

PERMANENT MISSION OF BANGLADESH

GENEVA

WORKING GROUP ON INDIGENOUS POPULATIONS

STATEMENT BY

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( CHECK AGAINST DELIVERY )

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Madam Chairperson,

Please accept our sincere congratulations on your re-election. I would like to convey, at first, our greetings and appreciations to the Chairperson for conducting the important deliberations of this distinguished institution in a fair, impartial and wise manner. Bangladesh deeply appreciates the continued efforts of this Working Group to maintain balance and moderation in approaching a complex and difficult subject like the status of minority groups around the world. My delegation would like to assure this august body of our full support and cooperation in the search for truth and justice.

2. My delegation has been following, with much concern, the misleading and incorrect presentations made before the Working Group by various individuals and groups. We are concerned, because deliberate attempts have been made to prejudice the findings of this Working Group by presenting factually incorrect information and politically motivated opinion about situation in Chittagong Hill Tracts. In the context of Bangladesh it appears that the following unfounded and malicious issues, inter alia, have been raised in this forum:-

- (a) The status of Indigenous People in Bangladesh (reference document No.E/CN.4/Sub.2/AC.4/1991/5).
- (b) Allegations of Human Rights violations in Chittagong Hill Tracts area (reference as stated in (a) above).
- (c) Alleged violations of the rights of so called Jumma people (reference statement by Mr. R.S. Dewan and two others on 29.7.91).

3. Madam Chairperson, before we take up the issues which have been raised before this Working Group, it would be useful to put our approach in the perspective of Bangladesh history, culture, geography, political system, national identity and ethnic origin etc. To begin with,

we may take the question of definition of indigenous population. In a global sense indigenous people are probably identified as local population, in contrast to settlers from Europe in recent centuries, even though there is no universally recognised definition of indigenous people. A brief glance at the history of Bangladesh would convince all of us that all the people now inhabiting the plains and the hills of Bangladesh have been in historic interaction with each other for thousands of years. Kingdoms based in the hills covered some of the plains areas of Bangladesh during some part of our history. Similarly at certain points of our history Kingdoms based in the plains also covered the hill areas of Bangladesh. It may be mentioned here that we have hills in the north-west, north-east and south-east of Bangladesh. We also have tribal people in many areas other than Chittagong Hill Tracts. During the process of historical interaction cultural and linguistic sub-groups have developed both in the hills as well as in the plains in Bangladesh.

4. The colonial occupation of our country created all sorts of religious, ethnic and sub-cultural divisions among our people. The insidious attempts of the colonial rulers to create a fragmentation of our ethnic origin, cultural unity and linguistic homogeneity cannot be taken as an objective basis for any rational analysis of our national identity. From this historical perspectives, Madam Chairperson, there could be no question of any "indigenous population" outside the concept of totally integrated population of Bangladesh, undifferentiated ethnically, economically and politically. Historically and ethnically all the 112 million people are "indigenous people". We are one and the same people, although there are regional specialities. The Constitution of Bangladesh does not recognise, because there is no need to do so, any invidious groupings within Bangladesh. The forces which could not reconcile themselves to the partition of India in 1947 and the peaceful progress in Bangladesh, continue to create fictitious and misleading issues of this type only to maintain malicious

political pressure on Bangladesh.

5. After a long and courageous struggle of eight years the people of Bangladesh have freed themselves from the clutches of an autocratic regime, which violated the basic rights of all Bangladeshis starting from freedom of associations and freedom of expression to pluralistic democratic process in the country. Fortunately a free and fair election in Bangladesh early this year has brought about a truly democratic government. Like all Bangladeshis, the people of Chittagong Hill Tracts also freely participated in this national election. Three members of Parliament elected from the Chittagong Hill Tracts area are now sitting in the Parliament. All three of them are members of the opposition. What more could be a better evidence to the fact that the people of Chittagong Hill Tracts are in the mainstream of our national life. The fact that the people of Chittagong Hill Tracts have freely elected three members of Parliament, belonging to the opposition party, reconfirms the degree of political freedom and legal rights enjoyed by all people of Bangladesh including those living in the Chittagong Hill Tracts. No sinister design to create a false sense of division between the people living in Chittagong Hill Tracts and other areas of Bangladesh, can evidently succeed. We are one people. We stand together.

