

# SAJEK: BURNT TO ASHES

*Emblematic of Bangladesh's policy towards  
indigenous Jumma peoples*



Asian Indigenous & Tribal Peoples Network

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**Asian Indigenous & Tribal Peoples Network**

P.O. Box 9627, Janakpuri,

New Delhi-110058, India

Tel/fax: +91-11-25503624

Email: [aitpn@aitpn.org](mailto:aitpn@aitpn.org)

Website: [www.aitpn.org](http://www.aitpn.org)

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## 1. Executive summary and recommendations



*"If anything happens to the Bengalis in the future, I will kill all of you. There is no need for you to live in this country."* -Lt. Col. Sajid Md. Imtiaz, commander of Baghaihat army zone warned indigenous Jumma villagers on 23 April 2008 while organising a so-called peace meeting between indigenous Jumma peoples and the illegal plain settlers.<sup>1</sup>

On 20 April 2008, hundreds of illegal plain settlers backed by Bangladesh army launched pre-planned attacks on seven indigenous Jumma villages namely Nursery Para, Baibachara, Purba Para, Nangal Mura, Retkaba, Simana para and Gangaram Mukh under Sajek Union under Baghaichari upazila (sub-district) in Rangamati district in the Chittagong Hill Tracts (CHTs) of Bangladesh from 9.30 pm to 1.30 am.

Besides a church and two UNICEF run schools, an estimated 77 houses of indigenous Jumma peoples were burnt while four indigenous villagers were wounded and hundreds of indigenous Jummas were internally displaced.

The *de facto* head of the care-taker government, Chief of Army Staff, General Moeen U Ahmed visited the affected areas on 29 April 2008. Both the settlers, who attacked the indigenous Jummas in order to capture their lands, and indigenous Jummas, who were made paupers overnight, were granted same amount of relief. No assessment of the damages was done to determine the compensation package.

Immediately following the arson, on 21 April 2008, Chief Adviser's Special Assistant in charge of CHT Affairs, Mr Devashish Roy announced that "The caretaker government has decided to take urgent steps to render the commission (CHT Land Commission) effective and functional before it transfers power to an elected government".<sup>2</sup>

The arson at Sajek clearly shows that for indigenous Jumma peoples, the impending challenge is no longer ensuring the return of the appropriated lands that the Land Commission established under the CHTs Accord of 1997 is supposed to return from illegal plain settlers. The challenge is to protect the lands which are theirs and under their possession but the illegal settlers under the patronage of the successive governments of Bangladesh have been hell-bent on forcibly occupying. That is the

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1. Sajek settler attack: victims holds press conference in Dhaka, chtnews.com, News No. 70/2008, April 27, 2008

2. CHT Land Commission to be active before CG term ends: aide, bdnews24.com Senior Correspondent, 22 April 2008

crux of the continued attacks on the indigenous Jumma peoples in Bangladesh even after signing of the CHTs Accord of 1997.

The attacks in Sajek are emblematic of the Bangladesh government's policy of "cultural genocide" of the indigenous Jumma peoples in the CHTs. The policy of the government in Dhaka irrespective of whether democratically elected or backed by the military - has been to evict indigenous Jumma peoples from the lands by burning their villages, occupy their lands including Buddhist temples and churches, and gradually destroy their ethnic and cultural identities.

And, no one has been held accountable for these atrocities. Nor will anybody be held responsible for the burning down the villages of the indigenous Jumma peoples at Sajek. Following the burning of the villages, on 21 April 2008, Mr Anu Chakma filed a First Information Report with the Baghaichari police station (GR. No. 122/08. Case No. 03, date: 21/4/08, under section 143/144/323/427/436/34 of Bangladesh Penal Code.) On the same day, a counter FIR was filed by an illegal settler named Md. Nurul Alam (GR. No. 121/08. Case No. 02, date 21/4/08, under sections 143/144/323/324/427/436/34 of Bangladesh Penal Code). On 28 April 2008, the army personnel arrested four innocent Jummas identified as Mr Sushil Chakma (26), son of Asomi Chandra Chakma; Mr Ratna Bikash Chakma (22), son of Gunodhar Chakma; Mr Sangram Chakma (22), son of Ashok Kumar Chakma and Mr Rabindra Chakma (23), son of Shashi Mohan Chakma from Simanachara village for alleged arsoning. This is despite the fact it is the houses of the indigenous Jumma peoples which were burnt! There is neither law nor justice for the indigenous Jumma peoples.

It will not be an understatement to state that no government in Dhaka has shown any interest to implement the CHTs Accord of 1997. Nothing reflects it more than the failure of the successive governments to hold elections in the Hill District Councils. The last elections to the Hill District Councils were held in 1989. No election has been held for the CHTs Regional Council either. It is clear that with regard to the CHTs affairs, Dhaka selects its administrators.

International community must not consider parliamentary elections in the Bangladesh as a "basket case" solution for all the ills of the country. International community must equally press for the establishment of the democratically elected local governments in the Hill District Councils and the Regional Council of the CHTs. They must also urge the government of Bangladesh for withdrawal of the army camps from the CHTs. The restoration of the civil administration without any interference of the army is fundamental for peace and harmony in the CHTs.

Asian Indigenous and Tribal Peoples Network therefore makes the following recommendations to the international community:

1. Send a team of the European Union, United States, Canada and other interested

missions to visit the effected areas in Sajek, assess the actual damages and provide necessary direct assistance to the victims to enable their resettlement and rehabilitation;

2. Urge the government of Bangladesh to order an independent and impartial judicial inquiry on the attacks at Sajek and make the report public within three months;
3. Urge the government of Bangladesh to stop all programmes relating to the implantation of illegal plain settlers on the lands of indigenous Jumma peoples in the CHTs;
4. Intervene with the government of Bangladesh to not to harass, arrest, detain, torture etc those who have attended the press conference; and
4. Urge the government of Bangladesh to fully implement the CHTs Accord, hold elections in the Hill District Councils and Regional Council and withdraw all army camps from the CHTs to restore the civil administration.

AITPN also requests the government of Bangladesh to take necessary measures to implement the above recommendations.



## 2. Sajek: Burnt to ashes

### I. About Sajek

#### *a. Location of Sajek*

Sajek union is located under Baghaichari upazila (sub-district) in Rangamati district of Chittagong Hill Tracts (CHTs) of Bangladesh. One of the remotest areas of the CHTs, there is direct bus link between Rangamati and Sajek. People of Sajek and Baghaichari usually travel to Rangamati via Khagrachari after construction of road link between Dighinala and Baghaichari. Sajek is 73 km north east of Kahgrachari.

#### *b. Population*

In 2001 census, the number of Bengali voters in Sajek Union was merely 879 whereas Jumma voters accounted for over 14,000. There are 123 villages under 9 Wards in Sajek Union. The villages that came under attack on 20th April lie in Ward No. 4. There are a total of 26 villages in this Ward. Main villages are Noapara, Golakmachara, Depupara, Dojori Haglachara, Hazachara, Adam No. 10, Bamey Baibachara, Badalhat chara, Daney Baibachara, MSF Para, Purbopara, Bhidirey (or Inner) Retkaba, Retkaba Mukh, Gongaram Mukh, Uluchara and Langolmara.

In Ward No.4, there are 9 villages for the Bengalis: these are Segun Colony, Forest Colony, Dubai Colony, Para No. 6, Masjid Colony, Muslim Colony, BFIDC Colony, KPM Colony and Baghaihat Bazaar.

#### *c. Fortified zone*

Sajek Union is emblematic of the militarization of the CHTs. Sajek Union is surrounded by 14 camps of the security forces.

There are seven army camps in Sajek Union respectively at (1) Laxmichari (sub zone) headed by a Major; (2) Bodogichara camp (this camp was set up in 2006 after merging Hajachara and Korollyachari camps) headed by a captain; (3) Majalong camp headed by a Major (earlier this camp was situated at Mandirchara and relocated here in 2005); (4) Baghaihat zone headed by a Commanding Officer of the rank of Lt. Col.; (5) Tiger Tila camp at Gangaram headed by a Warrant Officer; (6) Gongaram Mukh ECB camp; and (7) Majalong ECB camp.

In addition, there are three police camps in Sajek at Adam Number 10, Baghaihat and Majalong.

There is also one para-military Ansar Battalion camp at Baghaihat.

