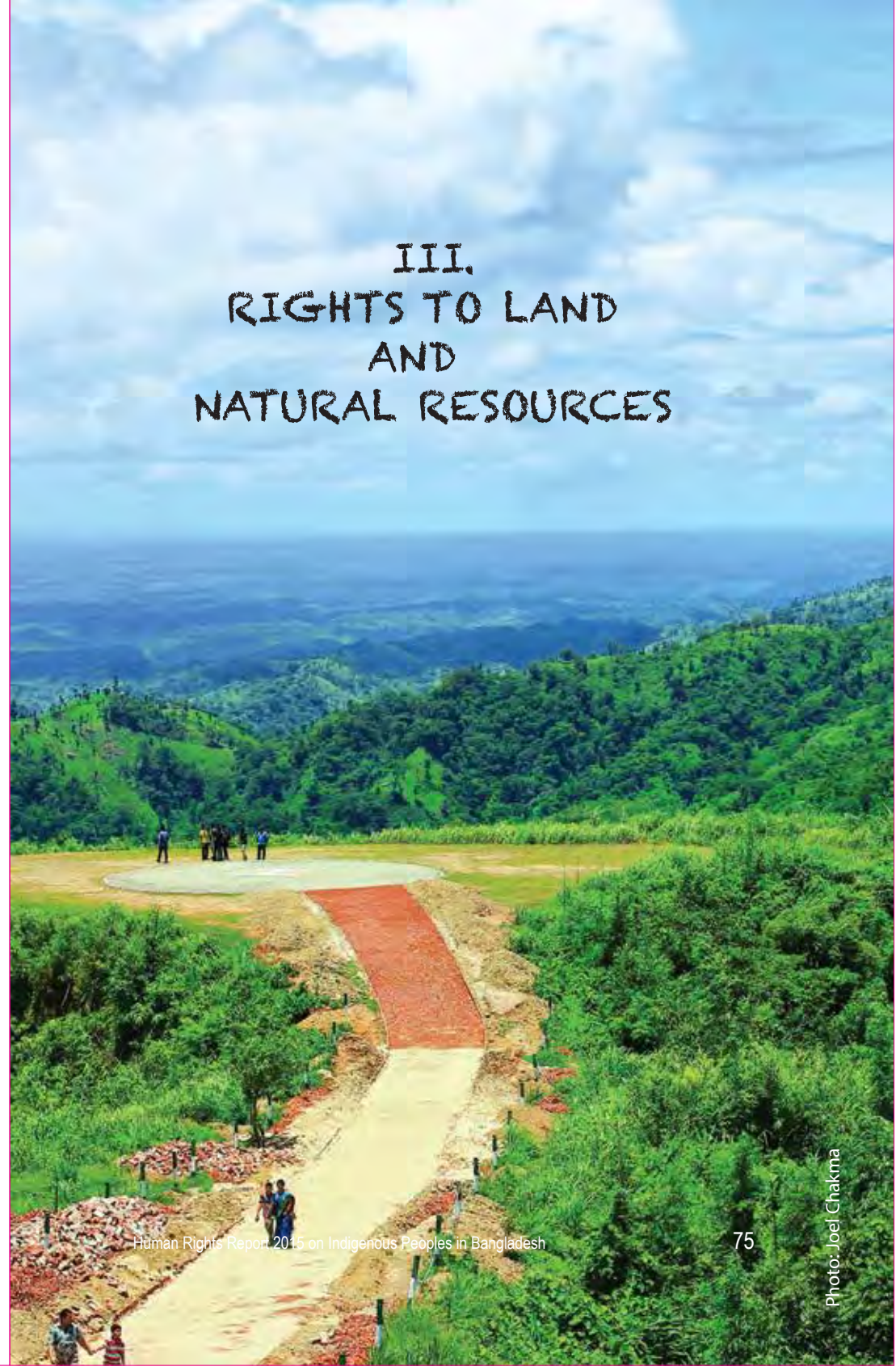


Sittwe, January 21: At least 65 Arakanese tribal people, who escaped from south Bangladesh, have arrived in Kyouk Taw of Arakan. They fled from Kyouk Phyar village under Tannseik township of Bendraban district in Chittagong hill-track of Bangladesh.

“They are now taking shelter in Kyouk Taw as two groups”, informed U Aye Saw, a CEC member of Arakan National Party, while talking to Narinjara News. He also added that three families belonging 14 people arrived on January 16 and ten families belonging 51 people arrived on January 17 last. Among the inmates, the youngest is recorded as one year and the oldest one 56 years old.

An inmate informed that Arakanese tribal people, who are living in Chittagong areas, often face attacks from the Bengali habitants. The Arakanese people survive as agriculture labourers in the hill side cultivation fields and the locals always try to get their crops with lower prices. They also force the Arakanese women to wear traditional Bangladeshi Shari. Finally they decided to flee from Bangladesh.

III. RIGHTS TO LAND AND NATURAL RESOURCES



understanding on land laws, in order to secure the land ownership of the respective people (Article 11-13, ILO convention 107).



Long March of JAP demanding Land Commission for the plains IPs. P.C.: Manik Soren

However, although numerous international human rights instruments and national laws and policies recognize the right to land and natural resources of indigenous peoples, in most of the cases Bangladesh government fails to respect, protect and fulfill the rights of indigenous peoples. While indigenous peoples are entirely dependent on land and natural resources for their economic subsistence, the right to land and natural resources of indigenous people, based on their own custom and tradition, are continuously being violated by both state and non-state actors in both the CHT and the plains land areas of the country. Different government authorities, Bengali settlers, land grabbers, private companies, leaders of main stream political parties are directly and indirectly involved in land grabbing, intimidation, physical assault, illegal land lease, eviction, violence against indigenous women, arbitrary arrests, arson, killing and so on against indigenous peoples. The

III. RIGHTS TO LAND AND NATURAL RESOURCES

Pursuant to the rights of indigenous peoples, general comments 23 of UN Committee of the Elimination of all forms of Racial Discrimination (CERD) urged the state parties to “[r]ecognize and protect the rights of indigenous peoples to own, develop, control and use their communal lands, territories and resources and, where they have been deprived of their lands and territories traditionally owned or otherwise inhabited or used without their free, prior and informed consent, to take steps to return those lands and territories.”¹⁵

Similarly, the ILO Convention 107, ratified by Bangladesh government, recognizes different rights of indigenous peoples associated with land and natural resources. The right to land of indigenous peoples acknowledged by ILO Convention 107 include recognition of traditionally occupied land ownership, safeguard from forced removal without free consent of respective people except reasons for national security, interest of national economic development and health related issues of the respective people. When the removal is inevitable, provision of appropriate compensations are suggested for meeting their requirements. Furthermore, the convention suggests to include the indigenous customs of land exchange and land usages in national regulatory frameworks as well as to facilitate their socio-economic development. It also includes provisions of restriction for third parties from taking advantages of customs of indigenous peoples or lack of

¹⁵ Committee on the Elimination of Racial Discrimination General Comment 23, para 5, adopted fifty-first session 1997

The activation of the Land Boundary Agreement between Bangladesh and India signed in 1974, following its passage in the Indian Parliament in 2015, caused a new problem for the indigenous peoples in the plains as a total of 360 acres of land, on which the livelihood of around 350 indigenous Garo and Khasi people of Pallathol under Barlekha upazila in Moulavibazar were dependent, was to be transferred to India.

Table 1: Land related incidents & casualties in 2015

Form of atrocity	CHT	Plains	Total
No. of houses burnt to ashes	-	26	26
No. of houses looted and ransacked	-	65	65
No. of persons assaulted & injured	5	39	44
No. of persons killed	-	1	1
No. of rape attempts/molestation against women	-	3	4
No. of evicted families	-	45	45
No. of families threatened to eviction	657	743	1400
Amount of land grabbed (in acres)	5,204	11.5	5,216
Amount of land under grabbing/ acquisition (in acres)	22.5	1304.49	1326.99
No of persons against whom false case filed	17	11	28
No. of village came under communal attack	-	1	1
Arrest	1	19	20

The indigenous people in the CHT are generally displaced from their ancestral lands due to land confiscation in the name of plantation by so-called lease-holders & private companies, establishment of camps and tourist spots, reserved forest and land grabbing by Bengali settlers, while influential Bengalis, tea estate holders, leaders of national political parties and government authorities are responsible in evicting the indigenous people in the plains. In both the cases, the act of eviction is aided by disregarding the customary land management system of indigenous peoples, national laws and policies, including the CHT Accord in the CHT region and the East Bengal State Acquisition and Tenancy Act 1950 in the plains. Aggravating the situation, local police and officials in the land office often play supportive roles in aid of land grabbers in the plains, while the local administration and security forces, in the main, back Bengali settlers and private companies in grabbing lands in the

indigenous peoples are usually displaced and evicted from their ancestral and traditional land as a result of massive development projects, military establishments, social forestry, tourist resorts, land encroachment for governmental establishments and so on. However, recognition of customary land rights and communal land ownership of indigenous peoples, based on international human rights norms, may reduce such displacement and eviction.

A glance at land related incidents and casualties of indigenous peoples in 2015

As was in the previous years land related human rights violations against indigenous peoples continued in 2015. A total 26 houses of indigenous peoples in the plain land were burnt to ashes, while 65 houses were reported to have been looted and ransacked by land grabbers with non-indigenous origin. 44 indigenous people, 5 from the CHT and 39 from the plain land were physically assaulted and wounded by land grabbers in land related hostilities. Land grabbers killed an indigenous boy with gun shot in the plains, when the indigenous peoples were resisting a land grabbing attempt by the former.

In 2015, at least 45 indigenous families were ousted from their ancestral lands, while 1400 indigenous families including 657 from the CHT were threatened with eviction from their lands. Land related hostilities resulted in an assault on, at least, an indigenous village by land grabbers in the plain land, while a total 5,216 acres of land including 11.5 acres in the plains were grabbed by both the state and non-state actors. Such a big mass of lands, essentially, comprising Jum and mouza land in the CHT were occupied by outsider lease holders which threatened the livelihoods of hundreds of Jum cultivators particularly in Bandarban district. Also, approximately 1326.99 acres of land including 22.5 acres in the CHT were targeted for illegal encroachment or acquisition. Bringing false charges against indigenous peoples by the land grabbers is a common key tactics to preempt the resistance by the indigenous peoples in defending their lands in the country. Land grabbers in 2015, filed false cases against, at least, 28 indigenous people including 11 from the plains to break down whatever resistance the indigenous people could offer.

Land related incidents in Chittagong Hill Tracts

115 families live in fear of eviction in Lama, a village Head arrested

Illegal land grabbers in the name of rubber plantation made lives of about 115 families in 5 indigenous villages under Lama Upazila in Bandarban District unbearable as the latter were being hindered from farming their lands and were made to live under constant fear of eviction from their ancestral homes. The victims comprised of 30 families of Ruposhi Puraton Marma Para, 30 families from Ching Kung Mro Para, 25 families from Konau Mro Para, 15 families from Noa Marma Para, and 15 families of Ching Khung Marma Para.

Local administration, it was alleged by the local indigenous villagers, always helped land grabbers to occupy their lands. In January 2015, influential land grabbers forced 4 families of about 25 members of Konau Mro Para in Longkyong Mouza to leave their homes. Uprooted and helpless, these wretched families were reported to have taken shelter deep inside the Sangu Reserve Forest in Alikadam Upazila of the district. Gazi Rubber Plantation, a business concern of Gazi group, was learnt to be the main perpetrator.

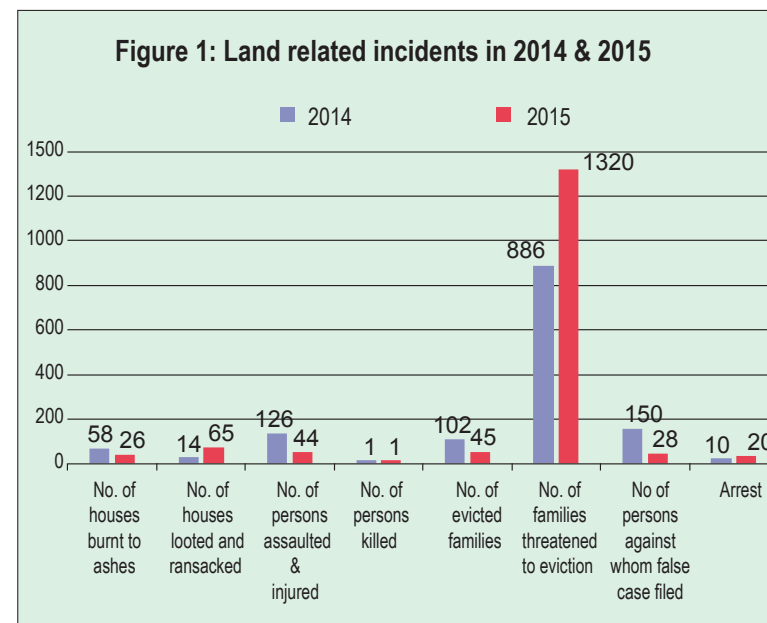
It was also alleged by the indigenous villagers that hired gangsters of rubber planters often caused damage to their Jum crops and vandalized their farmhouses as they tried to defy threats and pressure from the land grabbers. As was reported, Gazi Rubber Plantation illegally purchased around 700 acres of land in Lama Upazila with the help of Upazila administration, but acquired more than 2,000 acres of land of the indigenous people in the Upazila.

At last there was an altercation, on 29 May 2015, between the locals and the workers of Gazi Rubber Plantation following a protest from the indigenous people against illegal land grabbing. In the wake of this incident, the company filed a case with the Lama police station following which Koy Hla Ching Marma, a Karbari (a village chief of indigenous peoples) of Ruposhi Puraton Para under Ruposhi Union in Lama Upazila, was arrested on 30 May 2015.¹⁶

¹⁶ '100 families face eviction threat', The Daily Star, 27 June 2015.

CHT. In fact, the biggest worrying factor in both the CHT and the plains is the 'element of impunity' which helps perpetrators of human rights violations against indigenous peoples to evade punishment, in spite of the fact that Bangladesh government is committed to comply with the international human rights norms as well as national laws and regulations in order to promote the rights of indigenous peoples in the country.

Number of indigenous houses that were burned or came under arson attack came down relatively in 2015 compared to 2014. On the contrary, number of houses, looted and ransacked by land grabbers increased significantly in 2015 than the one in 2014. Number of indigenous peoples, assaulted and wounded by land grabbers in land related hostilities decreased comparatively in 2015 than it was in the previous year. Number of people killed in 2015 did not show any difference of significance. However, there was an alarming rise in the number of indigenous families evicted and arbitrary arrests made in 2015 compared to 2014, with a decline in the number of false cases filed against indigenous people.



4.0 acre of land of a visually impaired indigenous women grabbed in Lama

A non-governmental organization called Quantum Foundation started functioning in Lama Upazila under Bandarban District for quite sometime now by allegedly grabbing of 4.0 acres of land belonging to a visually impaired woman in Lama Upazila. It was learnt that Anwar Al Haque, Manager of Quantum Foundation, illegally got hold of land belonging to Ms. Rengni Murong by ousting her, and established Quantum Cosmo School and College on the land. Quantum Foundation also, alleged Ms. Rengni Mro, owner of the land, illegally cut and destroyed rubber and other tree plants grown by her on her land. On 6 May 2015 Rengni Mro, it was reported, lodged her complaint with Lama Upazila Parishad Chairman who was learnt to have ordered an investigation into the case by the Headman of the Mouza concerned.

Allegations also started surfacing that Quantum Foundation had illegally grabbed land of many other people in Lama Upazila. A general perception in the minds of the locals with regard to the institution is that it enjoys impunity in all its illegal activities, and the administration appears helpless or avoids taking action as it is very powerful and influential.



Rengni Murong, a victim of land grabbing. P.C.: Internet.

As has been the tradition, indigenous people mostly depend on Jum cultivation and forest resources for their livelihood. The villagers submitted a written complaint against the land grabbers to the Upazila administration on 12 May 2015. They even approached the Deputy Commissioner of Bandarban several times in this connection. But the local administration did not take any action in this regard.

30 acres of land of indigenous people grabbed by settlers at Kauhali and Rangunia border, 50 families living in fear of eviction

Indigenous people from Poapara and Chotodulu area under Kalampati Union of Kauhali Upazila in Rangamati District and Bagabil area under Rangunia Upazila of Chittagong District were known to own and farm on about 30.0 acre of lands for many years. On 25 April 2015, Bengali settlers, in a group, came and started felling trees grown on the above mentioned land all on a sudden, and forcibly occupied the lands, as well. As a result, the livelihood of about 50 indigenous families was seriously endangered.

With a view to getting redress, the victim families from Poapara and Chotodulu submitted, on 4 May 2015, a memorandum to the Chairman of the CHT Regional Council regarding the land dispute stemming from land grabbing by Bengali settlers. The land grabbers, as identified, were (1) Md Jamal Mia (Jahanghir), son of late Kabir Ahmed Chairman (2) Md Rasel son of late Kabir Ahmed Chairman (3) Md. Sayed son of late Idris Mia (4) Md Amzad son of late Mujibul Haque (5) Md. Liton, son of Md. Ibrahim (6) Md. Kashem son of Abu Ulaah (7) Md. Maho Alam, son of Choyod Ahmed (8) Md. Faruk son of Choyod Ahmed.

It was alleged that officials from the Forest Department had the complicity in the act of land grabbing with Bengali settlers. It was also learnt that an agreement was reported to have been signed On 29 March 2013 between the South Chittagong Forest Department and 75 persons of land grabbers for long-term plantation on 30 acre of land traditionally owned by indigenous Jumma people.

declaring it as a “Reserve Training Area”. It was learnt that a total of 500 acres of land would be acquired from Sangu Mouza and Tainpha Mouza under Alikadam Upazila and Naikhang Mouza of Thanchi Upazila to set up tourism complexes. As a result, a total of 202 Mro families from 12 villages, it was apprehended, would be affected by such initiative for building tourism centers.

It was reported that at least 500 Jumma villagers of 150 families between Alikadam and Thanchi area had already migrated to Myanmar in the face of growing insecurity stemming from the fear that Bengali settlers and Rohingyas from Myanmar would be settled in this area.

The construction of the Alikadam-Thanchi road already started taking its toll. The stream, which is the only source of water for a number of Jumma villages in the area, had been destroyed following the extraction of stones to provide construction materials for the road. Denuded of boulders, stones and pebbles, and vegetation on both sides of the stream in question, the water flow in it has been reduced to an alarming level. The slender water course has turned muddy aggravating the water crisis in the area. In fact, the extraction of stones and deforestation caused irreparable damages to the environment. The construction of the said road triggered an alarm among the indigenous Jumma people that they would face eviction from their ancestral villages and homesteads. Incidents of communal attacks and violence against indigenous women and girls by outsiders including Bengali laborers already started taking place, it was reported.

Tension mounts at Manikchari over land dispute

A communal clash between Bengali settlers and local indigenous people took place in the morning of 10-11 November 2015, in a remote hilly area at Manikchari Upazila in Khagrachari District following illegal land grabbing by Bengali settlers. It was learnt that, three Bengali settler families, recently, set up houses inside the forest of Bhija boundary on the lands owned by indigenous peoples. The indigenous owners of the land were learnt to have resisted the move by land grabbers sparking off communal clash between the two communities.

Indigenous Tripura villagers face threat of eviction in Naikhyongchari

The indigenous Jumma people of Sinai Tripura Para under Naikhyongchari Upazila in Bandarban were reported to have been facing threat of eviction from their ancestral land. It was learnt that Alfa Chowdhury, an influential Bengali settler made an attempt to grab 50.0 acres of land belonging indigenous Jumma people of Sinai Tripura Para. Following this incident, the indigenous villagers from Sinai Tripura Para led by Sinoi Tripura, the Karbari (village head) of the village and some other people submitted, on 23 May 2015, memorandum to the Chairman of the CHT Regional Council for remedy.

It was learnt that following the death of Fotoi Mro, the Headman of Kowangjiri Mouza, one Mongthowai Marma was provisionally given the charge to oversee the routine functions of Kowangjiri Mouza until a new Headman was appointed. But Mongthowai Marma, after taking over as the head of the Mouza was alleged to have sold off without the consent of the villagers, 5.0 acres of land belonging to Sinai Tripura Para residents to Alfa Chowdhury, who was, since then, trying to occupy 50.0 acre land exposing, in consequence, 8 Tripura families of Sinai Tripura Para to imminent threats of eviction.

202 Mro families in fear of eviction due to setting up of tourist facilities spot on Alikadam-Thanchi road

The Bangladesh Military allegedly decided, long before, to develop a number of tourism complexes across the CHT. As part of this project they were planning to establish a tourist facility in the ‘Krak-U dong/Tengtar Hung’ (Dim Pahar) area on Alikadam-Thanchi road under Bandarban District. In the meantime, they finished off constructing the inter district road over Krak-U dong which was inaugurated by Prime Minister Sheikh Hasina on 14 July 2015. In Marma Language ‘Krak-U’ means ‘Egg’ and ‘Dong’ means ‘Hill’. But the name from ‘Krak-U dong’ was changed to ‘Dim Pahar’ in Bengali. It is considered by the hill men of the CHT as a clear cultural aggression.

The army also put up a sign board on an area covering total 6/7 km area (From Alikadam 19 km to till 26 km) in the country’s highest road

Attempted grab at 5.0 acres land of indigenous villagers by Bengali settlers in Longadu

Bengali settlers Abdul Gaffur and Md. Rashed Mian, on 17 October 2015, in an attempt to grab 5.0 acres of land owned by Samir Kumar Chakma (60), son of late Tarani Sen Chakma of Bhaibonchara village under Longadu Upazila in Rangamati District tried to build a house on that land. It was reported that Md. Abdul Gaffur had been trying to grab that land for long but according to legal document Samir Kumar Chakma was the legal owner of that land. To serve his end, Md. Abdul Gaffur brought false allegation against the indigenous Jumma villagers to the local army authority who, after visiting the area, did not find any validity of the allegations made. The local army authority, however, ordered both parties to be present at the camp with the documents of their lands.

Bengali settlers attacked Jumma villagers to grab their land in Lama

On 21 October 2015, the indigenous Jummas of Kalajhiri Para under Rupasi Union of Lama Upazila in Bandarban District was assaulted by a group of 20/25 miscreants led by land grabber Md. Saiful Haque and Selim Soadagor of the area. It was learnt that, on the day of incident, the land grabbing group came to the house of Redak Marma and presented illegal papers to him claiming his lands. At a stage of argument, the group started vandalizing the house in an attempt to seize 0.80 acre registered land. They assaulted a pregnant women namely Mamasing Marma (28) as well, daughter of Reda Marma while she tried to resist them. Badly injured, the woman was later admitted in the Lama Hospital. A case was filed in this connection by Reda Marma with the Lama police station.

Attempted grabbing of 17.5 acres of land belonging to indigenous people by Bengali settlers in Longadu

On 8 November 2015, Bengali settlers from Longadu and Barkal area illegally chopped down trees and grabbed around 17.50 acres of land owned by indigenous Jumma people at Bazartila area of Gonomour Mouza in Barkal Upazila under Rangamati District. The land owners were: 1) Chandralal Chakma (72) son of Sutoban Chakma, 2) Suniti Jibon Chakma (68) son of Nomdip Chandra Chakma, 3) Bijoy Chandra

Chairman of Hafchhari union Ushopru Marma also alleged that the attempted grabbing of lands owned by the indigenous people by settlers led to the outbreak of a communal clash. Senior officials from local administration and military personnel visited the affected area. Deputy Commissioner Wahiduzzaman was reported to have admitted that the problem would be resolved only when the Land Commission would start working to settle disputes over ownership of land.

Indigenous Jumma people attacked by Bengali settlers in Mahalchari

At around 7:00 am on 16 October 2015, four indigenous people were assaulted by Bengali settlers in Mahalchari Upazila under Khagarchari District when the latter prevented Bengali settlers from cutting trees in the garden owned by an indigenous villager. It was learnt that Mr. Sneha Kumar Chakma (52) son of Purnonath Chakma, a former member of the Union Council, Amrit Chakma (26) son of Gopal Krishno Chakma and Basanta Chakma (35) son of Noaram Chakma were assaulted by three Bengali settlers namely Md. Jahedul Islam (45) son of Md. Mofizul Islam, Md. Jahangir, Md. Salam son of Md. Sobhan and his son Md. Enamul (18). As was reported, the attackers came and pounced on Mr. Amrit Chakma first, without any provocation. Later on, with the arrival of the garden owner Mr. Sneha Kumar Chakma a squabble ensued between the two parties prompting Md. Enamul (18), a Bengali settler to assault Basanta Chakma and Noaram Chakma who were injured critically. Later, they were admitted in the Khagrachari Sadar Hospital by the villagers.

After the incident, Md. Jahedul Islam filed a false case with Mahalchari Police Station against 16/17 innocent indigenous villagers. It was learnt that there was conflict between Sneha Kumar Chakma and a Bengali settler Md. Jahedul Islam over the land in question which was later apportioned by elders between Sneha Kumar Chakma and Md. Jahedul Islam in an arbitration meeting. In spite of it, Md. Jahedul Islam, on the day of occurrence, assaulted Sneha Kumar Chakma without any reason when he was cutting trees on his land.

of 20.0 acres of land to Manir Ahmed Soudagar, an influential resident of the same Union, who was reported to have grabbed her land.

It was learnt that Manir Ahmed was trying to occupy the said land located at Bakichara Mukh area under Kuhalong Mouza near the Golden Pagoda temple, a tourist spot in Bandarban. Earlier in 2001, Manir Ahmed bought 5.0 acres of land belonging to former Headman Chingsanu Marma and the land happened to be adjacent to Hlaurai's land. But as Hlaurai did not possess any document of land, the grabber took advantage and started claiming that he had purchased the land belonging to her as well.



