

ANNUAL  
**HUMAN RIGHTS**  
REPORT 2022  
on Indigenous Peoples in Bangladesh

THE RIGHTS TO  
**LAND AND**  
NATURAL  
RESOURCES

**ENVIRONMENTAL**  
RIGHTS OF INDIGENOUS  
PEOPLES

IMPLEMENTATION  
OF THE HILL TRACTS  
ACCORD IN THE  
HILL TRACTS OF  
THE CHITTAGONG

Indigenous Peoples  
and the State Liability  
STATUS OF HUMAN RIGHTS OF  
INDIGENOUS  
CHILDREN AND YOUTH



**CIVIL AND  
POLITICAL  
RIGHTS OF  
INDIGENOUS  
PEOPLES**

HUMAN RIGHTS OF  
INDIGENOUS  
**WOMEN AND  
GIRLS**

Kapaeeng Foundation



# **Annual Human Rights Report 2022 on Indigenous Peoples in Bangladesh**

## **Editor**

Pallab Chakma  
Anurug Chakma

**Kapaeeng Foundation**

# Annual Human Rights Report 2022 on Indigenous Peoples in Bangladesh

## Published

June, 2023

## Copyright

© Kapaeeng Foundation

## Published by



### Kapaeeng Foundation

House # 23/25, Salma Garden, Road # 4

PC Culture Housing, Block # B, Mohammadpur, Dhaka-1207

Tel: +88 02 222243 263

E-mail: [kapaeeng.foundation@gmail.com](mailto:kapaeeng.foundation@gmail.com)

Web: [www.kapaeengnet.org](http://www.kapaeengnet.org)

## Acknowledgement



Asia Indigenous Peoples' Pact

## Cover Photo

Prothomalo

## Inside Photos

[bdnews24.com](http://bdnews24.com), Bivuti Bhuson Mahato, Hiran Mitra Chakma & KF

## Price

Taka 500

US \$ 25

ISBN: ISBN 978-984-35-0973-4

# TABLE OF CONTENTS

Editorial Note	viii
Acknowledgement	x
Executive Summary	xi
<b>1 Indigenous Peoples and the State Responsibility</b>	<b>1-8</b>
1.1 Indigenous Peoples in the State Perspective	4
1.2 Human Rights Violations and the State Liability	6
1.3 Structure of the Report	7
<b>2 Civil and Political Rights</b>	<b>9-26</b>
2.1 National and International Legal Instruments	11
2.2 Legal Obligations of Bangladesh: Expectation and Reality	12
2.3 Policy Recommendations	25
<b>3 Violence against Indigenous Women and Girls</b>	<b>27-40</b>
3.1 National and International Legal Instruments	30
3.2 Legal Obligations of Bangladesh: Expectation and Reality	30
3.3 The Role of State Institutions and Victim Community	37
3.4 Policy Recommendations	38
<b>4 Right to Land and Natural Resources</b>	<b>41-64</b>
4.1 National and International Legal Instruments	43
4.2 Legal Obligations of Bangladesh: Expectation and Reality	44
4.3 Policy Recommendations	64
<b>5 Implementation of the Chittagong Hill Tracts Accord</b>	<b>67-79</b>
5.1 The Current Implementation Status of the CHT Accord	68
5.2 Special Governance System of the CHT	71
5.3 Ineffective Accord Implementation Committee	72
5.4 Dysfunctional Land Commission	74
5.5 Ineffectual Task Force	75
5.6 Increased Militarization in the CHT	76
5.7 Ignoring the Call of UN Experts	76
5.8 Anti-Accord Development Aggression	77
5.9 Recommendations	78

## **LIST OF MAPS**

2.1	Hotspots of violations of IPs' civil and political rights in 2022	17
3.1	Hotspots of violence against indigenous women and girls in 2022	35-36
4.1	Hotspots of land-related violence in 2022	46

## **LIST OF TABLES**

2.1	Violations of IPs' civil and political rights in Bangladesh, 2021-2022	13-14
3.1	Rape cases in 2022	32
3.2	Attempted to rape cases in 2022	33
3.3	Gang rape cases in 2022	34
3.4	Killing after rape cases in 2022	34
3.5	Physical assault cases in 2022	34
3.6	Sexual harassment cases in 2022	35
4.1	Land-related incidents in the CHT and plain lands in 2022	45

## **LIST OF FIGURES**

1.1	Summary of the report	7
2.1	Violations of IPs' civil and political rights in Bangladesh, 2021–2022	15
2.2	Changes in the situation of IPs' civil and political rights, 2021-2022	16
3.1	Violence against indigenous women and girls in the CHT and plain lands	31
3.2	Violence against indigenous women and girls in 2022	32
3.3	Age groups of the victims of violence against indigenous women and girls in 2022	37
3.4	Assessment of the role of law enforcement agencies and victims in 2022	38
4.1	Land-related incidents in the CHT in 2022	45
4.2	Land-related incidents in the plain lands in 2022	46
5.1	Divergent opinions of both sides on the implementation of the CHT Accord	69

# ACRONYMS

ADP	Annual Development Programme
AIPP	Asia Indigenous Peoples Pact
BCS	Bangladesh Civil Services
BGB	Border Guard Bangladesh
BIWN	Bangladesh Indigenous Women's Network
CAT	Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment
CBD	Convention on Biological Diversity
ICCPR	International Covenant on Civil and Political Rights
CEDAW	Convention on the Elimination of All Forms of Discrimination against Women
CESCR	Covenant on Economic, Social and Cultural Rights
CERD	Convention on the Elimination of All Forms of Racial Discrimination
CHT	Chittagong Hill Tracts
CHTDB	Chittagong Hill Tracts Development Board
CHTRC	Chittagong Hill Tracts Regional Council
CRC	Convention on the Rights of the Child
DC	Deputy Commissioner
GoB	Government of Bangladesh
HDC	Hill District Council
IDPs	Internally Displaced Persons

ILO	International Labour Organisation
IPO	Indigenous Peoples Organisation
IPHRD	Indigenous Peoples Human Rights Defenders
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

# EDITORS

- Pallab Chakma** : Executive Director, Kapaeeng Foundation  
pallab.juju@gmail.com
- Dr. Anurug Chakma** : Research Fellow, School of Regulation &  
Global Governance Australian National University  
anurug.chakma@anu.edu.au

# CONTRIBUTORS

- Helena Talang** : Project Coordinator, Kapaeeng Foundation  
helenatalang@gmail.com
- Manjuni Chakma** : Project Coordinator, Kapaeeng Foundation  
manjuni.chakma@gmail.com
- Falguni Tripura** : Coordinator, Bangladesh Indigenous Women's Network  
falguni06067@gmail.com
- Anmoy Kiran Chakma** : Phd Candidate, Graduate Institute of Geneva, Switzerland  
anmoychakma@gmail.com
- Savorni Dewan** : Documentation Officer, Kapaeeng Foundation  
savorni.dewan12@gmail.com
- Supanta Chakma** : Student, 4th Year, Department of Sociology  
University of Dhaka
- Sayon Dewan** : Member, Indigenous Peoples Human Rights Defenders' Network  
sayon\_dewan@gmail.com
- Uzzal Azim** : Programme Manager, Kapaeeng Foudnation  
uzzalazim76@gmail.com
- Ananya Chakma** : Fellow, Kapaeeng Foudnation  
ananya.chakma08@gmail.com

## EDITORIAL NOTE

**BANGLADESH** emerged as an independent and sovereign country in 1971 and adopted a constitution in 1972 that contained four principles: nationalism, socialism, democracy, and secularism. The main goal of the constitution is to establish democracy, the rule of law, fundamental freedom, and social justice for all citizens. Article 11 of the constitution states that: "The Republic shall be a democracy in which fundamental human rights and freedoms and respect for the dignity and worth of the human person shall be guaranteed and in which effective participation by the people through their elected representatives in administration at all levels shall be ensured." Article 28(1) of the constitution stipulates that: "The State shall not discriminate against any citizen on the ground only of religion, race, caste, sex or place of birth." It has also been stated in Article 28(3) of the constitution that: "Nothing in this article shall prevent the State from making special provision in favour of women or children or for the advancement of any backward section of citizens."

Apart from the constitution, several national legislations and international laws have obliged the government to enforce the human rights of the society's marginalised section and protect citizens from internal and external life-threatening conditions. However, the idea of ideal state clashes with the actual behaviour of the state for multiple factors that include but are not limited to leadership quality, accountability of state institutions, the capacity of the state, political culture, and the role of democratic values in social life. While the Social Contract Theory of Jean-Jacques Rousseau contends that people must surrender their rights to a sovereign authority that will protect their rights and establish a peaceful and harmonious society, in his book titled "People, States and Fear", Barry Buzan claims that the state not only protects the security of the citizens but also threatens the security of the citizens. Does the argument of Barry Buzan have relevance to the context of Bangladesh? The simple answer is "yes" since the indigenous peoples of Bangladesh are confronting a wide range of challenges, from identity crisis and land dispossession to forced displacement and other types of state repression and human rights violations.

No in-depth study exists to explain the gap between what Bangladesh has promised in national and international laws and what it has done in practice concerning the human rights of indigenous peoples. Analysing media narratives and investigative reports, Kapaeeng Foundation publishes an annual human rights report on indigenous peoples to assist the government and policymakers in identifying causes, impacts, and hotspots of human rights violations. It also provides policy recommendations on what should be done to protect and promote the human rights of indigenous peoples in Bangladesh.

# ACKNOWLEDGEMENT

Kapaeeng Foundation has, as usual, come out with its yearly reports on the situation of human rights of indigenous peoples in Bangladesh for 2022. The completion of this report would not have been possible without the expertise and contribution of the Kapaeeng Foundation (KF) Secretariat for regularly monitoring the media reports throughout the year, which helped to keep secretariat staff active for systematic documentation and information collection. In many fact-finding missions, members of civic groups facilitated by Kapaeeng Foundation Secretariat, were dispatched to collect authentic information and observe for themselves the “on the ground reality” related to human rights violations perpetrated against indigenous peoples.

A debt of gratitude is also owed to KF organization networks, indigenous people organizations and focal persons working at the grassroots level across the country for their support and cooperation at different stages of this publication.

I also thank all the media houses and online news services at the national and local levels, civil society organizations and individuals for their contributions towards developing the present report. In addition, I would also like to extend my special thanks to the documentation team of the secretariat for their untiring efforts.

I would like to take the opportunity to extend my gratitude to thank the editors and contributors for their tireless efforts and effective contribution in compiling reports up to date information, verifications and analysis of the incidents related to the human rights of indigenous peoples have made this publication possible in particular, I would like to thank the editors and contributors, particularly Anurug Chakma and others for their contributions in editing the human rights report and writing the editorial notes. Finally, Kapaeeng Foundation would like to express sincere gratitude to the Asia Indigenous Peoples Pact (AIPP) for providing support for this Human Rights Report on Indigenous Peoples in Bangladesh.

Rabindranath Soren  
Chairperson, Kapaeeng Foundation

## EXECUTIVE SUMMARY

**BANGLADESH** is a multicultural and multilingual country with more than 50 indigenous communities living in different regions. Indigenous peoples (IPs) constitute 1–2 per cent of the country's total population and belong to distinct cultures and heritages, languages and folk literature. It has made remarkable progress in economic growth, poverty reduction, life expectancy, human development index, and many other social development indicators in the recent past. However, IPs have remained the most marginalized, excluded, and vulnerable section of society, marked by the absence of the rule of law, fundamental freedom, equality before the law, and access to justice.

Since its independence in 1971, Bangladesh has inherited, adopted, and ratified a good number of national and international laws notably, the constitution of Bangladesh, East Bengal State Acquisition and Tenancy Act, Land Reforms Ordinance, Environment Conservation Act, Environment Court Act, Forest Act, Wildlife Conservation and Security Act, Brick Manufacturing and Brick Kilns Establishment Control Act, ILO Convention on Indigenous and Tribal Populations, Convention on the Elimination of All Forms of Discrimination against Women, Convention on the Rights of the Child, International Covenant on Civil and Political Rights, International Convention on the Elimination of All Forms of Racial Discrimination, and United Nations Declaration on the Rights of Indigenous Peoples to protect and promote human rights of her citizens including the marginalized IPs.

These national and international legal instruments have obliged the state to enforce human rights-related laws in the country. Does our expectation match with the social reality? Another puzzle is why state agencies commit human rights violations when the core responsibility of the state is to save IPs from life-threatening threats. This annual report has assessed the state's liability towards IPs by focusing on the civil and political rights of IPs, the human rights of indigenous women and girls, the rights of IPs to land and natural resources, and the current state of implementation of the CHT Accord.

## **Civil and Political Rights of Indigenous Peoples**

Both state and non-state actors committed violations of IPs' civil and political rights in 2022. IPs witnessed different human rights violations, including extrajudicial killing, arbitrary arrest, illegal detention, physical assault, demolition of houses, and inhuman torture. Although the state criminalized human rights activities of IPs by using fabricated cases against 71 indigenous persons in 2021, intending to create terror and strongly discourage other indigenous persons from participating in the human rights movement, no fabricated lawsuit was filed in 2022.

The overall situation of civil and political rights of IPs can be explained from several perspectives, and one of them is the geographical distribution of human rights violations. Mostly, violations of IPs' civil and political rights happened in Chapainawabganj, Khagrachari, Bandarban, and Rangamati last year. Compared to 2021, there were improvements in several civil and political rights areas. For instance, no communal attack occurred last year; no fabricated case was filed against the indigenous person; no temple was vandalized, and no person was in forced labour. In contrast, IPs' civil and political rights deteriorated in several other areas, such as houses looted and vandalized by security forces, indigenous persons tortured by security forces, and houses torched by Bengali settlers. Overall, IPs' civil and political rights were worse in 2021 than in 2022 since the number of incidents was 625 in 2021 and 276 in 2022.

## **Violence against Indigenous Women and Girls**

Indigenous women and girls are victims of sexual, physical, and psychological violence, which stems from a wide range of social, cultural, and political factors that include but are not limited to political exclusion, militarization, communal aggression over ancestral lands of IPs, inferior social position, and patriarchy. A total of 21 cases of violence against indigenous women were reported from 1 January 2022 to December 2022. Of 21 such cases, 43% occurred in the plain land and 57% in the Chittagong Hill Tracts (CHT), although a sexual harassment case occurred only in the CHT. In 2022, rape cases occurred in four districts: Dinajpur, Rangpur, Rangamati, and Bandarban, while attempted rape cases happened in Sunamganj and Khagrachari. Three districts – Khulna, Bagherhat, and Chittagong witnessed gang rape cases and killing after rape cases in Chittagong and Bandarban districts. Physical attack cases occurred in Netkrona, Satkhira, Cox's Bazar, and Bandarban, but the sexual harassment case only happened in Khagrachari. The age group of victims, whose ages ranged from 3 to 75 years.

Law enforcement agencies arrested perpetrators for gang rape and physical assault cases in 2022, while nobody was arrested for other violent incidents against indigenous women and girls: rape, attempt to rape, killing after rape, abduction, and sexual harassment. In contrast, victims lodged their complaints in some cases against criminals, except for killing after

rape and sexual harassment cases. Still, many indigenous victims did not take appropriate legal action against miscreants last year. It might be because of multiple factors such as poverty, lack of legal awareness, lack of access to legal aid, pressure from criminals etc.

## **Rights to Land and Natural Resources**

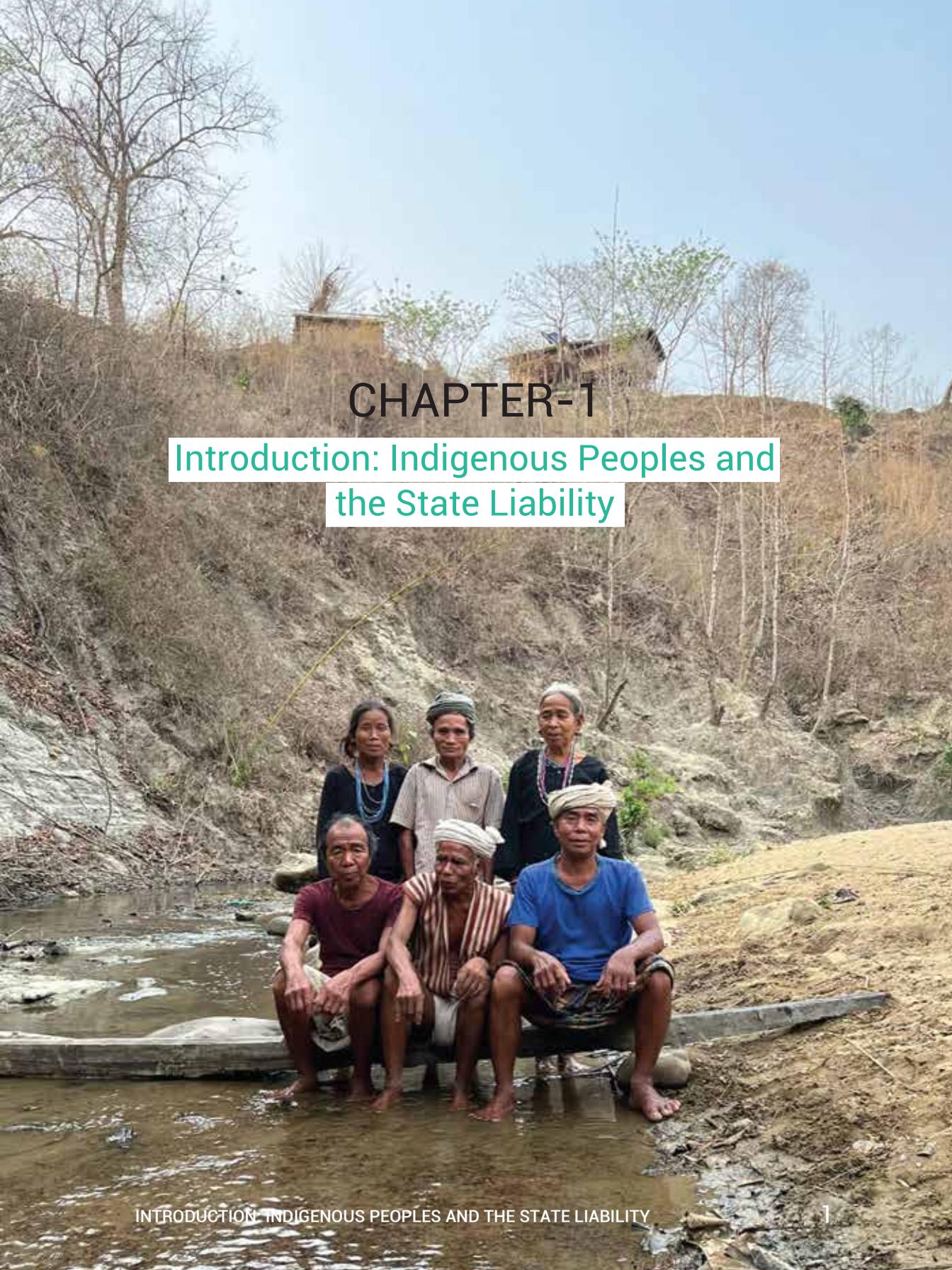
While Bangladesh has adopted and ratified national and international laws to protect the rights of land and natural resources of IPs, it has failed to enforce these laws. As a result, indigenous peoples faced a good number of land-related incidents and casualties in 2022. More land-related violence occurred in the CHT than in the plain land. For instance, 37 indigenous families' lands were grabbed in the CHT in contrast to the illegal occupation of 4 indigenous families' land in plain land. A total of 421 acres of land were attempted to grab in the CHT, in contrast to 15 acres of land in plain land. Crops and plantations of 200 indigenous families were destroyed in the CHT compared to 5 indigenous persons in plain lands who experienced this sort of land-related incidents.

Besides, the attempted land grab in the name of establishing camps for security forces distinguishes indigenous peoples of the CHT from the plain land in 2022. However, indigenous peoples of the CHT and plain lands witnessed similar land-grabbing attacks. Notably, indigenous peoples of plain lands experienced more violence in three areas: (a) families under threat, (b) obstruction from the cultivation of their lands, and (c) the number of persons killed in land-related violence last year. In contrast, land-related violence that affected indigenous peoples as victims happened in several districts of Bangladesh, namely Thakurgaon, Dinajpur, Sherpur, Tangail, Satkhira, Sylhet, Cox's Bazar, Khagrachari, Bandarban, and Rangamati in 2022.

## **The Current Implementation Status of the CHT Accord**

The government of Bangladesh and the Parbattya Chattagram Jana Samhati Samiti (PCJSS) signed the historic Chittagong Hill Tracts (CHT) Accord on 2 December 1997 to end the two-decade insurgency. Twenty-five years after the signing of the Accord passed in 2022, with despair and frustration among the indigenous peoples of the CHT. Although the Silver Jubilee of the Accord was over last year, the principal aim of this Accord – the peaceful solution to the CHT conflict – has remained unfulfilled. Instead, militarization, gross human rights abuses by security forces, extrajudicial killings, ethnic tensions, communal violence, the rise of spoiler groups, land grabbing, displacement, demographic engineering, and forced assimilation have increased drastically in the post-Accord period. Consequently, indigenous peoples continue to live with fear, insecurity, and dissatisfaction with their current life, in addition to their frustration over the non-implementation of the Accord.

Surprisingly, the Awami League-led government, one of the signatory parties of the Accord, has remained in power for the last 18 years, within 25 years after signing the Accord. It is not a 'blame game' but an undeniable truth that the government has not taken any initiative to execute the unimplemented core issues of the Accord despite getting more than enough time for the implementation. The PCJSS claims that the government adopted no significant measure in 2022. Instead, the government has geared up state repression and ethnic cleansing policy to suppress the Jumma people's movement to implement the CHT Accord in an undemocratic, violent and fascist manner last year, with continued arrests of the PCJSS leaders and activists, including indigenous human rights defenders. Consequently, the situation in the CHT in 2022 has remained more volatile, violent, and vulnerable.



