

BANGLADESH:

Minorities increasingly at risk of displacement

A profile of the internal displacement situation

28 March, 2006

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Through its work, the Centre contributes to improving national and international capacities to protect and assist the millions of people around the globe who have been displaced within their own country as a result of conflicts or human rights violations.

At the request of the United Nations, the Geneva-based Centre runs an online database providing comprehensive information and analysis on internal displacement in some 50 countries.

Based on its monitoring and data collection activities, the Centre advocates for durable solutions to the plight of the internally displaced in line with international standards.

The Internal Displacement Monitoring Centre also carries out training activities to enhance the capacity of local actors to respond to the needs of internally displaced people. In its work, the Centre cooperates with and provides support to local and national civil society initiatives.

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OVERVIEW

Minorities increasingly at risk of displacement

Civil war and persecution of religious minorities have displaced hundreds of thousands of people in Bangladesh.

The largest occurrence of conflict-induced displacement is found in the Chittagong Hill Tracts in south-east Bangladesh, traditionally inhabited by 13 different groups of indigenous people collectively referred to as “Jumma”. The root cause of displacement in the region derives from the politics of nation-building and ensuing conflicts between the minority and the majority population. Since Bangladesh’s independence in 1971, armed conflict between the tribal population and the government as well as a government-sponsored transmigration programme of Bengalis from the plains have forced large numbers to flee their homes. Some 65,000 fled to India’s Tripura state and an even larger number were internally displaced. A peace accord signed in 1997 enabled the refugees to be repatriated, but thousands of IDPs and returning refugees remain displaced due to un-resolved issues related to land and property restitution. The peace accord includes mechanisms to address internal displacement, but a task force to rehabilitate the displaced and a land commission to settle land disputes have never functioned effectively. The core issues of contention revolve around land ownership and disagreement about whether Bengali settlers should be counted as IDPs. No recent estimates of the number of IDPs are available. Existing figures from 2000 vary between 60,000 (Amnesty International) and 500,000 (Government Task Force).

The slow implementation of the accord, stalled since the Bangladesh National Party (BNP) took office in 2001, has put the peace process in danger and the plight of the IDPs has been mostly ignored. Thousands of IDPs who live illegally and unassisted in “reserve forests” – ecologically protected areas – are particularly vulnerable. Violent incidents still occur frequently in the Chittagong Hill Tracts, occasionally causing further displacement of civilians. Clashes between tribal groups who either contest or defend the peace accord, anti-terrorist military operations and sporadic attacks by Bengali settlers against the Jumma population, allegedly with the support of the military, continue to create a general climate of insecurity.

Persecution and communal violence against religious minorities – mostly Hindus – have seriously intensified after the 2001 elections when the BNP formed a four-party coalition government including two Islamic parties. Incidents against religious minorities have since escalated dramatically, often involving eviction and land grabbing. The post-election violence compelled up to 200,000 Hindus to flee the country. The Ahmadiyya community, an Islamic sect numbering 100,000 in Bangladesh, has also been subject to intimidation campaigns and attacks in recent years. No information is available on the number of Hindus or Ahmadis that may have been displaced or whether the affected population has received any assistance. In general, the police have done little to prevent or stop the violence, and the authorities have failed to bring the perpetrators to justice. The deteriorating political and security conditions during 2005 contributed to an unprecedented climate of fear and vulnerability among the minority population, which increases the risk of future displacement.

There is no national strategy to address the needs of the internally displaced in Bangladesh. In November 2005, the government released its poverty reduction strategy plan “Unlocking the potential”. While full implementation of the peace accord features as one of its objectives, there is no specific focus on the internally displaced. In December 2005, the government approved the largest ever multi-sectoral project to promote development and confidence-building in the

Chittagong Hill Tracts with the UN Development Programme (UNDP), costing \$50 million over the next five years. One component of this programme will specifically target the internally displaced population. Some ongoing development projects targeting vulnerable populations in the Chittagong Hill Tracts also benefit IDPs.

The UN Guiding Principles on Internal Displacement are an essential tool for improving the IDP response and should be incorporated into national strategies and legislations. They should also serve as guidelines for the international community and local NGOs. The UNDP programme could offer a platform for training and to promote the Guiding Principles. First and foremost, independent surveys are required to identify the number of IDPs and assess their needs. Furthermore, the government, UN agencies, NGOs and the donor community should work together to develop a holistic strategy to achieve durable solutions for IDPs in Bangladesh.

Key recommendations

To the government of Bangladesh

- ∅ Develop a National IDP Policy, including clear rehabilitation strategies that are in line with the UN Guiding Principles
- ∅ seek technical support and training for an improved response to conflict-induced displacement at both local and state level
- ∅ establish a government IDP focal point to coordinate and take action on IDP issues
- ∅ develop a dialogue with the international community in Bangladesh to build up a coherent response related to IDP protection and assistance
- ∅ launch an independent survey with the participation of the affected communities and in collaboration with international organisations with a view to establishing the number and identifying the particular protection and assistance needs of IDPs
- ∅ allow national and international organisations full and unconditional access to IDPs in their places of refuge and in areas of return
- ∅ address the unimplemented part of the peace accord which concerns the future of the internally displaced population, especially the complex issue of property restitution to returning IDPs
- ∅ systematically consult and include IDPs in decisions that affect their current and future situations
- ∅ -take measures to enhance protection of religious and ethnic minorities and address the risk of eviction
- ∅ help put an effective end to impunity by ensuring that perpetrators of violence against the minority population are identified and brought to justice

To the United Nations in Bangladesh

- Ø Develop a strategy to address the internal displacement situation in Bangladesh that is in line with the UN Guiding Principles, if deemed necessary with support from OCHA's Internal Displacement Division
- Ø establish an IDP coordination mechanism to ensure a coherent response to IDP issues
- Ø strengthen the capacity of the UN Country Team to collect IDP-specific information and to advocate for IDPs' rights at various levels
- Ø support and facilitate capacity-building initiatives, such as training in the UN Guiding Principles for relevant actors in Bangladesh
- Ø where possible, ensure appropriate longer-term and durable support to IDPs in terms of income-generation activities and community development projects

To donors

- Ø Support initiatives by the government and the international community that would increase awareness, protection and assistance for IDPs
- Ø raise the issue of internal displacement with the government and encourage and advocate for solutions
- Ø support projects that cater for the longer-term needs of IDPs and affected local communities, such as rehabilitation of facilities in education, health and water/sanitation

CAUSES AND BACKGROUND

Overview

Background of internal displacement in Bangladesh (Special report, March 2006)

Conflict-induced internal displacement in Bangladesh is primarily the consequence of post-colonial nation state-building. The partitioning of the Indian sub-continent in 1947 and the war between East and West Pakistan, which ended with the emergence of Bangladesh in 1971, alienated and uprooted millions among the non-Muslim population. The emergence of a homogenous Bengali nationalism was reflected in the 1972 Constitution, which defined a citizen of Bangladesh as “Bengali” (SAFHR, April 2000). Later, in 1988, Islam was proclaimed the state religion by constitutional amendment, strengthening Islamic culture as a central symbol of nationalism. Centralisation of power by a government whose vote bank is primarily the Bengali Muslim population has increasingly led to discrimination and the exclusion of religious and tribal minority groups in the country. Conflict-induced displacement in the Chittagong Hill Tracts and persecution of religious minorities should be placed in this historical perspective (Amena Mohsin, 2003, p.16).

Forced migration in Bangladesh must also be seen in the context of its demographic profile, being one of the most densely populated countries in the world with strong population growth. The population is overwhelmingly Muslim with minorities of Hindus (10.5 per cent), Buddhists (0.6 per cent), Christians (0.3 per cent) and other religions (0.3 per cent). The Buddhists are largely concentrated in the Chittagong area while the other religious communities are spread across the country. There are 27 indigenous groups, accounting for 1.13 per cent of the population, concentrated in the Chittagong Hill Tracts and northern Bangladesh. However, several analysts have argued that the population of ethnic minorities may be higher than the official figures.

Conflict is also fuelled by the scarcity of land in Bangladesh due to chronic flooding, river erosion and environmental degradation. Competition for land combined with poor governance has disproportionately affected the poor and marginalised, including the minorities.

