



The Daily Star



Inclusion of Indigenous Peoples in Sustainable Development and Realisation of Rights

The Daily Star, Association for Land Reform and Development and Bangladesh Indigenous Peoples Forum organised an online discussion titled "Inclusion of Indigenous Peoples in Sustainable Development and Realisation of Rights: Responsibility of State and Citizens" on August 7, 2021. Here we publish a summary of the discussion.



KHUSHI KABIR,
Coordinator, Nijera Kori

Indigenous people generally follow the custom of communal ownership of land. Therefore, their land was not registered during the British colonial period. But the ensuing Pakistani state did not respect the traditional land ownership rights of the indigenous people. The state itself participated in stealing the land of these people. For example, when the Kaptai Dam was built, a large group of indigenous people had lost their land without getting any form of rehabilitation support from the government. Unfortunately, this has been continuing even in independent Bangladesh. The Bangladesh Government signed the Chittagong Hill Tracts Peace Accord in 1997. There were high hopes that things would improve for the indigenous people in Bangladesh. But this accord has never been implemented properly. The indigenous communities living in Bangladesh's plainlands are also facing various forms of oppression. Their rights as indigenous people are also at stake. Today, we will discuss how the rights of the indigenous people can be realised and ways in which we can include them in our sustainable development programmes.



BARRISTER RAJA DEVASISH ROY,
Chakma Circle Chief

Nearly 50 years have passed since the ILO Convention 107 was ratified by Bangladesh. The Chittagong Hill Tracts Peace Accord was also signed in 1997, and it has been 24 years since the signing of the Accord, yet nothing has changed. Indigenous people are still suffering to this day, and it might even be that their suffering has gotten worse.

There is a lack of implementation of the Peace Accord, and simultaneously a lack of political representation for indigenous people. Almost all the local mayors and chairmen are Bengalis. Anyone trying to implement or demand rights for the indigenous people is baselessly accused of crimes.

Our constitution has provisions for freedom of speech and religion, but these are not implemented with the same legal power for the indigenous people. Disputes over land are normally settled by the court or the land commission. However, in the case of indigenous people, no such legal procedure is used. Instead, their land is simply taken by force. For cases of land of Bengalis being stolen by an indigenous person, the Ministry of Chittagong Hill Tract Affairs has a provision to provide financial support to the victims. Unfortunately, no such provisions exist for indigenous people for situations where their land is stolen by Bengalis.

On top of all these legal failures, the government has no separate facilities or programmes for indigenous people with regards to food, water, healthcare, education and employment.

We must make equal rights of indigenous persons an important part of our Sustainable Development Goals (SDGs). Otherwise, the government will continue to ignore its importance.

We will start observing the "International Decade of Indigenous People's Language" in 2022. Since Bangladesh is known all over the world for the Language Movement, we should ensure that we observe this occasion properly. We have published primary level books in four different tribal languages (Sadri, Chakma, Marma and Tripura) but no teachers have been trained to teach these books in our primary schools.

The census will begin in September of this year, and our primary goal should be to identify the exact number of indigenous people, their socio-economic conditions, their access to healthcare and technology and basic utilities such as water and electricity. This information will enable policymakers to better understand the kinds of measures that are necessary.



SANJEEB DRONG,
General Secretary, Bangladesh Indigenous People's Forum

When we talk about the rights of indigenous people, we are referring to their constitutional rights as citizens of Bangladesh.

There is a quote that says, "The true measure of a society can only be judged on the basis of how it treats its most vulnerable members." If we look at the situation of the minorities in our country, especially the indigenous people, can we really be proud of our society? While our country continues to improve economically, the indigenous people rarely reap the benefit from such economic growth. Figures of growth and per capita income are meaningless to the indigenous communities as these figures do not translate into their experiences of living in Bangladesh.

We must close the gap between the existing socioeconomic status of the indigenous people and the average Bengali citizen of the country.

The five demands that I would like to put forth are:

1. Establish a national indigenous people's commission.
2. A separate allocation for the creation of an Indigenous Development Policy should be made within the national budget.
3. A separate ministry needs to be established for indigenous people, along with a separate Land Commission.
4. The Government of Bangladesh must implement the United Nations Declaration on the Rights of Indigenous People.
5. Indigenous people who have suffered due to the Covid-19 pandemic should be provided with financial incentives.