# CHAPTER-1

## Introduction: Indigenous Peoples and the State Liability



## I. INTDIGENOUS PEOPLES AND THE STATE RESPONSIBILITY

**BANGLADESH** is the home of over 50 different indigenous communities<sup>1</sup> across the country, geographically concentrated in the delta region known as "the plains," as well as in the Chittagong Hill Tracts (CHT), situated in the south-eastern part of the country. Indigenous communities, which constitute approximately 1–2 per cent of the country's total population<sup>2</sup> are linguistically and culturally diverse. Ironically, they are increasingly becoming monolingual in the national language due to the linguistic imperialism of Bangla.<sup>3</sup> Consequently, dozens of indigenous languages in the country are under threat to survival for two reasons: (a) the adoption of Bangla and English by indigenous peoples (IPs) to thrive in mainstream society and (b) a lack of sufficient government and private initiatives to preserve these languages from the danger of extinction. Government sources claim that indigenous communities still speak 30 of the 50 languages. Ironically, most IPs are unable to read and write in their alphabet, which has become a growing concern for the cultural diversity of Bangladesh.<sup>4</sup>

Besides, a growing body of literature asserts that IPs from both the plains and the hills constitute the most vulnerable, disadvantaged, and marginalized section of society. For instance, Toufique et al. (2017) find that the IPs of Bangladesh are lower than the national average regarding several socio-economic development indicators, such as health, education, household income, food consumption, participation, and women empowerment.<sup>5</sup> The poverty

---

1 As reported by International Work Group for Indigenous Affairs. <https://www.iwgia.org/en/bangladesh>

2 Cited from the estimate of the Bangladesh Adivasi Forum (BIPF), the apex advocacy and networking organization of indigenous peoples in Bangladesh.

3 Sultana, Shaila. "Indigenous ethnic languages in Bangladesh: Paradoxes of the multilingual ecology." *Ethnicities* (2021): 14687968211021520.

4 Mamun Abdullah, "Indigenous languages on the verge of extinction". <https://www.dhakatribune.com/bangladesh/2022/02/22/indigenous-languages-on-the-verge-of-extinction>

5 Toufique, Kazi Ali, Abdul Hye Mondal, Mohammad Yunus, Sinora Chakma, and Sami Farook. 2017. *Report on Baseline Assessment of Skills and Employment of Indigenous and Tribal Peoples in Bangladesh*. Dhaka: Bangladesh Institute of Development Studies and ILO.

rate among the IPs is much higher than the national average of about 21 per cent.<sup>6</sup> However, the poverty rate is above 80 per cent among the IPs of the plains, while it is 65 per cent in the CHT. As opposed to the national average income, the mean income of IPs is 26 per cent less in the CHT and 41 per cent less in the plains.<sup>7</sup> In brief, the marginalization of IPs in Bangladesh has resulted from a myriad of political, economic, and social factors that include but are not limited to historical injustice, discrimination, landlessness, and gross violations of their civil, political, economic, cultural, and customary rights.

The key objectives of this chapter are to assess the overall situation of IPs under two broad themes – *IPs in the state perspectives and state liability for human rights violations*. In the beginning, this chapter has introduced the overall condition of IPs in Bangladesh, focusing on economic deprivation, social exclusion, and political marginalization. The first section has discussed how the interests of IPs are articulated from the state perspectives by examining two state policies: the 8th Five-Year Plan of the Government of Bangladesh and the country-level voluntary national review report. While the second section has dealt with the state's liability for the violations of human rights of IPs, the fourth third has wrapped up the discussion by outlining the report's structure.

## 1.1 Indigenous Peoples in the State Perspective

Bangladesh not only excludes IPs from the policy-making process but needs to articulate the needs and aspirations of IPs better in state policies. It should also respect international legal instruments related to the participation of IPs in state policies that might affect them. This section has examined two state policies of the Government of Bangladesh – the government's Five-Year Plan and the national-level Voluntary National Review (VNR) Report – to assess the state perspectives concerning IPs.

The Government of Bangladesh has embarked on its 8th Five-Year Plan for FY2021 – FY2025 with the theme of "Promoting Prosperity and Fostering Inclusiveness." Unlike the previous government's Five-Year Plans, the incumbent government has included several promises to develop the country's ethnic minorities. The Plan has recognized the exclusion of IPs from mainstream economic and political processes as follows.

“The ethnic communities in Bangladesh are the most deprived of economic, social, cultural and political rights, mainly due to their ethnic status. Ethnic identities are

---

6 Bangladesh Bureau of Statistics, Household Survey 2019.

[http://bbs.portal.gov.bd/sites/default/files/files/bbs.portal.gov.bd/page/5695ab85\\_1403\\_483a\\_afb4\\_26dfd767df18/2019-12-17-16-30-614e10bcb101bc1df5938723cc141c5d.pdf](http://bbs.portal.gov.bd/sites/default/files/files/bbs.portal.gov.bd/page/5695ab85_1403_483a_afb4_26dfd767df18/2019-12-17-16-30-614e10bcb101bc1df5938723cc141c5d.pdf)

7 Kapaeeng Foundation. Indigenous Navigator Bangladesh Factsheet, p.3.

[http://www.nav.indigenoustravel.com/images/Documents/Factsheets/Bangladesh\\_Factsheet\\_Final.pdf](http://www.nav.indigenoustravel.com/images/Documents/Factsheets/Bangladesh_Factsheet_Final.pdf)

creating barriers to ethnic minority peoples' inclusion in wider social networks ...the result is that ethnic people are socially isolated, with little access to mainstream economic and political spheres.”<sup>8</sup>

The Plan has also identified the root causes of the economic marginalization of IPs and explained how influential people and the existing political system exploit IPs as follows.

“A complex interplay of ethnic inequality, enduring discrimination, lack of education, little access to land and lack of employment has resulted in increased poverty amongst these groups. One of the major problems for all minority communities is land grabbing by influential people from the mainstream population. Policies to protect the land of ethnic people have not been adequate.”<sup>9</sup>

Considering this painful reality of IPs, the government has proposed some strategic plans to protect and promote the fundamental human rights of IPs and enable them to preserve their social, cultural, and traditional identities. The plan also guarantees to fulfil the fundamental rights of IPs to access education, healthcare, food and nutrition, employment, and overseas employment, as well as to protect their right to land and other natural resources. It further mentions that a prospective plan for the development of the CHT will be formulated through a consultative process with the concerned key stakeholders. Above all, the 8th Five-Year Plan reiterates the government's commitment to consider implementing the 2007 United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP) and to ratify the ILO Convention 169, among others.<sup>10</sup>

On the contrary, the Voluntary National Review (VNR) report is presented by countries to state their progress in achieving the global Sustainable Development Goals (SDGs) and allow themselves to be evaluated by other countries. In 2020, 46 countries, including Bangladesh, were reviewed in the High-Level Political Forum 2020 under the auspices of the United Nations Economic and Social Council (ECOSOC).

Due to the unprecedented health crisis of the COVID-19 pandemic, Bangladesh presented its VNR 2020 virtually on 13 July 2020, like other countries. The Planning Minister of Bangladesh presented the report and described how Bangladesh approached SDGs implementation despite having different challenges. He highlighted the government's achievements in poverty reduction, gender parity in primary and secondary enrolment,

---

8 Bangladesh Planning Commission.2020. *Government of the People's Republic of Bangladesh. "8th Five Year Plan FY2021 - FY2025: Promoting Prosperity and Fostering Inclusiveness.* Dhaka: Ministry of Planning

9 Ibid

10 Ibid

reduction of under-5 mortality rates, access to electricity and social protection coverage.<sup>11</sup>The minister also shared how the government handled COVID-19 challenges in the SDG implementation processes.

However, despite being one of the most vulnerable groups in society, the perspectives of IPs were not included in the VNR report. IPs and their representative organizations should have been consulted when drafting the VNR report. Issues of IPs, therefore, remained excluded and invisible in this report. These two illustrative cases of state policies reveal the self-contradictory of the government. While the government has promised to protect and promote the human rights of IPs in the Five-Year Plan, the government has failed to include the voice of IPs in the VNR report.

## 1.2 Human Rights Violations and the State Liability

The state has guaranteed 18 human rights as fundamental rights in Articles 27-44 of the Constitution. In addition, the state has adopted different national legislations and policies concerning the security of women and children, protection of the environment, and development of ethnic minorities. Most importantly, the government has signed the CHT Accord, which contains many human rights-related provisions concerning the rights of ex-combatants, displaced persons, and ordinary citizens of the CHT. In contrast, the government has signed and ratified many international legal instruments such as the International Covenant on Civil and Political Rights (1966), International Covenant on Economic, Social, and Cultural Rights (1966), International Convention on the Elimination of All Forms of Racial Discrimination (1965), Convention on the Elimination of All Forms of Discrimination against Women (1979), Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (1984), Convention on the Rights of the Child (1989), and ILO Convention No. 107 on Indigenous and Tribal Populations (1957) to enforce human rights of her citizens.

However, the government has failed to fulfil its liability towards enforcing the human rights of IPs. Chapters 2–5 have offered an evidence-based analysis of how state agencies have criminalized the human rights activities of IPs in Bangladesh. Along with severe state repression of IPs, different non-state actors, some of which receive support directly from law enforcement agencies, security forces and civil administration, commit human rights violations with the privilege of impunity. As a result, the absence of state liability has increased the vulnerability and marginalization of IPs throughout the country.

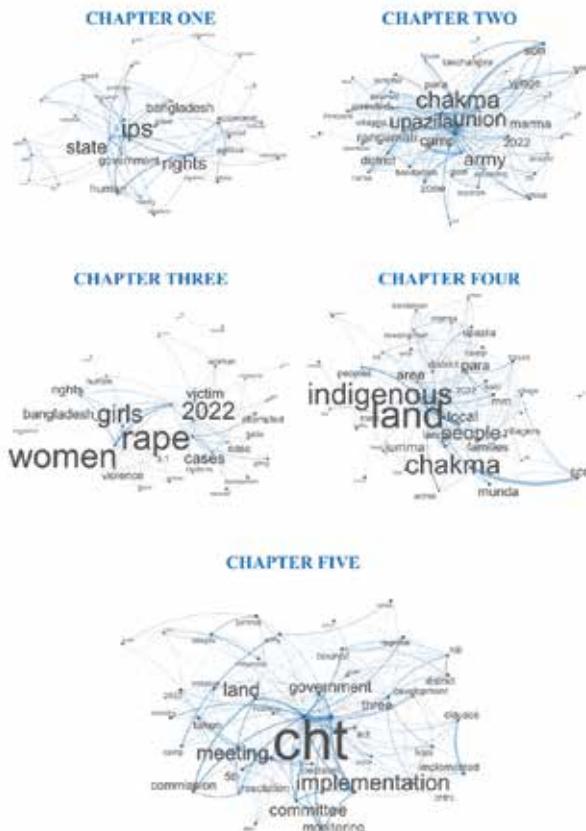
---

11 Dhaka Tribune. "Bangladesh Voluntary National Reviews Held along with Side Event on Accelerating Post Covid-19 Recovery." 15 July 2020.  
<https://www.dhakatribune.com/bangladesh/2020/07/15/bangladesh-voluntary-national-reviews-held-along-with-side-event-on-accelerating-post-covid-19-recovery>

### 1.3 Structure of the Report

This annual report is divided into five chapters (see Figure 1.1, which presents the summary of the discussion of every chapter). *Chapter One* has introduced a set of policy debates to explain the gap between what Bangladesh has promised in its constitution and international laws and what it has done in practice about protecting and promoting the human rights of IPs, the most vulnerable section of the society which needs particular policy interventions. *Chapter Two* has provided an evidence-based analysis of IPs' current civil and political rights status. *Chapter Three* has discussed factors and actors of the violations of human rights of indigenous women and girls in their day-to-day lives by using descriptive statistics, mapping hotspots, and analysing a good number of cases. *Chapter Four* has evaluated the status of the rights of IPs to lands and natural resources. *Chapter Five* has assessed the role of the Government of Bangladesh in implementing the CHT Accord, which was signed on 2 December 1997 between the Government of Bangladesh and the Parbattya Chattagram Jana Samhati Samiti (PCJSS).

Figure 1.1: Summary of the report





## CHAPTER-II

### Civil and Political Rights





## II. CIVIL AND POLITICAL RIGHTS

BANGLADESH has made remarkable progress in economic growth, poverty reduction, and many other social development indicators over the last two decades. However, it has failed to make visible progress in the protection and promotion of the civil and political rights of IPs. Despite the reiterated commitment of the government to end extrajudicial killings, law enforcement agencies have continued to commit targeted extrajudicial killings in the CHT. The common patterns of violation of civil and political rights of IPs by state actors include calling targeted persons to camp for reporting, detaining them without trial, making arrests under planned cases, sending to prison by inseting arms, and re-arrest of those indigenous human rights activists who are released on bail, at the jail gate. Based on descriptive statistics, mapping hotspots, and a good number of illustrative cases, this chapter has offered an in-depth analysis of the current state of violations of civil and political rights of IPs in Bangladesh.

This chapter is divided into three sections. The chapter has highlighted the problem statement on why Bangladesh has failed to protect and promote the civil and political rights of IPs throughout the country before moving to the first section, which has discussed national and international legal instruments related to civil and political rights. The second section has provided an in-depth, evidence-based analysis of the violation of civil and political rights of IPs in the context of Bangladesh. In contrast, the third section has wrapped up the discussion by outlining several policy recommendations.

### 2.1 National and International Legal Instruments

Human rights are universal, inherent, and inalienable since everyone in society is born with these rights. Just like other countries, Bangladesh has guaranteed 18 human rights as fundamental rights in Articles 27–44 under Part III of the constitution. These fundamental rights include the right to equality before the law and equal protection of the law in Article 27, the right to life and liberty in Article 32, the right to protection against arbitrary arrest and detention in

Article 33, the right to protection from forced labour in Article 34, the right to fair trial and punishment in Article 35, freedom of movement in Article 36, freedom of association in Article 38, freedom of speech and expression in Article 39, and freedom of religion in Article 41. Hence, the Government of Bangladesh is morally and legally obliged to enforce the fundamental rights of its citizens.

In contrast, Bangladesh adopted and ratified several international legal instruments related to civil and political rights. Examples include the Universal Declaration of Human Rights (1948) and the International Covenant on Civil and Political Rights (1966). In addition, Bangladesh is a state party of the international human rights legal system. For instance, Bangladesh was elected as a member of the United Nations Human Rights Council (UNHRC) for a period of 3 years commencing from 2019 to 2021. On 12 October 2018, Bangladesh was selected as an incumbent of the UNHRC through direct and secret voting of United Nations member states (UN). Bangladesh debuted its responsibility for this tenure in January 2019.

It is also to be noted that the United Nations General Assembly (UNGA) adopted the UNDRIP in 2007. This Declaration has encouraged states to respect, protect, and promote the rights of IPs that include but are not limited to the right to self-determination in Article 3, the right to maintain and strengthen their distinct political, social, and cultural institutions in Article 5, the right to nationality in Article 6, the right to life, liberty and security in Article 7(1), the right to protection against genocide and any other acts of violence in Article 7(2), and the right to protection against forced assimilation in Article 8.

## 2.2 Legal Obligations of Bangladesh: Expectation and Reality

As discussed above, Bangladesh is morally and legally obliged to protect and promote IPs' civil and political rights. However, the US Department of State claimed in the *2022 Country Report on Human Rights Practices* that: "the army and intelligence forces carried out extrajudicial killings and arbitrary arrests; beat, harassed, threatened, and jailed Indigenous people on false charges; and labelled rights activists as terrorists and extortionists." It has further stated, "In July, the government ordered media not to use the word "indigenous" in shows organized for the August 9 International Day of the World's Indigenous Peoples."<sup>12</sup> Besides, the human rights reports of the Freedom House, Amnesty International, and several national human rights organizations such as Ain O' Salish Kendra and Odhikar demonstrate that Bangladesh's overall civil and political rights situation is appalling. Table 2.1 shows violations of indigenous peoples' civil and political rights in Bangladesh.

---

12 The US Department of State, "2022 Country Report on Human Rights Practices: Bangladesh." <https://www.state.gov/reports/2022-country-reports-on-human-rights-practices/bangladesh/>

**Table 2.1: Violations of IPs' civil and political rights in Bangladesh, 2021–2022**

<b>Forms of Atrocities</b>	<b>2021</b>	<b>2022</b>
Communal Attack	2	0
No. of person injured in communal attack	4	0
No. of temple vandalized	1	0
No. of shops vandalized in communal attack	1	0
No. of houses looted and ransacked/demolished/ vandalized by security forces	1	18
No. of children rescued	13	0
No. of person forced to do labor	200	4
No. of persons arbitrary arrested	6	13
No. of persons tortured	102	39
No. of person killed after tortured	0	2
No. of persons detained	47	54
No. of person released after detention	0	20
No. of houses searched	93	44
No. of person harassed	54	8
No. of persons arrested in false cases	23	36
No. of persons against Whom fabricated case filed	71	0
No. of person killed	1	1
No. of persons attacked	5	0
No. of incidents of abduction	0	2
No. of person abducted	1	9
No. of person released after abduction	0	2
No. of incidents of hack to death	0	1
No. of person hack to death	0	1
No. of incidents of beating and torture by Bengali settlers	0	2
Forms of Atrocities	2021	2022
No. of person beaten and tortured by Bengali settlers	0	3

<b>Forms of Atrocities</b>	<b>2021</b>	<b>2022</b>
No. of incidents of attack by Bengali settlers	0	1
No. of persons attacked by Bengali settlers	0	1
No. of incident of torching by Bengali settlers	0	1
No. of person houses torched by Bengali settlers	0	9
No. of incidents of attempt to kill	0	1
No. of persons attempted to kill	0	1
No. of incidents of attack by land grabbers	0	1
No. of persons attacked by land grabbers	0	3
No. of incidents of obstruction by police	0	1
No. of incidents of killing by miscreants	0	1
No. of persons killed by miscreants	0	1
<b>Total</b>	<b>625</b>	<b>276</b>

**Table 2.1: Violations of IPs' civil and political rights in Bangladesh, 2021–2022**

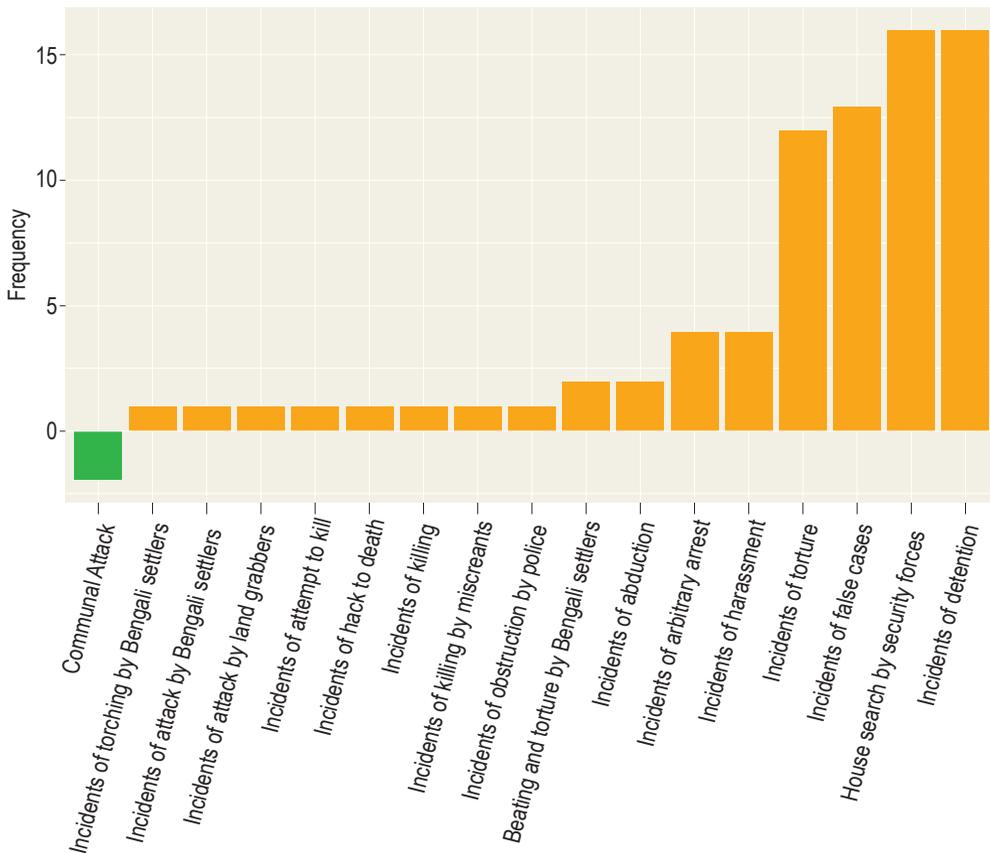


Table 2.1 reveals a variation in the violations of civil and political rights of indigenous peoples in Bangladesh between 2021 and 2022. For example, the number of persons in forced labour was 200 in 2021, but nobody was in forced labour in 2022. The number of persons tortured have increased in 2022. Similarly, the number of persons harassed in 2021 were 54 and only 4 persons in 2022. Besides, 71 fabricated cases were filed against IPs in 2021, whereas no fabricated case occurred in 2022. However, Bengali settlers torched 9 indigenous houses in 2022 but not a single house in 2021. Besides, security forces looted and vandalized 18 indigenous houses in 2022 but only 1 house in 2021. Overall, the civil and political rights of IPs were worse in 2021 than in 2022 since the number of incidents was 625 in 2021 and 276 in 2022. Compared to 2021, there was a significant improvement in civil and political rights for IPs in Bangladesh.

