

The Ministry of Chittagong Hill Tracts Affairs of Bangladesh: An agency for discrimination against indigenous Jumma peoples



ASIAN INDIGENOUS & TRIBAL PEOPLES NETWORK



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I. The context

A few countries in Asia (India, Nepal and Philippines) have established National Institutions on the Rights of Indigenous Peoples (NIRIPs) while a few others have refused to establish such NIRIPs. A few governments have set up Ministry, Department or Cabinet level Committee to deal with the affairs of the indigenous peoples/ethnic minorities of their respective countries. The Ministry of Chittagong Hill Tracts Affairs (MoCHTA) of Bangladesh, Department of Orang Asli Affairs (also known as JHEOA) of Malaysia and the Committee for Ethnic Minorities (CEM) of Vietnam are amongst the few. These agencies are not expected to meet the existing standards relating to the National Institutions as they are not National Institutions but their role remains crucial as they are often highlighted as governments' commitment towards indigenous/tribal peoples.

As a part of its project, "*Realisation of Indigenous Peoples Rights at National Level in Asia*" financed by the European Commission under the European Initiative for Human Rights and Democracy, Asian Indigenous and Tribal Peoples Network (AITPN) conducted studies on the MoCHTA of Bangladesh, the JHEOA of Malaysia and the CEM of Vietnam. AITPN also conducted studies on the National Commission for Scheduled Tribes of India, National Commission on Indigenous Peoples of the Philippines and the National Foundation for Development of Indigenous Nationalities of Nepal.

On the basis of its studies, AITPN has come to the conclusion that the governmental agencies, departments and foundations are ineffective. They suffer from common flaws as cited below:

1. These are governmental agencies and hence **lack independence, impartiality and objectivity**. Instead of protecting the rights of the indigenous peoples, they are reduced to agencies implementing the anti-indigenous/minority policies of the government. This is evident from the implantation of Muslim peoples from plain areas to the Jumma peoples' lands in CHTs of Bangladesh which has threatened the very existence of the indigenous Jumma peoples, and the implantation of the Kinh majority from the lowlands to the Central Highlands in Vietnam to the effect that the Kinh people's population increased from 5% in 1945 to 70% of the total population of Central Highlands at present. The Department of Orang Asli Affairs has become a mechanism of the Government of Malaysia to regulate, control and assimilate the Orang Asli and not to develop them.
2. **These Ministries/Department/Committees are not headed by**

indigenous peoples and do not have true representation from the indigenous peoples. The MoCHTA is controlled by the Prime Minister while JHEOA's top level officers belong to majority Malays. The CEM is headed by a Minister who may not be from ethnic minorities. Hence, the MoCHTA, the JHEOA and the CEM remain more concerned about what the government wants rather than what the indigenous peoples need.

3. **There is no transparency and accountability in the functioning of these institutions.** Only in a rare case, in December 2000 then Chairman of the Committee for Ethnic Minorities and Mountainous Areas (predecessor of CEM), Minister Hoang Duc Nghi was summoned to the National Assembly for the involvement of CEMMA officials in corruption and was severely reprimanded. The investigation also led to dismissal of several provincial level officials but the central officials went scot free.
4. **These governmental departments/agencies/committees do not have financial independence.** They cannot determine their own budget and their financial strings are controlled by the government which make them highly vulnerable and impartial towards the government.
5. **There is no plurality and proportionate gender representation in the appointment of members.** The composition of the members of MoCHTA, JHEOA and CEM is determined by the interests of the ruling party.
6. **Assimilation of the ethnic minority/indigenous peoples into the mainstream society remains the main agenda of these governmental departments/agencies/committees.** It is the truth in case of Orang Asli of Malaysia, Jumma peoples of CHTs or 53 ethnic minorities of Vietnam.
7. The areas of indigenous peoples have been under strict government control. The freedom of the press has been curtailed by the Aboriginal Peoples Act of 1954 which prohibits entry or circulation of any thing including films capable of "suggesting words or ideas" in the Orang Asli areas in Malaysia. In CHTs of Bangladesh, freedom of the press and speech of the indigenous peoples have been under tight control of the government.
8. As the indigenous peoples demand various degree of autonomy or self determination, the indigenous areas have been turned into **virtual military zones** due to huge presence of military. High militarisation

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violates the daily routines and human rights of the indigenous peoples as the security forces primarily target the indigenous population. The MoCHTA, the JHEOA or the CEM do not have any mandate to protect the indigenous peoples/ethnic minorities against human rights violations by the security forces or the members of the majority.

The experience of India shows that a Ministry for Tribal Peoples (not to speak about Department or Committee) is not adequate by itself. The National Commission for Scheduled Tribes, despite its flaws, is mandated to act independently. The experience of the Philippines has shown that a National Commission on Indigenous Peoples is not adequate by itself as its independence is subsumed by the departments under which the Commission is placed.

There is a need to establish departments and agencies for ensuring development of indigenous peoples with their distinct identities as well as independent and autonomous National Institutions on the Rights of Indigenous Peoples to protect the rights of indigenous peoples.

The United Nations Paris Principles on National Human Rights Institutions (NHRIs), the minimum standards for establishing any NHRIs are highly restrictive and do not reflect the realities of indigenous peoples. While there is a need for the United Nations to develop the new principles on the establishment of National Institutions on the Rights of Indigenous Peoples, for the time being the governments in Asia must establish independent and autonomous National Institutions on the Rights of Indigenous Peoples at least in conformity with the Paris Principles on NHRIs.

Considering a sizeable number of indigenous peoples live in mainland Bangladesh, the government of Bangladesh should establish a National Institution on the Rights of Indigenous Peoples.

II. Background of the Chittagong Hill Tracts

The “Chittagong Hill Tracts” (CHTs) sandwiched between the Arakan hills of Burma and the North East India is a part of south east Bangladesh. Covering an area of 5,093 square miles or 10 per cent of the total land area of Bangladesh, the CHTs consist of several valleys running in northwest to southeast direction. The rugged horseshoe of mountains surrounding these valleys had been an abode of ten different ethnic nationalities namely the Chakma, Marma, Tripura, Khyang, Lushai Khumi, Chak, Murung, Bowm and Pankoo for the last few centuries. They are collectively known as JUMMA a pejorative term used by the Chittagongian Bangalees, because of the indigenous peoples' engagement in swidden or Jum cultivation.

The Jumma peoples belong to Tibeto-Burma linguistic group and distinctly differ in culture religion, customs, death and birth rites and above all, notion of life from the mainstream Bengali muslim population of Bangladesh. The Chakmas, Marmas Chaks, Murungs and Khumis profess Buddhism; the Tripuras believe in Hinduism; and the Lushais, Bowms, Pankhoos and Khyangs practice Christianity.

