



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

Excellency,

I write to you in relation to the Committee's letter of 31 August 2023 regarding the consideration of information received under its early warning and urgent action procedure, related to the situation of indigenous peoples in Chittagong Hill Tracts of Bangladesh.

In the abovementioned letter, the Committee expressed concern about the allegations received regarding the situation of indigenous people in Chittagong Hill Tracts (CHT) of Bangladesh, in particular of systematic and pervasive racial discrimination, which had reportedly been exacerbated by the deployment of the Army and paramilitary forces in the region. The Committee had also been apprised of a reported lack of legal recognition of the right of indigenous peoples to own, use, develop and control the lands, territories and resources traditionally used by them. In addition, indigenous peoples in the region also reportedly face severe challenges and inequalities in the enjoyment of economic, social, and cultural rights, in particular the right to education and the right to health.

The Committee notes with regret that the State party has not responded to the abovementioned letter and remains concerned that the allegations received may amount to a breach of the principle of non-discrimination and the State party's duty to recognize and protect the rights of the Indigenous Peoples to own, develop, control and use their traditional and communal lands, territories and resources.

The Committee recalls 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 all Bangladeshis, without distinction based on race, colour, descent, or national or ethnic origin, the right to security of person and protection from the State against violence or bodily harm.

In accordance with Article 9 (1) of the International Convention on the Elimination of Racial Discrimination and Article 65 of its Rules of Procedure, the Committee reiterates its request to the State party to provide information on the following:

H.E. Mr. Mohammad Sufiur Rahman
Permanent Representative of the People's Republic of Bangladesh
to the United Nations Office
Geneva
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- (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 15 March 2024 and would like once more to request the State party to submit its overdue 12th periodic report under the Convention as a matter of urgency.

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