

**Statement
of
Bangladesh Adivasi Forum
on
the occasion of the meeting of the *Bangladesh Development Forum-2004*
in Dhaka on 8-10 May, 2004**

Background

The consortium of donor and lending agencies of the Government of Bangladesh (“GOB”), together known as the “Bangladesh Development Forum” (“BDF”), is about to have its annual meeting in Dhaka, from 8-10 May, 2004, to deliberate on the nature and extent of aid to the GOB. The *Bangladesh Adivasi Forum* (“the Forum”) feels that it is important for members of the BDF, and their related governments and agencies, to understand the concerns of the more than 45 indigenous peoples in Bangladesh regarding development aid to GOB in general and about the actual and potential impact of such aid upon the indigenous population of this country.

Our policy on Development Aid and our Major Concern

As a developing country, Bangladesh does require development aid and this Forum and the indigenous peoples of Bangladesh support the grant of development aid to GOB, but such aid must be used in a manner that is consonant with basic human rights of all citizens of Bangladesh, and in particular, its indigenous peoples, minorities, and other marginalized sections of the national population.

Last year too, the Forum supported the process of aid to Bangladesh but had strongly voiced its concern about the alarming situation of human rights in the country, especially as regards the indigenous people. In particular, the Forum had urged the BDF members to strongly take up these issues to help ensure that the basic rights of the indigenous peoples were respected and observed, and the peace process in the indigenous-majority Chittagong Hill Tracts (CHT) region taken forward through a full and faithful implementation of the Chittagong Hill Tracts Accord of 1997.

In our statement on the eve of the BDF meeting in Dhaka in April, 2003, we had drawn attention to several negative developments, including, but not limited to, the following:

In the Chittagong Hill Tracts (in 2003)

- Continued militarization and continuance of military administration “Operation Uttoran” (instead of dismantling of temporary military camps);

- Non-rehabilitation of the internally displaced hill people;
- Inaction on transfer of land and land management to the hill district councils;
- Land Commission yet to start its work;
- Creation of new “reserved forests” on indigenous lands not reversed.

In the Plains Districts (in 2003)

- Eviction of indigenous Khasi people for “Eco Park” in Sylhet division;
- Declaration of indigenous Garo-inhabited Modhupur area as “National Park”;
- Oppression and land grabbing in various areas, including Rajshahi division and Rakhain-populated areas in Barisal division.

It is unfortunate, but true, that the overall situation of human rights and democratic norms in the country has severely deteriorated, rather than improved, since April 2003, when the BDF last met in Dhaka. In particular, we draw attention to the following incidents:

In the Chittagong Hill Tracts (2003-2004)

- Continuing militarization and establishment of new military camps in the CHT (*instead of dismantling of temporary camps as agreed in 1997*);
- Arson and armed attacks on several indigenous villages near the sub-district headquarters of Mahalchari led by Bangladesh Army personnel along with armed Bengali settlers, resulting in the rape of several women, the death of at least two persons, and torture and injury of scores of indigenous persons, and the destruction of houses, property and Buddhist monasteries.
- Increasing acts of violent land-grabbing perpetrated by government-sponsored Bengali settlers upon indigenous people;
- Stoppage of Planning Ministry allocation of foodgrains to foreign-returned indigenous Jumma refugees (*while continuing with ration grants to government-sponsored Bengali settlers and the Bangladesh Army in patently discriminatory manner*);

- Government patronage of increasingly militant acts of fundamentalist settler groups (*who violently prevented eminent jurist Dr. Kamal Hossain from entering the CHT to address a peace rally and are constantly threatening indigenous people with racist slogans, hooliganism, etc.*);
- The forcible pulling down of a Buddhist monastery at *Falitangya chuk* (“Pakistan Tilla” or “Barkal Hill”), within Barkal sub-district of Rangamati district in order to accommodate a camp of the para-military border force, Bangladesh Rifles.
- The very recent denial of the GOB to issue Government Order in favour of Mr. Jyotirindra Bodhipriya Larma (Santu Larma), Chairman, CHT Regional Council and the President of the PCJSS (who signed the CHT Peace Accord 1997 with the GOB to end the armed conflict) for attending the 3rd Session of the UN Permanent Forum on Indigenous Issues scheduled from 10th to 21st May, 2004. It is a violation of basic fundamental rights of the constitution and a blockade so that a national leader cannot participate the UN session.

In the Plains Districts (2003-2004)

Construction of concrete wall in Modhupur and the killing of indigenous activist Piren Snal (*who was leading a peaceful procession to protest against the wall and the stoppage of the local indigenous people’s access to their traditional forest area*); by armed Forest guards

Appropriation of traditional indigenous lands in Dinajpur in the name of “social forestry” (*including their total exclusion from the income from such “forests” and the filing of false and oppressive cases against them*);

Continuing violent land-grabbing, especially in Rakhain-inhabited areas in Barisal division and Tanchangya-inhabited areas in Cox’s Bazar district;

Continuing denial of any role of plain Adivasi peoples and their representatives in the affairs of the Special Affairs Division (SAD, under the prime minister’s secretariat) in providing development funds to indigenous communities in the plains districts, besides deciding upon other important developmental and cultural issues.

