

**10th Session of the United Nations Permanent Forum on
Indigenous Issues
United Nations Headquarters, New York
May 16-27, 2011**

**Agenda Item: 7 – Future work of the Permanent Forum,
including issues of the Economic and Social Council and
emerging issues: Special Rapporteur's study on the status of
implementation of the Chittagong Hill Tracts Accord of 1997**

**Joint statement by Amnesty International and the
International Work Group for Indigenous Affairs (IWGIA)**

Thank you Madam Chair for allowing us this opportunity to address the Permanent Forum.

We would like to start by complimenting the Special Rapporteur on his study on the status of implementation of the Chittagong Hill Tracts Accord of 1997. The study provides a useful overview of the extent to which the provisions of the Accord have been implemented and presents the main challenges related to the implementation of the Accord.

The study confirms the content of numerous reports on the situation in the Chittagong Hill Tracts as well as the statements made over the years by Indigenous peoples from the Chittagong Hill Tracts to the Permanent Forum, namely, that progress in implementing the Chittagong Hill Tracts Accord is painfully slow and that the slow progress is exacerbating the distressing human rights situation facing the indigenous peoples in the region.

In particular, one of the biggest impediments to peace in the area remains the failure to address the land disputes in the Chittagong Hill Tracts. Although a Chairman of the Land Commission, the mandate of which is to settle land-related disputes in the CHT, was appointed in 2009, disagreement with indigenous members of the Land Commission over the legal basis of the functioning of the Commission as laid down in the Chittagong Hill Tracts Land Dispute Resolution Commission Act 2001 has largely left it defunct.

The failure to solve the land disputes and curb the land grabbing that continues to take place fuels the violent clashes between indigenous peoples and Bengali settlers that take place on a regular basis. This year, there have already been two major arson attacks in the CHT. During both incidents there have been losses of lives, severe injuries to both Indigenous peoples and Bangalis and extensive damage to property. In each case, there were claims by Indigenous Peoples that the army and the police failed to take action to protect their communities and homes.

The continuous and systematic human rights violations committed against the indigenous peoples in the Chittagong Hill Tracts are also linked to the lack of constitutional safeguards for the rights of indigenous peoples of Bangladesh. The current constitutional amendment process in Bangladesh has led to a strong call by Indigenous Peoples to be recognized as such in the constitution. This recognition would demonstrate the Government's election pledge to work for the rights of Indigenous Peoples and its commitment to international human rights. It would also substantiate the Prime Minister's public statement during the

International Day of the World's Indigenous People in 2009 emphasizing the Government's support to the UN Declaration on the Rights of Indigenous Peoples.

Amnesty International and IWGIA strongly support the recommendations outlined in the study and respectfully proposes that the Permanent Forum should:

Reiterate the recommendation to the Government of Bangladesh made by the UN Human Rights Council in connection with the Universal Periodic Review of Bangladesh in 2009 to fully implement the Chittagong Hill Tracts Accord as a matter of priority and develop a timeframe for its full implementation.

Urge the Government of Bangladesh to immediately take appropriate actions, with the active participation and consent of Indigenous Peoples, to address land-related problems of the Indigenous Peoples of the Chittagong Hill Tracts, which requires strengthening of the Land Commission, including by amending the undemocratic and equivocal provisions of the concerned law.

Urge the Government of Bangladesh to address the issue of impunity for human rights violations in the Chittagong Hill Tracts by holding independent investigations into such reports. The authorities must bring those accused of killing or injuring others, or destroying their property to justice.

Urge the Government of Bangladesh to include a provision for recognizing Indigenous Peoples in the national Constitution of Bangladesh.

Urge the Government of Bangladesh to extend an official invitation to the UN Special Rapporteur on the rights of Indigenous Peoples to visit Bangladesh to assess the situation in the Chittagong Hill Tracts.