



Rights of Indigenous Peoples in Bangladesh:

A case study on Chittagong Hill Tracts

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Abstract

The Chittagong Hill Tracts (CHT) of Bangladesh was for a long time an area of conjuration, affection, brotherhood, social and natural contribution in livelihood as well as harmony between nature and culture. At present, eight hundred thousand indigenous peoples in CHT are living in poverty, hunger, malnutrition, killings, conflicts, and imbalanced situation in society and economy. Different development programs in different times has demolished the indigenous peoples way of life. The Peace Accord of 1997 signed between the Government of Bangladesh and the local political party PCJSS in CHT aimed at establishing rights of indigenous peoples including rights to language, culture, economic and environmental development. However, after more than two decades since the signing of the Peace Accord, peace in CHT is far from implemented. However, both using qualitative and quantitative data from primary and secondary sources, the vulnerable socio-economic situation of the indigenous peoples of CHT has been analyzed. Instead of peace, deprivation and hunger as well as human rights violation are still prevalent in the CHT.

Key Words: Indigenous People, Chittagong Hill Tracts, Bangladesh, Human Rights.

List of Abbreviations

| | |
|--------|---|
| ASA | : Association for Social Advancement |
| BBS | : Bangladesh Bureau of Statistics |
| BDR | : Bangladesh Rifles |
| BRAC | : Bangladesh Rural Agricultural Committee |
| CHT | : Chittagong Hill Tracts |
| DB | : Detective Branch |
| DC | : Deputy Commissioner |
| DF | : District Forest |
| DGFI | : Directorate General of Force Intelligence |
| FGD | : Focus Group Discussion |
| Govt. | : Government |
| GOC | : General Officer Commanding |
| ILO | : International Labour Organization |
| KPM | : Karnafuli Paper Mill |
| KAFCO | : Karnafuli Fertilizer Company |
| LGED | : Local Government Engineering Department |
| MoEF | : Ministry of Environment and Forest |
| NGOs | : Non – Government Organizations |
| OC | : Officer in Charge |
| PCJSS | : Parbatya Chattagram Jana Samhati Samiti (Chittagong Hill Tracts United Peoples’ Party) |
| RF | : Reserved Forest |
| SB | : Shanti Bahini |
| UPDF | : United Peoples’ Democratic Fronts |
| UNICEF | : United Nation Children Found |
| UN | : United Nation |
| UNO | : Upazila Nirbahi Officer |
| USF | : Unclasped State Forest |
| VDP | : Village Defense Police |
| WB | : World Bank |

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Chapter One: Introduction and Background

1.1 Introduction

The Chittagong Hill Tracts (CHT) are situated in the south-east part of Bangladesh.¹ There are around 850,000 indigenous peoples who are different from the majority Bengali people in race, religion, culture, heritage, political history, language and economy.² Thousands of indigenous peoples of CHT have been victimized of genocide, massive killings, robbing, firing and other human rights violations since the 1960s.³

Amnesty International and donor countries have broadcasted the news of human rights violation in CHT. In 1997 a Peace Accord was signed between the Government and the CHT political party PCJSS. The purpose of the Accord was to remove widespread unrest and to ensure human rights for the indigenous peoples. The purpose of this thesis is to describe and analyze the human rights conditions of the indigenous peoples in the CHT after the signing of the Peace Accord.

Present human rights violation in the CHT is on the one hand strongly connected to the military presence, as land disputes, forced displacement, arbitrary arrests, torture, rape, and killings. On the other hand there is a government induced discrimination concerning salaries, and access to food, health, education, and employment. As a poor country, number 135 out of 195 countries in the UNDP Human Development Index in 2019, Bangladesh to a large degree depends on foreign aid.⁴ Several donor countries, as well as aid organizations, have during the last years threatened to stop development aid and food supply to Bangladesh for the massive human rights violations. EU, USA, and Japan has discussed of closing trade with especially the garment industries (the main exporting sector of Bangladesh) due to human rights violation in the CHT.

From the historical sources it is found that *indigenous* groups have been living in CHT since ancient times, developing a distinctive culture, custom and social system. But they have been forcibly converted in to Islam, which is considered to be ethnocide according to the 1948

¹ <http://sdnpbd.org:1>.

² <https://unpo.org/members/7867>

³ <https://www.amnesty.org.uk/groups/wirksworth-and-district/hidden-bangladesh-violence-and-brutality-chittagong-hill-tracts>

⁴ <http://Amnesty.org/Bangladesh/1990>, Rahman, M 2001: 41

Genocide Convention.⁵ The militarized security agenda in the CHT is another example of ethnocide occurring in the CHT today.⁶ Alongside, presently the indigenous peoples are suffering from an identity crisis as the Constitution of Bangladesh denies that people are ‘adivasi’.

However, the British came to this region in 1757 as the East India Company and ruled over the area for approximately 200 years. British administrative rules did not favor the ‘Chakma’ (an indigenous group)⁷ as they started reserving the natural forests as well as indigenous living places for their own benefits. They were also emphasized on market economy rather than plan economy that affected the Chakma’s ordinary life. Similarly, during the Pakistan regime (1947 - 1971), more natural forests of the CHT became reserved. Under the signboard of national development and by the name of modernization, Pakistan Govt. has established Kaptai Dam in 1959 and several types of heavy industries like Karnafuli Paper and Rayon Mills, Wooden and Timber Factory, Boat Building Industrial Corporation, Dockyards, Aziz cigarette Industries, etc. to expand their (West and East Pakistan) economy.⁸ As a result, the indigenous peoples felt dearth and paucity and were affected culturally, economically and environmentally. General Ayub Khan (Former president of Pakistan) had promised that the industrial development is only for poverty reduction, culture and environment preservation and improvement of the status of CHT people; moreover local people will get more opportunities but the people have been victimized and did not receive any opportunities. Although Chakma people claimed that they have many alternative ways and better theory of development, but the active Govt. remained quiet. No prior social impact had been studied on the projects of dam construction.⁹ After 6 years of completing the reservoir project, it has been seen that 54,000 hactor land had gone under water. The temples, emperor houses, Museums, community schools, forests and trees were damaged and approximately 100,000 Chakma have been displaced, 90% lost of their hereditary land and 20,000 Chakma were forcibly migrated to India and Mayanmar and started living as refugees involving many prohibited activities; sexual work, beggary, snatching, rubbery, etc.¹⁰ The problems of Chakma inhabitants were not minimized by rehabilitation

⁵ Moshin, Amena 1997:11

⁶ <https://www.tandfonline.com/doi/full/10.1080/14662043.2010.489746?scroll=top&needAccess=true>

⁷ Chowdhury 2001: 12, Blic, Tone 2005: 6

⁸ Talukder, M 2005: 102

⁹ Moshin, Amena 1997: 102

¹⁰ Rahman M 2001:102

program due to structural inequalities, cultural dissonance, pervasive and institutional racism, and discrimination. Later many other industries, buildings, markets were established by which the indigenous peoples had again lost their ancestral land, livelihood and natural forests. Raw materials for industries were collected from the cultivated land and declared reserved forest of natural land. After forest reservation in CHT that were enforced by British Ruler and Pakistan Govt. the CHT people fell into poverty.¹¹

Bangladesh became independent in 1971 and new rules were established. People from all religions of the country i.e. Hindus, Muslims, Christians and Buddhists hoped that for social justice and principles will be followed and their religion, culture, environment will be protected by new born Government. But at the very beginning, Bangladesh Govt stated prioritizing Bengali peoples, their culture and nationalism.¹² At the same time Bangladesh Govt. had failed to identify political, cultural, religious, environmental and economic problems of the CHT. As a new born state, the country is so far from democracy.¹³ The main two ruling party (Awami League and Bangladesh National Party) in different time could not reach in the same decision in interest of the country and people.¹⁴ Following British and Pakistan regime, Bangladesh Govt. started militarization, land grabbing and forest reservation, resettled Bengali families and forced to migrate the CHT' indigenous people. But that did not solve the problems of CHT people, rather made the indigenous peoples unsatisfied and mistrusted in the long run. Chakma become poorer and the thickness of pains and sorrows has increased. At present, the conflict exists between Bengali settlers and the indigenous peoples¹⁵ as well as between military and indigenous peoples. The indigenous peoples were accumulated and tried to protest the situation of deprivation and to segregate, develop and restore the national identity as 'indigenous', they required international help. They formed a political association named '*Parbatya Chattagram Jana Samhati Samiti*' (PCJSS) in 1973 and also formed '*Pahari Chatra Parishad*' (or hilly student forum) on 20th May, 1989.¹⁶

For two and half decades since 1975, the indigenous peoples of the Chittagong Hill Tracts of

¹¹ Gain, Philip 2000: 12

¹² Political Handbook 1998:70 Encyclopedia 2: 202

¹³ https://www.academia.edu/18273970/Political_Clash_Effects_on_Bangladesh_Economy

¹⁴ www.prothomalo.com

¹⁵ Chowdhury Iftekhar 1980: 87

¹⁶ Moshin, Amena 1997: 63

Bangladesh have been subjected to serious human rights mistreatment including large scale massacres, arbitrary detention, torture - rape and extrajudicial executions. The violence in the Chittagong Hill Tracts was developed during years of armed confrontation and allowed human rights violations to be committed in the majority of cases with impunity. The main perpetrators had been the law enforcement personnel and groups close to the army within the Bengali settlers. According to the UN Declaration in 2007 and ILO Convention in 1989, indigenous peoples have to get their rights and from this perspective, 'Peace Accord' is signed between the Bangladesh Government and '*Parbhatya Chittagram Jana Sanghati Samiti*' (PCJSS) in the presence of the Honorable Prime Minister of Bangladesh to save indigenous environment, culture, economy, education, formation of local Govt. and recognition of National identity.¹⁷ The indigenous peoples and international world hoped for returning of the indigenous rights through the Peace Accord. But after 23 years, there is no sign of peace there. The indigenous peoples are now living a miserable life that has no security in health and economy, food and agriculture and education and livelihood.¹⁸ The solution of these problems have been identified by ILO convention, UN declaration and so on. The implementation of the Peace Accord can solve those problems through protecting the human rights of the indigenous people.