Outbreak of civil war causes large scale displacement (Special report, March 2006)

Tensions intensified after the independence of Bangladesh in 1971, when tribal demands for constitutional safeguards and recognition as a separate community were rejected (Amena Mohsin, 2003, p. 22). The tribal population reacted by creating the Parbatya Chattagram Jana Samhati Samiti or Chittagong Hill Tracts People’s Solidarity Association (PCJSS) in 1972. Its armed wing, the Shanti Bahini, was formed in January 1973. In August 1975, Prime Minister Mujibur (Sheikh Mujib) Rahman was assassinated in a bloody coup led by General Ziaur Rahman. Under his military regime, Bangladeshi nationalism incorporated Islamic ideals which excluded the cultural identities of the Chittagong Hill Tracts (Amena Mohsin, 2003, p. 24). In 1976, Shanti Bahini started an armed insurgency with the support of India, which in turn led to a sharp increase of government forces in the Hill Tracts. Thus began a 25-year-long armed conflict.

As the conflict escalated, the government began relocating Bengalis in the Chittagong Hill Tracts as a counter-insurgency strategy. Between 1979 and 1983, over 400,000 poor and landless Bengalis from the plains were settled in the region and provided with land, cash, rations and other

incentives (AITPN, April 1998, pp. 20-21). At the height of the conflict, almost one third of the Bangladesh army was deployed in the region and Bengali settlers were also mobilised against the tribal population. Official figures indicate that more than 8,500 people were killed during two decades of insurgency, including some 2,500 civilians (AI, February 2000).

Although access to the Chittagong Hill Tracts was denied during the conflict, the international community was regularly informed of human rights abuses by international NGOs, such as the Anti-Slavery Society, Survival International, the International Working Group for Indigenous Affairs, the Minority Rights Group and Amnesty International. In 1990 the international Chittagong Hill Tracts Commission carried out an independent investigation in refugee camps in Tripura, India, and also managed to get into the Chitta-gong Hill Tracts. The ensuing report documented widespread human rights abuses and dis-placement of the indigenous population (Aarens and Chakma, 2000).

Forced evictions, atrocities in the conflict between the Shanti Bahini and government forces, confiscation of land to establish military camps, the population transfer programme and clashes between tribals and new settlers compelled tens of thousands of tribals to leave their homes. After 1980, ten major massacres by Bengali settlers and the security forces led to a refugee exodus of about 65,000 tribals to the neighbouring Indian state of Tripura (AI 2000, UN GA, August 2000, para. 69). An even larger number were internally displaced.

Repatriation of refugees from India: from refugees to IDPs

As early as February 1994, a rehabilitation package was agreed between the Bangladesh government and the Jumma Refugee Welfare Association (JRWA) for the repatriation and rehabilitation of refugees sheltering in camps in India's Tripura State. According to figures supplied by the Returnee Jumma Refugees' Welfare Association (RJRWA), some 5,100 people from 1,000 families were subsequently repatriated. Most became internally displaced as they could not return to their original villages, but had to take shelter with relatives. This early repatriation exercise subsequently stalled because the rehabilitation package was not implemented.

A new agreement was signed in March 1997 which was followed by the return of the remaining refugees within three months of the signing of the peace accord. By the end of February 1998, all of the tribal refugees had returned to the Chittagong Hill Tracts. Almost all were originally from the Khagrachari district with the majority from Dighinala (4,200 families) and Panchari (3,400 families). The rest (just over 50 families) hailed from the Rangamati district, mostly the Baghaichari sub-district.

While most returnees were provided with some economic rehabilitation and food rations, many did not recover their lands which were now occupied by Bengali settlers. The RJRWA claims 80 per cent of the refugees, did not get back their land, orchards or homesteads while official statistics say this was the case for only 25 per centes (Daily Star, 23 October 2003). Furthermore, according to the RJRWA, 40 villages, all in Khagrachari District, are still illegally occupied by settlers. An issue of contention is also the fact that settlers have built markets on land claimed by repatriated tribal families (RJRWA and PCJSS information).

Internal displacement in the Chittagong Hill Tracts (Special report, March 2006)

The largest occurrence of conflict-induced displacement is found in the Chittagong Hill Tracts in South-East Bangladesh. The region occupies a physical area of some 5,000 square miles

(13,000 square kilometres) or ten per cent of the total land area of Bangladesh and is divided into three districts: Rangamati, Khagrachari and Bandarban. This mountainous frontier region lies at a strategic location between India and Burma, where South Asia meets South-East Asia. It is also rich in natural resources; 60 per cent of Bangladesh forests are located in the region. Despite its natural resources, the Chittagong Hill Tracts region is poorer than the rest of the country. In 2000, per capita income was 40 per cent lower than the national average (ADB, 26 October 2000).

The region is inhabited by 13 different groups of indigenous people, collectively referred to as "Jumma" due to their traditional practice of shifting cultivation. The three largest ethnic groups are the Chakma, Marma and Tripura. They also differ in religion and customs from the majority population of Bangladesh.

The region has seen a phenomenal increase of the Bengali population. Government-sponsored resettlement of more than 400,000 landless Bengalis from the plains between 1979 and 1984 dramatically altered the demographic balance as well as amplified resource constraints. According to a 1991 population census, the total Chittagong Hill Tracts population then amounted to approximately one million, the tribal population making up a little more than 51 per cent and the remaining 49 per cent being overwhelmingly Bengalis. The latest population census conducted in 2001 showed a total population of 1.3 million, but a breakdown by ethnicity is still not available. While the tribal population might have been understated in 1991, the massive influx of Bengali settlers since then has probably made the tribal population a minority in the region. Migration of Bengalis from the plains continues unabated (CARE 2004, pp. 8, 10; 2005, p.6).

Building of the Kaptai Dam

In 1860, the British colonial rulers annexed the Chittagong Hill Tracts to the then province of Bengal. They granted a certain degree of autonomy to the region and limited access to outsiders. The Pakistani administration abolished this special status and started encouraging migration of non-tribals and exploiting its natural resources. The Kaptai dam was built during the Pakistan period and its reservoir submerged over 400 square miles (1,000 square kilometres) of land and flooded at least 54,000 acres (22,000 hectares) mostly farmed by Chakmas, or 40 per cent of the region's arable land. Some 100,000 people lost their homes and prime agricultural lands. Compensation was largely inadequate. Some 5,600 families were resettled in the state-owned Kassalong Reserve Forest on an area of 23,000 acres, but with limited possibilities for farming (Shapan Adnan, p. 44-46). By 1964, over 40,000 Chakma had migrated to Arunachal Pradesh in India, where the majority remain today as stateless persons (AI, 2000). The construction of the Kaptai dam led to the first crisis of internal displacement in the Chittagong Hill Tracts and, combined with loss of control over natural resources and threats of assimilation with the majority culture of Bangladesh, provided fuel to the armed conflict that ensued. The devastating effect of the building of the Kaptai dam is still deeply felt as an alienating factor among the tribal population.

Religious minorities at risk of displacement (Special report, March 2006)

The national elections of October 2001 brought a massive victory for the Bangladesh Nationalist Party (BNP) which established a four-party coalition government including two Islamic parties. Religious minorities only hold seven seats in the 300-seat Parliament.

In the aftermath of the elections, attacks against the minority population who traditionally support the defeated Awami League party, escalated dramatically. Assaults are generally carried out by

Islamist militants with alleged links to the ruling party. No survey is available on the number that may have been internally displaced due to violence targeting minorities, nor is there any information about assistance to the affected population. However, as religious intolerance has grown throughout Bangladesh, this has resulted in massive migration out of Bangladesh. Also, an increasing number of people targeted by violence in rural areas have left their homes to stay with relatives in safer places or to go to urban centres. The deteriorating political and security conditions in Bangladesh in 2005 as well as the culture of impunity have significantly increased the vulnerability of religious minorities. Threats, attacks and hate campaigns have created an unprecedented climate of fear which increases the risk of displacement.

However, there is no monitoring of displacement related to attacks on religious minorities. Collecting information about internal displacement is also complicated by the fact that media and human rights organisations are increasingly victims of attacks by extremist groups. Although local media report human rights violations, journalists are vulnerable to repression, intimidation, brutal attacks, torture and even murder (IFJ, 2003-4). There have also been incidents where human rights workers have been jailed and reportedly mistreated in detention.