The British East India Company brought the Chittagong Hill Tracts under their control in 1787 after defeating the tribal kings and it was made a tributary state. In 1860, CHTs was brought under direct administrative control of the British India. The British promulgated the Chittagong Hill Tracts Frontier Police Regulation in 1881 and the Chittagong Hill Tracts 1900 Regulation. Under the Government of India Act 1921, the CHTs was declared a “Backward Tracts”. Under the 1935 Government of India Act, the CHTs was made an “Excluded Area”.

The root cause of the CHTs crisis lies with the fact that the indigenous peoples of the CHTs have not been provided the opportunity to express their opinion through a referendum or a similar exercise whether to be a part of India or Pakistan, or remain “status quo” of being “Excluded” both from India and Pakistan. New Delhi and Karachi arbitrarily decided about the fate of the Chittagong Hill Tracts without any consent of the indigenous peoples.

During the partition of India in 1947, the Jummas constituted 98.5% of the total population of CHT. The Jumma leaders rightly sought confederation with India. Since the outgoing colonial masters had not decided about the status of CHTs at the time of declaration of independence of India and Pakistan, the CHTs was declared a part of Pakistan only on 17 August 1947. The CHTs was exchanged with Pakistan for Zira and Firozpur district of

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Indian State of Punjab. Pakistan accused the Jummas of being "Pro-Indians" and abrogated the constitutional safeguards. Finally, construction of the Kaptai Hydro Electric Project submerged 40% of the total cultivable land area and displaced 100,000 Jummas. No compensation was paid.

In 1972, after Bangladesh's independence the Jumma leaders sought legal-constitutional status for the CHTs. Prime Minister, Sheikh Mujibur Rahman declined to oblige, stating that the Jummas were Bengalees. This has only created fears amongst the Jummas.

After the assassination of Sheikh Mujibur Rahman on 15 August 1975 and proscription of political activities under Political Parties Regulations Ordinance, 1976, the Jana Samhati Samiti (JSS), the political party of the Jummas, having no other option went underground in 1976. It was the beginning of the decades long armed struggle in the CHTs.

Hundreds of thousands of illegal Bengalee Muslims were moved into the Chittagong Hill Tracts in clear violation of the CHTs 1900 Regulation and Article 49 of the Fourth Geneva Convention in the late 1970s and early 1980s. The settlers were allotted five acres of hill land or four acres of mixed land or 2.5 acres of wet rice land as incentives. They were also provided free transport, food and protection. According to census figures, in 1941 the muslim population was 1.5 per cent of the total population of the CHTs and it has risen to 6.29 in 1951, 11.77 in 1961, 22.83 in 1974 and 35.18 in 1981. The Bengalee muslim population in the CHTs constituted 45.20 per cent by November 1983.

These settlers were brought into the CHTs to assist the army in counter-insurgency operations. Besides police and other paramilitary forces, more than 35,000 regular army are presently stationed in the Chittagong Hill Tracts. According to one estimate, there is one army for every 10 Jummas in the CHTs.

"Hundreds of Jummas if not thousands" were killed in pre-planned massacres by the illegal settlers and the security forces. Since 1971, Bangladesh security forces have perpetrated over a dozen massacres.

Thousands of Jummas fled their hearts and homes in 1979, 1981 and 1984 to seek refuge in India to escape from massacre. After bilateral discussions, they were forcibly repatriated by the Government of India. No international agencies were allowed to monitor the repatriation process.

Between 1986 and 1989, more than 70,000 Jummas fled from the Chittagong

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Hill Tracts after a series of massacres. More than 50,000 Jumma refugees took refuge and lived in the Indian State of Tripura. No national or international NGO have been allowed to operate in the refugee camps. When their repatriation to the CHTs took place in 1997, United Nations High Commissioner for Refugees was refused permission to check the voluntary repatriation of individual returnee refugees.

Bangladesh Government and the Jana Samhati Samiti had several rounds of discussions and signed the CHTs Accord on 2 December 1997 to resolve the conflict.

III. The Ministry of CHT Affairs: Its origin and functions

The Chittagong Hill Tracts (CHTs) Accord of 1997 provides for the establishment of a Ministry of Chittagong Hill Tracts Affairs headed by a tribal Minister. Article 19, Part 4 of the Accord reads:

“19. A ministry on Chittagong Hill Tracts Affairs shall be established by appointing a Minister from among the tribals. An Advisory Council shall be formed to assist this ministry with the persons stated below:

- a) Minister on CHT Affairs;*
- b) Chairman/representative, Regional Council;*
- c) Chairman/representative, Rangamati Hill District Council;*
- d) Chairman/representative, Bandarban Hill District Council;*
- e) Chairman/representative, Khagrachari Hill District Council;*
- f) Member of Parliament, Rangamati;*
- g) Member of Parliament, Bandarban;*
- h) Member of Parliament, Khagrachari;*
- i) Chakma Raja;*
- j) Bohmang Raja;*
- k) Mong Raja;*
- l) Three members from non-tribal permanent residents of hilly areas nominated by the government from three Hill Districts.*

Pursuant to the Peace Accord, the Ministry of Chittagong Hill Tracts Affairs (MoCHT) was established on 15 July 1998. The Ministry of CHT Affairs is mandated to supervise and coordinate the overall development and administrative activities of the CHT region. An Advisory Committee has also been formed to assist the Ministry.

The MoCHTA has other affiliated organisations. These included Chittagong Hill Tracts Regional Council (Rrangamati), Chittagong Hill Tracts Development Board (Rangamati), Rangamati Hill Tracts District Council (Rangamati), Khagrachhari Hill Tracts District Council (Khagrachhari), Bandarban Hill Tracts District Council (Bandarban), Civil Affairs Office, and Chittagong Cantonment (Chittagong).¹

1. Available at: Ministry of CHT Affairs website

a. Organisational structure and mandate

The structure and mandate of the Ministry of CHT Affairs (MoCHTA) basically remains the same with other ministries except a few features.

The Ministry of CHT Affairs has the responsibility of overseeing the overall policy formulation, planning and implementation of administrative and development activities for the welfare of the CHT region. The Ministry has an Advisory Committee which included a Minister in-charge of the MoCHTA (Chairman); Chairman/representative of Regional Council; Chairmen/representatives of Hill Districts Councils (HDCs) of Rangamati, Bandarban and Khagrachari; Members of Parliament of Rangamati, Bandarban and Khagrachari; Circle Chief, Rangamati (Chakma Raja); Circle Chief, Bandarban (Bohmang Raja); Circle Chief, Khagrachari (Mong Raja); and three representatives of the Bengalee Community one from each of the three districts, nominated by the Government (MoCHTA). The Committee's responsibility is to connect the voices of the peoples with the civil administration and line departments.