FAZLE HOSSAIN BADSHA,
MP, Convener, Parliamentary Caucus on IP and Minority Issues

The Chittagong Hill Tracts Land Dispute Resolution Commission has yet to get any work done. We have still not been able to discuss the reasons behind this in the Parliament. We have been demanding a Land Dispute Resolution Commission for plainlands indigenous peoples for the last 15 years but to no avail. The census is biased and motivated to claim a number lower than the actual figure of Bangladesh's plainland indigenous population. We can prove the inaccuracy of the census.

Indigenous peoples' lands are grabbed

RECOMMENDATIONS

- » Establish a national indigenous people's commission.
- » A separate allocation for the creation of an Indigenous Development Policy should be made within the national budget.
- » A separate ministry needs to be established for indigenous people, along with a separate Land Commission.
- » The Government of Bangladesh must implement the United Nations Declaration on the Rights of Indigenous People.
- » Indigenous people who have suffered due to the Covid-19 pandemic should be provided with financial incentives.
- » A census should be undertaken to get a comprehensive overview of the existing situation of indigenous people in Bangladesh.
- » Include tribal languages in our primary education system.
- » Establish government programmes to provide indigenous people with food, healthcare and education.
- » Incorporate ILO Convention 107 into our national policies.
- » Reform laws to ensure that those stealing land from the indigenous people are adequately punished.

under many excuses (e.g., they do not have proper documents). Bengalis forge documents to sell off the lands of indigenous people, and the state helps them displace indigenous people. To solve these issues, there should be a separate ministry or department for plainlands indigenous peoples, which would be connected to the Ministry of Chittagong Hill Tracts Affairs.

Our National Education Policy recommends that indigenous communities receive education in their mother language. Yet, there are no research efforts on the part of International Mother Language Institute to revive the 14 indigenous languages that have gone extinct. Although textbooks have been written using the indigenous mother languages, there are no teachers from the indigenous communities to help deliver these classes. Bengalis have been appointed to take these classes instead, which is unacceptable.

We must prepare primary education textbooks using indigenous mother languages and train teachers from the communities. Otherwise, indigenous education will not be at the level of mainstream education.



JUSTICE (RETD.) MD. NIZAMUL HUQ,
Appellate Division of the Supreme Court of Bangladesh and Chief Legal Adviser, BLAST

To bridge the gap between the indigenous people and the Bengalis, a peace treaty was discussed in around 1993, and in 1997, it was ratified. However, it seems as though this Chittagong Hill Tracts Treaty was only ratified on paper. At the time, the treaty helped indigenous peoples, who had taken shelter in India, return to Bangladesh. However, it did nothing to repair the relationship between the indigenous peoples and the Bengalis. It has been 24 years since we signed the treaty, yet it still has not been properly implemented. The plainland indigenous peoples are gradually being displaced. The government, political parties, intellectuals, etc., should come forward to solve these problems.



ADVOCATE RANA DASGUPTA,
General Secretary, Bangladesh Hindu Buddhist Christian Unity Council

Part of the preamble of the Constitution states, "Further pledging that it shall be a fundamental aim of the State to realise through the democratic process a socialist society, free from exploitation a society in which the rule of law, fundamental human rights and freedom, equality and justice, political, economic and social, will be secured for all citizens." Article 23A states, "The State shall take steps to protect and develop the unique local culture and tradition of the tribes, minor races, ethnic sects and communities." Article 23A was inserted in the 15th Constitutional Amendment. Unfortunately, it still does not recognise the indigenous peoples.

We thought that the ratification of the 1997 Chittagong Hill Tracts Treaty would



SHAMSUL HUDA,
Executive Director, Association for Land Reform and Development (ALRD)

There needs to be structural reform in the administration. The spirit of the Constitution was not centralisation of power. Rather, it was about the devolution of power and authority. Local governments were meant to be strengthened. Therefore, in line with the main spirit of the Constitution, we need decentralisation of power. Ministries should be empowered and not used as mere post-boxes. The Land Commission lacks human resources and budget. There should be separate budget allocations for the commission to ensure it can function properly.

Free and prior consent should be taken from all indigenous peoples when it comes to matters regarding their land. Land grabbers should be tried under the law. Our laws should be amended to ensure that those who are stealing the land from the indigenous people are held accountable.



PROF DR SADEKA HALIM,
Dean, Faculty of Social Sciences, Dhaka University

When the Constitution was drafted in 1972, there should have been a louder voice to clarify indigenous peoples' position in the Constitution. The four fundamental principles of the Constitution are nationalism, socialism, democracy, and secularism which, I believe, make our Constitution quite progressive. Bangabandhu's definition of secularism was that the state would avoid discrimination based on religion in political, economic, and social rights and opportunities of citizens. In line with this, the 1997 Chittagong Hill Tracts Peace Accord was signed. However, this treaty has many limitations, the main one being land management. The customary land rights of the indigenous peoples are not officially recognised. The only countries where this recognition exists are the Philippines, Nepal and New Zealand. The International Labour Organisation (ILO) Convention 107 clearly stated, "Indigenous and tribal peoples shall enjoy the full measure of human rights and fundamental freedoms without hindrance or discrimination." Although Bangladesh ratified the ILO convention 107, our policies do not reflect this.