1.2 Geographical Context of CHT

The Chittagong Hill Tracts (CHT) occupies an area of 13,295 square kilometers which is almost one - tenth¹⁹ of the total area of Bangladesh (area of Bangladesh is 147, 570 square kilometers). The region comprises of the three districts (a territorial unit of Bangladesh) namely Rangamati, Bandarban and Khagrachari. The region encompassed seven river valleys and dense natural forest²⁰ but now bare in many places. The valleys formed by the Feni, the Karnafuly, the Chengi, the Myani, the Kassalong, the Sangu and the Mathamuhuri rivers and numerous hills are covered with vegetation.²¹ The CHT area is surrounded by the Indian State of Tripura and Mizoram on the east, Myanmar on the south and Chittagong on the west. The topography of the districts is presented by the proportion of hill originally covered with densely bamboo trees and creeper jungle, but now these are disappearing in many places. The deforestation distresses the

¹⁷ <http://www.CHTpeaceaccordBangladesh1997>

¹⁸ Gain, Philip 2000: 12; M GI 1988: 67

¹⁹ Gain, Philip 2004: 1

²⁰ Rahman Mizanur 2005:46

²¹ Loffler, G 2012: 30

environment.

The CHT is a succession of mountain ranges and valleys in the east – west (latitudinal) direction. The Western side falls steeper than the East side and has scarps and waterfalls.²² The whole of the CHT falls within the Wet Tropical Climatic zone because of the high rainfall although November to March, these five months there are hardly rains.²³ On the mountain ranges, more exposure of northerly winds bring temperatures down by five to ten degrees during cold waves. Poor indigenous peoples cannot tolerate this cold and tremor in because of poverty and having lack of warm cloth. Chakma who are living in the plain land, their sorrows know no bound during rainy season.²⁴ According to local people, the situation was not like this about 50 - 60 years before. Bangladesh Govt. , Bengali settlers and foreign companies are cutting down trees disorderly and no attempts have been taken by Govt. for preserving the environment and its geography. On the other hand, the brick field has been constructed there which collects its raw materials by cutting hills and emits smoke that is making the environment polluted and dangerous for a living. The Climate is very important component of the environment.²⁵ So, ongoing climatic change and more data on it are very necessary for the development purpose.

There are two natural lakes named Rainkhiangkine Lake and Bagakine Lake and one man-made lake named Kaptai Lake. The Kaptai Lake covers an area of about 767 sq. km during dry season and about 1,036 sq. km during the monsoon. But the color of its water is black and polluted. Normally, large floods occur during the monsoon from June to October. All connections of one indigenous to other indigenous peoples have at a stand still during this time. The flood condition is aggravated by typhoon rainstorms, which tend to raise the tidal level. The major cause of severe flooding in low - lying areas is downstream synchronization of the flood peaks of the Karnafuli River and the relatively sluggish Halda River. But the lives of the CHT and indigenous peoples become miserable because of deforestation.²⁶

22 Rashid, M 1991: 204

23 Bangladesh Weather Office, 2000

24 Loffler. G 2012: 5, Khaiser Shaidullah 1980: 67

25 Schendel Mey 2000: 204

26 Khaiser Shaidullah 1980: 102, Hutchinson, Sneyd 1978: 87

1.3 Demographical Context of CHT

The CHT are different from the plains and its original inhabitants are also different from the minority of Bengali people both physically and culturally.²⁷ The mongoloid races are the original inhabitants of CHT belongs to 13 ethnic groups. Each ethnic group has diversified culture and language. According to the 2011 census, Bengalis are now half of the total population of CHT. Poverty has increased for population growth in the CHT.²⁸

Although the size of the indigenous population in the CHT in 1991 was larger than the Bengali population, they became marginalized in the urban centers and business sectors that are under the control of the Bengali population. The reason for the demographic change was the state sponsored Bengali settlement program started in 1979.

Table 1: Trends of Demographic and Ethnic Composition in CHT (1941-2001)

| Year | Tribal population | | Bengali Population | | Total |
|------|-------------------|-------|--------------------|-------|---------|
| | Population | % | Population | % | |
| 1941 | 239783 | 97.06 | 7220 | 2.94 | 274053 |
| 1951 | 269177 | 93.71 | 18070 | 6.29 | 287247 |
| 1961 | 339757 | 88.23 | 45322 | 11.77 | 385679 |
| 1974 | 392199 | 77.17 | 116000 | 22.83 | 508199 |
| 1981 | 441744 | 58.77 | 313188 | 44.48 | 754962 |
| 1991 | 501144 | 51.40 | 473301 | 48.60 | 974445 |
| 2001 | 736682 | 54.87 | 606058 | 45.13 | 1342740 |

Source: Dewan 1990: 48//AIPP: 2007, BBS: 2011

The physical structure of the indigenous peoples is different from the Bengali people. *Indigenous peoples* of CHT are tall in size and white, brown, black in color. Both are culturally different such as food habit, dress pattern, religious performance and ritual ceremony, house pattern etc. although they live in a same region. Both Bengali and the Indigenous peoples are related to different political groups, institutions and organizations. The demand of the PCJSS (local political party) and UPDF (local political party) is to return

²⁷ Mazumder, Gopal 1988: 24

²⁸ Gain, Philip 2000: 26

the Bengali to the plains.²⁹

1.4 Question at issue

A peace accord was signed between the Government of Bangladesh and PCJSS in 1997. The aim of the Peace Accord was to end more than 25 years of unrest in the CHT. 23 years since the signing of this Accord, indigenous peoples are still struggling with poverty, hunger and malnutrition as well as violations of basic human rights. Social unrest encompassing land conflict is also a common phenomenon. However, the Peace Accord reflects the aim of ensuring the human rights of the indigenous people. My research question is whether the basic human rights of the indigenous peoples are being protected in line with the Peace Accord.

1.5 Objectives of the Study

The objectives is to explore the present human rights situation of the CHT' indigenous peoples. The forestry and agriculture depending communities have largely faced several difficulties due to the construction of the Kaptai dam and other heavy industries that encroach upon their traditional land. As a consequence of this land grabbing, the indigenous peoples have lost much of their cultural heritage and natural environment. In such a situation, the specific objectives of my research can be narrated this way;

- To analyze the impact of the so called 'National Development Plan' on indigenous peoples in the CHT.
- To explore the present socio-economic conditions of the indigenous peoples in the CHT.
- To analyze the human rights situation of the indigenous peoples after the signing of the Peace Accord in 1997.

²⁹ Moshin, Amena 1997: 105

Chapter Two: Research Methodology

The objective of this chapter is to describe the methodology of the research. Moreover, the literature review has been included in this chapter.

2.1 Methodology of the Study

Methodology is very important for any research so, I have followed some methods i.e. qualitative and quantitative methods. The exercise of both methods involves the collection, analysis and mixing of both quantitative and qualitative data in a single study.³⁰

As qualitative method, the ‘ethnographic’ as well as ‘participant observation’ has been done of living with the indigenous peoples, mixing with Bengali, communicating with Government service holders, the local rich and the poor people. The choice of those methods has led me to concentrate upon the intensive study of a village community as well as their socio - economic life.

2.1.1 Data collection Techniques and Tools: Part of the research was done as a fieldwork in CHT. As data collection tools and techniques, face to face interviews through questionnaire, participant observation through unstructured questionnaire, and group discussions through checklist has been used.

As data collection tool, ‘Reconnaissance’ survey has also been used to get a clear overview of the study area. This has helped to understand the comparative historical and present status of the livelihood conditions, natural environment, forest based culture of the study area. These methods have been selected particularly to gain a comprehensive understanding of socio - economy of indigenous people, which constitutes the core objective of the study.

2.1.2 Sources of Data: Data has been collected both from primary and secondary sources. As primary sources, data has been gathered through direct fieldwork in the CHT. Also, secondary data has been gathered through traditional sources included published literature such as academic books, journals, articles, development reports, newspaper articles and editorials, Government documents and different websites.

³⁰ Blaikie 2010, p.218

2.2 Selection of Study Area

In selecting the study area, it is maintained that the area for the study must support the objective of the study taken into account. Selection of the area were the three Districts of the CHT consisting of 25 Upazila (sub - Districts) in total. Out of these 25, there are 10 Upazila in Rangamati, 8 in Khagrachari, and 7 in Bandarban District (local administrative unit of Bangladesh). My study is related to the socio - economic life of indigenous peoples so, I have selected the CHT areas of Bangladesh where different types of indigenous peoples live hereditarily who are different from languages, religions and cultures.

2.3 Research and Data Collection Period

As an ethnographer, I have stayed three months (October to December, 2016) in the CHT regions. I have stayed the first month (October) in Rangamati (main town) second month (November) in Khagrachari (administrative District) and the last month (December) in Bandarban (administrative District). In Rangamati, I have lived in a Chakma teacher's house. I have participated in indigenous peoples' social, cultural, and religious functions. I have observed their everyday real life; poverty, malnutrition, hunger, lack of educations and opportunities throughout three months of my fieldwork. Through 'participant observation' I have seen the life of indigenous peoples from afar.

The survey has been conducted through October to December, 2016. The demographic structure and size of households, marital status, income and expenditure, occupation, land and property, sources of drinking water, health and illness, support programs, social security, education and language, loan and in debt, external pressure and dominance, land grabbing, settlers intervention, migration, displacement and some other issues of indigenous peoples have been explored through this survey method.

In addition, the face to face interviews, group discussions, informal conversations with the indigenous people sand formal meetings has been done throughout the three months. The formal interview has been conducted with elected officials and the acting chairman of the Union Council in December, 2016. The formal interview has taken with some of local office bearers of NGOs during fieldwork of the same year. Moreover, the secondary data has been collected till June 2020 to provide the updated socio - economic condition of the indigenous peoples of CHT.

2.4 Literature Review

I have delineated literatures to enrich this research paper. This paper has tried to explore the perception, feelings and present condition of the indigenous peoples and assessed in this present research. The adverse impact on peoples, their culture, economy and environment has been explored clearly in this paper through national development paradigm after Kaptai Dam, reserved forests and industrial establishment in the CHT comparatively. The assessment has held on the present condition of land, migration status, politics and conflict, cultural and religious condition, inundation area, Govt. policies, industrial development, international initiatives, environmental degradation and the chronological history of CHT development. In the paper *'In The Belly of the River'* (2001), Amita Baviskar used the Ethnographic method which is historical and assessment based depends on the interpretation of the ethnic group. So it is perfect for the present research. Here was the opportunity to mix with the tribal and pulling their information which has helped to fulfill the objective accurately. Phillip Gain on *'The Chittagong Hill Tracts: Man – Nature Nexus Torn'* (2013), here he described the CHT have lost its majestic look and faced with an ecological disaster. The Kaptai Dam, Karnaphuli Paper Mill and other 'development icons' manifest concrete evidences of ecological devastation today. From this, the present research has collected data on the environment. Amena Mohsin on *'The Politics of Nationalism: The Case of the Chittagong Hill Tracts Bangladesh'* (1997), described the political history of nationalism and the exploiting nature of the CHT peoples in different period which is very helpful for the present research. The nature of alienation of the indigenous peoples from their traditional land, forest reservation and the commercialization of forestry which she mentioned have destroyed the natural environment and created hunger, malnutrition and poverty.