The Hindus

Since the partitioning of India in 1947, the Hindu share of Bangladesh's population has steadily diminished. Although the government has officially promoted religious freedom, the Hindu population has lived in a climate of repression since the partitioning, especially through the deprivation of land, forests and other property. Hindus lost a large part of their lands during the communal riots in 1947, and continued to do so as a result of land reforms while the territory formed part of Pakistan (1947-1971). According to a local NGO, 30 per cent of Hindu households have been affected by a Vested Property Act which functioned as a tool to dispossess and displace Hindus and other minorities. The Act was only abolished under the former Awami League government. Millions of Hindus have emigrated or fled to India, some have been dispossessed while in India. According to a 1991 census, the Hindu population decreased from 25 per cent of the population in 1947 to an estimated 10.5 per cent in 1991. It is estimated that 5.3 million Hindus, or 535 people per day, left Bangladesh between 1964 and 1991 (HRF, 12 December 2001; Rehman, May 2003; SATP 2003; OneWorld, 14 June 2004). Approximately 1 million or 40 per cent of the total Hindu households in Bangladesh have been affected by the Vested Property Act, and the Hindu population has been dispossessed of land equivalent to 5.3 per cent of the total land area of Bangladesh (Abul Barkat, 2000, p. 441).

The BNP victory in 2001 started a massive wave of violence against the Hindu population. Their homes were looted and burned, temples desecrated and women raped (HRW, World Report 2003). Post-election violence compelled up to 200,000 Hindus to flee to safer areas or to migrate to India (USCR 2003). The intensity of the violence diminished after the first weeks following the elections, but spates of violence against Hindus have continued unabated since then. Violent assaults have been particularly frequent along the Indian border, mostly targeting Hindus but also other minorities (Griswold, 23 January 2005). Attacks against Hindus, their properties as well as their places of worship, have led to the requirement for guards to be present at temples and at religious ceremonies.

Although this has not been verified independently, two local NGOs, the Bangladesh Hindu Buddha Christian Oikya Parishad (BHBCOP) and the Human Rights Committee for Bangladeshi Minorities (HRCBM) have documented systematic intimidation and human rights violations against Hindus, suggesting that many continue to be displaced. Most of the reported incidents are directly related to land grabbing.

According to Human Rights Watch, there were persistent reports of abductions and forced conversions of minorities, and destruction and desecration of religious sites throughout 2005 as

well as many reports of forced evictions of Hindus from their properties. In some cases of reported rape of Hindu girls, the police refused to pursue investigations (HRW World Report, 2005). The government has generally failed to investigate the crimes and prosecute the perpetrators (USDOS, Religious Freedom Report 2005; Daily Star, 16 September 2005).

The Ahmadis

Under the BNP-led government, the Ahmadis, an Islamic sect numbering 100,000 in Bangladesh, have been subject to new waves of threats, attacks and hate speeches from Islamist groups. Ahmadis profess to be Muslim but, because of their belief in the prophethood of Mirza Ghulam Ahmad, many Muslims have ostracised them for subverting a fundamental tenet of Islam, namely the "finality of the prophethood of Mohammed". Intimidation campaigns have been organised by the Khatme Nabuwat, an umbrella of extremist groups with alleged links to the BNP's two Islamist coalition partners, in order to pressure the government to declare them non-Muslims and ultimately to change Bangladesh to an Islamic republic.

On 8 January 2004, the government declared a ban on Ahmadiyya publications, although this was overruled in December 2004 by the Bangladesh High Court. Throughout 2005, the Khatme Nabuwat have continued to threaten the Ahmadiyya community and campaigned for Ahmadis to be declared non-Muslims. Human Rights Watch released a comprehensive report in June 2005 documenting abuses against Ahmadis ranging from mass rallies inciting violence, attacks on mosques, lootings of houses and incidents in which Ahmadis were evicted, ostracised, beaten, injured or even killed (AI, 16 February 2006; HRW, June 2005). The international community has on several occasions raised concerns about the situation of this group. As with the Hindu population, no survey exists to verify whether members of the Ahmadiyya community have experienced displacement.

Other minorities

In the sectarian atmosphere currently prevailing in Bangladesh, other minorities have also been targeted. One local NGO, Hotline Human Rights Bangladesh, compiled a list of assaults against the Christian community from 2001 to 2004. Their report documents rape and harassment of Christian women, the killing of a Christian priest and attacks on a church, and looting of Christian villages. The reported incidents generally involved local miscreants connected to BNP activists and most are related to land grabbing (HHRB, September 2004).

The 1997 peace accord and provisions for IDPs (Special report, March 2006)

After 25 years of conflict, a peace accord came into effect on 2 December 1997, signed by the then ruling Awami League and the main indigenous political party, PCJSS. The peace accord grants a higher degree of autonomy to the indigenous people through the creation of a regional council. The accord also provides several mechanisms directly aimed at addressing and resolving the problem of internal displacement. The most important provisions are the establishment of a task force to coordinate rehabilitation for the internally displaced, the launching of a land survey in consultation with the regional council and the settling of land disputes by a land commission with a minimum tenure of three years to "resolve the disputes in consonance with the law, custom and practice in force in the Chittagong Hill Tracts" (AI, 2000).

However, the task force to facilitate the rehabilitation of the displaced has failed to function effectively. Two of the main problems blocking its work have been disagreement as to whether the Bengali settlers (non-tribals) should be considered IDPs, and secondly, the proposed rehabilitation package for the internally displaced population.

Disagreement about the criteria for the definition of an IDP caused the main schism between tribal and non-tribal members of the task force. Originally, the peace accord stipulated that the term 'internally displaced' referred to the tribal population of the three hill districts (Clauses D.1 and D.2), thus excluding the Bengali population. In June 1998, the task force agreed on a working definition of "internally displaced people in the Chittagong Hill Tracts" as "all tribal peoples from the three districts who had been compelled to leave their village, land or house during the conflict from 15 August 1975 (date of Sheikh Mujib's assassination) to 10 August 1992 (date of PCJSS unilateral ceasefire) and forced to take shelter in other areas of the Chittagong Hill Tracts" (JWRA, December 2005). Local authorities were then instructed to identify and compile a list of the internally displaced in their area in accordance with the agreed definition. On this basis, tribal leaders today restrict the definition of an IDP to the specification of the peace accord.

Conflict arose when the task force reportedly received sudden instructions from the Prime Minister's Office to include the non-tribal population in the IDP population, thus including Bengali settlers who had been forced to move when tribal refugees returned from exile in India. This point was then included without consulting the tribal representatives. Fierce debate ensued on whether or not settlers should be considered internally displaced and, in November 1999, the two tribal representatives from the RJRWA and the PCJSS walked out and refused to attend any subsequent task force meetings. The official list of IDPs, published in 2000, was immediately rejected by the tribal task force members who called for the removal of non-tribal settlers from the task force IDP list and their transfer outside the Chittagong Hill Tracts. They also requested the inclusion of thousands of tribal IDPs whom they said had not been counted.

Tribal leaders also refused to accept the proposed task force rehabilitation package because it did not make guarantees for property restitution, a main requirement by PCJSS when the negotiations started. After the task force chairperson resigned in August 2001, the task force did not function for more than two years. In October 2003, the BNP-led government finally appointed a new chairperson, but his official status is unclear, no financial support has been allocated for the work of the committee and its ten employees have not been paid since October 2001 (New Age, 27 March 2005).

The Land Commission was to function as a special tribunal for property restitution for the tribal people. By May 2003, some 35,000 cases had been filed involving land disputes between indigenous people and state-sponsored settlers (Daily Star, 5 May 2003). However, it had not even started its work as of March 2006. After years of delay, the commission met for the first time on 8 June 2005. One of the outcomes of the meeting was a suggestion by the chairperson to set up a tribunal rather than a commission to resolve land disputes (Daily Star, 9 June 2005).

Apart from the land question, other parts of the peace agreement remain to be implemented, such as the closure of temporary army bases. Reportedly, only 31 of the estimated 520 temporary military camps at the time of the signing of the peace agreement have been withdrawn (ACHR, 26 August 2004). Furthermore, several temples and schools which were destroyed during the conflict have not been rebuilt on their original locations as stipulated in the peace agreement (RJRWA and PCJSS information).