In addition, three camps of the Bangladesh Rifles, namely Ruilui camp commanded

by a Subedar or Warrant Officer, Lonkor camp commanded by a Captain and Old Lonkor camp commanded by a captain, fortify Sajek.

## II: The attacks on 20<sup>th</sup> April 2008



The condition of the Jumma villagers in Sajek area has been precarious. According to UNDP-CHTDF, about 25,000 families have been affected by bamboo flowering.<sup>3</sup> They have been facing serious humanitarian crisis. The flowering of the bamboo has been accompanied by an unusual increase in rodent population which eat up all sources of food, including crops and stored food items leading to acute food shortage in the affected area. There has been no assistance from the government of Bangladesh to assist the affected indigenous peoples and with the burning down of the villages, everything has been destroyed.

Tension has been mounting in the Sajek area since January 2008 as the Bangladesh Army began implanting of new illegal settlers from plain districts on the lands of the indigenous peoples at Baghaihat, Gangaram, Massalong areas under Sajek union. The illegal plain settlers were implanted along the sides of the road from Baghaichari to Gangaram Mukh. These lands belong to indigenous Jumma peoples.

Indigenous Jumma peoples sought to resist the implantation of the illegal settlers. However, with the direct help from the Bangladesh Army, the illegal plain settlers were able to construct some houses at Gangaram village on the lands owned by indigenous Jumma villagers. As indigenous Jumma peoples resisted, on 19 April 2008, a dozen of houses of indigenous Jumma peoples of Bhanga Karbari Para were destroyed by the Bengali settlers.

Having heard rumours of impending attack by the illegal settlers on 20 April 2008, around 50 - 60 Jummas gathered at Gangaram Mukh village to discuss the situation. According to Binoy Chakma, one of the victims, "at around 9:45 pm approximately 200 settlers first proceeded towards Dane Baibachara. When they saw the Jumma villagers in an organized way, they went back". Thereafter, the Bangladesh Army personnel came to the Gangaram Mukh village, met the indigenous Jumma villagers and assured them of security.

As army personnel led by one Habilder Harun kept the indigenous Jumma men talking, a group of Bengali settlers began the attack. Hundreds of Bengali settlers equipped with sharp weapons attacked seven indigenous Jumma villages namely

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3. Ina Hume, Food Shortage, Bamboo Flowers and Rats on the rampage in the Chittagong Hill Tracts, March 15, 2008

Nursery Para, Dane Baibachara, Purba Para, Nangal Mura, Retkaba, Simana para and Gangaram Mukh of Sajek Union.

The illegal plain settlers were led by Mr Selim Bahari, President of Baghaichari branch and Golam Molla, President of Baghaihat branch of Sama Adhikar Andolan (Equal Rights Movement), an organisation of the illegal plain settlers. The head of the Baghaihat army zone Lt. Col. Sajid Md. Imtiaz reportedly provided the necessary support.

### **III: The extent of the damages**



Besides a church and two Unicef-run schools, a total of 77 Jumma houses were burnt down. These included 28 houses out of 33 in Purbopara, 11 out of 47 in Gangaram, 5 out of 94 in Retkaba and 33 out of 100 in Dane Baibachara village, among others. Properties worth Taka 15,000,000 were damaged.

In addition, four indigenous Jummas were injured. The injured victims have been identified as Mr Ratan Bikash Chakma, Mr Sonadhan Chakma, Mr Sadhan Chakma of Bamey Baibachara village and Mr Ananda Chakma of Badalhatchara village.

All of their belongings were destroyed while valuables were looted.

AITPN could gather the list of 76 indigenous Jumma villagers whose houses were burnt down at Sajek area<sup>4</sup>

#### ***Victims at Dane Baibachara village:***

1. Bimal Kanti Chakma
2. Shanti Bikash Chakma
3. Nayan Ranjan Member
4. Brisha Muni Chakma
5. Chiringo Chakma
6. Subhanga Chakma
7. Dayal Kista Chakma
8. Kina Chan Ckakra

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4. Kapaeeng Watch, List of indigenous Jumma villagers whose houses were burnt down at Sajek area in CHT, 29 April 2008

9. Shyamal Kanti Chakma
10. Pratilata Chakma
11. Shanti Jiban Chakma
12. Gobinda Chakma
13. Subolya Chakma
14. Kala Kachu Chakma
15. Jyosna Rani Chakma (Member)
16. Rabi Shankar Chakma
17. Rupayan Master
18. Shakya Bodhi Master
19. Neuton Chakma (Dr.)
20. Rakhi Chakma
21. Nihar Kanti Chakma
22. Nirmal Kanti Chakma
23. Chigon Chiji Chakma
24. Dhabana Chakma
25. Shanti Ranjan Chakma
26. Kala Chan Chakma
27. Neuton Chakma (Kalabo)
28. Kamini Ranjan Chakma
29. Sushi Ranjan Chakma
30. Rabi Ranjan Chakma
31. Baratya Chakma
32. Shanti Bikash Chakma (2)
33. Suma Chakma (Para Kendra School)

***Victims at Gangaram Mukh village***

1. Gyana Chakma

2. Sunesh Chakma
3. Kaladhan Chakma
4. Jagadish Chakma
5. Lorbo Chakma
6. Maratshaw Chakma
7. Ajit Chakma
8. Mangal Sadhan Chakma
9. Chiranta Master
10. Suman Chakma
11. Chandra Mohan Chakma

***Victims at Purba Para village:***

1. Jyoti Moy Chakma
2. Kala Maratya Chakma
3. Arun Bikash Chakma
4. Jagadish Chakma
5. Rupan Chakma
6. Bhubati Chakma
7. Sumati Ranjan Chakma
8. Dhana Gula Chakma
9. Nilamoy Chakma
10. Mangal Sen Chakma
11. Dhana Bikash Chakma
12. Gyana Ranjan Chakma
13. Sunil Kanti Chakma
14. Trishankar Chakma
15. Paran Sona Chakma
16. Monu Ranjan Chakma

17. Dulal Chakma
18. Amar Bikash Chakma
19. Rumel Chakma
20. Bangalya Chakma
21. Laxmi Kumar Chakma
22. Samar Kanti Chakma
23. Amar Kanti Chakma
24. Minal Chakma
25. Laxmindra Chakma
26. Indra Raj Chakma
27. Aiub Kanti Chakma

***Victims at Retkaba village***

1. Mon Mohan Chakma
2. Ranesh Chakma
3. Kinadhan Chakma
4. Ladu Muni Chakma
5. Goyeshur Chakma

**IV: Testimonies of the victims**

Between 22 and 24 May 2008, representatives of Asian Indigenous and Tribal Peoples Network (AITPN) were able to interview a number of victims. These testimonies provide clear picture as to how the attacks were organised and damages suffered by indigenous Jumma peoples. Some of the testimonies are given below.



***i. Testimony of Vimal Kanti Chakma***

Bimal Kanti Chakma (29), son of (s/o) late Anudas Chakma, village: Bamey Baibachara, Sajek.

Interviewed on: 22 May 2008, Thursday; from 4 to 5:30 pm; at Baghaichari Duar, Dighinala.

Many years ago, my father used to live in the village of Mattyachadara under Rupakari

Union of Baghaichari. His forefathers also lived there. As a result of communal attack and military repression in the seventies, our family was forced to leave the village. We drifted to Egojyachari and Malumkaba areas falling back on Jum cultivation. In 1986, the situation once again became tense and we had to move to an area in Sajek bordering Mizoram state of India. We lived there until 1993 when we finally settled in the village of Bamey Baibachara that came under attack on 20 April.

When the settlers were burning down houses in our village, I ran into jungle for safety. Since then I have been hiding. Many of our village and other villages have gone into hiding too. My house was not burnt. But there is fear of further attack. He (Sajid Imtiaz) is arresting those who dare to speak out. There is no alternative for us than to be careful.

About 10 to 12 days after the incident, I went back to my village. I stayed 3 days in the village and planted some turmeric in my land. But as military operation increased, I felt insecure and left the village again.

I had grown paddy sapling to plant in about one acre of land. But these are still lying unused.

Now the settlers have built houses near my house and settled down. Over the last one and a half years the settlers have built many houses after occupying our lands and they have established a small village near our village. They call their village Masjid Colony. Approximately 20 - 22 settler families live here. They came from Muslim Block and Korengatoli in Marishya (Baghaichari).