The present research uses Tone Bleie's book on *'Tribal Peoples, Nationalism and the Human Rights Challenges: The indigenous of Bangladesh'* (2005), where she discussed minority and indigenous rights with a social science analysis of how social (particularly ethnic) discrimination impinges on poverty processes and outcomes. She also concentrated on those related to human dignity and well - being, safety, food security, employment and control over land in Bangladesh which is necessary to analyze the findings of the present research. Willem van Schendel, Wolfgang Mey & Aditya Kumar Dewan on their book *'The Chittagong Hill*

Tracts: Living in a Borderland' (2001), examined the ecological damage of the Kaptai project and also natural beauty of the CHT that has decreased. From here, the present research has accepted data on environmental degradation, changing traditional economic pattern of indigenous peoples. Phillip Gain in *'The Chittagong Hill Tracts: Life and Nature at Risk'* (2000) present information, analysis and photographic evidence about how the land, life and nature in the CHT are at risk. Lorenz G. Löffler in *'Ethnographic Notes on the MRU and KHUMI'* (2012), described the innocent traditional culture, economy, environment and social structure of Mru and Khumi community very deeply that enabled to analyze the impact of Kaptai dam, reserved forest, and industries and the changing nature on the CHT and its people especially on indigenous peoples. An orientation in development series *'Cultural Heritage and Development: A Framework for Action in the Middle East and North Africa'* (2001), this publication has helped me to present the CHT culture and its impotency to preserve which is being distracted from previous to present by many development projects. Captain T.H. Lewin described and gave historical data of CHT in *'The Hill Tracts of Chittagong and the Dwellers therein with Comparative Vocabularies of the Hill Dialects'* (2011).

Chapter Three: Theoretical Understanding of Indigenous Rights

This chapter contains the discussion on the rights of indigenous peoples in the theoretical perspective of anthropology. It has been tried to catch up the rights of indigenous peoples as of theoretical understating in the context of ILO convention No. 169 which has been ratified by Bangladesh.

3.1 Theoretical Understanding of Indigenous Peoples

Anthropologist John R. Bowen shared the term ‘indigenous’ referring collectively to indicate the people who are traditionally, linguistically and culturally different as well as dominated in terms of politics and economics. Presently, this ‘indigenous’ term turns into legal discourse, somewhere ‘indigenous peoples’ rights’ is a part of international customary law. It also has been found that under current legal and political discourse of the rights of indigenous peoples there is the group differentiated rights with multiple, culturally specific concepts of people, place and state.³¹ Overseeing the different international laws and conventions of different times it has been seen to focus on some common rights for all indigenous, minority peoples all over the world.

Here, it is necessary to mention the practice of political power in regard to indigenous peoples’ rights which has been observed from the beginning of the colonialism. After the World War II, it has been seen to focus on the individual rights (human rights). The international Law for example, 1948 Universal Declaration (economic, social and cultural rights) and two International Covenants of 1966 (civil and political rights) considered minorities having ‘collective rights’ and indigenous having ‘group rights (protection and prohibition of genocide); two terms interchangeably used within human rights discourse.³² However, Asian, African and Middle eastern societies focused on human rights where Northern America and Europe emphasized on collective rights.³³

On the other hand, to study on the indigenous rights in 1940s ILO has revealed that the problems prevalent in integrating indigenous people into dominant societies. By the 1970s, it was

³¹ Bowen, 2000

³² Bleie, 2005

³³ Bowen, 2000

established to maintain cultural and economic differences of the similar societies.³⁴ In Indonesia and Malaysia, the indigenous peoples were linguistically and culturally somewhat different and vulnerable from the dominant Malay culture.³⁵ This study indicates that all over the World, the indigenous peoples are not integrated with the mainstream and treated as differently within a society or a state. It is the wide-ranging political consequences of colonialism and post-colonial practices.³⁶ As per Nazi, the European policy nursing the legal and racial distinction within their colonies tarnished their history along with French differential among indigenous and immigrant peoples and North Africa also.³⁷ The different international convention and laws could not ensure the protection and rights of the indigenous people as those underscored on various things (sometimes integration, sometimes allow them with other similar societies to elsewhere, to maintain social and cultural differences³⁸) in different times. The 1994 U.N. Draft Declaration on Rights of indigenous people emerged as of a ‘new international law of indigenous peoples’³⁹ which focused on the particular territory and of residence that makes the indigenous peoples distinct from and subject to discrimination.⁴⁰

According to anthropologist Bodley, the political mobilization of the indigenous people has been occurred in 1970s all over the world. Bodley, in his writing *Victim of Progress* revealed the greediness of the state toward resources that forced to destruct the tribal cultures. The indigenous people always keep up the ecological balance⁴¹ within their territory. But the state’s intervention like industrial civilization has been destroyed the tribal cultures ignoring and avoiding them.⁴² Bodley has stated that resource exploitation in a sense ‘exploitation policies’ is the principal cause of the destruction of indigenous peoples and cultures. From 1851 to 1900, about 35 million of the indigenous peoples have been exported from the Europe as of failure to fulfill their basic needs.⁴³ In addition, many countries of the world has been destroyed the natural environment to

³⁴ 1957 ILO report

³⁵ Bowen, 2000

³⁶ Bowen, 2000

³⁷ Bowen, 2000

³⁸ Bowen, 2000

³⁹ James Anaya, 1996

⁴⁰ Bowen, 2000

⁴¹ J. Bodley, 2008

⁴² J. Bodley, 2008

⁴³ J. Bodley, 2008

collect raw materials for the economic development. In the CHT of Bangladesh, the national-international development program has also affected the indigenous peoples' way of life along with the natural and ecological environment. Particularly, throughout the world at least 30 million indigenous peoples have been decreased during 1780 to 1930 due to the spread of industrial colonization.⁴⁴ As per Bodley, the conscious state could play a crucial role to save the tribal cultures as well as environment but did not.

Another anthropologist Tone Bleie has also drawn the historical relationships between lands and identities of the indigenous peoples. Also to discuss the basic human rights, she mentioned that the human rights violation intensifying the livelihood crisis of the indigenous peoples. The indigenous peoples have rights of enjoying their culture and rights on their traditional land areas, human rights and the rights achievement are illusive for the political power.⁴⁵ The indigenous peoples in CHT of Bangladesh have been discriminated socio-economically through the political power structure in different time i.e, British period (1757-1947), Pakistan period (1947-1971) and the Bangladesh (1971-present). The peoples have been marginalized, deprived as well as isolated in terms of socio-economic entity and nationalism. However, the struggle has been seen around the world between the small-scale indigenous societies and the colonists and corporate developers. And the purpose of this battle is to invade the indigenous territories over the past 200 years.⁴⁶ The victims (indigenous peoples) survived by organizing politically or having some unifying relationship⁴⁷ to defend their basic human rights as well as their heritage and inhabitants.

Moreover, to indicate the segregation of the minorities and other discriminated groups from the national development process in different historical time Bleie strongly highlighted on the recognition of groups rights for the indigenous peoples in the CHT and says that the alienation of resources, outstanding forms of discrimination, marginalization and deprivation should be measured (Bleie, 2005:54-56). However, the people are now being affected by oil and natural

⁴⁴ J. Bodley, 2008

⁴⁵ Bleie, 2005

⁴⁶ Bleie, 2005

⁴⁷ <http://hrlibrary.umn.edu/edumat/studyguides/indigenous.html>

gas development and tropical deforestation, as well as global warming⁴⁸ as of national-international development programs throughout different time.

In addition, Tone Bleie (2005:64) suggests Article 27 of the United Nations International Convention on Civil and Political Rights which states that ethnic groups or minorities ‘shall not be denied the right, in community with others members of their group to enjoy their culture’.⁴⁹ This indicates that the each specific group of peoples has the rights to their traditional land areas as well as to enjoy their own culture. But in reality, the indigenous peoples in the CHT have been alienated from their traditional land as well as deprived and evicted from their own culture. In continue of it, different ruling government over the time has introduced different policies of forest reservations, commercialization of forestry and industrial development in the CHT. The consequences of those historical policies has invaded traditional land, destroyed and polluted natural environment i.e, increase temperature, water and air pollution and occurred famine and poverty in the region⁵⁰, moreover effects on the basic human rights. The indigenous peoples are now living in the CHT in constant conflicts with the government (military) and the surrounding society (i.e, Bengali people) encompassing land and natural resources. Bleie mentioned that the protection of the cultural property, and land rights movement is closely related to each other. But the state seems that land rights of indigenous people are threat for the sovereignty and political power.⁵¹ And such way, the state deprives these indigenous people from their collective as well as group rights; land rights moreover cultural rights, identity and nationalism.

However, the ecological damage is one result of the Kaptai Dam project, forest reservation, rubber plantation, militarization and Bengali settlement in the CHT, the process of development policies. On the other hand, the natural beauty of the CHT has been decreased profoundly.⁵² The indigenous peoples face several kinds of disadvantages; social and individual barriers as well as geographic, cultural, economic, political and structural disadvantages. In addition, Bleie mentioned that the previous all ruling government programmes in the CHT was only for the

⁴⁸J. Bodley, 2008

⁴⁹<https://treaties.un.org/doc/publication/unts/volume%20999/volume-999-i-14668-english.pdf>

⁵⁰Van Schendel, William WolfSang, Aditya Kumar Dewan, 2001

⁵¹Bleie, 2005:59

⁵²Willem van Schendel, Wolfgang Mey & Aditya Kumar Dewan, 2001

national development, but not integration of the minority and indigenous rights into the programmes.⁵³

In terms of 'Nationalism', the indigenous people are suffering from identity crisis in the Bangladesh which started from Pakistan period. 'Nationalism' as a theory of political legitimacy requires that ethnic boundaries should not cut across political ones and Ernest Gellner defined, 'Nationalism' is primarily a political principle, which holds that the political and national unit should be congruent.⁵⁴ As per Gullner and other social scientists, the link found between ethnicity and the state where a nation-state dominate minorities by its official symbolism and legislation.⁵⁵ However, the Pakistan was failed to Islamic religiously based integration to the indigenous and Bengali people during Pakistan period that is 1947-1971.⁵⁶ Moreover, the generalization of allegation against the indigenous peoples of lacking patriotism has no evidence as these peoples were also victimized by the Pakistani army, harassed and grave atrocities as alike and Bengali peoples. Henceforth, most of the indigenous peoples were Awami League (main political party during liberation war) supporter during the independence war of Bangladesh (former east Pakistan) in 1971.⁵⁷ Presently, the Bangladeshi nation-state has claimed that those peoples were collaborated with Pakistani army during that liberation war.⁵⁸ However, in 1972 (after independence of Bangladesh) the constitution indeed made which has no provision for a special status of the CHT indigenous peoples. Article 28 (1) of the Bangladeshi constitution states about the basic rights as 'the State shall not discriminate against any citizen on grounds only of religion, race, caste, sex or place of birth.'" According to that the disadvantaged citizens of Bangladesh are given preferential treatment could hardly satisfy the hill people. In addition, the Bengali nationality was imposed to the indigenous peoples which Larma one of the hill peoples' parliamentary representative rightly rejected it upon the hill peoples.⁵⁹ Later, in 1973 SK. Mujib, Father of Bengali nation declared "the tribal peoples are being promoted into Bengalis" from onward, the indigenous peoples in Bangladesh are living with identity crisis. These peoples are politically marginalized here.