Figure 2.2: Changes in the situation of IPs' civil and political rights, 2021-2022

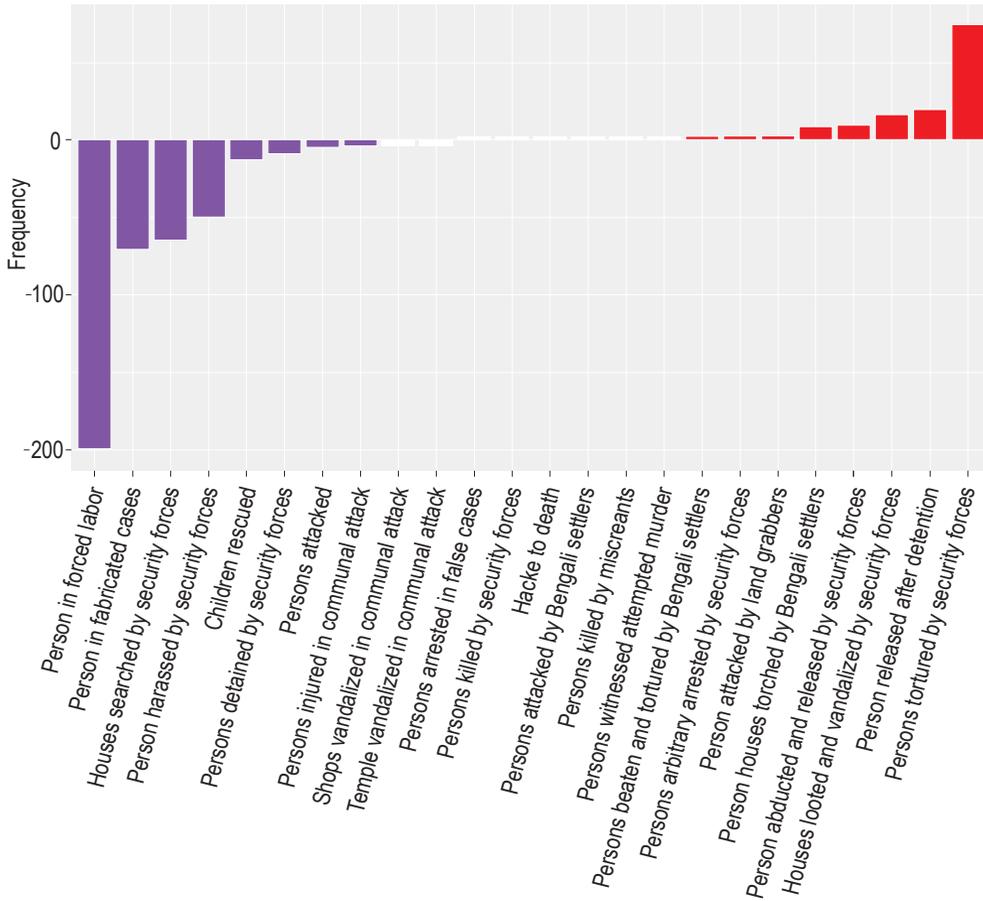
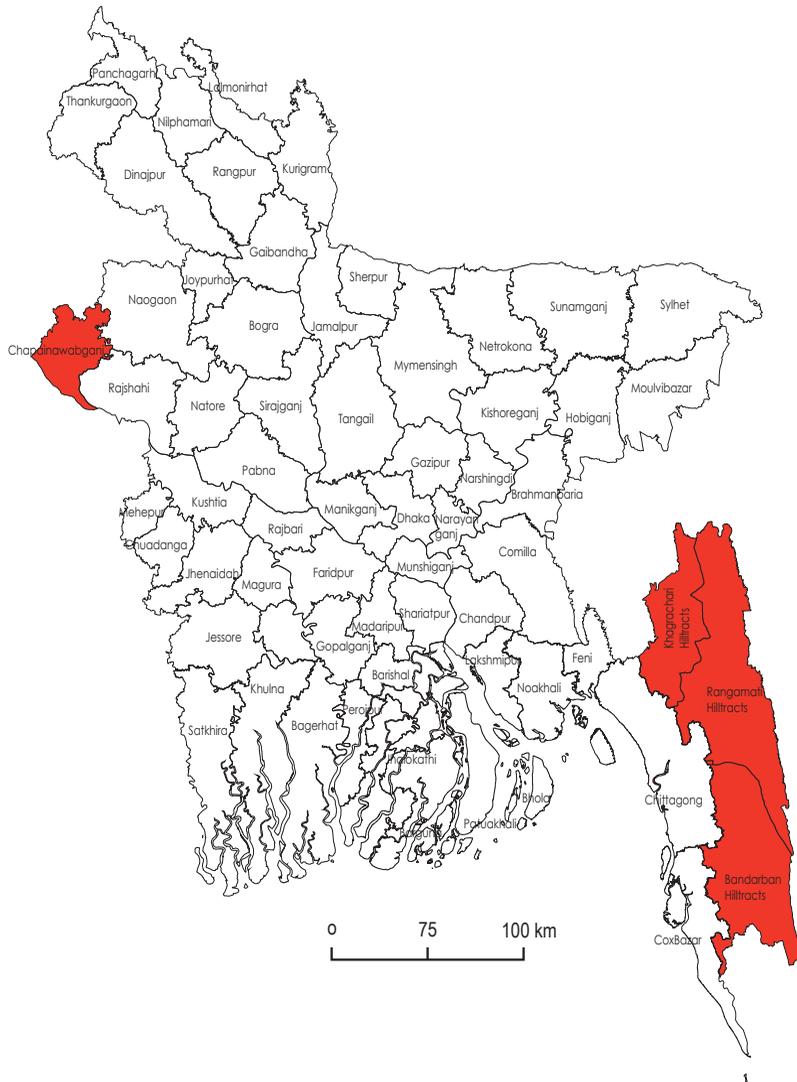


Figure 2.1 shows that violations of several categories of civil and political rights of IPs deteriorated in 2022, except for the communal violence as indicated by green colour. Mainly, the incidents of detention, house searched, false cases against IPs, and incidents of torture increased more than incidents of attacks on IPs by Bengali settlers, incidents of attack by land grabbers, incidents of attempted murder, and incidents of obstruction by police, and beating and torture by Bengali settlers from 2021 to 2022.

Figure 2.2 reveals that there were decline (highlighted by red bars) in some areas of civil and political rights (indicated by purple bars), such as persons tortured, and houses looted and vandalized. In contrast, there were some improvements in other civil and political rights areas, such as persons in forced labour, persons in fabricated cases, houses searched, and persons harassed. Some areas of civil and political rights, for instance, persons killed, and persons arrested in false cases, have remained almost unchanged last year.

**Map 2.1: Hotspots of violations of IPs' civil and political rights in 2022**



Map 2.1 displays the hotspots of violations of civil and political rights of IPs in 2022. Except for one attack on IPs by land grabbers in Chapainawabganj, the CHT experienced most civil and political rights violations last year. For instance, search and vandalization of nine houses in Rangamati and Bandarban, arbitrary detention of four indigenous persons and physical abuse, torture, and harassment in Rangamati. Also, Bengali settlers attacked, abused, and beat four indigenous persons in Rangamati and Khagrachari, while one indigenous person was tortured and killed in Khagrachari. For detailed information on the violations of IPS's civil and political rights, see the illustrative cases of IPs' civil and political rights violations below.

## Cases of Civil and Political Rights violations

Date	Occurrences in Brief
9 Jan 2022	Security forces illegally searched the house of an indigenous villager Usathowai Marma and harassed a 72-year-old woman identified as Hlabairui Marma in Dak Bangla Para of Ward No. 6 of Bangalhalia union, Rajasthali upazila under Rangamati district.
19 Jan 2022	Security forces detained a grocer named Roximong Marma at Dulupara check-post of Kuhalong union of Bandarban Sadar upazila, Bandarban district. The security forces claimed to have recovered an amount of 7 lakh taka from him and accused that it was extortion money.
25 Jan 2022	Four newly elected UP chairmen allegedly arrested from the premises of Deputy Commissioner's Office after taking oath.
31 Jan 2022	A Buddhist monk Bishuddha Mahathero was killed by miscreants in Gugrachari of Khagrachari district.
31 Jan 2022	Gyanajyoti Bhikkhu, a Buddhist monk of Jumma Chadigong Buddhist Temple was attempted to hack to death at Bayazid Police Station area in Chittagong by unknown miscreants.
1 Feb 2022	Security forces allegedly detained four indigenous persons from a tea shop in the Samataghat area of Rangamati town. One of the detainees was identified as Fuleshwar Chandra Chakma, a headmaster from Shahi Dewan Para. They were detained and taken to camp, where they were released after interrogation.
2 Feb 2022	A group of security forces while conducting patrolling operation in Chakpatighat, Chumachumi, Ghilatuli and Samira areas of Jurachari upazila, searched the house of Jyoti Ranjan Chakma and allegedly beat Rupentu Chakma of the village.
2 Feb 2022	A group of security forces carried out a search operation in Bhaibonchara, Dhuyachari and Kaushalyaghona of Jibitali union. The security forces surrounded and searched the house of Dipak Chakma in his absence.
4 Feb 2022	Bhupati Ranjan Chakma and Ratan Chakma from Sarbotali union of Baghaichari Upazila were detained by security forces.

Date	Occurrences in Brief
4 Feb 2022	Security forces fired 10-15 rounds at the house of a villager claiming to fight terrorist in Dojor Para of Ultachari of Babuchara union, Dighinala upazila of Khagrachari district. After firing, they ransacked the house and burned many items. The security forces also severely beat Ripon Chakma and his son Kalaiya Chakma, residents of the village.
6 Feb 2022	Security forces conducted a harassing search at the house of Shishu Kumar Chakma in Harinchhara Para of Ward No. 1 of Kaptai union in Rangamati hill district.
9 Feb 2022	Security forces surrounded, searched and ransacked the house of Abani Chakma in Ultachari Dojor Para of Babuchara union of Dighinala upazila, Khagrachari district.
	Two indigenous villagers- Bhante and Nigira Ranjan Chakma were detained that day.
9 Feb 2022	Three persons were detained by security forces from Prajuchhara village of Mogban union of Rangamati. Among them, one Dayantu Chakma was framed by putting country-made arm while the others were released.
19 Feb 2022	Three fishermen from Gabghona village were brutally beaten by security forces at Balukhali village under No. 5 Ward of Balukhali union, Rangamati district.
23 Feb 2022	Gyana Ranjan Chakma was arrested and physically abused by security forces from Ujobazar market area of Sajek upazila in Rangamati.
25 Feb 2022	Amar Kanti Chakma was allegedly beaten by five settlers in Kalabunia area of the Aimachhara union of Barkal upazila.
26 Feb 2022	Two persons were attacked and severely beaten by three settlers in Ward no. 8 Nabaperachra area of Sarbatuli union of Baghaichhari upazila under Rangamati district.
28 Feb 2022	Security forces summoned and detained Mongyoiprue Marma from Kheyangmrong Para of Noapatang union in Rowangchhari upazila of

Date	Occurrences in Brief
	Bandarban district. He was later implicated in a murder case that occurred in Rowangchari Sadar area.
13 Mar 2022	Security forces attacked four villagers. Among them, one was arrested by putting arms and bullets in Jibtali union of Rangamati Sadar upazila.
15 Mar 2022	Nabayan Chakma was killed due to inhuman physical torture by the security forces in Dighinala upazila of Khagrachari district.
15 Mar 2022	At least nine houses have been set to fire by settlers in DipPOCHARI of Ward no. 4 of Maischari union in Mahalchari upazila of Khagrachari district.
21 Mar 2022	Security forces allegedly searched and beat three youths in Ghagra Bazar area of Kaukhali union in the Rangamati district.
1 April 2022	Houses of five indigenous villagers were allegedly searched and ransacked by security forces in Mulfi Para village of Paindu Union of Ruma upazila under Bandarban district.
2 April 2022	Security forces arrested a traditional leader (karbari) from Rajvila Upor Para village of Rajvila union under Bandarban sadar upazila with false accusation of carrying arms.
8 April 2022	Security forces abducted six including two women, namely- 1) Prashant Tanchangya, 2) Krishna Gopal Chakma, 3) Shantivikash Chakma, 4) Chittamohan Chakma, 5) Isha Chakma, and 6) Kandari Chakma from Guichhari village of Ward No. 7 of Sapchari union of Rangamati Sadar upazila.
29 April 2022	Chinumong Marma was arrested and framed him of carrying arms by the security forces in Bangalhalia union area of Rajasthali upazila under Rangamati district.
1 May 2022	Security forces arrested Bimal Chakma by planting arms, and three more villagers were beaten in Harinchhara Bazar area of Kaptai upazila under Rangamati district.
18 May 2022	Three Marma youths arrested from Bandarban Bazar area of Bandarban town.

Date	Occurrences in Brief
19 May 2022	T. M. Prue Marma and Thuinumong Marma were arrested and detained at Chemidalu para, Kuhalong union, Bandarban Sadar upazila, Bandarban district.
29 May 2022	Security forces arrested Bipanno Tanchangya and Ronya Tanchangya from Ruma in Ruma upazila under Bandarban district. The arrestees were returning home from bazaar where a patrol team stopped and arrested them.
30 May 2022	Security forces detained Mekko Tanchangya and Natun Joy Tanchangya from Mannuan para in Ruma upazila under Bandarban district.
	Eight relatives of the detainees including women and children were detained and beaten when they attempted to request the release of their relatives.
26 June 2022	Reset up of camp for security forces was initiated on previously abandoned camp in Jal Kumar Para of Abhya Mouza in ward no. 7 of Matiranga Sadar union under Khagrachari district.
4 July 2022	Security forces arrested four people including Shambhu Kumar Tanchangya implicating in a false case.
9 July 2022	The house of Mimachi Marma was searched and vandalized by security forces in Jibtali union of Rangamati Sadar upazila. The security forces further threatened to kill her and her family if she did not inform them of terrorists.
11 July 2022	Mongyong Thoai Marma was attempted to kill by three settlers in the Ruposhi union of Lama upazila under the Bandarban district.
15 July 2022	Shoisingmong Marma was killed brutally in his house by a group of miscreants at Baghmara Headman Para of Ward No. 4 of Jamchari union, Lama upazila under Bandarban district.
21 July 2022	Allegation of resetting up of camp for security forces after settlers burned 37 indigenous houses in Jaisen Para of Ward no. 4 of Maischari union of Lemuchhari Mouja in Mahalchari upazila of Khagrachari district.

Date	Occurrences in Brief
31 July 2022	Indigenous youth arrested and falsely accused with locally made gun by security forces in Bandarban Sadar.
10 Aug 2022	Three IPs were injured in a communal attack by non-IP over land dispute in Hawakandar Madhaipur village of Parvatipur union of Gomstapur upazila of Chapainawabganj district.
18 Aug 2022	Chashwemong Marma was detained with threats at gunpoint by security forces from Natun Para village of Rowangchari Sadar upazila, Bandarban district.
23 Aug 2022	Security forces severely beat and detained two villagers Mintu Chakma and Santu Chakma, from Bangalkata village under Kengrachari union of Bilaichari upazila, Rangamati district. Their houses were searched and ransacked.
19 Sept 2022	Indigenous villagers of Muslim Tripura village at Tulachari in Alekshyong union of Rowangchari upazila under Bandarban district were allegedly forced to labour without wages by security forces for the building of brick-built mosque near the village.
20 Sept 2022	Security forces summoned, threatened and harassed Chairmen and traditional leaders of Jibtali and Mogban unions of Rangamati Sadar upazila.
22 Sept 2022	An indigenous fisherman Shanti Kumar Chakma Nunya, his son and two accomplices' residents of Jibtali union of Rangamati Sadar upazila under Rangamati district, were temporarily detained, harassed and arrested at gunpoint by the security forces.
24 Sept 2022	Security forces attempted to stop the construction of school in Rengen Mro Karbari Para of Sarai union of Lama upazila of Bandarban district.
25 Sept 2022	Indigenous villager falsely detained by security forces by planting a country-made pistol and three rounds of ammunition in Ghargra of Kaukhali upazila of Rangamati district.
30 Sept 2022	Security forces allegedly detained Akshay Chakma from his house in Banajogichara union of Jurachari upazila under Rangamati district and was severely beaten.

Date	Occurrences in Brief
2 Oct 2022	Security forces conducted an extensive search in the houses of Satyapriya Chakma and Chikko Chakma in Madhya Balukhali village of Ward No. 2 of Jurachhari union, Rangamati district.
11 Oct 2022	Security forces illegally searched a Buddhist monastery Baghachola Gyanodaya Buddha Vihara in the Suvalong union of Barkal upazila under Rangamati district during an on-going religious function 'Kathin Cheebar Daan'. Two persons name Sujal Chakma and Jeeban Chakma from Nanyachara village of Suvalong union were detained by the security forces.
4 Nov 2022	Security forces arrested four- 1) Mongasanu Marma, 2) Chathayu Marma, 3) Aungsha Marma, and 4) Moi Sanu Marma, from Ogoiyachari village, Duluchari Mukha village and Guihabachara Mukh village of Jibtali union of Rangamati Sadar upazila.
6 Nov 2022	Suman Vikas Tripura was allegedly attacked and severely injured by a group of settlers in Gaumati union of Matiranga upazila under Khagrachari district.
11 Dec 2022	Aunghlaching Marma and Basing Marma were brutally beaten by security forces at Kongsangoing Para Buddhist Temple in Gaindya union of Rajasthali upazila under Rangamati district.
27 Dec 2022	Security forces detained an older man named Shambhu Chakma, a resident of Amtala village of No. 6 Ward of Maidung union, while he was returning from Jokkhabazar of Jurachari Sadar and was released the next day on 28 December 2022.
28 Dec 2022	Three houses in Mono Adam village of No.9 Ward of Maidung union under Jurachari upazila in Rangamati district were searched by security forces.

## Cases of Health-related incidents

### 4 Peoples died due to the outbreaks of Diarrhea in Thanchi:

On June 12, 2022, four people, including children, died from diarrhea in five remote villages in the Thanchi upazila of Bandarban district. The number of people suffering from diarrhea has exceeded 60 in the five inaccessible villages. From last Thursday, June 9, 2022, to

Sunday, June 12, 2022, at least four people died from diarrhea in the remote Remakri Union of Thanchi upazila. The deceased are: (1) Karbari Menthang Mro (49) of Menthang Para, a resident of Ward No. 6 of Remakri Union, (2) Longyi Mro (45), a resident of Naricha Para, (3) Krayong Mro (60), a resident of Yangbong Para, and (4) Pren Moy Mro (11), a resident of Singchong Para. It is known through the health department and the local public representative that diarrhea has spread due to the shortage of fresh water in the hot summer and the use of contaminated water from the hilly springs in the five remote villages of Remakri Union of Thanchi upazila. The villages are Yangre Ward, Yangbong Ward, Ngaresa Ward, Mronggong Ward; and Sing Chong Ward of Ward No. 6 and 9 of Remakri Union. Meanwhile, there were shortages of food saline and clean food, water; and medicine in remote villages. According to the district health department information, the number of infected people is 60. Among them, 31 people received treatment under the supervision of the health department. Others sought medical care locally. Food, saline; and medicines have been sent to the affected villages.

### **Diarrhea outbreaks in Alikadam on June 13, 2022:**

Two people died due to diarrhea in the remote Kurukpata Union under Alikadam upazila in the last seven days, and more than 300 people were affected, whereas 41 peoples are in a very critical situation. Chairman of Alikadam Kurukpata Union Kratang Mro confirmed the death of 1 person in Yuncha Para and 1 in Mangrum Para due to diarrhea in a span of 7 days from Wednesday, June 1, 2022, to June 7, 2022. Even after receiving the news of 2 deaths due to diarrhea in Alikadam upazila of Bandarban district, no medical team went to the spot with pure drinking water, food, saline; and various medicines in the area where the frequency of diarrhea has increased. Some have humanitarian souls who went there and have given some medicine and food saline. On the other hand, from June 9, 2022, to June 12, 2022, 4 people, including children, were reported to have died, and more than 50 people were infected due to an outbreak of diarrhea in 5 remote areas of Thanchi upazila under Bandarban district.

### **10 people died and the situation of Diarrhea is worsening:**

It is reported that the situation of diarrhea has worsened in the Remakri Union of Thanchi upazila and Mro para of Kurukpata Union of Alikadam upazila under the Bandarban district. Another death was reported on Wednesday, June 15, 2022. Ten people died in one week due to diarrhea. More than 60 more affected patients have been found in 16 villages of the two unions. It is known through the public representative and the health department officials that a person named Prenu Mro (36) died today in Marichapara of Remakri Union. With this, nine people died in Thanchi from June 6 till now and one in Kurukpata of Alikadam Upazila. Forty-six diarrhea patients have been found till noon today in seven remote Mro villages of Ward No. 6 of Remakri Union of Thanchi Upazila. 14 serious patients have been admitted to Upazila Health

Complex from Kurukpata Union of Alikadam. Less severe patients are being treated in the wards. Andharmanik and Marichya of 6 No. Ward of Remakri Union are located 60 km south of Thanchi upazila headquarters; adjacent to the Sangu Reserve Forest near the Myanmar border. There is no transportation system in that area rather than motorized boats. On the other hand, Puamuhuri of Kurukpata Union is about 30 km from Alikadam upazila.

## 2.3 Recommendations



The Government of Bangladesh should implement the **CHT ACCORD** fully and stop **MILITARIZATION** and **CRIMINALIZATION** in the CHT.



The Government of Bangladesh should establish a **SEPARATE LAND COMMISSION** for the IPs of plain land districts.



The Government of Bangladesh should ensure **ACCESS TO JUSTICE** and provide **LEGAL AID** to indigenous victims.



The Government of Bangladesh should **SENSITIZE** law enforcement agencies and criminal justice system on the human rights of IPs.



# CHAPTER-III

## Violence against Indigenous Women and Girls





## III. VIOLENCE AGAINST INDIGENOUS WOMEN AND GIRLS

**INDIGENOUS** women and girls, the most disadvantaged and vulnerable section of the country's population, are deprived of fundamental human rights, such as the lack of access to education, health care, economic and political participation, and control over material and intangible resources. They often face widespread discrimination daily for three main reasons: (a) their social status as members of the religious minority, (b) their ethnic identity as indigeneity, and (c) their underprivileged gendered position. They experience gender-based discrimination from the surrounding society and even within their communities.

In addition, they are victims of sexual, physical, and psychological violence, which stem from a wide range of social, cultural, and political factors that include but are not limited to political exclusion, militarization, communal aggression over ancestral lands of IPs, inferior social position, and patriarchy. This unfortunate social reality has raised a couple of relevant questions. How was the status of human rights for indigenous women and girls in Bangladesh over the last several years? To what extent have indigenous women and girls witnessed gender-based violence throughout the country in 2020? This chapter has addressed these questions and presented an evidence-based analysis of the current status of the human rights of indigenous women and girls.