In general, implementation of the peace accord has been completely on hold since the BNP-led coalition came to power following its 2001 election victory. The agreement was condemned from the outset by the BNP, which was then in opposition, as a "sell out" of Bangladeshi sovereignty. It has also been rejected by a section of the tribals who want all Bengali settlers removed from the Chittagong Hill Tracts. In 1998, the tribal United People's Democratic Front (UPDF) was formed to this effect and has occasionally been involved in armed clashes with PCJSS supporters. The accord has also been denounced by the Bengali settlers who have launched a movement called

Sama Adhikar Andolon (CHT Equal Rights Movement) against the peace agreement which they see as discriminatory and favouring the tribal population (Daily Star, 1 December 2004).

Thousands under threat of eviction (Special report, March 2006)

The tribal population of the Chittagong Hill Tracts remains under serious threat of displacement as a result of evictions from existing reserve forests, acquisition of land by government agencies for the creation of additional reserve forests, expansion of military facilities and lease of land by the government for commercial plantations. .

After 1992, the government reclassified 220,000 acres of forest as reserve forests, thus unavailable for use by inhabitants in the CHT. The tribal population suspects that the government is planning to resettle Bengalis in these areas (CHTC, 2000). IDPs who have been living illegally in reserve forests since the conflict are especially vulnerable and have faced the threat of evictions for several years. In 2001, the army filed charges against more than 830 families for illegal occupation of land in the Kassalong reserve forest in the Rangamati district. The IDPs responded by creating the Jumma Internally Displaced Rehabilitation and Welfare Association which demanded the restitution of their lands and proper rehabilitation before leaving the forest. The charges were dropped, but in June 2005, the army again threatened to burn down the houses of IDPs in several areas if they did not return to their original locations. Similar threats have been repeated on several occasions (JIDRWA, 16 November 2005). While no forced eviction has yet taken place, the IDPs fear that the authorities will compel them to leave by curtailing their access to their livelihood.

While tribal IDPs are threatened with eviction, the government allegedly plans to move several thousand Bengali families – 65,000 according to available sources – to the Kassalong reserve forest (Daily Star, 4 June 2005). In addition to the eviction of tribal IDPs, such a major influx of Bengali families risks displacing Pankhua Christians who live in the Machalong area of the Kassalong reserve forest (PCJSS, April 2005).

The creation of additional reserve forests has increased the pressure on the tribal population further. The Bangladesh Forest Department has earmarked a total of 218,000 acres for new reserve forests in the three hill districts. Under this scheme, some 2,000 people, mostly from the small Khyang community, were evicted from their land in the late 1990s without any compensation (Feeny, 2001; SEHD, 1999). Most of these Khyang IDPs went to live illegally in the Rheinkhyong reserve forest of the Bandarban district. They have not yet received eviction orders but face an increasingly difficult situation as forest guards have stopped them from collecting firewood and, since late 2005, they are no longer allowed to practice shifting cultivation. Many families have reportedly moved deeper into the forest away from the control of forest rangers.

Acquisition plans proposed by the military to enlarge their facilities has led to and could result in future displacement of villagers. Bandarban district is the most affected, with a total of more than 65,000 acres of land assigned for the construction of military training centres and the extension of existing facilities. More than 230 families were already displaced in 1989 due to the creation of a new artillery training centre (ACHR, 25 June 2005 and Daily Star, 14 March 2005).

Another problem for the tribal people is the government's leasing of land for commercial projects such as rubber plantations, endorsed by the Chittagong Hill Tracts Development Board (CARE, 2004, p. 48). The government also plans to create a 5,000-acre Eco Park in the Chimbuk Range of the Bandarban district which could displace at least another 5,000 Mro people (Daily Star, 14 March 2005). A local civil society group advocating for the protection of forests and land rights in

the Chittagong Hill Tracts, confirmed that the Bandarban District would be badly affected by internal displacement if the government plans were implemented.

Land acquisition plans also threaten the minority population in other parts of Bangladesh. While there is little information about displacement due to such policies, a few episodes have been reported by local NGOs and the media. In northern Bangladesh, the Garo tribe in the Modhupur Forest of the Tangail district were reportedly displaced when they protested against the creation of an eco-park project announced by the government. The eco-park, allegedly supported by the Asian Development Bank, will cover an area of 3,000 acres to be encircled by a 20-kilometre-long concrete wall. The project will affect 21 Garo and Koch villages and threatens to displace 1,500 families (ELCOP, 2006; SEHD, Earth Touch Magazine, 2004). During demonstrations in 2004, police opened fire on the protesters and BNP supporters allegedly later attacked their villages. During both incidents, indigenous villagers fled their homes but it is not known whether they have since returned (Daily Star, 9 January 2004). Tribal villagers in northern Bangladesh have also reportedly been victims of evictions because they live in reserve forests. In 2002, forest guards and local Bengali villagers looted and destroyed a Khasi village in the Maulvi Bazar district for the purpose of evicting 20 Khasi households from forest reserve land (The Daily Nayadiganta, 23 and 24 July 2005).

Another issue which has increased the risk of displacement of the tribal population is the introduction of social forestry. Social forestry is defined as the sustainable management of forests and trees by local communities for their own benefit. But social forestry policies in Bangladesh remain substantially state-oriented, mostly promoting commercial plantations of exotic tree species.

Critics have objected that these new laws only promote commercial and industrial plantations, do not acknowledge the participation of the indigenous people and vest the decision-making powers solely upon the Forest Department, thereby reinforcing state control over forests and a policing approach to forest management. Social forestry practices in Bangladesh have proven to be detrimental to the environment and have led to land alienation when afforestation programmes have been implemented on lands traditionally owned by the local villagers (SEHD, 2001).

Background on displacement of religious minorities

The diminishing minority population in Bangladesh has systematically been deprived of land and property (June 2004)

- Bangladesh has a significant minority population, estimated in the 1991 census at 12.6 per cent of the total population of around 130 million
- Demographic changes have had a wide-ranging impact on minority communities in Bangladesh, often depriving them of land, forests and property
- The Hindu population, who has lived in a climate of repression since partition from India, decreased from 25 percent of the population in 1947 to an estimated 10.5 percent in 1991
- Millions of Hindus have emigrated or fled to India after having been deprived of property. Others have been dispossessed while in India
- The emergence of extremist parties in Bangladesh politics made the governments more sensitive to the interests of the Muslim majority

"Bangladesh has a significant minority population, estimated in the 1991 census at 12.6 per cent of the total. It includes Hindus (10.5 per cent), Buddhists (0.6 per cent), Christians (0.3 per cent), and other religious minorities (0.3. per cent). The Buddhists are largely concentrated in the Chittagong area while the other communities are spread across the country. Besides, there are 27 ethnic minorities, accounting for 1.13 per cent of the population, that are concentrated in the Chittagong Hill Tracts and the northern Bangladesh. Several analysts have argued that the population of ethnic minorities may be higher than the official figures.

[...]

The proportion of the largest religious minority, the Hindus, in the country's population has been going down. In 1941 they formed 28.3 p.c. of the population. In 1947, when the territory became part of Pakistan, the figure came down to 25 .c., and further down to 12.6 p.c. in 1991. The head count shows that while the population of Muslims rose by 219.5 per cent during 1941-91 that of Hindus increased only by 4.5 per cent. The demographic change in the area of concentration of the ethno-linguistic minority has been most pronounced. In the Chittagong Hill Tracts the indigenous population was 97 per cent in 1947, by 1991 it had declined to 51.5 per cent while the Bengali population had jumped from 2 p.c. to 48.5 per cent.

These demographic changes have had a wide-ranging impact on the rights and properties (especially land) of the minority communities. In the Chittagong Hill Tracts, the British had made special laws that allowed the indigenous tribes considerable autonomy under their chiefs. This included some autonomy in land regulations and administration of justice and declaration of excluded (from government's control) areas. By 1937 the powers of the tribal chiefs had been reduced and, more importantly, in that year the safeguard against immigration was withdrawn. The special administrative status of the Hill tracts was ended in 1964.

The government policy of setting Bengalis in the hill tracts deprived the indigenous tribes of substantial parts of their land and forests, and sparked an insurgency which continued for two decades and ended only with the signing of a peace accord with the government of Sheikh Hasina Wajid in December 1997. Saleem Samad notes the view of Philip Jain, a widely respected research scholar, that "the principal causes of the political and economic disturbances in the Adivasi areas are attacks on its soil, forests and local resources." And he quotes an indigenous community's leader who argued that "the nation-state, through the expansion of the market economy into the adivasi-inhabited areas, had seriously threatened their traditional rights." Of late complaints of non-implementation of the peace accord have multiplied and the tribal people are reported to be up in arms against not only the government in Dhaka but also against their own leader who had signed the accord in good faith.