However, in terms of development and administrative responsibility, the authority of the MoCHTA vis-à-vis the government line agencies and administrative units (Upazila, Union Parishads) is not clear. These administrative units tend to continue to receive their guidance/instructions and resources from their respective Ministries in Dhaka. Consequently, the co-ordination and supervisory authority of the MoCHTA remains unconfirmed and unrealized.

b. Composition

The Ministry of CHT Affairs is headed by a tribal Minister. As per the Rules of Business of the Government of Bangladesh, the charter of the Ministry of CHT Affairs is implemented by the Secretary as administrative head under the executive control of a Deputy Minister. The Ministry of Chittagong Hill Tracts Affairs consists of 18 first class officers (1 Secretary, 2 Joint Secretaries, 4 Deputy Secretary, 7 Senior Assistant Secretary and Assistant Secretary, 1 PS to Secretary, one Research Officer), 14 second class officers and 28 other staffs.²

However, the Ministry of CHT Affairs is based in Dhaka and has no outreach staff in the CHT region. The MoCHTA also has neither database on the CHT

2. Organizational Structure, Ministry of CHT Affairs

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nor any professional social, economic or technical staff. The activities of the Ministry appear to be confined to general administrative matters arising from the presence of other ministries in the area.³

c. Functions

The Ministry of Chittagong Hill Tracts Affairs has a supervisory and executive authority in the CHTs. The allocation of business activities of the Ministry of Chittagong Hill Tracts Affairs are as under:

- Administrative work of the Ministry of Chittagong Hill Tracts
- Advisory Support to Chittagong Hill Tracts local governments in selected issues
- Coordination among concerned ministries and departments
- Secretarial support for all council committee, special committee and working committee related to Chittagong Hill Tracts
- Advisory support, monitoring and implementation to Government and different committees
- Preparation of planning and development activities for government and Chittagong Hill Tracts
- Implementation of works taken for the development of Chittagong Hill Tracts regional council and district council
- Implementation of works in accordance with the traditional laws of Chittagong Hill Tracts upazila council, Municipality, Union council, village council and other local government
- Coordination among all concerned government agencies to protect the environment and geological aspects of Chittagong Hill Tracts
- Development work for the betterment of economic, education, culture, social activities, language, religious indigenous activities of the tribal and non tribal people of Chittagong Hill Tracts.
- Running and coordination of relief and rehabilitation work during disaster period in Chittagong Hill Tracts

3. Indigenous Peoples Development Planning Document, Bangladesh: Chittagong Hill Tracts Rural Development, Asian Development Bank, web link: <http://www.adb.org/IndigenousPeoples/Rural-Development-Project-IPDP.pdf>

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- Monitoring work of NGO activities in Chittagong Hill Tracts
- Monitoring and coordination of Chittagong Hill Tracts regional council and all local government council's development work and coordination of all inter ministries/ Departments development works
- Administration of Chittagong Hill Tracts Development Board
- Chittagong Hill Tracts related issues of International Centre for integrated mountain development (ICIMD)
- Issues of the civil affairs office, Chittagong
- Liaison among Ministry of Chittagong Hill Tracts and other concern international organizations and other international issues
- Preparation of Laws related to the ministry of Chittagong Hill Tracts Inquiry and statistical issues of ministry of Chittagong Hill Tracts

IV. Actions of the CHT Affairs Ministry: Implementing racist policies against indigenous peoples

The Ministry of Chittagong Hill Tracts Affairs for all practical purposes has been reduced to a Ministry for illegal Bengalee Muslim plain settlers to discriminate against indigenous Jumma peoples because of their ethnic, religious and linguistic origin.

a. Tribal Minister not heard, Regional Council ignored

The Ministry of CHTs Affairs is headed by a Minister belonging to indigenous groups to oversee and coordinate the work of the various ministries and departments concerning the CHTs. However, the Minister is seldom heard.

According to former Deputy Minister Moni Swapan Dewan, he was allegedly never called in any policy meeting of the government on CHT during his five years term. At least 15 policy meetings were held during his tenure. Budgets involving crores of Taka were approved from the CHTs Affairs Ministry for various development projects allegedly without his signature!⁴

The government has not framed any rules or issued the necessary directives to the Ministries. As a result, the directives of the Ministry of CHTs Affairs were not complied with by the district and local level administrations.

Further, there is lack of demarcation/clarification of mandates, responsibilities and authorities of the Ministry of CHTs Affairs vis-à-vis other CHTs institutions. There are no clear operational rules and administrative framework for most of the government institutions in the CHTs. For example, the supplementary rules and regulations as well as the administrative orders essential to make the government institutions such as the Regional Council operational, are still to be elaborated/approved by the Government. As a consequence, the mandates and authorities of the respective CHT institutions tend to overlap considerably. This in turn leads to inter-institutional confusion and differences which greatly undermine the delivery of relevant services to the people.⁵ The Parliamentary Standing Committee on the

4. LDP's Moni Swapan declares candidature from Rangamati, The Daily Star, 22 November 2006

5. Report of the Joint Meetings between CHT Leaders and the Donors, Rangamati, 30 October 2003

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Chittagong Hill Tracts Affairs Ministry observed that the ministry was performing poorly because of lack of coordination among its top officials.⁶

There is also lack of coordination between the MoCHTA and other affiliated institutions such as CHT Regional Councils (CHTRC) and Hill District Councils (HDC). This seriously undermines the functioning of the respective institutions. The CHTRC can not perform its functions properly because of lack of proper support from the Ministry of CHT Affairs. On the other hand, the three HDCs and Chittagong Hill Tracts Development Board (CHTBD) which are directly under the Ministry of CHT Affairs often ignores the supervisory and coordinating authority of CHTRC over them in violations of the CHT Accord. This tends to create frustrations among the office-bearers and limit their effectiveness in facilitating and supporting development.⁷ Consequently, the CHTs Regional Council which were established to resolve the problems of the indigenous peoples have been rendered useless.

The CHTs Illegal Settlers' Development Board!

The military government of Ziaur Rahman sought to pacify the political demands of the Jana Samhati Samiti (JSS) by recognizing the CHT crisis as "economic problem", and set up Chittagong Hill Tracts Development Board in January 1976. But it was rejected by the Jumma peoples. As anticipated, the CHT Development Board failed to bring economic development in the region as it implemented counter-insurgency development projects.

