

Chittagong Hill Tracts Commission

Co-Chairpersons:
Sultana Kamal, Lord Eric Avebury, Elsa Stamatopoulou
Members:
Shapan Adnan, Sara Hossain, Iftekaruzzaman
Khushi Kabir, Muhammad Zafar Iqbal, Tone Bleie
Lars-Anders Baer, Michael C. van Walt van Praag
Hurst Hannum, Yasmeen Haque
Myrna Cunningham Kain, Victoria Tauli-Corpus

Press Statement

The International Chittagong Hill Tracts Commission expresses concern over the Government of Bangladesh's lack of political commitment and participation of affected communities in adopting laws relating to the 1997 CHT Accord.

Dhaka: November 14, 2013. The International Chittagong Hill Tracts Commission (CHTC) has expressed concern over the lack of participation prior to adoption by the National Parliament of the Chittagong Hill Tracts Development Board Act, 2013 ('CHTDB Act/Bill'). CHTC is also disappointed that the CHT Land Dispute Resolution Commission Act 2001 was not amended at the 19th session of the ninth National Parliament. Both the acts are crucial features of the 1997 CHT Accord and their current status demonstrates the Government's lack of political will to fulfill its election manifesto with regard to commitment to the rights of Adibashis in the CHT.

The Cabinet approved the draft of CHTDB Act at a meeting chaired by Prime Minister Sheikh Hasina on October 28, 2013.

Despite earlier Cabinet approval of the 13 proposed amendments to the Land Commission Act on June 3, 2013, the Bill has not yet been passed in the ongoing parliament session despite repeated demands from civil society groups.

The CHTC has observed that the bill follows the letter of the 1997 Accord and the CHT Regional Council Act but certain features in the bill defy the spirit of the Accord as below:

- Indigenous people have not been given priority in getting appointment as officers and employees of CHTDB. The Act should have referred to CHT permanent residents with priority for indigenous peoples, as stipulated in the Hill District Council (HDC) Acts and the CHTRC Act.
- Representatives of HDCs in the Board Committee have been given the 3rd position, whereas Deputy Commissioners (DCs) have been placed in the 2nd position, hence giving more authority to DCs over the HDCs.
- If a consultative committee is to be formed, selection of the Union Parishad Chairpersons, Upazila Chairpersons and Headmen representatives should be carried out by their respective peers instead of by the DCs or the government. Chairmanship of the Board should be given to CHTRC chairman in order to ensure overall supervision of the CHTRC.

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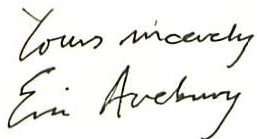
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- The law mentions the CHT Regional Council's coordinating role over the Board, but does not lay down the modalities through which effective coordination and supervision may be carried out by the Council, as envisaged in CHT Accord of 1997. This was an opportunity to deal with some shortcomings of the law, in the light of the CHT Accord and democratic principles and to be more inclusive, and provide for representation of women, and excluded and disadvantaged groups.

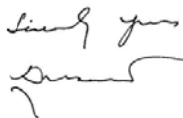
The CHTC recommends that the CHTDB Act be amended to reflect the spirit of the 1997 CHT Accord in line with the concerns mentioned above and that the Land Commission Act be enacted with the inclusion of all thirteen amendments proposed and accepted by the Cabinet. This should be followed by taking specific measures to appoint a capable, credible and impartial Chairperson of the CHT Land Commission acceptable to all stakeholders so that the Commission can begin the important task of resolving land disputes in the CHT, which is crucial to the implementation of the Accord.

These will be an example of the Government's last chance to fulfill a pledge made to the people of Bangladesh, including the CHT people and other Adibashis prior to the 2008 election. It will also facilitate implementation of the 1997 CHT Accord signed under the leadership of the present Awami League government and promised in its Election Manifesto of 2008.

On behalf of the CHT Commission



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Co-chair of the
CHT Commission



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Co-chair of the
CHT Commission



Elsa Stamatopoulou
Co-chair of the
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