The Hindus lost a large part of their lands during the communal riots at the time of partition of India in 1947, through the land reforms in the early fifties, and as a result of migrations to India during riots in fifties and the sixties. While the territory formed part of Pakistan (1947-71), many Hindus also lost their lands and houses under the Enemy Property Act, which empowered the government to seize the property of all those who had migrated or had been deemed to have abandoned their country in periods of conflict with India. The replacement of the Enemy Property Act with the Vested Property Act sustained the process of depriving the Hindus of their property. According to Mohammed Tajuddin, "the Vested Property Act is being rampantly misused to appropriate the properties of Hindus by declaring them as migrants to India before 1965. The Hindu owner might not have migrated to India and may be a citizen of Bangladesh. The act has become a tool in the hands of the rural elites to dispossess and displace the Hindus." According to Saleem Samad, the Bangladesh parliament was informed in July 1991 that 827,705 acres of land was listed as vested property, and a Bengali daily reported in 1993 that 757,704 acres of land was under the Ministry of land, 28,768 houses were listed as vested property, and a few jute mills, textile mills and other industries were under the various ministries. Resistance by the Hindu community has brought some relief but the bulk of the loss to the minority is irreparable. The Awami League government did honour its pledge to repeal the Vested Property Act but left the

matters of already seized properties undecided and the number of people seeking justice is quite large." (Rehman, May 2003)

The Vested Property Act continues to deprive Hindus of land:

"A discriminatory law enacted decades ago in Muslim majority Bangladesh continues to deprive hundreds of thousands of minority Hindus of land rights, despite being repealed in 2001.

Before Bangladesh's independence from Pakistan in 1971, West Pakistani military rulers had enacted the Enemy Property Act, 1965, to drive Hindus out to neighboring India after grabbing their lands.

Since then, encroachers have misused the law with the help of corrupt state authorities to grab property by identifying Hindus as "enemies of the state."

Explains the secretary of the Bangladesh Economic Association and land researcher, professor Abul Barakat, "Following independence, a predominantly Muslim but secular Bangladesh should have had abolished this law. But the state renamed it the Vested Property Act to acquire the properties of people from West Pakistan who had left after the war."

The four-decades-old law has seen around a million Hindus lose at least 2.1 million acres of land.

To amend the situation, the former Awami League government had enacted the Vested Property Repeal Act in 2001. But it was never implemented because of objections from politically influential encroachers and legal complications.

Explains a senior land ministry source, "While the government is responsible for taking over all land under the Enemy Property Act, in reality it does not control 99 percent of these lands. If the repeal is implemented, the government will have to return the lands to their rightful owners. But how will it do so when it has lost track of these lands?"

The initiative further lost steam when the Bangladesh Nationalist Party (BNP) led ruling coalition came to power.

[...]

Abul Barakat also conducted research which revealed that apart from Hindus, land encroachment victims also included 31 other ethnic minority groups that comprise 12 percent of the country's 140 million population." (OneWorld South Asia, 14 June 2004)

Causes of displacement of religious minorities

The national elections on 1 October 2001 started a wave of violence against the minority population (2001-2003)

- Minorities face a much harsher environment than before as violence in general has become widespread and much of it appears to be religiously and politically motivated
- Systematic attacks - rape, looting and burning - on Hindu communities across the country started after the Bangladesh national Party (BNP) won the elections in October 2001
- An unknown number of Hindu families (USCR claims up to 200,000) fled their homes and sought refuge in safe areas or crossed into India

- Women were particularly targeted – in many cases rape of female family members made it impossible for the family to stay in their villages
- There are reports of continued violence and displacement of the minority population

" The present wave of attacks was triggered by the 2001 elections when violence flared across Bangladesh. The Human Rights Congress for Bangladeshi Minorities estimated that dozens of people were killed, more than 1,000 women from minority groups were raped and several thousand people lost their land in the three months around the election. " (Guardian Unlimited, 21 July 2003, "Britain ignores Bangladeshi persecution")

"In the weeks following the 1 October 2001 general elections, Bangladesh witnessed an outburst of systematic attacks on the minority Hindu community across the country, in addition to attacks on activists of the freshly ousted Awami League.

By 8 October 2001, at least 30 people had been killed and more than 1,000 others injured. Their houses were torched, ransacked and in many cases seized, women were raped, and temples were desecrated.

The Hindu-dominated areas in Barisal, Bhola, Pirojpur, Satkhira, Jessore, Khulna, Kushtia, Jhenidah, Bagerhat, Feni, Tangail, Noakhali, Natore, Bogra, Sirajganj, Munshiganj, Narayanganj, Narsingdi, Brahmanbaria, Gazipur and Chittagong were the worst hit.

Many Hindu families [...] reportedly fled their homes and sought refuge in areas considered 'safe.' The Bangladesh Observer reported that at least 10,000 people of the minority community from Barisal district had left their homes following attacks by activists of the fundamentalist Jamaat-i-Islami party and had taken shelter in neighbouring Gopalganj district, the electorate of the former Prime Minister Sheikh Hasina. Many others fled to the Indian states of Tripura and West Bengal" (HRF March 2002)

"Post election violence and oppression against minority has displaced more than 15 thousands minority families in Barishal and Bagerhat districts. The affected upazilas (sub-districts) are Gournadi, Ujipur, Agailjara, Mullahat and Chitalmari. Hindu minorities from those upazilas are being forced out of their land and taken shelter at various villages in Ramshil upazila under Khotalipara districts. The displaced minorities have taken shelter to various schools and colleges at Ramshil bazaar and their relatives in those areas.

Islamic fundamentalists have initiated a rain of terror forcing minorities to endure living in a nightmare condition in those areas. Janakantha correspondence Mr. Mojammel Haq after visiting the affected areas today (Tuesday) described that the situation is far grave than the atrocities of 1971. Those family even not displaced in 1971, now they are facing far severe condition and being forced out of their own native land. The oppressed minority reported that due their support for Awami league in the election, BNP supporters went on rampage setting ablaze houses and raping women in Chadshi, Bahadurpur, Barthi, Pingolkati, Ashukati, Tarki Bandar, Narchira, and Sharikal under Gournadi and Rangtha, Bakal, Rajihar, Chingatia, Ramshidha, Dhanduba, Jayrampatti under Agailjara upazila and everywhere in Ujipur." (HRCBM, 10 October 2001)

Women were particularly targeted – in many cases rape of female family members made it impossible for the family to stay in their villages:

"By a letter dated 10 December 2002, the Special Rapporteur informed the Government that she had received information that more than 2,000 women in Bangladesh between the ages of 7 and 80 had been raped, gang-raped, beaten and subjected to degrading treatment by fundamentalist groups following the 1 October 2001 elections. Much of the violence allegedly took place in small villages, and the perpetrators in many cases were identified as activists of the ruling Bangladesh

Nationalist Party (BNP) or the group Jamat-e-Islami. It is alleged that the police and the civil administration have not provided protection for the victims, and that no judicial inquiry has been made regarding these incidents. In particular the Special Rapporteur advised the Government that she had received information regarding the following cases." (CHR, Report of the Special Rapporteur on violence against women , 14 January 2003)

There are reports of continued violence and displacement of the minority population. Persecution of minorities in Bangladesh was also reported to the Commission on Human Rights in 2003:

" [...] the buildings of religious minorities were looted and destroyed, land seized, and their community members raped, beaten, harassed, forcefully converted and exiled in the wake of the October 2001 general election. To date many continue to be victims, living as internally displaced refugees who have not been properly compensated for their losses. Hindu minorities have been forced to pay special taxes to live in their own homes, but law enforcement authorities have reportedly failed to respond and so the violence against religious minorities has gone on unabated." (ALRC, 10 March 2003)

"Soon after the last general election which brought Khaleda Zia back into power there were widespread reports of violence against religious minorities. The opposition alleged genocide though its protests sounded somewhat exaggerated. Nevertheless, few discount the view that life for the minorities has become much harsher than before. The situation is unlikely to change for the better, considering the course the state has adopted. Bangladesh may not be as conservative as Pakistan but it has also created many of the obstacles to the realisation of minorities' rights noticed in Pakistan." (Rehman, May 2003)

