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INDIGENOUS ISSUES

**Written statement* submitted by the Asian Indigenous and Tribal Peoples Network
(AITPN), a non-governmental organization in special consultative status**

The Secretary-General has received the following written statement which is
circulated in accordance with Economic and Social Council resolution 1996/31.

[30 December 2004]

* This written statement is issued, unedited, in the language(s) received from the
submitting non-governmental organization(s).

BANGLADESH RAVAGES INDIGENOUS JUMMA PEOPLE

At around 11 p.m. on 3 August 2004, about 50 Bengali settlers from Kalabanya of Aimachara Union led by Union Parishad (Council) member Tamir Ali launched brutal attack on Barun Kumar Chakma and his family members at Dhandachara village of Bhushanchara Union under Barkal Thana in Rangamati hill district. Barun Kumar Chakma was killed on the spot while his wife Subarna Chakma and son, Kampan Chakma, were brought to Rangamati hospital, about 50 miles away from the victims' village on 4 August 2004. Subarna Chakma succumbed to her injuries while Kampan Chakma was referred to the Chittagong Medical College Hospital.

In the post Chittagong Hill Tracts Peace Accord period since December 1997, such attacks on indigenous Jumma peoples have replaced the organised massacres that characterised the repression on the Jummas between 1976 and 1992. The attacks are aimed to terrorise indigenous Jummas to grab their lands. In April 2003, the army and illegal plain settlers burnt down indigenous houses at Bhuiochari village under Khagrachari district after indigenous peoples asked the plain settlers to stop encroaching onto their lands, and to dismantle the houses they had built. The army encircled Bhuiochara village and forced the indigenous people out of their homes while the settlers looted and burnt down the houses.

On 26 August 2003, Bangladesh army and illegal plain settlers completely burnt down ten indigenous Jumma villages under Mahalchari Upazilla (sub-district) under Khagrachari district. Hundreds of indigenous Jumma peoples fled from their villages and were displaced. Nine month old baby, Kiriton Chakma was snatched from grand mother, strangled to death in front of his grand mother, who was then raped by Bangladesh army personnel. The illegal plain settlers and security forces also raped about 10 Jumma women and girls. Two parliamentary teams – one from the ruling Bangladesh National Party and the other from the opposition political party, the Awami League – visited the affected areas respectively on 8 and 9 September 2003. The United Nations Development Programme also made an assessment of the damages. Yet, both justice and effective rehabilitation eluded the victims.

The root of the CHTs crisis lies in the policies of the government of Bangladesh which seek to establish homogenous Bengali muslim society by destroying the distinct identity of the indigenous Jumma peoples. In a planned population transfer, about 500,000 illegal plain settlers were implanted into the CHTs during 1979-1983 by providing inducements. The CHT Accord not only failed to address the issue of these implanted illegal settlers but intensified the settlement of illegal plain settlers into the CHTs. Member of Parliament and CHTs Development Board Chairman Abdul Wadud Bhuyan has been using the funds of the CHTs Development Board for settlements of thousands of illegal Bengali settlers through the establishment of "Wadud Pallis" (Wadud Villages), named after himself.

More than 100 new illegal plain settler families were settled in the lands of the indigenous Jumma peoples in Lalchari area under Ramgarh sub-division in Khagrachari hill district in July 2004. As they started building foundations for house construction, on 11 July 2004, indigenous Jummas protested and managed to destroy some foundations of the houses. Hundreds of illegal plain settlers led by Wadud Bhuyan organised a rally in Ramgarh on 18 July 2004 to protest the incident under the banner of the Parbatya Sama Adhikar Andolan (Hill Equal Rights Movement), an organization of the Muslim settlers.

After the Jana Samhati Samiti (JSS) and its erstwhile Shanti Bahinis were de-fanged after their surrender, the government of Bangladesh refused to implement the CHTs Accord apart from selecting the JSS members as members for the CHTs Regional Council. The non-implementation of the provisions relating to the Land Commission is a clear example.

Though the Accord was signed on 2 December 1997, only one day before handing over power to the caretaker government prior to the 2001 general elections that the Awami League government passed the CHTs Land Dispute Settlement Commission Act, 2001. Indigenous peoples rejected the Act, among others, because of the arbitrary powers of the Chairperson to provide final judgement in the event of lack of consensus among other members; the exclusion of Jumma refugees who returned to the CHTs under the 1992 repatriation agreement from the ambit of the Land Commission; and the exclusion of the internally displaced Jummas from the scope of the Act.

