

Chittagong Hill Tracts Commission

For immediate release

PRESS STATEMENT

The UPR Review of Bangladesh: state parties show concern for human rights issues of indigenous peoples and religious minorities of Bangladesh The International Chittagong Hill Tracts Commission urges the Government to immediately implement the 1997 CHT Accord in full

(2 May 2013, Dhaka) The International Chittagong Hill Tracts Commission (CHTC) appreciates the statements made by several States which placed great emphasis on the importance of implementing the 1997 CHT Accord in full, at the second cycle of the Universal Periodic Review (UPR) in Geneva on 29 April, 2013.

A number of participating countries commended the Government for the progress made to implement the Chittagong Hill Tracts Accord but observed with concern that many important provisions of the Accord have yet to be implemented. They recommended that the Government fully implement the Accord and create a roadmap with a timeframe for its implementation. They also called for immediate action to amend the CHT Land Dispute Resolution Commission Act 2001 to reflect the CHT Accord. A number of countries called on the Government to ratify ILO Convention No 169 and to protect the rights of indigenous peoples and religious minorities, including ensuring the safety and security of places of their worship.

The Government of Bangladesh, in the national report that it submitted to the UPR process, stated that most of the clauses of the Accord have been fully or partially implemented and a modest number is under implementation.

It is however the view of the CHTC that some of the main factors responsible for unrest and human rights violations in the CHT, especially ongoing land disputes and militarization, remain far from properly addressed:

- Although the Government points out that 283 military camps have been dismantled from the CHT, the area still remains heavily militarized. The PCJSS (Parbatya Chattagram Jana Sanghati Samity) party estimates that the number of military camps withdrawn to date is around 74, out of more than 500 (temporary) military camps.
- Whilst the Land Commission was set up and a chairperson appointed during this term of the Grand Alliance, necessary amendments to the Land Commission Act to make it conform to the CHT Accord have still not been adopted.

Chittagong Hill Tracts Commission

- During his three-year tenure, the Chairperson of the Land Commission failed to settle any land dispute in the CHT and was perceived to have worked against the interests of the indigenous people.
- Disappointingly, the Government has yet to appoint his successor, which raises doubts about the willingness of the Government's stated commitment to make progress on the key issue of the land rights of indigenous people. The Land Commission chairman's post has been vacant since 20 July 2012.
- The Government has placed restrictions on NGOs seeking to monitor human rights violations in the area, including restrictions on the movement of the CHTC. Protests over these restrictions have had no effect.
- The CHTC was particularly distressed by the Foreign Minister's apparent denial of the identity of the indigenous people living in the CHT and elsewhere in the country, referring to them officially as 'ethnic minorities', along with her lack of sensitivity, which was evidenced by her response to a question in which she stated that "all Bangladeshis" were indigenous people, thus undermining the right of indigenous people in the CHT to explicit recognition of their separate identity.

Continuing harassment of civil society in the CHT is common. For example, the Rangamati Deputy Commissioner's office asked local non-government organizations (NGOs) in November 2011 to submit a report regarding, among others, information about the percentage of Bangali and Pahari beneficiaries, and the percentage of Bangali and 'Upajati' [tribal] employees. In no other part of Bangladesh are NGOs asked to give the ethnic make-up of their beneficiaries or employees in this manner to the district administration. We are not aware of any laws in the country which direct NGOs to maintain such ethnicity percentages and under which such a report could be deemed necessary.

The CHTC has also observed with concern the increasing restrictions on civil society in the name of security in the CHT. We are aware that foreigners in the CHT have been handed instructions to give a complete schedule of every place they plan to visit and every person they expect to talk to. Hotels in the CHT have also received directions to not take any bookings in foreigners' names unless they have clearance from the district administration. In a democratic country, the singling out of the CHT with such instructions not only breaches the rights to liberty and freedom of association and expression but also raises serious concerns about the intentions of the Government of Bangladesh regarding implementation of the CHT Accord as promised in their Election Manifesto.

