

REFERENCE: CERD/EWUAP/114session/2024/CS/BJ/ks

13 December 2024

Excellency,

I write to you in relation to the Committee's letters of 31 August and 8 December 2023 regarding the information received under its early warning and urgent action procedure regarding the situation of Indigenous peoples in Chittagong Hill Tracts of Bangladesh.

The Committee thanks the State party for its response to the letters and the information provided regarding measures taken to protect and develop the unique local culture and tradition of the small ethnic populations, tribes, and communities. The Committee notes the information that the Small Ethnic Communities Cultural Institutions Act of 2010 aims at preserving and promoting the cultural heritage, language, religious practices, and traditional lifestyle of all ethnic communities in the hill districts and the plains. It also notes the information that the State party is promoting sustainable infrastructure development and the socio-economic well-being of the Chittagong Hill Tracts region.

The Committee also takes note of the information provided by the State party that activities of the Law Enforcing Agencies of the three hill districts, where the majority of Bangladesh ethnic minorities live, are regularly monitored and that military personnel deployed in the region are sensitized about human rights and the consequences they may face in case of any human rights violation or abuse. The Committee also notes the information on the commitment of the State party to ensure adequate protection of the rights of ethnic minorities to own, develop, and control their land, territories, and resources and that a Commission responsible for resolving land disputes has been established.

The Committee notes the information that, under Section 64 of the Hill District Council Acts, no land shall be leased out, settled with, purchased, sold out, or transferred without the prior approval of the concerned Hill District Council. It takes note of the information that ethnic communities living in the Chittagong Hill Tracts region enjoy the

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right to permanent residence by holding a permanent resident certificate so that only these communities can buy and sell their properties. Furthermore, the Committee takes note of the information that consultation mechanisms have been established through the three different Hill District Council Acts, aiming to ensure that the ethnic minority people are consulted on projects and legislative or administrative measures that affect their land and natural resources.

The Committee also notes the information provided by the State party that the Chairmen of the three Hill District Councils and two-thirds of the members of each of the Councils must be elected from ethnic minority communities. It notes the information that after consultation with the concerned ethnic minority people, the Hill District Councils design and implement development projects. It also notes the information that health services are provided through community clinics and mobile medical teams under the Councils' supervision. Moreover, the Committee notes the information that since 2017, the State party has provided the children of five minority groups with free textbooks and teaching materials written in their languages.

The Committee takes note of information on the State party's stated commitment to the implementation of the Chittagong Hill Tracts Peace Accord of 1997, and information on the State party's view that progress has been made in different aspects of the Accord, such as the withdrawal of military camps, the rehabilitation of internally displaced persons, and the establishment of the Ministry of Chittagong Hill Tracts Affairs, of the Chittagong Hill Tracts Regional Council, and of the three Hill District Councils. Moreover, the Committee notes that the State party is committed to solving issues related to the implementation of the Accord and that an inter-ministerial committee continuously assesses its implementation progress and reports to the Peace Treaty Monitoring Committee for further action.

In accordance with Article 9 (1) of the Convention and Article 65 of its Rules of Procedure, the Committee requests that the State party provide updated and detailed information on measures adopted to investigate allegations of human rights violations against Indigenous peoples in the Chittagong Hill Tract region and to ensure that Indigenous peoples have access to effective legal remedies and reparations for human rights violations as part of its periodic report, overdue since 11 July 2002. In particular, the Committee requests information on steps taken to review the "Armed Forces policy to counter the insurgency movement by the people in CHT" and address the allegedly gross and systematic human rights violations against Indigenous peoples by the military troops and other paramilitary forces, and further and updated information on the measures to ensure that Indigenous peoples enjoy economic, social and cultural rights, without discrimination of any kind, in accordance with international treaties and standards.

Allow me, Excellency, to reiterate the wish of the Committee to continue to engage in a constructive dialogue with the Government of Bangladesh, with a view to ensuring the effective implementation of the Convention.

Please accept, Excellency, the assurances of my highest consideration.

Yours sincerely,



Michal Balcerzak
Chair

Committee on the Elimination of Racial Discrimination