Three of those who were involved in torching houses on 20 April come from this village. They are Tofazzal (36), Mamun (28) and Harun (30). Mamun and Harun are brothers. They built houses near Liton Chakma's house in Bamey Baibachara village after forcibly occupying his land.

The settlers could not have attacked us and burnt down our houses without support of the army. There is an Ansar Battalion camp within one hundred yards of my house and the Baghaihat army camp within half a kilometer.

***ii. Testimony of Gobinda Chakma, age 56 years, son of late Rajmuni Chakma, village: MSF Para, Baghaihat***



Interviewed on: 24 May 2008, Saturday

*[He is a headman appointed by Forest Department on temporary basis. Originally, his family lived in Kobakhali under Dighinala Thana. In 1975, he moved to Baghaihat and resettled there under a Forest Department project. Due to unstable political situation the project was discontinued in 1986 and he had to leave the area when the army personnel burnt down all the Jumma houses including his house in the*

*stretch of 1400 acres area. Many crossed international border, but he stayed back inside the country and settled down in Melachara of Lakshimichari area in Sajek. He lived there until 2002, when the armed members of the Jana Samhati Samiti attempted to harm him after accusing him of providing support to the United People's Democratic Front. He came down to MSF Para, Baghaihat, his present address. His house is situated at a distance of about 100 to 150 yards from Baghaihat - Sajek road. The Baghaihat army camp (zone) is merely half kilometer south-west of his home.]*

*"There is no one in this wide world whose sorrow is greater than the one whose house has been burnt."*

It all began when the settlers came in our village and began erecting houses besides our houses since February (2008). At the beginning, they built a house in Shanti Jibon Chakma's homestead land (MSF Para). The name of the settler is Siraj, aged 35, from Nursery Colony in Baghaihat. After that, each day saw 7 to 12 new settler families coming and building houses in the village.

The Paharis (Jummas) submitted a written complaint to the Commanding Officer of Baghaihat army zone. He formed an 11-member Peace Committee despite the fact that the Jummas did not want it. The committee has never been active.

When we protested, the settlers said: "Is this your forefather's land? These are Forest Department's land, government land. If you can claim to these lands, so do we." If we wanted to protest too much, they threatened us with military repression. Then we had to keep silent. They have all the powers behind them - the army, the police and the civil administration.

The settlers picked vegetables and grazed cows in our lands. When we protested, they picked up quarrel with us. In the end, we tried to avoid confrontation and complained to the army in writing. But there was no justice.

Then came 20 April and they burnt down all our houses.

I was not at home when the settlers were torching our houses. However, my wife Gyanabala Chakma, my son Doyal Kanti Chakma (25) and my daughter Gurimila Chakma (22) were there.

Later, I knew from them that the settlers set fire at 10 p.m. At that time my family members were sleeping in the house, with all the doors and windows shut.

My son is a bit naive. When the house was in flames, he was telling his mother 'Ma ma, they set fire to the house; we can still douse it.'

After hearing the voice of my son, the settlers began shouting at him: 'shukorer bachcha (son of a pig), kuttor bachcha (son of a bitch), madarchot (mother fucker). You are still there! Kill them!'



As they were shouting like this, the three of them ran away through the back door of the house and passed the whole night in a Dona (meeting point of two hills).

What happened the next morning was simply intolerable. In the morning, my son and my daughter went to see the extent of damage to the house. When they reached there, some settlers, about 7 to 8 of them - and one of them was known - took my son to one side while kicking and my daughter to another side.

At first the settlers snatched away a dao from my son, Dayal Kanti, and then pressed it hard on his neck.

They took Gurimila towards the north of our house while beating and Dayal Kanti towards Bishwa Road. At this moment a group of army personnel came over there in a lorry. They saw this and told the settlers: 'Hey! What are you doing? What are you doing to them?' Then they ordered the settlers to keep them at the Buddhist temple. If the army did not come, I can't imagine what they would do to them! However, the settlers did not return the dao they took from Dayal Kanti.

Five or six days after the incident, the settlers came back and took away 32 pieces of CI sheets which I had kept together at one side (of my homestead) and the burnt utensils.

We had a litchi tree, quite big; it was burnt to ashes. We also had betel nut trees, coconut trees; All ruined. There were 101 incense-trees and 200 orange trees which were five years old. All of them burnt down. Up on the roof, there were planks of wood, firewood and other belongings. All burnt down.

Other belongings that burnt down include: 5 beds, one cupboard, one set of dining table, 3 pieces of reading tables, 4 pieces of chairs made of cane, 12 pieces of chairs made of wood, 8 pairs of Burgi (hand woven blanket), 4 pieces of quilts, 12 pieces of pillows, my grand children's school books (one in class six and three in primary school), land documents, birth registration certificate, voter ID, spray machine (price Taka 4,800) and five cartons of fertilizer tablets for my orange plantation.

Now I am a destitute, to the fullest sense of the term.

I attended a meeting of the Peace Committee on 23 May at Baghaihat bazaar. Out of deep anguish, I said: 'The house has been burnt down. Okay. The next morning why they would take away all the burnt things from my house? Why they would try to kidnap my daughter? Why they kicked my son? What a cruel people! How can we live together with these people?'

There is no one in this wide world whose sorrow is greater than the one whose house has been burnt.

**iii. Kamini Ranjan Chakma, age 55, s/o late Padma Mohan Chakma, village: Dane Baibachara.**



Interviewed on: 24 May 2008, Saturday

*[Originally he lived in Betchari village under Baro Merung Union No. 30 in Dighinala, Khagrachari district. In 1979, the settlers attacked their village, burnt down their houses and forcibly occupied their lands. All 32 families of the village fled their homes. His family drifted to Retkaba village in Baghaichari and became a Jumia Praja (Jum cultivator) of Forest Department. In 1986, the army again burnt down their houses and his family was compelled to cross international border and seek refuge in Tripura state of India. They came back in 1997 and settled down in Dane Baibachara.]*

***"Now we don't have peace."***

The settlers built 3 houses in my land, near where I live. My land measures 5 acres. They built the houses 2 to 3 months ago. I don't know their names. They themselves set fire to their own houses.

When we protested when they were building those houses, they threatened us saying: "Who are you to prevent us? These lands belong to the government, and the government gave it to us. We will not listen to what you say."

We said these lands belong to us. But if we protested too much, they would shout in chorus, become agitated and threaten us with army repression. Then we had to keep silent fearing that they might get the army to harass us.

We gave a written complaint to the army, which refused to take any action. They kept mum. The army formed a useless Peace Committee. Thereafter, the relation between us became rancorous.

On the day of incident, when we heard the settlers approaching towards our village and shouting "Choddanir po" (bastard), "Happo" (Chittagonian slang used against Jummas), we realized the situation was bad and ran away.

They came and set fire to our houses. Now I have taken refuge in the temple. I built a shack in the temple area and staying there for the time being.

Now we don't have peace.

The settlers have not yet come back to rebuild their houses.

All have been burnt to ashes now. I spent Taka one and a half lakhs (150,000) on the construction of my house alone. Add to this, the furniture, TV, CD player, Stereo, six pieces of ceiling fan, unhusked rice 1500 kg, gold six ana and cash Taka 32 thousand

(proceeds from sale of turmeric). In the rest of my life I will never be able to make these properties again. I have grown old.

After the burning down of houses, the army has kept us under constant watch. If we remain out of their sight for a while, then they call us.

Last Thursday (15 May) the CO called a meeting at Union Council office in the bazaar (Baghahat). I did not attend the meeting, but I heard everything. Those who attended the meeting told me later that the CO was furious. He told: "Inshallah! (God willing) I have 30 terrorists on the list. I will arrest all these 30 terrorists without fail. I will go out for an operation."

Immediately after the meeting, a group of army personnel came and stayed in our village for five days and nights on end. There the army picked up Kalachela's family and took them to where they were staying. They have not returned yet. Kalachela's real name is Rabindranath Chakma (55). His wife's name is Alomoti Chakma. They have two minor sons aged 12 and 10.

We don't know where they have been kept. We suspect they are being used a spy against us.

If we deal on the details we get into troubles. As we answer your questions ... this will lead to a situation where we will not be able to live in the area. For instance, my son went to Dhaka for a press conference. After that when he came back he had to go into hiding. (His son's name is Shanti Bikash Chakma)

***iv. Ratan Bikash Chakma (24 years) s/o Kamini Ranjan Chakma, village Daney Baibachara.***



Interviewed on: 24 May 2008, Saturday

The settlers also burnt down my house. I built the house one and a half months ago as my wife and I decided to live separately from my parents.

