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United Nations Human Rights Council

Forum on Minority Issues

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Item 3

d Item-3 : Respecting minority rights as a means of preventing or mitigating the impact

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Statement by:
of humanitarian crises
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Jatiya Adivasi Parishad and Kapaeeng FOundation

Honourable Chairperson, distinguished delegates, indigenous and minority sisters and brothers,

Like other countries of the world, in Bangladesh, land and forest is key factors that lead to humanitarian crises— such as those resulting from conflicts, natural and man-made disasters— having a disproportionate impact on indigenous peoples and other minority groups.

The conflicts generally take place by attacking upon indigenous peoples from the side of influential land grabbers who mostly belong to mainstream Bengali Muslim population in Bangladesh. Lands, forests and territories of the indigenous peoples in Bangladesh have been and are still being taken away without free, prior and informed consent of the indigenous peoples in the name of development. Hence indigenous peoples not only continue to suffer from violent land-grabbing, but many have been evicted, or threatened with eviction, from their traditional homes and lands.

Systematic attack including arson, looting and vandalizing the houses of indigenous people, sexual violence etc. lead to humanitarian crises among indigenous peoples. For example, a sudden attack upon indigenous peoples by police and local goons hired by sugar mills authority and influential•political elements was taken place 6 November 2016 in Gaibandha district aiming to evict indigenous Santal farmers. At least three Santal men were shot dead, four Santal villagers were arrested and more than 1200 Santal families were evicted. They are still living in open sky. They are poor and mostly day labourer, now facing food crisis. As their houses and all belongings are completely burnt down, most of them are living with a single cloth.

Such type of attacks that lead to humanitarian crises are taking place in Bangladesh regularly.

The non-recognition of and disrespect to traditional land rights of indigenous peoples is one of the main causes behind land grabbing by state and non-state actors. There is no example where indigenous victims got justice. Such impunity encourages the perpetrators to commit further crimes.

Bangladesh ratified ILO Convention No. 107 on Indigenous and Tribal Populations which provides safeguards for indigenous peoples' individual and collective land rights. The East Bengal State Acquisition and Tenancy Act 1950 also regulates and forbids transfer of lands owned by aboriginals to non-aboriginals in the plains. There are widespread reports of non-implementation of this Act, leading to illegal encroachment by the mainstream population and also by the government in the name of development.

The present government of Bangladesh pledges its election manifesto that "Special measures will be taken to secure their original ownership on land, water bodies, and their age-old rights on forest areas. In addition, a land commission will be formed." However, the government is yet to form a Land Commission for plain land indigenous peoples.

In light of the above situation, the following issues can be recommended for urgent action to the Government of Bangladesh:

- (a) Impartial, independent and transparent enquiries to the attack on indigenous peoples have to be done, and the perpetrators have to be tried in order to bring about an end to the culture of impunity in the country.
- (b) A separate Land Commission for the indigenous peoples in the plains should be set up to recover lands lost during the last 40 years and reinstate them to their original owners.
- (c) Implement forthwith the ILO Convention No. 107 and frame national laws affecting the indigenous peoples in the country in pursuance of the provisions contained in the Convention.

Thank you Honourable Chairperson.