The chapter is structured as follows. At the outset, the chapter has introduced the problem statement concerning the human rights situation of indigenous women and girls in Bangladesh. In contrast, the first section has discussed international laws and national legislation that Bangladesh has ratified and adopted to protect and promote the rights of indigenous women and girls. The second section has provided a data-driven analysis of the gap between expectations and reality. In contrast, the third section illustrated the role of state institutions and the victim community in responding to human rights violations. The fourth section has wrapped up the discussion by outlining some policy recommendations on protecting and promoting the human rights of indigenous women and girls in Bangladesh.

### 3.1 National and International Legal Instruments

Bangladesh has adopted several national legal instruments to protect and promote the human rights of women and girls. For instance, the Women and Children Repression Prevention Act 2000 and section 376 of the Penal Code of Bangladesh state that: "Whoever commits rape shall be punished with imprisonment for life or with imprisonment of either description for a term which may extend to ten years and shall also be liable to fine." In contrast, the government of Bangladesh has ratified several international treaties such as the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), the International Convention on the Elimination of All Forms of Racial Discrimination (ICERD), the International Covenant on Civil and Political Rights (ICCPR), and International Covenant on Economic, Social and Cultural Rights (ICESCR). As per these international human rights instruments, the Government of Bangladesh is obliged to ensure equal rights for men and women so that every citizen can enjoy their civil and political rights without discrimination. Besides, the UNDRIP contains provisions regarding the security and protection of indigenous women, the elimination of discrimination against indigenous women and girls, and the empowerment of indigenous women in asserting their fundamental rights and preserving their cultures.

### 3.2 Legal Obligations of Bangladesh: Expectations and Reality

Every year indigenous women and girls in Bangladesh witness different types of gender-based violence, from attempted rape, rape, and gang rape to killing after rape, physical attack, and sexual harassment. Existing studies<sup>13</sup> suggest that multiple factors, such as the denial of justice to women and girl victims and the continued prevalence of a culture of absolute impunity, just to mention a few, are responsible for the increase in violence against women and girls in the country. This annual report has presented an overview and detailed case descriptions of gender-based violence against indigenous women and girls in Bangladesh in 2022 in Tables 3.1–3.6, followed by a discussion on the pattern of data using Figures 3.1–3.4 and Map 3.1.

Figure 3.1 shows that a total of 21 cases of violence against indigenous women were reported from 1 January 2022 to December 2022. Of 21 such cases, 43% occurred in the plain land and 57% in the Chittagong Hill Tracts (CHT), although a sexual harassment case occurred only in the CHT. Comparatively, the CHT witnessed two other types of gender-based

---

13 For instance, Ainoon Naher, A.M. Rasheduzzaman Khan, and Sushmita Chakma. 2020. "Gender-Based Violence and Access to Justice for Indigenous Women and Girls in Chittagong Hill Tracts." Accessed 12 March 2022. <http://www.manusherjonno.org/wp-content/uploads/2019/04/Study-Report-GBV-on-CHT.pdf>. Chakraborty, Eshani. "Marginality, modes of insecurity and indigenous women of Northern Bangladesh." *Women, Bangladesh and International Security: Methods, Discourses and Policies*, Dhaka: The University Press Limited (2004). Hill, Glen, and Kabita Chakma. "Muscular nationalism, masculinist militarism: the creation of situational motivators and opportunities for violence against the Indigenous peoples of the Chittagong Hill Tracts, Bangladesh." *International Feminist Journal of Politics* (2022): 1-25.

violence-related incidents, such as attempted rape and rape, whereas the plain land indigenous women and girls experienced more than indigenous women and girls. A similar percentage of incidents of gang rape and killing after the rape occurred in both the CHT and plain lands.

**Figure 3.1: Violence against indigenous women and girls in the CHT and Plain lands**

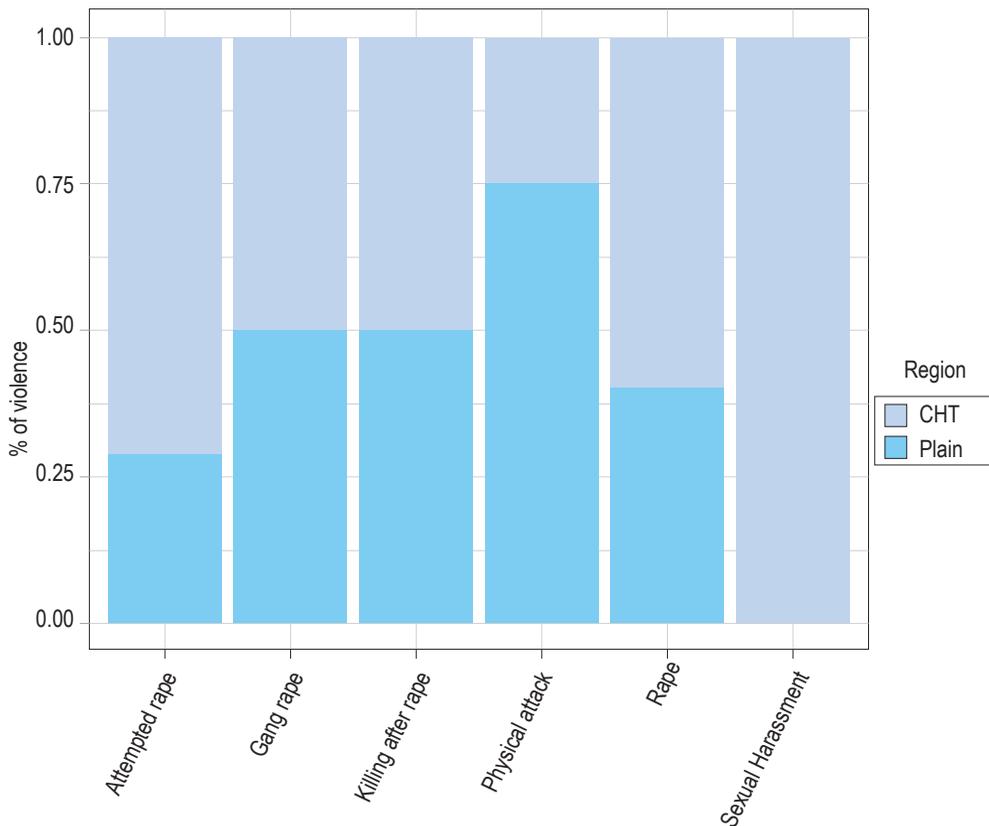
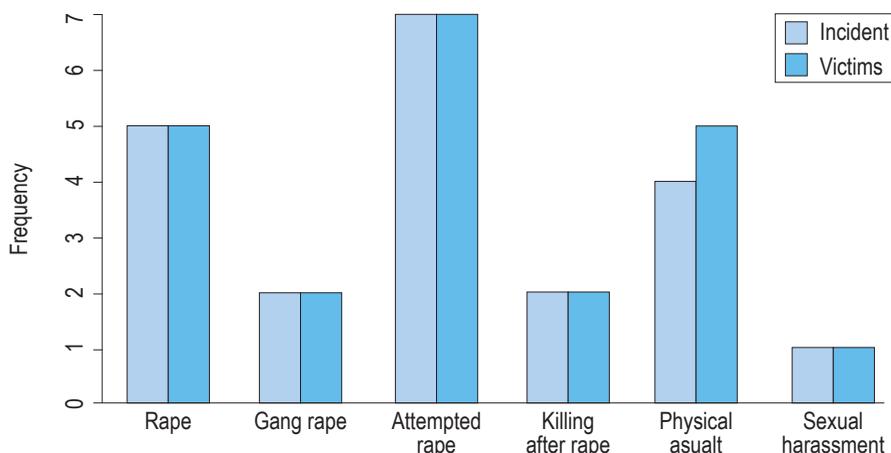


Figure 3.2 demonstrates that at least 22 indigenous women were sexually or physically assaulted in the 21 incidents mentioned above. At least five women were raped, two women and girls were killed and killed after rape, while seven other women were attempted to rape. Among other incidents recorded, two were gang raped, four were physically attacked, and one was sexually assaulted.

**Figure 3.2: Violence against indigenous women and girls in 2022**



Rape was acknowledged as one of the most severe human rights violations against indigenous women and girls in 2022. Five rape incidents were reported in 2022. Out of 5 incidents in 2022, at least three were from CHT, and two were from plain land. Most of the accused/ perpetrators were from the mainstream population. Table 3.1 reports the timing, victim, and detailed information of rape cases. Besides, Table 3.2-3.6 reports incidents of gang rape, killing after rape, physical assault, and sexual harassment in 2022.

**Table 3.1: Rape cases in 2022**

Date	Victim	Case Description
14-May-2022	A Tripura woman (27)	On 14 May 2022, a Tripura woman who was mentally challenged was raped by Farhad Uddin Chowdhury (29) in ward 7, Lemujhiri Mukhu para village of Bandarban Sadar union.
28-Jul-2022	An indigenous widow woman(38)	
16-Aug-2022	An Oraon woman (35)	On 16 August 2022, an oraon woman was raped by Jiarul Rahman (30) in the mango orchard of Mominpur Sinj in ward 2, Ranipukur Union of Mithapukur upazila, Rangpur.
9-Oct-2022	An indigenous Marma girl	Local goons in the town of Bandarban raped an indigenous Marma girl.
11-Oct-2022	An indigenous girl (18)	

**Table 3.2: Attempted to rape cases in 2022**

<b>Date</b>	<b>Victim</b>	<b>Case Description</b>
24-Jun-2022	A Garo girl	On 24 June 2022, a Garo girl studying in class 6, was attempted to rape by three drunk Bengali youth. The incident occurred in the afternoon when the girl was alone at home in the Chanpur border area, Uttorbordol union, Tahirpur upazila, Sunamganj district.
9-Jul- 2022	A Tripura woman (27)	On 9 July 2022, at around 2:30 pm, an indigenous Tripura woman (27) was attempted to rape and later attempted to kill by a Bengali settler Md. Nur Hossain (22), in Manikchari upazila, Khagrachari district.
19-Jul-2022	A Chakma woman (19)	On 19 July 2022, at around 6:30 pm, three Bengali youths attempted to a Chakma woman (19) in an area behind Rangamati Government College, adjacent to the TTC road in Rangamati Sadar district.
24-Jul-2022	An indigenous widow woman (37)	On 24 July 2022, at around 6:00 pm, a Bengali settler road construction worker attempted to rape an indigenous widow (37) in the Chaynalchara area, Sajek union, Baghaichhari upazila under Rangamati hill district.
20-Aug-2022	An indigenous girl (11)	On 20 August 2022, at around 11:00 am, a Bengali settler attempted to rape an indigenous girl (11) studying in fifth standard at Salda Boro Para, Manikchari upazila under Khagrachari district.
14-Oct-2022	An indigenous woman	On 14 October 2022, around 4:30 am, a Bengali settler allegedly attempted to rape a Jumma woman, a housewife of Singinala Mahamuni Para village of Mahalachari Upazila in Khagrachari.
9-Nov-2022	A Hajong woman (16)	Shahadat Mia (21) and Rafiq Mia (40) of the same village of Banshikunda North Union no. 1 under Madhynagar of Sunamgonj attempted to rape an indigenous Hajong student.

**Table 3.3: Gang rape cases in 2022**

Date	Victim	Case Description
17-Apr-2022	A Munda Woman (22)	On 17 April 2022, around 11:30 pm, an indigenous Munda woman (22) was allegedly gang-raped in Nalpara village, Koyra upazila, Khulna district.
6-Oct-2022	A Marma woman	On 6 October 2022, the victim was gang raped by three perpetrators in Rangoonia Upazila in Chittagong. The victim went to Chittagong on a motorcycle in the afternoon.

**Table 3.4: Killing after rape cases in 2022**

Date	Victim	Case Description
3-Mar-2022	Chuirangma Marma (45)	On 03 March 2022, at around 10:10 pm, a team of police, army and fire service rescued the dead body of Chuirangma Marma (45) from Yongbangmrong stream located near Alechu Para village, ward no. 8, Nowapotong Union, Rowangchhari union, Bandarban district. The victim was allegedly gang-raped and killed by a group of labour who went to the forest to collect wood.
21-Sep-2022	An indigenous student	A dead body was rescued from an Asainu Marma from an orphanage home in Raujan Upazila in Chittagong.

**Table 3.5: Physical assault cases in 2022**

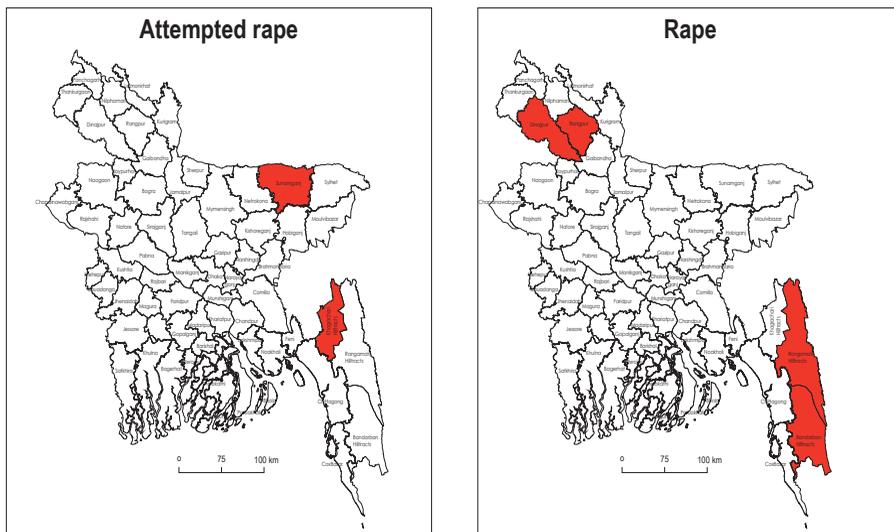
Date	Victim	Case Description
11-Jul-2022	An indigenous Marma woman (35)	The victim was physically attacked by 3 Bengali outsiders in the Rupashi Union of Lama Upazila of Bandarban. According to local sources, the victim was attacked for being a witness of a rape case.
23-Jul-2022	An indigenous school teacher	Rabbi Mia (18) attempted to murder an indigenous school teacher in Kalmakanda in Netrokona.
2-Dec-2022	An indigenous Rakhaine woman	On December 2nd, around 3:00 pm, 10-12 people, including Abdur Shukkur and Sohail, led by Syed Alam's son Ali Ahmed of the North Rakhine neighbourhood, attacked the homestead of Matin Rakhine.

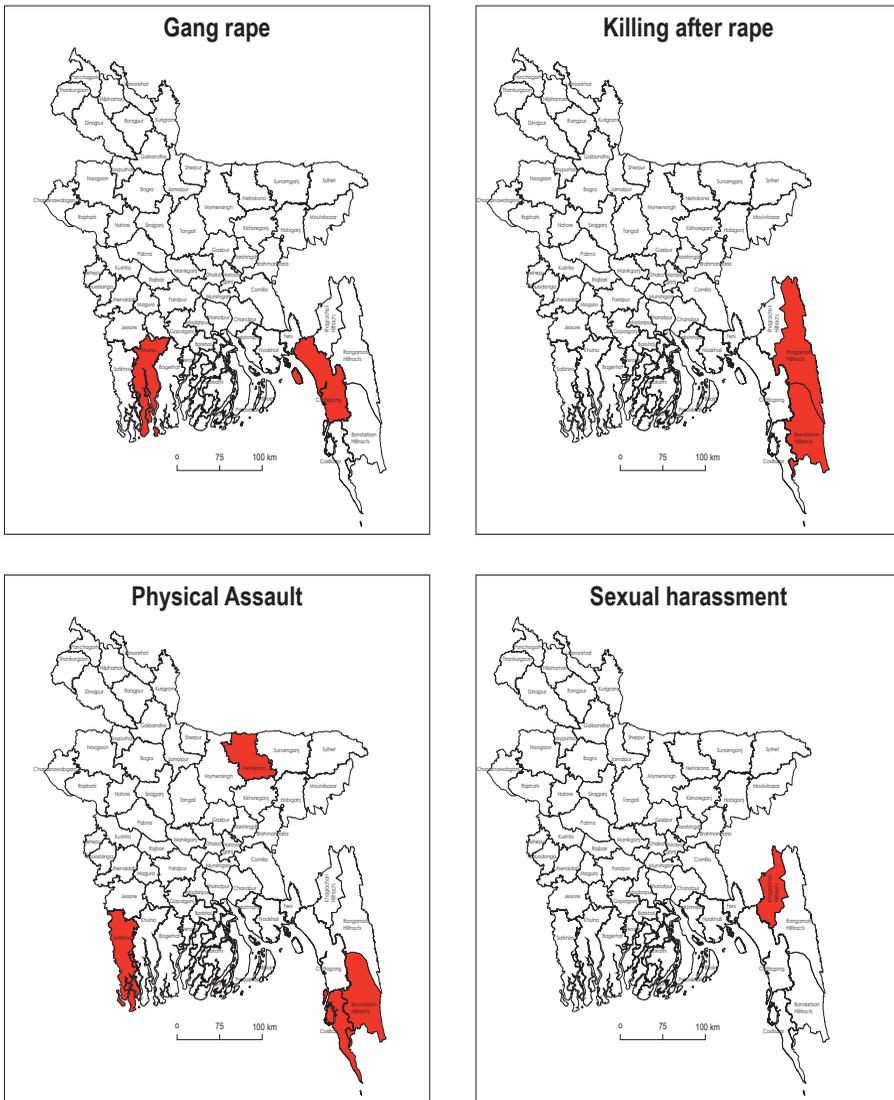
Date	Victim	Case Description
3-Dec-2022	2 Munda indigenous women	In Shyamnagar of Satkhira, there have been reports of repeated attacks to seize the land of the Munda community. Three people, including two women, were injured in the attack.

**Table 3.6: Sexual harassment cases in 2022**

Date	Victim	Case Description
12-May-2022	A Tripura girl	A Tripura girl studying in class-5 was sexually harassed by her teacher MD Belayet Hossain (42), in Thanachandra Para Govt Primary School in no 1 Ramgarh Union of Ramgorh Upazila.

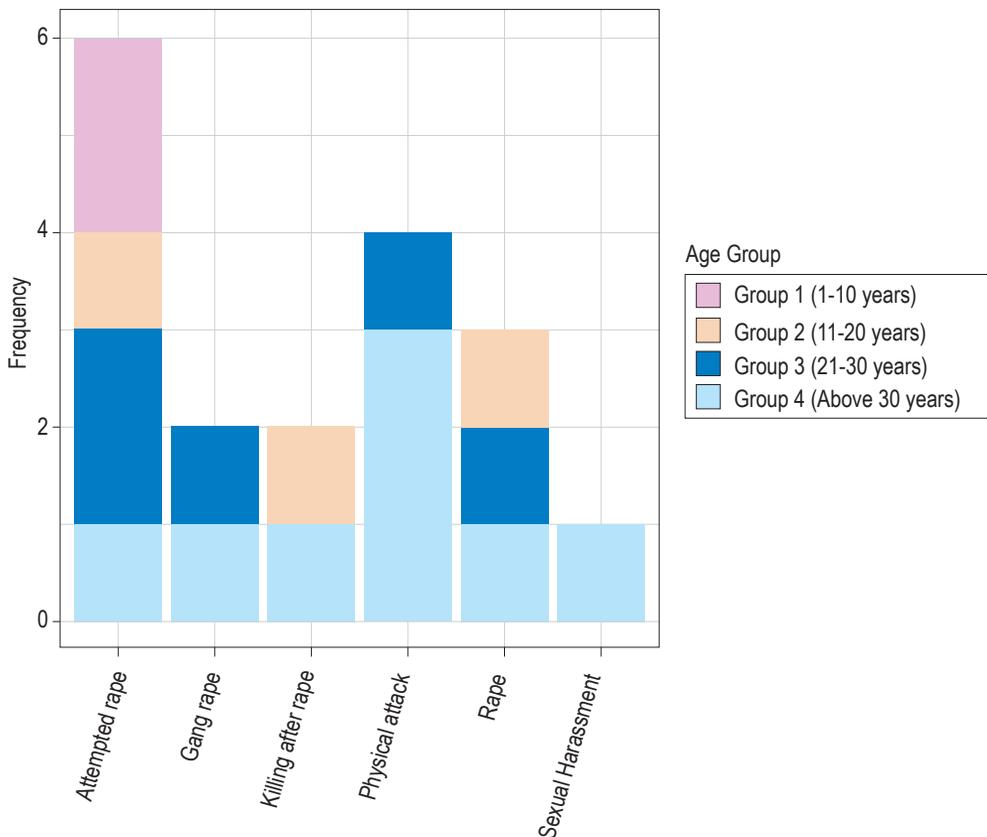
**Map 3.1: Hotspots of violence against indigenous women and girls in 2022**





Map 3.1 shows the locations of violence against indigenous women and girls in Bangladesh in 2022. Rape cases occurred in four districts: Dinajpur, Rangpur, Rangamati, and Bandarban, while attempted rape cases happened in two districts: Sunamganj and Khagrachari. Three districts – Khulna, Bagherhat, and Chittagong witnessed gang rape cases and killing after rape cases in Chittagong and Bandarban districts. Physical attack cases occurred in Netrakona, Satkhira, Cox’s Bazar, and Bandarban, but the sexual harassment case only happened in Khagrachari. In contrast, Figure 3.3 displays the age group of victims, whose ages ranged from 3 to 75 years.