I got injury in my head as I was running away. I was hit by a brick bat thrown by the settlers. Now I am staying with my relatives. All my belongings have been burnt to ashes.



***ii. Mrs. Phulo Rani Chakma, age 60 years, w/o Suresh Kanti Chakma alias Boli Chakma, village Bamey Baibachara.***

*[Before marriage she lived in Kamukkyachara, Dighinala. In 1981, she settled in Baghahat with her husband. In 1986, they left their village and took refuge in North Tripura, India. They lived there for seven years. Formally, they were not refugees. There her husband*

*worked as a carpenter and she earned a few bucks working as midwife. Their youngest son aged 18 was born on Indian soil. When they ultimately came back home in 1994 they found that the settlers had already occupied their lands. The illegal occupiers are Amin Driver (55) and Nazem Ali from Baghailhat bazaar. After lots of quarrel, the settlers released some parts of the land and they began their lives anew. At the time of fleeing to India, they had 8 acres of land, of which 2 acres belong to first class category (plough land). Of the rest, 4 acres are third class and 2 acres second class. Most of the lands are still being occupied by three settlers - Amin Driver, Kamal Hossain and Rafique Labour.]*

***"Now no one is living in the village; all are hiding."***

In the first week of April this year, a settler named Liakot from Marishya area built a one-room shack made of four wooden poles, bamboos and thatch in our paddy land. When I protested, the settler women assaulted me physically and snatched away my dao from my hand. They pulled my hairs and pressed my neck and mouth. Rafique's wife led the settler women.

Somehow, I ran away from there and went straight up to the army zone. I narrated the incident to the army. Hearing this, Major Harun said: "Go and dismantle the house. This is your land; how can he build a house coming from Marishya?"

I said "I can't do it. You give the order in writing." Harun requested me to give away a piece of land to the settler. But I said "No. If they live there, they will create lots of trouble."

Anyway, the army gave me the written order. The next day, Mr. Harun and Golam Mowla came and destroyed Liakot's house. But they built another house for him a few yards away from there. This new house was also built in my land.

Then, the 20 April incident took place. The settlers spared our house. But we all ran away. As we were running away, I had a fit in the jungle. My daughter-in-law (Dhana Chakma's wife) Madhurikca Chakma (24) was 7-months pregnant. She slipped and fell with her face on the ground. After that she got severe colic pain. She was unable to ride buses or jeeps. So my son had to walk her 20 miles through jungle paths to Dighinala hospital and it took 2 days for them to reach there. She bled all the way to hospital. As I am a midwife, I was able to take out the dead baby. My other daughter-in-law was also pregnant. I hope she does not miscarry.

Now we live in a deserted house on a hill.

All this bad things keeps on happening when my husband is suffering from illness. I don't know what to do. I am at a loss.

Now the CO is searching for six innocent Jummas in Bamey Baibachara. Three of them are my sons. All of them have gone into hiding. Last Friday (23 May) police

came to our house from Marishya and searched for them.

We can't go to our paddy field. They will attack us if we go and work there. Now I just go to the orchard and do the weeding.

I cut and stored six wooden logs for the construction of the kitchen. But Liakot took them away. He also took away banana, jackfruit, mango and other fruits and firewood from our orchards.

Now we don't live in the house. We fear that the settlers may launch another attack. They stalk our house at night.

On 22 May, I went to work in the orchard. Liakot and two other settlers chased me brandishing a dao. I somehow ran away.

We planted paddy on 2 acres of land. Now the paddy has ripened. But when we ourselves go to harvest the paddy, the settlers chase us. Now we are cutting the paddy with hired hands. The settlers even try to prevent them.

I won't go to the paddy field any more. I slid down a hill after being chased. I am scared out of my wit.

About 28 April arson, it is a conspiracy; the settlers burnt down their own house (one-room sack). It was 8 p.m. then. Before the incident, the settlers held a meeting at their mosque (at Baghaihat bazaar) and evacuated other Bengali families from near the house which was to be burnt.

When the house was on fire, they announced through the mosque's mike that a fire had broken out in the bazaar and urged people to rush and help douse it. Hearing this, when 8 to 10 Jumma youths were running towards the Bazaar to help, the army personnel and settlers were lying in wait for these beguile Jummas. As soon as they saw them, the army and settlers shouted: "Dhara, dhara" (catch them) and caught three of them. The rest were able to flee. This is how we the over-credulous Jummas get into trouble.

***vi. Sadhan Kumar Chakma, age 31 years, s/o Dharma Ranjan Chakma, village: Bamey Baibachara and***



Interviewed on: 24 May 2008, Saturday

On 20 April, when the settlers announced through loud speakers that a fire had broken out in the bazaar and requested for help, we, 8 to 10 of us, were rushing towards the bazaar. But when we reached near the house of Ananda Chakma, the settlers along with the army began shouting: "Dhara, dhara" (catch 'em, chatch 'em).

When we heard this, we realized who they were and I (Sadhan Chakma) ran into

the pineapple garden at the back of Ananda Chakma's house. I saw 8 to 10 Bengalis and one army. They flashed their torch and saw me. Then I jumped on a hilly slope. The army and settlers tried to encircle and catch me. At that moment I heard an army man talking into his wireless set: "Sir, shall I shoot them?" The answer came from other side: "If they have firearms, then shoot them at once." I could clearly hear all this. Finding no other way out, I hid myself inside a big "jak" (heap of dead sprigs and rotten woods). They kept shouting: "Dekhir, dekhir," (We can see you) and "Bahir haw" (come out). Later, they employed a trick. They said: "Whatever you are, terrorists or common people, if you give in yourselves, nothing will happen to you. I did not believe them. But Ratan came out and got arrested. Earlier, Sunil (artist) was caught. He was beaten as soon as he was caught. He was yelling in pain. Then the army said: "don't kill him. The bastard will divulge everything once we put him in chain."

Four army personnel were searching for me. I saw all this. One of them said "looks like he has gone." Another said: "I think not."

For a long time there was quiet. Then I heard a group of Jumma villagers approaching. I scrawled out of the "jak" and went nearer them. I warned them: "Oh Bheilok, (Oh brothers) don't come, don't come, army, army!"

The villagers went up to the army. When they kept talking to some of the army men, another group of army men took Nobel away from there. Taking advantage of this situation, I ran away.

I got injuries all over my body. I had to take drugs which cost me about Taka 600. Now I don't sleep in the house. Time has become very, very difficult to live here.

## V. Displacement



*Fleeing indigenous IDPs*

After the incident, many Jummas took refuge in the jungle. Many also took shelter at Banani Biswa Moitree Buddha Vihara and in the house of their relatives in other villages of Sajek and Dighinala. At present 10 - 15 families are taking shelter at Banani Biswa Moitree Buddha Vihara. Three victim families stayed with Swapanika Chakma, a Union Parishad (UP) member, for a month. Later, they moved to other villages.

So far, only a few of the victims could reconstruct their houses. Others could not, because they belong to the poorest section of the CHT.

Some of those who attempted to build their houses faced further assault. On the morning of 21 April, after the burning down of the villages, Ms Gurimila Chakma (22), daughter of Gobinda Chakma of village MSF Para came back to their village

along with her 12-year old brother to take stock of the extent of the damage. At that time, one Shaha Alam (38) from Mariam Nagar village (settled in 1999 originally from Rangunia) caught her and tried to rape by dragging her behind the bushes. When she resisted, the settler punched her in the face. He also pointed his dao (machete) at the neck of her brother and threatened him with death. Later, Gurimila and her brother were able to extricate themselves from him and ran away. After that, Jumma elders - Sneha Chakma (36), Kalachogha (50), Jotshna Rani Chakma, a UP member and Swapanika Chakma, UP member of Ward No. - 4 went up to Sajid Md. Imtiaz, Commanding Officer of Baghaichari zone to complain about the incident and seek justice. The victim was also presented before him. But nothing came out.

