

Joint statement on behalf of Denmark, Norway, Sweden and Finland

Delivered by

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United Nations Permanent Forum on Indigenous Issues

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Item 3:

**Study on best practices and examples in respect of
resolving land disputes and claims in Bangladesh and the
Philippines**

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Madame Chairperson,

I have the honour to address the Permanent Forum on behalf of the Nordic countries: Norway, Sweden, Finland and my own country Denmark together with Greenland.

First, we would like to thank the two distinguished members of the Permanent Forum for this study on a topic of key importance to all indigenous peoples.

The effective enjoyment of the right to land involves not only protection of an economic unit but also protection of the human rights of a collectivity whose economic, social, and cultural development is based on its relationship with the land.

In this brief statement, we will focus on the situation facing indigenous peoples in the Chittagong Hill Tracts region in Bangladesh.

Madame Chairperson,

Our countries fully support the Government of Bangladesh in its efforts to bring peace to the Chittagong Hill Tracts. We commend the Government for having taken many important steps to resolve land disputes in this area since the armed conflict ended nearly 20 years ago. We also welcome the Government's repeated commitments made over the last five years to implement the Peace Accord.

The establishment of the Chittagong Hill Tracts Land Dispute Resolution Commission was indeed to be considered a "best practice". The structure for solving disputes over land is in place. However, we note with concern that the Commission, to quote the present study, has been dysfunctional since its inception in 1999.

The Land Commission was to investigate and resolve disputes over claims to lands. It also has the authority to remove people from land occupied illegally. But to date, the Land Commission has not made a single determination on a land dispute. It remains – as Amnesty International

public statements on making the Commission ‘effective ‘ and are eager to see this in practice.

Many studies point to the fact that the lack of resolution of land disputes remain among the major causes of frustration among the indigenous peoples in the Chittagong Hill Tracts. Likewise, it is held that addressing the question of land rights is central to resolving many of the problems facing the indigenous peoples there today.

We therefore strongly urge the Government to make the Land Commission’s operation a priority. We very much hope that the required amendments to the existing law for effective land dispute settlement are approved by Parliament soon as well as the ratification of the ILO Convention No. 169 reconsidered. Moreover, it is also relevant for the Government to reconsider ratifying ILO Convention No. 169

Madame Chairperson,

Despite the progress made in implementing the Peace Accord, important provisions of the Accord remain not fully implemented. These include demilitarisation, rehabilitation of displaced persons, and ending the transmigration programs. Women and girls also continue to be severely affected by the conflict. With these concerns in mind, we urge the Government to ensure effective implementation of all provisions of the Peace Accord.

The number of reported cases of violence or threats of violence against indigenous women in the Chittagong Hill Tracts and elsewhere in the country is worrying. Although impunity is a problem, a perpetrator was indeed convicted in a rape case involving an indigenous woman in September 2013. This ruling strengthens indigenous women’s confidence in the rule of law in Bangladesh.

We also commend the Ministry of Chittagong Hill Tracts Affairs for having conducted an inquiry into the reported eviction of 21 Chak families in Bandarban district on 14 May 2013. We hope action will soon be taken to ensure justice for the evicted families.

Madame Chairperson,

We understand that the parliamentary caucus of indigenous peoples intended to submit to the Government a legislative proposal entitled “Adivasi Rights Bill” aimed at ensuring recognition and protection of the rights of the indigenous peoples. We would welcome information from the Government in regard to the status of this proposal.

Madame Chairperson,

In conclusion, the human rights situation today of the indigenous peoples in the Chittagong Hills Tracts continues to give rise to serious concerns. These problems must - and can - be solved.

It is for the Government not just to let the Land Commission be a “best practice” example in theory, but also in practice. We lend the Government of Bangladesh our full support in this regard.

I thank you, Madame Chairperson.