

(Please check against delivery)

Statement by Bangladesh delegation
10th session of PFII
25 May 2011, New York

Thank you Madam Chair.

The Government of Bangladesh has carefully gone through the Report entitled "Study on the status of implementation of the Chittagong Hill Tracts Accord of 1997" and would like to register serious concerns about the contents of the Report as well as the way it was formulated. Hon'ble Foreign Minister and Hon'ble State Minister for Chittagong Hill Tracts Affairs clarified the Government's position when the 'Special Rapporteur' met them. Unfortunately, and to our surprise, there is no reflection of those in the Report.

Before going to the point, we would like to share some background information on this issue for better understanding of everyone present here. Although Bangladesh does not have any 'indigenous' population, we have always followed the deliberations of the Permanent forum on Indigenous Issues as an 'observer'. We reiterated our position before the 9th session of PFII on 29th April 2010. With full respect to all the members of the Forum, we would like to mention that the members take the words 'indigenous', and 'tribal' or 'ethnic minorities' as synonymous-which is not the case at all.

We requested the PFII Secretariat to make arrangement for the screening of a two-and-a-half minute video clip containing the interview of Mr. Oang Shoi Pru Chowdhury, the Bomang King - king of one of the three circles in the CHT region in this connection, where he clearly mentioned that "We are neither indigenous, nor tribal". The PFII Secretariat expressed their inability to make arrangement for screening that video clip. However, we stand ready to provide the CD for screening to the Member States in the next available opportunity.

In Bangladesh, we have small proportion of population belonging to different ethnic minorities living in different parts of the country. The majority of those people live in the three hill districts of Chittagong. There had been sporadic unrest in that region from the period 1975 to 1996. At the initiative of the Hon'ble Prime Minister Sheikh Hasina, 'The Chittagong Hill Tracts Peace Accord' was signed in 1997 during her previous term in office. The present Government after assuming office in January 2009 resumed the process of full implementation of the Accord.

Madam Chair,

As you can understand from this background information, the CHT Peace Accord is an internal arrangement for improving administration and quality of governance in the

Chittagong Hill Tracts region. The Accord has nothing to do with 'indigenous issues' and therefore, the Government of Bangladesh reiterates its position that the Forum, which is mandated to deal with 'indigenous issues', does not have any *locus standi* in discussing the issues related to the CHT Peace Accord.

The Forum members and any appointed rapporteur are expected to give 'expert' opinion and on 'indigenous issues' but sadly what we have before us is a 'lopsided' opinion on a 'non-indigenous' issue. For example, what has been recommended in para 56 and 58(a) are completely out of context. Hence we question the procedural legitimacy (of asking for such a study Report by PFII) as well as the contents of the Report. We believe, this 'cherry-picking' approach might not be beneficial for the Forum in the long run bearing in mind that we have seen demise of even higher bodies on allegations of selectivity.

While saying that, since the Report is here before us for discussion and since 90 minutes of valuable time of the UN has been dedicated to it, for the consumption of the Member States present and others we would like to share some information on the implementation status of the CHT Peace Accord. We have already furnished the PFII Secretariat with a two-page document containing information on implementation status of the CHT Peace Accord.

Due to time constraint, we would like to mention some of the major aspects of the Peace Accord that have already been implemented:

- a. A separate Ministry named Ministry of Chittagong Hill Tracts Affairs was formed in 1998. Presently Mr. Dipankar Talukdar of Rangamati district is working as the State Minister of the Ministry.
- b. Regional Council headed by Mr. Shantu Larma was formed in 1998. Chairman along with members of the Regional Council are still functioning.
- c. 'Hill District Local Govt Council' was renamed as Hill District Council through passing a bill in the Parliament.
- d. So far, out of 32 subjects of different ministries, on average 18 subjects were handed over to Hill District Council.
- e. A Land Commission headed by a retired justice was formed in 1999. The Government also enacted 'CHT Land Dispute Settlement Commission Act 2001' for functioning of this commission and resolve the land disputes. Presently 4th land commission is working to settle all the land disputes.
- f. A total of 12,222 tribal families repatriated from Indian state of Tripura have been rehabilitated. A Task Force has been formed to ensure proper rehabilitation of

refugees and IDPs in CHT. Presently Mr Jotindra Lal Tripura is working as chairman of the task force.