A few of the settlers started building houses. Shaha Alam, who attempted to rape Gurimila Chakma, has built a dam to create an artificial lake on the land of Pathor Muni Karbari (45) in the village of Purbopara. Alam did this while Pathor Muni Karbari was away to Gongamara Chuk area for Jum cultivation. When he came back to the village, he was surprised to see the dam on his land. He lodged a written complaint with the Baghaihat zone commander, but to no avail. Shaha Alam told him: "it is our Bengali people's land. So, you must not go there. Otherwise, we will chop you off"

## **VI. The carrot: Attempts at damage limitations by the administration**

As the news about the arson and displacement spread, the government swung into action. Immediately following the arson, on 21 April 2008, Chief Adviser's Special Assistant in charge of CHT affairs, Mr Devashish Roy announced that "The caretaker government has decided to take urgent steps to render the commission (CHTs Land Commission) effective and functional before it transfers power to an elected government".<sup>5</sup>

The government immediately swung into action for damage limitations. On 22 April 2008, Rangamati District Council distributed Taka one Lakh among 78 Jumma victims and 89 settler families. Each of the victimised families received 500 Taka. On the same day, Deputy Commissioner of Rangamati gave Taka 5000 to Rev. Purnabas Bhante (Buddhist monk) at Moitreepur Bana Vihara at Baghaihat as compensation.

On 22 April 2008, Baghaihat zone commander gave Taka 500 to each of the Jumma victims. Maximum amount of his relief money went to the settlers.

The Baghaihat traders collected relief of 1,000 Kg of rice and then distributed it among the victims on 24 April 2008. Each of the Jumma victims received 8 kgs of rice.

On 29 April 2008, the Army Chief General Moeen U Ahmed, the de facto head of the

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5. CHT Land Commission to be active before CG term ends: aide, bdnews24.com Senior Correspondent, 22 April 2008

Caretaker government, visited Gangaram Muk village. In an attempt to create further communal disharmony, General Moeen U Ahmed blamed "a section of the population there" who is "always involved in terrorist activities in an effort to sabotage the area's development".<sup>6</sup> He distributed relief materials such as rice, potato, dal and Tk 500 to each of the victim families.<sup>7</sup> Only 58 Jumma victims out of 79 Jumma families received the relief money and goods.

Rangamati district administration allocated a total of 8 metric tonnes (8,000 kgs) of rice for the victims. This was to be distributed in three phases. The first and the second phase took place in the first week of May and on 21 May 2008 respectively and 3 metric tonnes were distributed during each phase. A total of 103 settler families and 78 Jumma families received 15 kg each. The third phase was yet to begin.

Yet what is disconcerting is the fact that no assessment of damages to the affected families was done before providing compensation. The houses of Bengali settlers were merely built on shack while indigenous Jumma peoples had well-built houses including CIT sheets, furniture, utensils, cloths, rice etc. Some even had TV sets.<sup>8</sup>

Yet, both illegal plain settlers and indigenous peoples were given the same amount of compensation.

## **VII. The stick: Continued settlement amidst arrest and restricted access**

*"If anything happens to the Bengalis in the future, I will kill all of you in brushfire. You have no need to live in this country."* - thus spoke Lt. Col. Sajid Md. Imtiaz, commander of Baghaihat army zone, on 23 April 2008.<sup>9</sup>

The indigenous Jumma villagers continued to hide in the forests due to fear of further attacks from the settlers or arrest by the Bangladesh security forces. Taking advantage of this situation, the Bangladesh security forces have been helping the illegal settlers to build houses on the Jummas' land.

On 23 April 2008, the commander of Baghaihat army zone, Lt. Col. Sajid Md. Imtiaz reportedly took a group of Bengali settlers at Bana Vihar area lying between Dane Baibachara and Retkaba village and ordered them to construct houses on burnt land of the Jummas. On 24 April, Mr Imtiaz held a meeting at his headquarters at Baghaihat in which representatives from both the indigenous peoples and the illegal settlers were invited. At

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6. Baghaihat arson pre-planned, orchestrated - Says army chief, The Daily Star, 30 April 2008

7. Baghaihat arson pre-planned, orchestrated - Says army chief, The Daily Star, 30 April 2008

8. Kapaeng Watch, CHT-Bangladesh: Bengali settlers gain profits by receiving Tk. 10,000 compensation, 8 May 2008

9. Sajeck settler attack: victims holds press conference in Dhaka, chtnews.com, News No. 70/2008, April 27, 2008



the meeting Mr Imtiaz warned the Jummas that "if anything happens to the Bengalis in the future, I will kill all of you in brushfire. You have no need to live in this country".<sup>10</sup>

A 13-member civil society representatives led by Ms Moshrefa Mishu, convenor of Biplobi Okyo Front, and Mr. Manos Chowdhury, teacher of Anthropology Department, Jahangirnagar University, visited Sajek on 27 April 2008. The other members of the civil society team were Manos Chowdhury, Udisha Islam (journalist); Ricoh Chakma, president, Hill Students Council; Monjurul Ahsan, coordinator, Sangskritir Naya Setu; Md. Arifuzzaman, member, Sangskritir Naya Setu; Nurur Rahman, convenor, Biplobi Chattra Jubo Andolon; Saifuddin Sohel, organiser, Biplobi Chattra Jubo Andolon, Chittagong Unit; Sohan, Garments Workers Unity Forum; Nepali Chakma, Hill Women's Federation; Rina Dewan, organising secretary, HWF; and Shahadat Hossain, Jatiyo Biplobi.<sup>11</sup>

The civil society team was not given access to the affected villages. The team members were stopped at Dighinala by the army personnel who wrote down their names and identities, checked and listed each and every bag they were carrying and then put them in three army vehicles to be taken to the affected areas. The entire visit was allowed only for 20 minutes. The civil society team members were not allowed to speak to indigenous victims though they witnessed burnt houses on both sides of the road from Baghaihat bazaar onward. The entire area looked like a cremation ground.<sup>12</sup>

The team further stated that the attack on the indigenous peoples was "pre-planned" and the main motive of the attack was to drive away the indigenous peoples from the area to make way for new Bangalee settlements.<sup>13</sup>

In the meanwhile, Bangladesh army personnel intensified the arrest of innocent indigenous villagers. As stated earlier, on 29 April 2008, the Army Chief General Moeen U Ahmed in an attempt to create further communal disharmony blamed "a section of the population there" who is "always involved in terrorist activities in an effort to sabotage the area's development".<sup>14</sup>

On 28 April 2008, the army personnel arrested four innocent Jummas identified as Mr Sushil Chakma (26), son of Asomi Chandra Chakma; Mr Ratna Bikash Chakma (22), son of Gunodhar Chakma; Mr Sangram Chakma (22), son of Ashok Kumar

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10. Sajek settler attack: victims holds press conference in Dhaka, chtnews.com, News No. 70/2008, April 27, 2008

11. Sajek investigative team demands judicial probe, chtnews.com, News No. 74/2008, May 2, 2008

12. Sajek investigative team demands judicial probe, chtnews.com, News No. 74/2008, May 2, 2008

13. Baghaichhari arson pre-planned, The Daily Star, 6 May 2008

14. Baghaihat arson pre-planned, orchestrated - Says army chief, The Daily Star, 30 April 2008

Chakma and Mr Rabindra Chakma (23), son of Shashi Mohan Chakma from Simanachara village. They were charged with setting fire to the house of one Nasir, an illegal settler. Nasir had allegedly set fire to his own house at Bamey Baibachara at around 10 pm on 28 April 2008 and these four Jumma villagers had gone at the spot to see whether another attack was taking place when army personnel arrested them. The burnt house of Nasir was built with barely four small wooden poles, thatch and bamboo splits and it would not cost more than Taka 400 (or US \$ 6). But he would receive a few thousand Taka as compensation from the government.<sup>15</sup> The arrested Jummas were sent to Rangamati jail. On 29 May 2008, Rangamati district judge court granted bail (case No. GR 121, 2008) to them.

On 13 May 2008, Commanding Officer declared that he would arrest the "terrorists" in the area. Those who spoke against Bengali settlement and army atrocities and those who took part in the press conference in Dhaka to highlight the atrocities are being hounded by the army at present.

Most of the male members of the Jumma families went into hiding for fear of arrest and harassment.

Mr Binoy Chakma (30) of village Dane Baibachara. He took part in the press conference held on 27 April at Reporters Unity, Dhaka. He read out a written statement accusing Sajid Imtiaz and Golam Mawla for the 20 April attack. He has two small children: one boy (5), one girl (7). Army personnel raided his house on two successive nights on 12 and 13 May 2008.

