



HAUT-COMMISSARIAT AUX DROITS DE L'HOMME • OFFICE OF THE HIGH COMMISSIONER FOR HUMAN RIGHTS
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31 August 2023

Excellency,

I write to inform you that the Committee considered information received under its early warning and urgent action procedure, related to the situation of indigenous peoples in Chittagong Hill Tracts of Bangladesh.

The information received claims that indigenous people in Chittagong Hill Tracts (CHT) of Bangladesh have been subject to systematic and pervasive racial discrimination, which has been exacerbated by the deployment of the Army and paramilitary forces in the region. Military troops and other paramilitary forces have been deployed under the policy of counterinsurgency and are allegedly responsible for gross and systematic human rights violations against indigenous peoples. Reportedly, the “Armed Forces policy to counter the insurgency movement by the people in CHT” provides extensive and large unfettered powers to the armed forces, both the Bangladesh Army and paramilitary, putting indigenous peoples at risk.

According to the information received, the right of indigenous peoples to own, use, develop and control the lands, territories and resources traditionally occupied by them is not legally recognized. A policy to promote the establishment of large numbers of non-indigenous peoples in the region taking over indigenous peoples’ lands for tourism projects has also been implemented in the region. Discrimination against indigenous peoples in CHT is also related to land grabbing for economic development projects, including tourism projects, without the free, prior, and informed consent of indigenous peoples. The participation and consultation of indigenous peoples in the implementation of large development projects is very limited.

Reportedly, the militarization, the transfer of Bengali Muslims and the settlement of the non-indigenous population in the region are seriously affecting the rights of indigenous peoples, particularly their rights over land and natural resources.

Allegedly, indigenous peoples in the region also face challenges and inequalities in the enjoyment of economic, social, and cultural rights, in particular the right to education and the right to health. There is a lack of qualified indigenous teachers, materials, supplies, infrastructure, and equipment in the region. The number of children out-of-school remains very high and only a few indigenous peoples from the CHT attend and complete secondary education.

Regarding the right to health, a large part of the population in the region does not have access to basic health care and indigenous peoples face specific health problems, for example, malaria, tuberculosis, and drug addiction for which they do not have access to adequate treatment.

H.E. Mr. Mohammad Sufiur Rahman
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The Committee would like to recall that in its previous concluding observations (CERD/C/304/Add.118, para. 9), it addressed the situation of the indigenous peoples in CHT, including concerns about reports of human rights violations by security forces present in CHT affecting the tribal population, as well as reports of arbitrary arrests and detentions, and ill-treatment. The Committee recommended that the State party implement effective measures to guarantee to all Bangladeshis, without distinction based on race, colour, descent, or national or ethnic origin, the right to security of person and protection by the State against violence or bodily harm.

In reference to the information received and in accordance with Article 9 (1) of the Convention and Article 65 of its Rules of Procedure, the Committee would like to request the State party to provide information on measures taken to address the concerns mentioned above. In particular, the Committee requests the State party to provide information on:

- (a) The measures adopted to promptly and thoroughly investigate allegations of human rights violations against indigenous peoples in the Chittagong Hills Tracts and to ensure that indigenous people have access to effective legal remedies and reparations for human rights violations committed against them;
- (b) The 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 people by the military troops and other paramilitary forces;
- (c) The measures adopted to ensure adequate protection of the rights of indigenous peoples to own, use, develop and control their lands, territories, and resources and measures to ensure that the free, prior and informed consent is obtained from indigenous peoples concerned for any project affecting them;
- (d) The mechanisms put in place to ensure that indigenous peoples are consulted on projects, legislative or administrative measures that affect the land and natural resources that they own or have traditionally occupied;
- (e) The measures to ensure that indigenous peoples enjoy economic, social, and cultural rights, in particular the right to education and the right to health, without discrimination of any kind;
- (f) The implementation of the Chittagong Peace accord of 1997.

The Committee requests the State party to submit its response by 3 November 2023 and would like to encourage the Government of Bangladesh to submit at its earliest convenience its twelfth periodic report, which is overdue since 11 July 2002.

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.

Yours sincerely,

Verene Shepherd
Chair

Committee on the Elimination of Racial Discrimination