6. It has been claimed in the report of an NGO called International Work Group for Indigenous Affairs that the visit of their representative to the Chittagong Hill Tracts in December 1990 was the first ever visit by an outside observer group to the area. Madam Chairperson, nothing could be further from the truth. The Government of Bangladesh has always permitted responsible and knowledgeable visitors from outside to acquaint themselves with the correct situation in Chittagong Hill Tracts, notwithstanding the fact that some outside forces are trying to create an adverse and false impression about the realities in the area. The very fact that the

government of Bangladesh practically invited this group to visit Chittagong Hill Tracts confirms the sincere and honest intention and policy of the government of Bangladesh. This is yet another convincing evidence that we have nothing to hide. Representatives from the Amnesty International, World Church Council and the International Fellowship Reconciliation had opportunities, before the visit of this group, to acquire first-hand-knowledge about the situation in Chittagong Hill Tracts. Diplomats based in Dhaka and representatives from international press and media including VOA, BBC, New York Times and Far Eastern Economic Review had opportunities to freely visit Chittagong Hill Tracts in the past. Any responsible person is welcome to CHT today.

7. It is unfortunate that due to obvious lack of a comprehensive understanding of our history, culture, tradition and economic circumstances, the authors of the report, called "Life is not ours" published by the Chittagong Hill Tracts Commission, have come to some erroneous conclusion about the objective situation in the Chittagong Hill Tracts. Consequently their opinion based on incorrect understanding of our historical and political perspectives have no relevance to the realities on the ground. It is a pity that the members of this group did not consider it right and proper to discuss their findings with the government, a very generous and transparent host according to the report of the group itself, before finalising their report. It is an established and universal principle of jurisprudence that before reaching a verdict the other side is also given a proper hearing. In this particular case, the visiting group did not find it necessary to consult the government of Bangladesh before publishing their findings. Hence their verdict is patently biased and flawed, if not motivated. Such an onesided, ill-considered and out of context report can hinder the noble efforts, of this distinguished Working Group, in the quest of truth.

CHT Commission did not consult Govt; it is biased & flawed.

8. The distinguished members of the Group from IWGIA obviously had very limited background knowledge of our history, culture, politics, and economics. Otherwise they could not have come to such patently

erroneous conclusions. They have not only been unjust and unfair to their host but they seem to have been mis-informed by anti-Bangladesh forces. It is quite possible for someone ignorant of the political history of South Asia to get hopelessly bogged down in the morass of anti-Bangladesh political propaganda. It is an ancient saying in Bangladesh that ignorance scandalises but wisdom philosophises. There is only one conclusion that one can draw from this sensational report replete with anti-Bangladesh political propaganda.

9. The latest Bangladesh report of universally respected NGO like Amnesty International, the 1991 report of US State Department on Human Rights, the reports of responsible church organisations and above all the sub-Commission on Human Rights (reference document No.E/CN.4/Sub.2/1989/58), express satisfaction over the treatment of the people of Chittagong Hill Tracts by the Government of Bangladesh. In the face of all these highly credible evidence, we are told by a relatively new group that all is wrong in Chittagong Hill Tracts. New comers to a situation tend to sensationalise matters to attract attention to themselves. This may explain the misleading reference to the House of Lords in London (Document No. E/CN.4/Sub.2/AC.4/1991/5). Some people would go to any length to draw attention to themselves. But Madam Chairperson, such sensationalism and distortion of facts do not serve the cause of truth and justice.