The CHTs Accord stipulates that, "The Chittagong Hill Tracts Development Board shall discharge the assigned duties under the general and overall supervision of the Council. The Government shall give preference to the eligible tribal candidates in appointing the Chairman of the Development Board" (Clause 10 of Part C).

But Prime Minister Khaleda Zia appointed BNP Member of Parliament from Khagrachari, Wadud Buiyan, an illegal settler, as the Chairman of the CHT Development Board on 11 February 2002. On 20 February 2002, the Jana Samhati Samiti made an appeal to the government against the appointment of Wadud Buiyan but the appeal fell on deaf ears.⁸

6. 20 ministries embroiled in graft, irregularities, The Daily Star, 8 November 2003

7. Report of the Joint Meetings between CHT Leaders and the Donors, Rangamati, 30 October 2003

8. The human rights situation in the Chittagong Hill Tracts, Unrepresented Nations and Peoples Organization, 30 July 2002

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Under Buiyan's chairmanship, the CHTDB has been undertaking settler-oriented development programmes instead of tribal welfare programmes. Thousands of illegal settlers were settled into the CHT and provided free rations. The illegal settlers are so indebted to MP Wadud Buiyan that now many villages where they have been settled have been re-named as "Wadud Palli" ("Wadud villages").⁹ When the Deputy Minister for the CHTs Affairs, Mani Swapan Dewan refused to toe the line on the issue of providing rations, he was divested of his portfolio although he remained minister.¹⁰

Santu Larma, the Chairman of CHT Regional Council, has accused the government of Bangladesh of spending crores of Taka from the CHT Development Board to occupy the lands of the hill people and for other activities against the interests of the Jummas.¹¹

b. Implanting the illegal plain settlers

The CHTs Accord did not help to resolve the illegal settlers' issue. Rather, the CHTs Affairs Ministry became the lead agency for implantation of tens of thousands of illegal plain settlers on the lands of indigenous Jumma peoples. They are considered illegal as the Chittagong Hill Tracts Regulations of 1900 restricts the entry of non-indigenous people into the CHTs. Moreover, Article 49 of the Fourth Geneva Convention also prohibits such population transfers.

Further, in the CHTs Accord, the government of Bangladesh agreed to protect the "special character" of the CHT region as "Tribal inhabited Region". Clause 1 of Part A: General of the CHTs Accord states, "Both the parties, having considered the Chittagong Hill Tracts region as a tribe-inhabited region, recognized the need of preserving the characteristics of this region and attaining the overall development thereof".

However, the indigenous peoples are increasingly being reduced to minority.

One of the first step taken by the government of Bangladesh to legalise the illegal settlers who grabbed the lands of indigenous Jumma peoples. In

9. Who funds the acts of racism and racial discrimination in the Chittagong Hill Tracts?, Asian Centre for Human Rights, 15 June 2005

10. Written statement submitted by AITPN to the Commission on Human Rights, 59th Session under Item 9 of the provisional agenda, [http://www.unhchr.ch/huridocda/huridoca.nsf/\(Symbol\)/E.CN.4.2003.NGO.166.En?Opendocument](http://www.unhchr.ch/huridocda/huridoca.nsf/(Symbol)/E.CN.4.2003.NGO.166.En?Opendocument)

11. Govt doing nothing to execute CHT peace treaty: Santu, The Independent, Bangladesh, 26 March 2006

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November 1999, after instructions from the Prime Minister's Office, illegal plain settlers who displaced the indigenous Jumma peoples were included in the category of IDPs. Consequently, in 2000, the Task Force under the chairmanship of Dipankar Talukder prepared the list of 1,28,364 IDP families, including 90,208 tribal and 38,156 non-tribal families.¹² It is strange that the illegal plain settlers who have displaced the Jummas in the CHT were included in the lists of IDPs and have been receiving rehabilitation assistance from the government.

On 21 December 2000, the Ministry of CHT Affairs served a notification No. 62/99-587 empowering the Deputy Commissioners of the three hill districts in the CHTs to issue "permanent resident certificate" to the illegal plain settlers.¹³

In September 2003, the government announced a plan to give permanent resident status to 26,000 families of Bangalee settlers living in cluster villages in the CHTs. In line with the directive of the Prime Minister, CHT Affairs Ministry started the process of forming a committee to finalise the proposed plan. The settlers who were relocated from the northern and southern regions of Bangladesh in 1982-83 were promised government lands as incentive to settle in the trouble-torn CHTs. They were promised free ration of 28,000 tonnes of food grains worth Taka 28 crore a year. The ration will be withdrawn only upon becoming permanent residents.¹⁴

In June 2005, it was reported that the government of Bangladesh was planning to sponsor transfer of about 65,000 illegal plain settlers' families from the plains to settle them in Sajek Union under Rangamati district. Following the exposure, Member of Parliament from Khagrachari district, Wadud Bhuiyan, who is himself an illegal plain settler, confirmed that the plain settlers' families had started building houses beside the Sajek road but the army did not allow them on safety ground. A road from Baghaihat to Sajek has been constructed through dense Kassalong reserve forest violating the Forest Act of 1927 and Bangladesh Forest (Amendment) Act 2000 to facilitate the transport of the plain settlers. The government of Bangladesh also proposed

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12. Asian Indigenous & Tribal Peoples Network, *Indigenous Rights Quarterly*, Vol. I :: No. 01 - April - June, 2006
 13. Asian Indigenous & Tribal Peoples Network, *Indigenous Rights Quarterly*, Vol. I :: No. 01 - April - June, 2006
 14. Move on to give resident status to 26,000 Bangalee families in CHT, *The Daily Star*, 23 September 2003
 15. Ration for 28,000 more Bengali speaking families in CHT on cards, *The Daily Star*, 4 June 2005

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to provide free ration to 28,000 more illegal plain settler families in CHTs in addition to 27,000 illegal plain settler families who have been provided free ration since 1978.¹⁵

On 23 April 2006, the Parliamentary Committee on the CHTs Affairs confirmed that number of people living in the cluster-villages in the three hill districts - Rangamati, Bandarban and Khagrachari - became double and rose to 50,000.¹⁶

In a letter dated 19 November 2007 Md. Sulut Zaman, Deputy Secretary of the Ministry of Chittagong Hill Tracts Affairs (MoCHTA) directed the Deputy Commissioner of Khagrachari district to illegally settle 812 families into the lands of the indigenous Jummas at Babuchara area, Baghaichari mouza under Dighinala upazila (sub- district) in Khagrachari district.¹⁷