The Bangladesh Adivasi Forum, therefore calls upon all members of the Bangladesh Development Forum-2004 to continue to support people-oriented development programmes in Bangladesh, but to also at the same time constructively dialogue with the GOB, at annual BDF meetings, and otherwise on an ongoing basis to help ensure that:

Using aid to violate human rights

No part of the development aid to the GOB is utilized, or facilitates the utilization of, projects, programmes and activities of the GOB, or those supported by the GOB, that are contrary to basic international human rights norms and the Chittagong Hill Tracts Accord of 1997;

Independent Inquiry into Mahalchari Incident

The communal attack at Mahalchari, Khagrachari district on 26 August, 2003 should be enquired into by an independent enquiry team, the perpetrators brought to justice, the victims adequately compensated and rehabilitated, and adequate steps taken to prevent future recurrences of such incidents in the region.

JOI Ordinance 2002 & Military Operation Uttoron

Undemocratic, discriminatory, anti-humanitarian, illegal and arbitrary activities of the Bangladesh Army such as those perpetrated under the cover of the *Joint Operation Indemnity Ordinance, 2002* and the “Operation Uttoron “ (‘Upliftment’) are independently enquired into those responsible punished and others such acts prevented in future.

Demilitarisation of CHT

The continued militarisation of the Chittagong Hill Tracts to be totally stopped, among others, by lifting the GOB Executive Order “Operation Uttoron” and by dismantling all non-permanent military and para-military camps in the CHT in accordance with the terms of the Chittagong Hill Tracts Accord of 1997;

Transfer of Law and Order to Hill District Councils and Deploy Multi-ethnic Police

Immediate manse to enable law and order in the Chittagong Hill Tracts to be maintained under the aegis of the Hill District Councils, under the supervision of the CHT Regional Council and the Ministry of CHT Affairs, among others, (i) through formal transfer of the “Law and Order” to the Hill District Councils, (ii) through the appointment of local police (hill people and non-tribal permanent CHT residents) by the Hill District Councils, and (iii) to remove the responsibility of law and order from the hands of the Bangladesh Army on account of the cessation of hostilities in the CHT with the signing of the CHT Accord of 1997 in accordance with the letter and spirit of the CHT Accord of 1997.

Stopping “Pacification” and “Cluster Village” Food Grains

The grant of unaccounted, carte blanche food aid support to the Bangladesh Army on account of “Pacification” and to the government-sponsored Bengali Muslim settlers of the “cluster villages” be totally stopped since the same are contrary to basic democratic norms, principles of non-discrimination and good governance, and are being used in violent, fundamentalist and racist attacks, programmes and propaganda against the indigenous peoples of the CHT and against all progressive and humanitarian citizens of the country (the attack against eminent jurist, Dr. Kamal Hossain being a case in point). It is also mentionable, that, in a case of blatant and paten act of discrimination, the GOB stopped the allocation of food grains to foreign-returned Jumma refugees whilst continuing food grain allotments to the army and the Bengali settlers. These acts are contrary to the Convention on the Elimination of Racial Discrimination (CERD) and national constitution of Bangladesh.

Revoking GOB Order to Create New “reserved forests” in CHT

The declaration of new reserved forests in the three hill districts more on lands owned, possessed and managed by communities of indigenous peoples and permanent Bengali-speaking residents of the CHT through unilateral and arbitrary gazetted notifications of the Ministry of Environment and Forest from 1989 to 2004 be totally revoked and the concerned lands allowed to be owned, possessed and managed by the owners and occupants of such lands in accordance with their customary usages and practices and the provisions of the CHT Regulation of 1900.

Stopping “Eco Park” and “National Park” Programmes

The executive orders leading to the creation of “Modhupur Eco park” in Tangail, “Alutila Eco park” in Khagrachari and “National Park” in Sylhet on lands of indigenous communities be unconditionally revoked and the same lands allowed to be used, occupied and managed by the indigenous communities concerned in accordance with their customs, usages and practices.

Preventing Land Alienation and Restoring Possession of Alienated Lands

In accordance with the provisions of ILO Convention No. 107 (especially articles 11-14) (ratified by Bangladesh) and section 97 of the East Bengal State Acquisition and Tenancy Act, 1950 (at section 97) , a law specially protected by the Constitution of Bangladesh, it is the responsibility of the GOB to prevent land alienation of indigenous and tribal communities, and to restore ownership and possession where alienation does take place. These responsibilities of the GOB need to be carried out faithfully and effectively.

Special Affairs Division

Various development-related responsibilities concerning the indigenous population of the plains districts continue to be unilaterally handled by the Special Affairs Division (SAD) under the Prime Minister’s Office, without any participation of the indigenous population of the plains districts. Steps need to be taken immediately to provide the legitimate representatives of the indigenous peoples of the plains to substantively participate in the decision-making process of the SAD.

Meaningful Dialogue on PRSP

Though the BDF-2003 had asked the GOB to rectify the deficiencies of the I-PRSP and the time frame for finalisation of the PRSP ends rapidly still no “meaningful” dialogue has been opened with the leaders of the indigenous peoples. Basically, the indigenous peoples’ issues need to be discussed in the “Good Governance” group. Unfortunately, during the national consultation on PRSP held in Dhaka in March, 2004 the representative of the Bangladesh Adivasi Forum was accommodated in the ”Tribal and physically and mentally disabled group”. It is urgent and important to open a CHT level and a national level dialogue with the indigenous peoples on the PRSP.

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