⁵³ Bleie, 2005: 44

⁵⁴ Gellner, 1983:1

⁵⁵ H.T. Eriksen, 1993:99

⁵⁶ R. Jahan, 1972

⁵⁷ Bleie, 2005: 162

⁵⁸ Bleie, 2005: 162

⁵⁹ A. Mohsin, 2000:244

Now, turn to the Bleie who has concentrated on human dignity and well-being, safety, food security, employment as well as the environmental degradation and changing traditional economic pattern of CHT indigenous people.⁶⁰ Particularly, the national development programs in the CHT were not in the favor of the indigenous peoples as of not considering the blessing of those peoples i.e, did not study social impact of the Kaptai dam construction.⁶¹ The integration of the indigenous peoples was absent there from the beginning to onward. The people become affected, marginalized and deprived historically through various development programs nationally and internationally. This is the consequences of not integration of the indigenous people with the mainstream society or state. These deprived people organized to survive with the unfavorable environment and as ramification of it at certain time, the peace accord was signed in 1997 between PCJSS (political party for indigenous peoples in CHT) and the then Government claiming and purposing to restore the basic human rights of indigenous peoples as well as to recover the cultural heritage of the indigenous people. But twenty-three years have passed after signing this accord; only five percent has been implemented, reported by different media of the country.

3.2 ILO Convention No. 169 and ‘Indigenous Peoples’ Rights’

The indigenous rights belong to the indigenous peoples who are original settlers of a land. Different Conventions, conferences and seminars and other platforms has mentioned the indigenous rights as of human rights. The ILO convention No. 107 which Bangladesh ratified in 1972 (and the revise one convention No. 169) as a tool helps to implement the rights of indigenous peoples in national level.⁶² The revision of the convention 107 is of Convention No. 169 in 1989 applies to both indigenous and tribal people which focus on land and resource right, employment, vocational training, social security and health, education, income and livelihood as well. And Bangladesh has been ratified this convention promising to restore and preserve the rights of indigenous people. Article 1 (2) of ILO Convention states: 'Self -identification as indigenous or tribal shall be regarded as a fundamental criterion for determining the groups to which the provisions of this Convention apply.'⁶³ The Convention also premises that the “social,

⁶⁰Bleie, 2005

⁶¹A. Mohsin, 2000

⁶²Deavasish, 2009

⁶³https://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:12100:0::NO::P12100_ILO_CODE:C169

economic or cultural situation of indigenous people hinders them from benefiting fully from the rights and advantages enjoyed by other elements of the population and from sharing fully in the progress of the national community of which they form part and emphasized the protection and integration”. The Convention obliges state parties to develop ‘co-ordinated and systematic action for their progressive integration’ through ‘collaboration’ rather than ‘force or coercion’. Twenty - two countries have ratified this Convention recognizing land ownership; equality and freedom; and autonomy for decisions affecting indigenous peoples.⁶⁴

Additionally, Article 8 (1), (2) of the same Convention mention that indigenous peoples and individual have the right not to be subjected to forced assimilation or destruction of their culture and States shall provide effective mechanisms for prevention and redressing. Article 10 includes that indigenous peoples shall not be forcibly removed from their lands or territories. No relocation will take place without the free, prior and informed consent of the indigenous peoples concerned and after agreement on just and fair compensation and where possible, with the option of return.⁶⁵ Article 14 (1) of the ILO convention 169 states that indigenous peoples have the right to establish and control their educational systems and institutions providing education in their own languages, in a manner appropriate to their cultural methods of teaching and learning.

However, Article 15 (1) of this same convention indicates the ownership, possession and rights of the people to the natural resources which ensure peoples’ right to participate in the use, management and conservation of these resources. Article 24 (1) conveys that indigenous peoples have the right to their traditional medicines and to maintain their health practices, including the conservation of their vital medicinal plants, animals and minerals.⁶⁶ Indigenous individual also has the right to access, without any discrimination, to all social and health services. Also, Article 26 (1) contains that indigenous peoples have the right to the lands, territories and resources which they have traditionally owned, occupied or otherwise used or acquired.

Moreover, Article 29 (3) of the ILO convention No. 169 includes the health rights of the indigenous people. The effective measures have to take for monitoring, maintaining and restoring the health of indigenous people. Article 30(1) acknowledges that military activities

⁶⁴ [www.:dams.org](http://www.dams.org)

⁶⁵ <https://www.culturalsurvival.org/undrip>

⁶⁶ <https://rights.culturalsurvival.org/>

shall not take place in the lands or territories of indigenous people, unless justified by a relevant public interest or otherwise freely agreed with or requested by the indigenous peoples concerned.⁶⁷

The Kaptai dam inundated 253 square miles of tribal land in 1962 affecting 100,000 indigenous peoples. In 1977, the military started genocidal extermination policy against hill tribes in the CHT. In 1982, a huge number of Bengali peoples settled in the CHT consequently occupying tribal land. 185,000 tribal people had been killed in 1984.⁶⁸ At this point, it can be mentioned again to ask the question whether tribal people freely choose progress although the answer has been provided many times by the independent tribal peoples who are in confrontation with industrial civilization; i.e., ignored in, avoided in and respond with defiant arrogance. In a sense, this is the rejection of the further involvement with progress.⁶⁹ In a nutshell, by the name of development policy by British (1757-1947), Pakistan (1947-1971), Bangladesh (1971-present) destroyed traditional culture, deprived indigenous people from basic human rights, land etc. However, the ILO convention No. 169 of 1989 (previous convention No. 107 of 1957) is referred to as the charter of liberation of the indigenous people.⁷⁰

3.3 Indigenous Rights in Different International Platforms

The Declaration of Rio on Environment and Development in 1992 argues that States should recognize their identity, culture and interests and should integrate them in development planning for sustainable development.⁷¹ The United Nations declared the International Year (1993) and two successive International Decades (1995 - 2004 and 2005 - 2014) for Indigenous Peoples. The UN Permanent Forum on Indigenous Issues in 2000 helped to establish indigenous rights which later helped the Declaration on the Rights of Indigenous Peoples by the General Assembly of the United Nations in 2007. The declaration stated that indigenous peoples have the right to the full enjoyment, as a collective or as individuals, of all human rights and fundamental freedoms was recognized by the Charter of the United Nations and the Universal Declaration of Human Rights and International Human Rights Law. International law has accepted that

⁶⁷ <https://www.culturalsurvival.org/undrip>

⁶⁸ J. Bodley, 2008:11

⁶⁹ J. Bodely, 2008: 18

⁷⁰ Bleie, 2005

⁷¹ <https://sustainabledevelopment.un.org/rio20>

indigenous people's rights to the ownership, control and management of their lands and territories, policies and development should not be imposed on them without their earlier and informed consent.⁷²

United Nations committee on the Elimination of Racial Discrimination in its 1235th meeting noted that indigenous peoples have rights to own, use and control over their land it is necessary to take steps to protect these lands and territories where they live traditionally.⁷³ The UN Human Rights Commission focused on the fundamental human rights based on policies or practices of discrimination. In such way, different convention, forum, committee, seminar has included the various rights; cultural, educational, health, human rights, environment and natural resources, land etc.

⁷² www.un.org/indigenous

⁷³ www.un.org/indigenous p.1

Chapter 4: Impact of National Development Programs in CHT

This chapter has portrayed the impact of so called national development programs on indigenous peoples in the CHT.

4.1 The Construction of Kaptai Dam

The Pakistan Government, in the name of modernization and development, decided to establish a number of industries and projects in the CHT area. One of the projects was to build the Kaptai Dam.⁷⁴ The Dam was built across the Karnafuli River near the helmet of Kaptai, deep in the tribal territory of the Chittagong Hill Tracts. In 1959, the Pakistan Government built the Kaptai hydroelectric project on the Karnafuli river in the heartland of the indigenous ‘*Jumma*’ people⁷⁵ in order to materialize its evil design and breaking down the economic backbone of the people of CHT in the name of so-called industrial development.

No socio-economic impact study of the project was made before its construction.⁷⁶ The United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP) was adopted by General Assembly in 2007 where clearly mentioned that States have to provide effective mechanisms for just and fair redress for any activities and necessary steps have to be taken to tackle the adverse effect on environment, economy, society and culture. But no steps have been taken to mitigate various impacts. It flooded 1,036 square kilometers of lands and submerged 40% (54,000 acre) of the best arable land and also displaced about 100,000 indigenous peoples from their ancestral hearth and homes for no good. A survey conducted as late as 1979 found that 69% of the indigenous peoples felt their food and economy crisis was caused by the Kaptai dam; 89% said they were displaced by the inundation of their homes and land; 87% said they had serious trouble in building new homes; 69% complained about insufficient compensation and corruption of Government officials; 78% complained of having no opportunity for jobs in the hydroelectric project and 93% said that before constructing the Kaptai dam their economic condition was better.⁷⁷ They are suffering still now. The indigenous peoples are deprived from their indigenous rights - declared the UN. The indigenous peoples and their successor who had lost their land that

⁷⁴ <http://himalmang>

⁷⁵ Is a collective term for the indigenous peoples of the Chittagong Hill Tracts region of present-day Bangladesh

⁷⁶ Mohsin Amena 1997: 102

⁷⁷ Chowdhury, 1979: 130

time are now living as landless. The forest has been destructed and peoples' sources of food have been destroyed. They have lack of food and protein. They cannot produce and collect from forests also. The indigenous peoples lost their forest culture and environment. The reservoir deeply affected the pattern of human life in the hills.. Rehabilitation Program was a cruel farce. About 666 meters long and about 43 meters high, the dam was completed in six years. It resulted in a colossal artificial lake over an area of about 655 square kilometres. It swallowed 125 mouzas (village) including the major portion of Rangamati town. The former residents of the area claimed they watched helplessly as their land and houses were engulfed by surging water. By Kaptai dam, indigenous 'Jumma' people became panicky and because of insecurity, finding no alternative among these some 40,000 Chakma were forced to migrate into India and about 20,000 other 'Jumma' peoples had to take refuge in Myanmar. The people who are living in Indian State of Arunachal are not yet been given citizenship. Article 10 of UN declaration 169 gives the right to the indigenous peoples that they should not be forcibly removed from their territories and also rights for getting equal compensation.⁷⁸

As a result of Kaptai dam construction, the indigenous community had lost their lands and territories, natural environment and culture. But no advantage had been given to them by previous Pakistan or present Bangladesh Government till now.