"Violence in general has become widespread and much of it appears to be religiously and politically motivated. The Society for Environment and Human Development (SEHD), a prominent Bangladeshi NGO, claimed: "The intimidation of the minorities which had begun before the election, became worse afterwards." Amnesty International reported in December 2001 that Hindus — who now make up less than 10 per cent of Bangladesh's population of 130 million — in particular have come under attack. Hindu places of worship have been ransacked, villages destroyed and scores of Hindu women are reported to have been raped." (SATP, Assessment 2003)

"In Bangladesh, over a year has passed since the buildings of religious minorities were looted and destroyed, land seized, and their community members raped, beaten, harassed, forcefully converted and exiled in the wake of the October 2001 general election. To date many continue to be victims, living as internally displaced refugees who have not been properly compensated for their losses. Hindu minorities have been forced to pay special taxes to live in their own homes, but law enforcement authorities have reportedly failed to respond and so the violence against religious minorities has gone on unabated." (ALRC, 10 March 2003)

"Serious attacks on and persecution of religious minorities by Islamic fundamentalists are increasing, [shows] a detailed dossier on 18 months of persecution of religious minorities

[...]

Evidence is emerging that the oppression of minorities is becoming systematic. Bangladesh, which is 85% Muslim but has a long tradition of tolerance to religious minorities, is, say local organisations, being pushed towards fundamentalism by the Jamaat-e-Islami, which is growing rapidly in rural areas with the deepest poverty and runs two key ministries.

"This is like a silent revolution. We are returning to the dark ages," a leading lawyer said, asking not to be named.

[...]

In the village of Fhainjana, a mob of 200 fundamentalists recently looted 10 Christian houses, allegedly assaulting many women and children. Christians were seriously beaten and others molested after refusing to give money to thugs in the village of Kamalapur, near Dhaka. In Deuatala Bazaar, gangs of young men with knives told Hindus to leave. Hundreds fled. Many villages are said to be now empty of minorities. Elsewhere, Hindus have been burned alive and gangs have desecrated temples." (Guardian Unlimited, 21 July 2003, "Rape and Torture empties the villages")

Communal violence and repression of minorities has led millions to leave the country (September 2003)

- Violence and repression against Hindus has increased as religious identity has re-emerged as a major issue in Bangladesh
- The result has been a significant rise in the exodus of Hindus to India
- Many are also frequently internally displaced for shorter periods

"Whilst communal violence have been a regular feature of politics during the Pakistan era, the establishment of an independent Bangladesh on the basis of secular ideals had offered to the polity a sense of citizenship as opposed to that of religious sectarianism. Even though the word secularism had been omitted from the 1975 constitution, a non-sectarian concept of citizenship was something quite acceptable in the Bangladesh polity until recently. As regional and global politics became more and more influenced by religious fundamentalism, sectarian identities of Hindu and Muslim re-emerged in the arena of politics. That by itself would not have unleashed the violence against the Hindu minorities, which one saw on 2nd October 2001. Rather the incident was the result of machinations of a vested group of people who saw it to their advantage both politically and economically to foreground sectarianism as political vendetta against the Awami League. The increasing communalization of politics in Bangladesh has been marked by a significant rise in the exodus of Hindus to India. But there are still many among the Hindu community who does not consider it as a first option. For such people frequent internal displacement has become almost a way of coping with contemporary political realities" (SAFHR, September 2003)

"Attacks on Hindus in Bangladesh are not a new phenomenon. The community has suffered discrimination and harassment since the 1947 Partition of India.

[...]

Because of such atrocities, hundreds of thousands of Hindus have fled from Bangladesh and have taken shelter in neighbouring States of India. According to ALRD, "the implementation of Enemy Property Act\Vested Property Act has accelerated the process of mass out-migration of Hindu population from mid 1960s onward. The estimated size of such out-migration (missing Hindu population) during 1964-1991 was 5.3 million, or 538 persons each day since 1964, with as high as 703 persons per day during 1964-1971. If the above estimates are close to reality, then it would not be an exaggeration to conclude that the Enemy/Vested Property Acts acted as an effective tool for the extermination of Hindu minorities." (HRF 12 December 2001)

"[...], it seems that the key common denominator with regard to the problems described is the exploitation of religion for political ends. The involvement of extremist religious parties in Bangladesh politics and the use of Islam as a stepping stone to power has led to the adoption of a similar strategy by other political parties. Another consequence is that the State appears more sensitive to the interests of the Muslim majority. For non-Muslim minorities and ethnic groups, this is reflected in a number of obstacles to access to public-sector jobs, especially positions of

responsibility, and lukewarm financial support for their religious community institutions and the teaching of their religion in public schools. The same approach appears to be the reason for the delays in the full implementation of the Peace Accord in favour of the ethnic communities of the Chittagong Hill Tracts." (CHR 13 February 2001)

Several incidents of displacement reported in 2004 (September 2004)

- During 2004, the Human Rights Congress for Bangladesh Minorities has reported displacement of minorities in the Kalia and Nowgaon districts
- The Ahmadiyya community has been threatened and persecuted, but displacement has not been reported

"Thirty persons were injured, five of them seriously, when a group of armed men, led by a local BNP leader, allegedly set afire 20 houses belonging to minority Hindus in Natore district of Bangladesh yesterday [2. January 2004]." (The Hindu, 3 January 2004)

"KALIA in the district of Norail, Bangladesh is burning from the vengeful terror attacks of 'Alliance' party cadres and their supporters. These terrorists stuck at a **minimum of four** small villages where minorities live. All night long on Thursday, they attacked and ravaged more than one hundred homes. They robbed the villagers of their possessions. Terrified families deserted their homes and took shelter in the forest or in other villages that so far escaped these terror attacks.

[...]

Fleeing mostly are the Hindu females and children who fear for their life and dignity." (HRCBM, 6 May 2004)

A few weeks after having been forced from their homes, HRCBM reported that the displaced were still afraid to go back:

"Hundreds minority families of Chhota kalia, Kartikpur, Gobindanagar, Sitarampur and Mirzapur villages do not dare to come back to their own houses after Kalia municipality polls. Most of the people of Hindu community are still absconding from their own houses due to alleged threats on their lives. The community has described their nightmares to HRCBM representatives. They alleged and described a rein of terror that is unleashed upon the community. Eyewitness described that who ever wanted to return to their homes has been subject to severe beating and toll collections. The miscreants allegedly from ruling party are still continually looting and attacking people belonging to minority community." (HRCBM, 22 May 2004)

Another episode of violence and evictions of minorities was reported in July 2004:

"Nowgaon is western district of Bangladesh nearer to Rajshahi district popularly known for cultivation of paddy crops. Near about 10% minorities live in this district and their livelihood depends on agriculture and small businesses. Rani Nagar and Atrai are the two police stations where reports of atrocities against minorities along with other communities are still continuing in the name of "Sarbahara".

[...]

HRCBM-Dhaka have been informed that 8 Adhibashi families 50 in number have been tortured, evicted and their houses have been damaged, their fishes from the pond, tins, books, furniture and belongings from the houses have been looted.

HRCBM-Dhaka is worried about the present situation in Nowgaon and its adjoining places. We are getting constant messages of religiously motivated torture, intimidation, forceful eviction,

killing, abduction and kidnapping of ethnic, religious and Adhibashi Minorities of those areas." (HRCBM, 16 July 2004)

The Ahmadiyya community in Bangladesh has also been subject to hate speech and discrimination, but displacement has not been documented:

"Members of the "Ahmadiyya Muslim Jamaat", a religious community which considers itself a sect of Islam, has been the target of a campaign of hate speech organized by a number of Islamist groups in the country in recent months.(1)

These groups have mobilised crowds to chant anti-Ahmadiyya slogans, have sought confiscation of Ahmadi mosques, and have demanded that the government declare the sect non-Muslim. Members of the Ahmadiyya community in Bangladesh, about 100,000 in number, have been living in fear of attack, looting and killing since around October 2003 when the Anti-Ahmadi agitations began." (AI, 23 April 2004)

An armed group displaced 500 people in September 2004:

"At least 500 members belonging to 50 families in village Khodadila under Raipura upazila [in the Narsingdi Region] were forced to abandon their ancestral homes following a barbarous attack by an armed gang of the same village early last month.