The implantation of illegal settlers continues unabated and indigenous Jumma peoples continue to be victimised. On 20 April 2008, hundreds of illegal plain settlers backed by Bangladesh army launched pre-planned attacks on seven indigenous Jumma villages namely Nursery Para, Baibachara, Purba Para, Nangal Mura, Retkaba, Simana para and Gangaram Mukh under Sajek Union under Baghaichari upazila (sub-district) in Rangamati district in the Chittagong Hill Tracts (CHTs) of Bangladesh from 9.30 pm to 1.30 am. Besides a church and two UNICEF run schools, an estimated 77 houses of indigenous Jumma peoples were burnt while four indigenous villagers were wounded and hundreds of indigenous Jummas were internally displaced.¹⁸

The arson at Sajek clearly shows that for indigenous Jumma peoples, the impending challenge is no longer ensuring the return of the appropriated lands that the Land Commission established under the CHTs Accord of 1997 is supposed to return from illegal plain settlers. The challenge is to protect the lands which are theirs and under their possession but the illegal settlers under the patronage of the successive governments of Bangladesh have been hell-bent on forcibly occupying the Jummas' land.

c. Discrimination against the indigenous Jumma refugees and IDPs

16. JS body meet discusses probes of Bengali settlers in CHT, The Independent, Dhaka, 24 April 2006 available at <http://independentbangladesh.com/news/apr/24/24042006mt.htm#A5>

17. Bangladesh: The Army attacks Buddhism to facilitate illegal settlement in the Chittagong Hill Tracts, Asian Centre for Human Rights Weekly Review, 23 January 2008, Web link: <http://www.achrweb.org/Review/2008/203-08.html>

18. SAJEK: BURNT TO ASHES - Emblematic of Bangladesh's policy towards indigenous Jumma peoples, Asian Indigenous & Tribal Peoples Network, June 2008

Internally displaced Jummas:

During the armed conflict from 1976 to 1997, thousands of indigenous Jummas were internally displaced. Pursuant to the provisions of the CHT Accord, a Task Force for Chittagong Hill Tracts Refugee Rehabilitation Affairs was formed on 28 January 1998¹⁹ to identify and resettle the IDPs in the three hills districts of CHT. The 9-member Task Force was headed by Dipankar Talukder, an indigenous Jumma Member of Parliament (MP) of the Awami League, as chairman. It included both tribal and non-tribal representatives.

The CHTs Accord defined “internally displaced persons” as the indigenous populations who have been displaced (Clauses D.1 and D.2 of the CHT Accord). In June 1998, the Task Force managed to reach an agreed definition of “internally displaced people in the Chittagong Hill Tracts” as “all tribal peoples from the three districts who had been compelled to leave their village, land or house during the conflict from 15 August 1975 (date of Sheikh Mujib’s assassination) to 10 August 1992 (date of PCJSS unilateral ceasefire) and forced to take shelter in other areas of the Chittagong Hill Tracts”. However, the definition was soon thrown out of the window.

In November 1999, the two tribal representatives from the Returnee Jumma Refugees Welfare Association and the PCJSS were forced to walk out of the meeting of the Task Force to protest the inclusion of the non-tribals in the IDP population allegedly following instructions from the Prime Minister’s Office.²⁰

They never participated in the Task Force meeting.

In 2000, the Task Force under the chairmanship of Dipankar Talukder prepared the following list of 1,28,364 IDP families, including 90,208 tribal and 38,156 non-tribal families.²¹

| Districts | Tribal families | Non-tribal Families | Total |
|--------------------|------------------------|----------------------------|----------------|
| Rangamati | 35,595 | 15,516 | 51,111 |
| Khagrachari | 46,570 | 22,371 | 68941 |
| Bandarban | 8,043 | 269 | 8,312 |
| Grand Total | 90, 208 | 38,156 | 128,364 |

19. Disagreement over refugee definition delays CHT rehab, New Age, 27 March 2005

20. The 1997 peace accord and provisions for IDPs, IDMC, March 2006

21. Minorities increasingly at risk of displacement, IDMC, 28 March 2006

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Those illegal plain settlers who in the first place displaced the Jummas were brought into the Chittagong Hill Tracts for ethnic cleansing have been identified as “internally displaced persons”. Worst, upto 10,000 Jumma IDP families and the refugees who had become internally displaced after repatriation have not been included in the Task Force’s IDP list.²² Further, while the Jumma IDPs were not provided any rehabilitation or food aid, educational facilities, health care services, sanitation and safe drinking water etc, the illegal settler families have been provided free rations and other facilities by the government since 1978.

Returnee Jumma refugees:

The Ministry of CHT Affairs is responsible for the running and coordination of relief and rehabilitation work during disaster period in Chittagong Hill Tracts. However, the Ministry failed to do anything with regard to the returnee refugees. About 43,000 Jumma refugees returned to CHTs from Tripura State of India after the CHT Peace Accord was signed in 1997. About 40 villages of returnee refugees are still under the occupation of the illegal settlers. Over 3,000 families did not get their lands back in violations of the agreement signed with the Returnee Jumma Refugees Welfare Association.²³

In August 2003, the Prime Minister’s Office (PMO) directed the Ministry of CHT Affairs to stop ration to about 65,000 indigenous refugees. On the contrary, it asked the Ministry of CHT Affairs to keep the 26,000 Bengalee settlers on rations.²⁴ Following signing of the Peace Agreement in 1997 the government provided rations for the indigenous people who returned from the Indian State of Tripura. They received rations which included five kilograms of rice for an adult and two and a half kilograms for a child a week up to June 2007. On the contrary, the CHT Affairs Ministry stated that under the ‘peace agreement’ the government was to offer the rations for only a year and the period had expired long ago.²⁵

The care-taker government put the Jumma refugee leader in prison.

d. Supporting land grabbing

22. Ibid.

23. Asian Indigenous & Tribal Peoples Network, *Indigenous Rights Quarterly*, Vol. I : No. 01 - April - June, 2006

24. Ration stopped for indigenous CHT refugees, *The Daily Star*, 2 September 2003

25. Ration stopped for indigenous CHT refugees, *The Daily Star*, 2 September 2003

26. Ministry dreads mayhem in CHT, *The Daily Star*, 13 June 2005

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The Ministry of CHT Affairs acknowledge that land dispute between Bangalee settlers and indigenous people remains one of the main reasons for communal tensions in CHTs.²⁶

The CHTs Accord provides for constitution of a Land Commission headed by a retired Justice to “resolve the [land] disputes in consonance with the law, custom and practice in force in the Chittagong Hill Tracts”. The Land Commission with tenure of minimum of three years has been bestowed full authority to cancel the ownership of those hills and lands which have been illegally occupied by the plain settlers. The decisions of the Commission are final and no appeal can be made against such decisions.²⁷

To term systematic land grabbing by illegal settlers as “[land] disputes” is a misnomer and an attempt to justify the legality of land grabbing. In the CHTs, it was a clear case of land grabbing and there were no questions of disputes as the land belong to indigenous peoples as per “the law, custom and practice in force in the Chittagong Hill Tracts”.