Nonetheless, in November 2001, Judge A.M.M. Rahman (retired) was appointed as chairperson of the Land Commission. However, until today other members of the land commission including the representatives of the Hill District Councils and the Regional Council, as well as the traditional Chiefs, have not been formally appointed to the Commission. By May 2003, over 35,000 cases had reportedly been lodged with the commission. The Land Commission has become a joke as the illegal settlers, government officials and the government continue to grab the lands of the indigenous peoples.

The illegal settlers are aided by the Bangladesh army and the police. Article 17 (a) of the peace accord provided that “with the members of the PCJSS coming to normal life, all temporary camps of army, ansar and village defence force in Chittagong Hill Tracts excepting Bangladesh Rifles and permanent cantonments (three in three district headquarters and in Alikadam, Ruma and Dighinala) will be gradually brought back to the permanent places and a deadline for this will be fixed.” Six and half years since the JSS cadres came to normal life, only 31 camps of the estimated 520 temporary camps have been withdrawn so far. Contrarily, Bangladesh government has been occupying thousands of acres of lands for military purposes and has been establishing more military camps.

The presence of the army also resulted into serious human rights violations. On 23 August 2004, Rinku Chakma, a UPDF supporter, was killed in military custody in Matiranga of Khagrachari district, after being subjected to serious torture at the Matiranga bazaar in full public view as well as in the army camp. On 6 August 2004, five members of the United Peoples Democratic Front (UPDF), Jotish Chakma, Sadhan Moni Chakma, Rosomoy Chakma, Borkul Chakma and Bhubon Moni Chakma were arrested under a false case (No. G.R. 167/04) at Khagrachari police station. President of the Hill Students Council, Mithun Chakma, Vice President Rupan Chakma, President of the Hill Watch Human Rights Forum, Ms Sonali Chakma were brutally beaten up with firewoods.

On 4 November 2004 at around 8:30 p.m. the army personnel under the order of Major Samad of Khagrachari Brigade arrested six Buddhist devotees from the gate of Arjo Bano Bihara (temple) at Perachara, three kilometers north of Khagrachari district town. The arrested Jummas came to the temple to participate in an annual religious festival called *Kathin Chibor Dan*. The victims included: Dinish Chakma (17) s/o Chandok Lal Chakma, Nakul Chandra Chakma (20) s/o Jyotindra Chakma, Lalon Jibon Chakma (20) s/o Chandra Shekhor Chakma and Purno Jibon Chakma (18) s/o Chandra Shekhor Chakma

from Perachara; Apon Priya Chakma (18) s/o Manik Dhan Chakma and Newton Chakma (19) s/o Kala Dhan Chakma from the village of No. 2 Prakalpa in Gashban.

At 5 am on 8 November 2004, a group of army men numbering about 100 and led by Assistant Zone Commander Modasser Ali, Major Ziad, Captain Taslim and Lieutenant Salauddin from Panchari Zone raided Jagapara village under Chengi Union in Panchari Upazila of Khagrachari district. The army personnel searched and ransacked houses, and beat up fourteen innocent indigenous Jumma villagers: Anil Chandra Chakma (s/o Juronnya Chakma), member of Union Parishad, Shanti Priyo Chakma (20) s/o late Bichchingya Chakma, Durgo Dhan Chakma (18) s/o Jappo Ali Chakma, Morot Chaw Chakma (25) s/o Habi Ranjan Chakma, Jibon Chakma (16) s/o Bombha Chakma, Dataro Chakma (45) s/o Mera Chakma, Bandajya Chakma (28) s/o late Rangu Mani Chakma, Satyo Mani Chakma (25) Auri Dev Chakma, Sadhan Chandra Chakma (40) Gyanendra Chakma, Gama Chakma (50) s/o late Tirtho Kumar Chakma, Dhaneshwar Chakma (24) s/o Ramani Kumar Chakma, Apon Dulal Chakma (40) s/o Pari Mohan Chakma, Gulpeda Chakma (25) s/o Seba Brata Chakma and Bindu Kumar Chakma (30) s/o Phul Kamal Chakma.

The fratricidal killings between two Jumma political parties, the Jana Samhati Samiti and the United Peoples Democratic Front (UPDF) have not helped to improve the lot of the Jumma people. Rather the situation of common Jummas has deteriorated further. Hundreds of indigenous Jumma peoples have been killed, maimed and kidnapped by both the parties. On the night of 29 November 2004, police and the members of the Jana Samhati Samiti raided the rented houses of Hill Youth Forum (HYF) at Free Port area in Chittagong. Police arrested HYF's General Secretary Dipankar Chakma and Finance Secretary Michael Chakma during the raid.

The repression continues.