10. As regards the question of Human Rights violations in Chittagong Hill Tracts, Madam Chairperson, one has to be very clear about the concept and context of Human Rights. The first right of a human being is the right to survive. Right to live should be the first right while we talk of Human Rights. It may be recalled, Madam Chairperson, that in the tragic cyclone and tidal surge in April this year, 1,40,000 people, living in the plains, were washed away by the sea. These innocent lives could have been saved if these people could find shelter in the high grounds that we have in the hill areas

of Bangladesh. As for the survivors of this great tragedy, would it not be an exercise of their fundamental rights to survive, if they took shelter in the high-lands in the hilly areas of Chittagong Hill Tracts. There are 112 million people in Bangladesh today, and Chittagong Hill Tracts is one of the most thinly populated areas. About 10 per cent land area is now being inhabited by 0.5 per cent of the population. Bangladesh is probably the most densely populated areas of the world. Hence, movement of people in search of safe homestead and reasonable living is a normal phenomenon in our country. Our laws, like that of any free country, permit movement of people from Chittagong Hill Tracts to other areas of Bangladesh in search of home and employment and vice versa.

11. The right to live, so far the people in low-lying areas of Bangladesh are concerned, would surely be one of their basic Human Rights. Hence, if anyone from the plains of Bangladesh moved to the hilly lands of Chittagong Hill Tracts in search of safe habitation and better livelihood, it could not be interpreted as violation of Human Rights of any other citizen of Bangladesh. Free movement of people in a free country is a normal phenomenon.

12. At this point, we have to remember that armed insurgents are causing widespread destruction and death in the Chittagong Hill Tracts area. These armed insurgents are mainly targeting the poor and helpless people who have moved over the years to the hilly areas in search of safe habitation and better living. Those people from the hills, who are more sympathetic and helpful towards the people from the plains, are also being subjected to rape, death, torture and destruction by these armed insurgents.

13. It is a fact that incidents of rape, loot and burning are taking place in Chittagong Hill Tracts. The question is who is causing it. The more importantly what is the true motive and nature of these criminal activities. From time to time our government has furnished details of these

criminal activities by the armed insurgents, to the Human Rights Commission, who call themselves "Shanti Bahini". These armed criminals do not have any bases in Bangladesh. They are desperate. They have unleashed a reign of terror in the Chittagong Hill Tracts. They serve their masters who are friends of neither Bangladesh nor of the people of Chittagong Hill Tracts.

14. These acts of atrocities by the heavily armed insurgents and false propaganda caused some unwary tribals of Chittagong Hill Tracts to leave their home and hearth. It is well known to the Human Rights Commission, and we have time and again substantiated this by facts and figures, that most of these people have returned to their home. The poor victims of terrorism and malicious propaganda cannot be called refugees by any standard. Government of Bangladesh is providing 5 acres of land and cash assistance to resettle the returnees.

15. The report of the IWGIA admits that the people of Chittagong Hill Tracts are too scared to tell the truth. Madam Chairperson, of course they are scared. These armed terrorists and criminals have unleashed a tragic reign of terror in the Chittagong Hill Tracts area. Consequently, the people living in Chittagong Hill Tracts are afraid of telling the truth. These armed insurgents are also preventing people from returning to their home and hearth. The criminal activities of these armed insurgents have been called violation of Human Rights, by the report of IWGIA.

16. Any violation of Human Rights is to be seen in the total perspective of the legal system of the country, its political process and its economic development activities, etc. The laws of Bangladesh do not discriminate among the citizens of Bangladesh. Any violation of criminal law or civil law can be taken before the court of law for redress. All Bangladeshis are equal before the law. The people living in Chittagong Hill Tracts participate freely



in all spheres of our national life. In all our national activities, right from the Parliament to various institutions of the government the people of Chittagong Hill Tracts participate, freely. There is no cultural or social bias against any individual or group of people in Bangladesh. It would, therefore, be a travesty truth to say that there is any Human Rights violation in Bangladesh.

17. As to the land issue, I would like to submit that Bangladesh law recognises rights of individuals over land. There is no discrimination in this matter. Most of the tribal people of Chittagong Hill Tracts live a type of nomadic life. Many of them never acquired property rights in the conventional sense of the term. Therefore, efforts are being made by our government to develop institutional basis for land-rights of individuals living in the Chittagong Hill Tracts areas. It may be mentioned here that government of Bangladesh have already transferred twenty two subjects to the local government elected by the people of Chittagong Hill Tracts. One of these subjects is the transfer of land rights. No transfer of land can be registered under the law unless it is approved by the elected local council which has a majority of the tribal people. We have informed the Human Rights Commission earlier that the elections to the local councils were witnessed by the foreign diplomats based in Dhaka and international press and media.