Chittagong Hill Tracts Commission

In August 2011, the Bandarban district administration reportedly ordered British national Jeremy Paul Allen to leave the district because he had participated in a solidarity program of the Bangladesh Indigenous Peoples Forum calling for constitutional recognition of indigenous peoples at the Bandarban Press Club. CHTC adviser Thomas Eskildsen, a US national, was summarily asked to leave Bandarban Hill District in January 2012, and later barred from entering Bangladesh. Swedish journalist, Per Liljas, who reported about human rights violations of indigenous people in international media, was also deported from Bandarban in July 2012. In our view, these acts constitute serious violations of human rights, including the fundamental right not to be discriminated against, which is enshrined in all human rights instruments. We deplore such acts by the Government and recommend that the Government of Bangladesh immediately withdraw directives to the local administration in the CHT and allow free movement of persons in and out of the three hill districts, like the rest of the country, as should be the practice in any democratic country.

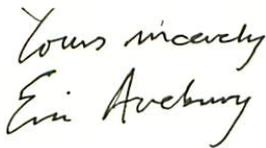
Restrictions have also been placed on the work of the CHTC itself. The CHTC has been carrying out periodic missions to the CHT since August 2008. Our missions have always focused on engaging all stakeholders in the process of facilitating the Government to implement the 1997 CHT Accord. The work of the CHTC is to support the Government and especially the Ministry for CHT Affairs (the establishment of which was an outcome of the CHT Accord itself) in identifying obstacles to such implementation. Despite this, we have faced constant physical surveillance from members of the intelligence agencies. In September 2010 the Government gave written instructions to CHTC placing restrictions on the work of the CHTC. In November 2011 CHTC members had to return from CHT without completing their mission as a result of restrictions placed during their work. This is a violation of basic rights, including the right to freedom of movement and personal liberty, as well as freedom of expression and CHTC protested these instructions and asked the Government to withdraw these restrictions but did not receive any response. All these acts are contrary to the Government's pledge to implement the CHT Accord and bring peace to the CHT.

Bangladesh Secretariat:House # 1/3, Block-F, Lalmatia, Dhaka-1207, Bangladesh
Phone: +88-02-9146048, Fax: +88-02-9146048
E-mail: chtcomm@gmail.com**International Secretariat:**C/O IWGIA, Classensgade 11E, 2100 Copenhagen, Denmark
Phone: +45 35 27 05 00, Fax: +45 35 27 05 06
E-mail: cn@iwgia.org

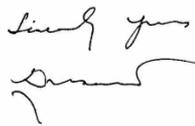
Chittagong Hill Tracts Commission

In light of the upcoming national elections, the CHTC would like to remind the Government of its election pledge to implement the 1997 CHT Accord in full, a pledge that was reiterated in the 2009 UPR session, when the Government of Bangladesh stated that it would fully implement the Accord “in the shortest possible time within the framework of the constitution of Bangladesh”. With very little time left before the end of its tenure, the CHTC, consonant with the statements of a number of state parties at the recently concluded UPR, calls upon the Government to fulfill this pledge as a matter of priority.

On behalf of the CHT Commission,



Eric Avebury
Co-chair of the
CHT Commission



Sultana Kamal
Co-chair of the
CHT Commission



Elsa Stamatopoulou
Co-chair of the
CHT Commission

Note to editors: *On 29 April, Bangladesh underwent a review as part of the second cycle of the Universal Periodic Review (UPR), a process which involves a review of the human rights records of all 192 UN member States once every four years under the auspices of the UN Human Rights Council. During the three-hour session, the Foreign Minister of Bangladesh presented the national report and responded to the questions and concerns that were raised by other states and heard the recommendations by them. The issue of the implementation of the 1997 CHT Accord and rights of ethnic and religious minorities were also brought up by several states during the session.*