Organisations that work with indigenous women were able to lobby to include a line in the National Women Development Policy to provide support to indigenous women based on their specific context. If the government can acknowledge indigenous people in one of their national policies, then why can't they do the same in the constitution?

Inclusive and sustainable development cannot take place until the rights of the indigenous peoples are recognised in the Constitution. The philosophy of "Leave no one behind" is based on human rights, so excluding indigenous peoples from development is a human rights violation. Only four out of 230 countries specifically mention indigenous peoples in their indicators for sustainable development.

I recommend redesigning our census to include a category for the different groups of indigenous people in Bangladesh. Once we have established an estimate for our indigenous population, we can then target specific policies and programmes to improve their situation.



ROBAET FERDOUS,
Associate Professor, Department of Mass Communication and Journalism, Dhaka University

The four pillars of our constitution are nationalism, socialism, democracy, and secularism. But, in recent years, Bangladesh has been moving away from these ideals. We have been oppressing the indigenous people ethnically, linguistically, culturally, etc. The areas where indigenous communities reside are slowly being turned into modern colonies, where the rich and powerful rule as the colonisers, using the law enforcement agencies to oppress the indigenous people.

In these areas, indigenous people are raped, their lands grabbed, and their identities erased. Sometimes those controlling the lands give the indigenous people Bengali and Muslim names to erase individual indigenous identities. As conscientious citizens, we must support their struggle for equal rights. There is a term in anthropology called 'unpeople', which means anyone whose existence is deemed worthless and expendable. The way we treat the indigenous people in our country reflects the term 'unpeople'.



MYENTTHEIN PROMILA,
Executive Member, Bangladesh Indigenous Peoples Forum

While many countries are celebrating International Day of the World's Indigenous Peoples, we, indigenous people of Bangladesh, are still fighting for our existence. We claim Bangladesh to be a secular and democratic country, but the reality is quite opposite for the indigenous people.

Women in Bangladesh suffer from discrimination, gender-based violence, cultural stigma, sexual harassment, etc. The situation for indigenous women is worse. They are neglected ethnically, structurally, and communally. In the media, we often see reports of indigenous women being abused. But do we raise our voices as a nation and stand up for their rights? Do we march in protest? If we do, then why are only a few organisations in Bangladesh working with indigenous women?

In the last two decades, the number of indigenous people has significantly decreased. There were once 237 Rakhine villages in Barishal. At present, 192 of these villages have become extinct. On the few occasions that we talk about indigenous people, it's about the Chittagong Hill Tracts. But what about the indigenous communities in the rest of the country? Sometimes, their land is stolen for the purpose of developing roads and other forms of infrastructure. But is this kind of development worth it, if it comes at the cost of the indigenous community?



SULTANA KAMAL,
Human Rights Activist and Former Advisor to the Caretaker Government of Bangladesh

Our constitution has been changed 17 times, yet none of these amendments address the issue of inclusion of indigenous people. Even today, we are saying that they should all be considered as Bengali, which is clearly an attempt to deny their individual ethnic identities. We have failed to listen to their voices and their demands for recognition.

The whole purpose of Bangladesh's Liberation War and the Language Movement was to allow the people of Bangladesh to speak in the language of their choice and to practice the cultural values they believe in. But if we continue to deny the existence of the indigenous people, then how are we any different from our oppressors?

Indigenous people have been deprived for so long. Their rights have been denied, their land has been stolen and they have been denied access to essential facilities from the government. Even beyond the issues of land grabbing, the indigenous people have also been deprived in terms of health care, education, and employment. We must acknowledge and oppose the role the military is playing in the Chittagong Hill Tracts. There is no question, that the people living in the Chittagong Hill Tracts are being denied their constitutional rights.



SHAMSUDDOZA SAJEN,
Commercial Supplements Editor, The Daily Star & Moderator of the session

August 9, 2021 is International Day of the World's Indigenous Peoples and this year's theme is "Leaving no one behind: Indigenous peoples and the call for a new social contract". If we look at the situation of indigenous people in Bangladesh, we will see that they suffer from discrimination on a regular basis. The state even denies them their indigenous identity.