**Figure 3.3: Age groups of the victims of violence against indigenous women and girls in 2022**

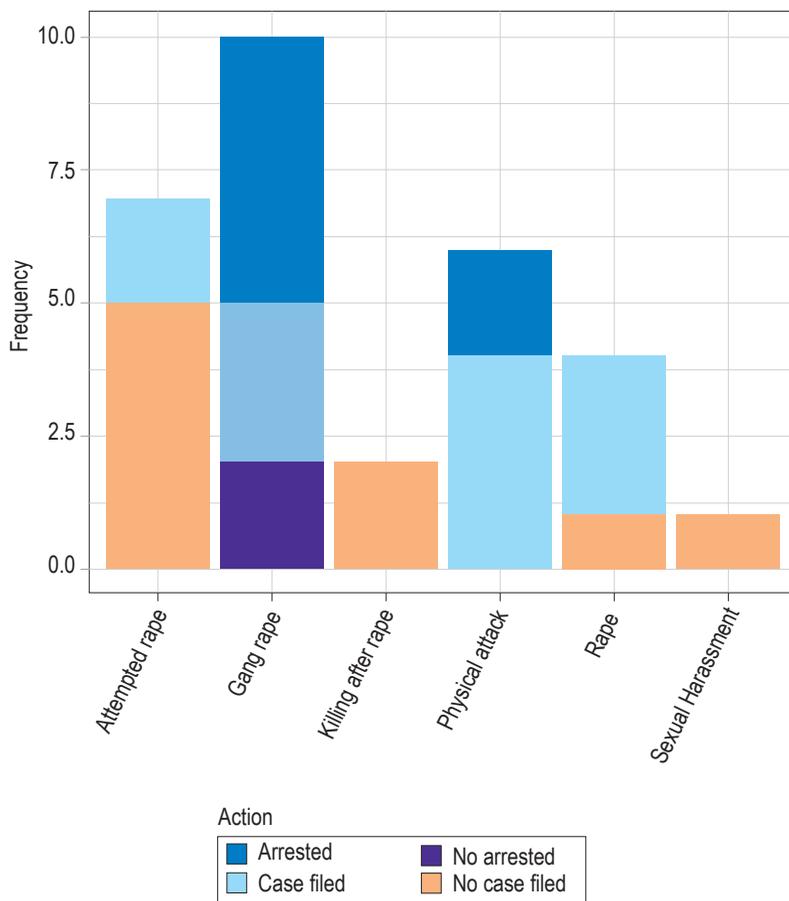


*Note: Victims whose ages have not been mentioned have been excluded from this figure. Put more precisely, no age was mentioned for one victim of an attempted rape case, one victim of a rape case, two victims of physical attack cases, and one victim of a sexual harassment case.*

### 3.3 The Role of State Institution and Victim Community

What is the victim community's role in response to human rights violations? On the contrary, state institutions such as law-enforcing agencies and the criminal justice system have a constitutional obligation to protect the human rights of indigenous women and girls. To what extent are state institutions effective in carrying out their activities to prevent human rights violations of indigenous women and girls in Bangladesh? Figure 3.4 has addressed these questions related to the responsibility of state institutions and the victim community. In this report, the legal actions of state institutions and victim communities have been categorized into four groups: arrest, filing a case, no arrest, and no lawsuit against the perpetrators.

**Figure 3.4: Assessment of the role of law enforcement agencies and victims in 2022**



As shown in Figure 3.4, law enforcement agencies arrested perpetrators for gang rape and physical assault cases in 2022, while nobody was arrested for other violent incidents against indigenous women and girls: rape, attempt to rape, killing after rape, abduction, and sexual harassment. In contrast, victims lodged their complaints in some cases against criminals, except for killing after rape and sexual harassment cases. Still, many indigenous victims did not take appropriate legal action against miscreants last year. It might be because of multiple factors such as poverty, lack of legal awareness, lack of access to legal aid, pressure from criminals etc.

### 3.4 Recommendations



The Government of Bangladesh should develop separate **LEGISLATION** and **DEVELOPMENT POLICY** recognizing distinctive concerns and special needs of marginalized indigenous women and girls.



The Government of Bangladesh should provide **LEGAL AID** to the victim community and **SPECIAL TRAININGS** to judges and law enforcement agencies on the rights of indigenous women and girls.

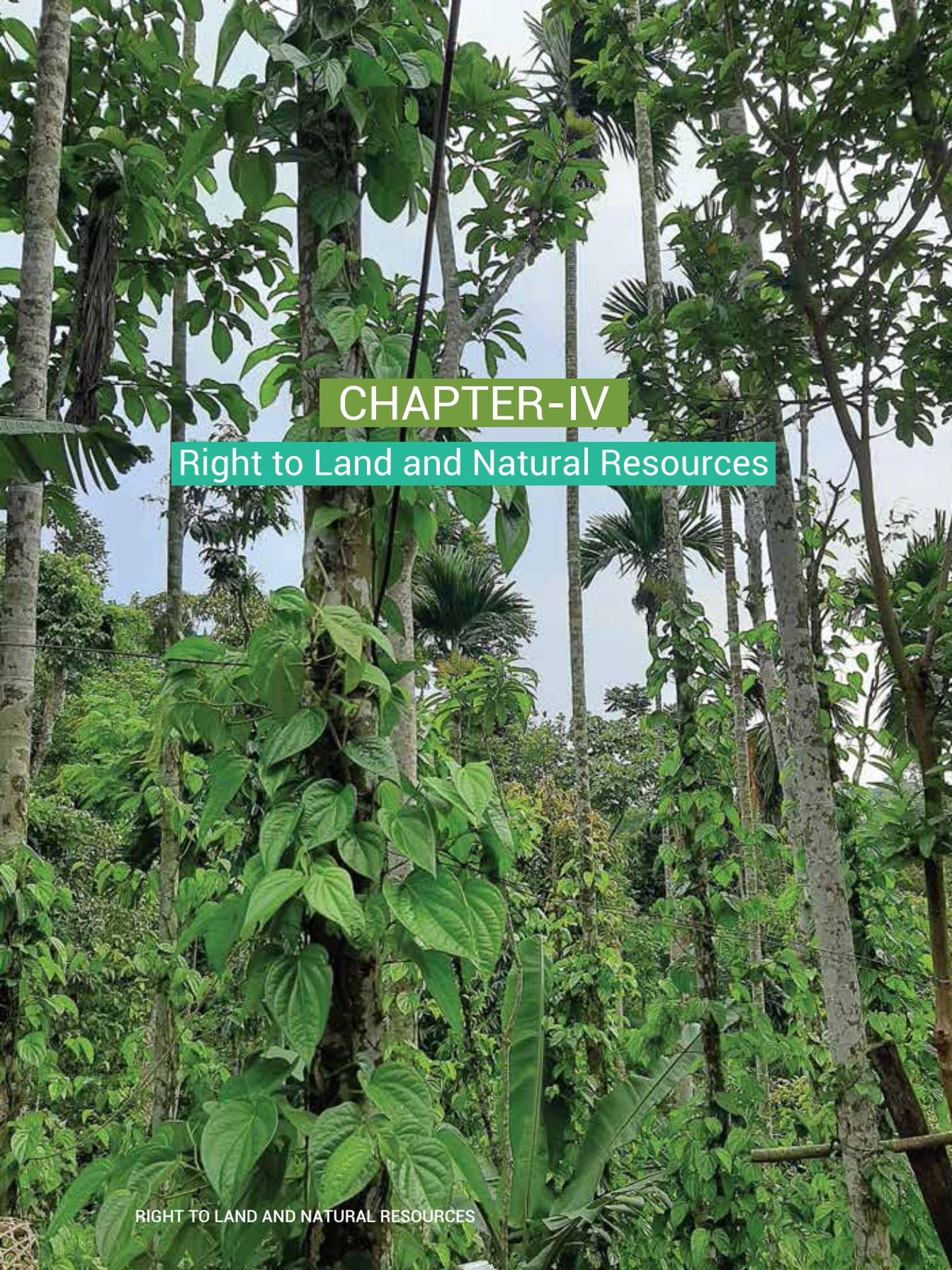


Law enforcement agencies should have a **SPECIAL BRANCH** to deal with violence against indigenous women and girls.



**SOCIAL AWARENESS RAISING CAMPAIGNS** could be conducted throughout the country to sensitize the public about the rights of indigenous women and girls.



A photograph of a dense tropical forest. The scene is filled with tall, slender trees and thick green foliage. In the foreground, a large, heart-shaped leafy plant is prominent. The background shows a mix of palm trees and other tropical species against a bright sky. The overall atmosphere is vibrant and natural.

## CHAPTER-IV

### Right to Land and Natural Resources



## IV. RIGHT TO LAND AND NATURAL RESOURCES

**LAND** is more than soil, rocks, and mountains to indigenous peoples (IPs) who feel emotional and spiritual attachments to land and even view land as intimately connected to their identity and cultural survival. However, indigenous families have lost their lands up to now for two fundamental reasons: increased militarization and development aggression. Security forces occupy the lands of IPs illegally to establish new camps and military training centres and support Bengali settlers in grabbing the lands of IPs in the CHT. In contrast, development aggression in the name of tourism complexes, tourist zones, national eco-park, tea gardens, and economic zones evicts IPs living in both plain and the CHT from their traditional lands. Without the rule of law and access to justice, state and non-state actors such as government agencies, private companies, Bengali settlers, and influential political leaders are directly and indirectly involved in land grabbing.

This chapter has three sections. While the problem of land dispossession of IPs in Bangladesh has been highlighted in the beginning, the first section has provided a brief overview of national and international legal instruments related to the rights of land and natural resources of IPs. The second section has discussed whether Bangladesh has successfully fulfilled its moral and legal duty in protecting and promoting the rights of IPs to land and natural resources by examining media narratives and monitoring reports of the Kapaeeng Foundation on human rights situation. These reports were collected from multiple sources, such as indigenous human rights defenders and nationwide networks, between January and December 2020. The third section has concluded the discussion by outlining several policy recommendations.

### 4.1 National and International Legal Instruments

Bangladesh has inherited and adopted several national laws relating to the land rights of the citizens, namely, the East Bengal State Acquisition and Tenancy Act (1950), the Land Reforms

Ordinance (1984), and the Proposed Bangladesh Land Act (2000), apart from the Constitution. While the Land Reforms Ordinance (1984) is concerned with land tenure, land holding, and land transfer aimed at maximizing production and establishing a better relationship between landowners and bargadars, the Article 112(5) of the Proposed Bangladesh Land Act (2020) states that the lands of IPs should not be taken without development and protection of IPs and their environment. In Article 42(1) of the Constitution, it has been stated that: “Subject to any restrictions imposed by law, every citizen shall have the right to acquire, hold, transfer or otherwise dispose of property, and no property shall be compulsorily acquired, nationalized or requisitioned save by authority of law.” It is also to be noted that the CHT Accord has obliged the state to protect Khas lands in the CHT. Without prior permissions from the HDCs, no khas land tenancy of the CHT can be subjected to disposal, transfer, or lease.

On the contrary, several international legal instruments are concerned with the land rights of IPs. For instance, Articles 11-14 of the ILO Convention on Indigenous and Tribal Populations (1957) have guaranteed the land rights of IPs. Article 13(1) of this international legal instrument stipulates that: “Procedures for the transmission of rights of ownership and use of land which are established by the customs of the populations concerned shall be respected, within the framework of national laws and regulations, in so far as they satisfy the needs of these populations and do not hinder their economic and social development.” Besides, Article 10 of the UNDRIP states that: “Indigenous Peoples shall not be forcibly removed from their lands and territories. No relocation shall occur without the free, prior and informed consent of the Indigenous Peoples concerned and after agreement on just and fair compensation, and where possible, with the option of return.”

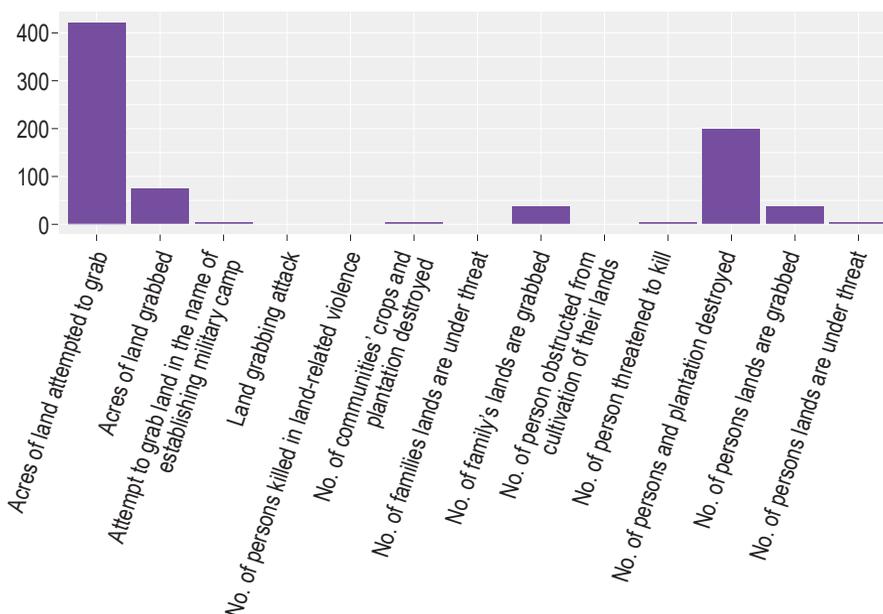
#### 4.2 Legal Obligations of Bangladesh: Expectation and Reality

While Bangladesh has adopted and ratified national and international laws to protect the rights of land and natural resources of IPs, it has failed to enforce these laws. As a result, indigenous peoples faced a good number of land-related incidents and casualties in 2022. Table 4.1 and Figure 4.1–4.2 demonstrate that more land-related violence occurred in the CHT than in the plain land. For instance, 37 indigenous families' lands were grabbed in the CHT in contrast to the illegal occupation of 4 indigenous families' land in plain land. A total of 421 acres of land were attempted to grab in the CHT, in contrast to 15 acres of land in plain land. Crops and plantations of 200 indigenous families were destroyed in the CHT in comparison to 5 indigenous persons in plain lands who experienced this sort of land-related incidents.

**Table 1: Land-related incidents in the CHT and plain lands in 2022**

Incident Type	CHT	Plain	Total
No. of family's lands are grabbed	37	4	41
No. of persons lands are grabbed	41	4	45
Acres of land grabbed	75	67	142
Acres of land attempted to grab	421	15	436
Attempt to grab land in the name of establishing security camp	4	0	4
Land grabbing attack	1	1	2
No. of persons lands are under threat	4	13	17
No. of persons crop, and plantation destroyed	200	5	205
No. of communities' crops and plantation destroyed	3	2	5
No. of families' lands are under threat	0	13	13
No. of person obstructed from cultivation of their lands	0	13	13
No. of person threatened to kill	4	12	16
No of persons killed	0	1	1

**Figure 4.1: Land-related incidents in the CHT in 2022**





shows the geographical locations of land-related violence in which indigenous peoples were victims in 2022. It is evident that land-related violence that affected indigenous peoples as victims happened in several districts of Bangladesh, namely Thakurgaon, Dinajpur, Sherpur, Tangail, Satkhira, Sylhet, Cox's Bazar, Khagrachari, Bandarban, and Rangamati in 2022. Below are the detailed case descriptions of land-related violence.

### **Allegation of obstruction of cultivation of land of Jumma villager by settlers in Baghaichari:**

An indigenous villager was allegedly prevented from cultivating his land by an outsider Muslim settler in collaboration with the army-BGB at Perachara village in Sarboatli of Baghaichari upazila of Rangamati district. The actual owner of the land is Columbus Chakma (35), son of Satyaban Chakma (55), 7 No. Naba Perachara of Sarboatuli Union under Baghaichhari Upazila. Columbus Chakma has been cultivating the land for more than two decades. On January 17, 2022, the outsider Muslim settler Md. Belal Hossain (30), son of Md. Kashem of Amtali villager of Amtali Union under Baghaichari claimed that the land belonged to him and forcibly prevented Columbus Chakma from cultivating it. It may be mentioned that Churakhali BGP Camp Commander Subedar (new posting) Ananda Mohan under Rajanagar 37 BGP Battalion yesterday threatened landowner Columbus Chakma that "If you take away the land, what can you do for my job?" Moreover, at the end of the last year, Sijok Army Camp Commander Warrant Officer Md. Munir Hossain and Durchari Army Camp Commander Senior Warrant Officer Altaf Hossain have provided various threats and obstacles to Columbus Chakma to occupy this land. It was learnt that the settlers, including the army-BGB, have been carrying out multiple conspiracies and activities to occupy this land since last year. As a result, Columbus Chakma, the actual owner of the land, has been living in fear of losing the land he has been cultivating for two centuries, and tensions are reported in the area.

### **Land grabbing by settlers in Mahalchari and an attempted attack on Jumma village:**

There has been alleged tension in the Maischari area of Mahalchari upazila of Khagrachari district over the land grabbing incident by Bengali settlers and attempted attack on Jumma village. According to local sources, on February 10, 2022, at 8 am, Md led a group of 15/20 settlers. Abu Bakar and Md Shaheen went to occupy about 12 to 15 acres of land owned by Arjya Samadhi Bhabana Kutir in Lemuchari. Local Jumma villagers prevented the settlers from occupying the land. This led to chases and

counter-chases. Later, local UP Chairman Sajai Marma and the army went to the spot and controlled the situation. On the other hand, based on the incident, on February 10, 2022, at around 1:00 pm, more than a hundred Bengali settlers led by Md. Ashraf and Md. Azim tried to attack Jumma villages in the Joysen Para area and vandalize houses. The local Jumma people also put-up resistance. The settlers were forced to flee in the face of opposition from the Jumma people of the area. Tensions are running high in the area over the incident. It was learnt that the army personnel were present at the spot. Army and BGB attempted to set up camps by occupying Jumma's land in Baghaichari.

### **Law enforcement agency sets up a camp by occupying the IP's land:**

It has been alleged that the law enforcement agency is trying to set up a camp by occupying the lands of the Jummas in Sarowatali Union of Baghaichhari Upazila under Rangamati Hill District. Meanwhile, the force has unilaterally erected a signboard on the land saying it is a 'designated place for security forces' and threatened to evacuate Jumma families living there. According to local sources, on March 12, 2022, at around 10:45 am, a group of law enforcers came to Uttar Khagrachari (Medenipur) village of Ward 5 of Sarowatali Union of Baghaichhari and set up a signboard on the land of Jummas and nearby their homesteads saying it a designated place. The signboard stated, 'designated place for security forces', 'construction of any kind of mosque, madrasa, temple, church, keyang house or any other installation on such place is strictly prohibited and punishable offence.' Ordered by the authority of security forces. Besides, while going back after setting up the signboard, the force said the locals by threatening that those who had built houses there would have to leave. It was learnt that the place has been recorded in the names of three Jumma villagers. The owners of the lands are- (1) Chandra Chakma, in whose name there is recorded .50 acres, (2) Lakshidhan Chakma, in whose name there is recorded 2.00 acres and (3) Shukracharya Chakma, in whose name there is recorded .50 acres. At present, 16 Jumma families are living in the area. The families are- (1) Sonadhan Chakma, son of Dhananjay Chakma, (2) Dharmadhan Chakma, son of Tera Chakma, (3) Bimal Chakma, son of Prabhat Chandra Chakma, (4) Madhu Jiban Chakma, son of Reserv Kumar Chakma, (5) Suresh Kumar Chakma, son of Mangal Dhan Chakma, (6) Chitti Ranjan Chakma, son of Monchan Chakma, (6) Sumon Chakma, son of Chitti Ranjan Chakma, (6) Gyana Ranjan Chakma, son of Mutu Roy Chakma, (9) Brishaketu Chakma, son of Sanghasur Chakma, (10) Satyaban Chakma, son of Mangal Chan Chakma, (11) Tonu Chakma, son of Dhana Chakma, (12) Beltak Chakma, son of Padalyo Chakma, (13) Binod Baran Chakma, son of Shashi Mohan

Chakma, (14) Chandra Chakma, son of Shashi Mohan Chakma, (15) Ripon Chakma, son of Chandra Chakma and (18) Matri Chakma, daughter of Samar Chakma.

### **Rubber company attempted to grab IPs land in Lama, cutting down hundreds of trees:**

According to local sources, about 200 men and women of 39 families have been living in Langkam Mro Karbari Para, Rengen Mro Karbari Para and Jayachandra Tripura Karbari Para in Ward No. 4 of Duluchari Mouja of Sarai Union. They have been making a living by farming and gardening in their village's 400 acres of land for generations. But suddenly, in 2019, a company named Lama Rubber Industries started trying to take possession of those lands of Jumma in the name of rubber plot. When the villagers resisted, the company men sued the Jummos, assaulted them, killed them and threatened the police. Since then, company people have tried to encroach on Jummo's land by bringing labourers several times. According to local sources, Lama Rubber Industries Deputy Director Md. Kamal Uddin brought over 100 armed Rohingya and Bengali Muslims from the Baishari and Cox's Bazar area of Naikhongchari Upazila to occupy the land. Despite the resistance of the local Jummas, the outsider land grabbers cut the trees of the Jummas and cleared the forest. It is known that leader Nuru, a terrorist and Mastan, led the attempt to seize this land. Local indigenous communities alleged that the men of a company called Lama Rubber Industries cut down hundreds of forest and fruit trees and set a farmhouse on fire in the past few days to encroach on Jummo's land. A written complaint was also made to the police station in this incident. Everyone in the three neighborhoods is afraid of the threat of land robbers. The villagers complained that there was no solution even though they applied to the various offices of the administration regarding the land encroachment. Locals fear that unpleasant incidents may happen between the two sides at any moment based on the encroachment of the land.

The villagers said that in the last 20-25 days, the company's people forcibly cut down about 250-300 acres of forest and different species of trees by employing hundreds of workers. Some villagers, including Mensingh Mro and Menrao Mro, alleged that the land grabbers did this by showing their fear and power. Land robbers also prevent Jummos from collecting wood, bamboo and wood from that area. Trees and forests are being cut down and set on fire. Rohingyas and outside Bengali labourers stand guard with sticks and sharp weapons while cutting the forest and setting up liquor gambling dens. Villager Anaram Tripura said, for 45 years, we have been making a living by cultivating jumchas in our place at No. 303 Doluchari Mauza. But after many years, the company's people say

these places are theirs. He said we have no alternative system to go without this Jumchash. Company people can attack us at any moment. The company's people are preventing the cutting and cultivating of bamboo trees in that area.

Langkam Mro, Karbari of Langkam Para, said families have been cultivating jumchas in the surrounding areas of the villages for ages. Now Lama Rubber Industries is trying to grab them. Last year also occupied about 100 acres. This year, 250 to 300 acres of forest and trees have been cleared for occupation. Arif Hossain, manager of Lama Rubber Industries, said when asked about these issues, Mro's and Tripuras have been living illegally in the land leased for rubber plantations in 1988-89 in the name of the company's shareholders. They have no settlement or valid documents in their name. In this regard, Doluchari Mouja Headman John Tripura said that the areas that the people of Lama Rubber Industries are cleaning are mainly the areas of Langkam Karbari Para, Jayachandra Tripura Karbari Para and Rengen Mro Karbari Para residents. They have been making a living through jum cultivation in that place for generations. When I didn't have headmanship in the middle, the company took advantage of this opportunity and started occupying those places.