Nonetheless, the Land Commission was formed on 3 June 1999 under the Chairmanship of retired High Court justice AM Mahmudur Rahman.²⁸ By May 2003, over 35,000 cases had reportedly been lodged with the Commission.²⁹ But the Commission could not function and its tenure had to be extended up to 1 November 2004. It received second extension for another three years “as the commission failed to finish its task”. Justice AM Mahmudur Rahman complained that the government did not provide adequate staff.³⁰ On 8 June 2005, the Commission convened its first meeting at Khagrachari. The ineffectiveness of the Commission is evident from the views expressed by its Chairman Justice AM Mahmudur Rahman that he favoured a “tribunal” instead of a commission to settle the land disputes in CHTs.

The government of Bangladesh does not have political will to stop the land grabbing issue in the CHT. In 2001, the Awami League government passed the CHT Land (Disputes Settlement) Commission Act, 2001. The indigenous peoples rejected the Act primarily because of the arbitrary powers of the Chairperson to provide final judgement in the event of lack of consensus among other members; the exclusion of Jumma refugees who returned to the

27. Part (D) REHABILITATION, GENERAL AMNESTY AND OTHER MATTERS of CHT Accord

28. No meeting of CHT Land Commission in 6 years, *New Age*, 8 April 2005

29. *The Ravaged Hills of Bangladesh*, ACHR Review, 25 August 2004, <http://www.achrweb.org/Review/2004/35-04.htm>

30. No meeting of CHT Land Commission in 6 years, *New Age*, 8 April 2005

31. *Frame Laws for CHT Land Commission*, *The Daily Star*, 9 June 2005

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CHTs under the 1992 repatriation agreement from the ambit of the Land Commission; and the exclusion of the internally displaced Jummas from the scope of the Act.³¹

In December 2003, the Parliamentary Standing Committee on the CHT Affairs Ministry asked the Ministry of CHT Affairs to settle land dispute through the Land Commission.³²

In 2007, the Advisory Committee in its meeting, among the decisions made was the reactivation of the Land Commission.³³ Besides, the position of chairman remained vacant since its last chairman AM Mahmudur Rahman passed away on 1 December 2007.

On 31 March 2008, Raja Devashish Roy, Special Assistant of Chief Adviser on Ministry of CHT Affairs stated that the government has initiated the process to amend few provisions of the Land (Disputes Settlement) Commission Act and reconstitute the commission for speedy disposal of disputes.³⁴

Systematic attacks on indigenous Jummas especially of those villages in whose vicinity the cluster villages of the illegal settlers have increased further since the signing of the CHTs Accord. Illegal settlers are often assisted by the Bangladesh army personnel to forcibly occupy the lands of indigenous Jumma peoples. Many of the illegal settlers who came in 1970s and 1980s have been elected to the local government bodies like Union Council and they have been in the forefront of the attacks on the indigenous Jumma peoples. The attacks on two indigenous Jumma villages at Maischari on 3 April 2006 provide an introduction to the methods of land grabbing.

Apart from directly assisting the illegal plain settlers to grab the lands of indigenous Jummas, the Bangladesh military has been responsible for forcible seizure of lands of the Jummas in the name of construction of military bases. The government of Bangladesh has undertaken programmes to acquire a total of at least 66,774 acres of land for military purposes respectively 9,650 acres of land in Bandarban for the expansion of Ruma military cantonment which will affect about 1,000 indigenous Jumma families; 11,446.24 acres of land in Sualok Union of Bandarban for establishing an Artillery Training Centre which will uproot 400 indigenous families (each family was provided only a paltry sum of Taka 3,000 to 8,000 as compensation); 450 acres of land in Pujgang under Panchari Thana of Khagrachari district for construction of

32. Iron out hill problems, *The Daily Star*, 11 December 2003

33. Implementation of CHT accord, *The Daily Star*, 3 June 2007

34. CHT land commission to be activated soon: Devashish, *New Age*, Bangladesh, 1 April 2008

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an army cantonment; 45 acres of land in Babuchara under Dighinala Thana in Khagrachari district which will affect at least 74 Jumma families in three villages; about 183 acres of land in Balaghata in Bandarban district; 19,000 acres of land in Bandarban for the expansion of an Artillery Training centre and 26,000 acres of land in Bandarban for establishing Air Force Training Centre. These are in addition to the notices to acquire a total of 5,600 acres of land in Chimbuk area of Bandarban district in the name of constructing an Eco Park and 5,500 acres of land in Sangu Mouza of Bandarban district in the name of creating an “Abhoyarannyo” (animal sanctuary).³⁵ The government officials have also been forcing indigenous Jumma peoples to lease away 40,071 acres of land in Lama, Nikkyong Chari, Alikadam and Bandarban Sadar to private individuals for rubber and tea plantation.³⁶

The Bangladesh Army intensified grabbing of the indigenous peoples lands in CHTs for military purposes as well as for facilitating settlement of illegal settlers. The army has renewed its efforts to settle Muslim plain settlers since the imposition of the State of Emergency.

During March – November 2007, a total of 399.22 acres of land belonging to 133 Jummas and a primary school in 14 villages under four Unions of Maischari, Kiang-ghat, Kamalchari and Khagrachari Sadar No.1 under Khagrachari district have been forcibly grabbed by illegal plain settlers.³⁷

In March 2007, the Ruma army cantonment in Bandarban acquired about 7,570 acres of ancestral land of indigenous peoples for expansion of the Ruma garrison and ordered more than 4,000 indigenous families mostly belonging to Mro community to leave the area. Mro leaders had not been consulted before acquiring the land. According to the Movement for Protection of Land Rights and Forest, a land rights organisation based in Rangamati, 40,077 acres of land had been given in lease to the illegal Bengali settlers, 94,066 acres of land were acquired for so-called afforestation projects and 75,686 acres were acquired for establishment of military bases in Bandarban district.³⁸

On 8 March 2007, an army camp was set up on the land of an indigenous jumma identified as Prithwiraj Chakma at Dantkupya village under Khagrachari district to provide security to the plain settler families. In June

35. Recent land grabbing, UPDF, http://www.updfcht.org/05_06_05.html

36. Ibid

37. Bangladesh Chapter, South Asia Human Rights Index 2008, ACHR

38. <http://www.achrweb.org/Review/2007/182-07.htm>

39. <http://www.achrweb.org/Review/2007/182-07.htm>

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2007, the Bangladesh military reportedly settled at least 200 families of illegal settlers at Dantkupyra village after forcibly evicting 12 indigenous families from their ancestral lands.³⁹