Leaving behind their hearths and homes the members of the affected families have taken shelter at places around Manipura market.

The peace-loving people of village Khudadila were being subjected to harassment and humiliation in various ways allegedly by notorious members of a gang locally known as Dr Siddique Bahini of the same village.

[...]

These people are now unable to return to their homes because of the threat on their lives by the members of the Siddique Bahini.

Whenever the homeless people tried to return home the bahini members scared them away by bursting bombs and cocktails.

Though a case has been lodged against them with the Raipura thana police, nothing has been done so far to bring them to justice, some affected people complained." (New Age, 9 September 2004, "50 families flee homes after attack")

Faced with rising islamist extremism, religious minorities are increasingly vulnerable (January 2006)

- Extremist violence has contributed to an increasing feeling of insecurity among ethnic and religious minority groups
- A local organisation reported more than more than ten thousand incidents of communal torture, threat, killing, rape, setting fire to households, looting etc in the first four years of the BNP-led government

"The religious extremism has been growing in Bangladesh for decades now. Though these forces were put in total disarray after their defeat in 1971 they have managed to regroup due to subsequent political patronage. They were further helped in their revival by the confrontationist politics of Bangladesh.

To further consolidate their grip on the country, the defeated forces of the 1971 Liberation War are now carrying out bomb attacks across Bangladesh. Nearly 30 people have died in a series of suicide bombings since August this year. The forces, namely Razakar, Al-Badr and Al-Shams, who massacred the frontline intellectuals and professionals at the fag end of the liberation war in 1971, are the masterminds behind this bomb terrorism." (Kumar, 3 January 2006)

"The unprecedented torture on religious and ethnic minorities in Bangladesh that began centring the 8th parliamentary election held on October 1, 2001 has not stopped even after 1500 days. Its cause has to be sought out in the political objective of the ruling four-party alliance.

[...]

[under section eight]

Although more than ten thousand incidents of communal torture, threat, killing, rape, setting fire to households, looting etc. took place in the last four years of coalition rule, it is doubtful whether police have properly recorded one tenth of the incidents. It is true that a few cases have been filed, some accused have been awarded punishment on different terms, but we did not try to know what happened later." (EDGNC, October 2005)

The Ahmadiyya Muslim Community has been increasingly targeted by extremist islamist groups:

"Ahmadiyya Muslim Community is spread out all around the country in about one hundred (100) local branches. It was first established in 1912 in the then East Bengal Province. The community never suffered any gross persecution except one or two minor sporadic incidents till 1987." (Ahmadiyya Muslim Jamaat Bangladesh, November 2004)

Since 1987, attacks against the Ahmadiyya minority have increased and intensified:

"These [extremist religious] groups have mobilized crowds to chant anti-Ahmadiyya slogans, have sought confiscation of Ahmadi mosques, and have demanded that the government declare the sect non-Muslim, Members of the Ahmadiyya community in Bangladesh, about 100,000 in number, have been living in fear of attack, looting and killing since around October 2003 when the Anti-Ahmadi agitations began."

"While the Government of Bangladesh has acted to prevent the crowds from entering Ahmadi mosques, it has taken no action against the perpetrators of the hate campaign, Fundamental rights of the Ahmadies have been further violated by a government ban on their publications". (AI, 23 April 2004)

"Since the government first publicly acknowledged the presence of Islamic militants in the country earlier this year, Bangladesh has been hit by a spate of bombings, blamed on the militants, who have been calling for the establishment of Muslim Sharia law in the country. In August, two people were killed and about 100 others injured in 500 simultaneous bombings across the country, while two more were killed in 5 attacks on courthouses in early October. The attacks have been blamed on the banned Jamaat-ul-Mujahideen (JuM) and Jagrata Muslim Janata Bangladesh (JMJB) groups. On October 23, a local BNP leader was killed, while 2 opposition politicians were killed in a bomb attack on October 17. Aside from the Muslim militant groups, there are also a number of powerful Maoist rebel groups, such as the Purba Banglar Communist Party (PBCP) that operate in the country. The government suspects links between Muslim militant and Maoist groups." (COE-DMHA, 25 November 2005)

Background of displacement in the Chittagong Hill Tracts (CHT)

Geographical overview of the Chittagong Hill Tracts and ethnic composition of the population

- Most of the CHT was barely habited before the large scale in-migration in the 17th and 18th century.
- About 13 indigenous ethnic groups, collectively known as the Jumma people, live in the CHT area
- The indigenous people in the CHT differ ethnically, culturally and religiously from the rest of the population in Bangladesh
- In 1947, the share of indigenous population in the CHT exceeded 90 percent. The last census in 1991 concluded that the indigenous population amounted to 51% of the total population while 49% were non-indigenous Bengalis
- CHT enjoyed limited self-government during British rule, but the Pakistan withdraws this special status in 1963

"The Chittagong Hill Tracts (CHT) in southeastern Bangladesh covers an area of approximately 5,093 square miles, about 10 per cent of the total land area of Bangladesh. It borders India to the north and Myanmar (Burma) to the east. It consists of several valleys running in a northwest to south easterly direction, with ridges rising to 3,000 feet. This upland, forested area is in stark contrast to the landscape of other parts of Bangladesh, which is flat and subject to regular monsoon flooding. The area is relatively rich in natural resources, with fruit growing there in abundance. There is also timber, bamboo and gas, and possibilities for oil exploration have been actively pursued in recent years." (AI February 2000, section 2)

"However, the region is much poorer than the rest of the country. Per capita income is 40 percent lower than the national average. The literacy rate is also lower due to the limited income of parents, poor access to schools, a shortage of teachers and the fact that children are kept at home for household and income-generating activities."(ADB 26 October 2000)

"Prior to the creation of Bangladesh in 1971, the population of the area consisted almost entirely of people from 13 different indigenous tribes. The tribal people who differ significantly from the majority population of Bangladesh are of Sino-Tibetan descent, have a distinctive appearance with Mongoloid features and are predominantly Buddhists, with small numbers of Hindus. They differ linguistically and in their social organization, marriage customs, birth and death rites, food, agriculture techniques and other social and cultural customs from the people of the rest of the country." (AI February 2000, section 2)

"About 13 indigenous ethnic groups, collectively known as the Jumma people, live in the CHT area. The three largest groups are the Chakma, the Marma and the Tripura
The total population of the CHT, in 1991 census, was 974,445 of which 51,43% were indigenous Jumma people and 48,57% were non-indigenous Bengalis. At the time of the independence of India in 1947, only 9% of the population of the CHT was non- indigenous." (UNPO 1997, web page)

"The tribal people have been living in the CHT for a long time but they are not the original settlers in that area. Most of the CHT was not habited or barely habited by people till the large scale in-migration in the 17th and 18th century. The Chakmas moved into the CHT with their King when they were driven out by the Marma King of Arakan (most of which lies in Mianmar now). Later on, the Marma people were also driven out of Arakan by the Mughols in 1756 (Hutchinson, 1906).

Other tribes of the CHT have similar history." (The Independent 30 April 2000 "People versus Power")

"... non-governmental sources (particularly ethnic communities) noted that under the British administration, the Chittagong Hill Tracts had enjoyed a special autonomous status under which the sale or transfer of land to non-indigenous populations was prohibited. After Pakistan gained independence in 1947, the region lost that special status, particularly as a result of a constitutional amendment introduced in 1963. The Government authorized and encouraged the settling of non-indigenous populations in the Chittagong Hill Tracts, as well as the transfer of land ownership and other resources to non-indigenous populations.

[...]