It was learnt that on April 10 2022, a team led by Upazila Nirbahi Officer and AC Land is said to visit the spot for investigation. It's to be mentioned that, on March 20 2022, a group of Mro indigenous people organized a human chain in front of the Bandarban District Commissioner's Office seeking Prime Minister's intervention to save their livelihood and land. The International Chittagong Hill Tracts Commission (CHTC) is very worried to learn that Lama Rubber Industries Limited has set fire to the Jum plantation of indigenous Mro and Tripura people containing rice fields and fruit plantations in LangkomKarbari Para, Joychandra Tripura Karbari Para, and RengenKarbari Para of Lama Upazila of Bandarban district. In a press statement of the CHT Commission, signed by its three Co-Chairs, namely, Sultana Kamal, Elsa Stamatopoulou and Myrna Cunningham Kain, on April 30, 2022, the Commission demands immediate and impartial investigation, legal action against the perpetrators, and protection of the Mro and their Jum land. The press statement further said that according to the media, on April 26, 2022, individuals associated with Lama Rubber Industries Limited set fire to about 100 acres of MroJum land.

On May 7, 2022, 16 prominent citizens issued a joint statement protesting the burning of about 350 acres of jum cultivation natural forest in Langkampara, Rengenpara and Joychandrapara in the Bandarban district. In a statement sent to the media on Saturday, they also demanded a proper investigation and trial of the two incidents. They

called on the government concerned to provide proper compensation to the victims. The signatories to the statement were Noted Human Rights Activists and Former Caretaker Government Adviser Advocate Sultana Kamal, Dhaka University Professor & Noted Economist, Abul Barkat, Women Leader and Coordinator of Nijera Kari, Khushi Kabir, Executive Director of ALRD, Shamsul Huda, Executive Director of TIB's, Dr. Iftekharuzzaman, President of Ain O Salish Kendra and Member of the Bangladesh Bar Council Advocate Z I Khan Panna, General Secretary of Bangladesh Hindu Buddhist Christian Unity Council and Prosecutor of International Crimes Tribunal Advocate Rana Dasgupta, Bangladesh Supreme Court Advocate Subrata Chowdhury, Presidium Member of Bangladesh Hindu Buddhist Christian Unity Council, Kajal Debnath, Bangladesh Supreme Court Advocate, Tabarak Hossain, Department of Mass Communication and Journalism, Dhaka University, Professor Robayet Ferdous, CEO of Bangladesh Environmental Lawyers Association (BELA), Syeda Rizwana Hasan, Honorary Executive Director of BLAST, Barrister Sara Hossain, General Secretary of Bangladesh Indigenous Peoples Forum (BIPF), Sanjeeb Drong, Information and Publicity Secretary of Bangladesh Indigenous Peoples Forum (BIPF), Dipayan Khisa and CEO of Nagorik Udyog, Zakir Hossain.

### **Attempt to illegally occupy land of indigenous people in Thakurgaon:**

Thakurgaon BNP local leader Mr Babul has been accused of trying to take over the lands of indigenous people at Kalodighi Kali Mandir on April 17, 2022. The indigenous peoples alleged that Samir Dutta Pulak, general secretary of the district Juba League, was 'cooperating' to land grabber. They staged demonstrations and human chains in protest against the land grabbing. The programs were organized under the banner of 'Jatiya Adivasi Parishad' and 'Adivasi Oraon Sangathan' at the Chourasta (crossroads) of the district town on Saturday (April 23) at noon. Indigenous people gathered at the city's crossroads with a protest procession at around 12 noon on Saturday (April 23) after parading various roads in the district town. Later human chain was formed there. President of Thakurgaon Press Club Mansur Ali, Adviser of Jatiya Adivasi Parishad and General Secretary of District Bar Association Imran Hossain Chowdhury, Adviser of Adivasi Oraon Organization Subash Kujur, member of Jatiya Adivasi Parishad, Noyami Topya, Jospina Ekka et al. spoke at the demonstration. Leaders of Adivasi Parishad said the former Counsellor of Ward No. 9 of Thakurgaon municipality, Mr Babul and his associates have been trying to seize the lands of the area's indigenous people by using

various forms of torture. As part of this, Babul and his men tried to occupy a pond near Kalodighi Kali Mandir in the area on April 17. When the indigenous people resisted, they fled. Speakers at the human chain alleged that a human chain was organized on Friday, April 22 afternoon under the leadership of former councillor Md. Babul and his gang alleged beating up a man in the April 17 incident. Babul, associated with BNP politics, made provocative communal remarks through a hand mic. Later, the police arrested Babul from there. Adivasi Parishad member Jaspina Ekka said some Awami League men, including Councilor Babul, were trying to take over their land by filing assault cases. They will give their lives but not allow the land to be occupied. After the human chain, the indigenous people went to the Deputy Commissioner's office with a protest procession. They handed over a memorandum to the Prime Minister through the Deputy Commissioner.

### **Indigenous peoples declare to resist digging artificial lakes by occupying their farmland in Madhupur:**

Various indigenous peoples organizations have announced to resist the digging of artificial lakes by the government's Forest Department in Madhupur by grabbing the farmlands of indigenous peoples. The resistance was announced at a protest meeting held under the banner of 'Sammilita Adivasi Janata' at Daukhla Chowrasta in Madhupur on Monday, April 25, 2022, at 11:00 am in protest of the plan to occupy the lands of indigenous people for digging a lake. It is pertinent to mention here that 13 people of Garo indigenous groups have been cultivating 15 acres of land at Amtali Bieed in the area between Dokhla and Chunia villages of the forest for generations. The Forest Department has taken the initiative to dig a lake in four acres of Bieed. But the landowners did not agree to dig a lake there. Several meetings were held between the land owners, the Forest Department, and the local people's representative. On April 22, 2022, the Dokhla Range Officer's Office of the Forest Department staff hung a signboard on the land. It reads, "Protected forests, no access to the public, development work in progress, authority by order". After seeing this signboard, there was anger among the local indigenous Garo people. On the night of April 23 2022, somebody broke that signboard. Dokhla Range Officer of Forest Department Ismail Hossain complained to Madhupur Police Station on Sunday afternoon. Several protesters were charged conspiratorially.

### **BGB's attempt to grab land of indigenous Jummas to set up camp in Panchari:**

It has been alleged that lands of local Jumma villagers are being attempted to occupy by

Border Guard Bangladesh (BGB) to set up camp in the Logang Union area of Panchari upazila under Khagrachari hill district. It is also known that there are various fruit and teak plantations in the lands of the Jumma people amounting to about 21 acres. The victims are 1) Jamini Chakma (53), son of late Padmadhan Chakma, village-Harubil; 2) Bijoy Chakma (45), son of late Padmadhan Chakma, village-Harubil; 3) Dharajya Chakma (60) son of Indra Kumar Chakma, Village- Ghilatali and 4) Mangal Chakma (60), son of Maheshwar Chakma, Village-Ghilatali. According to local sources, Subedar Md. Suleman, Commander of Chankhola Para BGB camp in Chengi union under the Panchari BGB zone, sent two notes to the land owners on May 15, 2022, as part of a conspiracy to grab the land. According to the notes, a BGB camp will be set up on the land of the Jumma people. Land documents must be shown. Otherwise, the owners will not get any money. The government will take over the land without any compensation. It was learnt that none of the landowners agreed to give up their lands. Because they have been cultivating and using the lands for ages. Most importantly, they have long-term plantations of mangoes, plums, guavas, litchis and other fruits and teak gardens.

According to local sources, Jamini Chakma and Bijoy Chakma have at least 10 acres of land belonging to their two brothers. They have 1,209 mango trees and 13,000 teak trees in the area. On the other hand, Dharajya Chakma has 2000 plum trees and 600 guava trees on 10 acres of land. In the land of Mangal Chakma, 100 mango and 100 litchi trees have been planted on one acre of land. It was learnt that knowing the process of setting up a BGB camp there, the victims are now in deep concern and anxiety. Regarding establishing the BGB camp, it was learnt that the zone commander of the Panchhari BGB zone is supposed to go to the Chankhola Para BGB camp today, May 16, 2022. It may be mentioned that it has been alleged that very recently, BGB and Armed Police Battalion (APBN) were trying to occupy about 60 acres of paddy land in the name of acquisition for setting up camps in Rowangchari Upazila Sadar area under Bandarban Hill District. The victims said that once these lands were occupied, the landowners would have no land to live on. They said at least 21 Jumma families would lose their paddy lands.

### **Allegation of grabbing lands of indigenous Mro villagers in Rowangchari:**

It's been alleged that the land of local indigenous Mro people of Taracha Mouza of Taracha Union of Rowangchari Upazila under Bandarban Hill District has been grabbed by Taracha Mouza headman Hlathowaihari Marma, tourism resort entrepreneurs Philip Tripura and Zulfikar Ali Laban are behind this land grabbing. Hlathowaihari Marma is also

a local Awami League leader. Sources said that Philip Tripura and Zulfikar Ali Laban purchased 3 acres of land from Mendui Mro of Jamini Mro Para village in Taracha Mouza in ward no 7 to set up a tourist resort. But on August 13, 2022, Philip Tripura and Zulfikar Ali Laban, with the direct support of Headman Hlathowaihri Marma, grabbed 2 acres of farming land owned by another villager Lange Mro adjacent to the land of Mendui Mro. Although all the 20 Mro families of Jamini Mro Para know about it, they dare not protest and resist as the headman Hlathowaihri Marma, Philip Tripura, and Zulfikar Ali Laban are influential. The villagers also complained that Philip Tripura and Zulfikar Ali Laban, apart from grabbing the said land, are trying to occupy another 1 acre of land from Khamlai Mro, a resident of Ramri Mro Para of Tongkabati Union of No. 308 Hangar Mauza under Menyak Mro headman of North Hangar area adjacent to Jamini Mro Para. It is reported that on August 14, 2022, the residents of Ramri Mro Para gathered at the disputed site and erected a bamboo fence along the area of purchased land by Philip Tripura and Zulfikar Ali Laban to resist the eviction attempt. There has been widespread criticism and protest on social media about the incident of occupation.

### **Land grabbers attacked on Chakma indigenous villagers at Ukhiya and 20 injured:**

A group of land grabbers allegedly attacked the indigenous Chakma villagers of Monakhlai Chakma Para neighbouring the new crematorium area near the social forest under Ukhiya Upazilla of Cox's Bazar District on 18 August 2022. Sources said that, recently, a group of 100 local Muslim Bengali land grabbers with lead by Rashid Ahmed illegally cut down social forestry trees and built some houses next to the new cremation ground of Mankhali Chakma Para. A team of forest guards and employees of the local forest department came to the spot and tried to stop the encroachers after receiving information about the felling of trees and the construction of houses. This led to a clash between the forest department personnel and land grabbers. Later, when the forest guards fired blanks in the sky in self-defence, the land grabbers escaped the scene immediately.

Meanwhile, on the incident day, at around 4:20 pm, a group of 100 miscreants led by a local influential land grabber, namely Rashid Ahmed, started attacking the villagers of Mankhali Chakma Para, alleging that the indigenous people had informed the forest department about cutting trees and building houses. At this, five persons were seriously injured 20. Later, the injured victims were admitted at Ukhiya Upazila Health Complex on the same day. Due to this incident, five indigenous peoples were injured badly. The injured

persons are - Sufaitu Chakma, Chandra Chakma, Nenemong Chakma, Taingyo Chakma and Rangabi Chakma. While writing this report, the indigenous people of Mankhali Chakma Para were passing their days in fear and panic.

### **Barbaric attack on indigenous Munda people at Shyamnagar Upazilla, 12 injured and 1 dead:**

On August 19, 2022, at around 8:00 am, a group of 200 goons led by land grabbers Rashedul Islam and Ebadul Sardar carried out a heinous attack on the indigenous Munda people of Dhumghat Antikhali village under Shyamnagar Upazilla of Sathkhira District. The land grabbers intentionally perpetrated the attack to grab the land of the Munda people of Dhumghat Antikhali village. It is reported that the 32 indigenous Munda families have been living in the Dhumghat Antikhali village for many years. Recently, Rashedul Islam and Ebadul Sardar have been claiming the land of 8 Munda families where Rakhai Munda, Abinash Munda, Nirapod Munda and Odhir Munda families have been living and cultivating. Not only that, but also the land grabbers have been threatening the indigenous Munda families for many days to evict them from their lands. On the incident day, Rashedul Islam and Ebadul Sardar hired nearly 200 goons from different Unions and Upazilas of the District. The perpetrators forcefully surrounded the Munda village and locked the indigenous Munda people inside their houses. Meanwhile, when Bilasi Rani Munda, Rina Munda, Sulta Munda and Narendra Munda were working in the field, Rashedul Islam ordered them to leave immediately. However, when Bilasi Rani Munda and Fanindra Munda protested Rashedul Islam, the perpetrators started attacking the victims with sharp weapons to kill them. At this stage, the victims were injured severely. Nevertheless, the perpetrators also sexually assaulted them by tearing apart their clothes and snatching away the gold chain and earrings of Sulta Munda, Bilasi Rani Munda worth 144,000 Taka. After seeing this, Narendra Nath Munda came forward to rescue the victims, but the perpetrators hit him with a bamboo stick and tried to kill him. The miscreants also destroyed 100kg of rice seedbeds worth 100,000 Taka. Nobody came to help the victims after seeing the goons. The culprits left the place only when the police arrived after calling 999. Later, the miscreants started cultivating the land of indigenous Munda people by using power tillers. However, the indigenous Munda people left their houses and obstructed the land grabbers. The perpetrators also vandalized the homes of indigenous Munda families with locally made weapons. At this point, four were seriously injured, including three women out of 12 indigenous Munda persons. Afterwards, the four injured were admitted to Shyamnagar Upazilla Health Complex when the police rescued them. The eyewitnesses are- 1. Nirapod Munda, son of late Ramcharan Munda, 2.

Sonatan Munda, son of Narendra Nath Munda, 3. Bimla Das wife of Monosa Munda, 4. Nomita Munda, wife of Narayon Munda, 5. Probash Munda, son of late Babulal Munda, 6. Aroti Munda, wife of Nirapod Munda from Dumghat Thana, Shyamnagar Upazilla of Sathkhira District.

The injured are-Sulta Munda (30), Bilasi Rani Munda (35), Rina Munda (36) and Narendra Munda (65). Unfortunately, the wounded Narendra Munda died the day after the incident on August 20, 2022. A case was lodged with Shyamnagar Police Station against 23 known and 160-170 unknown perpetrators on August 19, 2022. The police arrested four perpetrators on August 19, 2022, and the following day. However, the main culprits are still at large till the report. As identified by the locals, the perpetrators are – 1. RashedullIslam (45), son of late Gafur Sardar 2. Ebadul Sardar, son of late Gafur Sardar from Shrifolkati village, 3. Firoz (30), son of Munshur Ali from Bongshipur village, 4. Moukim Mahajan (40), son of Firoz Mahajan from Shrifolkati village, 5. Islam (50), 6. Robiul Islam (40) son of Siddique, 7. Firoz Gazi (35), son of Munshur Gazi from Bongshipur village, 8. Akkas Ali (48), son of Akbar Ali from Patrakhola village, 9. Soyeb Gazi (36) son of Kader Gazi, 10 Nur Hossain (35) son of Alam, 11. Adom Ali (35) son of Bhalu Ali from Bongshipur village, 12 Ashraf Gazi (48) son of Akbar Gazi, 13. Rshedul (40), son of Sunnot Gazi from Pathrakhola village, 14. Babu (28), 15. Israfil (27), 16. Alamghir (28), 17. Nur Mohammed (27), 18. Akbar (24), 19. Emdad (25), 20. Rashedul (29), 21. Firoz (30), 22. Shafiqul (30) son of Gafur Gazi from Shrifolkati village, 23. Kamrul (38) from Shrifolkati village of Shyamnagar Upazilla and other 160-170 unknown miscreants. Local police are stationed in the village for the protection of the villagers. However, indigenous Munda people still live in fear. The mastermind of this brutal attack is still out of the bar. It was learnt that now they are putting pressure on the villagers to settle the issue. Different human rights and indigenous peoples' organizations, including SODESH Sathkhira, HRDF Sathkhira, CSO and HRD Coalition Sathkhira, Bangladesh Mohilla Parishad, Bangladesh Indigenous Peoples Forum (BIPF) of Sathkhira District and SAMS condemned and protested the vicious attack and also demanded justice and arrest of the perpetrators as soon as possible through separate statements on August 19, 2022.

### **Allegation of land grabbing against the Member of Parliament of Dinajpur constituency no. 6:**

The Santals indigenous peoples have submitted a memorandum to the Deputy Commissioner of Dinajpur district accusing the member of parliament of Dinajpur-6 (Nawabganj, Birampur, Hakimpur and Ghoraghat) Shibli Sadiq and his uncle Delwar

Hossain, the owner of tourism centre Swapnapuri and former member of parliament of land grabbing on August 24, 2022. The Santals indigenous peoples also organized a human chain in front of the press club of Dinajpur before submitting the memorandum. Rabindranath Soren, President of Jatiya Adivasi Parishad, was present in the human chain. Bangladesh Somajtantrik Dol (BASOD) of Dinajpur expressed solidarity in the human chain. On July 30, 2022, members of six families of the Santal community held a press conference complaining about the land grabbing of their homestead and cultivable land. However, two days later, the followers of MP Shibli Sadiq held a counter-press conference claiming that the complaints of the Santal indigenous peoples were baseless. Seven more Santal indigenous families accused the MP Shibli Sadiq of land grabbing this time. In the memorandum, the Santals referred to MP Shibli Sadiq and his uncle Delwar Hossain as 'land robbers' and 'land grabbers'. They said that the followers of MP Shibli Sadiq, namely Manwar, Aminul, Jahangir, Shibli Sadiq's personal assistant Samsuzzaman and Swapnapuri manager Muktar Ali forcibly occupied these lands. The followers of MP Shibli Sadiq and Delwar Hossain threatened to kill the Santals for protesting on these issues.

The memorandum further includes that various Dag Khatians have occupied 20.56 acres of land of Ganesh Hembroms. Among them, 33 bighas are cemeteries, 28 bighas are temples and religious sites and a pond is built on 2 acres of land. 2.32 acres of land and the homestead of a woman named Khukumani Hembrom have also been occupied. A technical school and college have been constructed by occupying 1.61 acres of land belonging to Lewis Hansdar in Khalippur Mauza. It has been alleged that the followers of MP Shibli Sadiq have stolen the money for acquiring these lands. Apart from this, 21.8 acres of Robin Mardi and 1.50 acres of Altab Ali, most of which land is within the boundaries of Swapnapuri. Several cases are ongoing in the court regarding these lands. Hembrom Robin Mardi said, "The case is ongoing in the court about the lands. Without getting the court's verdict, MP Shibli Sadiq and his uncle Delwar Hossain occupied the land and built the structure. I don't even dare to protest. To say something, they are threatening us to kill, he added". Rabindranath Soren, President of Jatiya Adivasi Parishad, said that the current government had promised that an independent land commission would be formed to deal with the land belonging to the indigenous peoples in the plains. It should not take a century to create a commission. Many indigenous peoples have left the country because of destitution. The Santals indigenous peoples living in Dinajpur's Nawabganj area have been complaining about the encroachment of their land for a long time. But the administration does not consider it. If these issues are not resolved soon, the indigenous peoples will form a large movement.

## **Allegation of grabbing land of indigenous peoples by security forces in Rowangchari Upazila:**

It has been alleged that security forces of Rowangchari Upazila of Bandarban District have allegedly grabbed the cemetery land of Marma indigenous peoples at Bandarban Sadar of Bandarban District. It was learnt that local security forces, local administration, and local political cadres took the initiative to build new houses for 17 newly converted Muslim Tripura families at the place of the crematorium of local indigenous Marma people in Rowangchari Sadar area. After learning about the matter, on the morning of September 10, 2022, the local Marma indigenous peoples surrounded their cremation area with a barbed wire fence. On the same day after getting the news of putting a barbed wire fence around the cremation area, the person of security forces called the Vice Chairman of Rowangchari Upazila Parishad, Athuimong Marma, Chairman of Rowangchari Union Parishad, Meihla Aung Marma, Headman of Rowangchari Mauza and Ward no.1 Member, Angchaiching Marma to the camp.

Security forces personnel interrogated the indigenous leaders by asking under whose leadership the crematorium was surrounded with barbed wire and made various inquiries. Meanwhile, the indigenous people's representatives were detained in the camp. The camp commander sent Ward No. 1 member Anchaiching Marma from the camp to the spot to remove the barbed wire fence of the crematorium. It is known that the Vice Chairman of the Upazila Parishad, the Chairman of Rowangchari Union Parishad and the Headman of Rowangchari Mauza were harassed and detained in the camp till mid of night. The three were released in the night after confirming that the barbed wire fence of the crematorium had been removed. It is known that Rowangchari Upazila Chairman, Vice Chairman, Union Parishad Chairman and Headman were summoned to Bandarban Army Zone on September 11, 2022. It is known that Major security forces personnel and Upazila Nirbahi Officer (UNO) forced the headman to take over the crematorium land of Marma indigenous peoples on the pretext of 'Khas land'. After that, security forces personnel and Upazila Nirbahi Officer (UNO) went to the spot with others and started occupying the cremation site by discussing the government initiative.

Several new tribal Muslim settlements have already been established in Bandarban under 'Tribal Muslim Adarsh Sangha', 'Tribal Muslim Welfare Organization' and 'Tribal Adarsh Sangha Bangladesh'. The indigenous peoples' conversion program to Islam is being conducted through these organizations. Currently, there are 30 converted Tripura and Khiang families living in the Bus Station of Bandarban Municipal area, 15 New Muslim Tripura families in the Tanki Para area, 17 families in the Linejhiri area, Lama, 45 Muslim

Tripura families in Gwalmara, 16 Tripura Muslims families in Kradong area along the Alikadam-Thanchi road and more than 45 Muslim families are said to be living in the 11 km area of the Alikadam-Thanchi. road.