In August 2007, illegal settlers forcibly captured 59 acres of land belonging to 17 Jumma peoples in Kobakhali Mouza (No. 51) under Dighinala Police Station in Khagrachari district. In an operation from 1 to 15 August 2007, large groups of illegal settlers led by former Union Parishad member Md. Abu Taleb of Hashinchonpur village and former Union Parishad member Md Kader of Kobakhali bazaar took control of the hilly lands of the indigenous Chakma peoples with the direct assistance of the army personnel, paramilitary forces and the local Village Defence Party members. The army reportedly planned to settle 200 plain settler families in Kobakhali Mouza.⁴⁰

Recent attack on indigenous peoples to grab land at Sajek

On 20 April 2008, hundreds of illegal plain settlers attacked seven indigenous Jumma villages of Nursery Para, Baibachara, Purba Para, Nangal Mura, Retkaba, Simana Para and Gangaram Mukh under Sajek Union under Baghaichari upazila (sub-district) in Rangamati district in CHTs from 9.30 pm to 1.30 am.

According to the reports of four journalists from Khagrachari who visited the area on 21 April 2008 with local government officials, at least 500 houses in the 4 kilometer stretch from Baghaihat to Gangaram were burnt down. Several indigenous Jummas were wounded and an unknown number of women were raped by the perpetrators.

On 23 April 2008, the commander of Baghaihat army zone, Lt. Col. Sajid Md. Imtiaz reportedly took a group of Bengali settlers at Bana Vihar area lying between Dane Baibachara village and Retkaba village and ordered them to construct houses on burned land of the Jummas. On 24 April 2008, Mr Imtiaz held a meeting at his headquarters at Baghaihat in which representatives from both the indigenous peoples and the illegal settlers were invited. At the meeting Mr Imtiaz warned the Jummas that *"if anything happens to the Bengalis in the future, I will kill all of you in brushfire. You have no need to live in this country"*.⁴¹

On 28 April 2008, the army arrested four innocent Jummas identified as Sushil Chakma (26, son of Asomi Chandra Chakma), Ratna Bikash Chakma

40. <http://www.achrweb.org/Review/2007/182-07.htm>

41. Sajek settler attack: victims holds press conference in Dhaka, chtnews.com, News No. 70/2008, April 27, 2008

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(22, son of Gunodhar Chakma), Sangram Chakma (22, son of Ashok Kumar Chakma) and Rabindra Chakma (23, son of Shashi Mohan Chakma). However, no illegal plain settler was arrested.

e. Continued militarisation in the name of law and order problem

The Chittagong Hills Tract is one of the heaviest militarized zones in the world. Approximately one-third of the Bangladesh military is deployed in the CHTs. By 2005, the government was reportedly spending an estimated US\$125 million per year for the continued presence of the military in the region.⁴²

Article 17 (a) of the CHTs Accord provided that “with the members of the PCJSS coming to normal life, all temporary camps of army, ansar and village defence force in Chittagong Hill Tracts excepting Bangladesh Rifles and permanent cantonments (three in three district headquarters and in Alikadam, Ruma and Dighinala) will be gradually brought back to the permanent places and a deadline for this will be fixed”. According to the JSS, so far only 35 out of 500 camps have been withdrawn.

Rather, the government has established more new camps at Milachari under Bandarban district and at Ghagra in Rangamati district. The failure of the government of Bangladesh to de-militarise the Chittagong Hill Tracts is responsible for continued human rights violations. The Bangladesh army also helps the illegal plain settlers to attack the Jumma peoples and forcibly occupy their lands.

In order to justify their presence, the Bangladesh army personnel regularly conducts search operations and arrest innocent Jumma villagers and term them as “hardcore militants”. The CHT Affairs Ministry encourages more militarization in the CHTs. In June 2005, in its report on law and order of the three hill districts of Khagrachhari, Rangamati and Bandarban which was submitted to the Parliamentary Standing Committee on CHT Affairs, the Ministry expressed fears that rivalry between pro-peace accord Parbattya Chattagram Jana Sanghati Samity (PCJSS) and United Peoples Democratic Front (UPDF) might anytime lead to extensive bloodshed in Khagrachhari. The Ministry recommended alerting the police, paramilitary Bangladesh Rifles (BDR), and army personnel to the possibility of violence. The

42. Indigenous World 2005, International Work Group for Indigenous Affairs, Copenhagen, May 2005

43. Ministry dreads mayhem in CHT, The Daily Star, 13 June 2005

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Parliamentary Standing Committee asked the Ministry to beef up the presence of BDR and other law enforcement agency personnel in the bordering areas and continue the anti-crime drives.⁴³

Violations of the right to life

The continued presence and expansion of the military bases contributes to the ongoing human rights abuses including extrajudicial killings in the CHTs. Many have been tortured to death in military custody after arrest.

Those indigenous peoples who were tortured to death in the custody of the security forces included:

- Niranjon Chakma (40, son of Lalit Kumar Chakma of village Nareychari under Kangarachari Union of Belaichari Thana in Rangamati district) who was tortured to death in military custody in Digholchhari zone on 7 July 2008;
- Suresh Mohan Chakma (son of Phedera Chakma of Choichari village in Rangamati district) who died due to alleged torture in the custody of the army on 7 March 2007;⁴⁴
- Rasel Chakma (son of Paritosh Chakma of Dewan Para village under Naniachar sub-district in Rangamati district) on 5 August 2007;⁴⁵ and
- Shanti Bikash Chakma alias Shanto (24), a member of United Peoples Democratic Front (UPDF), a Jumma political party, who died in military custody in Naniachar in Rangamati district after he was arrested along with another UPDF member Inton Chakma (25) on 5 August 2007 from Bakchhari Dor village.

Arbitrary arrest, detention and torture

Arbitrary arrest, detention and torture were common in the CHTs. Many were arrested on false charges and held in detention for prolonged period. Those arrested were often subjected to torture.