Mr Ananda Chakma (30) of village Bamey Baibachara. He was one of those who complained about military atrocities and Bengali settlement when Debasish Roy visited Sajek in February 2008. The army raided his house three times on 30 April, 1 and 2 May 2008. On 3 May 2008, settlers came to his house along with the army and looted away everything movable down to a broom.

Those who attended the press conference in Dhaka, Mr Nilomoy Chakma (30) of village Gangaram Mukh, Mr Sadhan Kumar Chakma (34) of village Bamey Baibachara, Mr Shanti Muni Chakma (27) of village Bamey Baibachara, Mr Gyanendu Chakma (55) of village Retkaba, Mr Rupom Chakma (24) of village Purbo Para, Mr Nibesh Shanti Chakma (24) of village Depu Para and Mr Bilash Karbari (45) of village Gongaram Mukh have also been hiding from the Bangladesh army personnel.

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15. Sajek news update: army arrests 4 Jummas on charge of setting fire to settler house, Chtnews.com, News No. 72/2008, May 1, 2008

### 3. The patterns of land grabbing

There is a systematic pattern in the attacks against the indigenous Jumma peoples in the CHTs of Bangladesh, in particular in the CHTs. A survey conducted by the Jatiya Adivasi Parishad which was released in Dhaka on 10 May 2008 stated that around 1,983 indigenous families in 10 districts of Bangladesh have so far lost 1,748 acres of their ancestral land in 2008. Of the 1,983 indigenous families, 521 families lost their land to the non-indigenous persons who usurped the lands by forging documents whereas the forest department acquired over 1185 acres of land belonging to 466 indigenous families in the name of social forestry.<sup>16</sup>

Since the imposition of the State of Emergency on 11 January 2007, the Bangladesh army has renewed its efforts to settle illegal plain settlers on the lands of the indigenous people in the CHTs. In March 2007, two hundred families of Bengali settlers were settled down on the lands of the indigenous people at Dantkupya mouza under Khagrachari sadar upazila (sub district). A new army camp was also set up there to provide security to the settlers.<sup>17</sup>

During March 2007-November 2007, a total of 399.22 acres of land belonging to 133 Jumma individuals and a primary school in 14 villages under four Unions of Mahalchari police station and Khagrachari Sadar police station under Kagrachari district have been illegally and forcibly grabbed by the illegal plain settlers with direct help from the army.<sup>18</sup>

At a press conference in Dhaka on 19 January 2008, representatives of the Committee for Protection of Land in Bandarban called upon the government to cancel the ongoing process of acquiring 9,560 acres of land for the purpose of expansion of Ruma Garrison. The government is presently at the final stage of acquiring 9,560 acres of land for the purpose of expansion of Ruma Garrison in three Mouzas of Galenga, Pantola and Sengum under Ruma Upazilla in Bandarban. Out of the total land to be acquired, 1,569.06 acres belong to the indigenous peoples and 4,000 acres belong to the Forest Department. The project will lead to displacement of 4,315 indigenous persons from 644 families. Way back in 1988, a joint study team of Bandarban District Administration and the Bangladesh Military stated that the project would be disastrous for the local indigenous peoples.<sup>19</sup>

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16. Indigenous families lose 1748 acres of land, The Daily Star, 11 May 2008

17. Update Report on Indigenous Jumma villages burnt down by Bengali settlers in Sajek in CHT, Kapaeeng Watch, 23 April 2008

18. This was revealed by Dhaka-based human rights group, the Hill Watch Human Rights Forum after conducting a fact-finding investigation in November 2007

19. Press conference held against land acquisition in Bandarban, CHTnews.com, News No. 01/2008, 19 January 2008

The following cases of land grabbing show that since the declaration of the state of emergency in Bangladesh in January 2007, the implantation of illegal plain settlers have intensified in the CHTs.

***Case 1. Attempt to capture Sadhana Tilla Vana Vihar***

In the CHTs, the illegal settlers and the army attack the indigenous peoples primarily to capture their land and re-settlement the illegal settlers from plain districts. In August 2007, illegal settlers and the Bangladesh army personnel tried to take over the lands of the Sadhana Tila Buddhist temple at Babuchara under Dighinala upazila in Khagrachari district. An impending riot between the Jummas and the illegal settler was narrowly prevented after the Army Chief General Moeen U Ahmed visited Dighinala on 28 August 2007. The motivation for taking land of the Sadhana Tila Buddhist temple and its surrounding areas is simple: further illegal settlement. The army has been directly involved in the forcible acquisition of the lands belonging to the indigenous peoples. Delhi-based Asian Centre for Human Rights (ACHR) says it is in possession of a letter dated 19 November 2007 issued by Md. Sulut Zaman, Deputy Secretary of the Ministry of Chittagong Hill Tracts Affairs (MoCHTA). It orders the Deputy Commissioner of Khagrachari district to illegally settle 812 families into the lands of the indigenous Jummas at Babuchara area, Baghaichari mouza under Dighinala upazila (sub- district) in Khagrachari district.

Again on 7 February 2008, Dui Tila army camp commander Subedar Mohammad Malek reportedly called a meeting with five Jumma elders and three Bengali settlers at his camp. In the meeting, Subedar Malek told the Jumma elders that they must allow settlement of about 50 illegal Bengali settler families at Tin Tila area under Baghaichari Upazilla of Rangamati district, and warned the Jummas with dire consequences if they did not allow settlement of the illegal settlers.

***Case 2: Noadam, Hazachara Mouza No. 56, Merung UP, Dighinala Thana***

Since April 2008, illegal plain settlers have grabbed 87.5 acres of lands belonging to 31 indigenous Jumma peoples at Noadam area under Hazachara Mouza No. 56 in Merung Union No. 1 in Dighinala Thana of Khagrachari district. They have built 207 houses after destroying orchards of 23 Jumma families. The Jummas had grown mixed fruit trees including mango, jackfruit, litchi, betel nut, chess nut, banana, pineapple etc. The settlers cut all these trees and then burnt them to ashes in order to destroy all evidences of Jummas' possession before the land grabbing.

The settlers destroyed the houses of Purna Kamal Chakma (42), son of (s/o) Mano Ranjan Chakma, Singha Chakma (56) and Manotosh Chakma (48), s/o Sonadhan Chakma. The settlers took away 100 wooden beams, 16 pieces of CI sheets, thatch and bamboo wall sheets after destroying Manotosh Chakma's house and then built

their houses with these stolen items.

The settlers forcibly occupied the house of Ranjit Chakma (53), s/o Surjo Sen Chakma and Subash Basu Talukder (55), s/o Anil Ranjan Talukder after driving them out.

The illegal settlers began grabbing Jumma's land in Noadam with direct support from the army since 8 April 2008. On 9 April, the Jumma villagers complained to Bangladesh Rifle's Warrant Officer, Razzak, who is in charge of the camp at Prashikkon Tila, about land grabbing. He said: "This is order from high-ups; there is nothing I can do." The civil administration is also biased in favour of the settlers.

A petition signed by 113 victims was submitted to the Deputy Commissioner of Rangamati, with copies forwarded to District Council, Regional Council, Army Chief, CHT Affairs Ministry and the government of Bangladesh, but no action has been taken so far.

On 9 April 2008, the victims complained to Upazila Nirbahi Officer (Sub-District Executive Officer) of Baghaichari, Mr. Shibir Bichitra Barua. He assured that he would take actions. Yet, the following day, i.e. 10 April, saw hordes of settler men and women coming to Noadam to clear jungle. The Jummas protested to the settler's group leader Harun, who is also the nephew of Selim Bahari, one of the masterminds behind the 20th April Sajeek attack and a leader of the so-called Sama Adhikar Andolan's Baghaichari unit. He said: "Nothing will happen if you complain to me. We are taking the land because the government is making land allotment to us. Not only in Noadam, 800 families will also be settled in Dui Tila".

On 25 April 2008, Warrant Officer Razzak gave an open order to the settlers at the passenger station of Marrishya to grab Chakma's lands in Noadam. He told them that: "Make no mistake. If the Chakmas dare to prevent you, you must attack and reduce them to a few dead bodies. You must grab Chakma's land in this way. We are behind you."

On 25 April 2008, the second-in-command of Bangladesh Rifles (BDR) called a meeting of both Jummas and settlers at the office of Upazila Nirbahi Officer, Baghaichari. At the meeting, he formed a so-called Land Distribution Committee without taking opinion of the Jumma participants.

A total of 133 Jumma families live in Noadam. There is no cultivable plough land here. The inhabitants mainly rely on Jum cultivation and fruit gardening for their livelihood. Most of them are poor.