Aggrieved Hlaurai Marma

P.C.: U She Thowai Marma

An agreement was later signed on 30 August 2014, in a government official stamp between Manir Ahmed and Hlaurai Marma with Sanuprue Marma, chairman of Kuhalong union and Pruemong U Marma of Kuhalong Mouza signing the agreement as witnesses. Manir Ahmed signed the agreement with an assurance not to make any encroachment on land beyond his own. But Manir Ahmed, through violating the agreement, was found continuously engaged in trying to seize the land forcibly, and in furtherance of his evil intention he chopped down around

Chakma son of late Dakkoya Chakma, 4) Binoy Ranjan Chakma (80) son of late Devjoy Chakma, and 5) Somorendro Lal Chakma (72) son of Jubolokkoyo Chakma who were granted settlement in 1965.

The assualters were identified as 1) Md. Abu Taher son of Md. Mia from Bazartila, 2) Md. Mojit son of Icchak Mia from Bazartila; 3) Md. Kayum, son of Icchak Mia from Bazartila; 4) Md Rahim son of Rafiq Mia from Bazartila; 5) Md. Belal Hossain son of Monohar Ali from Kutukchari under Barkal, 6) Md. Shahajahan Mia, son of Aminullah Vandari from Chakkoyatoli under Barkal, 7) Md Shah Kamal late son of Aminullah Vandari from Chakkoyatoli under Barkal.

200 indigenous families living under fear of eviction in Bandarban

200 indigenous families were reported to have been living under the fear of eviction from their own lands in Sualok Union under Bandarban District as about 1000 acres of their land, given on lease earlier for Horticulture and Rubber plantation, was later cancelled only to be, reportedly, grabbed by a Bengali settler called Ismail Hossain. District administration admitted of giving 46775 acres of land on lease in Naikhyongchari, Lama and Alikadam Upazilas under Bandarban District. In 2009 with the new government in power at the center, 70 plots of such lands, given on lease earlier, were cancelled. But later, Bandarban District administration reinstated all the plots, so cancelled.

It was also reported that Md. Ilias Uddin, Nurul Kabir and other outsiders had been grabbing land in the name of lease. Some of the lands under the lease hold of Md. Ilias Uddin were cancelled for breaching the condition of lease agreement. Md. Ismail Hossain, one of the land grabbers, was found harassing indigenous people by filing false cases against them. Though, there is moratorium on the land settlement in the CHT, but leasing of land is open.

20.0 acres of land belonging to a Marma woman seized by an influential in Bandarban

Hlaurai Marma, aged 50, at Kamlong Para under Kuhalong union of Sadar Upazila in Bandarban District was learnt to have been facing loss

As was reported a gang of 9 people, on 4 January 2015 and at the direction of Liakat Ali, chopped down nearly a hundred betel nut trees of paanjum (betel leaf garden) of a Khasi villagers called Mokam Punji, traditionally the main source of livelihood of indigenous Khasi people, with the intention to grab nearly 4.5 acres of the land of Chhamin Khasi. The next day, on 5 January, the same gang brought around 20-25 trucks load of rock and dumped on the paanjum including on lands of nine indigenous Khasi families living within the vicinity of the paanjum. But as owners of the land tried to prevent the act of dumping and remove the rock, they were threatened by the gang. Failed to prevent the mischief, the villagers informed the police at Jaintia Model Police Station. The Officer-in-Charge (OC), Harunur Rashid Chowdhury, later visited the spot and asked the gang to stop dumping rock on the land.

This incident took place pending a court proceeding between Chhamin Khasia and Liakat Ali. Following Liakat's repeated attempts to take the land under occupation, Chhamin Khasi had no alternative but to take recourse to law for protection. The court issued a directive to the Jaintiapur Police Station to declare Section 144 (illegal assembly or gathering of more than five people) to ensure peace and security in the locality. Accordingly, the police of Jaintiapur Police Station imposed Section 144 on 31 December 2014 in the paanjum area. But Liakat Ali and his gang breached the directive and chopped the betel nut trees. Police did not take any action so far in this regard.

It was learned that the land was originally recorded in the name of Talao Petum, mother of Chhami Khasi in the SA record. After the liberation of Bangladesh in 1971, government took over the land as government property under the Vested Property Act. Later, in 1984, Chhamin's husband Sadoi Yangti took settlement of the land and since then their family had been cultivating it. They gradually developed a paanjum along with a betel nut garden on the land.

Miscreants attack a Rabidas family to grab land in Naogaon

The family members of Ajoy Rabidas at Hallgoshpara under Naogaon Sadar Upazila in Naogaon District came under attack, on 9 January 2015, of a gang of miscreants lead by Nazmul Huda (45) s/o Md. Ismail

150 teak trees, estimated to bring about 10 to 12 lakh taka at the ruling market price, from her garden. In the meantime, Manir Ahmed also had managed to take possession of 10.0 acres of lands belonging to Hlawaeching Marma and Bathawai Marma.

Obstruction to Jum cultivation threatens livelihood of 80 indigenous families in Lama

The livelihood of 80 Jum farming families in Lama Upazila under Bandarban District was learned to have been at stake due to alleged obstruction, intimidation and death threats on a regular basis from the Lama Rubber Industries Ltd.

About 80 Jumma families of three villages viz. Natun Para, Dhekichara Para and Noa Para under 303 No. Doluchara Mouza in Lama Upazila under Bandarban District lived by Jhumimng or Jhum cultivation (shifting cultivation) for generations. By tradition, they hold land in collective possession for hill farming. Keeping to their tradition, villagers from three villages went to work in the Jhum field only to be obstructed by men from Lama Rubber Industries Ltd. When asked about the reason for obstruction, Mohammad Arif, the manager of Lama Rubber Industries explained to them that the company took lease of 1600 acres (Jum) land comprised of 64 plots, each with 25 acres of land from the government and the Jumma villagers were, therefore, no more allowed to do any farming on that land. The villagers were kept restrained not only from farming on the land since, but continued receiving death threats on a regular basis from the company people.

Land related incidents in the Plain Lands

AL leader grabs ancestral land of indigenous Khasi people in Jaintiapur

Liakat Ali, an influential local leader of Awami League (AL), allegedly grabbed land belonging to Chhamin Khasi, wife of Sadoi Yangti of Mokam Punji under Jaintiapur Upazila in Sylhet District. Liakat Ali was also learned to have been continuously intimidating and harassing indigenous villagers of Mokam Punji in this connection.

Adivasi grave yard rescued in Rajshahi

On 21 January 2015, police freed a grave yard of around 1.0 acre land of indigenous families from the possession of some miscreants belonging to (Bengali) land grabbers in Chhatrapukur (Bottoli) under Godagari Upazila in Rajshahi District. The law enforcers also demolished a makeshift toilet of the land grabbers set up right on the graveyard, and asked them to remove haystacks from the land by the 10:00 am on 22 January 2015.

It was learned that there was a dispute between the indigenous families and a group of land grabbers with non-indigenous origin over the graveyard for several years. Nearly a hundred of land grabbers, mostly the victims of river erosion in Chapainawabganj, came around 15 years ago and bought some lands near lands of indigenous families in Godagari. Some of them targeted the graveyard of indigenous peoples used as burial ground for many years. Along with indigenous villagers, 5 indigenous freedom fighters were also buried on the graveyard.



Land grabbers make makeshift toilet on adivasi graveyard.

P.C.: The daily Star

The land grabbers made a makeshift toilet on the graveyard with the intent to grab the land in the first week of January 2015. The indigenous villagers then filed a case with the Godagari Police Station and on 21 January 2015 police freed the graveyard from illegal occupation and demolished the toilet.

Hossain, with the intent to evict them from their homestead and grab their 0.02 acre land.

On the day of occurrence, at around 2:30 pm, a group of miscreants numbering 12-15 people led by Nazmul Huda entered the house of the victims with sharp weapons such as hasua, sharp knife, iron rods, sticks etc. and started beating Ajoy Rabidas's family members indiscriminately. They beat Ajoy Rabidas, Kajali Rabidas, Purnima Rabidas, Sumuti Rani Rabidas, Bulbuli Rabidas, and Bijoy Rabidas, and at a stage, they also tried to molest Bulbuli Rabidas and Sumuti Rani Rabidas. Some of the attackers were identified as Md. Riman (35), Md. Mahubub Fakir (40), Md. Nannu (32), Md. Baten (28), Anisar Rahman (38) and Sattar Ali Bijoy.

As the locals started gathering by hearing screams from the victims, the attackers left the place. Local people took the injured to Angoon Sadder Hospital. The incident was followed by filing of a case against 13/14 people by the victims with the local police station. Though police accepted the case, no further action was taken against the perpetrators. Rather police allegedly suggested the victims to go for a compromise with the perpetrators in exchange of some compensation. Ajoy Rabidas and his family was learned to have been living on their own land for generations. But Nazml Huda and some local miscreants started conspiracy to seize his family land and as part of this conspiracy they, allegedly, built a mosque near his house and forcibly grabbed a portion of his land in the name of the mosque. Moreover, the land grabbers, on different occasions, continued issuing threats to Rabidas' family and asking them to vacate the land.

An indigenous widow's land grabbed in Dinajpur

A local gangster named Wakar Ahmed of Jamaat-E-Islam at Osmanpur village under Shampur Mouza of Ghoraghat Upazila in Dinajpur District allegedly grabbed, on 10 January 2015, one acre of land owned by Mani Tudu, wife of late Munsu Murmu of the same locality. It was reported that she continued receiving death threats from the alleged perpetrator following the incident, from 12 to 14 January 2015. However, on 15 January 2015, the victim filed a General Diary (GD) with Ghoraghat police station in this connection.

After learning about the incident, hundreds of local Bengalis encircled the whole Chirakuta village with locally made weapons including ramda, machete, sharp knife, and dagger. However, they did not attack until police held 19 Santal men. After police whisked the arrestees, the assailants cracked down on the Santals — setting fire on at least 25 houses and vandalizing 65 houses of the Santal village and looted all the belongings of indigenous villagers including food, kitchen utensils, furniture, cattle and tube well. The attackers also set fire to a primary school run by Caritas-Bangladesh. Beside, in the attack, one Mikhalina Murmu (28), a pregnant indigenous woman, and one Mikhael Tudu were tortured and received serious injuries. Both of them were later admitted in the Dinajpur Sadar Hospital.

Mahmudul Haque (29), the uncle of Saiful Islam Sohag, filed a case (case No. 22, dated 24/01/14) with Parbotipur police station against 42 indigenous Santals among whom 14 people were mentioned as unidentified. On the other hand, a Santal woman victim named Nilima Hembrom filed a case (case No. 29, dated 28/01/2014) against 76 identified Bengali people and many unknown persons with Parbotipur Police Station in this connection.

It was learned that Zahurul Islam had been claiming the ownership over the land of Joseph for the last few years. This led to holding several talks and arbitrations between Joseph Tudu and Zahurul Islam. The local UP chairman, police and other villagers also joined the talks. On each occasion, Joseph Tudu came up with his land documents, but Zahurul Islam failed to show any document.

Livelihood and ancestral land of 72 indigenous Khasi families at stake in Kulaura

Livelihoods of indigenous Khasis people in Kulaura Upazila under Moullobhazar District were being threatened as more than 500 members of 72 Khasi families might lose control of 406.0 acres of their ancestral land as Jhimai Tea Garden Authority planned to cut down 2,100 trees in the area where Khasi people used to grow betel leaves.

About 300 indigenous Khasi families were living under fear of eviction from their ancestral land in Jhimai Punjee under Kulaura Upazila of

Arson attack on Santal village by land grabbers in Dinajpur

An indigenous Santal village named Chirkuta (Habibpur) under Mostafapur Union of Parbotipur Upazila in Dinajpur District came under attack, on 24 January 2015, allegedly by a group of local Bengali land grabbers who set 25 houses on fire, looted and vandalized 65 houses. 5 people including a woman were injured in the incident that left all indigenous families literally destitute.

As reported, on the day of the occurrence at around 7:30 am, Zahurul Islam (50) and his brother Ziarul Mandal, both sons of late Mohammad Ali, from Habibpur under Parbotipur Upazila in Dinajpur District went to work on 19 acre land of Joseph Tudu and his family. When Joseph Tudu and his family members came to know about the incident, they went to the spot and tried to stop alleged land grabbers. An altercation, then, ensued between two groups. At a stage about a dozen of local Bengalis joined Jahurul brothers which turned the squabble violent. As a result, some Santal villagers were forced to shoot arrows in order to defend themselves. Later, Zahurul's son Safiul Islam Sohag (22) was found dead. Besides, some Santal villagers namely Rakib Tudu, Ruben Tudu and Kablu Tudu were injured in the clash.



P.C.: Bivuti Bhuson Mahato

the Jhimai Tea Garden Authority of Moulavibazar. A meeting was convened between the Pan Punjee indigenous people and the Tea Garden Authority, but the meeting, after a long deliberation on the land issue, ended without any decision.

Attack on indigenous Tripura women to grab land in Mirsarai, 10 injured

On 19 June 2015, 10 women and children were injured in an attack carried out by a gang of miscreants in Reservepara Tila of Madhyam Talbaria village under Miresarai Upazila of Chittagong District. As reported, on that day around 11:00 am, a gang of criminals numbering about 10-11 people came to Nirupati Tripura's land and cut down hundreds of trees. Hearing the news, she went to the land with some of her neighbors and tried to resist the rouges, but she along with those who accompanied her were roughed up, instead. The attack left Nirupati Tripura (45), Puspamala Tripura (34), Sandhya rani Tripura (50), Chandrabati Tripura (32) and Nabati Tripura (35) injured. At that time they also attempted to rape an indigenous woman.

Nirupati Tripura said she had been living in that area for many years. She got the lease of about 1.0 acre of land nearby her house from Forest Department and had been cultivating there for around 15 years. She planted papaya and banana trees in her land. But some land-greedy people in her locality were trying to take her land away. The main motive behind chopping down the trees was to grab her land. The alleged perpetrators were identified as Md. Mamun (18) son of Md. Babul Sawodagor, Md. Tushar (18) son of Md. Abul Kashem, Md. Sohag son of Md. Babul Sawodagor, Saiful Islam (22) son of late Md. Nuna Islam, Alauddin (19) son of unknown, Kabir Ahmed (20) son of late Md. Jamshed Ali et al.

On 21, June she went to the police station to file a complaint but the duty officer refused to accept the case. He rather suggested to solve the matter through mutual understanding and sent her to the Forest Department officer. The Forest Department officer also refused to do anything. She went to the local UP chairman and talked to him on the issue but no initiative was taken by him. It was alleged that chairman kept

Moulvibazar District, where they lived for hundreds years, as the Jhimai Tea Garden Authority moved to set up demarcation pillars with the help of Upazila administration. On 11 April 2015 the tea garden officials along with Upazila Nirbahi Officer of Kulaura Upazila went to the Jhimai Punjee to set up over 100 demarcation pillars, but stopped the work after installing only three pillars following the protest from indigenous Khasi people.

Most of the families living in the punjee were betel leaf cultivators, the main source of their income. It was believed that there could be about 2,100 trees in the area where Khasi people lived. Khasi people traditionally conserve woods for cultivating betel leaves in the forest. The Tea Garden Authority, in April 2015, obtained government approval to fell 2,096 trees in the leased area. Accordingly, the Tea Garden Authority started felling trees owned by the Khasi people. However, the Tea Garden Authority was compelled to stop the move as Khasi people protested vehemently, and the government eventually intervened. In fact, the felling of trees in Khasi Punjee, the Khasi people would not only at the verge of extinction, but it would also affect the environment.

There was a longstanding land dispute between tea estate authority and the Khasi people, and the administration was working to resolve it. On 15 April 2015, in a dialogue between the two parties, the Tea Garden Authority offered 2.0 acres of land to each of those Khasi families to be affected, but they refused the proposal. The affected peoples claim that 2.0 acres of land would be inadequate for each family to grow betel leaf and demanded 5.0 acres of land for each family along with legal rights.

The Tea Garden Authority had been trying in many ways to dislodge the Khasis from the Jhimai-Punjee. But as the meeting resulted in no solution, the Tea Garden Authority closed the Jhimai punjee gate which was the only access road for the Khasi families in that area. The gate was closed on 18 April 2015, and deployed 12/13 workers of the tea garden to patrol the area. As a result, the school going children could no longer attend their schools and the livelihood of Khasi villagers came under serious threat as they could no longer take betel leaves to the market for sale.

On 22 July 2015, the Kulaura Upazila administration took an initiative to mitigate conflict between indigenous people of Jhimai pan punjee and

seize the land of the indigenous family, carried out an attack on them and burnt their houses. The victims were, later, sent to Haluaghat Upazila Health Complex. The attackers threatened the victims and instructed them to resolve the matter locally, and not take any legal action.

It was also learnt that, on 24 June 2015 morning, when Sufola Mrong and her family members went to cultivate their land, a group of gangsters suddenly appeared at the scene, and allegedly, attacked them with stick and sharp weapons. In the attack, her husband Niren Chiran (60), son Libishon Mrong (17), sister Rupali Mrong (35), and her sister-in-law Pulok Chiran got seriously injured. Later the attackers set one of the houses of the victims on fire.

The victims, Sufola Mrong and Rufola Mrong, both daughters of Kanchonmoni Mrong had been farming on the land in question (2.0 acres) for many years. Kanchonmoni Mrong, mother of Sufola Mrong and Rufola Mrong had borrowed some money from Shah Alam before she died. Sufola Mrong and Rufola Mrong did not know about the incident. But later when she passed away Shah Alam started demanding the money borrowed. The sisters were threatened with consequences. Even local arbitrations also took place. Victims alleged that the attack was a sequel to money borrowed by Kanchonmoni Mrong. Sufola Mrong and Rufola Mrong lodged a complaint with the Haluaghat Police Station on 20 April 2014 against the attack carried out on them. A case was pending in the court in this connection.

Land of indigenous Rakhines grabbed by two influential brothers in Kuakata

Two leaders of major national political parties, Monir Ahmed Bhuiyan, General Secretary of the ruling Awami League of Kuakata municipality unit and his brother Babul Bhuiyan, Joint-Convener of the BNP of Kuakata municipality unit, were allegedly constructing a shopping complex on a land located at a vibrant tourist destination of Kuakata under Kalapara Upazila in Patuakhali District, and belonged to the indigenous Rakhine community. The Rakhine people filed a complaint with the district administration on 7 July 2015.

silent as the attackers were involved with the politics of the Awami League. (The ruling Government)

It was reported that Jafar Uddin Ahmed Choudhury threatened Nirupati's son Ananda Tripura with death. This being the situation, Nirupati Tripura and her family were left insecure as they were driven to live under constant fear of attack. The local people reported, after the incident, that the perpetrators were found roaming near the Tripura village. So far, no case was reported to have been filed with the police station.

Indigenous boy shot dead & 10 injured in a clash over land in Naogaon

On 22 June 2015, an indigenous boy was shot dead and several people were injured in a clash between some indigenous and Bengali people over land dispute at Akbarpur village in Patnitala Upazila of Naogaon District. The deceased was Mithun Orao, 12. It was learnt that some 20-25 indigenous and Bengali families had been living on some 1.5 acres of land at Badhua Pukurpar in Akbarpur village for the last 14/15 years. Claiming the ownership of the land, one Abdul Matin, a resident of the area, was trying to oust the indigenous people from their land with the intention to seize the indigenous people's property.

On that day in the morning, Matin along with sixty supporters equipped with arms and lethal weapons attacked the indigenous people over the issue of land ownership that triggered a clash. At a stage, Matin fired four rounds of bullets from his licensed gun, leaving Mithun dead on the spot and injuring 10 other people during the hour long clash. The injured were rushed to Upazila Health Complex from where seven were shifted, in serious condition, to Rajshahi Medical College Hospital. On information, police rushed in and arrested sixteen people, including Matin, in this connection.

Attack on indigenous family with the intention to grab land in Mymensingh

On 24 June 2015, four members of an Indigenous family were beaten by the land grabbers in Dobachari village at Haluaghat Upazila under Mymensingh District. It was learnt that the land grabbers, in order to

around five decimals (0.05 acres) of the market land. No one dared to stand against the land grabbers. Monir Ahmed claimed that the land was their property and they took permission of Kuakata Municipality. Municipal administrator and UNO Md. Jahangir Hossain, however, said none could construct anything without the permission of Kuakata Development Authority headed by the Deputy Commissioner, and Monir did not obtain any such permission.

The first human settlement in Barguna-Patuakhali districts took place in the beginning of the 18th century. Rakhaines were the ones to do it, clearing the deep forests and turning this land of this area livable. Even a few decades ago the Barguna-Patuakhali districts were swamped with more than a hundred thousand Rakhaines. Now the population of the Rakhaines in this area came down to as low as two and a half thousand. In 1948, there were 144 and 93 Rakhine villages in Patuakhali and Barguna respectively. The number dwindled over the years and today the number of villages came down to mere 26 and 13 respectively.

Majority of the Rakhaines were forced to migrate to Myanmar and some in the Chittagong Hill Tracts and Cox's Bazaar as land grabbing spree by the land grabbers continued with absolute impunity. The places for worship, cremation ground, sacred pond and everything were either expropriated or under process of being grabbed allegedly by the influential land grabbers, often in collaboration with the local administration. While there were 19 Buddhist temples in the area in 1906, there is only one left today. Most of the idols of Lord Buddha made of brass, stone and limestone were stolen. The cremation ground on 27 decimals (0.27 acres) of land in Kalachanpara remains under occupation of land grabbers. Land grabbers were also reported to be exerting their influence to take over 200-year-old sacred pond in Kabirajpara of Taltali Upazila.

SEZ threatens 16,000 tea garden workers' livelihood in Habiganj

One of the planned Special Economic Zones (SEZs) of the government, proposed to be established in Chandpur area of Chunarughat Upazila in Habiganj District, threatened the livelihood of nearly 16,000 tea garden



Bricks and sand kept ready for constructing buildings.

P.C.: Daily Prothom Alo

It was learnt that in 1999, the then Prime Minister Sheikh Hasina donated 0.8 acre (80 decimals) of land for improving the livelihoods of underprivileged Rakhine community in Kuakata. Later the district administration built 14 tin-roofed concrete shops on the south of the land, turned them into Rakhine Women's Market, besides constructing a big concrete platform on the west. The remaining land was open where different cultural programmes were usually organised. Every year, thousands of tourists used to gather there to have a glance at various programmes held on that open premise.

The two influential brothers were reported to have been trying to grab a part from the east side of the market for long. They began to occupy the market place since 2009. Though the matter was reported to the Kalapara Upazila Nirbahi Officer (UNO) at that time but no effective action was taken. Meanwhile, over the past six years, the alleged land grabbers became more and more desperate to take away the land. It was also alleged that they continued ignoring the government prohibitory directives to refrain from building any structure in the place at issue. Accordingly, in July 2015, they started building Bhuiyan Market on

learned, allegedly considering acquiring the land without matching compensation for the workers because none of them did possess legal title over the land.

BEZA was still found to be resolute in setting set up an economic zone. BEZA kept claiming that the establishment of an economic zone would ensure empowerment and opportunities for tea workers to come out of their cycle of deprivation, which they were experiencing through. However, the tea garden workers went on claiming that no one had come to discuss with them about the proposed SEZ. Without the consent and consultation of the tea workers, BEZA had finalized the plan. However, there was no remarkable progress so far in resolving the issue till the filing of this report.

Land grabbers attempt to kill an indigenous youth in Natore

On 29 August 2015 at afternoon, a group of miscreants attacked an indigenous youth Mintu Teli (22) at Mamudpara playground of Sadar Upazila in Natore District. The victim was the son of Habu Teli, resident of Shankarbhad village of the same Upazila.

It was learnt that Ismail Pramanik (50), resident of Jujarhat village of Natore Sadar Upazila and Mintu Teli had been locked in a dispute over a piece of 0.05 acre (5 decimals) land since long. On the day of the incident in the morning, Mintu Teli, as usual, went to work on his field. Sometime later, Ismail went to his field and started abusing Mintu with offensive language on the issue of land. Gradually they got involved in a heated argument. At a stage, the brother and friends of Ismail joined him and started beating Mintu. Ismail hit on Mintu's head with a sharp sickle. Locals rescued him by hearing his scream and admitted him in a local hospital. Following the incident, a case was filed with the police station but no one was arrested. Later the dispute was resolved through a local arbitration.

Landless indigenous and Bengali farmers in Gaibandha want their acquired land back

Indigenous and marginalized Bengali farmers of 20 villages (including 15 indigenous villages) under Rampur, Sapmara, Matherpur, Narangbad

workers belonging to different indigenous and marginalized peoples dependent on that land. The Bangladesh Economic Zones Authority (BEZA) decided to build an economic zone on around 512 acres of land in Chunarughat, which was earlier leased out to Chandpur Tea Estate operated by a British company named Duncan Brothers. Later, the lease was cancelled for the establishment of the proposed economic zone.

In consequence, thousands of tea workers including 600 indigenous families were confronted with imminent eviction from the land they were living for years. It was learnt that 951 acres of land out of 3951 acres were agricultural land which was used for cultivation of rice by tea workers for the last 150 years. The vast areas of this land were made cultivable by clearing jungles by the ancestors of the tea garden workers, but later it went under the occupation of BEZA. If the lands of 16,000 tea garden workers belonging to different indigenous and dalit peoples of Chandpur Tea Garden, Begum Khan Tea Garden, Jua Bhangra Tea Garden and Ram Ganga Tea Garden were acquired, their livelihood would be seriously jeopardized as they traditionally depended on this land for rice cultivation.



The agitation of Habiganj tea garden workers.

P.C.: Mohan Rabidas

Due to poor wages most of the time they were unable to meet their need for food, let alone meeting other needs. So they were in dire need to cultivate the land for growing rice. The government was, it was also

for growing rice, wheat, mustard, pumpkin and potato instead of sugarcane, in violation of the provisions of the acquisition agreement. Part of the lands in questions was also being put to use for commercial tobacco and hybrid maize cultivation which needs using chemicals and insecticides extensively for healthy growth of the crops. It was, thus, apprehended that the fertility of the land under such cultivation would be affected severely.