4.2 Reserved Forest

The Chittagong Hill Tracts are mostly valuable from the British to Pakistan and now Bangladesh for forest resources. It is estimated that about 61% of the total area is covered with forest which produced good quality of timber, softwood, and bamboo.⁷⁹ From intensive study of the forest resources of the CHT here I have discussed the reserved forest and present condition of CHT and the indigenous peoples; their way of life, environment, culture and economy in this paper.

The British ruled the CHT for long time (1757 - 1947). Understanding the industrial and economic value orientation of the forest and intrigued by the colonial interest, the British ruler introduced the Forest Reserve Act in 1865. The rule restricted indigenous peoples access to

⁷⁸ https://www.un.org/esa/socdev/unpfii/documents/DRIPS_en.pdf.

⁷⁹ Rahman MM 2011:86

these forests which they have been using for centuries and which has been an integral part of their livelihood and culture.⁸⁰ The British rule brought these resources under state's authority. In 1875 the law further differentiated between 'RF' and 'DF'. Reserve Forests Act absolutely forbade indigenous peoples access to those forests and in other words to those lands which built 24% of the total landmass of Chittagong Hill Tracts. Thus, the colonial power acted to transform these lands into different types of property of their own.⁸¹ These affected the indigenous peoples' culture, environment and economy as well. The CHT peoples were deprived from their human rights to use and enter into the forest and land which they occupied from their ancestral. But Article 8(1) of UN Declaration included that indigenous peoples and individual have the right not to be subjected to forced assimilation or destruction of their culture. Where *Article 5* clearly mentioned by UN that indigenous peoples have the right to maintain and strengthen their distinct political, legal, economic, social and cultural institutions.⁸² The extremity of deprivation from indigenous peoples' rights was strong during Pakistan period (1947 - 1971). The Pakistan Govt. used the forests for wood and timber because trees up to 200 feet in height with a girth of over 18 feet which was profitable and established different industries based on it.

In 1961, based on the CHT forest resources, the Eastern Pakistan Timber and Plywood Industries, the Sterling Plywood Products Ltd., the Satter Match Factory and the Royal Textile Mills were established and extracted raw material from the area⁸³ In 1962, The Pakistan Government established a new category of Protected Forests in the CHT. They also prescribed '*Jhum*⁸⁴' cultivation within the Protected Forest areas. Now the indigenous peoples lost their rights to use the ancestral land for their traditional cultivation, enter into forest, practice culture which is related to '*Jhum*' cultivation and natural forest. It is estimated that every day this mill need 3,000 tons of softwood⁸⁵ which collect from the CHT' forest.

The strongest forest reserve policy destroyed the natural forest. The wild animals, medicinal trees have become distinct. The Rio Declaration in 1992 argues that indigenous peoples play a vital role in environmental management and development by their knowledge and traditional

⁸⁰ Chowdhury Khairul, 2008: 8

⁸¹ Adnan. S 2004: 27

⁸² https://www.un.org/esa/socdev/unpfii/documents/DRIPS_en.pdf

⁸³ Ishaq, 1971: 56-57

⁸⁴ Also known as shifting cultivation, is a local name for slash and burn agriculture practiced by the indigenous communities in mountainous areas.

⁸⁵ Van Schendel et.al 2001:190

practices and States should recognize their identity, culture and interests and should integrate them in development planning for sustainable development.

In 1971 census report the total area of CHT was 13241.8 square kilometers among them there are 11395.8 square kilometers or 85.3 percent are covered with forest.⁸⁶ The Government of Bangladesh (1971 – Present) passed a forest act in 1974 which encroaches the Hilly Land in the name of unclassified reserved forest and vested department of forest. In this area, the indigenous peoples cannot access without Government pass which is permitted by amount of fees.⁸⁷ But article 15 (1) gives rights to the indigenous people to use natural resources, participation in management and preservation of these resources. Bangladesh Government has created 4 reserved forests which encroach about 834835 acres of land and by selling of timber from this forest every year earn about US\$ 7 million revenue.⁸⁸

On the other hand there are approximate 1,741,290 acres of Unclassified Reserved Forest under Government and Government earns revenue by allotting pass to cut down the timber. Another source of earning is bamboo that are collected from the reserved forests. Bangladesh Government is selling out about 3 millions of tons of bamboo at the rate of per ton US\$ 50⁸⁹ All of these activities of the Bangladesh Government have implemented by forest department earning a huge amount of revenue and meeting up the needs of Government demand.

Table 2: Present status of Forestry in the CHT

| SL. | District Name | Reserved Forest | Total Forest (In acres) |
|-----|---------------|-----------------|--------------------------|
| 1. | Bandarban | 108608 | 110858 |
| 2. | Rangamati | 630394 | 630394 |
| 3. | Khagrachhari | 95834 | 100038 |
| | Total | 834835 | 1741290 |

Source: Bangladesh Forest Department⁹⁰

I have seen the impact of reserved forests during my fieldwork. One obvious impact of the reserved forest expansion is the disappearance of many Khyang families from Rangamati. I have

⁸⁶ Rahman MM 2011:86

⁸⁷ <http://www.bforest.gov.bd/management.php>.

⁸⁸ Annual Report 2012, Department of Forest

⁸⁹ www.bangladesh.net the Daily Star, December 25, 2010 p-2

⁹⁰ <http://www.bforest.gov.bd/>

mentioned that the Convention 169 states of not forcefully removing the indigenous peoples from their traditional lands and territories. The simple, quiet and peace loving (i.e. do not go to settle any disputes within and outside their community and express tranquil behavior which I have been seeing since I was born in Chittagong as well as observed during my close participation with the people during fieldwork) Khyang people who was 1343 in number during 1991 (population census report), found it difficult to cope with the changed situation as a result of reserved forest expansion up to their garden land and homestead. Although the indigenous peoples have the rights of their own culture and this culture have to restore but that did not happen. Many religious synagogues have been inundated for Kapat Dam construction. Moreover, the people are losing their traditional language as of not including into the curriculum.

4.3 Rubber Plantation

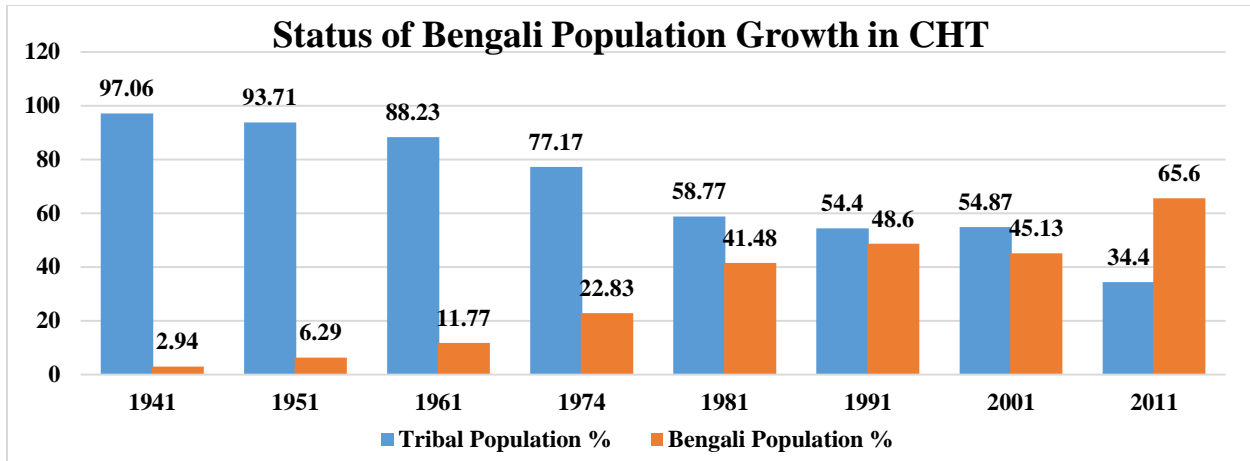
The rubber production as well as rubber horticulture has turned out to be a serious issue in CHT. This caused a severe threat to the Chakma and other smaller ethnic communities and has caused massive destruction to the local ecology. Rubber plantations—a high Government priority has been reportedly unsuccessful in the hills. Natural lands from the plots, leased out for rubber, have rapidly disappeared and now rubber plantations, mostly with bank loans, don't seem to be growing well. In the first place, the rubber plantation has initiated ecological problems and in the second place, the leaseholders for rubber are mostly outsiders who have little attachment with land. Because of rubber plantation the local communities are losing much of their communal land where they used to practice their traditional agriculture. 45,000 acres land is used for rubber and horticulture where 320 acres is used for rubber plantation.⁹¹ Reserved forests and its expansion directly and indirectly effect on the environment and economy .

4.4 Bengali Settlement

The Bengali settlement started in the CHT since 1980. Before that the indigenous peoples were inhabited there for long time since their ancestral. With the Benglai settlement project, the indigenous peoples become evicted from their land and population ratio between *indigenous* and Bengali population.

Figure 1: Demographic Changing pattern in the CHT

⁹¹ Hossain 2013: 4; Gain, Philip 2013: 54



Source: *Bangladesh Bureau of Statistics, 2011*⁹²

The figure revealed that the Bengali people has increased time to time in the CHT. In comparing to 1941 to 2011, the indigenous peoples' inhabitants has been decreased profoundly in those regions. The indigenous inhabitant areas are now turned into Bengali majority area.

