

**Statement by Bangladesh Delegation at the Interactive Session on Asia at the 13<sup>th</sup> Session of the Permanent Forum on Indigenous Issues (PFII)**

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Madam Chairperson,

We appreciate the invitation from PFII to participate in this half-day panel focusing on Asia.

On its part, the Government of Bangladesh has always remained open to healthy and constructive dialogue on the question of ethnic minorities in the country. We believe this dialogue would gain further traction if it remains contextualized within the framework of our Constitution, the supreme law of the land. The Constitution of Bangladesh, in its Article 23A, recognises the importance of protecting and developing the unique local culture and tradition of “the tribes, minor races, ethnic sects and communities”. It, therefore, poses Constitutional and legal challenges for the State if this portfolio of terminologies relevant to our national context is randomly appropriated by the use of the term “indigenous peoples”.

We would like to reiterate our suggestion to PFII to use, in its documents and deliberations in reference to Bangladesh, the legally recognised terminologies that we can effectively relate to, and to avoid using the term “indigenous peoples” as a substitute for the actual terms used in our national laws.

As we have stated earlier at this Forum, Bangladesh considers all its citizens to be indigenous to our land. In view of the well-recorded historical, political, sociological and demographic facts and features of our post-colonial nation, there is hardly any scope for applying the definition of “indigenous peoples” available in the concerned ILO Conventions in a partial and fragmented manner for only certain groups or segments of our people.

Madam Chairperson,

Against this backdrop, we would like to reiterate our Government’s abiding commitment to ensure the implementation of the CHT Accord of 1997 which helped put an end to a two decade long insurgency in the region. A significant number of provisions in the CHT Accord have already been implemented, while the rest remain under the process of implementation or consideration. The issue of devolution of authority to the CHT local government councils remains an evolving issue, and definitely not a closed or stalled process, as far as the Government is concerned.

It is to be appreciated that like in every post-conflict context, the CHT region also has its own inherent realities or dynamics which may not be wished away or dispensed with within a targeted timeline. In a democratic, consultative and participatory form of governance, it is crucial to hear the voices of different parties and stakeholders, and to find solutions that would protect the interest of those most vulnerable and affected. The Government needs to remain sensitized that its decision and actions do not create any unwarranted divide or tension among the different communities in the region.

These are the same considerations that characterize the ongoing developments with the CHT Land Dispute Resolution Commission Act, 2001. The Government appreciates that, during his presentation yesterday, the distinguished PFII member Raja Devashish Roy projected the CHT Land Commission as a model for other countries to replicate. But, as it has been mentioned several times at this Forum, the CHT Land Commission, despite its

potentials, could not perhaps deliver on its expected results. In view of this, the Government embarked on further strengthening of the law and also engaged in a consultative process with the CHT Regional Council, as stipulated in the Accord. As we remain seized with this issue, it remains the Government's prime concern that we get the outcome of the legal reform right this time, in order to get all concerned parties on board in a certain measure of confidence. It is taking time no doubt, but in the greater interest of things, it perhaps needs to be seen as a necessary evil.

Madam Chairperson,

It would be remiss on my part not to address the issue of the alleged violence against women of ethnic minority communities in the CHT area. I would like to make it absolutely clear that the Government of Bangladesh remains committed to its 'zero tolerance' approach to any form of violence against women in our society. The series of stringent legal, administrative and institutional measures that have been taken by the Government over the past five years would validate our uncompromising stance in this regard.

These efforts by the Government would also be relevant in more than equal measure in the CHT region. As a matter of fact, any national data on crimes of violence against women all over the country would show that the number of such crimes in the CHT region have been much less compared to the data and evidence available for the rest of the country. While the issue of underreporting may not be ruled out, the Government remains on the highest alert to ensure that any case of violence against women reported to the law enforcement authorities in the CHT region is duly investigated and actions taken to bring the perpetrators to justice. It would, therefore, serve no purpose to overplay the numbers and implicate parties without substantiated evidence of proof.

Madam Chairperson,

The Government of Bangladesh remains deeply committed to promoting the rights and freedoms of the ethnic minorities, and pursue the development efforts in the CHT region and in the plains according to the legitimate aspirations of the ethnic minorities living in those areas. The Government's continued development efforts in the CHT region have been acclaimed by the international community, including the UN. In the interest of maintaining the momentum of such development trends, it would be advisable to avoid debates that we could possibly be addressed in a more mature and constructive manner through dialogue, understanding and cooperation.

I thank you.