In these circumstances, the landless indigenous and marginal Bengali farmers, who had accepted the acquisition for the interest of the country, were now demanding from the Government for restitution of the acquired 1842.30 acres of land. Based on the Application for return of land, the Additional Deputy Commissioner (Revenue) of Gaibandha District, on 30 March 2015, investigated the matter and found the lands were being used for cultivation of rice, wheat, tobacco, pumpkin etc. On 21 June 2015, the Additional Commissioner (revenue) submitted a report stating that the Sugar Mill authority leased out 1502 acres of land to Shahebgonj (Bagda) Farm for cultivation of crops like rice, wheat, tobacco, potato etc. instead of sugarcane. He also reported that the farmers, since 2015, led by Sahebgonj Bagda Farm Bhumi Uddhar Committee were demanding for the restitution of 1842.30 acres land to the original owners and carried out different programs in support of their demands.

Attempted grabbing of 1.2 acre land belonging to an indigenous family with help of police in Rajshahi

Sub-Inspector (SI) Sarkar Shafiqul Islam of Premtoli Police Box under Godagari Upazila in Rajshahi District allegedly helped the land grabbers to grab 1.2 acres (3 bigha) land of Bistu Oraon, son of late Lobai Oraon from Chowduar village of Godagari Upazila in Rajshahi District.

It was learnt that land grabber Emran Ali had been trying to seize the land of Bistu Oraon for a long time. On 2 September 2012, Bistu Oraon filed a case with the Joint District Judge Court in Rajshahi for his property ownership. However, pending a decision in the court, Emran Ali filed a false case with the Godagari Model Police Station against Bistu Oraon. SI Sarkar Shafiqul Islam, allegedly, tried to assist the complainant in different ways. Acting on the false complaint by Emran the SI Shafiqul

and Chakrahimpur Mouzas in Gobindaganj Upazila under Gaibandha District were demanding the return of a huge tract of land measuring 1842.30 acres, acquired by the Rangpur (Mahimagonj) Sugar Mills, also known as Bagda Farm, during the Pakistan period.

In 1956, the then East Pakistan Government acquired 1842.30 acres of land to grow sugarcane for sugar production in the Rangpur (Mahimagonj) Sugar Mills. This move by the Government resulted in the displacement of 15 indigenous and five Bengali villagers who got spread to different parts of the country, and which eventually caused them to lead a miserable life. However, on 7 July 1962, an agreement was signed between the Pakistan Industrial Development Corporation and East Pakistan Government to the effect that the farmers would get back their lands if other crops, instead of sugarcane, were grown on the land.



Farmers of Gabindaganj want their land back. P.C.: Suvash Chandra Hembram

Initially, the Sugar Mill started growing sugarcane and producing sugar. But due to corruption and mismanagement at the sugar factory, the Mill was closed down on 31 March 2004. Since then, the lands under the Mill, once owned by indigenous and marginal farmers, were leased out to some local influential people. It was alleged that the lessees (local influential people) managed to get hold of the lease by collaborating with the Mohimagonj Sugar Mills authority. The lands were, in fact, being used

Attack on indigenous families to occupy land in Rajshahi

On 21 November 2015, a group of land grabbers beat indigenous people and set fire on the house of Ratan Biswas (Paharia) with the intention to terrorize people around and grab 0.30 acre (30 decimal) land of owned by indigenous families at Vugraeel village under Shahmukhdum Upazila in Rajshahi District.



P.C.: Famousnews24.com

It was learnt that 55 indigenous families had been living in Vugraeel village since long on a land donated by the missionaries. At the beginning of 2015, Sirazul Islam started scheming to occupy the land and oust the dwellers therefrom, allegedly, in collaboration with the local law enforcement agencies. It was also learnt that the attack was led by Jahangir Islam (22) son of Sirazul Islam. The attackers threatened the indigenous families, and asked them to leave the land and settle the issue with them. On 22 November 2015, the victim families filed a case with Shahmukhdum Police Station. However, no action was taken against the alleged perpetrators and they were roaming around freely.

Islam sent, on 7 March 2015, a notice to Bistu Oraon along with other 11 people directing them to be present in the Premtoli Police Box on 11 March 2015. But Bistu Oraon was not present on that day because the complaint was false and baseless. The case was last reported to be with the court for final a decision.

Land grabbers beat and attempted to evict an indigenous family in Gazipur

On 4 September 2015, a group of land grabbers, allegedly, cracked down an indigenous family and beat the members at Sonab village of Karoaid Union under Shreepur Upazila in Gazipur District with an intent to grab 0.05 acre (5 decimal) land belonging to the family. Three indigenous people, left badly injured in the incident, were later admitted in the local health complex.

It was learnt that Atiquel Dhali, Ramaz Dhali, Mamun Dhali and Ashraful Dhali, sons of Kuddus Dhali had been trying, for long, to evict the family of Gopal Chandra Barman, Rakhal Chandra Barman and Nitu Chandra Koch from their homestead at Sonab village under Sreepur Upazila in Gazipur District.

On the day of incident at around 6:00 am, a group of miscreants led by Atiquel Dhali forcibly planted banana trees on the land of the indigenous families. At that time, Rakhal Chandra Barman, younger brother of Gopal Chandra Barman, tried to resist the intruders. At this, the miscreants threatened him with death. At a stage, Atiquel Dhali and his people started to beat Rakhal Chandra Barman indiscriminately with sticks and other locally made weapons. Shortly after, when Gopal Chandra Barman and Nitu Chandra Koch, the sister-in-law of Gopal Chandra Barman arrived at the scene, and they were also beaten by the rouses. The evil-doers also locked the house of the victims by force. Later, the neighbors rescued the victims and admitted them in the local Upazila Health Complex.

In this connection, Gopal Chandra Barman filed a general diary (GD No. 127 Dated 03/09/2015) on 3 September 2015 with Sreepur Model Police station, and on 06 September 2015, he formally filed a case (No. 13, dated 06/09/2015) with the same police station on the attack made on them. However, the police was yet to arrest the alleged perpetrators who remained at large.

of paanjum, the main source of living of over 350 indigenous people (around 70 families) was demarcated as a part of India. The land in question had been in use by the khasis and Garos for betel leaf cultivation for generations. The villagers were worried that they would be dislodged from their homesteads due to loss of land - their only source of income. It was apprehended that persistent poverty and destitution would become a permanent feature of their life as soon as the process of land exchange was completed between two countries.

According to land records and survey department sources, around 360 acres of lands from Pallathol border pillars No.1370 to 1374 were occupied 'illegally' by Bangladesh, and ironically, the indigenous Khasi and Garo people cultivated betel leaf on that land. A tea garden owned by a person belonging to Bengali community also fell in the area to be ceded to India. It was also alarming that the villagers did not receive any notice from the concerned authority regarding the land transfer. Neither had the indigenous people received any directives for their possible rehabilitation and compensation to restore their right to livelihood. Rather, the villagers, including the traditional leaders, were allegedly intimidated by some government officials not to go for any action in this regard. The villagers were passing their days in fear, anxiety and uncertainty since.

5.0 acres of land belonging to indigenous villagers were taken over and 45 families were evicted in Tanore

On the 2nd week of January 2015, local influential political party leaders took control of 5.0 acres of paddy land, evicting 45 indigenous families of Krishnapur village under Tanore Upazila in Rajshahi District, allegedly, in collaboration with some officials of the land office in Tanore Upazila in Rajshahi.

As was reported, the influential BNP leader Wahab Hossain, son of late Amzad Ali, and his two brothers Abdul Mannan and Abdul Kafi of Krishnapur village in Tanore Upazila grabbed the land belonging to 45 indigenous peoples of Krishnapur who had been living there for generations. Locals alleged that the act of grabbing was made possible in collaboration with local land officials by paying paying BDT 845, at the

Attempt was made to seize 500-year-old Buddhist temple in Teknaf, administration foils the mischievous move

The land of Paccung Temple, also known as Jadimura, a 500 year old Buddhist temple was allegedly targeted for grabbing by Rohingya refugees and local Bengali people. The Temple is located at Nayapara under Nhila union of Teknaf Upazila in Cox's bazaar. The Temple is originally comprised of 1.79 acres of land, and is located close to the Naf River in the Nhila Mouza. It is reputed to be a major center of worship and prayer for local Buddhists, especially for the indigenous Rakhaines.

It was reported that some local Rohingya refugees and influential Bengalis including Imam Hussein, Ali Islam, Nurul Islam s/o Abu Shama, Abdu Sukkur, Syed Karim, Zafar Alam, Md. Yunus son of Abdul Nabi and Abdus Sukkur son of Abdus Majid built 8-10 houses within the temple area. Later, the local administration demolished the houses and the District Court ordered to make papers in the name of Temple. The court's order to prepare documents in favor of the Temple was learned to have been under process at the time of preparing this report.

LBA threatens the livelihood of indigenous villagers in Moulavibazar

The livelihood of indigenous Khasi and Garo people of Pallathol under Baralekha Upazila in Moulavibazar District, adjacent to Indo-Bangla border came under serious threat as their ancestral paanjum (betel leaf garden) fell within the Indian Territory following an understanding, in early 2015, on the implementation of provisions of the Land Boundary Agreement (LBA) between India and Bangladesh.

The land boundary agreement was signed in 1974 between the Governments of Bangladesh and India but was not ratified by India as it involved transfer of territory which required a constitutional amendment. The land agreement Bill aims at giving effect to acquisition of territories by India and transfer of territories to Bangladesh and exchange of enclaves and fixing of boundaries of the countries in line with the 1974 agreement.

The LBA became operational as it was ratified by India following its approval by the Indian Parliament. According to the LBA, the 360 acres

Criminals cut down over one thousand betel plants at Kalenji Punjee in Adampur union of Kamalganj upazila under the district on Friday night. Seventy to eighty criminals attacked Kalenji Punjee betel plant around 10:00 pm and cut down one thousand betel plants there, causing loss of Tk 30 lakh, indigenous people told this correspondent during his visit to the spot yesterday.

"I have never seen such a heinous act in my life. All my investment has lost," said Immanuel 40, a betel garden owner of the village.

"We demand immediate arrest and exemplary punishment of the people involved in the heinous act," said Night Kharem, head of Kalenjipunjee.

"The attack on the betel leaf gardens, the only source of income of the Khasis, also badly affects local environment," said Father Joseph Gomes, central committee member of BAPA.

Kamalganj Upazila Nirbahi Officer Jahidul Islam Miah said he will give legal support for the affected Khasi people.

Md. Enamul Haque, officer in charge of Kamalganj Police Station, said, We visited the spot on Friday night. We will investigate the matter and take legal action against the culprits."

Published: 12:00 am Sunday, January 04, 2015

<http://www.thedailystar.net/country/criminals-cut-down-1-000-betel-plants-in-khasi-village-58353>

minimum, as lease payment. With the grabbing of land accomplished, the grabbers started digging pond using digging machine on that land.

Although a complaint was lodged with the local land office, no action, so far, was taken. When contacted, the Kanungo of the Office of the Assistant Commissioner of land in Tanore said that the lease was granted to Wahab Hossain following legal process. However, the digging of pond on the land was an illegal act.

MEDIA REPORTS

The Daily Star

The Daily Star, 4 December 2015

Criminals cut down 1,000 betel plants in Khasi village

Mintu Deshwara, Moulvibazar



Criminals went into an orgy of destruction at a betel plantation belonging to indigenous Khasi people at Kalenji Punjee in Adampur union of Kamalganj upazila under Moulvibazar district on Friday night.

PHOTO: STAR

The victims took shelter in remote Sangu reserve forest and Alikadam upazila of the district, their relatives said.

They claimed that the land grabbers in collusion with village headmen and union parishad chairman of Ruposhi para union forced them to leave their homes in January.

Gazi Rubber Plantation, a business concern of Gazi group, was behind everything, the villagers alleged.



A few members of other indigenous families, who are living in fear of eviction. The photos were taken recently. Photo: Star

They claimed that hired thugs had destroyed their jhum cropland and vandalised jhum farm houses when they refused to bow to the threats and pressure from the land grabbers.

The indigenous people mostly depend on jhum cultivation and forest resources for their livelihood.

The villagers submitted a written complaint against the land grabbers to the upazila administration on May 12. But the local administration did not take any action in this regard.

The Daily Star

The Daily Star, June 27, 2015

LAND GRABBED FOR RUBBER PLANTATION IN BANDARBAN

100 families face eviction threat



Only the skeleton of a jhum farmhouse remains standing after the indigenous family who lived there was forced to leave their ancestral land by influential people of a rubber plantation at Longkyong of Lama upazila in Bandarban. Photo: Star

Around 100 families of five villages in Bandarban's Lama upazila are now living in fear of eviction from their ancestral homes as land grabbers in the name of setting up rubber plantation there have been threatening them with consequences.

Residents of the five villages -- Ruposhi Puraton Marma para, Ching Kung Mro para, Konau Mro para, Noa Marma para, and Ching Khung Marma para -- alleged that the local administration was helping the land grabbers to occupy their land.

Around six months ago, the influential land grabbers compelled four indigenous families of around 25 members at Konau Mro para in Longkyong mouza to leave their homes.

and local union parishad chairman said. They grabbed more than 2,000 acres of land of the indigenous people in the upazila, locals claimed.

They said they approached Bandarban Deputy Commissioner Abu Jafar several times in this connection, but to no avail.

Contacted, the DC said, "We have received an application from the victims affected by Gazi Rubber Plantation. The UNO concerned has already been told to look into the matter."

Asked about the alleged paper-forgery, he said, "Action will be taken if anyone is found guilty."

Since the 1997 signing of the Chittagong Hill Tracts Peace Accord, thousands of acres of indigenous land mainly in Lama, Naikhangchhari, and Alikadam upazilas of the district have been grabbed by influential private rubber plantation owners and horticulturists with the alleged involvement of district administration, headmen, karbari and local leaders said Jumlian Amlai, president of Parbatya Chattagram Forest and Land Rights Protection Movement (Bandarban Chapter).

"Gazi Rubber Plantation has violated the Hill District Council Act of 1989 and CHT Manual of 1900 as they have illegally purchased mouza lands, 'managing' upazila administration, headmen and union parishad chairmen," said KS Mong Marma, a member of Chittagong Hill Tracts Regional Council.

<http://www.thedailystar.net/backpage/100-families-face-eviction-threat-103669>

On May 29, a scuffle between the locals and the workers of Gazi Rubber Plantation broke out when the indigenous people protested the land grabbing.

Following the incident, the company filed a case with Lama Police Station, and Koy Hla Ching Marma, a karbari (chief of a neighbourhood) of Ruposhi Puraton para, was arrested on May 30.

Visiting the places recently, it was seen that around 350 acres of jhum land have been grabbed by Gazi Rubber Plantation.

"They [Gazi] snatched our ancestral jhum land. We want our land back. We want justice," Padui Mro, a karbari of Konau para told this correspondent.

U Sha Prue Marma, wife of arrested Koy Hla Ching Marma, said, "Land grabbers filed a case against those who protested the grabbing. They 'managed' police who arrested my husband."

Refuting all allegations, Asim Kumar Chando, consultant of Gazi Rubber Plantation, said they did not evict anyone from their ancestral land.

The official said they "bought" some 625 acres of land in Longkyong, Dordori and Sorai mouza from the indigenous families. He also claimed to have obtained a No Objection Certificate (NOC) signed by them.

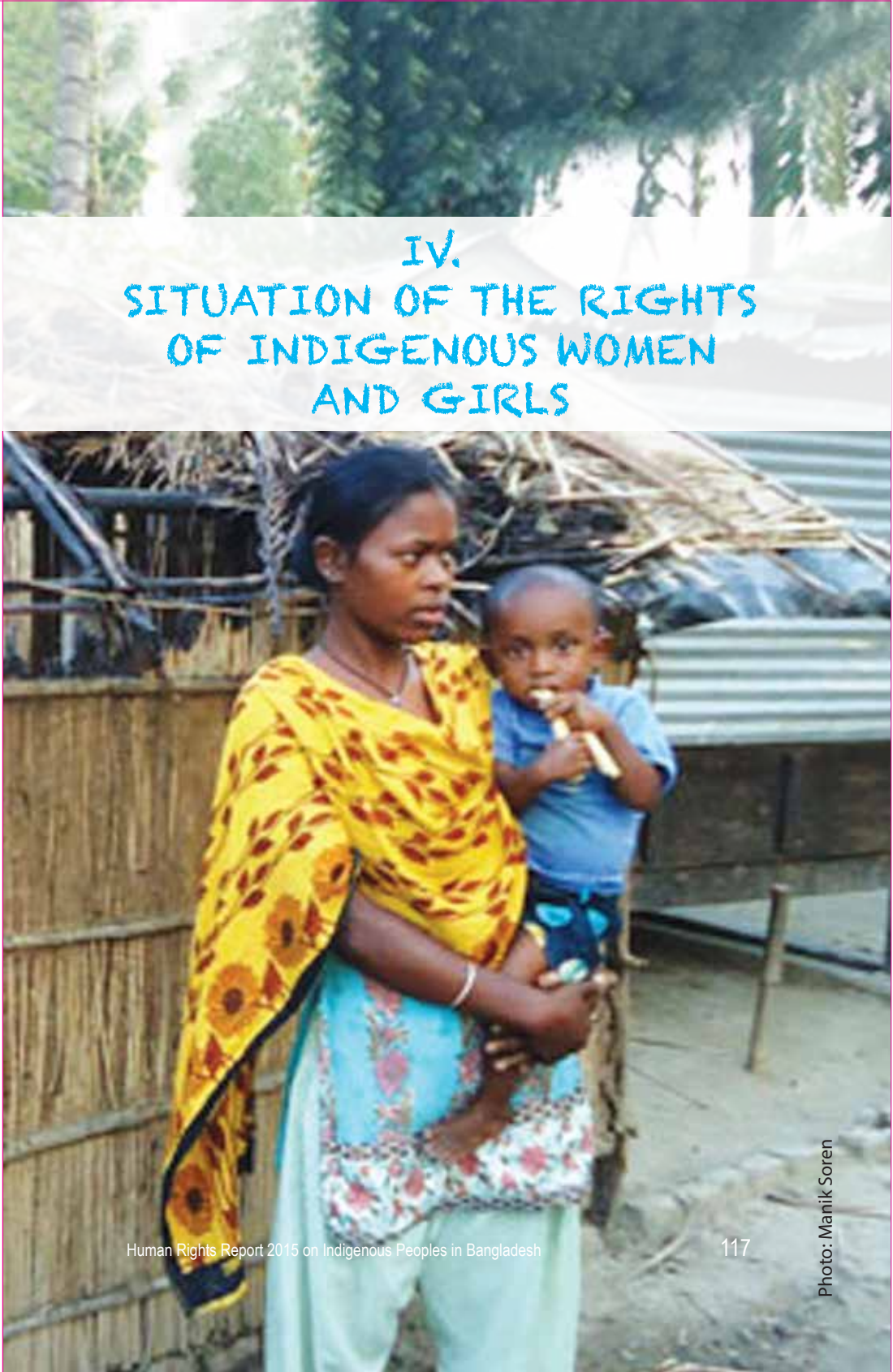
However, Chong Pung Murong and Cha Hla Koin Marma, headmen of Long Kyong and Dordori mauza, claimed that the organisation committed forgery during the signing of the papers.

Asim denied the allegation too.

Contacted, Bandarban Superintendent of Police Devdas Bhattacharya, who has recently been transferred to Chittagong Metropolitan Police as an assistant commissioner, said they had sent some of their officers to the scene on June 5 to look into the matter.

He said more indigenous families of the area might get evicted if the influential rubber plantation owners did not stop grabbing land there.

Gazi Rubber Plantation has illegally purchased around 700 acres of land in Lama upazila "managing" the upazila administration, headmen

A photograph of a woman in a yellow patterned shawl carrying a young child on her back. The child is holding a banana. They are standing in front of a structure with a thatched roof and corrugated metal sheets. The background shows trees and a clear sky.

IV. SITUATION OF THE RIGHTS OF INDIGENOUS WOMEN AND GIRLS

continuous victims by perpetrators since the number of violations against 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 emended for the particular contexts. Besides, non-implementation of CHT Accord 1997 and militarization in the CHT have left the indigenous peoples including women completely at risk. Implementation of the CHT Accord can be the first step towards protecting indigenous rights in the CHT.

A Glance at Violence Against Indigenous Women and Girls (VAIWG) 2015

As was reported, 85 indigenous women and girls fell victim to sexual and physical violence in 2015 in Bangladesh. Since 2007 a total of 434 indigenous women and girls were victims of multifaceted forms of human rights violations.

In 2015, at least 26 cases of rape/gang rape, 3 killing, 11 physical assault, 16 of attempted rape, 5 abduction, 6 sexual harassment, and 2 cases of trafficking were documented. A total of 69 cases of violence against indigenous women and girls in Bangladesh were documented in 2015. Of the 69 cases, 38 cases were reported from and documented in the CHT, while the remaining 31 cases were from the plains. Out of 69 cases, a total of 85 victims were reported during the period under review where 44 victims were from the CHT and 41 victims were from plain land.

The age group of these victims ranged between 4 to 50 years. Of the 69 incidents of human rights violation, cases were filed in the 46 incidents and the rests were resolved through local arbitration or were not informed for police action. Analysis of available data revealed that 74% of the perpetrators were identified as non-indigenous, 13% as indigenous, 9% were unknown, while law enforcement and security personnel accounted for 4%.

Findings of data analysis further reveal that in spite of cases were filed with the police in most of the incidents in 2015, no further action was taken against the offenders. The failure of the authority concerned to

IV. SITUATION OF THE RIGHTS OF INDIGENOUS WOMEN AND GIRLS

Bangladesh government has adopted different national and international human rights instruments in order to protect the rights of the women including indigenous women in the country. The instruments include Convention on the Elimination of all forms of Discrimination against Women (CEDAW), which enshrines the provisions that enable women to enjoy their basic human rights and fundamental freedoms. Besides ratifying the international women rights treaties, there are many other initiatives taken by Bangladesh government in order to eliminate violence against indigenous women (alongside their mainstream counterparts), which include enactment of Women and Children Repression Prevention Act 2000 and establishment of separate courts in the three hill districts, namely Khagrachari, Rangamati and Bandarban. As a part of it, the family courts are advised not to replace the traditional system of justice of the indigenous peoples but safeguard the traditional system by connecting to it. The government has also set up victim support centre in Rangamati to provide rehabilitation support to women victims with the assistance of UNDP-CHTDF program. In addition to this, 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 year. Furthermore, Article 28 of Bangladesh Constitution states: “(1) The State shall not discriminate against any citizen on grounds only of religion, race, caste, sex or place of birth. 2. Women shall have equal rights with men in all spheres of the State and of public life.”

However, not only the above mentioned initiatives failed to ensure justice for indigenous women, but also to protect them from the risk of becoming

Figure 1: No. of cases of sexual violence against indigenous women and girls in Bangladesh 2015

Types of violence	Number of cases
Abduction	5
Trafficking	2
Rape	14
Gang rape	12
Attempted rape	16
Killed/ Killed after rape	3
Physical assault	11
Sexual Harassment	6
Total	69

Figure 2: Modalities and Number of Indigenous Women and Girl Victims/Survivors of Violence Bangladesh (2007-2015)

Year	Rape/ Gang Rape	Killed after rape	Physical assault	Attempt to rape	Abduction/ Kidnap	Sexual harassment/ molested	Trafficking	Total
2007	5	-	-	3	1	-	-	9
2008	3	1	-	-	-	-	-	4
2009	2	4	6	3	1	-	-	16
2010	7	5	6	5	2	-	-	25
2011	11	7	-	8	5	-	-	31
2012	17	7	36	13	2	-	-	75
2013	15	4	16	9	5	10	8	67
2014	21	7	58	22	10	4	0	122
2015	28	3	21	17	5	9	2	85
Total	109	38	143	80	31	23	10	434

deliver justice to the victims often encouraged the offenders to threaten to the victim's family. In the much-talked about abduction case of Kalpana Chakma, the investigating officers, who were changed from time to time, failed to submit investigation reports to the court for the 22nd time since her abduction in 1996. On the other hand, in the case of an attack on a woman leader Bichitra Tirki by land grabbers in August 2014 in Chapainawabganj District, the perpetrators succeeded in obtaining bail allegedly by influencing the investigating officer and other concerned officials with money and power. The progress in the trial of Sujata Chakma (11 year old) murder case was delayed. For example, statements from five witnesses were recorded in 2013-2014, but so far, there was no deposition by any witness in 2015.

As was in the previous years, most human rights violations eventuated centering on land. It was observed that sexual and physical violations of indigenous women was often used as a tool to grab lands of indigenous communities. On 19 June 2015, a gang of land grabbers, with the motive to seize land, swooped on the inmates of a land at Mirsarai under Chittagong injuring 10 women. On 24 July 2015, Bengali settlers stabbed and wounded a Marma woman to oust her from her land. Not a single instance of such an alarming figures of violence committed against indigenous women and girls in recent years could be singled out to have been resolved with justice or that any victim could have availed justice. Rather in most of the cases the perpetrators got out on bail and avoided punishment due to corruption in the justice system which allegedly tended to be biased or lenient towards the perpetrators. The other prime motive behind committing sexual and physical violence against indigenous women and girls was to terrorize the indigenous population.