The indigenous peoples of CHT have been alienated from their land through a state-sponsored project of settlement of Bengali in the CHT.⁹³ Presently there are two groups of Bengalis in the CHT. The hill people call them indigenous and 'settlers' accordingly. The indigenous are the people who had migrated to the hills in a natural way in search of jobs, or as farmers and traders. There is no evidence of ethnic violence between the indigenous and Bengali people.⁹⁴

This suggests that the indigenous peoples did not resist the natural migration of Bengalis since they had not come as land grabbers or posed any threat to their survival. Moreover, in 1979 President Ziaur Rahman settled 30,000 Bengali families in the CHT. A sum of 60 million takas (6 million US dollars) was allocated to the scheme⁹⁵ and distributed Bengali in districts and sub – Districts level. The committee appointed agents from among the Bengali settlers and assigned them to contact landless Bengalis willing to settle in the tracts. Many poor Bengali families poured in the CHT-attracted by the government scheme to provide five acres of land and BDT 3,600 and provisions to each new settler's family. In the north, major settlements were built in Kaptai (a territory in the CHT) and Rangamati (main town), and long valley of Chengi (a plain

⁹² <http://www.bbs.gov.bd/>

⁹³ <http://unpo.org/p.3/Gain,2000:114>

⁹⁴ Gain, Philip 2000: 66

⁹⁵ Gain, Philip 2000: 66; Moshin, Amena 1997: 112

territory in the CHT). During 1980s some 25,000 Bengali families were settled in the hill tracts.⁹⁶ In second phase of the plan, each landless settled family received five acres of hill land or four acres of mixed land or 2.5 acres of wet rice land. They also received two initial grants of 700 taka (1 dollar = 75 taka) altogether, followed by 200 taka per month for five months and 12 seers (1.25 kg/seer) of wheat per week for six months.⁹⁷

In June 1981 the Far Eastern Economic Review reported that President Ziaur Rahman “...frankly admitted that the Dhaka authorities were planning to settle between 200,000 and 300,000 Bengalis in the Chittagong Hill Tracts area.” By 1981 Bengalis made up nearly one third of the total population of the hill tracts. In July 1982 a third phase of settlement was authorized under which a further 250,000 Bengalis are expected to be transferred to the area.⁹⁸

There is severe population pressure on land in Bangladesh and generally tribal land has been regarded as available. One excuse often given for allowing or encouraging this immigration is the relatively low population density in the tracts. The United States Agency for International Development (USAID) has noted, “The Chittagong Hill Tracts are relatively less crowded than the plains in Bangladesh. Because of this difference in population densities, there has for some time been a migration from the crowded plain to the hills.” From the government viewpoint the settlement plan was successful from the start. In Rangamati town, in 1980, indigenous peoples accounted for about 30% of the population. Bengalis are now half of the CHT population (50% according to the 2011 population census). Many indigenous peoples think that it is not very far when the Bengalis population will become the majority in the CHT. Because of Bengali settlement, many indigenous peoples had been displaced from plain lands but did not get any compensation. It was not in 1947 when the Bengali population in the CHT was 2.5% that rose to 10% in 1951 and 35% in 1981. It has seen from 1981-1991, the CHT population increased by 67.95% or 6.79% per annum compared to 2.17% of national increase. A study commissioned by Dhaka, however, concluded in 1967, “as far as its developed resources are concerned, the hill tract is as constrained as the most thickly populated District.”

The emptiness of the hill tracts, therefore, is a myth. Only five percent of land outside the

⁹⁶ <http://7cwis.org/Moshin:1997:112>

⁹⁷ Moshin, Amena 1997:112

⁹⁸ Moshin, Amena 1997: 112

reserved forest is suitable for intensive field cropping. Those who executed the ill-intentioned immigration plan and settled the Bengalis in the cluster villages and other outsiders who have taken large amounts of land for rubber plantation or for other purposes also take advantage of the myth that the CHT has plenty of land. Furthermore Dhaka maintains, “It would be against the Constitution to prevent any Bangladeshi from settling or buying land in any part of the country”.

This argument takes little account of the economic or the political realities of the Chittagong Hill Tracts. In 1976 Asian Development Bank (ADB) reported that the bumpy land have declared open to Bengali migrants, they would develop the more undulating parts into irrigated rice land. However, by 1984 the region showed little evidence of economic improvement. A direct result of the settlement scheme works to the wider political advantage of Dhaka. The conflict between poor Bengalis and the tribal people for a tiny proportion of the total land distracts attention from the general situation of landlessness in Bangladesh. In the hill tracts, this struggle has polarized the two communities. Bengalis, in collaboration with the army and police, harass the indigenous men.⁹⁹ Civil suits taken out by tribal people have increased substantially but, since the judiciary is manned mainly by Bengali officials, they have been unsuccessful.¹⁰⁰ Resulting from this, tribal families had been forced to leave their homesteads and become landless ‘*Jhum*’ cultivators. Many were forced into low - income wage labor (e. g. on new rubber plantations); over 50,000 fled their country and lived on doles in refugee camps in Tripura (state of India) from 1986 till their repatriation in 1998.¹⁰¹ Although UN Declaration on indigenous rights have included right of getting equal compensation from the States for their lost but they do not get compensated rather they are again forced to the frontier.

CHT as indigenous peoples plant three trees if they cut one tree. But their inherited forests have been occupied by British, Pakistan and present Bangladesh government and that destroyed forests, hampered environment and religious temples, homestead, animals and economic tradition. The CHT’ indigenous peoples are deprived from their rights. There are now many land dispute cases between Bengali and Chakma. The indigenous had no any document of land owning. But they use according to their traditional inheritance laws and customs. During Bengali settlement they were forcibly removed from their lands, and many are now living as landless.

⁹⁹ Gain, Philip 2000:40

¹⁰⁰ London 1984: 23 - 28

¹⁰¹ <http://sdnpbd/Gain Philip 2000:116>.

Article 8(2) says that States shall provide effective mechanisms for prevention of, and redress for (a) any action which has the aim or effect of depriving them of their integrity as distinct people, their culture or ethnic identities; and (b) any action which has the aim or effect of dispossessing them of their lands, territories or resources.¹⁰² But Bangladeshi Govt. is not doing anything for the affected people. Rather has created restrictions by entering into the forests, although the people are occupied from their ancestors. Indigenous peoples in the CHT have rights to claim their traditional and ancestral land.

Recently, the European Union has adopted a policy resolution on Indigenous Peoples and Development which recognizes that indigenous peoples have the right to choose their own development paths. It has also included the right to object to projects, in particular in their traditional areas. But Pakistan and the present Bangladesh government did not integrate local people in the development plan.

Most States seek to implement intermediate policies between these two extremes. A policy of integration was actively promoted by the ILO in the 1950s. The underlying belief was that people's traditional practices were obstacles to the improvement of their conditions of life and employment and the need was to institute temporary protections of indigenous and tribal people's rights while encouraging their gradual integration into the national majority.

In Latin America in particular, a number of countries have revised their constitutions so that they explicitly recognize their multi - cultural and plural - ethnic character. Measures have been instituted accordingly to encourage bilingual and intercultural education, recognize indigenous territories, institute local self - governance and create autonomous provinces. Likewise in India a constitutional amendment has been passed recognizing tribal self - rule. Pluralist policies come closest to meeting the expressed demands of many minorities and most indigenous peoples. They provide some scope for self - definition and a measure of self - determination, allowing the peoples themselves to choose their development path.

In sum, existing international law accepts minorities have rights to maintain their religions, languages and cultures, environment, economy and to be accorded the protections and provisions

¹⁰² <https://www.culturalsurvival.org/undrip>

by the State to ensure that they are not discriminated against. These provisions should ensure that they enjoy rights to their property equal with other citizens as well as protection of their other fundamental rights and freedoms. Impacts of Bengali settlement are found on environment, culture and economy of the CHT. In *article 37(1)*, Indigenous peoples have the right to the recognition, observance and enforcement of treaties, agreements and other constructive arrangements concluded with States or their successors and to have States honor and respect such treaties, agreements and other constructive arrangements.¹⁰³ But Bangladeshi Govt. does not recognize it and torture indigenous peoples of the CHT by the militarization during Bengali settlement.

4.5 Militarization in CHT

Militarization of CHT mostly initiated in the early days of the British ruling. In 1870s, there was one armed forces police officer for every 96 residents of the Hills. In Pakistan period, it has been installed the Baluch Regiment to defeat the local conflict and in 1948 dispersed the Frontier Police Force conflict. In 1969, the CHT port became demanding for serving armed forces groups. After Liberation war, the Bangladesh Govt. settled military in the CHT. The military budget was increased in 1976. To protect the country as well as settled Bengali, the militarization has occurred in the CHT. In addition to settle disputes and conflict, the militarization took place. Amnesty International affirms that in 1980 almost 20,000 and 100,000 military personnel were vigilant in the CHT .¹⁰⁴

Briefly, from Pakistan period to present Bangladesh the CHT is controlled and précised by the military personnel. Militarization is always unfavorable and hostile for the indigenous people.¹⁰⁵ Huge land has been occupied as of military areas. Indigenous peoples have been evicted from their land for militerization and victimized of violation. Moreover, their freedom of movement has been restricted by the military.

¹⁰³ <https://www.culturalsurvival.org/undrip>

¹⁰⁴ May, Wolfgang 1984

¹⁰⁵ The Daily Star, 2009

Chapter Five: Socio-Economic Life of Indigenous peoples in CHT

This chapter has depicted the socio - economic life of the indigenous peoples in CHT mentioning the family and religious life along with the income and occupational life, education and employment, food, water and sanitation, health and diseases after signing the peace accord.

5.1 Family and Village

The indigenous peoples in the CHT live both in the hill top and in the plain land. Moreover, the people live within community and or village. There are a community and or village headman who are responsible to look after all issues of the community and or village. The indigenous peoples have found both of patrilineal and matrilineal family. According to Pukok Chakma (42 years old, Bandarban), “the people live in the villages or communities were very simple and innocent, no conflict, disputes, unrest and dissatisfaction were prevalent. They are in helpful minded within and outside their communities or villages.” Different development policies has affected those people, family and villages adversely. Kristi Chakma (40 years old, Rangamati) has mentioned; “the Kaptai Dam has inundated many families and neighbors. Many villages went under water. No one knows where they are now.” This information has been supported by Pukok Chakma who lost her neighbors that I heard during information collection in 2016.

5.2 Religious Life

In the Chittagong hills, two kinds of religion can be distinguished. One is ‘community religion’ and the other is ‘universal religion’. The most important universal religion in the Chittagong hill tract region is Buddhism.¹⁰⁶ According to Shontu Chakma, Goutom Chakma, Nolini Chakma and Sdipto Chakma, who are the inhabitants of the village along with Kaptai dam. All of them were filled with sadness to say their statement. They are “Buddhist”. They had their temple, the tree which was used for their prayer. They enjoyed peace from their religion. Here festivals took part every year. All had gone under water. Now the temple is not there or the trees which were associated with their feelings and believe. So, their hearts are broken with their temple. They started crying to say the situation. Although UN *Article 12(1)* includes rights of Indigenous peoples as to manifest, practice, develop and teach their spiritual and religious traditions,

¹⁰⁶ Schendel, Van 2001: 147 - 155

customs and ceremonies; the right to maintain, protect, and have access in privacy to their religious and cultural sites; the rights to the use and control of their ceremonial objects; and the right to the repatriation of their human remains but from time to time their religious places have been attacked and destroyed by military and powerful peoples of Govt. The *article 12(2)* of UN Declaration 2007 mention the role of States that States shall seek to enable the access and/or repatriation of ceremonial objects and human remains in their possession through fair, transparent and effective mechanism developed in conjunction with indigenous peoplesconcerned. Though Bangladesh Govt. is responsible for preserving indigenous tradition, culture and heritages of the CHT people , the Govt. had not done any of the aforementioned tasks in the past or not doing anything to resolve problems at present. The Chakma say that Govt. is not for indigenous peoples, only for Bengali people (*fieldwork, 2016*).