On 11 July 2007, at least seven Jumma villagers were tortured by army personnel from Bannyachola sub-zone (24 Field Artillery) at Bannyachola village in Khagrachari district. The victims were identified as Suryasen

44. ACHR Review No. 182/07: "Bangladesh: Indigenous peoples living on the edges of riots", Asian Centre for Human Rights, 29 August 2007

45. ACHR Review No. 182/07: "Bangladesh: Indigenous peoples living on the edges of riots", Asian Centre for Human Rights, 29 August 2007

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Karbari; Bindu Chakma (32, son of Chikkonno Chakma); Sadhan Kumar Chakma (35); Gangkullya Chakma (16, son of Lakshmi Kumar Chakma of Bannyachola village); Dipayon Chakma (6, son of Anjana Bap of Kamalchari village); Aljya Chakma (10, son of Mongol Dhan Chakma of Kamal Chari village); and Bhubon Chakma (14, son of Lakshannya Chakma of Morachengi village).⁴⁶

On 23 November 2007, Ram Kamal Chakma (son of Summey Chakma) of Hullyang Para village in Khagrachari district was arrested by the army personnel from Mahalchari zone without any reason. He was returning from Mahalchari bazaar (market) when Major Gaffar, second-in-command of Mahalchari army zone (24 Bengal), detained him and took him to the army camp. He was tortured in the army camp before being released.⁴⁷

f. Religious persecution in the CHTs

Religious persecution has also increased since the imposition of emergency in the CHTs. Buddhist monks were often harassed, assaulted and Buddhist temples were looted and destroyed.

On 12 September 2007, Md. Abdul Matin, the Sub-District Executive Officer of Mahalchari in Khagrachari district issued a public notice prohibiting “construction of new Mosque, Hindu temple and Buddhist temple” in Mahalchari sub-division without prior permission of the authorities concerned. The order was not targeted against the Muslims or Hindus but against indigenous Buddhists.⁴⁸

On 25 January 2008, the Bangladesh authorities banned a religious gathering at Sarnath Arannyo Kuthir, a Buddhist temple at Karallyachari in Khagrachari Hill district.

On 14 January 2008, the Bangladesh Police arrested Reverend Arya Jyoti Bhikkhu, Head Priest of Sarnath Arannyo Kuthir, after a settler, Abdul Majid, filed a First Information Report (No. 1 of dated 11/1/2008) under sections 143, 447, 379, 427, 506 and 109 of the Bangladesh Penal Code.

46. Innocent Jummas tortured in Lakshmichari, Hill Watch Human Rights Forum, NEWS No. 26/2007, 4 August 2007

47. Innocent villager beaten by army in Mahalchari, Hill Watch Human Rights Forum, NEWS No. 54/2007, 3 December 2007

48. “Bangladesh: Evictions and land grabbing in the CHTs”, Indigenous Rights Quarterly, Vol. I, No. 3 (July – September 2007) of Asian Indigenous and Tribal Peoples Network

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On 10 January 2007, a group of army personnel harassed Rev. Sharadhatissyo Bhikkhu, the chief priest of Aryo Mitra Bouddha Vihara in Lakshimichari in Khagrachari district. The army personnel surrounded the Buddhist temple and interrogated Rev. Sharadhatissyo Bhikkhu about another Buddhist monk Rev. Nanda Bhikkhu who had earlier in the day delivered a religious sermon at the temple premises.⁴⁹

On 17 July 2007, a group of army personnel from Shuknachari army camp raided a Buddhist meditation centre “Bhujuli Bhavana Kendra” situated on remote Bhujulichuk hill-top in Lakshimichari sub district in Khagrachari district. They arrested two Buddhist sramans (novices) identified as Shashan Ujjal Sraman (22) and Nykishtic Sraman (26). The army later released them after noting down their personal information and photographing them.⁵⁰

g. Repression on NGOs' activities in the CHTs

The Ministry of CHT Affairs controls NGOs' activities in the CHTs. In fact, this is the only functions it has been doing efficiently.

The non-government organizations in CHTs were established after the Peace Accord. These NGOs have been implementing development projects in adherence of the government rules and regulations for NGO activities in CHT. NGOs with foreign funds need a No Objection Certificate (NOC) from the Ministry of CHT Affairs.

There was no problem in getting NOC from the Ministry of CHT Affairs for CHT based NGOs to operate project activities with foreign funds as of 2005. However, since January 2006, the Ministry of CHT Affairs blocked NOCs to NGOs for operating in CHT for using the words “Indigenous People” in the project documents. According to the Ministry of CHT Affairs, there are no “Indigenous People” or “Minority People” in CHT or other parts of Bangladesh and such words are not mentioned in the constitution of Bangladesh. While local, national, regional and international NGOs planning to operate or implement project activities with foreign funds in other parts of Bangladesh (excluding CHT regions), were reportedly not required NOCs either from Ministry of CHT Affairs or other Ministries. Moreover, NGOs operating outside of the CHT have been allowed to use the words “Indigenous

49. Army harass Buddhist monk in Lakshimichari, United Peoples Democratic Front, HR Monitoring Cell, 18 January 2007

50. Two Buddhist novices detained, released later, Hill Watch Human Rights Forum, News No. 24/2007, 23 July 2007

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People” in their project titles and project documents. On 19 April 2006, the Secretary to the Foreign Affairs Ministry wrote a letter to the Secretary to the CHT Affairs Ministry mentioning that from now people can not identify themselves as “indigenous people.” They should be called “tribal people” not “indigenous people.”⁵¹

On 31 August 2005, the Parliamentary Standing Committee on the CHT Affairs Ministry threatened to take legal action against indigenous activists from the CHTs - Mangal Kumar Chakma and Mrinal Kanti Tripura of the PCJSS, Albert Mankin and Ina Hume for demanding implementation of the CHTs Accord of 1997 at the 4th session of the United Nations Permanent Forum on Indigenous Issues held in New York in May 2005.⁵²

The Ministry of CHTs Affairs has managed to silence critical NGO activities in the CHTs.

51. Indigenous people are struggling for recognition and development activities in the Chittagong Hill Tracts (CHT) region, Bangladesh, 6 December 2006, available at: <http://newsfrombangladesh.net/view.php?hidDate=2006-12-10&hidType=OPT&hidRecord=000000000000000000140726>

52. SAARC Human Rights Report – 2006, Asian Centre for Human Rights, Weblink: <http://www.achrweb.org/reports/saarcar2006/bangladesh.htm>

The Asian Indigenous and Tribal Peoples Network (AITPN) is an alliance of indigenous and tribal peoples' organisations and individual activists across the Asian region. It seeks to promote and protect the rights of indigenous and tribal peoples in Asia:

- by providing accurate and timely information to national human rights institutions, the United Nations and its specialised mechanisms, as appropriate;
- by conducting research, campaigning and lobbying on country situations or individual cases;
- by increasing the capacity of indigenous peoples through relevant training programmes for indigenous peoples' rights activists and community leaders;
- by providing legal, political and practical advice to indigenous peoples organisations;
- by providing input into international standard-setting processes on the rights of indigenous peoples; and
- by securing the economic, social and cultural rights of indigenous peoples through rights-based approaches to development.

AITPN has Special Consultative Status with the United Nations Economic and Social Council (ECOSOC).

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