Figure 5: Total Number of Cases on Violence against indigenous women and girls in 2015

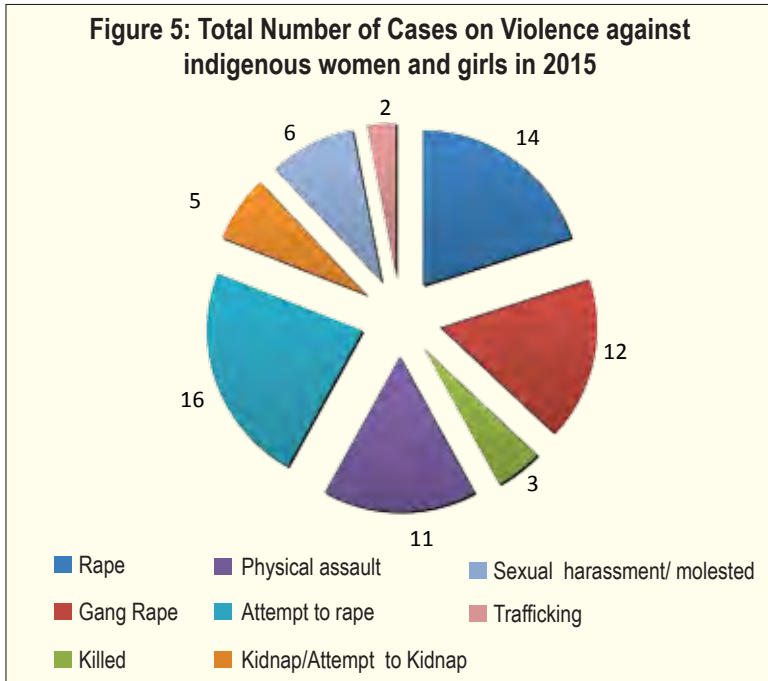


Figure 6: A Glance at the Range of Age Group in the case of Violence Against Indigenous Women and Girls (January to December 2015)

Age → Form of Assault ↓	1-10	11-20	21-30	30+	Age are not mentioned	Total No. of victims
Gang rape	-	7	1	1	5	14
Rape	6	5	-	-	3	14
Killed	-	2	-	1	-	3
Physical assault	-	-	2	4	15	21
Sexual harassment	5	-	-	-	4	9
Abduction/kidnap	-	3	-	-	2	5
Attempted rape	1	10	1	1	4	17
Trafficking	-	1	1	-	-	2
Total	12	28	5	7	33	85

Figure 3 Modalities and Percentage of Violence against Indigenous Women and Girls in Bangladesh (2007-2015)

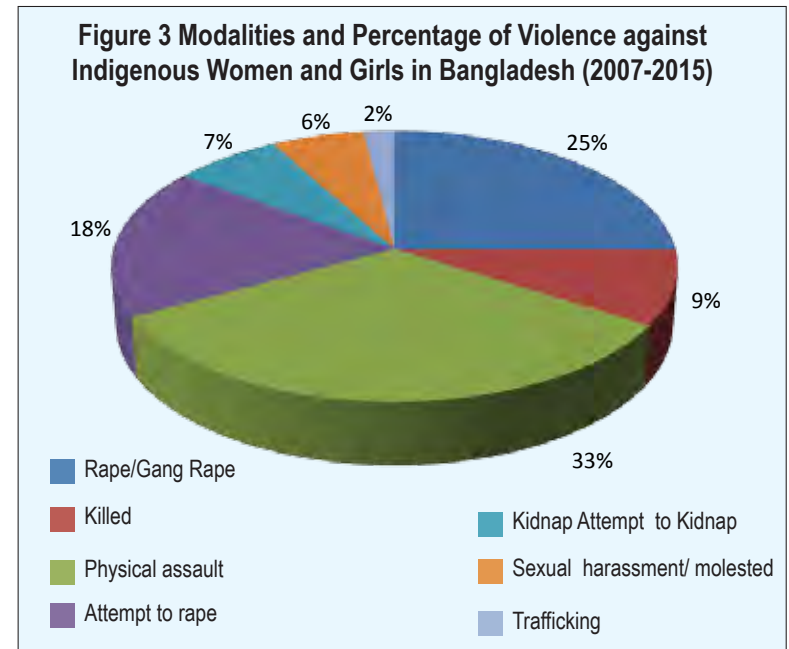


Figure 4: How many victims from which side of the country

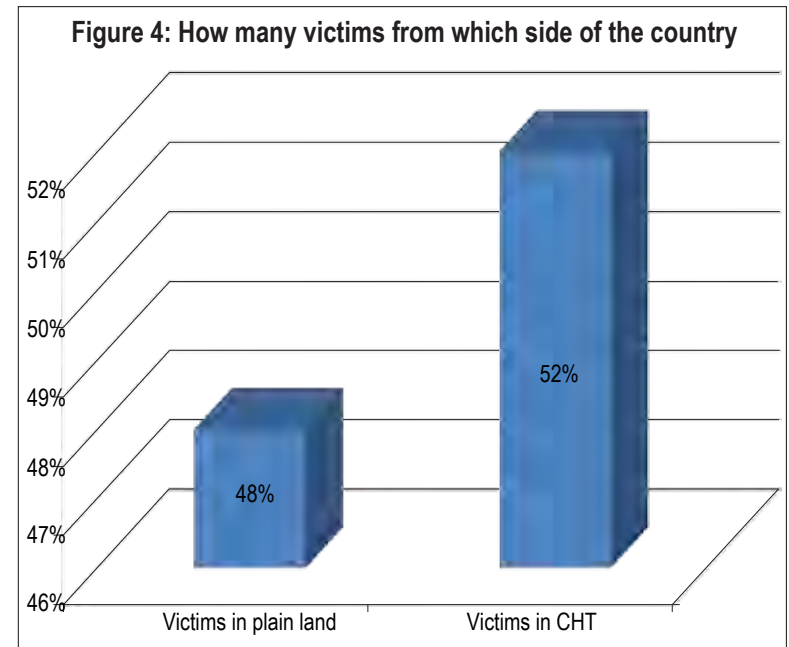


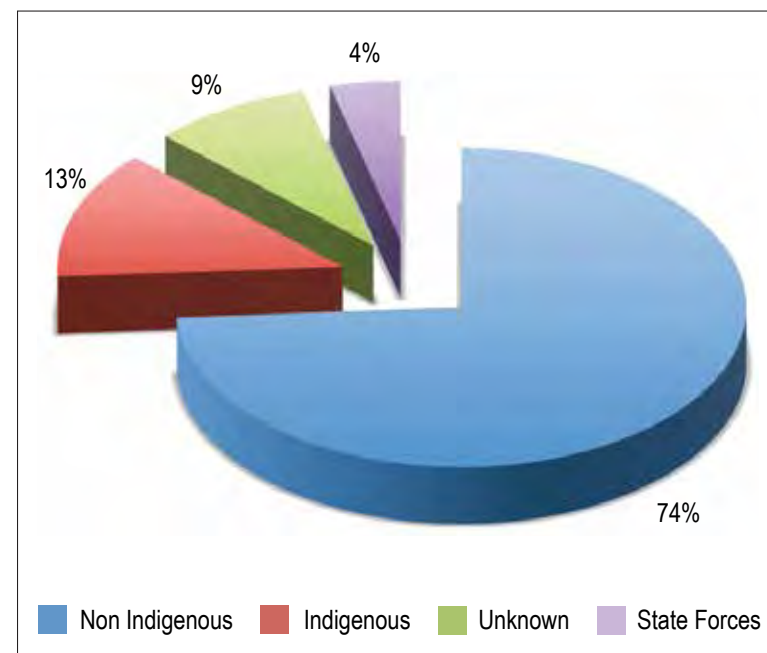
Figure 9: Types and Number of Indigenous Women and Girls Victims of Violence in the CHT 2007-2014

Year	Rape/ Gang Rape	Killed after rape	Physical assault	Attempt to rape	Abduction/ Kidnap	Sexual harassment	Trafficking	Total
2007	5	-	-	3	1	-	-	9
2008	2	-	-	-	-	-	-	2
2009	2	2	3	3	1	-	-	11
2010	5	4	5	4	1	-	-	19
2011	10	5	-	7	4	-	-	26
2012	14	4	23	12	2	-	-	55
2013	11	2	12	6	4	10	8	53
2014	10	6	27	18	10	-	-	71
2015	16	1	6	11	2	8	-	44
Total	75	24	76	64	25	18	8	290

Figure 7: Status of Cases

	Case filed	Case not filed	Arrested	Not arrested	Resolved through local arbitration
Rape, Gang rape	23	3	12	12	-
Killed	2	1	0	3	-
Physical assault	6	5	0	11	-
Sexual harassment	3	3	2	4	3
Abduction/ Kidnap	4	1	1	4	-
Attempted rape	8	8	5	11	1
Trafficking	2	0	0	2	-

Figure 8: Identity of Perpetrators



KILLED/ KILLED AFTER RAPE

1. On 30 January 2015, an 18 year old indigenous Khasi girl name Monalisa from Gandhai Punji under Baralekha Upazila of Moulvibazar District was found dead. It was learnt that on the day of occurrence at around 8:00 am, the victim went to work in the paan jum (betel leaf garden) of Gandhai punji area like every other day. At around 4:00 pm, locals found the dead body of the victim, entirely soaked in blood, near at the foot of a hill close to the paanjum. It was alleged that she was stabbed to death by the miscreant(s) after rape or attempted rape her. Later on the same day in the evening police rescued the dead body of Monalisa. However, police was yet to trace and take actions against the perpetrators. No case was filed either, in this connection.

2. On 17 June 2015, a 35 year indigenous Marma woman's dead body was found at her home in Langipara, Bandarban District. The deceased was identified as Aching Marma, wife of Souching Marma. She was allegedly tortured to death by her husband. It was learnt that they were not happy in their married life and fought frequently. The villagers found the corpse of the victim on 17 June after they smelled the odor of the dead body coming out from their home and informed the police at Bandarban Police Station. Later on the same day, police recovered the corpse from the spot. A case was field with the Bandarban Police Station. The woman's husband went missing since then.

3. On 17 July 2015, dead body of a 16 year old indigenous Munda (Pahan) girl of Aharkanda village in Niyamotpur Upazila of Naogaon District was rescued by the police. It was learnt that on the day of occurrence at around 2:30 pm in the afternoon, police recovered the dead body of the victim from her own house in Aharkanda village of Niyamotpur. On 16 July 2015, the victim's father went outside the village to work, leaving the victim alone in the house. In the evening when the victim's brother-in-law came to their house, he found the victim was lying dead in her own bed. The victim's family suspected it to a pre-planned killing of their daughter. However, the reason behind the killing could not be ascertained instantly. They found a black mark on the neck of the dead body.

Figure 10: Types and Number of Indigenous Women and Girls Victims of Violence in the plain land 2007-2014

Year	Rape/ Gang Rape	Killed after rape	Physical assault	Attempt to rape	Abduction/ Kidnap	Sexual harassment	Trafficking	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	3	13	1	-	-	-	20
2013	4	2	4	4	1	-	-	14
2014	10	1	35	4	-	1	-	51
2015	11	2	15	5	5	1	2	41
Total	32	14	71	16	8	2	2	144

evening. The victim was produced before the court on 15 January. The perpetrator confessed his misdeed.

2. On 28 January 2015 at around 11:00 am, a 20 year old disabled indigenous Marma girl was raped by a miscreant named Deba Bikash Barua at Pankhaya para in Khagrachari Sadar. It was learnt that Deba Bikash Barua collects water from Hlathowai Chowdhury's tube well every day. On the day of the incident, Hlathowai Chowdhury and his wife went out to their office. At the time Deba Bikash Barua went to collect water. Finding victim alone, Deba Bikash took her to the bathroom and raped her. After raping her he washed her clothes in order to remove signs of evidences. Later Hlathowai Chowdhury's sister came and found the victim sick. When asked, the victim told her the details. A case was filed under Women and Children Repression Prevention Act at Khagrachari Sadar Police Station (case no. 09, date 28/01/2015) and the perpetrator was handed over to police.

3. On 28 January 2015 at around 11:00 pm, a 16 year old an eight-grader Bawm girl of Sunsong Para under Ruma Upazila in Bandarban District was allegedly raped by a Bengali settler named Salahuddin Prakash Bappi, 23, son of Abu Taher at No. 1 Sadar Ghat near Sangu bridge area under Ruma Upazila. On that day at around 10:00 am, the victim started walking along the road towards the venue of a students' conference being held then. When she arrived at Barua Para area, Badshah, driver of a human hauler, and the alleged perpetrator, Salahuddin Prakash Bappi, 22, suddenly appeared with a human hauler and stopped right next to the victim. They offered a lift to the victim as both of them were known to the victim. As soon as the victim got on the human hauler, the driver, Badshah, started driving very fast. When they were passing by Ruma Government High School, the venue of the cultural event, victim insisted Badshah to drop her there. However the driver did not stop until they arrived at a quiet area near Sangu Bridge, where Salahuddin Prakash Bappi got the victim forcibly off the vehicle, while the driver Badshah immediately left the spot. Then Salahuddin Prakash Bappi raped the victim forcibly. Later, the victim went to Ruma Sadar area where she informed the locals about the incident. Around 12:00 am the locals caught hold of Salahuddin Prakash Bappi and interrogated him.



Rape slay of an indigenous girl in Niyamatpur sparks protest. P.C.: Suvash Chandra Hembram

RAPE

1. On 14 January 2015, a 7-year old Marma girl of class II at Kashkhali Primary School was allegedly raped by a Bengali settler named Ayub Ali, 45, son of Khondoker Sururj Mian of Kashkhali village under Kaukhali Upazila in Rangamati District. Police held the alleged perpetrator after being identified by the victim herself. It was learnt that around 12:00 pm the girl was returning home from the school with a friend of her. At some point she went to buy some snacks and got separated from her friend. Then she started walking back home alone. When she arrived at Kashkhali Bangatila area, the alleged perpetrator, Ayub Ali, appeared at the scene and raped her. Immediately after the rape, Ayub Ali fled the scene. Later, the victim managed to reach home with her body soaked in blood, and informed her mother. The girl was immediately taken to Kaukhali Upazila Health Complex. As her body was heavily bleeding, the doctors referred her to Rangamati general hospital at around 4:00 pm. However, the doctors in Rangamati General Hospital further referred the victim to Chittagong Medical College Hospital for her better treatment. On 15 January 2015, around 2:00 pm the victim underwent a successful operation. Victim's father filed a case with the Kaukhali Police Station on 14 January. Police arrested Ayub Ali on the same day (14 January) in the

Abdul Aziz, 60, son of late Joyen Uddin from the neighboring village, entered the house and raped the victim. Later, when the victim's grandmother Chintamoni returned home, she found the victim injured with her body in blood. Knowing what happened, the locals tried to look for Aziz, who in the mean time escaped the place. Later the victim was admitted in Rajshahi Medical College Hospital for treatment and a case was filed in this connection.

7. On 28 March 2015, a 14 year old indigenous Garo girl of East Sangra Para under Haluaghat Upazila of Mymensingh District was raped by a miscreant named Suman Mian by luring the victim in the name of marriage. It is learnt that on 28 March 2015, Sumon asked the victim to come to Jhinaigati bus terminal, saying he would marry her. Trusting what Sumon promised, the victim came to the appointed place. Later, Sumon took the victim to a mud house in Sangra village of Haluaghat Union in a motor cycle. Reaching there Sumon raped the victim and left the girl alone on a road of Baghaitola and fled the scene. Hearing the victim's cry on the road an old man provided her shelter for one night. Next day on 29 March 2015, the old man informed the victim's mother Minoti Chisim. Minoti Chisim filed a case on 29 March 2015. Police could not arrest the rapist. However, the rapst found roaming around publicly without any fear.

8. On 29 April 2015, a 20 year old indigenous Chakma woman was raped by a Bengali settler in Maghaichari of Dullyatali Union under Laxmichari Upazila of Khagrachari District. It was learnt that on the day of occurrence at around 10:00 am in the morning, the victim went out to buy some rice in Maghaichari. On her way back home when the victim reached Rannyamachara and Maghaichari intersection, Saiful Islam, 26, s/o Mohammad Salauddin from Maghaichari cluster village, finding her alone, held her from the back and forcibly raped her. Hearing the victim shout, people from the nearby area rushed there to her rescue, but the rapist fled the scene seeing the people. A case No. number 02/15 date 27/4/2015 was filed on the same day with the Laxmichari Police Station. Police, later, arrested the alleged rapist on the same day at around 8:00 pm from Maghaichari area.

Salahuddin confessed his misdeed before the locals. Later they handed Salahuddin Prakash Bappi over to the police. The victim was admitted to the Bandarban General Hospital for medical examinations. On 29 January 2015, Lal Lung Muan Bawm, brother of the victim, filed a case (No. 1 Dated 29/01/2015) with the Ruma Police Station under Women and Child Repression Prevention Act.

4. On 20 March 2015, a Chakma girl of 10th grade from Jurachari Upazila in Rangamati was abducted and raped by one miscreant Naresh Chakma. It was learnt that Naresh Chakma (20) s/o Sugendu Chakma of Bonojogichara of Jurachari Upazila abducted the girl from her residence and detained her in Upazila's jail area. Later he shot a video film of him raping the girl. Naresh also threatened the girl, saying if she told anyone about the rape, he would share the video on internet. The victim's father filed a case under Women and Children Repression Prevention Act and Pornography Control Act with Jurachari Police Station. Police arrested the perpetrator.

5. On 23 March 2015 around 11:30 am in the morning, a six year old indigenous Santal girl of Kucherpara village under Ghoraghat Upazila in Dinajpur District was raped in the same village by a local young boy. It was learnt that on the day of the incident the victim was taken out of the house by Samson Mardi, 15, son of Madar Mardi of the same village in the name of playing some games. While Samson Mardi was raping the victim, the victim cried and screamed out loudly. Hearing the victim's cry, locals from nearby area rushed there to rescue the victim. The victim was injured, with blood all over her body; she was immediately admitted in the Ghoraghat Hospital for treatment. After the incident one of the family members of the victim filed a rape case with the Ghoraghat Police Station. It was learnt that police arrested the alleged rapist who later was sent to the Dinajpur Central jail.

6. On 24 March 2015, an eight year old indigenous girl of Kondain village under Pachondor Union of Tanore Upazila in Rajshahi District was raped. The victim's grandfather Bishwanath filed a case with the Tanore Police Station. It was reported that the victim was returning home in the evening after collecting some potatoes from the field. Knowing that no one was at home and the victim's mother was admitted in a hospital as she was sick,

learnt that the victim went to Sylhet to do coaching classes in order to take admission in a college. The victim started from Kamalganj bus station alone for Sunamganj by an auto-rickshaw trusting the auto-rickshaw driver. However, the driver raped her on the way to Sunamganj and left her senseless on the road. Later, the victim's friends, with the help of police, rescued her and took her to Sylhet and admitted her in Osmani Medical College Hospital. No case was filed in this regard as the family wanted to keep it secret.

13. On 29 July 2015, a 9 year old indigenous Chakma girl of Jurapanichara of Merung Union under Dighinala Upazila of Khagrachari District was raped at around 3:00 pm in the evening by Telshon Chakma also known as Dhonmoni Chakma, 18, s/o late Magendra Chakma of the same village. As was reported, on the day of the incident, the victim's parents went to work on the farm. At that time, Telshon Chakma went to the victim's house, and finding her alone in the house, raped her. Later at night, when the victim could not tolerate the pain, she told her parents about the incident in details. On the next day 30 July 2015 in the morning, the victim's father took her to Khagrachari Sadar Hospital for treatment. No case was filed for fear of life.

14. On 4 August 2015, a 10-year old Garo girl was allegedly raped at her house in Nayanagar under Bhatara Police Station in Dhaka.¹⁷ Police sent the girl (a 6th grade student) to Dhaka Medical College Hospital for medical test after her family lodged a case at around 9:00 pm on that day. As reported, the mother of the girl used to work in a private firm, and as she went out to her working place, one Al-Amin (22), finding her alone in the house, raped her. The victim was admitted to the one stop crisis centre of Dhaka Medical College Hospital (DMCH) for medical test.

GANG RAPE

1. On 6 January 2015, an indigenous Bagdi woman along with her daughter was gang raped beside their own home at Brittidanga village of Sarisha Union under Pangsha Upazila in Rajbari District. It was reported

¹⁷ Observer, Wednesday, 5 August 2015

9. On the night of 4 May 2015, a 14 year old 7th grade indigenous girl was raped by one Shamsul alias Samrat (35) in Kandapara village of Kalmakanda Upazila in Netrokona District. The next day on 5 May 2015, victim's mother filed a written complaint with the Kalmakanda Police Station. It was learnt that Shamsul had already been accused in 5-6 rape and drugs cases.

10. On 9 June 2015, in the afternoon, an indigenous girl of Baraulia village in Rangunia upazila under Chittagong district was raped by the same village's resident Manik, 22, son of Abdul Kashem. It is learnt that on the day of the incident, Manik took the victim to Dulupara's Garmy garden in Betbunga and raped her, later he promised the victim to marry her and locked her in a house. Not finding the victim, her family filed a general diary in the police station. After 11 days, it was learnt, that Manik kept the victim locked. Later with the support of the locals, the victim's mother rescued her daughter. Later on 30 June 2015, the victim's mother filed a rape case with Kaukhali Police Station. Police arrested perpetrator Manik and the next day he was produced before the court.

11. On 23 June 2015, a three year indigenous Santal girl was raped by her uncle Som Soren,(35), son of Lokkhi Soren at Dadroil Ampara under Paroil Union of Niyamotpur Upazila in Naogaon District. It was reported that on 23 June 2015, at around 3 pm in the afternoon, the rapist Som Soren went to the victim's house in order to take some curry. While returning home he took the victim along with him. However, as the evening advanced and the girl was yet to return to her house, the parents, in search of the victim, went to Som Soren's house where they were told that Soren had taken the girl to the river bank and had not returned since. The next day on 24 June 2015 in the morning, family members of the girl rescued her from the house of Soren with her clothes stained with blood. They took the victim to the Niyamotpur Health Complex. As her condition deteriorated, the doctors of the health complex referred the victim to Rajshahi Medical College Hospital. On 29 June 2015, after six days of the incident, victim's father Betka Hasda filed a rape case against Som Soren with Niyamotpur Police Station.

12. On 9 July 2015, an indigenous girl from the tea community girl of Kamalganj Upazila in Sylhet District was raped in Sunamganj. It was

Sohel, 28, son of Abdur Rouf; Amir Hossain, 26, son of late Ali Akbar; Sohag Mia, 32, son of Ali Newaz and Saiful Islam, 25, son of Liakat, appeared at the scene and told them that some boys from Pahari Chatra Parishad (PCP) were calling them and it was very urgent. Trusting the Bengali settlers they went to Kabakhali Bazaar. As soon as they reached there, the perpetrators locked the other two companions at the Jubo Sangha Club and raped the victim one by one. At that time, one of the companions of the victim managed to escape and informed everyone about the incident. Later, on 10 March 2015 at around 6:00 am villagers rescued the victim and took her to Khagrachori Sadar Hospital for treatment. Md Sohel and Amir Hossain was the Dighinala District unit president of Bangladesh Chattra League, the student wing of the ruling Awami league. Md Sohel was, later, arrested on 10 March around 11:45 am near Kathaltoli area of Dighinala Upazila. A case was filed (case no.9 (3) in this connection.

4. On 12 April 2015, an 18 year old indigenous Tripura girl of Dighinala under Khagrachari District was allegedly gang-raped after being kidnapped by a leader of a local student organization. It was learnt that the victim was in a relationship with Mohammad Abdul Hannan (24) son of Ahmed Kabir, of Satkania Upazila, Chittagong District. On the day of the incident, they were on their way to Chittagong from Khagrachari. When the bus reached in front of Bailyachari School a group of young guys led by Krifal Bikash Tripura, 20, son of Hemendra Bikash Tripura of Bailyachari Schoolpara stopped the bus and abducted the duo. The alleged perpetrators took the abductees to Rengcum areas by motorcycle. The perpetrators allegedly detained the girl in a deserted jum house and gang-raped the girl all night there. They allegedly tortured Hannan at a nearby bush and released him at around 9:00 pm. The girl was released the next day after mediation by some community leaders and local government representatives. On 22 June, police arrested the alleged perpetrator, Krifal Bikash Tripura along with his brother Priya Ranjan Tripura. He confessed the crime to the police.

5. On 3 May 2015, around 9:30 pm at night, a 45 year old indigenous Tanchangya widow was gang raped by some Bengali settlers at Kaptai in Rangamati District. The perpetrators were identified as Mohammad

that on the day of occurrence at around 8.30 pm, Safin Sheikh, younger brother of acting Union Parishad (UP) member Sohrab Hossain, Oli Sarder (28), Saddam (22), Ziarul and other 4/5 unidentified persons came to her house and asked them to open the door. When the woman opened the door she was dragged forcibly to a nearby place around 200 yards far from her home. After a while, they came back and dragged her daughter who had come to visit her mother two weeks before from her in-law's house. Later Safin and Oli raped both mother and daughter and fled away. However, after few hours, the gang led by Safin and Oli came again and they forcibly took mother out of the house and, Shafin and Oli raped the daughter for the second time one after another. The victims filed a case (no 3, date 10/01/2015, under section 7/9(3)/30) against Safin Sheikh (25) and 4 other persons with the Pangsha Police Station. Police arrested the main accused Safin Sheikh. However, the perpetrators were learnt to have been giving threats to the victims for withdrawing the case; otherwise they would burn them alive with petrol. The lives of the victims, as result, were put in serious insecurity.

2. On 6 February 2015, a 17 year old indigenous Santal girl was gang raped by two Bengali men at Barokona village under Parbotipur Upazila in Dinajpur District. On the evening of the incident at around 7:00 pm, the victim was cooking alone at her home, while her parents went to a local market for shopping. In the meantime, Md Lizu, 27, son of Md Ajijul from Kalibari village and Md Shafiqul Islam, 22, son of Fajjar Rahman from Nayapara village came to the victim's house, and took her forcibly to a bamboo bush near to Lizu's home. They raped her for the whole night, and fled scene at the daybreak. The victim's father Ram Hasda, 40, filed a case (No: 07, dated: 08.02.2015) against the rapists with the Parbotipur Model Police station.