The settlers are from Gulchakhali, Maddyopara, Rejang Master Para, Imam Para, Hazachara, Bot-toli Puron Bosti, Lallyaghona, Chowmuhoni, Mostafa Colony, Bailey Bridge Para and Madrasha Para in Baghaichari Upazilla.

Some of the settlers who have been identified are Abul, Yusuf, Jamal Member

(Municipality Ward Commissioner), Group leader Mohammad Ali and Harun Leader, Md. Aziz, s/o Md. Sultan of Muslim Block Imam Para, Md. Abu, s/o Jalal Uddhin of village A Block, Puron Bosti, Baghaichari Duor Para.

***Case 3: Land grabbing in Kobakhali Mouza No. 53, Kobakhali UP, Dighinala***

Since the declaration of the state of emergency about 300 acres of land have been illegally occupied by the settlers at Kobakhali Mouza No. 53, Dighinala. Of these lands, 4.6 acres belong to Tarun Tapan Dewan and 1.28 acres to Nilamomy Dewan in Raishya Muni Para. Till February 25, 2008, the settlers built 12 houses in their lands. More houses were under construction.

The settlers also illegally occupied lands belonging to Punnyo Charan Chakma's two sons Phora Chakma and Gogol Kanti Chakma, Probin Chakma (40), s/o Moti Kumar Chakma, Ananda Moy Chakma (30), s/o Chitro Chakma, Mongol Kumar Chakma (35), s/o Sundor Kumar Chakma and Doya Moy Chakma.

***Case 4: Baro Merung Mouza No. 30, Merung UP, Dighinala***

At least 24.5 acres of land have been grabbed in Baro Merung Mouza between first week of November 2007 and February 2008. The settlers were also attempting to grab more lands from Ananda Chakma, Teizya Chakma, Kamal Bikash Chakma, Binoy Chakma s/o Krishna Pratap Chakma, Sumoti Ranjan Chakma, /so Surjo Mohan Chakma, Nihar Bindu Chakma, s/o unknown, Joto Joti Chakma s/o Karunamoy Chakma, Kobj Chandra Chakma, s/o Krishna Pratap Chakma, Shukra Charjo Chakma, Punnyo Mohan Chakma (62), s/o late Gulokana Chakma (2 acres), Mano Ranjan Chakma (35), s/o late Ashwini Kumar Chakma (3 acres), Ramani Kumar Chakma (70), s/o late Balaram Chakma (4 acres), Krishna Ranjan Chakma (37), s/o Chitra Kumar Chakma (2 acres).

***Case 5: Choto Merung Mouza No. 29, Merung UP, Dighinala***

Land grabbing have been taking place in Bajey Chara area under Choto Merung Mouza since January 2008. Settlers led by Abul Hossain (60) from Moddyo Betchari have grabbed 15 acres from five Jummas. On 16 February 2008, Shushil Jibon Chakma, Headman of Choto Merung Mouza, submitted a memorandum to Raja Debashish Roy, Special Aide to the Chief Adviser in charge of Chittagong Hill Tracts Ministry. But that could not prevent settlers from forcibly occupying Jumma people's land.

***Case 6: Reng Karjya Mouza No. 28, Merung UP, Dighinala***

The settlers have occupied 41 acres of land (8 acres first class arable land and 33 acres third class hilly land) in three villages of Chongrachari area such as Joyonto Kumar Para, Indra Kumar Para and Kanchan Banchi Para. The settlers have already built houses and settled down.

*Annex I: Press Statement of the Civil Society Team*

***Embargoed until 11am, 5 May 2008***

PRESS STATEMENT  
**SAJEK'S BURNT VILLAGES:**

**CITIZEN'S TEAM CALLS FOR INQUIRY AND URGENT RELIEF**

A group of citizens conducted an on-site inquiry on 28th and 29th April 2008 in Sajek Union, Rangamati District, following press reports of about 150 houses being burnt down across seven villages in the area. On arrival in the area, we saw that in eight villages within the reserved forest area in Sajek Union -- Nursery Para, Daney Bhaibachora, Bamey Bhaibachora, Purbopara, Balughatpara, Retkaba, MSF Para and Gongaram Mukh - the mostly Pahari houses which had been burnt down to the ground remained just as they were. The charred remains of burnt houses could be seen across a four kilometer long area. Many people are still in hiding. Others told us that several persons were injured during this incident. People do not have proper shelter, and some remain under open skies.

During the on-site inquiry, we spoke to victims and witnesses among both Paharis and Bangalis, other local persons, and to Army personnel, to clarify what had happened. Today we will attempt to outline for you the situation we witnessed, the main causes behind it, and the required action which we believe is necessary at this point. Those of us who visited the area at our own cost did so because we believed that the full facts of what had occurred in Baghaichori, a remote hilly area, had not been fully covered in the national media.

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To date, no official record appears to have been made of exactly how many houses were burnt down, or how many people affected. According to news reports, about 150 to 200 families have been affected, of whom most are Chakmas. Speaking to victims and eyewitnesses of the incident, we came to learn that on 20th April from about 9pm till early morning houses in the area, mostly belonging to Paharis, and some to Bangali Settlers, with most of their contents including cooking utensils, books, clothes, were burnt to ashes.

Several Chakma inhabitants of the area described how they stood aside in fear, as their houses were burnt to the ground.

? A Chakma inhabitant of Balurghat Para village, aged 45/50, stated 'Our rice, clothes, pots-pans-plates have all been burnt. School books, birth registration certificates, SSC certificates, they're all totally burnt.'

- ? Several eyewitnesses and victims mentioned that valuables were looted by those who burnt down the houses. A Chakma inhabitant of Daney Bhaibachora village, aged 35/40, ran out of his home on hearing screaming at about 9.45pm on 20th April, to see a house was burning and people shouting to be saved from the flames. His whole house had been burnt to ashes. Only the charred remains of the wooden pillars could be seen. He stated, 'The people who were setting things alight, they first took out from our homes, the TVs, beds, wardrobes, whatever they found, they looted, and at the end they torched the houses. Those who set the houses alight. They took everything. 'Another Chakma woman stated, 'I've heard that a TV was found in the Bangali Para. The Army has said that they will return the TV'.
- ? An elderly Chakma, aged about 80 'I've never faced such misery (oshanti) before.' In this home, there are two school going students in this family, one studying for the SSC and another in class seven, whose books have all been burnt and who cannot attend classes.
- ? Another person said that the attackers had come in three vehicles.
- ? The families of three young men who had been arrested on the night of 27th April from Bamey Bhaibachora, claimed that they had been wrongfully taken into custody instead of apprehending those actually responsible. The three men detained at about 9pm were Ratan, aged about 18, a student of Class IX of Baghaichori High School, and about to sit for his SSC, son of Gunodhor Chakma and Sakuntala Chakma, of Bamebaispara Village, Sunil, 22, son of Subisona Chakma and Lokkhidhor Chakma, who is a signboard artist, and Nobel, about 22 years, son of Nishimoni Chakma, who is a teacher at the NGO Poddokhep, from Bamabaispara Bamebaishepara at about 9 to 10pm. Their parents asserted that they had all run to see what was happening, when they saw a house burning from a distance on Monday 28th night.

Bangalis are also alleged to have put up huts after having broken down the place of worship in Gongaram Mukh. Local residents said that even after making a complaint to the local Army Camp, there has been no action. After the fire, about 30/35 families came to take shelter at the Baghaihat Moitripur Jogi Bono Bihara [Buddhist Temple].

- ? The priest of the Bihara said 'I am ashamed to say this. I am also a religious leader. This kind of incident has happened in my area.'

Some of the Bangalis affected also described the events of 20 April. These Bangalis are known as 'settlers' to the local Paharis.

- ? Md Rafiqul Islam came to Baghaichori about 10/11 years ago. He lives in the



Musulman Para. About two months ago, he put up a hut near the Pahari houses in Gongaram Mukh. On the night of the incident, he said he had heard the sounds 'Ujao, Ujao', and fled from his home in fear. He said: 'Hearing the cries of Ujao Ujao coming closer, I fled and took shelter in the army camp.' Another eyewitness, the General Secretary of Baghaichori Bazaar Shomiti stated that 'On the night of the incident, at about 9.45 I was in Major Hafiz's vehicle [as we came out of the Camp, where there was an event going on for the founding anniversary of the 2 B Regiment, on hearing a hullabaloo from outside]. We

- ? heard the sounds 'Ujao, Ujao' and saw about 100/150 masked people wearing black clothes setting houses alight. They were not local Paharis. They were outsiders.'