5.3 Income and Occupational Life

The indigenous peoples mainly depend on agriculture and ‘*jhum*’ cultivation. Now the ‘*jhum*’ land has been decreased and few people engage with the cultivation of ‘*jhum*’ land. People have been turned into irregular labor as there is the scarcity of work. Consequently, some of them stay at home without any work frequently (*Field data from October to December 2016*). There are around 30% unskilled labour force. Almost 33% are peasants and landless cultivators engaged in small business to add extra cash for their subsistence.¹⁰⁷ Moreover, as of income source the people cultivate the plain land. But many have lost their agricultural lands for many reasons; in debt, mortgage etc. There are also around 14% managerials, administrators and professionals.

Per capita income of Bangladesh has touched \$1,88190.¹⁰⁸ Where monthly, the average income of the Chakma is BDT 3000 BDT. Around 15% Chakma household earns BDT 3000 – 5000. On the other hand, 10% earns up to BDT 5000 BDT and the remaining 75% earns less than BDT 3500 BDT. The indigenous peoples live under poverty line which is clearly understood.

Panu Chakma says that the Chakma has a great relation with bamboo. Once there were 11 varieties

¹⁰⁷ Gain, Philip 2000: 13

¹⁰⁸ bdnews24.com/21.05.2019

of bamboos in the CHT.¹⁰⁹ They made various types of homemade products and sold and also used materials made from bamboo in home. So, it was their traditional income source. Even they built their house structured by bamboo on hill tract. After completing the Kaptai dam, various types of industries had been established and bamboo were initiated to use as raw material. Raw materials for the Karnaphuli Paper Mill are mainly bamboo and soft wood, which come from the forests of CHT. Millions of tons of bamboo and soften wood have been extracted from the hills to keep the mill running. Consequently, the natural stocks drastically reduced that affected the indigenous communities. Moreover, with the losing bamboo, the forest has lost the ecological balance as well. Due to the lockdown situation for pandemic COVID-19, the income has been decreased among the vulnerable indigenous peoples of day labour in the CHT which suffers them much. At present, the indigenous peoples cannot cope up with the loss in sense of the harmony with the environment and socio - economy.

5.4 Food

Through household survey method, I collected data on CHT people's livelihood and their way of life. About 80% indigenous peoples of this area take meal two times a day. Other 20% take three times but their food menu is not dietary. I have taken interview of the Chakma people on their daily meals and food habits, it has found that most of the indigenous peoples have lack of nutrition and protein which as an anthropologist I have noticed in their faces and skin. People take rice with vegetables and sometimes fishes and meat which they buy from the market. Moreover, most of them have not affordability to buy fish and meat as well protein and take rice with vegetables and salt to hunger suppression. The indigenous peoples eat pigs, snakes, chickens occasionally. I have found pigs among 30 households as domestic animal. But in group discussion, the indigenous peoples claimed that once there were abundance of pigs, goats, dogs in their households moreover in the natural forest.

Once the indigenous peoples collect food from the natural forests but Government reserved the forests which has created food crisis among the indigenous peoples which they claim. The people are helpless that they cannot afford to feed their children properly. The new generation is growing up with less healthier and stronger. The indigenous Chakma people reported that

¹⁰⁹ T.H. Lewin 2011: 16

supplied fishes in the market are not sufficient to fulfill their protein crisis. The water color of the CHT River has been changed for the destruction of forests that destroying the favorable environment for the fishes and demolished the amount of fishes which are creating protein and food crisis. The traditional ‘*Jhum*’ cultivation of the indigenous Chakma has been declined that created hunger and food shortage. Bengali settlers has augmented and created pressure on food that arisen food crisis.

The indigenous peoples are receiving loan from different NGOs for removing food crisis and hunger that I have known from interviewees and survey. 60% households are involved formally and informally with the Banks, ASA, BRAC and other NGOs. An interviewee says; “For my family to fulfill monthly demand I need 120kg rice and total BDT 5000 including other costs. I am not afforded to earn such amount of money. I have taken loan from BRAC and repay the installment by working as day laborer. But I do not get the work every day. I and my other family members stay at home with starvation that day. I am not able to collect food and cloths, and then I am worried about how I will fulfill the other basic needs of them” (*Interview: Rangamati, 15.10.2016*).

This interview shows the susceptible situation of food crisis and uncertainty of their life. The indigenous peoples are now living poor life, with malnutrition and hunger. The COVID-19 situation has made the situation more vulnerable. The people buy low quality and cheap prices foods and vegetables from market which is not suitable for eating and harmful for health also. The Government distribute ration among the Bengali people but no steps have been taken for the indigenous peoples earlier as well as during two months lockdown situation due to COVID-19 pandemic. The Bengalis collect crops and store within the storehouse of the three districts of the CHT by Government interference which are exported to the other district of Bangladesh. The indigenous peoples are living a miserable life in comparing to the Bengali settlers in the CHT. The peoples become facing discrimination and food insecurity by losing their ancestral lands, forests, vastness of animals and traditional cultivation consequently happening paucity of food, poverty and famine as well.

5.5 Education and Employment

Although education has spread in the CHT but schools and colleges are available only for the

Bengali people where the Chakma and the other indigenous peoples are deprived from it. The indigenous Chakma are strongly interested in education in comparison to other indigenous groups; however, they have a lack of opportunities. They send their children to the primary schools. The rate of primary education among Chakma peoples is higher than the Bengali peoples and other districts of Bangladesh. In 2001, Bangladesh Bureau of Statistics¹¹⁰ estimated the literacy rate to be 89% in Chakma community while the Primary and Public Education Department (2001) revealed the literacy rate to be 65% in Bangladesh.¹¹¹ But in present time, the literacy rate has been lessened among the indigenous people. Although enrollment has increased but the primary dropout rate is 59% in the CHT also found. In secondary and higher secondary level, the rate of education is very low among Chakma and other indigenous groups in the CHT out of education program. In much university of Bangladesh, very few Chakma girls and boys study through quota system. A study in 2009 has showed that the literacy rate is 76% among the Chakma community¹¹² where my own household survey exposed 62% literacy rate (on the basis of primary education) in CHT among Chakma. It has also found that the Chakma are not higher educated than the Bengali people. The Bengali people are now using internet to know the world as medium of education in the CHT where the Chakma live without electricity.

The village has lower access to the education. Government has established schools with the distance of 3 kilometers which is not problematic for the plain land people but these 3 kilometers is significantly longer to walk for the indigenous who live on the top of the hill. In pre – primary level, I observed 1 – 3 students become admitted among the Chakma. But the rate among Bengali is higher surely 30 – 35 students, because they are educated and conscious. I surveyed that many primary schools have established under UNICEF for the indigenous peoples in the CHT where indigenous girls and boys are admitted and studied in Bengali language. The indigenous girls are performing better than the boys. But for insecurity, they cannot continue their study. 70% boys can enter into the secondary level where girls are only 15%. I observed many primary, high schools and colleges where I see the numbers of Bengali students are higher than the Chakma except in the primary schools. In many primary schools, 2 to 3 posts remain vacant. Only 2 or 3 teachers are running the schools. The causes of dropout from primary school

¹¹⁰ BBS 2001

¹¹¹ Mondol, Khan et al. 2009

¹¹² Mondol, Khan et al. 2009

are the language barriers, transportations, insecurity, poverty and lack of consciousness and these are also related to illiteracy of the Chakma people which I have known from the interview and FGD. Financial insolvency is the hindrance to the education¹¹³ and it has found that around 80% of the respondents mentioned it in the present study.

5.6 Water and Sanitation

The absence of pure and fresh water is found among the indigenous peoples. They use deep dug-well (*Kua*) water for drinking and cooking. But they use river water for bathing, washing and other household activities. The water which they collect and use for their daily necessities is not really safe for their health. Most of the dug - well is situated far from their house. But some are very close to small hills. No deep tube - well have been found among the indigenous people. But the Bengali people who live in the plain land have facilitated good water supply system and some other use deep tube - well. The dug - well which the indigenous peoples use to collect water is an open place where small plant, insects, and other dirty things can easily be placed into this dug - well.

About 70% of the respondents reported that the number of dug well has decreased and they are facing water crisis especially for drinking. They go long distance from their home to find and collect drinking water although which is filled with germs and harmful for health.

However, the indigenous peoples are sometime unavoidable to drink this water as there is no other alternative ways for getting safe drinking water. They collect and preserve the water into mud-jar and use their indigenous methods to purify this water which actually does not purify the water. Although some households are now using tablets to purify the water that make them confident to drink water but many other do not understand the meaning of it. Also they do not know the meaning of boiling water.

Many of my interviewees and respondents among indigenous peoples in Rangamati mentioned that their family members including children and pregnant women drink water of *Kua*. Such water is full of germs which affects both their children and mother. Although there are some tube well water but not available for all. Local Government and NGOs provides some tube wells but

¹¹³ Barkat, Halim et al. 2009

these are not enough for them. Most of the tube well has already broken and dysfunctional which I have observed during fieldwork. Also many Chakma has mentioned that Government is not for them.

I observed that there is no hygienic sanitation system among the indigenous peoples. They use open place for excretion which washes away to the river, ponds, and dug well water. They use this water for drinking, cooking, bathing and washing. They suffer from different kinds of diseases like dysentery, diarrhea and skin diseases. Most of the Chakma are now using unhygienic latrines which are hanging and linked to the river. Their concept of a hygienic latrine means a toilet that is made by slab on a cement-lined pit with a thatch superstructure. Most of the indigenous peoples cannot afford to make hygienic latrines. But some indigenous peoples are now aware of the health benefits of sanitary latrines. Still now Government does not give any facilities to make hygienic latrines. But recently some NGOs have been working to provide sanitary latrines in the area which the indigenous peoples have mentioned. Some Bengali who are poor and no ability to build hygienic sanitation, they excrete like the indigenous peoples.