3. On night of 9 March 2015, a 10th grader Chakma girl of the Nunchari village under Dighinala Upazila in Khagrachari District was gang raped by some Bengali settlers. On that night the victim went to take part in an overnight religious ceremony (Maha Mangal Sutra) held at the Dighinala Bono Bihar. She along with two of her companions were returning home at around 10:00 pm. After walking some distance, they halted at a culvert near their house. At that time four Bengali settlers named Mohammad

7. On 27 July 2015 at around 8 am, a 16 year old Tripura girl was allegedly gang raped after abduction by four Bangali settlers. One of them was identified as Abdul Mozid (28), son of Sirajul Islam of Fojor Para of Guimara under Ramgarh Upazila in Khagrachari District. It was reported that on that day of the incident the victim, who worked as maid in Arjina Tripura's house, went to feed the cattle near a army camp. On that day the victim did not return to her house. Next day on 28 July 2015, her parents filed a general diary with the police station. A few hours after filing of the general diary in the evening, the victim came out from the jungle with injuries. After rescuing the victim, the guardian of the victim wanted to take her to Khagrachari General Hospital. On 29 July 2015, the victim's mother filed a case with Guimara police station, and the victim was, later, sent to the Khagrachari General Hospital for treatment. Police arrested one of the perpetrators Amdul Mozid (28), son of Sirazul Islam on 29 July 2015 at early in the morning from Guimara Muslim Para.

8. On 7 August 2015, a 19 year old indigenous Tripura girl was gang raped behind Gul Ahmed Jute Mills of Kumira in Sitakunda Upazila in Chittagong district. It was reported that on the night of the incident a group of youths took her to the hill top and gang raped her. Victim's husband filed a case against Manindra Tripura, 23; Jyotindra Tripura, 22 and 5 more boys with the Sitakunda Police Station. It was also alleged that the miscreants beat up the victim's husband. The police, after being informed of the incident, rescued the victim and sent her to Chittagong Medical College Hospital's One Stop Crisis Centre.

9. On 17 August 2015, at around 8:00 am, a 16 year old Tripura girl was allegedly gang raped by the Bengali settlers at Lama Upazila Hospital under Lama Upazila in Bandarban District. The rapists were identified as Nur Mohammad (38), and Shah Alam (28). It was learnt that, on that day the victim was going to hospital for her own treatment. As she reached near the hospital, the culprits committed rape on her. William Tripura, a guardian of the victim, filed a case with the Lama Police Station on 19 August, 2015. The police arrested the alleged rapist Nur Mohammad (24) on 19 August 2015, from the Hospital Para in Lama.

10. On 15 September 2015, a 14 year old Marma girl of New Gulshan under Thanchi Upazila of Bandarban District was allegedly gang raped

Sujan driver (28), Mohammad Khokon (28) son of Joydal Abedin, Mohammad Abul Kalam (45) son of late Abul Hashem, Mohammad Manik Mian (39) son of late Sundar Ali, Mohammad Hasan (38) son of late Abul Kalam and Mohammad Babul (27) son of Mohammad Dulal. It was learnt that, on the night of the incident, the victim along with her cousin sister were returning from a relative's house in Chitmorom to Kaptai. As they reached the Bengchari Forest Rest House 'Bonoful', six Bengali settlers forcibly took the indigenous woman out of the auto-rickshaw to the forest. Seeing this when the victim's cousin sister tried to resist the criminals, she was beaten up. The attackers then took the victim to the west side of the rest house and gang raped her. In the mean time the cousin sister of the victim ran to the police station and informed about the incident. Learning the news police rushed there and rescued the victim and arrested Mohammad Abul Kalam. Later, police arrested four other perpetrators. However police could not arrest the main perpetrator Mohammad Sujan. Next day, on 4 May 2015, victim's sister filed a case with the Kaptai Police Station.

6. On 21 May 2015, a 21 year old indigenous Garo woman was abducted and gang raped on a moving microbus in Dhaka while she was waiting for a public bus at the Kuril bus station. The victim was a student and worked as a sales person at a clothing shop in Dhaka for her living. On that day, after finishing her work she started on her regular way back home around 9:00 pm, she was waiting at the Kuril bus station in front of the Sinha CNG Motors and Steel Company to start for her house at Uttara. At around 9:30 pm a grey colored microbus appeared in front of the shop and two young men - aged around 22 to 28 - came out from the microbus. One of them all of a sudden pressed her mouth and took her inside the car. After her abduction the driver slowly drove the vehicle for an hour while the other man raped her at the back seat of the microbus. Later the driver parked the car at an unknown place and he also raped her. At around 10:45 pm the perpetrators dropped her in Jashim Uddin Road at North Uttara with the threatening to kill if she disclosed the incidents to any and drove the microbus to the north direction. After then she managed herself to reach her home, where she lived with her relatives. A case was filed in this connection and police, later, arrested the two rapists.

ATTEMPT TO RAPE

1. On 27 January 2015, a rape attempt was made on a 16-year old indigenous girl by a construction labor named Md. Habib at Sapmara under Matiranga Upazila in Khagrachari District. The perpetrator was caught red handed while trying to rape the girl. In a local arbitration, Md. Habib was fined with BDT 10,000 and he was asked to leave from Khagrachari District.

2. On 1 February 2015, a 28 year old indigenous Chakma woman of Chakma tilla under Fatikchari Upazila in Chittagong District was allegedly came under a rape attempt by Mohammad Shahbuddin (55) son of Animul Rahman of Bholagaji of same Upazila. It was learnt that at about 1:15 pm in the afternoon, when the victim went to collect firewood from the Karnaphuli Tea Garden, Mohammad Shahbuddin followed her. When Mohammad Shahbuddin found her alone, he grabbed her from behind and tried to rape her. However the victim tried to save herself and resisted with a dao (sharp knife). As a result, the alleged perpetrator Mohammad Shahbuddin was injured. The victim managed to flee from the spot. No case was filed.

3. On 1 February 2015, two indigenous Chakma women, one 20 year old and another 18 year old, both from Moishkata village under Laxmichhari Upazila in Khagrachari District fell to rape attempt by two Bengali settlers of Guchchha Gram (cluster village) of Maghaichari. The perpetrators were identified as Mohammad Elias (18) son of Mohammad Robiul and Md Zilhad (20) son of Md Hannan. It was reported that the victims were going to collect water from a stream nearby their home at about 1:30 pm when Md Elias and Md Zihad suddenly appeared at the scene and tried to rape them grabbing them from behind. As the women started screaming, local indigenous villagers rushed to the spot to rescue them. Meanwhile, the miscreants managed to flee the scene. A case was filed in this connection.

4. On 2 February 2015, a 13 year old Chakma girl was allegedly fell to rape attempt by a Bengali settler named Bashed Mian in Bachamrong village under Dighinala Upazila in Khagrachari District while she was working at a tobacco field. Like every other day, the victim went to work

by Mongbaching Marma, 26, son of Kyaching Marma along with another unknown Tanchangya man, resident of the same Union. It was learnt that on that day of occurrence, she went to visit her elder brother named Mongchla Marma. On her way back home alone from her elder brother's house in the evening, the alleged perpetrator Mongbaching Marma raped her along with a Tanchangya man. Hearing the scream of the girl, people from nearby came to rescue her, and the culprits managed to flee the scene. The girl was immediately taken to Bandarban Sadar Hospital by some local people for treatment. Later, the police held the alleged perpetrator Mongbaching Marma from his own house the following day of the incident in connection with sexual assault.

11. On 16 December 2015, an indigenous Chakma girl, studying in grade 9th, was gang raped by four Bengali settlers near the Navy camp under Kaptai Upazila in Rangamati District. Two of the four rapists used to drive auto rickshaw in that area and were known to the victim. It was learnt that the victim was initially taken to the Victim's Support Centre of Kotwali Police Station in Rangamati. Later in the evening, the victim was admitted in Rangamati General Hospital. The victim's mother filled a case with the Kaptai Police Station in this connection and police arrested the main perpetrator Shah Alam. On the following day, the police produced the accused in the court and he confessed his crime before the court under section 164 of Criminal Procedure Code (CrPC).

12. On 19 December 2015, an indigenous Tripura girl (13) was gang raped by two Bengali settlers. As was reported, the victim was on her way to the Maischhori Bazar from her home; when the victim reached near a quiet place in Nuncharri Lambachara area, two Bengali settlers named Mohammad Joynal Uddin (26) and Mohammad Jamal (32) raped the victim. Somehow she managed to return to her home and informed the incident to her parents. Learning the news the locals managed to capture the rapists and handed them over to the police. At around 1:00 pm in the afternoon, the victim was admitted in the hospital and a written statement was prepared in front of an ASP and a Magistrate. The perpetrators were sent to jail.

girl was a 7th grader at Bangal Halia High School. It was learnt that the victim was returning home alone from her school. When she came almost half-way to her home, the perpetrator Md. Raju (16) son of Md. Azad appeared at the scene and attempted to rape the victim. Hearing the victim's scream, villagers from nearby came rushed to the place of occurrence. Seeing the villagers Md. Raju fled the scene quickly. The victim was injured as she tried to free herself from the grip of the assaulter and later was taken to a local clinic for treatment. Md. Raju came to Bangal Halia from Comilla few days back.

8. On 3 May 2015, an officer of local security forces' camp in Nyakkopara under Guimara of Matiranga Upazila in Khagrachari district allegedly made a rape attempt on a 16 year old Chakma girl. It was learnt that a group of soldiers from the camp was on a patrolling duty at Hola Para village. On their way back to the camp, they took rest at the yard of the victim's house. The victim was alone in the house as her parents went to work in the farm. The alleged officer along with a companion entered the victim's house and proposed to take a photograph of her with his camera. As the girl turned his proposal down, he attempted to rape her. Meanwhile, her mother was on her way back home and heard the cry of her daughter. She came running to rescue her daughter. The patrol party then left the scene for the camp.

9. On 10 May 2015, at around 9:30 am in the morning, a rape attempt was made on a 10th grade Marma girl at Thuila Para of Bernal Union under Matiranga Upazila of Khagrachari District by a Bengali settler. On the day of the incident, it was learnt, when the victim was going to Kodomtoli High School on foot, the perpetrator attempted to commit rape on her.

10. On 14 May 2015, a rape attempt was made on an indigenous Santal girl by a man named Nazrul Islam at Koyel Para under Tanore Upazila of Rajshahi District. It was reported that on the day of the incident at around 6:00 am, when the victim was going to her private coaching, Nazrul blocked her way and forcibly took her to a nearby bush and tried to rape her. Hearing the loud cry of the victim, locals rushed to the spot, got hold the perpetrator and beat him up before handing him over to the police. The victim's father filed a case with the police in this connection. Later, Nazrul was arrested and sent to jail.

early in the morning. However there was no one other than the victim working in the field on that day. Between 8:00-9:00 am, finding the victim alone, the perpetrator Bashed Mian, 35, son of late Elahi Bux held the victim tight from the back and tried to rape her forcefully. At that time the victim shouted out for help. The local villagers rushed to the scene and rescued the victim. They held the alleged perpetrator Bashed Mian and later handed him over to the police. A case was filed with the Dighinala police station.

5. On 12 February 2015 at 12:30 pm, a 10 year old Tripura girl from Kalapani area under Manikchhari Upazila in Khagrachari was subject to a rape attempt by a Bengali settler. It was learnt that on that day of the incident in the morning the victim went to the market. On her way back home, a motorcycle driver named Mohammad Faruk, 26, son of Tanu member (Khalil) of Kalapani area in Manikchhari offered her a lift and she accepted the offer. At one point, Mohammad Faruk stopped the motorcycle at a quiet place and tried to grab her. As the victim started screaming, villagers from that neighborhood came to rescue her, but Md. Faruk immediately fled the scene. Later on the same day, victim's father filed a case with the Manikchhari Police Station.

6. On 5 March 2015, some local goons made an attempt to rape a pregnant Marma woman of Headman Para under Kaukhali Upazila in Rangamati after tying her husband with a rope. It was learnt that at 10:30 pm, a group of local goons numbering five led by Saddam Hossain, 21, son of Hashem Hossain and Bappi Majumder, 22, son of Gourango Majumder, stormed into the victim's house, tied the victim's husband Uchi Maung Marma and beat him. Later, they attempted to rape the pregnant woman and tried to loot a mobile phone from the victim. However, as there was hue and cry, neighbors from nearby place came to rescue them. On 7 March 2015, Uchi Maung Marma filed a case with the Kaukhali Police Station (case no.1 (2003) 9 (4) Kha/clause 30). The victim was sent to a local Victim Support Centre. Police could not arrest anyone in this connection.

7. On 22 March 2015, at about 4:45 pm, a 14-year old Marma girl was reportedly came under a rape attempt by a young Bengali settler in Bangal Halia Union under Rajasthali Upazila of Rangamati District. The

of Khagrachari District was targeted for an attempted rape, allegedly, by a Bengali settler named Md. Jahangir Hossain, 27, son of Abul Kalam, also the resident of the same Union. It was learnt that on that day of occurrence, the victim was coming back to home from her school after attending her Junior School Certificate (JSC) Examination. When the victim arrived near Ishanmoni Headman Para Lake, the alleged perpetrator Md. Jahangir Alam grabbed the girl pressing her mouth, took her to the nearby bush where he tried to rape her. As the girl cried out loud and tried to resist the attacker, he beat her badly. The following day, a case (no. 2, dated 8/10/2015) was filed by the victim's mother with the Matiranga Police Station. Following the complaint lodged by the victim's family, the police held the alleged perpetrator.

15. On 10 November 2015, around 9:00 pm an attempt was made on an indigenous Garo housewife to rape her after kidnapping. It is learnt that the incident occurred when the victim went out to toilet on that night. After a lot of screaming and shouting the perpetrators fled from the spot. It is learnt that the perpetrators were local Bengalis and they were drunk during the time of incident. No case was filed in this regard and even though the perpetrators were identified they were not arrested.

16. On 26 November 2015, a 32 year old indigenous Pahari women was subject to an attempted rape in Ghoraghat Upazila under Dinajpur District by two criminals named Babu Mian, 22, son of Late Fakir Uddin of Gobindopur area in Ghoraghat and Saiful Islam son of late Anowar Hossain from Islampur area under Ghoraghat. It was learnt that on the evening of the incident, near the local Kali temple, Babu Mian gave the victim an intoxicated drink promising to marry her. Having taken the drink, the victim lost her sense, and Babu Mian and Saiful Islam then tried to commit rape on her. Parimal Chandra Das, the priest of the temple, rescued the victim from the clutches of the perpetrators and took her inside the temple. Later the perpetrators tried to take the victim out of the temple, but being unsuccessful they destroyed three idols in the temple. Learning the incident, the locals informed the police and the victims were brought to the police station. A case was filed with the police in this connection.

11. On 13 August 2015, a 15 year old indigenous Tancgangya girl of grade 9th in Menjhiri Para near Balaghata of Bandarban Municipality fell victim to an attempted rape. It was learnt that on the day of the incident at around 3:00 pm, while she was returning home in Menjhiri Para from a private coaching centre, Mohammad Aman Ullah 32, finding her alone, grabbed her from behind and tried to rape her. Hearing the victim's scream, people from the neighboring village ran to rescue the victim. In the meantime, Aman Ullah slipped away from the scene. Soon after the incident, the victim's family filed a case against the perpetrator with the Bandarban Police Station. Mohammad Aman Ullah was arrested, but came out on a bail from the jail.

12. On 30 August 2015, a 15 year old indigenous school girl of grade 10th allegedly came under a rape attack from a Bengali settler Mohammad Imon (19) in Logang Union under Panchari Upazila in Khagrachari District. It was learnt that on the day of the incident, the victim was going to Logang High School from her home at Baburo Para under Logang Union. At around 9:30 am when the victim reached near Logang Bazaar Mohammad Imon, finding her alone on the road, grabbed her from behind and made a rape attempt. The victim cried out loudly and somehow managed to escape the scuffling to reach the school running. Reaching the school, she informed the Headmaster of the incident. Later, the Headmaster with the help of some locals caught Mohammad Imon from Logang Bazaar and handed him over to the police.

13. On 6 September 2015 a rape attempt was made on a 19-year old Chakma college girl by a Bengali settler named Md. Maharaj at Nanakrum area of Burighat union under Naniarchar Upazila in Rangamati District. It was reported that while the victim was returning home to Nanakrum village alone, Md. Maharaj (20) s/o Ali Hossain from Islampur of Burighat Union grabbed the victim and tried to commit rape on her. Hearing the scream of the victim, indigenous villagers from nearby areas rushed to the place of occurrence and rescued the victim. The villagers also detained the perpetrator and handed him over to the police.

14. On 7 October 2015, a 15 year-old indigenous Tripura girl of Ishanmoni Headman Para under Matiranga Union in Matiranga Upazila

evening of the incident, the victim was going to Ghoraghat Bazaar to watch the victory day's cultural program. On her way to Ghoraghat Bazaar, Suman Mian (20) and Shamim Mian (19) and two other perpetrators blocked the victim's way and kidnapped her and took her away in a motorcycle. Soon after the incident victim's father Francis filed a case with the Ghoraghat Police Station. On 20 December, police arrested one of the perpetrators Shamim Mian and put him in the jail.

5. On 26 December 2015, a 16 year old Chakma girl, a student of Guimara High School, was arrested by the security force from Rubber Bagan area of Bailyachari under Guimara of Matiranga Upazila in Khagrachari district. It was learnt that on that day, a program was organized in Bailyachari Rubber Bagan area. At the end of the program in the afternoon, while the participants were returning home, security personnel arrested the victim. Next day, on 27 December 2015 in the morning the victim was released.

PHYSICAL ASSAULT

1. On 30 March 2015, a 45 year old Chakma woman of Shutkipotti area under Reserve Bazaar in Rangamati district was beaten up. It was learnt that around 5:00 pm the victim went to Shutkipotti area in order to buy some dry fish from Md Akhter's shop. While buying the dry fish, the victim gave BDT 1000 bill to the shop keeper Md Akhter (45). As the shop keeper didn't have any change, the victim brought some change from her husband leaving the dry fish at the shop. Meanwhile, the shop keeper replaced the fresh fish with the old one. After seeing this, the victim asked the shopkeeper to return her money. As the shopkeeper didn't return the money, an altercation took place between them; at some point, the shopkeeper beat the victim. The victim was admitted in the Rangamati General Hospital with injuries. It was learnt that the victim herself submitted a written complaint with the Kotowali Police Station against the perpetrator.

2. On 14 April 2015, on the day of Bengali New Year, an indigenous Monipuri woman student was physically assaulted in Jahangirnagar University. 5 student leaders of Bangadesh Chatra League, a student

ABDUCTION/ KIDNAPPING

1. On 24 February 2015 an indigenous Tripura girl (15) was abducted from Dhamorkhil village of Narayanhat Union of Fatikchari Upazila under Chittagong District. It was learnt that on that day at around 7.30 pm the victim, who was an SSC Examinee, on an invitation from Sharmin d/o Hasina Akhter, a neighbor of the victim, went to visit her house and went missing since then. On 2 March the victim's brother Sumon Tripura filed a case in this connection. Later, with the help of the police and human rights activists, the victim was rescued from Bhujpur area under Hathazari Upazila. However, the victim again went missing.

2. On 9 July 2015 at around 12:00 am at mid-night, an indigenous school girl was kidnapped by Lablu Mian (30) and his cousin Ripan Mian (25) in Sukhipur Upazila of Tangail District. It was learnt that the victim resided at her grandmother's house and studied at grade 9th in a local school nearby. Lablu Mian is the victim's classmate's maternal uncle and a phone repairer. It was learnt that Lablu Mian often gave the victim marriage proposal along with hinting at bad intentions. On the night of the incident Lablu Mian along with his cousin Ripan Mian, went to the house of the victim. The victim was sleeping with her grandmother. The perpetrators woke them up. At a point of talking with the perpetrators, they pressed the victim's mouth and forcibly took her in an auto-rickshaw. The grandmother then shouted out loudly, but before everyone could wake up, the perpetrators made escape with the girl. A case, in this connection, was filed on 11 July 2015.

3. On 17 October 2015, an 10th grade indigenous Marma girl (18) of Vedvedi Municipal High School went missing on her way to school. It was learnt that on the day of the incident, which was also her last day of her SSC test exam, she did not reach the school on time. Later, the victim was caught by the police while she was being abducted by Mohammad Liton son of Abul Hossain along with another companion at Vedvedi Rangamati. Police handed the victim over to her parents. A complaint was lodged with the Kotowali Police Station of Rangamati.

4. On 16 December 2015, at around 4:00 pm, an indigenous Santal girl of Kodomtoli village in Ghoraghat Upazila in Dinajpur District was kidnapped by Suman Mian (20) and three others. It was learnt that in the

victim informed her husband that there was no oil at home for cooking fish, he struck her with bamuk (hard object). Soon her head started bleeding and she was admitted in the Nawabganj Health Complex. The victim was often beaten up by her husband.

5. On 19 June 2015, at least 10 indigenous Tripura women and children were injured following an attack on them allegedly by a gang of land grabbers in Reservepara Tila of Madhyam Talbaria village under Mirsharai Upazila of Chittagong District. It was learnt that on that day at around 11:00 am, the aforesaid gang, numbering about 10-11, came to the victims land and cut down hundreds of trees belonging to an indigenous villager with the intention to grab the land. Learning the news, the victim along with some of her female neighbors rushed to the place of occurrence, and tried to resist the gangmen who, being obstructed, assaulted the victims indiscriminately and wounded them severely. At the same time, the miscreants also allegedly attempted to rape the land owner. The alleged perpetrators were identified as Md. Mamun, 18, son of Md. Babul Sawodagor; Md. Tushar, 18, son of Md. Abul Kashem; Md. Sohag son of Md. Babul Sawodagor; Saiful Islam, 22, son of late Md. Nuna Islam; Alauddin, 19; Kabir Ahmed, 20, son of late Md. Jamshed Ali et al. On 21 June, the land owner went to the local police station to file a complaint but the duty officer refused to take the case.

6. On 8 July 2015, around 11:00 am, a group of land grabbers suddenly attacked a 35 year old Munda woman in connection with a conflict arising from homestead-land dispute and straying of her goats into the neighbor's premises at Jelekhali Munda Para in Shyamnagar Upzila under Shatkhira District. It is learnt that Md. Alamgir Kagji (22), Tanjila Khatun (20) and Nur Islam Kagji (45) suddenly came into the house and started to beat her randomly by stick leaving her seriously injured. She was hospitalized after she was rescued by the locals. After the incident the husband of the woman lodged a complaint with the Shyamnagar Police Station against the people mentioned above on 23 July 2015 (case no. is 207). However, nobody was arrested.

7. On 24 July 2015, around 7:30 pm, a 45 year old indigenous Marma woman was stabbed and injured by some Bengali settlers at Tulabil village of Botnatoli Union under Manikchari Upazila in Khagrachari. Since

wing the ruling Awami League, were temporarily suspended from the party. It was reported that at around 7:30 pm the victim, at the conclusion of the Botanical Science department's New Year's program, of the same department was returning to Pritilata Hall along with a companion. On their way back to the Hall, when they reached near the traffic control area, the aforesaid perpetrators stopped their way and one of them robbed the victim's bag and hid it inside the bush. Seeing this, both victim and her companion went inside the bush, where they had an altercation with the delinquents. One of them took away BDT 500 and the mobile from the victim's bag while still another of them threw some bad remarks at the victim. At a stage, when the perpetrators pulled the Saree of the victim she shouted out loudly. Hearing the victim's cry, people from the nearby area came there to rescue the victim. But the perpetrators in the meantime, made their escape. The five denegrators were identified as Awami League Student wing's Nishat Imtiaz Bijoy, of Journalism and Media Studies Department, Abdur Rahman Ifti, Nurul Kabir of Anthropology Department, Nafiz Imtiaz of Chemistry Department and Rakib Hasan of Environment Department.

3. On 17 April 2015, a 25 year old indigenous Santal woman of Khalippur indigenous village in Nawabganj Upazila under Dinajpur District was physically assaulted. It was reported that on the day of the incident at around 3:00 pm, when the victim went to the neighboring village to bring a horse, Md Setabul s/o Saidur Rahman' and Md Khalek (40) s/o Late Kuddus of Baghdabra village under Kuchdah Union forcibly took her to the corn field and tried to commit rape on her. But as they could not succeed in doing so, they beat the victim severely. Hearing the victim's cry, the locals in the nearby area rushed the spot to rescue her. At the approach of locals, the perpetrators managed to flee the spot. In order to avoid the social stigma, victim's family kept the incident secret, however as the victims health was worsening, on 19 April 2015 at around 11:30 am, Babu Ram Murmu, father of the victim took her to the Fulbari Upazila Hospital and admitted the victim there.

4. On 5 May 2015, an indigenous Santal housewife was physically assaulted by her husband Jutin Murmu at Alokdhuti village under Golapganj Union of Nababganj Upazila. As was reported, when the

Police Station. It was learnt that Bengali settlers were trying to grab the land of Reda Marma for a long time and at the time of the attack, they made a raid on Reda Marma's land, cut off 40/42 teak and 60/65 banana trees causing a financial loss amounting to approximately BDT 70,000 to Reda Marma.

10. On 7 November 2015, a 50 year old handicapped Santal indigenous woman's house in Nittipara village of Jaipurhat Upazila was burnt. As was reported, furniture worth BDT 150,000 was burnt along with the house. A complaint, regarding this incident, was filed with the Jaipurhat Police Station. It was learnt that on the night of the incident the victim, as she was very ill, went to sleep in her cousin Rabindra Hasdas's house, locking her own house. Later at around 2:00 am, the perpetrators got inside her house breaking the main lock. They smashed all the furniture and equipments and set the house on fire. Victim's brother Amol Hasda filed a case with the Jaipurhat Police Station.

11. On 17 November 2015, an indigenous Hajong woman in Shreepur Sharampasha Upazila under Gazipur District was physically assaulted by some men belonging to Bengali community led by Mohammad Karim (40). It was learnt that on the day of the incident, Mohammad Karim's horse went to the victim's farm, and accidentally destroyed some of the small plants which caused the victim to beat up the horse. Learning this news, Mohammad Karim along with 3-4 men went to the victim's house and assaulted the victim and her husband. Hearing the victim's cry, locals came to rescue the victims. It was learnt that Mohammad Karim filed a case against the victim while, the victim on the other hand, lodged a complaint against the perpetrator. However, the victim and her husband, scared of the perpetrators, were reported to have left the village.