18. At this stage, the subject of so called "cluster of villages" needs to be explained. The practice of "Slash and Burn" agriculture by some nomadic tribes of Chittagong Hill Tracts poses a serious threat to the ecology and environment. Some of the nomadic tribes cut down virgin forests, burn the fire-wood and then raise one crop of cereals before moving into a fresh virgin forest area. Such a primitive agricultural practice is highly detrimental to the environment. This practice causes wanton destruction of large areas of tropical forest and leads to land-erosion and degradation of environment. Bangladesh is following a well-planned scientific programme on environmental management. In fact the whole world has become extremely

conscious about the need for environmentally sustainable development.

On the basis of this enlightened consideration, an environmental programme has been designed to encourage people living in the Chittagong Hill Tracts, through economic incentives, to organise themselves in a more settled and ecologically sustainable life. Such a settled life will facilitate the government to provide proper educational and health facilities to the people of the area. This will also make it possible for the government to create necessary social infrastructure. The armed insurgents find such a settled and prosperous life against the sinister designs of their pay masters. Hence, under the cover of darkness of night they burn villages, kills innocent peoples, rape women and leave behind a tragic trail of death and destruction. Since these armed terrorists come at night, it is difficult for the innocent villagers to recognise their identity. Some of these insurgents are uniformed, hence the (simple villagers) might take them as members of Bangladesh law enforcing agencies.

19. There has been a reference in this report about the presence of Bangladesh army units in Chittagong Hill Tracts. It is a normal practice in a civilised country to call up on the army to assist the civil authorities in emergencies. Bangladesh laws provides for assistance of Army in aid of civil authorities in emergency situation. In Chittagong Hill Tracts there is an on-going armed insurgency by a small group of adventurers who are being financed, trained and armed by anti-Bangladesh forces. The normal police force at the disposal of the civil authorities of Chittagong Hill Tracts do not have the fire power and fighting skill to effectively deal with these armed insurgents who are equipped with latest automatic weapons and explosives. Some elements of Bangladesh Army have been called upon to assist the civil administration of Chittagong Hill Tracts in dealing with these armed insurgents. As soon as these terrorist activities, by outsiders,

can be brought to an end there will be no need to maintain Army presence in Chittagong Hill Tracts. Bangladesh government has offered time and again to settle the matter through peaceful negotiations but the so called "Shanti Bahini" does not seem to believe in peaceful and negotiated settlement.

20. A group calling itself Jumma delegation addressed this distinguished forum. There are thirteen tribes in Chittagong Hill Tracts area. The names of these tribes are contained in document No.E/CN.4/Sub.2/AC.4/1989/2/Add.1. There is no tribe called Jumma tribe in Bangladesh territory. This group of people are obviously trying to mislead the Working Group by introducing a foreign and insulting name for the tribes of Chittagong Hill Tracts area.

21. Mr. R.S. Dewan is a member of this so called Jumma delegation. The degree credibility of this person can be clear from the article, in the issue dated 23 March 1989 of the Far Eastern Economic Review written by Mr. Derek Davies, Editor-in-Chief, in which Mr. Davies asserts:

Quote

I managed to nail at least one lie. According to R.S. Dewan, Mrs. Sobha Chakma, the widow of one fatal casualty (Dewan claims at least 20 were killed) was severely wounded, survived miraculously and had found refuge in Tripura. I met Mrs. Sobha Chakma. She told me she had stayed in her home throughout the incident. She had not been injured. She had not been to tripura. Never.

Unquote

22. Madam Chairperson, finally I would like this wise and distinguished Working Group to note the credibility of people who have sought to malign Bangladesh in such a high international forum. An ounce of truth, Madam, weights heavier than these tons of lies and falsehood. I hope my presentation

has served the cause of truth and justice. The sinister and ignorant efforts to mislead the Working Group cannot succeed.

I thank you, Madam Chairperson.

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