### **Attempt to set up new Armed Police Battalion (APBN) camps in Rangamati:**

There is an attempt to set up an APB camp on the land of Jumma villagers adjacent to a Buddhist temple in the Chiberega area of Bagachatar Union of Longadu Upazila under Rangamati Hill District. As a result, there has been resentment among the local Jumma people. For this purpose, a group of APBn and the police have already visited the area and measured the land of the Buddhist temple area and Jumma villagers around it with a surveyor. The APBn authorities carried out this measure despite the objections of the local people. Sources said that, On September 10, 2022, around 12:00 pm, a group of APBN and Police led by the Additional DIG of APBn from Uttara in Dhaka, namely AKM Mosharaf Hossain Miyaji, Additional DIG of Specialized Training Centre of Khagrachari District, APBn Mir Modachher Hossain and Additional Superintendent of Rangamati District, Md Mofizur Rahaman visited the place. Sub-Inspector (SI), Md. Mazharul Haque of Longadu Police Station was also present at the time.

It is known that a plan has been taken to set up the APBn camp on the playground adjacent to the Buddhist monastery and the land owned by three Jumma villagers. The three Jumma owners of these lands are- (1) Bijay Shanti Chakma, son of Punang Chan Karbari, (2) Ranjan Kumar Chakma, son of Dhenga Chakma and (3) Nirat Ranjan Chakma, son of Bharat Kumar Chakma. It is said that there are homesteads of these three villagers at that place. It should be noted that on April 13, 2022, an instruction was issued from the Armed Police Battalion Headquarters stating that “police will be deployed in the land of 240 army camps withdrawn” to “implement the decision of the 5th meeting of the Chittagong Hill Tracts (CHT) Accord and Monitoring Committee”. “Initially, police will be deployed in 30 camps,” the directive said. According to the Accord, though there is provision for the withdrawal of all temporary camps from the CHT and the transfer of the land abandoned by the withdrawn camp and cantonment to the actual owner or the Hill District Council, the government has recently taken the initiative to set up 30 APBn camps in violation of the Accord. A high-level law and order meeting was held at Rangamati on May 25, 2022, and the regional office of APBN was inaugurated on May 26, 2022, to unilaterally set up an APBn camp in place of the army camp, which had been withdrawn by trampling on the CHT Accord.

## **Miscreants cut 150 betel leaf trees of indigenous peoples in Sylhet:**

At least 150 betel leaf trees of 4 indigenous persons were allegedly cut down by Rustom Ali (32) and 5/6 unknown miscreants in Muraichhara Khasi Punji of Kulaura Thana of Moulvibazar Upazila in Sylhet District on September 10, 2022. The perpetrators are – 1. Rustom Ali (32), son of late Kutu Kari from Gonkia village, 12 no. Prithim Pasha Union under Kulaura Thana of Moulvibazar District and unknown 5/6 miscreants. The victims whose betel leaf trees were cut down are – 1. Basil Bablu Talang (50), son of late Anil Yangyong 2. Mithilda Talang (51), wife of Mon Potai, 3. Min Talang (60), late daughter of Joy Khasia 4. Nerish Talang (53), wife of Lut Palang of Murichhara Punji of Karmadha Union No. 13 of Kulaura Thana of Moulvibazar Upazila in Sylhet District. The witnesses are – 1. Basil Bablu Talang, 2. Min Talang, 3. Nerish Talang, 4. Mithilda Talang, 5. Amjad Ali (60) from Doshtiki Bosti and 6. Md. Nur Mia (52) is the son of the late Hason Ali from Gonkia village of Kulaura Thana of Moulvibazar Upazila in Sylhet District.

Sources said there had been a dispute between Rustom Ali and Basil Bablu Talang over some business-related matters, and the perpetrators often cut the betel leaf trees of the victims without their consent. The victims are threatened when they protest against the perpetrators. Consequently, on the incident day, the miscreants cut down the 150 betel leaf trees of the victims. The victims obstructed the perpetrators from cutting the betel leaf trees. Later, the miscreants tried to attack the victims with sharp sticks and axe. However, the perpetrators left the place by threatening the victims to kill them when the other witnesses came along. There has been a total loss of 280,000 Taka. Basil Bablu Talang lodged a written complaint with Kulaura Police Station on September 10, 2022. But no one has been arrested till the report. Similarly, on January 19, 2022, miscreants cut down about 400 betel leaf trees of Baralekha Punji in the South Shahbazpur Union of Baralekha Thana of Moulvibazar Upazila of Sylhet District. The affected owner is claiming that there has been a loss of 6-7 lakh Takas. The owner, Freshmin War, the victim of the incident, filed a General Diary (GD) with Baralekha Police Station, but the police have not arrested anyone yet.

## **Attempt to set up a camp at Buddhist Monastery area in Bandarban:**

On September 22, 2022, at around 10:00 am, a group of security forces numbering 25 went to the Thoagya Para area of No. 6 Ward of Kuhalong Union with 20 Bengali workers. Immediately after their arrival there, they started clearing the bushes and cutting trees

around Thoaignya Para Buddhist temple without any discussion and consent of the monastery. On hearing the news of the incident, the local Buddhists, including men and women, rushed to the spot and protested against the land grabbing to prevent them from setting up any camp there. As a result, an altercation was sparked between both sides. In the meantime, the security forces said there was an order from high command. So, they would stay there no matter how much the local people obstructed them. Afterwards, when the local people were informed about the incident, the chairman and dignitaries of the area and a captain of Bandarban Sadar Zone with another team of security forces came to the spot. After a long dispute between the security forces and the local indigenous people, the security forces left the place at around 5:30 pm, vowing to stay at the site of the Buddhist monastery for the next five days. Meanwhile, it is said that the security forces took away two mobile phones from the residents.

### **300 banana trees have been cut down by Lama Rubber Industries in Bandarban:**

Three hundred banana trees of indigenous peoples were cut down on 24 September 2022 by Lama Rubber Industries at Lama Upazila of Bandarban District. Sources said that 11 indigenous Mro families have been living at Langkom Mro Para, Joychandra Tripura Para and Rongyen Mro Karbari Para, and their only source of income was by selling bamboo and wood. The cut trees were planted from May-June 2022. However, on the incident day, a group of 40-50 goons of Lama Rubber Industries suddenly cut down the banana trees. After cutting the trees, the goons stayed the whole day on that land. Notably, Lama Rubber Industries also lodged three false cases against the indigenous villagers of Langkom Mro Para, Joychandra Tripura Para and Rongyen Mro Karbari Para. It was learnt that the authorities of Lama Rubber Industries Limited have been trying to grab the 400 acres of Jum farms, plantations and lands belonging to the indigenous villagers of Langkom Mro Karbari Para, Joychandra Tripura Karbari Para and Rengyen Mro Karbari Para of Sarai Union of Lama for a long time with the help of hired goons, land grabbers and local influential persons. However, when the indigenous people tried to stop them many times, the company people filed several false cases against them. In this situation, 200 men and women of 39 families of these three indigenous villages inhabited by Mro and Tripura communities now fear eviction.

### **BGB and APBN attempt to occupy paddy land of Jummas in Rowangchari:**

It has been alleged that recently in the name of acquisition for setting up camps of the

Border Guard Bangladesh (BGB) and Armed Police Battalion (APBN) in the Rowangchari Upazila Sadar area under Bandarban Hill district, attempts are being made to occupy about 60 acres of paddy land belonging to local indigenous Jumma people. The local Jumma people said that if these lands are lost, the affected local Jumma people will be ousted from their lands and will face an extreme livelihood crisis. They termed the BGB and APBN's attempt to grab Jumma's land in the name of setting up camps hostile to Jumma and a part of a deeper conspiracy to oust them from their ancestral land. Earlier, many Jumma residents' paddy lands had been seized in Rowangchhari Sadar in the name of setting up various government offices. According to local sources, 60 acres of paddy land owned by Jumma people are being attempted to occupy in the name of setting up a BGB camp in the Taimarangchara area and an APBN camp in Paglachara Jhiri area, two adjoining areas of Rowangchhari Upazila Sadar. The land acquisition process is almost at the final stage for these purposes. The affected land owners are- (1) Anandasen Tanchangya, (2) Kankya Tanchangya, (3) Laxmikumar Tanchangya, (4) Chandralal Tanchangya, (5) Banasya Tanchangya, (6) Majhi Tanchangya, (7) Shainue Marma, (8) Rafidan Tanchangya, (9) Kalabisha Tanchangya, (10) Na Kowe Marma, (11) Chathowai prue Marma, (12) Mongchu Marma, (13) Hlachingmong Marma, (14) Nai Sang Wu Marma, (15) Prusingong Marma, (16) Apruse Marma, (17) Pruemongthui Marma, (18) Puprue Marma, (19) Mongneowaiching Marma, (20) Monoshwethowai Marma, (21) Puthuiyong Marma.

According to the local Jumma people, the land of the old Rowangchhari police station is also in the process of occupation. The police have still kept the land occupied and unused. It was learnt that a case was pending with the headman of Rowangchhari Mouza regarding the land. They said the government and administration have been paying more attention to acquiring paddy land and other croplands owned by the indigenous Jumma people. The government and the administration want the Jumma people to leave the area after being economically crippled.

According to the victims, there is very little quantity of three or two seasonal cultivable crop lands among the Jumma people in the Rowangchari Sadar area. The government and the administration have been occupying these lands of the Jumma people on the pretext of government needs targeting cultivable lands from the past. During the Ershad government, many 3-2 crop cultivable lands were acquired by the government for setting up an office for the upazila administration. At present, the upazila administration has been cultivating many of the acquired lands by the farmers with annual or triennial sharecropping. Moreover, the Jumma people's paddy land was snatched away to set up the Rowangchhari police station near Wagoi Para in the Sadar area. As per the

latest information, the aggrieved Jumma villagers will appeal to the concerned authorities against the acquisition by BGB and APBN. As a result, hundreds of families in three villages are threatened with eviction.

### **Allegation of digging canals to occupy lands of indigenous people in Nalitabari:**

It has been alleged that a canal is being dug in Nalitabari upazila of Sherpur district by occupying the lands of indigenous Garo and local Bengali villagers with about 20 acres of land belonging to 15 Garo tribal families. According to local sources, in the village of Tarini and Kalakuma on the banks of the Bhogai River in Ramchandramura Mandliapara Union of Nalitabari in Sherpur district bordering Garo Hills, without any discussion with the indigenous peoples, forcibly occupying agricultural land with CS record of indigenous Garo people. The canal is being dug on about 20 acres of land belonging to 15 families of Garo people. As a result, the lands, which are the only livelihood of 15 Garo villagers' families, will be dispossessed. On behalf of Tarini villagers, six indigenous Garo and Bengali residents, namely, Matin Marak, Shilpi Sangma, Md. Abu Bakkar Siddique, Md. Sirajul Haque, Md. Joynal, Md. Suraj Ali has submitted an application to the Assistant Commissioner (Land) of Nalitabari Upazila seeking a "remedy for irregularities in canal excavation work of Tarani Mouza from Kalakuma Boishali Bazar." The petition states that excavation work has started from Kalakuma Boishali Bazar to the banks of the Bhogai river north of Tarani village. There was no canal in that place before. The canal is being dug on the record land of the indigenous villagers as there is no khas land in that village for digging the canal. Excavation of these canals will cause severe damage to their cultivable lands and settlements and reduce the land's fertility. The petition further states that the area's indigenous people are impoverished and own very little land. They will suffer irreparable loss as their land is used for canal digging. Moreover, the canal does not need their area, and homesteads are being destroyed by dumping the soil of the canal. On the other hand, it is mentioned in the application that as a result of the canal excavation along the settlement, the homestead's land will be broken by the flow of water and will fall into the canal. The petition alleges that the contractor's people threatened the indigenous villagers in various ways while the contractor was prevented from digging the canal till the settlement. In this case, it is mentioned in the application to take necessary measures to protect the minimum cropland and homestead lands.

## Miscreants cut down 400 betel leaves of Khasi Punjee at Borolekha:

Miscreant cutting down 400 betel leaves from their jum at Bonakhola Khasi Punjee at Shahbazpur Union of Borolekha Upazila under Moulvibazar district. Owners of the jhum claim that they destroyed their battle leave equivalent of taka 6-7 lac. Freshmin War, on behalf of the owners, filed a GD at Borolekha Police Station based on the incident. It is known from the source of owners of the destroyed punjee and General Dairy (GD) that Freshmin War resident of Bonkhola Khasi Punjee was at Kulaura Upozilla to attend a Wedding Ceremony of her sister last Friday. Taking this as an opportunity, culprits cut down the betel leaves of her Jum. She was informed by her neighbour and returned at noon on Saturday. She visited her Pan Jum on Sunday and found that 400 trees were cut down. Miscreants also stole betel leaves from her jum. She gathered all the cutting betel leaf trees in a place and counted with the help of day labours. According to her, the destroyed amount equals TK. 6–7 lacs. Their livelihood depends on betel leaf cultivation. But now she is speechless and helpless. The culprits destroyed her income, dream & livelihood. All these trees matured, and it took 13–14 years. This loss is not compensable. Ms Freshmin War filed a general dairy at Borolekha Police Station. Police verification is going on, and they will take necessary steps against the culprits based on their verification report.

### 4.3 Recommendations



The Government of Bangladesh should **ENFORCE** land rights related national and international laws to protect the land right of IPs.



The Government of Bangladesh should facilitate implementation of the **CHT ACCORD** and strengthen the CHT LAND COMMISSION.



The Government of Bangladesh should establish a **SEPARATE LAND COMMISSION** for the IPs of plain land districts.



The Government of Bangladesh should **IDENTIFY HOTSPOTS** of land rights violations of IPs and provide **LEGAL AID** to indigenous victims.

# CHAPTER-V

## Implementation of the Chittagong Hill Tracts Accord





## V. IMPLEMENTATION OF THE CHITTAGONG HILL TRACTS ACCORD

**CHITTAGONG** Hill Tracts (CHT) Accord, which ended the two-decade insurgency, passed 25 years in 2022 with despair and frustration among the indigenous peoples of the CHT. Although the Silver Jubilee of the Accord was over last year, the principal aim of this Accord – the peaceful solution to the CHT conflict – has remained unfulfilled. Instead, militarization, gross human rights abuses by security forces, extrajudicial killings, ethnic tensions, communal violence, the rise of spoiler groups, land grabbing, displacement, demographic engineering, and forced assimilation have increased drastically in the post-Accord period.<sup>14</sup> Consequently, indigenous peoples continue to live with fear, insecurity, and dissatisfaction with their current life, in addition to their frustration over the non-implementation of the Accord.<sup>15</sup>

Surprisingly, the Awami League-led government, one of the signatory parties of the Accord, has remained in power for the last 18 years, within 25 years after signing the Accord. It is not a 'blame game' but an undeniable truth that the government has not taken any initiative to execute the unimplemented core issues of the Accord despite getting more than enough time for the implementation. The PCJSS<sup>16</sup> claims that the government has adopted no significant initiative in 2022. Instead, the government has geared up state repression and ethnic cleansing policy to suppress the Jumma people's movement to implement the CHT Accord in an undemocratic, violent and fascist manner last year, with continued arrests of the PCJSS

---

14 For instance, Jamil, Ishtiaq, and Pranab Kumar Panday. "The elusive peace accord in the Chittagong Hill Tracts of Bangladesh and the plight of the indigenous people." *Commonwealth & Comparative Politics* 46, no. 4 (2008): 464-489. Amnesty International (2013) Pushed to the edge: Indigenous rights denied in Bangladesh's Chittagong Hill Tracts. Available at: <https://www.amnesty.org/en/documents/asa13/005/2013/en/>

15 For instance, Chakma, Bhumitra. "Security perceptions and practices of the indigenous people of the chittagong hill tracts in Bangladesh." *International Quarterly for Asian Studies* 49, no. 1-2 (2018): 83-104. Chakma, Anurug. "Does Political Security Matter? A Study on the Life Satisfaction of Indigenous Peoples of the Chittagong Hill Tracts." *Journal of Asian and African Studies* (2022): 00219096221117076.

16 Parbatya Chattagram Jana Samhati Samiti (PCJSS) is the political organization of indigenous Jumma peoples in CHT and one of the signatories of the CHT Accord of 1997.

leaders and activists, including indigenous human rights defenders. Consequently, the situation in the CHT in 2022 has remained more volatile, violent, and vulnerable.<sup>17</sup>

## 5.1 The Current Implementation Status of the CHT Accord

No consensus exists between the government of Bangladesh and the PCJSS regarding the current implementation status of the CHT Accord. Figure 5.1 shows the divergent opinions of both sides of the Accord. The government claims that all the clauses of Part 'A' (General) of the Accord have been implemented. In response to the government, the PCJSS reports that the first and second clauses on preserving tribal-inhabited features of the CHT and enacting and amendment of various laws have remained entirely unimplemented. In contrast, the third clause regarding the *CHT Accord Implementation and Monitoring Committee* has partially been implemented, while the implementation of the fourth clause on the duration of validity of the Accord is currently under the implementation process.

The government also asserts that out of 35 clauses of Part' B' of the Accord on Hill District Councils, 26 clauses have been fully implemented, 6 clauses have been partially implemented, and the rest 3 clauses are currently under the implementation process. However, the PCJSS claims that only 16 clauses have fully been implemented, 4 clauses have been partially implemented, and 15 clauses have remained entirely unimplemented. Among implemented issues of Part' B' of the Accord, the enactment of three Hill District Council Act 1998 (Amendment of Hill District Local Government Council Acts of 1989) and devolvement of some subjects, functions and offices to the three Hill District Councils (HDCs) are noteworthy. Out of 33 subjects of the HDCs, only 17 subjects (including ten subjects transferred before signing the Accord) have partially been assigned to the HDCs so far. However, the most crucial subjects, such as law and order, police, land management, forest and environment, tourism, and development of communication systems, are yet to be transferred to the HDCs.

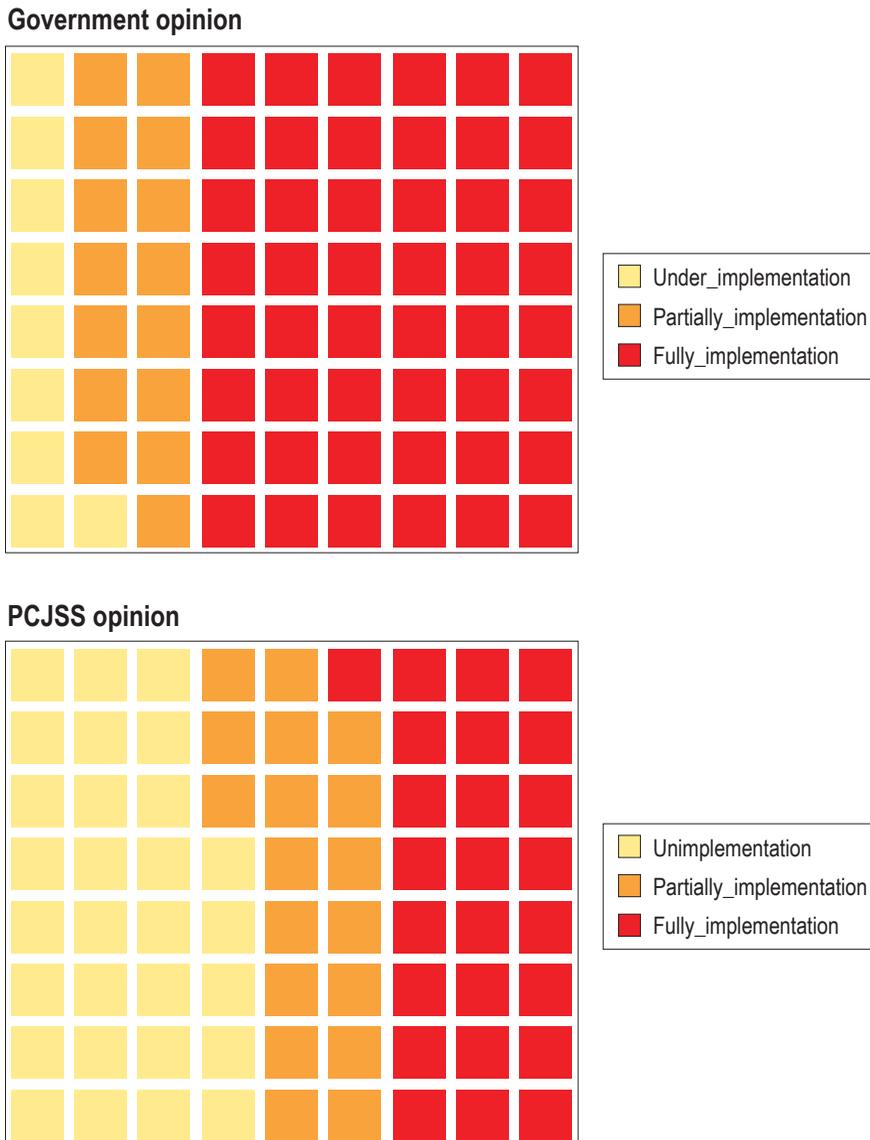
Notably, the formulation of Election Rules and Electoral Roll Rules, preparation of voter lists with the permanent residents of three hill districts, and, accordingly, holding elections in the three HDCs are the most crucial issues yet to be realized. Instead of forming 34-member elected HDCs, the government has appointed its party local leaders in these interim Councils, which clearly violates the Accord. More importantly, ignoring the opinion of the CHT people, the government amended three HDC Acts on 23 November 2014, intending to increase the number of members of these three interim HDCs of the CHT from 5 to 15, including the chairman. The main objective of amendments to the three HDC Acts is to bypass the elections for the CHT

---

17 Supplementary of PCJSS on the 25th Anniversary of CHT Accord ('পার্বত্য চট্টগ্রাম জুজির ২৫তম বর্ষপূর্তি উপলক্ষে পার্বত্য চট্টগ্রাম জনসংহতি সমিতির ক্রেডাউপত্র'), Samakal, 2 December 2022.

institutions and deprive the CHT people of their political rights to the franchise and access to representation in decision-making. In fact, these government-appointed members of interim HDCs are not accountable to the local people. Instead, they are loyal to the government and implement its agenda.