SEXUAL HARASSMENT

1. On 30 March 2015, four indigenous minor girls were sexually harassed by a jeep driver Md Jafar (40) son of Abdur Rashid of New Hindu Para at Boli Para under Thanchi Upazila in Bandarban District. It was reported that at around 12:30 pm, soon after the school broke up for the day, a 6 year old girl (daughter of Hla Hla A Marma) and another 5 year old girl

the death of her husband, the victim was living at her father's house at Tulabil village. In order to evict the victim from her parents land, her neighbor Md Shahid and his family members had been harassing the victim in many ways for long. On the evening of the incident, at the order of Md Azad (20) son of Md Shahid, 2-3 Bengali settlers went to the house of the victim and tried to kill the victim by stabbing her with sharp knife, causing serious injury on the head of the victim. Later the locals rescued the injured victim and took her to the Manikchari Upazila Hospital for primary treatment. As there was no progress in her condition she was shifted to the Chittagong Medical College Hospital. A case was filed in this connection, but none was arrested so far.

8. On 2 October 2015 at around 9:00 pm, police from the Manikchari Police Station arrested Ms. Chaiwan, wife of Mr. Ongsleywa from Manikchari Upazila bazar under Khagrachari District. After hearing the news, some local respectable persons went to the Manikchari Police Station and met with its Officer-in-Charge Md Shafiqul Islam. When asked about the reason for arresting her, the police officer said that the woman was arrested for killing of Md Abdul Motin on 3 September 2015. On that day, the Additional SP and two police women had beaten her brutally. Next day after the incident, the Manikchari police produced her before the Khagrachari Judicial Magistrate court. As she wasn't found guilty, the court released her later.

9. On 21 October 2015 at around 9:00 am, a group of Bengali settlers numbering 20/ 25 persons under the leadership of Mohammad Saiful Islam (42) son of late Moulavi Ujiullah, Mohammad Selim Soudagar (53) son of Late Sirajul Islam, Mohammad Babul Mian (38) and Mohammad Badal of Tiajhiripara of Rupashi Union in Lama upazila under Bandarban District, tried to grab a piece of land belonging to Reda Marma from the old Marma Para in Rupashi Union. In the meantime when Reda Marma's pregnant daughter, 28, tried to prevent the land grabbers, they attacked her and beat her up causing serious injury to her. In effort to to rescue the victim, her mother, 52, rushed to the scene, but also got beaten by the land grabbers. Later, the locals rescued the victim and admitted her to the Lama Health Complex. Following the incident, Reda Marma filed a case (under the amended Section 143/447/323/427/506) with the Lama

with the Kotwali Police Station. Based on the complaint Md Taher was shown arrested and was sent to the jail.

4. On 14 June 2015, the Chandraghona police arrested one Keshob Dutta (40) for molesting a 6th grade school girl at Bangalhalia under Rajasthali Upazila in Rangamati District. It was learnt that Mr. Keshob Dutta, a teacher of the Bangalhalia Upajatiya Abasik Higher Secondary School, had been trying to molest the female students for a long time. A few days prior to his arrest, an Indigenous Pangkhua girl was molested by him. The victim could not tell anyone about this matter. Later, the family members of the victim came to know about this matter from her classmates and on 14 June 2015 they filed a case with the Chadraghona Police Station against the teacher who was, later, put under arrest.

5. On 15 August 2015, a rural arbitration was held on the rape of an indigenous Santal housewife at Santal Palli of Tanore Upazila, Saranjai Union of Tatihati village in Rajshahi, by Nobin Rahman (33) s/o Majibur Rahman. The arbitration was called based on a written complaint filed by the indigenous housewife with Mohtab Uddin, a member of the local Union Council. It was learnt that the victim's husband left the victim and migrated to the neighboring country seven years back. In the absence of the victim's husband, Nobin compelled the victim to make a physical relationship and the victim got pregnant. Later on 15 August, the arbitration was held but the perpetrator fled away.

6. On 29 September 2015 at about 1:30 pm, an indigenous Chakma girl was harassed by a Bengali settler at Morachengemuk area in Laxmichari Upazila under Khagrachari District. The girl was reported to be a 5th grader of the Laxmichari Primary School. It was learnt that on the day of the incident, a settler Md. Abdul (27) son of Md Ajar Ali was going to Jyotindra Karbari Para. When he reached at the Morachengemuk area, he found the school girl alone and took the school girl with him in the auto-rickshaw by promising her to take her home safely. In the meantime, after going a little far from the crowded area, the settler stopped the auto-rickshaw and molested the girl by holding and touching her body forcibly. After reaching Jyotindra Karbari Para the girl informed about the incident to the local people. Hearing the incident, the local people got hold of the culprit Md Abdul and beat him. On the same day at around

(daughter of Lucky Marma) were both heading towards their farm house, and when they reached near Md Jafar's jeep, which was parked near BNKS office beside Thanchi-Bandarban road, Md Jafar offered some chocolates to the victims and sat them on his both thighs. Later he showed them some pornographic films from his mobile and sexually harassed them. Again on 31 March 2015, at around 8:30 pm in the evening, Md Jafar entered the balcony of Hla Hla A Marma's mother's house, where he took a 7 year old girl (daughter of Hla Hla Ching Marma) on one of his thighs and another 8 year girl (daughter of Sattya Priyo Chakma) on the other and sexually assaulted them by showing them porno films on his mobile. Coming to know of these filthy acts by Jafar, Hla Hla A Marma filed a case with the local police station and got the perpetrator arrested.

2. On 16 April 2015, around 6:30 pm, a Marma girl was sexually harassed at Hlasamong Para of Baghmara area under Bandarban Sadar Upazila of Bandarban District. It was learnt that the victim was on her way back home from Buddhist temple where a Rohingya named Hubayubur Rahman (20) son of Abdur Rahman of Baghmara Bazaar in Bandarban Sadar offered her some bad proposal and at one point of time tried to pull her by catching her hand. At that time, two men who were passing by in a motor cycle, halted and called the locals who after arriving there beat up the perpetrator. Next day on 17 April 2015, through a local arbitration, they resolved the matter and ordered the perpetrator and his family to leave the village within few days.

3. On 28 April 2015 at around 8:30 pm, a Chakma woman was sexually harassed by a Bengali settler in Rangamati Municipality area under Rangamati District. It was learnt that the Chakma woman was returning home after attending a meeting. On her way back home from Kalyanpur to Banarupa in Rangamati town she got into an auto-rickshaw. When the auto-rickshaw started moving, a passenger named Md. Taher already travelling in the auto-rickshaw, suddenly hugged her. When the auto-rickshaw stopped in front of the Public Health and Engineering Office to drop a passenger sitting beside the driver, the woman dragged the man out pulling his shirt's collar. Later with the help of the people nearby, she handed the man over to the police. The victim filed a case

In the diary it was mentioned that on 7 August 2015 at around 6:30 pm, the victim went to fetch water and did not return since then.

Follow-up case-1: Abduction of Kalpana Chakma: Police fail to submit its report to the court for the 22nd time

One of the much-talked about incidents of abduction in the CHT is the abduction of Kalpana Chakma, who was allegedly kidnapped by a group of army



Photo: Collected

and Village Defense Party (VDP) men on 12 June 1996 from her home at New Lalyaghona under Baghaichari Upazila in Rangamati District. It has been 19 years since Kalpana Chakma was abducted. Still none of the perpetrators has been brought to justice. The update of the Kalpana Chakma's case was scheduled is for 27 May 2015. The Investigating Officer was scheduled to submit, on this day, an investigation report to the court for the 22nd time since her abduction. However, as the investigating officer failed to submit the report, a new date 16 June 2015 was fixed. But the scheduled date came and went by without submitting any investigating reports. It was learnt from the assigned lawyer Advocate Jewel Dewan of BLAST that many such dates were, in the meantime, fixed up and as usual they went by before a date on 16 June 2015 was once again fixed. Unfortunately, even on that set date the court did not receive any investigation report. A new date 28 January 2016 was again set for producing the investigation reports.

Kalpana Chakma, the then organizing secretary of Hill Women's Federation, was allegedly abducted on 12 June 1996 at mid-night from her home at New Lalyaghona in Baghaichari Upazila under Rangamati District by a group of army and Village Defense Party (VDP) men. On the same night, when Kalpana was kidnapped, the perpetrators also

3.00 pm, arbitration was held between the indigenous and Bengali settlers. The arbitration meeting found Md. Abdul found guilty and fined him to pay BDT 20,000.

TRAFFICKING

1. On 25 August 2015, an indigenous Chakma girl (19) from Baghaichari upazila under Rangamati district was trafficked from Savar in Dhaka to India by Sanjay Chakma and Robi Hossain Imon (22), with the promise to provide with a well paid job. It was learnt that on the evening of the incident, Sanjay Chakma asked the victim to visit him at Gabtoli of Dhaka city, where he made arrangement of a good job for her. When the victim arrived he took the victim by a bus. In the meantime he offered her juice and chocolates which he already had with him. Soon after having the juice, the victim felt asleep. The next day when the bus stopped, the victim found herself in Maheshpur under Jhenaidah District bordering India. Later when she got down from the bus, one Robi Hossain Imon asked her to go with him saying that he would take her to the work place. When they both arrived near Bangladesh and India border, they were caught by the BGB who took them to the Maheshpur Police Station. Realizing the situation of the victim, police arrested Robi Hossain Imon and sent the victim to One Stop Crisis Centre. Later with the help of some indigenous students in Jhenaidah, on 5 September 2015, the victim's father along with Nirmal Chakma and few other companions rescued the victim.

2. On 10 September 2015 at around 9:30 pm, an indigenous Chakma woman (22) was trafficked. In the evening, the victim's sister received a call from a girl named Farzana who was herself a victim of trafficking. Farzana informed the victim's sister that the victim was being trafficked and at the time they were residing in Barishal Bazaar area near Baddarhat in Chittagong. Based on this information on 11 September 2015, at around 11:00 am, police raided the place and arrested 6 broker/trafficker including a man and two women. However, police could not find the victim. Later on 12 September 2015, the victim's cousin Konglacha Chakma filed a general diary on a missing case (GD no. 465).

Follow-up case-2: Attack on Bichitra Tirki, an example to deny indigenous women an access to justice

Following an attack and sexual harassment by land grabbers on 4 August 2014, Ms. Bichitra Tirki (30), a central member of Jatiya Adivasi Parishad, president of Chapainawabganj District Unit and also a member of Parbotipur Union Council, filed a case with the Gomstapur Police Station against 18 perpetrators. The court issued arrest warrant against them. Accordingly, the police arrested two of the alleged accused. However, mastermind of the attack and others accused in the case were not arrested. Later, in absence of the trying judge, who went on a pilgrimage during the Eid Vacation in 2014, and by bribing the investigating officer and other concerned officials, the accused succeeded in obtaining bail for themselves. Soon after obtaining the bail, the accused continued issuing threats to the victim to withdraw the case or face severe consequences including the abduction of her daughter.

It was worth mentioning that the victim, on an previous occasion, was raped and physically assaulted on 4 August 2014 by a group of land grabbers in Gomostapur Upazila under Chapainawabganj District.

Follow up case-3: Killing of Sujata Chakma after rape and rape of another 13-year old girl by a Bengali settler

On 9 May 2012, Sujata Chakma (13), daughter of late Jyotish Chandra Chakma of Ultachari village under Atarakchara Union of Longadu Upazila in Rangamati District, was raped and strangled to death by the culprit, Md. Ibrahim Elahi (32). Following the incident, the victim's brother Biton Chakma filed a case (no. 67/12) with the Longadu Police Station on the same day of the incident. On 10 May 2012, police arrested the culprit with the help of local people. It was learnt that only 9 witnesses were produced before the court for deposition so far during the last three and a half years while 8 more witnesses were yet to make their depositions. The last statements were taken from Bitan Chakma and Abul Kamal on 22 March 2015. The next hearing for statements from the witnesses was set for 13 March 2016.

It was to be noted that on 15 June 2011 Md. Ibrahim raped a 13 year old Chakma girl, a cousin sister of Sujata Chakma, from Bara Ultachari of

allegedly tried to shoot two of her elder brothers dead in front of their house. Lal Bihari Chakma, one of the elder brothers of Kalpana, was able to identify Lt. Ferdous Kaiser Khan, the then Commander of Kajoichari army camp and Md. Nurul Haque and Md. Saleh Ahmmed, VDP Platoon Commanders. In the face of a tremendous protest, the government formed a 3-member inquiry committee headed by retired justice Abdul Jalil after three months of the incident. The other two members of the committee were Dr. Anupam Sen, professor of Sociology Department of Chittagong University and the then Divisional Commissioner of Chittagong division. The committee failed to rescue Kalpana Chakma and even to identify the perpetrators.

Kalindi Kumar Chakma (Kalicharan), elder brother of Kalpana Chakma along with Diptiman Chakma, local UP Chairman, informed the Upazila Nirbahi Officer (UNO) of Baghaichari Upazila of the incident on the same day. After dilly-dallying for long, the police finally accepted the complaint as a case (no 2, dated 12/06/1996, Section 364). On 17 January 1997 the case was transferred to the District Special Branch. Later the case was again transferred to Baghaichari Police Station on 26 December 2004. After 14 years, on 21 May 2010, police submitted the final probe report replete with deliberately misleading contents, allegedly, to save the perpetrators from being accused. Kalicharan, complainant, protested against the flawed probe report of the police. Later on 2 September 2010, the court ordered the Crime Investigation Department (CID) of Police for further investigation of the case. On 26 September 2012, a final report was submitted on behalf of the CID, Chittagong Zone. In that report, the CID argued that they could not find the victim. The complainant again expressed his disagreement with the inquiry report and demanded once again for further investigation. On 16 January 2013, the court handed over the case to the Superintendent of Police of Rangamati district. On 22 December 2013 the court ordered to collect DNA of Kalindi Kumar Chakma and Lal Bihari Chakma, both elder brothers of Kalpana Chakma claiming it as a part of the investigation. This directive is a deliberate harassment to the Kalpana's family to mislead the case. After a hearing on 27 May 2015, the court again set the date of hearing on 16 June 2015. The court hearings of the case of Kalpana Chakma have been continuing for years together without showing any significant progress in sight.

Atarakchara Union under Longadu Upazila. Later, the alleged rapist Ibrahim was identified and arrested, but got released on bail one month before committing rape on and killing of Sujata Chakma. A rape case (case no. 100/13) in connection with Sujata's rape incident was filed with the Longadu Police Station against the culprit, Ibrahim.

v.
SITUATION OF THE
RIGHTS OF CHILD, YOUTH
AND EDUCATION



Given that the overall situation of indigenous peoples in Bangladesh is in a dreadful state, the situations of child, youth and their rights to education in the country can neither be expected to be satisfactory. The issues of human rights of indigenous children often take the backseat and not much discussed about. There is the lack of segregated data and information on the issues of indigenous children. Accordingly, it is problematic to analyze the human rights situation of indigenous children in the country. However, from the observation of their situation it becomes clear that indigenous children in Bangladesh are doubly discriminated — firstly, because they are indigenous and secondly, because they are children. Their human rights enshrined in the Convention on the Rights of the Child (CRC), to which Bangladesh is a signatory, are routinely violated. Article 30 of the CRC directs the States to take measures so that any indigenous child “shall not be denied the right, in community with other members of his or her group, to enjoy his or her own culture, to profess and practise his or her own religion, or to use his or her own language.” While the rights to culture, religion and language enshrined in this article are deemed imperative, indigenous children are often seen to be denied of and discriminated against on the ground of these issues.

The Child Rights Committee’s review of Bangladesh held in September 2015 reflects the scenario. Bangladesh enacted the Children Act, 2013 in line with the CRC with a view to respect, protect and fulfill the rights of children in Bangladesh. However, this law remained largely on paper and the provisions of the Act are yet to be materialized. Moreover, the Act remains silent about the issues specific to indigenous children. The whole document does not mention the word ‘indigenous’. Given this backdrop, the situation of indigenous children in 2015 remained more or less similar to that of the previous years.

Similar to the children, indigenous youth too face some group-specific human rights issues because of their identity as indigenous as well as youth. Indigenous youth, being always in the forefront of the issues affecting indigenous communities as a whole, face human rights issues seriously. Especially, when it comes to violations of human rights faced by indigenous peoples, youths tend to be the prime victims. As was

V. SITUATION OF THE RIGHTS OF YOUTH, CHILD AND EDUCATION

Children belonging to minority or indigenous groups

72. The Child Rights Committee is concerned that children from minority groups, especially Dalit children and indigenous children face discrimination and violence and lack access to quality education, particularly education in their mother tongue. The Committee is also concerned about the lack of recognition by the State party of indigenous identity of the Adivasi indigenous peoples.

73. In the light of its general comment No. 11 (2009) on indigenous children and their rights under the Convention, the Committee recommends that the State party:

- (a) Take all measures necessary to protect minority and indigenous children from discrimination and violence;
- (b) Establish a standardized system for the collection and analysis of data on minority and indigenous children related to all areas covered by the Convention and its Optional Protocols;
- (c) Adopt comprehensive measures, including affirmative ones to ensure that minority and indigenous children enjoy all their rights, especially in the areas of health and education.¹⁸

¹⁸ Committee on the Rights of the Child considered the fifth periodic report of Bangladesh (CRC/C/BGD/5) at its 2028th and 2029th meetings (CRC/C/SR.2028 and 2029), held on 15 and 16 September 2015, adopted the concluding observations at its 2052nd meeting (CRC/C/SR.2052), held on 2 October 2015.

Affairs Ministry, attended the review. The review of Bangladesh took place based on the Fifth Periodic Report submitted by the government and different reports submitted by different civil society organizations on the situations of children in Bangladesh. An interactive dialogue also took place where Bangladeshi delegation was asked by the Committee members on different areas of rights including that of indigenous children. While discussing about different issues of children in the country, the Committee expressed its concern as violence against indigenous women and girls in Bangladesh is on the rise at an alarming rate.

Consequently, as per custom, the Committee issued Concluding Observation on the Fifth Periodic report. In the Concluding observation, the Committee urged the government to take measures to protect minority and indigenous children from discrimination and violence. The Committee also urged the government to collect and analyze data on minority and indigenous children related to different issues of the CRC and its Optional Protocols. Moreover, the Committee urged the government to adopt comprehensive measures to ensure the rights of indigenous children, especially in the fields of health and education.

No government school in 42 indigenous villages in Kulaura

No government schools in 42 indigenous Garo and Khasi punjis (villages) of Kulaura Upazilla in Moulvibazar District were established even in 2015. Although a few NGO-run schools are operating in the area, they are not sufficient to cater to the needs of meeting universal education, and to ensure access of indigenous children to education.

There are more than 2000 indigenous children in the school-going age-group belonging to Garo and Khasi communities in 42 villages of Kulaura Upazila including Nursery Punji, Kukijhuri Punji, Luthijuri Punji, Putichara Punji, Amuli and Nunchara Punji etc. None of the villages has any government school. Being situated in the remote and hard-to-reach areas, the average distance of the villages from the schools is 5-10 kilometers. As a result, it is difficult for indigenous children of these villages to go to schools walking across such a long distance.

shown in other chapters of the report, indigenous youth is one of the groups among indigenous peoples that faced discrimination and rights violations most in 2015.

Rights to education are intertwined with the rights of the children and youth, although education has other dimensions too, as it covers people of all age groups. Rights to education of indigenous peoples received some focus from the policy makers in the recent years. Government is increasingly playing a positive role in protecting the right to education, especially of indigenous children and youth. Adoption of Education Policy, 2010 and related acts are some of the major initiatives undertaken by the government. The initiatives undertaken by the government include a plan to introduce mother tongue based education, setting up of educational institutions and increase in the literacy rate. Yet, the initiatives undertaken are not sufficient enough to protect and fulfill educational rights of indigenous peoples including that of their children and youth. In 2015 too, situations of educational rights experienced similar trends as in the past years in spite of having some mixed developments. Although a number of positive developments have been observed throughout the year, however, some initiatives actuated by the government have violated the educational rights of children instead and suffered from serious limitations.

CRC urges to end violence and discrimination against indigenous children

Child Rights Committee (the Committee), the UN body to oversee the implementation of the signatory State parties of the Convention on the Rights of the Child (CRC), urged the government to take measures to stop violence and discrimination against indigenous children, and ensure all their rights, especially in the areas of education and health rights. The Committee made these appeals to the government in the Concluding Observations issued on 2 October 2015.

Bangladesh, as a signatory member State of the CRC, went under review of the Committee in its 2028th and 2029th meetings held on 15 and 16 September 2015 in Geneva, Switzerland. An eleven-member delegation led by MeherAfrozChumki, the State Minister for the Women and Child

The Ministry of Primary and Mass Education undertook a ground breaking initiative to introduce mother tongue based education at the primary level for indigenous children in early 2013. As a part of the implementation process, the government formed a National Committee to monitor the progress of the implementation of the plan. According to the plan, textbooks in indigenous languages were supposed to be produced in three phases, with Chakma, Kakbarak, Mandi, Marma and Sadri being the languages to be used in the first phase.

Although as per the initial plan mother tongue based education was supposed to begin from early 2014, it could not begin even at the end of 2015. Textbooks in the selected indigenous languages have not reached indigenous children. The issue remained unsettled, allegedly, due to lack of adequate budget allocation.

National Curriculum and Textbook Board Chairman Prof. Dr. Narayan Chandra Paul said in a seminar in Dhaka on 10 June 2015 that publication of pre-primary level books in indigenous languages was nearly at the final stage – the books would reach the indigenous kids soon. He also mentioned that budget was no more a problem for publication of textbooks for mother-tongue education. In the same seminar, Mr. Priya Jyoti Khisa, Joint Secretary of the Ministry of the CHT Affairs also claimed that government was sincere to provide education to indigenous children in their mother tongues. Mr. Priya Jyoti further stated that Honorable Primer Minister gave her directives to initiate multilingual education as soon as possible.

It is however still uncertain that the textbooks would reach indigenous children in 2016. Although there have been reiterated pledges from the government with regard to MLE, effective measures have not been in place to materialize government pledges even in the end of 2015. As a result, a sense of frustration pervades through the indigenous communities, especially among the education rights activists.

16,000 primary students' academic life uncertain as donor funding ends

The academic life of about 16,000 students of 228 primary schools in the Chittagong Hill Tracts (CHT) became uncertain as the donor funding

Two non-government organizations, HRDP and Caritas, run seven and twelve schools respectively in these villages where they provide education to 892 students. These schools often suffer from shortage of teachers that hinders smooth functioning of classes. And when the project period of the NGOs is over, the schools are automatically shut down. Another serious limitation of these NGO-run schools is they can provide only primary level education, as none of them are high schools.

Although indigenous peoples have been demanding for setting up government schools in these villages, their long-standing demands have fallen on deaf ears of the government. Even at the end of year 2015, no primary school has been established.

Education in mother tongue not even due in 2016?

Government's plan to introduce mother tongue based Multilingual Education (MLE) for indigenous children has not seen any remarkable progress even in 2015, although the government initiated the move three years back. It is uncertain that the textbooks in indigenous languages would reach indigenous kids and introduction of MLE activities would start even in 2016.



Multilingual education for indigenous children yet to be initiated. P.C.: Manik Soren

Controversial RUST and RMC start in Rangamati

Despite widespread opposition from the indigenous peoples in the CHT, local political parties and civil society members at the national level, the functioning of the controversial Rangamati University of Science and Technology (RUST) and Rangamati Medical College (RMC) commenced in 2015 without providing for basic infrastructures required for such higher educational institutions.

The classes of RMC (session 2014-2015) were inaugurated on 28 March 2015 at Rangamati General Hospital. Dr. Md. Tipu Sultan, the Principal of RMC, Md. Mostafa Zaman, the Additional Deputy Commissioner, Dr. Sneha Kanti Chakma, the Civil Surgeon, and Abul Kalam Azad, an Additional Superintendent of Police were present in the inaugural ceremony. 43 out of 51 enrolled students in the first year MBBS course were present in the inaugural program. Although classes at the RMC were scheduled to start on 11 January 2015, they could not be held in the face strong protests from different indigenous organizations and civil society bodies. Pahari Chatra Parishad (PCP), an indigenous students' organization, observed a general road blockade program in Rangamati, on 10 January 2015, in protest against the commencement of academic functions of RMC.

Moreover, despite widespread opposition from different groups, the admission process for the first batch (2014-15 sessions) of RUST started from 1 July 2015. The classes of RUST commenced from 9 November 2015 with 75 students in a temporary campus at Shah Bahamukhi High School at Tabalchari, Rangamati. Vice Chancellor, Dr. Prodanendu Bikas Chakma, Shamsul Arefin, the Deputy Commissioner of Rangamati, Rangamati, Lt. Col. Malek Shams Uddin, Zone Commander, and Sayeed Tarikul Hassan, Superintendent of Police, were in the inaugural program.

The RMC and RUST commenced academic activities without basic infrastructural facilities. They do not have any administrative building, academic building and housing facilities for teachers and staffs as of now. Even the necessary teaching and other administrative and support staffs were not recruited when their activities were kick-started.

came to an end. All concerned with the schools including the students, parents, teachers and other staffs are passing their days in anxiety as the government's pledges to nationalize the schools are yet to be materialized.

It was learnt that 228 primary schools in different parts of the CHT had either been closed down or were functioning in very deplorable state as the funding of the Support to Basic Education in the CHT project under the Chittagong Hill Tracts Development Facility (CHTDF) program of UNDP ended in June 2015. Of those schools stopped operating, 86 were in Rangamati, 83 in Bandarban and 59 in Khagrachhari Districts.

Following the termination of the project, the educational life of about 16,000 students and employment of 952 teachers became uncertain. With both enrolment as well as dropout rate of children in the CHT being the highest in the country, this development could have potentially serious impact on the education system in the whole region.