**Victims' Accounts of the Background to the Arson Attacks:** The vast Sajek Union is located at one end of Rangamati District, and mainly comprises of Reserved Forests. Any settlement in this area is considered to be illegal. But many Paharis have lived in this area for generations in accordance with their customary norms and without any official title deeds.

Both Paharis and Bangalis noted as a cause of the incident that there had been rising tension in the area for about two months. The main reason for this tension was that the Bangalis had been erecting houses near or adjacent to the Pahari's houses. The same sight could be seen all along the four kilometers of the main road between Baghaihat and Gongaram. Next to the Pahari house or across it is a house of a Bangali settler, in which no-one appears to stay or to sleep at night. After talking to the Settler there, we learned that these huts have been put up over the last two months or so. From the beginning the Paharis could not accept that Bangalis would establish settlements on their traditional lands. There had already been conflict and confrontation over this issue. First the Paharis had objected to the Bangalis erecting these buildings. Although the hut construction did not end in the face of these protests, the tensions certainly increased.

From a visit to the area, it became evident that the fire could not have spread from house to house given the sparse density of their location, rather each house must have been separately set alight. For example, we saw in Bhaibachora village that between two burnt down Pahari houses a Bangali settler, Abul Malek and his mother in law Anwara Begum were in residence. Even though the two Chakma houses burnt down on 20th the hut in the middle did not.

Except for in Gongram Mukh, we could see that the Pahari homes had been burnt to the ground, but next door or close by Bangali homes or huts remained standing. This pattern indicated that whoever had been responsible for the burnings had most likely planned the exercise, identified the Pahari and Bangali houses and then set them

alight. Almost everyone mentioned two names, Ali and Babul, as being the ones most involved with trying to displace the Paharis from the area through fear. A Chakma inhabitant of Gongaram Mukh said that Ali and some others had come to his shop on 19th April and threatened him that if he remained there till after dusk, then they would burn him and the shop down and kill his whole family. In fear, he sent his wife and children to another house that very evening. On the next night, 20th April, his house was burnt down. With tears in his eyes, this man said, pointing to his torn short sleeved shirt and lungi, 'I've been wearing these same clothes ever since the burnings'.

A Karbari from one village said 'If they see 2/3 of us talking to each other, they inform the Army Camp. Another Pahari inhabitant of Gongaram Mukh, unwilling to state his name, said 'We were told to put up our houses about 2/3 km away from the road. The Settlers' houses would be next to the road. Ali and his cronies said that they would slaughter us like sacrificial cows if we said anything about it.'

It is true that the fires began because of the ongoing tensions between Paharis and Bangalis, but in our view the reasons were deeper, that is the construction of Bangali settlements here and pushing the Paharis into an even more marginal and vulnerable existence. But it is also true that most of the Bangalis who live in that area are extremely poor, dependent on government rations. These marginal people, from different districts of the country, are surviving there on government patronization.

**Relief and Rehabilitation:** Relief has now been distributed in the area on three occasions, most recently on the occasion of the visit by the Army Chief on 29 April, when each affected person was given Taka 500 and some food (5 kg rice, 1 kg dal and 2 kg potatoes). On two earlier occasions, Taka 500 had been given from the army and civilian administration respectively. During the Army Chief's visit it was announced that each family would be given Taka 10,000 for reconstruction of their homes. Several of those we interviewed said that this amount would not be adequate. Some Paharis alleged that Bangali Settlers had been given more relief. We also saw a number of Chakmas come back empty handed from the event.

**Who is Responsible?** When traveling from Khagrachari to Baghaihat in Baghaichori located at the end of Rangamati upto Gongaram Mukh, any ordinary citizen would wonder 'Is this my country'? Because of the intensity of army checking. There is very tight screening there. The names of whoever enters or exits the area is written down. Each such person has to give their identity. The car numbers are noted. And on leaving the area, that number is again checked. We thought it was important to ask how such an arson attack could take place in the midst of such close monitoring.

We asked some of the Pahari victims, who do you think is responsible? They said without any hesitation that they saw Bangali settlers burning down the houses, and

the Army were with them. On the other hand, the Bangali victims said that local Paharis were not involved with the incident, but rather outsiders.

**Army's Statement:** We met with personnel at the Baghaihat Army Camp. When asked about whether the Army Camp had any involvement with the incidents, Commanding Officer Lt Col Imtiaz stated 'There is no question of any connection. We heard the sounds 'Ujao! Ujao!' and shouting and quickly went there. I sent forces. I also went there myself. I would definitely say that outsider Paharis carried out this terror, those who don't want to see Paharis and Bangalis living together in peace and harmony'. He further informed us that it appeared to him that prima facie the JSS or UPDF were responsible for this incident. In response to a query about whether any action had been taken re the activities of Ali and Babul, Lt Col Imtiaz further stated that 'The Karbari of Gongaram Mukh, Bilash Chakma had raised a complaint about threatening Mongol Kumar Chakma, and after that we held Ali for four days but then let him go. No-one else has brought any complaints to us.' He also said that he would take action if he found that our claim that Ali was using the CO's name to terrorize or exploit the local inhabitants is made out.

**Our Recommendations:** We want to place a few recommendations on the basis of our on-site inquiry, interviews with related persons and an analysis of the situation is as follows:

9. Establish an independent and impartial Judicial Inquiry Commission, required to publish its report within a fixed time period; prosecute and provide exemplary punishment to those found responsible for the attacks;
10. Provide adequate compensation and undertake prompt rehabilitation of persons affected during the arson attacks in Sajeik Union, including reconstruction of houses;
11. To release the three persons held in the Baghaichori Army Camp;
12. To cease all Bangali settlements in Sajeik Union and the three Hill Districts;
13. In accordance with the CHT Accord 1997
  - a) To activate the Land Commission, to review and settle all land disputes;
  - b) To withdraw army camps from the CHT; and
  - c) To enable full functioning of the civil administration, including through effective functioning of the CHT Regional Council.

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***The group of citizens which conducted an on-site inquiry at Sajek Union in Baghaichori Upazila in Rangamati District comprised of:***

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|---|---|
| 1. Syed Abul Maqsd, Writer,<br>Journalist                       | 7. Rubayet Ferdous, Associate<br>Professor, Dhaka University    |
| 2. Ziauddin Tareque Ali, Member,<br>Shonmilito Shamajik Andolon | 8. Sara Hossain, Advocate, Supreme<br>Court                     |
| 3. Pankaj Bhattacharya, Member,<br>Shomilito Shamajik Andolon   | 9. Abu Ahmed Faizul Kabir,<br>Investigator, Ain o Salish Kendra |
| 4. Shameema Binte Rahman,<br>Journalist                         | 10. KCing Marma, Student,<br>Chittagong University              |
| 5. Supriyo Chakma, Prothom Alo,<br>Rangamati                    | 11. Rajiv Mir, Assistant Professor,<br>Chittagong University    |
| 6. Jewel Dewan, Advocate, BLAST,<br>Rangamati                   | 12. Anirban Saha, Investigator, Ain o<br>Salish Kendra          |

The Asian Indigenous and Tribal Peoples Network (AITPN) is an alliance of indigenous and tribal peoples' organisations and individual activists across the Asian region. It seeks to promote and protect the rights of indigenous and tribal peoples in Asia:

- ◆ by providing accurate and timely information to national human rights institutions, the United Nations and its specialised mechanisms, as appropriate;
- ◆ by conducting research, campaigning and lobbying on country situations or individual cases;
- ◆ by increasing the capacity of indigenous peoples through relevant training programmes for indigenous peoples' rights activists and community leaders;
- ◆ by providing legal, political and practical advice to indigenous peoples organisations;
- ◆ by providing input into international standard-setting processes on the rights of indigenous peoples; and
- ◆ by securing the economic, social and cultural rights of indigenous peoples through rights-based approaches to development.

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### **Asian Indigenous & Tribal People's Network**

P.O. Box 9627, Janakpuri, New Delhi-110058, India

Tel/fax: +91-11-25503624

Email: [aitpn@aitpn.org](mailto:aitpn@aitpn.org)

Website: [www.aitpn.org](http://www.aitpn.org)