g. General amnesty was promulgated for the surrendered PCJSS members. All police cases filed during insurgency period against the members of the PCJSS have been withdrawn.

h. A total of 705 surrendered Shanti Bahini members were recruited in the national police force.

j. During the period 1998-2004, a total of 200 security forces camps were closed down from different parts of CHT, mostly from remote areas. In August-September 2009, 35 more security forces camps (including one Infantry Brigade) were withdrawn.

k. Total 1,989 surrendered members of Shanti Bahini were given Tk 50,000/- (i.e. equivalent to \$700.00) each for their rehabilitation.

l. 325 seats in different higher educational institutions are kept reserved for the tribal students. They are also getting scholarships in different countries.

m. Tribals are given priority for jobs in Government, semi-government and autonomous bodies in CHT.

n. A special committee titled "CHT Peace Treaty Implementation Monitoring Committee" has been formed by the present Government under the Chairmanship of Mrs. Syeda Sajeda Chowdhury, Deputy Leader of the Parliament. Other members of the said Committee are Mr Jatindro Lal Tripura, MP of Khagrachari and Mr Shantu Larma, Chairman Regional Council - who are both tribal leaders.

While mentioning the above we acknowledge that some other aspects of the Peace Accord are yet to be implemented such as:

a. Finalization of the rules of business of Regional Council.

b. The elections for Hill District Council and Regional Council could not be held due to the following reasons:

(1) Complicacies in preparation of Voter List.

(2) Setting the election rules (Existing rules are not accepted by tribal leaders, specially Mr. Shantu Larma).

(3) Unwillingness of the tribal leaders to leave their present portfolio in Regional/Hill District Council.

c. First three land commissions could not function properly as JSS demanded for 19 amendments in 'CHT Land Dispute Settlement Commission Act 2001'. The activities of

the 4th Land Commission is also stalled for non cooperation and abstention of the tribal political leaders.

d. Recruitment of police force of the rank of Sub-Inspector and below by the HDCs could not be started as it contradicts with the existing government rules/regulations.

Madam Chair,

We would like to mention that the term 'minorities' is a relative one. Within the minorities, there are groups of people who claim to be minorities. The Government of Bangladesh has been trying its best to address the ethnic minorities issue and for that purpose, for the first time, the Government is actively considering to recognize the distinctive identity of ethnic minorities in the country's Constitution. Massive development efforts are undertaken by the Government as well as NGOs in the region. For example, there are 413 UNDP projects, out of which 43% are targeted solely towards the Chakma population. Due to time constraint, we cannot elaborate on the development activities. We can just mention that in 1971, there were only 48 km road and now there are about 1500 km road; the numbers of schools and colleges were 17 and 3 respectively in 1971 and the relevant figures increased to 1973 and 17 in the last forty years. As a result the literacy rate increased from 7-8% to 39% during the same period.

In conclusion, we would like to re-iterate that this statement has been delivered for better understanding of everyone present here on the issue which is clearly 'non-indigenous' in nature. This effort, hence, should not be misconstrued as a recognition of the authority of the Forum to discuss the issue of CHT Affairs. We urge upon the Forum to dedicate its valuable time to discuss issues related to millions of indigenous people all over the world and not waste time on issues politically concocted by some enthusiastic quarters with questionable motives.

For the reasons mentioned above, we would like to request the Forum to end discussion on the Report and the issue here and use their prudence on taking further action. Since the Forum is a subsidiary body of ECOSOC, we will also request the member States of ECOSOC to use their best judgement if the issue is placed before them in future so that similar issues - not related to the mandate of the Forum - will not burden the agenda of the Forum and the Council at the expense of pressing issues related to indigenous people. I thank you Madam Chair.