The schools were managed by the Hill District Councils and funds were channeled through the CHTDF. Since the initiation of the project in 2006, 120 new schools were established and 108 previously community-established schools were renovated. The classes from level I-V started since 2010. The main objectives of the project were to provide assistance to set-up schools in the areas where there were no schools and support community-led schools and eventually pave the way for their nationalization.

Honorable Prime Minister Sheikh Hasina directed the concerned officials to turn all the 228 primary schools in the CHT into residential ones in a meeting of the National Taskforce for Execution of the Commitment to Enroll All Children in Primary School and Building Illiteracy-free Bangladesh held at Prime Minister's Office on 18 March 2015. Accordingly, the conditions for nationalization of the schools such as minimum number of students and size of registered land have been relaxed. Her directive, however, was yet to be executed properly as only 18 schools had been nationalized while the process of nationalization of rest 210 schools remained uncertain.

Likewise, out of 25 positions of teachers at Dighinala Government High School 14 positions remained vacant for last few years. There were vacancies for following subjects: English, Bangla, Social Science, Bangla, Business Studies, Agricultural Studies and Fine Arts. As a result of this, existing teachers were required to take extra load of classes to make up the the losses that the students suffer from. It hampered the quality of effective classes and often many classes remained off. Although the shool authority applied to the concerned higher authorities for appointment of new teachers for filling the vacancies, no effective steps were taken in this regard.

Education hampers as communal violence spread in Chirakuta

The education of nearly a hundred students including primary and pre-primary students of three schools run by Gram Bikash Kendra, BRAC and Caritas seriously hampered in the aftermath of a massive communal attack on indigenous villagers of Chirakuta under Parbotipur Upazila of Dinajpur (see Chapter Two for details). Being close to indigenous inhabited areas, most of the victim students of these schools belonged to indigenous peoples.

On 24 January 2011, Chirakuta village reeled under a massive communal attack, allegedly, by a group of (Bengali) land grabbers with a motive to grab 14 of acres of land of Joseph Tudu and his family members. The attack was resisted by indigenous peoples that eventually turned violent leading to bloody clashes that left one dead, over 15 injured and all the houses (numbering more than 65) of the village were looted and set on fire. Gutted in the blaze of the fire were not only all belongings of the villagers but also the books, notebooks and all other study materials of school going students.

As the pre-primary school of Gram Bikash Kendra was seriously damaged by the miscreants, the school got permanently shut down, leaving 20-30 kids helpless without any access to basic education, one of the basic rights of children. Although the primary schools run by BRAC and Caritas did not meet such fate, they remained closed for around three months. As tension prevailed in the area, police was deployed to

Though the Honorable Primer Minister Sheikh Hasina laid the foundation stone for the RMC and RUST on 22 February 2013, the classes of these two tertiary educational institutions could not be held in the face of vehement opposition from different citizens' forums. Different factors led different citizen's forums, both indigenous as well as non-indigenous, to oppose setting up of RMC and RUST. The first and the foremost being the potential menace of new settlement in the CHT by Bengalis from the plains. RUST would displace hundreds of inhabitants of Jhagarabil Mouza, the site where RUST has been planned to set up. Ironically, these inhabitants had already been displaced three times allegedly due to different state initiatives, the Kaptai Hydro electric Project being one of them. Secondly, the Acts by which the institutions were to be set up did not incorporate any special provision for offering priority to indigenous and non-indigenous permanent residents of the CHT in the decision-making level positions of the institutions. Finally, they claimed that the situation of education at the primary, secondary and higher secondary levels is very poor. In this regard, they demanded that instead of focusing on tertiary level educational institutions, government should take measures to address the problems facing the primary, secondary and higher secondary level education in the CHT.

Teacher shortage hampers education in two indigenous areas of the CHT

The students as well as the existing teachers of Dighinala Government High School in Khagrachari and Rowangchari Government High School in Bandarban continued to face a crisis as necessary positions of teachers remained vacant for last few of years.

It was learnt that there were only three teachers for over five hundred students of Rowangchari Government High School since 2008. These three teachers were struggling to carry out all the academic functions including taking classes and setting tests in this only secondary level educational institution in the whole Rowangchari Upazilla. There are vacant positions, till writing this report, for different subjects including Science, Information Technology, Mathematics and English in this school. The teachings in the Science Departments remain suspended following the crisis of science teachers.

government. What is most alarming is that the children of the school-going-age are often being used for domestic as well as income-generating laborious activities instead of sending them to the school.

Parakendras, a hope for indigenous peoples in the CHT

Parakendras, the local pre-school education and healthcare centers, set up under the Integrated Community Development Project (ICDP) in the Chittagong Hill Tracts (CHT), have reportedly been playing a significant role in improving education and healthcare services in remote areas of the CHT.

In order to address some age long overarching problems such as illiteracy, health, sanitation and nutrition of indigenous children in the remotest part of the hill districts, 2,520 parakendras have been set up under the ICDP. The parakendras were initially piloted in 1980. Later the full-fledged project started in 1996 and it is scheduled to come to an end in 2017.



A parakendra under ICDP.

P.C.: Lina Jesmin Lushai

maintain peace, and they were camping in the school buildings, making the schools unavailable for teaching. Now all the classes of level I-V of the school were being run in just one room. As students of all grades were stuffed in one room, proper teaching was not possible hampering the quality of education in the schools seriously.

300 students out of access to school in Sajek

Children in many indigenous inhabited areas of the country, especially those in frontier and hard-to-reach areas, still have little or no access to schooling facilities. Over the years it has remained a serious issue of concern in places like Sajek under Bahgharichari Upazila in Rangamati due to remoteness of the area with difficult terrain which badly communicated.

Nine villages in Laxmichari and Naraichari area under Sajek Union are some of the remotest villages in the country. There is a no school within 30-50 kilometer areas around these villages. The Chittagong Hill Tracts Development Board (CHTDB), with support from UNICEF and Government including some non-government organization along with BRAC, extended the parakendra-based pre-primary education to most other areas of Sajek Union. Even up to 2015, not a single school was established in any of the nine villages of Sajek, namely Chamukhari, Ugalchari, Duluchari, Thalchara, Garamchari, Ultachari, Gachkatachara, Hajachara and Chadaradhala.

It was learnt that there were 227 parakendras, village education and health centers set up jointly by UNICEF and Chittagong Hill Tracts Development Board (CHTDB), in the whole of Baghaichari Upazila. No parakendra or educational institutions of any kind could be established in these villages due to remoteness and poor communication system. As reported, there were over three hundred children of school-going age in these villages, who were being denied of access to basic education.

Education is a fundamental right enshrined in the Constitution of the country and government has taken manypraise worthy initiatives over the years for achieving universal primary education in the country. However, the absence of schooling facilities of three hundred students in the said villages throws a question mark to the claimed success of the

handicapped to some extent due to lack of necessary educational materials. There was no electricity including other essential facilities. As the support from Ganaswasthya Kendra had been stopped since 2012, the school was yet to receive any kind of support from either the government or non-government organizations. On the top of all, the salaries and allowances of all the five teachers teaching in the school could not be paid as well. Although they were found taking their classes and performing other academic activities of the school, they were passing their days in anxiety and uncertainty, kept wondering as to how long they would be able to continue in such a dire state and when necessary succour for the school would be available.

Out of 2,520 *parakendras* in the region, 962 are in Rangamati, 668 in Bandarban and 890 in Khagrachari. *Parakendras* are currently offering pre-primary education, parenting education on early childhood development, and micronutrient biscuits for pre-primary students. Some *parakendras* offer mother tongue based pre-primary education in indigenous languages. They are also offering vitamin A capsules, folic acid and iron tablets for lactating mothers and information about affordable hygienic latrines and safe drinking water.

While *parakendras* are making significant contributions in different parts of the CHT, locals feel that conditions of all *parakendras* are not satisfactory. Some *parakendras* in Khagrachari reportedly lack adequate study materials, which in turn disrupt education of children. Besides, as most community-initiated *parakendras* are made of bamboo, tin and mud, they need to be renovated from time to time. Hence, locals feel that government should come forward with bigger budgetary allocation so that the current conditions of these *parakendras* can be improved.

No salary for teachers of Sundarpur Adivasi School for three years

Although there were students and other infra-structural facilities available, the indigenous teachers of Sundarpur Adivasi Gana Pathshala of Goadagari, Rajshahi were not being paid for the last three years leaving the teachers in distress, and hampering the education of children.

Sundarpur-Juktipara school was established by non-government organization Ganaswasthya Kendra and Jatiya Adivasi Parishad in 2002 to ensure education for the 'backward' indigenous children of the locality. The school started its journey with 57 students in a tin-shed, bamboo made house with three rooms. Till the writing of this report, there were over two hundred children studying in this school, out of which three-fourth were indigenous children. The children from the nearby indigenous villages including Jaykrishnapur, Panchgachhia, Shreerampur, Juktipara and Sundarpur used to come to study in this school.

Although, the quality of education in the school started improving gradually since the school was established, but education seemed to be



New Age, October 18, 2015

PRIMARY EDUCATION : Hill students' dropout rate higher

Absence of mother tongue-based textbooks blamed

Mohiuddin Alamgir

A majority of the primary schools in the Chittagong Hill Tracts do not instruct local students in their respective ethnic mother tongues, leading to a disproportionate dropout rate among the ethnic minority students.

Barring about 10 per cent schools affiliated to NGOs, most other schools have failed to introduce multilingual education (first-language-first system of education). The government also failed to deliver on its promise to publish and distribute textbooks in ethnic languages for the pre-primary class by January 2014.

National Curriculum and Textbook Board chairman Narayan Chandra Pal and member (primary) Abdul Mannan said the government has now planned to publish textbooks in five languages of national minorities in 2016.

According to reports submitted by district primary education officers of the three hill districts —Rangamati, Khagrachari and Bandarban — to Ministry of Chittagong Hill Tracts Affairs, only 125 primary schools out of 1561 in CHT area have mother tongue based Multi-Lingual Education (MLE) system at the pre-primary level.

DPEOs sent the report as prime minister, Sheikh Hasina, asked the Ministry of Chittagong Hill Tracts Affairs officials to ensure mother tongue based education beside Bangla for national minority children during a visit to the ministry in September 2014.

MEDIA REPORTS

The Daily Star

The Daily Star, February 22, 2015, Editorial

Promote indigenous languages

Or else spirit of Ekushey will remain unfulfilled

As we commemorate our right to express ourselves in our mother tongue this Ekushey, we observe with concern the state of indigenous languages in the country. In the Amar Ekushey Granthamela, for instance, there are no books written in indigenous languages. This absence can be attributed to an inequitable state policy and minimum interest of mainstream publishers in promoting indigenous literatures; it also speaks of a larger problem of our minority languages being pushed to the margins.

Ekushey upholds the right of all to communicate in their mother tongues. The primary purpose of Unesco's proclamation of Ekushey as International Mother Language Day is 'promoting and preserving linguistic and cultural diversity and multiculturalism.' It is, therefore, unfortunate that many minority languages have become extinct and/or endangered partly due to neglect.

Though our constitution guarantees the right to study in one's own mother tongue, Bengali still remains the language of instruction in all government educational institutions in Bangladesh. This is a significant cause for the high drop-out and low enrolment rate of children in the CHT and of other indigenous groups in the country. No government has made any serious effort to provide primary education to indigenous children in their mother languages, which is stipulated in the Parbatta Zila Parishad Act 1989 and CHT Peace Accord 1997.

The initiative to publish primary textbooks in six national languages in January 2014 was noteworthy, but it is yet to be implemented.

If we are to remain true to the spirit of Ekushey, we have to seriously commit to protecting, preserving and promoting the mother-tongues of the non-Bengali populations.

Books of hill communities language is must for expansion of education and keeping students at school, he said.

Most of the primary schools following MLE system do it with support from NGOs, he said.

The government had taken up a plan in 2012 to publish textbooks for children of national minorities or ethnic groups in six such languages towards the beginning of 2014.

The primary and mass education ministry in October 2012 decided to publish textbooks in the six languages. A national committee is working on it beside the NCTB technical committee.

But the project missed the January 2014 deadline as the committee appointed for the task had been slow and also because of a controversy over which of the Roman and the Bangla alphabets to employ to write Santali.

The government has now planned to publish the textbooks in five languages, but Santali, in 2016.

NCTB officials said they would first publish textbooks for pre-primary students and would gradually move on to Class III.

NCTB member (primary) Abdul Mannan said they were making progress in the work. 'We are at the final stage of preparations on writing the textbooks and will commence following a workshop.'

According to a 2011 household census, 17,84,000 people belong to 27 national minority groups while leaders of such groups, who call themselves 'indigenous,' claim that they, accounting for 50 lakh people, belong to more than 48 communities.

DPEOs said that 98 primary schools of Bandarban, 15 schools of Rangamati and 10 schools of Khagrachari follow the MLE system.

Of the 1,561 primary schools in the three hill districts, 600 are at Rangamati, 621 in Khagrachari and 340 in Bandarban, and there are 2.17 lakh students enrolled at these schools, said officials.

Besides, UNDP, under its Chittagong Hill Tracts Development Facility project, had supported MLE system in 132 schools at the pre-primary level. Material has been developed in 12 CHT languages.

Education activists said in absence of MLE, hill students are suffering a lot. Children of national minorities at school struggle with Bengali text and the teachers from the Bengali community.

In the three hill tracts districts, the average dropout rate from primary was 59 per cent, a ManusherJonno Foundation study said in September 2012. According to the Directorate of Primary Education, the national dropout rate is 26 per cent.

According to the study, 64 per cent of the teachers in the three districts use and speak Bangla while taking classes, 27 per cent of them use both Bangla and the languages of the ethnic groups, and nine per cent uses the languages of the ethnic groups exclusively.

The report quoted 70 per cent of the teachers as stating the text books do not reflect indigenous people's way of life.

A right activist and writer Tandra Chakma, who was engaged in the MJF study said that distance of schools, communication problem, language barrier and unfavourable school environment were some of the reason of the high drop out in the area.

Parbatya Chattagram Jana Samhati Samity information and publicity secretary Mangal Kumar Chakma said the government agreed in the CHT accord to provide indigenous children with primary education in their mother language, but no initiative has been taken so far.

Bandarban district primary education officer Riton Kumar Barua said most of the students of the hill area schools are from national minorities and many of the teachers are from Bengali communities.

VI. PRESENT STATE OF IMPLEMENTATION OF CHT ACCORD



date. The Government claims that 48 out of 72 provisions of the Accord have been implemented. But PCJSS and some civil society and other professional organizations in the CHT claim that only 25 of the provisions have been implemented till the filing of this report. There is no denying, avoiding a debate on the ‘number’ of provisions implemented, that the core or crucial components or aspects of the Accord, such as the authority to deal with the administration and management of (a) land, (b) forest, (c) police (local), (d) law & order has not been devolved on the Hill District Councils, and (e) rehabilitation of India returnee refugees & internally displaced persons through the CHT Task Force, (f) de-militarization through dismantling of all temporary security or military camps, (g) cessation of “Operation Uttoron” (or Operation Uplift), a de facto military rule in the CHT, (h) resolution of land disputes by the CHT Land Dispute Resolution Commission are yet to be implemented. As these provisions remain effectively dysfunctional, including through the non-implementation of the agreed upon amendments to the CHT Land Dispute Resolution Commission, the “Tribal Area Status” of the CHT region is getting eroded severely and fast. Civil Aviation and Tourism Minister and member of the Parliamentary Caucus on Indigenous Affairs Mr. Rashed Khan Menon addressing a High Level Policy Dialogue on Status of the Implementation of the CHT Accord organized by the Parliamentary Caucus on Indigenous Affairs at the capital's CIRDA International Conference Hall also admitted that the characteristics of the CHT are diminishing which should not be overlooked.¹⁹

There has not been any amendment to the CHT Regulation 1900, the Forest Act of 1927, the Bangladesh Police Act 1861, and many other CHT Acts that deal with the operations of local government institutions, the development functions in the CHT. Nothing has been done regarding the 12 CHT specific laws and 26 related laws which according to Dr. Gawher Rizvi, the Prime Minister’s adviser on international affairs, need to be amended.²⁰

¹⁹ The daily Star, 2 December 2015.

²⁰ Strategically speaking: 18 years and not done yet: Brig. Gen Shahedul Anam Khan ndc, psc (Rtd), Daily Star 2.12.2015.

VI. PRESENT STATE OF IMPLEMENTATION OF CHT ACCORD

The CHT Accord signed in 1997 has completed its 18 years without making any real progress towards commissioning of an effective and functioning local self-governance system that ensures land and other rights for the indigenous peoples in the CHT.

The central issues of the CHT Accord include, among others, are preservation of tribal inhabited characters of the CHT; transfer of all subjects and functions, as envisaged to be under the jurisdiction of the three Hill District Councils to be supervised by the CHT Regional Council at the top and their enforcement thereof; holding of elections to these councils; resolution of land disputes after inserting necessary amendments to the CHT Land Dispute Resolution Commission Act 2001 in line with the CHT Accord; rehabilitation of internally displaced persons and India returnee refugees to their respective homesteads with restitution of their lands to their rightful ownership; dismantling of all temporary military camps including 'Operation Uttoran'; cancellation of land leases given to non-residents; appointment of permanent residents to all services available in the CHT on priority basis; effecting necessary amendments to the CHT Regulation 1900, Bangladesh Police Act and all other relevant laws in accordance with the spirit of the Accord and; rehabilitation of the Bengali settlers outside CHT with due honor and dignity. However, these issues remain unimplemented.

Despite Government's explicit assurances, nationally and at various international forums, including at the UN Human Rights Council (UNHRC) and UN Permanent Forum on Indigenous Issues (UNPFii), implementation of the provisions mentioned above remain frozen till to

Sl.	Act 53 of 2001	CHT Accord 1997	Recommendations adopted unanimously in the meeting
2.	Section 3(2)(d): Circle Chief of the concerned circle, ex-officio;	Section 3(2)(d): Circle Chief of the concerned circle, ex-officio;	Section 3(2)(d): Circle Chief of the concerned circle, ex-officio or his representative nominated by him;
3.	Section 4(2): The Government can set up branch office in any hill districts as necessary.		Section 4(2): The Government can set up branch office in Chittagong Hill Tracts and liaison office in Dhaka.
4.	Section 6(1)(a): To settle the land related dispute of the rehabilitated refugees in accordance with the existing laws and customs in the Chittagong Hill Tracts;	Section 6(b) under Part D of the Accord: The Commission shall resolve the disputes in consonance with the law, custom and practice in force in the Chittagong Hill Tracts.	To add word 'practices' to the 'laws and customs'.
5.	Section 6(1)(b): The claim and rights of the petitioner or the opposite party on the land referred shall be settled and if necessary, restored under the existing laws and customs of Chittagongs Hill Tracts;	Section 6(b) under Part D of the Accord: The Commission shall resolve the disputes in consonance with the law, custom and practice in force in the Chittagong Hill Tracts.	To add word 'practices' to the 'laws and customs'.

The promised amendments to the contravening sections of the CHT Land Dispute Resolution Commission Act, 2001 are yet to be made. Earlier, a 13-point amendment proposal to the CHT Land Dispute Resolution Commission Act, 2001 was adopted in a meeting attended by Dr. Gowher Rizvi, Advisor to the Prime Minister, Chairman of the CHT Regional Council and representatives of PCJSS and representatives of the Ministry of CHT Affairs on January 9, 2015 at the Chittagong Circuit House. The 13-point amendment proposal was then approved by the CHT Accord Implementation Committee in its meeting held on January 20, 2015 at the office of the Deputy Leader of Parliament. Finally, it was also approved in a high-level inter-ministerial meeting organized by the Ministry of CHT Affairs on 28 January 2015 in Rangamati. There was unanimity as well to place the Amendment Bill of the said Act before the Parliament during the winter session. However, several sessions of the Parliament including the budget session were held after the end of the winter session, but the Act, in the amended form, could not be passed till today.

Recommendations adopted for amendment of CHT Land Dispute Resolution Commission Act 2001 in a meeting held at Chittagong Circuit House on 9 January 2015 in which signed by Dr. Gowher Rizvi, Advisor to the Prime Minister; Mr. Jyotirindra Bodhipriya Larma, Chairman of the CHT Regional Council and Mr. Naba Bikram Kishore Tripura, Secretary of the Ministry of CHT Affairs:

Sl.	Act 53 of 2001	CHT Accord 1997	Recommendations adopted unanimously in the meeting
1.	Preamble Para 4 Line 3: Hill District Committee and Parbatya Jana Samhati Samiti ..signed an Agreement	The title in the Accord states: National Committee on Chittagong Hill Tracts and Parbatya Chattagram Jana Samhati Samiti ..signed an Agreement	Hill District Committee would be replaced by the National Committee on CHT and Parbatya Chattagram Jana Samhati Samiti ..signed an agreement

Sl.	Act 53 of 2001	CHT Accord 1997	Recommendations adopted unanimously in the meeting
	state-owned industries and land recorded with the Government or local authorities.	early disposal of land disputes of the rehabilitated refugees, have full authority to annul the rights of ownership of those hills and lands which have been illegally settled and in respect of which illegal dispossession has taken place.	as per existing laws, customs and practices in force in the Chittagong Hill Tracts.
8.	Section 7(3): Attendance of the Chairman and another two members on the meeting shall be necessary for maintaining quorum....		Section 7(3): Attendance of the Chairman and another three members on the meeting shall be necessary for maintaining quorum....
9.	Section 7(4): If any agenda remains unresolved in any meeting that can be presented for consideration and resolution in any of the subsequent meeting and this shall not be held up on the ground that		Section 7(4): If any agenda remains unresolved in any meeting that can be presented for consideration and resolution in any of the subsequent meeting and however, notices shall be delivered to all members and the

Sl.	Act 53 of 2001	CHT Accord 1997	Recommendations adopted unanimously in the meeting
6.	Section 6(1)(c): Any land has been given in settlement in violation of the existing laws of CHT, shall be cancelled and if any lawful owner has been illegally occupied on account of such settlement shall be restored:	Section 4 under Part D of the Accord: A Commission (Land Commission) shall be constituted under the leadership of a retired Justice for settlement of disputes regarding lands and premises. This Commission shall, in addition to early disposal of land disputes of the rehabilitated refugees, have full authority to annul the rights of ownership of those hills and lands which have been illegally settled and in respect of which illegal dispossession has taken place.	To replace Section 6(1)(c) with: "Any land including fringe land has been given in settlement or occupied in violation of the existing laws, customs and practices of CHT, shall be cancelled and if any lawful owner has been illegally occupied on account of such settlement shall be restored:
7.	Proviso of Section 6(1): Provided that, this sub-section shall not be applicable in case of Reserved Forests, Kaptai Hydroelectricity Project area, Betbunia Earth Satellite Station,	Section 4 under Part D of the Accord: A Commission (Land Commission) shall be constituted under the leadership of a retired Justice for settlement of disputes regarding lands and premises. This Commission shall, in addition to	Proviso of Section 6(1): Provided that, this sub-section shall not be applicable in case of Kaptai Hydroelectricity Project area and Betbunia Earth Satellite Station, except fringe land, hillocks and hills including land and homesteads acquired

Sl.	Act 53 of 2001	CHT Accord 1997	Recommendations adopted unanimously in the meeting
			proper justice can apply, before disposal of the matter, at any time to amend his/her petition.
13.			To add new Section 13(3) after section 13(2): In the post of Secretary, officers and employees of the Commission, under this sub-section, the permanent dwellers of the Chittagong Hill Tracts shall be appointed giving priority to the tribal persons of the Hill districts.
14.	Section 18: The Government may, for achieving the objectives of the Act, can formulate, through gazette notification, rules within 6 months of framing the Act.		Section 18: The Government may, for achieving the objectives of the Act, can formulate, through gazette notification, rules as soon as possible of the framing of the Act.

Sl.	Act 53 of 2001	CHT Accord 1997	Recommendations adopted unanimously in the meeting
			the members who were present in the earlier meeting have remained absent and the decision on this issue shall not be illegal.
10.	Section 7(5): Chairman shall take decision on the basis of discussion with other members present on the areas of its activities along with the matter stated in section 6(1) unanimously and in case decision is not unanimous his decision shall be treated as the decision of the Commission.		Section 7(5): Chairman shall take decision on the basis of discussion with other members present on the areas of its activities along with the matter stated in section 6(1) unanimously and in case decision is not unanimous, decision of majority including the chairman shall be treated as the decision of the Commission.
11.	Section 9: Submission of petition of the commission		Section 9: Submission of petition to the commission
12.			To add new Section 10(4) after section 10(3): The applicant, in interest of having

the Rights of Indigenous peoples (UNDRIP) and World Conference on Indigenous Peoples(WCIP) Outcome Document.²¹

The indigenous peoples both in the CHT and in the plains continue facing serious land alienation problem which goes on deteriorating with the passage of time. A number of tourism complexes run by the military have allegedly been set up in the CHT without the knowledge and consent of the local communities. Nor the Hill District Councils (HDC), the CHT Regional Council (CHTRC) and the heads of traditional institutions (Chiefs, Headmen etc.) are informed of it. Under the laws applicable in the CHT, tourism is a mandated subject of the HDC and the CHTRC, while land management and administration is to be effected through the traditional institutions. Side by side, the Forest Department has declared, between 1990 until 2010, a vast tract of land as reserved forest without the knowledge and consent of the communities, the traditional Chiefs, Headmen and the HDCs concerned.

The land right of the indigenous peoples in the CHT is violated due to state acquisition of private and common land, forcible occupation by (Bengali) interest groups and private and multinational companies for commercial purposes. In numerous cases, grabbing of lands of indigenous peoples is accompanied by acts of arson, rape and murder perpetrated by the non-indigenous people.

In order to thwart down the CHT Accord implementation process, the vested groups have intensified their vested interest activities in the three hill districts. Using the CHT region as their hinterland, they are expanding their terrorist activities throughout the country. While spreading communal venom, they are conducting communal attacks one after another on the Jumma people from time to time. In pursuance of this trend, at least 10 communal attacks were carried out including the one which saw Jumma students in Rangamati Government College assaulted on 17 October 2015 and the Jumma passengers aboard a motor launch, providing non-stop service, were attacked on 14

21 Devasish Roy & Mangal Kumar Chakma. National Seminar on Indigenous Peoples in Bangladesh: Human Rights and Sustainable Development Goals, 10 December, Hotel lakeshore, Dhaka, BIPF.

