

Chittagong Hill Tracts Commission

Co-Chairpersons:
Sultana Kamal, Lord Eric Avebury, Elsa Stamatopoulou
Members:
Shapan Adnan, Sara Hossain, Iftekharuzzaman
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-Corpuz

Press Release

International Chittagong Hill Tracts Commission concerned about continued violation of Rights of Indigenous Peoples of Bangladesh on the International Day of the World's Indigenous Peoples

9 August 2015, Dhaka: The International Chittagong Hill Tracts Commission (CHTC) stands in solidarity with indigenous people living in Bangladesh and around the world on the International Day of the World's Indigenous Peoples 2015. The CHTC also expresses its concern at the continuing and demonstrated lack of political will to ensure the rights of indigenous people as citizens of Bangladesh.

In 2011 the National Parliament enacted the 15th amendment to the Constitution denying recognition of indigenous people as full citizens of this country. Article 6(2) of the Constitution states that: "The people of Bangladesh shall be known as Bangalees as a nation and the citizens of Bangladesh shall be known as Bangladeshis". On the other hand Article 23A states: "The culture of tribes, small ethnic groups, ethnic sects and communities- The state shall take steps to protect and develop the unique local culture and tradition of the tribes [*upajati*], minor races [*khudro jatishaotta*], ethnic sects and communities [*nrigoshthi o shomproda*]" Article 6(2) directly denies the indigenous peoples as citizens of the country and Article 23A categorizes and alienates indigenous people from Bengalis and makes them second-class citizens of the country. In addition the Government has categorically denied the existence of indigenous people in the country, although the term had been used previously by the same government and also mentioned in various national laws.

Also, the insertion of the phrase "Bismillah-ar-Rahman-ar-Rahim" before the preamble to the Constitution and the reinstatement of Islam as the state religion (Article 2A) not only results in the Constitution moving away from one of its founding pillars of 'secularism' but is also discriminatory and communal in nature, marginalizing all non-Muslims of the country including most indigenous people. Since the passing of the 15th amendment we have seen many attacks on the non-Muslims including indigenous people of the CHT and plainlands and Bengali Buddhists of Ramu.

We express our concern at the continuing lack of express constitutional recognition of IPs and their marginalization as second class citizens subject to discrimination based on race, religion and place of birth. This has been exacerbated by the recent order purporting to restrict the holding of meetings in or communication with IPs in the CHT, in breach of basic human rights to freedom of expression, association and movement.

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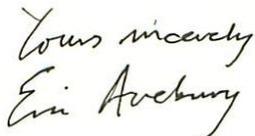
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The Government has failed to fully implement the 1997 CHT 'Peace' Accord and to keep the pledge made in its 2009 election manifesto. Continuing illegal land acquisition by political groups, private companies and individuals, the forest department, and the security forces remains unchecked. Attacks on indigenous people have taken place amidst allegations of complicity of the security forces, alongside repeated cases of violence against women, with few examples of those responsible being brought to account, reflect the culture of impunity that reigns in the CHT.

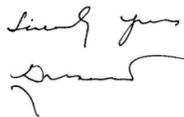
On this occasion the CHTC reiterates its earlier recommendations:

- The Government should amend Articles 6(2) and 23A of the Constitution to give constitutional recognition to Indigenous Peoples.
- The Government should include indigenous peoples' leaders in all meetings related to security and development of the Chittagong Hill Tracts.
- The Bangladesh Indigenous Peoples Rights Act, drafted by the Parliamentary Caucus on Indigenous Peoples, should be reviewed and considered for enactment.
- The Land Disputes Resolution Commission Act 2001 should be amended
- Steps must be taken within a time bound plan to fully implement the 1997 CHT Accord.

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
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