

Chittagong Hill Tracts Commission

Co-Chairpersons:

Sultana Kamal,
Lord Eric Avebury,
Elsa Stamatopoulou

17 January, 2012

To
Advocate Sahara Khatun
Honourable Minister
Ministry of Home Affairs
Government of the People's Republic of Bangladesh
Bangladesh Secretariat, Dhaka

Subject: Concerns over restrictions on freedom of movement and association and expression in the Chittagong Hill Tracts

Honourable Minister,

Greetings from the International Chittagong Hill Tracts Commission.

The CHT Commission ("CHTC") has been watching the increasingly heavy-handed security tactics that are being used in the Chittagong Hill Tracts (CHT) area in general and in the Bandarban hill district in particular, with heightened concern.

As you are aware, the CHTC has been carrying out periodic missions to the CHT since August 2008, concluding its sixth international mission in November 2011. Our missions have always focused on engaging all stakeholders in the process of facilitating the Government to implement the 1997 CHT Accord. We have always placed very high importance in our meetings with the Government representatives, always requesting appointments with Your Excellency, relevant Cabinet Ministers, and the military and civil administration in the CHT.

Despite this, we have faced constant physical surveillance from members of the intelligence agencies. This year, for the first time, the CHTC had to return from the CHT without carrying out pre-scheduled meetings in Bandarban despite prior information having been provided to local authorities of all such meetings. Government officials insisted on being present during all CHTC meetings, including those where they took testimonies of survivors of various human rights violations, despite requests to leave and to respect the principles of confidentiality and trust.

Some of these officials claimed to be under 'superior orders' and cited written instructions from the Ministries of Foreign Affairs, Home Affairs and CHT Affairs directing that officials and security forces must accompany the mission in the CHT at all times and be present during the meetings of the CHTC with local social groups. In the meantime, we have been made aware of restrictions on individuals visiting the CHT in the name of 'higher security measures'. We are aware that foreigners in the CHT are being handed instructions to give a complete schedule of every place they

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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 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.

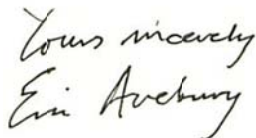
In this connection, we draw to your attention the recent incident of 2-3 January 2012 in which Thomas Eskildsen, a US national, was questioned for two hours by representatives of the Director General of Forces Intelligence (DGFI) for speaking to a Marma newspaper correspondent and some other hill people, which was apparently deemed to be "suspicious" in nature. Mr. Eskildsen was then summarily told to leave Bandarban Hill District on 3 January 2012. He had visited various projects of the non-governmental development organization Bibartan based in Member Para of Bandarban town.

Earlier, 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.

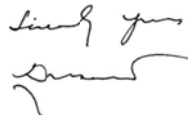
In our view, these acts constitute serious violations of human rights, including the fundamental right not to be discriminated against, which is enshrined in all human rights instruments, as well as Articles 9(1), (the right to liberty and to freedom from arbitrary arrest); 12(1) (the right to free movement) and Article 19(2) (the right to receive and impart information and ideas) as guaranteed by the International Covenant on Civil and Political Rights (ICCPR), of which Bangladesh is a signatory.

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.

On behalf of the CHT Commission



Eric Avebury
Co-chair of the
CHT Commission



Sultana Kamal
Co-chair of the
CHT Commission



Elsa Stamatopoulou
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CC to:

1. H E Sheikh Hasina, The Honourable Prime Minister, Government of the People's Republic of Bangladesh, Prime Minister's Office, Tejgaon, Dhaka.
2. Dr. Dipu Moni, MP, Honourable Minister, Ministry of Foreign Affairs, Government of the People's Republic of Bangladesh, Dhaka.
3. Mr. Dipankar Talukdar MP, Honourable State Minister, Ministry of CHT Affairs, Government of the People's Republic of Bangladesh, Dhaka.
4. Mr. Jyotirindra Bodhipriya Larma, Honourable Chairman, CHT Regional Council, Rangamati.
5. Dr. Mizanur Rahman, Chairman of National Human Rights Commission (NHRC).