It is to be mentioned that as per the decision taken in the meeting held at Prime Minister's office on 18 February 2015 between the Prime Minister Sheikh Hasina and Chairman of CHT Regional Council who is also the President of PCJSS, the 18-page Report titled: "Statement on the Unimplemented Issues of the CHT Accord" attached with 16 supporting documents as annexure was handed over to the Prime Minister on 1 April 2015. But no progress has been made in this regard to this day.

The government, brushing aside opposition and without consulting the CHT Regional Council as mandated by law, amended the Hill District Council Act raising the number of the Interim Council from existing 5 to 15. It has reduced altogether the prospect of holding election to the HDCs. On the other hand, with the passage of CHT Development Board Act 2014, the Special Administrative System of CHT comprising of the three Hill District Councils and CHT Regional Council has been undermined, and thus opening up the cavities for complexities to crop up in the administration and development of the region.

While the rights and identity of the Jummas are yet to be recognized, primary-secondary and college-level education is in a shabby state, the government is pushing ahead with its University of Science & Technology and Medical College projects in Rangamati with police protection, in spite of popular demand to suspend the project for the time being until a consultation process is initiated to assuage the apprehensions of the local people who are facing 4th evictions (due to the establishment of these institutions) since the Kaptai Hydel Project was constructed. The government is also implementing a directive from the Home Ministry that requires a person from foreign/national organizations to talk to a Jumma in the presence of men from the administration / law enforcing agencies. An official decision was also taken to packing out Jumma policemen from the CHT to the plains and to assign the overall authority of coordination of law and order to the 24 Infantry Divisions in Chittagong.

The development programs, being implemented in the CHT, are not respectful of the region's distinct cultural identity, is not self-determined, and without any free, prior and informed consent of the indigenous peoples, as stipulated in CHT Accord, the United Nations Declaration on

MEDIA REPORTS

Dhaka Tribune

Dhaka Tribune, March 17, 2015, Tribune Editorial

Implement CHT Accord to end violence

No more time must be lost in implementing key provisions of the treaty

We are highly disturbed by continuing communal tensions in the Chittagong Hill Tracts.

At least 17 people were hurt in clashes between local people and security forces on Sunday. It follows some 20 people, mostly PCJSS members being injured by supporters of a group opposing Santu Larma's visit to Bandarban on March 11.

The government has only itself to blame for exacerbating the situation. Not only has it followed the practice of past administrations by stalling implementation of key provisions of the 1997 CHT Peace Accord, but by issuing directives in

February infringing basic citizens rights, it has given succor to those who want to do away with the protections the Treaty is meant to provide to secure the rights of indigenous peoples.

By turning a blind eye to reports of abuse and discrimination and growing violence and intimidation by land grabbers, it has shown a cynical disregard for the aims and goals of the treaty.

Meaningful steps must be taken right now to deliver a clear road map to ensure full implementation of the Accord. Without enforcing its provisions properly, there can be no end in sight for resolving the land disputes which lie at the heart of many incidents of intimidation and violence.

This is not a difficult problem to solve. The Accord already provides the provisions needed. It is a simply matter of ensuring goodwill and resources so its provisions can be followed properly.

November 2015 at Gulsakhali under Longadu upazila of Rangamati. Tourism centers under the alleged military ownership and control are being established in the mouza and Jum lands of the Jumma peoples disregarding the customary rights of the Jumma people. The Jumma people are getting evicted from their homesteads and lands owing to granting hundreds of acres lands in lease to outsiders coupled with the practice of declaring vast tracts as reserved forest by the forest department without following proper legal procedures. In such an incident, forcible occupation of lands took place very recently on 21 October 2015. Instead of taking legal measure against the land grabbers, police arrested the Karbari (village head) of Rupasi Puraton Para under Lama upazila in Bandarban district who protested against the land grabbing. Around 19 acres of recorded lands of two Jumma villagers of Poli Para under Naniarchar upazila has been allegedly occupied by the Bengali settlers with the support of local security forces. posted there. In recent days, there has been an attempt to construct 8 houses by Bengali settlers at Korolyachari of Kyangghat mouza under Mahalchari upazila.

“With regard to article 1 of the CHT Accord no significant legal or administrative steps, barring a few legislative measures, have been taken by the government so far to protect those special characters. On the other hand, continuing influx of Bengalee settlers with employment and other opportunities including lease and settlement of land are destroying the special character of the region.”

To this effect, 12 CHT specific laws and 26 related laws need to be amended, he said at the opening session of a workshop on "Towards Harmonization of CHT Laws," organised by the CHT affairs ministry and UNDP in the capital yesterday.

The laws must be amended in such a way so that the accord can be implemented fully, said Gower Rizvi, adding that a good progress has been made regarding amendments to the CHT land commission law.

He also assured Bangalees of CHT region that the lives and properties of the Bangalee will not be affected if the accord is implemented fully.

In his keynote speech, Goutam Kumar Chakma, a local government adviser of UNDP, said now the CHT region is governed by three categories of laws-laws those are enacted or amended following the provisions of the CHT accord, CHT specific laws made to rule CHT since the British era and other CHT related laws.

Bir Bahadur U Shwe Sing, state minister for CHT affairs, and Pauline Tamesis, country director of UNDP, Bangladesh, also spoke at the event.

Revoking the discriminatory 11-point order barring unsupervised talks with indigenous people would be a helpful start. No more time must be lost in taking implementation of the Treaty forward.

The Daily Star

The Daily Star, 9 April 2015

Laws to be changed for full execution of CHT peace accord

Says Gower Rizvi



Prime minister's international affairs adviser Gower Rizvi addresses a workshop, "Towards Harmonization of CHT Laws", organised by the Chittagong Hill Tracts affairs ministry at Lakeshore Hotel in the capital yesterday. Photo: Star

Staff Correspondent

The government will amend Chittagong Hill Tracts related laws that are inconsistent with the CHT peace accord of 1997 to harmonise those with the treaty, said Gower Rizvi, the international affairs adviser to the Prime Minister.



VII. CLIMATE CHANGE

to systematically address the issues. Since then it has come a long way to tackle the issue globally but not yet reached to the point of full and complete resolution. Bangladesh is a signatory to the United Nations Framework Convention on Climate Change (UNFCCC). In 1992, the Government of Bangladesh signed the UNFCCC and ratified it in 1994. It became the member of 5 committees under UNFCCC (CDM Executive Committee, Adaptation Committee, Green Climate Fund, Compliance Committee and Consultation Group of Experts) and Spokesperson of LDCs. Bangladesh Ratified the Kyoto Protocol on 22 October 2001 and entry into force on 16 February 2005.

Moreover, Bangladesh is a party of the Convention of Biological Diversity (CBD) since 1994. Article 8(j) of the CBD stipulates – Each contracting Party shall, as far as possible and as appropriate:

“Subject to national legislation, respect, preserve and maintain knowledge, innovations and practices of indigenous and local communities embodying traditional lifestyles relevant for the conservation and sustainable use of biological diversity and promote their wider application with the approval and involvement of the holders of such knowledge, innovations and practices and encourage the equitable sharing of the benefits arising from the utilization of such knowledge innovations and practices.”²³

The Conference of Parties (COP) is the supreme decision-making body of the United Nations Framework Convention on Climate Change (UNFCCC). The first COP meeting was held in Berlin, Germany, in 1995. Latest COP21 was held on 30 November to 11 December 2015, in Paris, France. Bangladesh is a very important actor of the climate negotiations and has been working for decades in the COP framework as a leading member of Least Developed Countries (LDCs). In International Climate negotiations, Bangladesh is a bridge between the developing and developed countries.

As a climate change vulnerable country the Government of Bangladesh has taken many national initiatives to address the issues related to

²³ See <https://www.cbd.int/traditional/>

VII. CLIMATE CHANGE

Climate change has profound impacts on a wide variety of human rights, including the rights to life, self-determination, development, food, health, water and sanitation and housing. The human rights framework also requires that global efforts to mitigate and adapt to climate change should be guided by relevant human rights norms and principles including the rights to participation and information, transparency, accountability, equity, and nondiscrimination.

Climate change impacts, directly and indirectly, an array of internationally guaranteed human rights. States, the duty-bearers, have an affirmative obligation to take effective measures to prevent and redress these climate impacts, and therefore, to mitigate climate change, and to ensure that all human beings - rights-holders - have the necessary capacity to adapt to the climate crisis. IPCC found that “people who are socially, economically, culturally, politically, institutionally or otherwise marginalized are especially vulnerable to climate change and also to some adaptation and mitigation responses”²². Moreover, existing climate change mitigation and adaptation efforts have fallen far short of the level of ambition necessary to prevent and/or remedy the negative human rights impacts of climate change in fulfillment of the obligations of States and other duty-bearers.

Considering the dangers the climate change poses, as a global response world leaders, established a framework convention called the United Nations Framework Convention on Climate Change (UNFCCC, The Convention for short) in Rio de Janeiro during the Earth Summit in 1992

²² IPCC, 2014: Summary for policy makers. In: Climate Change 2014: Impacts, Adaptation, and Vulnerability, p.6.

areas in their traditional ways. According to the Asia Report on Climate Change and Indigenous Peoples—

“The BCCTF has 236 projects as of 2014²⁶ out of which several projects have direct impact on the indigenous peoples of Modhupur, Northern districts and CHT. For instance; “Re-vegetation of the Modhupur Forest through Rehabilitation of Forest Dependent Local and Ethnic Communities” phase-1 and phase-2 projects directly violated the human rights of indigenous peoples in Modhupur.²⁷ As the project has been implemented as part of climate change mitigation measures under the BCCTF, there was no proper consultation with indigenous peoples and did not follow the principles of Free, Prior, Informed Consent (FPIC). Rather the projects acquired indigenous peoples’ communal lands. Ajoy A. Mree, an indigenous Leader from Modhupur told in a national dialogue held in Dhaka in 2015 about the climate change adaptation funded projects in their region –

“We come to know that govt. has spent 29 crore Taka for Social Forestry project in Modhupur especially for indigenous peoples, but we can’t see the project visible in our area. There is no indigenous peoples’ representation in the decision making committee at local level”

Similarly, indigenous peoples of the Northern districts (known as Barind Tract) especially Noagoan and Rajshahi district, who are the victims of drought and low erratic rainfall, have no equal access to the projects²⁸

26 As of 2014, BCCTF project budget 206,759.85 lakh Taka source:http://www.bccrf-bd.org/Documents/pdf/resource_en_200644.pdf

27 Asia Report on Climate Change and Indigenous Peoples 2015, Asia Indigenous Peoples Pact (AIPP), p.9.

28 Project on various irrigation and environment development through creating water reservoirs in the drought prone Porsha Upazilla due to climate change under Noagaon district of Barind Tract (BCCTF project id: 187); Project on irrigation and environment development through extracting ground water the drought prone GodagariUpazilla due to climate change under Rajshahi district of Barind Tract (BCCTF project id: 196)

climate change. The Constitution through its 15th amendment, considered the issue of climate change. Constitutional Amendment included the following article in ‘Part II: Fundamental Principles of State Policy’ and was passed accordingly: Article 18 A reads –

“Protection and improvement of environment and biodiversity: The State shall endeavour to protect and improve the environment and to safeguard the natural resources, biodiversity, wetlands, forests and wildlife for the present and future citizens.”²⁴

Vision 2021, a political vision of Bangladesh for the year 2021, the year of the golden jubilee of the state, provides political directions to all national policy documents states, “All measures will be taken to protect Bangladesh, including planned migration abroad, from the adverse effects of climate change and global warming.” Again, Bangladesh Sixth Five Year Plan (FY2011 - FY2015) provides strategic directions and policy framework as well as sectoral strategies, programmes and policies taking consideration of Climate Change adaptation for accelerating growth and reducing poverty of the country. It’s clear that the government has taken climate change as one of the state’s priority issues to deal with.

Bangladesh successfully completed the National Adaptation Programmes of Action (NAPA) and the Bangladesh Climate Change Strategy and Action Plan (BCCSAP) in 2005 (updated in 2009) and 2009 respectively²⁵. The Bangladesh government has established the Bangladesh Climate Change Trust Fund (BCCTF) with national revenue budget and Bangladesh Climate Change Resilience Fund (BCCRF), 2010 with the assistance of development partners, namely United Kingdom, Denmark, European Union, Sweden and Switzerland.

However, indigenous peoples - as one of the vulnerable groups of climate change impacts – did not get proper attention in government initiatives to combat climate change hazards. For instance, they face limitations in accessing funds for the preservation and protection of their

24 The Constitution of Peoples Republic of Bangladesh

25 Soudia Anwer, Climate refugees in Bangladesh, Diakonisches Werk der EKD e.V. for ‘Brot für die Welt’, 2012

Indigenous people did not get this grant.³¹ Like the Bagdi and Munda people of the Sundorban region Rakhaine indigenous people of Barisal region lost their arable lands due to salinity intrusion and lost their traditional natural foods due to impacts of climate change.

The adverse impacts of climate change in CHT are also a concerning issue; directly or indirectly it is affecting the region. Climate change and climate-induced displaced people will only increase further political migration, forcible land grabbing and discrimination in employment and occupations, including shifting cultivation in CHT³². Natural resource management policies are also not in favour of the jumias (Jum cultivator) and as such, natural resources are rapidly deteriorating leading to soil erosion and the loss of biodiversity.³³ Thus the traditional jum cultivation of the traditional lands are under threat of transferring into commercial cash crops and other development purposes.

Issues related to climate change: a brief overview

Tobacco cultivation increasing in Bandarban

Farmers are cultivating tobacco increasingly posing serious threat to public health in the district. The chairman of Rajbila Union Parishad under Bandarban Upazila said, instead of motivating the farmers openly by offering incentives in cash and kind to cultivate tobacco the tobacco companies are doing a brisk business in this regard. The farmers get money by selling dried leaves and the company purchases leaves from them and adjust the loans that they provide. The UP chairman further added that a group of journalists during their visit to Bandarban District came across massive tobacco farming in Jamchhari, Ruma, Lama,

31 ibid

32 Goutam Kumar Chakma - Shifting cultivation as traditional livelihood and impacts of climate change in Bangladesh, in Traditional livelihoods and indigenous peoples by AIPP, 2010.

33 Sudibya Kanti Khisa & Mohammad Mohiuddin – Shrinking Jum and changing livelihoods in the Chittagong Hill Tracts of Bangladesh, in Christian, E (ed.) Shifting Cultivation, Livelihood and Food Security: new and old challenges for indigenous peoples in Asia, FAO, IWGIA & AIPP, Bangkok, 2015.

implemented under the BCCTF for creating water reservoirs and extracting ground water for irrigation and environmental development. Thus indigenous communities are not able to seize the benefits of such government adaptation programmes. There are some more projects which are implemented under the BCCTF, for instance, “Community Based-Adaptation in the Ecologically Critical Areas through Biodiversity Conservation and Social Protection project and Solar Energy Development in the Climate Vulnerable Areas of Bangladesh project” hardly covered indigenous peoples of the CHT as beneficiaries or consulted the impact of such projects in their traditional livelihood. Indigenous peoples in CHT and Plains region sometimes face forced evictions or displacement from their ancestral lands as a result of mitigation measures such as reserved forest, national park, and eco-park. Such development initiatives weaken or impair the capacity to deal with climate induced hazards and vulnerabilities.

The indigenous peoples in the southern parts²⁹ are also vulnerable to impacts of climate change. The severity and intensity of tidal surges, cyclones, salinity intrusion and water logging jeopardized the livelihood of indigenous peoples. Although the government has plenty of climate change adaptation programmes in these districts but indigenous peoples could hardly identify them as beneficiaries nor represented any of the projects related meetings. After SIDR 2007 and AILA 2009 cyclones, Bagdi and Munda indigenous communities who are dependent on honey and crab collection from the Sundarban have squeezed or altered their livelihood pattern for instance some of them migrated to cities for better future³⁰. Further, the Indigenous groups who live far away from the main stream people have no cyclone shelter and they are deprived from the emergency support and relief. After Cyclone Aila the Government announced that, every family who have lost their houses or property will be compensated BDT 20,000.00 (twenty thousands) per family but the

29 Khulna, Satkhira, Potuakhali and Cox's bazar districts are inhabited by Rakhaine, Bagdi, Munda, Rajbangshi and some other indigenous peoples

30 Krishna Pada Munda –shared regional experiences in a national dialogue held in Dhaka on 9 September 2015, organized by National Coordination Committee on Climate Change.

forests as the areas remain heavily guarded all the time, he also denied that any forest official had connived in wood smuggling.

Indigenous Mro peoples are being victims of endangered environment due to stone extraction illegally in Bandarban

In Alikadam of Bandarban District, Indigenous Mro people from almost 5 to 6 villages are being forced to live in miserable condition following illegal stone extraction from their areas. It is alleged that these stones are being extracted in order to carry out road construction works by security forces.

As a result, water sources and the surrounding environment are being extensively damaged due to this and the local indigenous Mro peoples are facing crisis of drinking water. Moreover it is alleged that, they are being threatened to be beaten by security forces and a law suit will be filed against them if they try to protest and obstruct them from extracting stones.

According to the villagers, two contractors named Abul kalam son of Soltan Ahmed and Jamal Uddin son of late Nurul Kabir from the same Union in Bandarban have been allegedly extracting stones illegally from the surroundings streams for the Alikadam Thanchi road construction by security forces. As a result, water sources and the surrounding environment are being extensively damaged due to this and the local indigenous Mro peoples are facing crisis of drinking water. Moreover, it is alleged that they are being threatened to be beaten by security forces and a law suit will be filed against them if they try to protest and obstruct them from extracting stones.

It is also learnt that, the indigenous Mro women are being harassed by the external settler labors on the way to fetch water. On the other hand, due to stone extraction extensively and making unplanned road construction illegally by destroying the mountains, has cumulated landslides in the hills of Bandarban. If this continues unabated then an irreparable damage will be caused to the natural environment of that area and the traditional settlements of the local indigenous Mro peoples would be severely endangered.

Alikadam, Thanchi, Nikhyangchhari, Rowangchhari and Sadar Upazillas in Bandarban. Tobacco is also largely produced at Kaptai, Barkal, Rajasthali, Baghaichhari, Jurachhari, Longudu and Bilaichhari areas in Rangamati and at Dighinala, Mainee valley, Panchhari and Ramgarh in Khagrachhari. He said at least 60 to 70 thousand metric tons of firewood is being burnt in 2,000 tobacco processing kilns every year, causing depletion of reserve and natural forests, threatening environment and ecology in the hills. Meanwhile, farmers, experts and local leaders admitted that deforestation has been taking place in the hilly areas as huge woods are being used to make fire for processing the tobacco leaves. Eventually, tobacco cultivation leaves a bad impact on the soil fertility and once the tobacco is cultivated it's difficult to grow other crops on the same land. Besides, according to the sources of Department of Agriculture Extension (DAE), the maternal reproductive health and health of the children are under severe threat for tobacco cultivation in the district. The UP chairman mentioned that, around 6500 farmers are involved in the tobacco farming in the Chittagong Hill Tracts.

Illegal Logging rampant in Bandarban's reserved forests

Wood smugglers are cutting down trees in Bandarban's reserved forest areas on a vast scale, causing extensive damage to the tracts. It is reported that a section of dishonest forest officials of the Bandarban Forest Division has been alleged to be working in connivance with smugglers.

From 1981 to 2012, thousands of acres of land in Bandarban Sadar, Ruma, Thanchi and Roangchhari upazila were afforested under government plans that cost hundreds of crores of taka. A variety of trees were planted in the areas but the tracts now give almost a deserted look. In some places, there are only signboards with the message "reserved forest area" but there is barely any tree. Many locals claimed logs are sold to furniture traders, but Sirajul Islam, a member of Bandarban Wood Traders Association, denied the allegation of wood smuggling, saying that traders legally operate their businesses. It has been gathered from Molla Rezaul Karim, the Divisional Forest Officer of Bandarban, that there is no scope for illegal logging and wood smuggling in the district's

Incessant rain falls continued to deteriorate flood situation in Chengi valley as the river Chengi was overflowed for the past few days flooding many areas of the district headquarters.

Many families took shelter in local educational institutions and different safer places as their homes remained under water. Heavy rains also inundated 500 more families in Dighinala Upazila as Merung Bazar, Shobhanpur, Hazachhara, Badalchhari, Bara Merung areas went under water. Communications on Dighinala-Langadu road remained cut off as the Merung Bailey Bridge went down the water. The flash flood washed away around 10 metre stretch of Feni-Khagrachari road in Ramgarh Upazilla snapping communications on the road.

It was observed that the residents of Khagrachari District had been experiencing excessive rain-induced flash flood for the last couple of years. They locals believe that climate change is one of the reasons behind this natural calamity.

Rain triggers landslide, floods in Bandarban

In mid August 2015, Bandarban District was hit by worst flood due to incessant rain and onrush of waters from the hills flooding many areas of the district. The water of Sangu River was flowing above the danger level due to the incessant fall of rains. Some 15,000 people were displaced by the rain-triggered flood for the last few days. The residents of these areas were shifted to safe shelter centres. Road communications of Bandarban with Chittagong and Rangamati remained suspended as Rangamati-Bandarban and Chittagong-Bandarban were inundated by water, causing immense sufferings to the commuters.

According to Ranadhir Datta, station master of Bandarban fire service unit, a minor boy was killed and another injured in a landslide triggered by incessant rainfall at New Gulshan area of Bandarban Hill District. He also informed the media that at least eight houses were damaged in landslides at New Gulshan and Banarupa Para areas of the Upazila following the non-stop heavy rainfall. Soil and Water Preservation Centre office of the district recorded 139 mm of rainfall in the district in 24 hours. According to the district administration source, around 50,000 people in

They live in the land surrounded by forest but they do not have the ownership of that land

There is a village named 'Bengchari' situated in the territory of Kaptai national park in Rangamati Hill District. In this village a total of 116 families including Chakma, Tanchangya live but the lands are not owned by anyone of these families. It is learnt that, though the villagers have been living in that place for ages, they still don't have ownership of that land; even they do not have supply of electricity, drinking water, health care facilities and transportation access. It has been observed that these village people have been leading a miserable life. Moreover, some village elders said, some dishonest forest department officials filed false cases against few villagers saying they stole wood from the forest and send them to jail to legalize their corruption. Now the future of those families is uncertain as they are unprotected, passing their days in vulnerability, and living in fear of arrest warrant.

The General Secretary of the Movement for the Protection of Land and Forest Rights in Chittagong Hill Tracts (CHT) Sudatta Bikash Tanchangya said that at the time of declaring the areas mentioned above as reserved forests, the authority never cared to think about people and their settlements, nor were their opinions taken before the proclamation and they treated these lands as their own and took them by force. The question of compensation or rehabilitation of those villagers was never thought of by the authority.

Eventually, the children of the village face some major problems like lack of schools, absence of teachers. It was learnt that local people set up a primary school in 1986 and it was nationalized in 2013. Due lack of schooling facilities most of the villagers were illiterates; some of them barely knew to write their names. As a result, the people of that area remained deprived of their basic rights. On the other hand, drop out rate in these villages was also high as the people here lived in abject poverty.

Flash flood in Khagrachari inundates 5000 families

In mid-August 2015, a flash flood caused by heavy rain falls and on rush of hilly waters from upstream inundated 5000 families in Khagrachari and snapped road communications on Feni-Khagrachari road for few days.

MEDIA REPORT

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7 killed, 2 missing in Bandarban landslide

Sun Online Desk, 1 August, 2015 13:10

At least seven people, including children, were killed, two went missing and at least three others injured in a landslide, caused by incessant rainfall for the last nine days at Hospital Para in Lama upazila of Bandarban district on early Saturday. The deceased were identified as Amena Begum, 30, Rojina Begum, 30, Sagar, 14, Arafat Hossain, 14 and Saddam Hossain, 5. Abu Jafar, acting deputy commissioner of the district, said the incident occurred around 3 am as a heavy chunk of mud collapsed from a hill on three houses at its foot, leaving five people killed on the spot and three others injured. On information, a firefighting unit rushed in and recovered four bodies. Besides, Bangladesh Army and Ansar members also joined the rescue operation. However, the body of Arafat was retrieved from the soil around 11am.

The injured Setara (full name not known), mother of Sagor; Daru Mia and his wife Joytun Begum were taken to Lama Upazila Health Complex. Fatema Begum, 8, who was daughter of Rozina, and Sagor's father Md Bashir went missing since the landslide took place, locals said.

<http://www.daily-sun.com/post/63189/7-killed-2-missing-in-Bandarban-landslide->

the Bandarban Hill District had their houses built at the foot hills ignoring the risk of landslides.

Water crisis deepens in deforested hill districts

The distance from Bandarban Sadar to Chimbuk Hill is roughly 24 Kilometres. About halfway between them lies Bethani Para, a village established 5 or 6 years ago. Twenty families belonging to the Bawm community split off from Sarong Para village 3 kilometers away, because it suffers from an acute water shortage, and established the new village adjacent to a large creek. Every woman in Chimbuk Headman Para treks to the creek twice or thrice everyday to bathe and collect water, many set off for the creek much earlier in the morning. Villages in the hill districts are traditionally sited near creeks. It is learnt that creeks are gradually turning into unreliable water sources in recent times as they get dry up after the monsoon. The sole cause of the seasonal water scarcity in the hill districts being the rapid deforestation and the environmental calamities that follow in its wake.

According to the experts on environment and forest, over exploitation to meet the demand of rapidly growing population in the hill districts is decimating the forests, as inhabitants cut down trees and use the land for agriculture. Moreover, the illegal timber business and increasing tobacco cultivation, which requires massive amounts of woods to process the tobacco, are responsible for rapid deforestation. Changing patterns of rainfall due to global warming, caused by lack of rainfall and prolonged heat waves also contributes to deforestation.