5.7 Health and Diseases

Through my fieldwork observation and participation, I realized the fragile and nutrition less health condition of the indigenous peoples. No available healthcare system is in the CHT for the indigenous peoples. Most of the posts of health care center among hilly peoples are vacant for which they cannot get the services for improving their health condition and diseases. On the other hand, the Bengali people of the CHT are getting all the facilities from Upazila Health Complex. This study found that the indigenous peoples have a high incidence of malaria, diarrhea, dysentery and ulcer as of common diseases. Mosquitoes are acute in the areas which are very dangerous not only for the inhabitants but also tourists and Bengali people. About 92% of respondents among the hilly people said that two members of each family had suffered from malaria. Different NGOs has acted to lessen the severity of malaria.

During information collection, it has been observed that people suffering form various diseases like; ulcer and back pain, malnutrition, poor pregnancy, acute respiratory tracts infaction, diarrhea, malaria and psychiatric problem. A woman has said about her health condition through interview: “I have been suffering from back pain. I often feel faintness and drowsiness and

sometime fever. I have tried to cure by using our medicine (ethno medicine) and went to folk-healer, took some indigenous medicine, which did not help me to cure. I went to local pharmacy from where I have bought some medicine. It was so expensive for me. Although it had helped me to cure temporarily but the problem did not remove permanently. And I could not continue the bio - medicine for financial problem” (*Interview: Rangamati, 20.10.2016*).

I interviewed a young new born baby’s mother who has lost her previous baby during birth for home birth. She has now a baby but the baby is not healthy which I have observed. Most of the babies in the CHT among indigenous peoples are suffering pneumonia. But the people do not receive healthcare services. The infant mortality rate is 61 per 1000 where in overall Bangladesh the rate is 52.¹¹⁴ Govt. unawareness as well as lack of knowledge are the notable reason behind high infant mortality in the CHT.

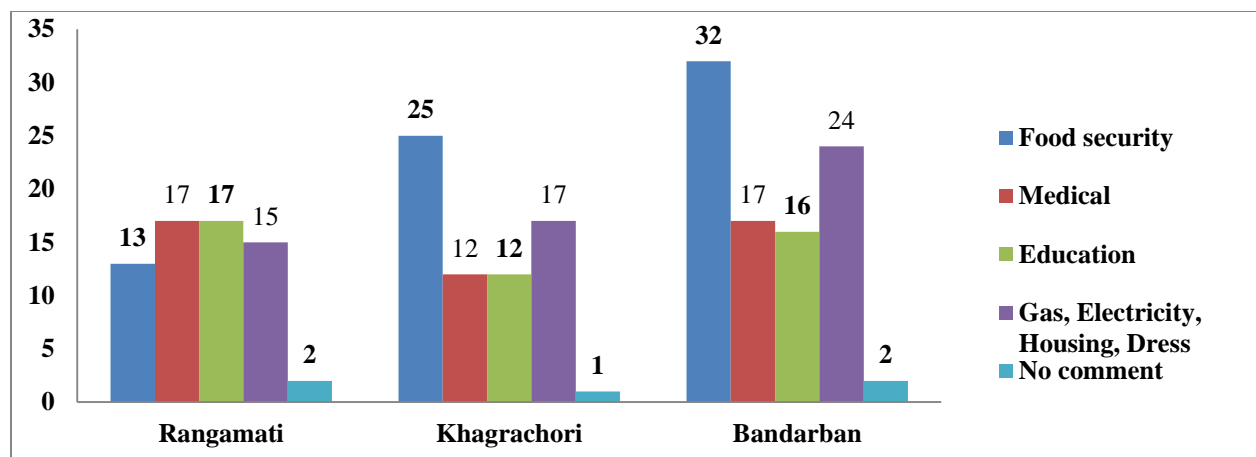
Due to COVID-19 situation, fifteen indigenous peoples have been died shortage of adequate medical facilities moreover adopting indigenous medicine. This pandemic affected mostly the vulnerable groups (i.e, diasable, aged, indigenous peoples, women and children) of Bangladesh.

5.8 Land Dependency

The indigenous peoples mostly depends on the land as well as natural resource from their ancestral period. The land plays very important role in both of social and economic life. In addition, land is the source of economy along with livelihood of Chakma people generation by generation.

Figure 2: Contribution of land on Livelihood

¹¹⁴ https://www.researchgate.net/publication/256058394_Socio-Economic_Situation_of_the_Indigenous_People_in_the_Chittagong_Hill_Tracts_CHT_of_Bangladesh



Source: Field survey of Anthropology Department, University of Dhaka, January 2013

The figure depicted that land plays an important role for people's livelihood. In the CHT of *indigenous* life, land is the source of food security mostly as well as medicine, education and housing.

However, the present COVID-19 pandemic has been outbreak in Bangladesh and the country go to the lockdown situation from 26th March to 30th May 2020, travel and movement is limited onward. As this situation is continuing, the socio-economic impact among vulnerable groups (i.e, indigenous people, disable, aged, illness) is more prominent. The CHT indigenous peoples suffers much during this pandemic due to their vulnerability for geographical location, and or socio - economic condition.¹¹⁵ The government has provided food for the country's people welfare to remove starvation but the indigenous peoples of the CHT did not receive any food as well as medical support as of the part of marginalization and deprivation through political power structure. The integration is absent here also in this crisis situation. Practically, in the CHT the minorities and indigenous peoples have lack of collective and group rights as well as human rights.

¹¹⁵COVID-19: Bangladesh Multi-Sectoral Anticipatory Impact and Needs Analysis, 2020

Chapter 6: Analysis, Conclusion and Recommendation

To conduct this research, both qualitative and quantitative method has been used. Information has been collected from the 25 sub-District of Rangamati, Khagrachari and Bandarban District which is known as CHT. Primary data collection period was three months (October to December 2016). Secondary information has been gathered from the January 2016 to August 2020 to input the updated information. The analysis on the gathered information as well as recommendation are as following;

The indigenous peoples once were living in the CHT independently within their distinctive culture, religion and custom, own economy, environment and social system. As a buffer state, the CHT was ruled by different political regime which creates variety of structural inequalities, cultural dissonance, pervasive and long lasting institutional racism, socio-economic discrimination and political marginalization and deprivation. As a result, the indigenous peoples of the CHT have been suffered disproportionately onward. The historical as well as political power arose distinction, anarchy, oppression in the CHT among indigenous peoples. To bring peace and harmony as well as restore indigenous culture, society and economy in the CHT the peace accord has been signed in 1997 between PCJSS and the then Govt.

National development programs in different historical period were unfavorable for the indigenous peoples in CHT. The reserve forest system has been restricted the people to enter into their ancestors' used forest which was the significant source of livelihood. Therefore, the people who cannot collect the daily necessities are victim to food shortage and poverty as well. The construction of Kaptai Dam inundated huge land and natural resources. Moreover, huge number of villages has been disappeared as well many indigenous peoples have lost their neighbours

which is irreparable. The impact of militarization and Bengali settlement is so adverse. These programs have arisen the conflict and disputes encompassing land and other utensils in the regions. The national development programs have affected the socio-economy of the indigenous peoples as well. However, the ILO convention No. 169, Bangladesh has been ratified mentions the rights of collaboration rather than forcible to the indigenous peoples from their place. Moreover, Article 10 includes that the people should not be forcibly removed from their land if do then States should provide appropriate compensation. It has been seen that in the CHT, the Kaptai Dam has been constructed, forest been reserved, Bengali settled and militarization happened by using indigenous land but no compensation given to those people. The Dam inundated land moreover occurs flood every year during moonson causing suffers a much of the indigenous people.

The socio-economic condition of indigenous peoples in the CHT is vulnerable. Although the Article 8 (1) and 8(2) of the ILO convention No. 169 denotes the rights of observing own culture of the indigenous peoples but their culture is disappearing. People are receiving education in Bengali language but the rate is comparately low. The Kaptai Dam has inundated many temple and religious synagogue. Forcibly, many people have been transferred into other religion. Although this article mentions that the States should take necessary steps to preserve the indigenous culture but the Govt. remain silent here without taking necessary steps however ratified the convention. To preserve the indigenous culture and cultural diversity of Bangladesh, Govt should take potential steps. Therefore, the country will be enriched with much more diversified culture and people as well as the indigenous peoples will be able to survive their own culture.

15 (1) 26 (1) states that the people have the rights of use, management and conservation of natural resources and territories as of preserving their own cultural herigate. Since the land has been occupied, forest been reserved and restricted to enter into the forest, traditional *jhum* cultivation decreased so the income been reduced also. Moreover, the income is related to the education inseparably. The education rate is not so high among indigenous peoples in the CHT though the people have rights of education in their own language as well as higher education. Therefore, there is the lack of available income sources in these regions consequently huge number of indigenous peoples remain unemployed. The Govt. should create oppurtunities,

ensure education by decreasing dropout rate and launch income generating activities as well as provide vocational training to those people as if these huge number of people can contribute to the family as well as overall economy of the nation.

The food crisis is prevalent among indigenous people. During COVID-19 situation, the situation acute proportionately. The hunger and malnutrition found in the CHT although the Rio convention convey the message of integration of the indigenous peoples in sustainable development. Moreover, the Declaration on the Rights of Indigenous peoples states all human rights of indigenous peoples and freedom of movement. In that case, the Govt. should ensure food security to fulfill this basic human needs through supplying food. Although the Bengali people received ration during lockdown situation but the vulnerable indigenous peoples deprived, suffered and lead a miserable life. In addition, as the ILO Convention and United Nations committee has recognized the land rights; own, use and control of the indigenous peoples so the Govt. should settle the land disputes.

In considering health, water and sanitation the indigenous peoples are in vulnerable position. The people are not getting safe water for drinking as well as hygienic sanitation. Due to COVID-19 pandemic, fifteen indigenous peoples has been died lacking proper medical facilities in the CHT. The people use indigenous medicine as of paucity of sufficient medical facilities for them. No effective measures have been taken for developing the health sector for the indigenous peoples although the Article 24 (1) and 29(3) has clearly mentioned that those people have the rights to access in all social health services. Therefore, the Govt. should ensure all health services available at doorsteps to the welfare of this vulnerable group i.e, indigenous people to improve the overall health sector of the country.

Although the ILO Convention and other national and international human rights organization has recognized the human rights of indigenous peoples but Bangladesh Govt. are depriving these group of people from those rights. Moreover, after twenty three years of signing the peace accord it cannot ensure those peoples' human rights and betterment. In a nutshell, the socio-economic condition has not been changed yet due to lack of integration of the indigenous people with mainstream society or state. Moreover, there is the lack of universality of the international law for the indigenous people all over the world. However, the peace accord for the CHT indigenous

peoples cannot protect their human rights as well. State's political and economic power marginalized and deprived the indigenous peoples of CHT from their basic rights.

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