**Figure 5.1: Divergent opinions of both sides on the implementation of the CHT Accord**



In the Accord Implementation Committee meeting, it was decided to revoke the jurisdiction of the Deputy Commissioners in case of issuing Permanent Resident Certificates in the three hill districts. But this decision has not been implemented yet. In addition, the provision relating to 'all development programs undertaken or to be undertaken at national level' is yet to be properly included in the HDC Acts. Notably, the government has amended section 18 of the HDC Acts without any consultation with the CHT Regional Council, which qualifies settlers to be voters in all elections in the CHT. This violation of the CHT Accord reveals the treachery of the government to implement the Accord and its role in the peace process as a spoiler.

Similar to Part A and B, both signatory parties of the Accord have divergent and contradictory opinions. The government claims that out of 14 clauses of Part C of the Accord on the CHT Regional Council (CHTRC), 7 clauses have fully been implemented and 5 clauses have partially been implemented, and the process of implementation of 2 clauses is in place. However, the PCJSS reports that only 4 clauses have fully been implemented, 6 clauses have partially been implemented, and 4 clauses still need to be completed. Implemented provisions of this Part C include the enactment of the CHTRC Act (1998) and the constitution of interim CHTRC. However, the powers and functions of the CHTRC are yet to be executed. Consequently, it has no administrative power to supervise, coordinate and execute its functions bestowed upon. The CHTRC Complex project is yet to be implemented. Hence, the CHTRC suffers from its infrastructure.

Though there are the legal provisions by merit of which the CHTRC has been empowered to supervise and coordinate all the programs relating to the development, general administration, and law and order, has yet to be put into effect. Up to now, the Deputy Commissioners, Upazila Executive Officers, and Police Department respectively exercise this power at district and Upazila levels while avoiding the CHTRC and HDCs.

In contrast, among the implemented issues of Part D of the Accord include the repatriation of India-returnee Jumma refugees and the formation of the Task Force, the constitution of the CHT Land Commission and enactment of the CHT Land Dispute Resolution Commission Act, withdrawal of 101 temporary army camps in three phases out of 545 camps, setting up of Ministry of CHT Affairs, construction of CHT Complex in Dhaka, deposition of arms and ammunitions by the PCJSS, the appointment of around 600 ex-combatant in police jobs, etc.

However, the withdrawal of all the temporary camps, including de facto military rule 'Operation Uttoron,' formulation of the Rules of CHT Land Commission and resolution of the land disputes and return of the dispossessed lands to the actual owners of Jumma people, cancellation of land leases given to the non-residents and non-tribal persons, proper

rehabilitation of the India-returnee refugees and internally displaced Jumma families in their lands after having returned the dispossessed lands to them, the appointment of the permanent residents in all jobs available in CHT on priority preference to the tribal people, bringing an amendment to the all other laws applicable to CHT including the Police Act of 1861, Forest Act of 1927 and CHT Regulation of 1900 to make consistency with the Accord, etc. are most core issues which have been left unimplemented. According to the PCJSS, as per the unwritten agreement, another crucial point that has remained unimplemented is the rehabilitation of the Bengali settlers outside the CHT with dignity.

## 5.2 Special Governance System of the CHT

Both Part B and C of the CHT Accord contain the provisions of introducing a special governance system in coordination with the *CHT Regional Council* and three *Hill District Councils*. The provisions state that the Hill District Councils shall implement all development programs and maintain law and order at the district level. In contrast, the CHT Regional Council, as the apex body of the special governance system of CHT, shall supervise and coordinate the general administration, law and order, and all development programs at the regional level.

Ironically, no initiative was taken by the government in 2022 to implement the CHTRC Act and three HDC Acts to strengthen the special governance system of CHT. Though there are provisions in the Accord that confer the authority to the HDCs to prepare, undertake and implement development projects in respect of the matters transferred to it and all development programs undertaken at the national level, the top-down decision is often imposed from the Ministry of CHT Affairs (MoCHTA) on the HDCs. All development programs are implemented accordingly, the procedure of which cripples the right to decision-making or self-rule jurisdiction of the HDCs in 2022. Conversely, most development projects are implemented through the CHT Development Board (CHTDB) while bypassing the CHTRC and the HDCs. This hampers the special administrative system of CHT, generating complexity in administration and development.

Though the CHT Accord stipulates that the CHTDB shall discharge the assigned duties under the general and overall supervision of the CHTRC. But it has been conducting the overall development programs without consulting the CHTRC. Since the signing of the CHT Accord, no election of the CHTRC and three HDCs has been held. Consequently, the effective institutional form of the special governance system is absent in the CHT with dysfunctional CHTRC and three HDCs.

### 5.3 Ineffective Accord Implementation Committee

Under the present government, in line with the Accord, the reconstitution of the CHT Accord Implementation and Monitoring Committee, CHT Land Dispute Resolution Commission and the Task Force on Rehabilitation of India-returnee and Internally Displace Jumma families has become a routine practice. But the meetings of these institutions are held most irregularly. Even no effective initiative has ever been taken to implement the decisions adopted in the discussions of these institutions. Specifically, the government has undertaken no initiative to implement many crucial decisions of the CHT Accord Implementation and Monitoring Committee. Instead, the government has undertaken anti-Accord initiatives and programs, which contrast with the decisions of the Accord Implementation and Monitoring Committee and the interests of the indigenous Jumma people.

For instance, during several meetings of the Accord Implementation and Monitoring Committee held in 2018-2019, including the 5th meeting held on 7 December 2021, it was decided to transfer the subjects of 'Police (Local)' and 'Maintenance and Development of Law and Order' to the three Hill District Councils through executive order and to form the hill district police force accordingly. Surprisingly, instead of executing those decisions, an initiative was undertaken by the Armed Police Battalion (APBN) Headquarters to install APBN at the site of the withdrawn army camp. In this regard, the APBN Headquarters issued a directive on 13 April 2022, which directly violates the Accord.

The 6th meeting of the CHT Accord Implementation and Monitoring Committee was held on December 3, 2022, one year after its 5th meeting. But the government has not taken any initiative to implement the decisions of the 5th meeting, including the decisions of the previous meetings in 2022. Even though the agenda of the 6th meeting was set to review the overall situation of the CHT, no working paper was presented by the CHT Affairs Ministry. As a result, no discussion was held on that issue at the 6th meeting.

However, a discussion was held in the 6th meeting on approving the resolution of the 5th meeting of the Committee. In the 5th meeting, it was decided to take necessary initiatives of the Ministry of CHT Affairs (MoCHTA) for the formulation/finalization of the Rules of the CHT Land Dispute Resolution Commission soon. But the Ministry of CHT Affairs has not taken any initiative in this regard, and the Ministry of Lands has not taken any effective action in the last year. Therefore, the MoCHTA has been urged by the 6th meeting again to take necessary action in this regard.

It was also decided in the 5th meeting to immediately transfer the non-transferred subjects to the three HDCs through executive order. That decision remained unimplemented last year. With respect to this, the MoCHTA has been urged again to execute the decision. Another

decision was taken in the 5th meeting to organize a coordination meeting between the MoCHTA, the CHTRC and the three HDCs. That decision has not also been implemented, although the Secretary of the MoCHTA could not provide a proper explanation as to why no initiative was taken regarding the said decision. Later the Minister of the MoCHTA, Bir Bahadur Ushwe Sing, also tried to explain this matter.

It was also decided in the 5th meeting to submit a report by the Deputy Commissioner of Bandarban Hill District with a list of land leases and rubber plantations to the CHT Accord Implementation and Monitoring Committee. But no report has been submitted by the Deputy Commissioner. The CHT Ministry has been urged in the 6th meeting to take necessary effective initiatives in this regard as well for execution.

A decision was also taken in the 5th meeting of the Committee to approve the organogram of 27 officers and employees of the Accord Implementation and Monitoring Committee and to appoint manpower accordingly. But no effective initiative has been taken by the CHT Ministry in this regard. Another decision was taken in the 5th meeting to withdraw all the false and fabricated cases lodged against the members of PCJSS. But no appropriate action has been taken by the CHT Ministry in this regard. In order to take effective action in this regard, the MoCHTA was again asked in the 6th meeting to prepare a list of cases and to send letter directly to the PCJSS for the same.

A decision was recorded in the minutes of the 5th meeting to set up an APBN camp in place of the withdrawn army camp. Jyotindra Bodhipriya Larma, President of PCJSS, opposed it. It should be noted that the matter was discussed in the 5th meeting, but no decision was taken. Apart from this, the initiative to set up an APBN camp on the site of the withdrawn army camp is also contradictory to the CHT Accord. Hence, the setup of the APBN camp in place of the withdrawn army camp recorded in the minutes of the 5th meeting was not approved. An opinion was expressed that this matter could be discussed with the Ministry of Home Affairs later. Finally, the resolution of the 5th meeting of the CHT Accord Implementation and Monitoring Committee was finalized by approving all the decisions mentioned above of the 5th meeting except the issue of setting up the APBN camp in place of the withdrawn army camp.

Besides, a decision was taken in the 6th meeting that the law-and-order meeting minutes related to the CHT shall be sent to the Accord Implementation and Monitoring Committee and the CHTRC. The MoCHTA has been responsible for taking practical steps in this regard. There was another discussion on the instructions sent by the Ministry of CHT Affairs to include the Deputy Commissioners in the Teacher Appointment Committee in the three Hill District Councils. It was discussed that such instructions contrast the Hill District Council Act. Therefore, the attention of the Ministry of CHT Affairs was drawn to refrain from issuing such

illegal instructions. The CHT Minister Bir Bahadur pledged that such instructions would not be given again. It is noteworthy that though CHT Accord Implementation and Monitoring Committee is the apex body in the implementation and monitoring of the implementation of the CHT Accord, but it is regrettable that office, manpower, funds, and logistic support have not been provided for this committee even in the last 25 years.

#### 5.4 Dysfunctional Land Commission

The CHT Land Dispute Resolution Commission Act 2001 was passed by the then Awami League government without consultation of CHT Regional Council. Hence, there were many provisions included in the Act which were found to be contradictory to the CHT Accord. After 15 years of intensive series of lobby and movement, contradictory provisions of the CHT Land Dispute Resolution Commission Act of 2001 have been amended through passing the CHT Land Dispute Resolution Commission Act (Amendment) 2016 in the parliament on 6 October 2016. After amendment of the law, having the draft Rules of the Land Commission formulated, the CHT Regional Council submitted the said draft to the Ministry of Lands on 1 January 2017 for approval. But the government has not yet finalized the said Rules. Though decision was taken to formulate the Rules of the CHT Land Dispute Resolution Commission in the meetings of CHT Land Dispute Resolution Commission and also CHT Accord Implementation and Monitoring Committee, with immediate effect in the interest of resolving the land disputes in CHT, the government has kept the process of formulating the Rules hanging for six years. As the Rules has not been framed, the Land Commission has not yet started the judicial work of settling land disputes. Hence, indigenous Jumma people have not been returned back their dispossessed lands as yet.

As the land dispute is not settled, 40 violent incidents have taken place involving the illegal occupation of lands, communal and arson attacks, filing of false cases related to lands and violence against indigenous women by Bengali settlers and land grabbers in 2022. At least 448 people were victims of human rights violations last year.<sup>18</sup> For instance, one such incident of land grabbing is the burning of 350 acres of Jum-farming land, plantations and village forest of three Jumma villages in Soroi Union of Lama on 26 April 2022 by Lama Rubber Industries Limited. As a result of the burning, 200 villagers of 39 indigenous families are facing a crisis of food and drinking water, while the natural environment has been severely damaged, including the death of wild animals.

The arson, assault, and harassment of this rubber company did not stop here. After the 26 April 2022 attack, at least 11 attacks and two fabricated cases were filed against indigenous

---

<sup>18</sup> 1935 were victims of human rights violations last year (গত বছর মানবাধিকার লঙ্ঘনের শিকার ১৯৩৫ জন), Samakal, 2 December 2023.

villagers involved in the land protection movement 2022. The last episode was carried out on 2 January 2023, where seven houses were burnt, and two houses were demolished.<sup>19</sup> Notably, when the Land Commission took the initiative to hold a meeting recently, Bengali settlers' organization' Parbatya Chattagram Nagorik Parishad' (PCNP) conspired to foil the meeting. The latest such misdeed of the PCNP was the strike on 7 September 2022 to thwart the meeting of the Land Commission at Rangamati. Earlier, as soon as getting formed in 2019, the PCNP had initiatives to obstruct the CHT Land Commission meetings held in Rangamati in December 2019 and Bandarban in February 2020.

### 5.5 Ineffectual Task Force

According to the CHT Jumma Refugee Welfare Association, the Task Force on Repatriation and Rehabilitation of India-returnee Tribal Refugees and Identification and Rehabilitation of Internal Displaced Persons, in its meeting, passed a decision to provide financial assistance, including ration to the Internally Displaced Jumma families. However, the said decision has not yet been executed. There was a discussion in the 10th meeting of the Task Force held on 22 October 2019 to provide ration to around 54,000 refugees who had been repatriated voluntarily and under the 16-point package agreement from refugee camps of the Indian state of Tripura before signing the Accord. But no effective action has been taken in that direction, even in 2022.<sup>20</sup> Even, no meeting was held in the last three years after its 10th meeting on 22 October 2019. As a result, over 9,000 indigenous families of India-returnee tribal refugees are forced to live in extreme misery as they did not get their land back, while the internally displaced families are forced to spend their lives in dire straits as no rations are provided to them. Notably, ethnic tensions often arise from land disputes between the settlers and returnee Jumma refugees and Jumma IDPs. At present, the rehabilitation process of the tribal IDPs remains at a standstill. As a result, IDPs are leading a diaspora life in their own country.

Apart from this, the MoCHTA has one-sidedly reconstituted the Task Force Committee on 22 June 2021 in violation of the CHT Accord in which Deputy Commissioners (DC) of Rangamati, Khagrachari and Bandarban Hill Districts have also been included as members. It is alleged that the inclusion of DCs unilaterally without any discussion or consent with the PCJSS, CHT Jumma Refugee Welfare Association and CHT Regional Council was not consistent with the aspirations and spirit of the CHT Accord.<sup>21</sup>

---

19 Fresh arson attack in Rengyen Karbari Para by Lama Rubber Industries, 9 houses damaged, Hill Voice, 2 January 2023.

20 "Rehabilitation of refugees and internally displaced persons returned to India will be taken" (ভারত প্রত্যগত শরণার্থী ও আভ্যন্তরীণ উদ্বাস্তুদের পুনর্বাসনের ব্যবস্থা), Ekushey Patrika, 22 October 2019.

21 Govt unilaterally reconstitutes task force committee in violation of CHT Accord, Hill Voice, 5 July 2021.

## 5.6 Increased Militarization in the CHT

Though the CHT Accord contains the provision for withdrawing all temporary camps, the government has withdrawn only 101 out of 545 temporary camps in three phases. Instead, many army camps have been re-established in the meantime. Twenty camps have been re-established only during the COVID-19 pandemic, while initiatives to set up six more camps were taken in 2022. Meanwhile, a directive was issued by the APBN Headquarters on 13 April 2022 in the name of "implementing the decision of the 5th meeting of the CHT Accord Implementation and Monitoring Committee" that "police will be deployed in the site of 240 camps withdrawn by the army". It was mentioned in the directive that "Initially, police will be deployed in 30 camps," In fact, the initiative to set up the APBN camp in place of the withdrawn army camp is a direct violation of the CHT Accord.

Besides, the government, which is a signatory party of the Accord, has continued a de facto military rule titled: 'Operation Uttoron' (Operation Upliftment). Under 'Operation Uttoron' the security forces have been exercising their absolute control over all the subjects, including the general administration, law and order, judiciary and development sectors, which is the biggest challenge to democratic governance and the introduction of the special administrative system incorporating the CHT Regional Council and three Hill District Councils. The security forces have been creating various obstructions even in the implementation process of the Accord,<sup>22</sup> including creating communal tension through the settlers, providing shelters and indulgence to the armed terrorist groups and forcible land occupation. Such activities of the security forces undermine a democratic and public-represented special governance system and establish peace in CHT.

The Region and Zone authorities of the army hold regular conferences with the traditional leadership of Raja-Headmen-Karbaris and members-chairmen of local government bodies. In these conferences, they give speeches against the CHT Regional Council, the CHT Accord and the interest of the Jumma people. For example, the security forces ordered headmen and karbaris to submit personal and family information of the Jumma people in Jurachari Upazila. Shilchari army camp and Lulangchari army camp authorities on 29–27 August 2022. As this has created concern among the people, the question has also been raised whether it is the army's job to collect people's personal information or what the army's purpose is behind it.

## 5.7 Ignoring the Calls of UN Experts

During the visit to Bangladesh in August 2022, UN High Commissioner for Human Rights, Michelle Bachelet, was not allowed to visit CHT, which undoubtedly bears witness to the fact

---

<sup>22</sup> Bangladesh: UN expert concerned about non-implementation of Chittagong Hill Tracts Accord, 2 December 2022, ohchr.org

that the government is doing something inhumane in the CHT, keeping it a secret from the international community. During her visit to Bangladesh in response to the continued allegations of human rights violations linked with land disputes and the need for demilitarization, the UN Human Rights chief called for full implementation of the CHT Accord and unrestricted access for independent actors to visit the area.<sup>23</sup> But no sign of pacing forward in implementing the Accord is being noticed in response to the call.

In a statement on 2 December 2022, the Special Rapporteur on the Rights of Indigenous Peoples, Francisco Cali Tzay, expressed concern over the non-implementation CHT Accord. He mentioned in his statement that the non-implementation of the CHT Accord since it was signed 25 years ago has severely threatened the culture and identity of the region's indigenous population and violated their human rights. He added, "I have been continuously receiving news and information from different sources about the gross and systematic human rights violations against the Indigenous Peoples, including the PCJSS members who signed the accord, Indigenous human rights defenders and Indigenous women and girls. The repeated effort over the year to grab Indigenous Peoples' land in the name of development, tourism, and eco-forest for national and international companies and other vested interests also disrespects the accord."<sup>24</sup>

On 20 December 2022, the international community sent a letter to Sheikh Hasina, the Prime Minister of the government of Bangladesh, with an urgent appeal for proper, speedy and full implementation of the CHT Accord. The letter was signed by the representatives of 54 organizations and 187 individuals from 42 countries around the globe. It was sent by Joan Carling, the Executive Director of Indigenous Peoples Rights International and former expert member of the United Nations Permanent Forum on Indigenous Issues (UNPFII).

## 5.8 Anti-Accord Development Aggression

As per the CHT Accord, coordination and supervision of all development activities have been entrusted to the CHT Regional Council. The government has allocated funds for the development of CHT, although it is too meagre to meet the requirement. Indeed, in place of resolving the CHT crisis by implementing the Accord, the government has been using all sectors, including development, to undermine the CHT Accord. As part of the design, the government has been pursuing a conspiracy involving evading the Jumma people from their traditional lands, breaking their economic backbone, destruction of biodiversity and the environment.

---

<sup>23</sup> UN High Commissioner for Human Rights Michelle Bachelet concludes her official visit to Bangladesh, 17 August 2022, ohchr.org

<sup>24</sup> Bangladesh: UN expert concerned about non-implementation of Chittagong Hill Tracts Accord, 2 December 2022, ohchr.org

The development programs that cast ruining affect the culture of the Jumma people and environment, among many others, include the declaration of reserve forest, giving the traditional Jum farming lands and Mouza lands in leases to the non-residents, installation of tourist centres in traditional lands illegally occupied, construction of border roads and link-roads by destroying plantations, groves and houses of the Jumma people, the establishment of army camps and their expansion, exploration of gas and oil, etc. One of the devastating illustrations resulting from developing Tourism through the forcible occupation of Jum-cultivating lands, one of the sources of livelihood and eviction, is the construction of a five-star hotel and amusement park at Chimbuk Hill of Bandarban. As a result of this project, the life and livelihood of some 10,000 Jum-cultivators of Mro people of 116 villages have been severely affected. Despite the strong protest at home and abroad, including UN Experts, construction of the five-star hotel is continuing even in 2022 unabated.

Another destructive project is the construction of border link roads titled “Border Road (Rangamati, Khagrachari and Bandarban districts) Construction Project.” Under this project, the border road measuring 317 kilometres touching the Myanmar and Indian borders is being constructed by the Ministry of Road Transport and Bridge and the Bangladesh Army. As a result of the construction of this road connected by link roads, houses of 500 families of Jumma people, including 188 families in Baghaichari, their grove lands, plantation, schools, temple, etc., have been evicted and damaged. But in most cases, no compensation has been made to meet the damage. The 188 families who have suffered damage, have staged a rally on 25 September 2022 against the coercive construction of such roads through the destruction of houses, plantations, groves and various establishments of the Jumma people and submitted a memorandum to the Prime Minister demanding proper compensation for their damage. Besides, plantations, groves and multiple establishments of the Jumma people in Panchari and Matiranga upalizas are being destroyed in the name of border road construction in 2022. The Jumma villagers have been prevented at the Farua Union of Bilaichari Upazila from doing timber and bamboo business and practicing Jum cultivation in the traditional lands in 2022.

## 5.9 Recommendations

In light of the above discussion, the government of Bangladesh should consider the following issues for urgent action and the speedy implementation of the CHT Accord.

1. To declare a timeline and outline (roadmap) for implementing the CHT Accord, giving top priority over three issues.
  - 1.1. The devolution of authority to the CHTRC and three HDCs, particularly the transfer of fundamental subjects, such as law and order, land and land

management, police (local), secondary education, forest, environment, tourism (local), preservation of statistics on death-birth etc. to the three

- 1.2. The resolution of land disputes and amendment of contradictory provisions of the CHT Land Disputes Resolution Commission Act 2001 as a safeguard to
- 1.3. The Withdrawal of all temporary camps and de facto military rule "Operation
2. To include the CHTRC Act, 1998 and three HDC Acts, 1998 (Amendment) enacted as per the CHT Accord in the First Schedule of the constitution as 'Effective Laws' to
3. To relocate the Bengali settlers outside the CHT, intending to preserve the
4. To end the culture of impunity and ensure access to justice for indigenous peoples, including protecting women and girls, as per the government's commitment in the consecutive sessions of the Universal Periodic Review (UPR).



## 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.