This policy was pursued after Bangladesh gained independence, despite the demands made in 1972 by indigenous people for the restoration of the Chittagong Hill Tracts' special status. From that point onward, land-related conflicts between the indigenous people and the newly arrived Bengalis (virtually all of whom were Muslim, unlike the indigenous population, which was largely non-Muslim) represented a source of conflict with the Government." (UN GA, 9 August 2000, para 69)

The construction of the Kaptai dam uproots the indigenous population (1957-1963)

- Some 100,000 Chakma tribals, 18,000 families, lose their homes and land during construction of the Kaptai dam
- adequate compensation for lost land
- The Kaptai dam flooded 40% of all arable land in the Chittagong Hill Tracts
- Over 40,000 Chakma tribals cross the border into India
- Land-scarcity is today a main factor fueling conflict in the area

"The origin of the problems in the Chittagong Hill Tracts is believed to be the completion of a dam at Kaptai near Rangamati between 1957 and 1963 when the area was administered by Pakistan. At least 54,000 acres of settled cultivable land, mostly farmed by the Chakma tribe, were lost in 1957 when the government began the construction of the Karnaphuli hydroelectric project. Over 400 square miles of land were submerged with far-reaching effects on the economy and life-style of the tribal people there. Some 100,000 people lost their homes and prime agricultural lands. Compensation for lost land was inadequate and over 40,000 Chakma tribals crossed the border into India where the majority have sought Indian citizenship." (AI February 2000, section 2)

"During construction, the dam flooded some 655 km² area, which included about 22,000 ha of cultivable land – 40% of all such land in the CHT. The lake took away homes of 18,000 families and displaced 100,000 tribal people, of which 70% were Chakma (GOB, 1975). The dam also flooded the original Rangamati town and the palace of the Chakma Raja (King). To make things worse, a rather casual attempt was made to rehabilitate this large group of people – nearly 25% of the local population. Officially, the majority of the displaced people were rehabilitated on the upper reaches of the rivers Kasalong and Chengi during the early phase of the project (construction of the dam began in 1957). In reality, the newly created "environmental refugees" were resettled in the low-lying areas of Langdu, Barkal and Bhaghaichari thanas (thana is an administrative unit under a district) as per the advice of the project officials. However, much of this land area went under water by 1962 when the construction was completed. As a result many were displaced for the second time and this had naturally aggrieved the tribal population as they received little if any of the benefits of the dam. Many of the displaced people had left the country, some estimates say, 40,000 of them went to the sparsely populated states of Mizoram, Tripura,

Assam and Arunachal of India. Another 20,000 might have gone to then Burma (Samad, 1994). The Chakma people call this event Bara Parang (the great exodus).

[...]

The issue of resettlement of the displaced people was handled poorly because of a number of reasons. First, there was a general lack of understanding of the tribal culture by the Government of Pakistan and the donor agencies (the Dam was funded by the USAID). They thought that these were "nomadic" people and it was unnecessary to design a permanent resettlement program for them. In reality, the tribal people did move from hill to hill but they had a long cycle of jhum cultivation. Before the inundation of the Karnafuli Valley, the average cycle of jhum cultivation was 7 to 10 years, and in some cases 15-20 years. After the flooding that took away 40% of the fertile agricultural land, this cycle became reduced to only 3-5 years due to loss soil fertility caused by intensive agriculture. This pressure was further increased by rapid population growth during the 1960s and 1970s in the entire CHT area. The other important reason for not having an adequate relocation scheme was simply the lack of adequate budgetary provision. Initially, some compensation was paid for the loss of land, trees and structures but there was little money available for rehabilitating 100,000 people. The majority of them were taken to the Kasalong Valley where a reserved forest was partly cleared to create land for these people. When the water level of the reservoir rose after completion of the dam in 1962, much of this land went under water and the government simply gave up all efforts to resettle these people again, thus contributing to the "Bara Parang." The large scale displacement of the tribal people caused by the Kaptai Dam is certainly one of the important factors that has contributed to the worsening of the relationship between the tribal and Bengali populations in the CHT. In the later part of the 1960s, the rate of influx of the Bengalis increased due to setting up of some major industrial infrastructures like the Karnafuli Pulp and Paper Mill and administrative offices of various departments of the government." (The Independent 30 April 2001, People versus Power...)

Today, the scarcity of arable land which has to provide food for a growing population is fueling conflict in the area:

"Land for permanent agriculture has always been a scarce resource in this hill area. Only about 3 percent of the land in the CHT is suitable for agriculture and about 19 percent for horticulture. The rest of the land is government-owned. With the inundation of 40 percent of the arable land after the construction of the Kaptai Dam and the transmigration of more than 400,000 Bengali settlers, which almost doubled the population within a single decade, land scarcity has reached crisis levels. Land scarcity in the CHT has a direct impact on the economic and health situation of the Jumma people, who find it increasingly difficult to make a living on ever smaller plots of land." (CHTC 2000, p.54)

Armed confrontations between government forces and local insurgents start in the mid-1970s

- After the independence of Bangladesh, the government rejects tribal calls for autonomy of the CHT
- This leads to the creation of an insurgent group called the PCJSS - the Chittagong Hill Tracts People's Solidarity Association with an armed wing called Shanti Bahini
- During the 1970s and 1980s a massive influx of non-indigenous settlers in the Chittagong Hill Tracts (CHT) ends in violent conflict
- By 1985, the Bengali population amounts to almost 50% of the indigenous population
- At the height of the conflict, almost one third of the Bangladesh army was deployed in the CHT

- After 1980, ten major massacres by Bengali settlers and the security forces led to an exodus of the tribal population

"In December 1971, Bangladesh became independent after a nine-month civil war between the Pakistan army and the insurgency known as *Mukti Bahini* (liberation forces) led by Sheikh Mujibur Rahman. Some influential figures in the tribal population supported Pakistan while others complained of being excluded from participation in the war of independence. This nonetheless created the perception that the tribal people were against the independence of Bangladesh.

In February 1972, a tribal delegation called on Prime Minister Sheikh Mujibur Rahman to accept four basic demands: autonomy for the Chittagong Hill Tracts, together with provisions for a separate legislative body; retention of the provision of the 1900 Regulation in the Bangladesh Constitution which allowed a form of self government; the continuation of the offices of the traditional tribal chiefs; a constitutional provision restricting amendment of the 1900 Regulation; and the imposition of a ban on the influx of non-tribals into the area.

These demands were rejected, and the 1972 Constitution of Bangladesh made no provision for any special status for the Chittagong Hill Tracts. On 7 March 1972 Manobendra Narayan Larma, together with his brother Bodhi Priyo Larma, formed *Parbattya Chattagram Jana Samhati Samiti* (PCJSS - the Chittagong Hill Tracts People's Solidarity Association).

Its armed wing, *Shanti Bahini* (peace force) was also formed in 1972, although it did not become militarily active until mid-1970s when it began to attack military and paramilitary personnel and their bases in the Chittagong Hill Tracts, as well as non-tribal settlers, resulting in hundreds of deaths and the abduction of foreign nationals for ransom money." (AI February 2000, section 2)

"With the 1971 separation of Bangladesh from Pakistan, the Bengali government in Dhaka began a push to "Bengalize" the Chittagong Hill peoples. The Bengali invasion was stepped up in 1979 by Bangladesh's active encouragement of settlers to move into the area. By 1980, Dhaka had received enough international assistance (US AID, Sweden, World Health Organization, UNICEF) to provide the settlers with transportation, money, a six month food supply, and 2.5 to 5 acres of land for each family. In 1982, an additional 250,000 Bengalis were brought into the area. By 1985, the Bengali population amounted to 400,000 settlers and 40,000 army personnel, almost 75 percent of the original number of the area's inhabitants and owners." (Nietschmann 1986)

"As the struggle gathered strength, the government began relocating Bengalis in the CHT. About 400,000 Bengalis were sent to the CHT, both to ease the pressure on the land in other parts of Bangladesh and to dilute the dominance of the hill people in CHT. In 1975, the struggle went underground. Nearly a third of the Bangladesh army was deployed in the CHT as the government looked for a military solution. As armed confrontation between the security forces and Shanti Bahini escalated, communal harmony between the tribals and 'new' Bengali settlers deteriorated further. Ten major massacres by Bengali settlers and the security forces since 1980, led to an exodus of the tribal population across the border to Tripura in India." (SAFHR, April 2000)

"... land related conflicts between the indigenous people and the newly arrived Bengalis (virtually all of whom were Muslim, unlike the indigenous population, which was largely non-Muslim) represented a source of conflict with the Government. The military solution chosen by the Government led to violence, especially after 1980, between the armed forces, associated with the new Bengali population, and the indigenous people, especially the organization Chattagram Jana Samhati Samiti (PCJSS) and its armed division, Shanti Bahini."(UN GA, August 2000, para. 69)

"Violent army operations in the Chittagong Hill Tracts began in March 1980 when it was reported that 22 soldiers were ambushed by the *Shanti Bahini* in the village of Kaukhali west of Rangamati

where Bengali families were being resettled. The army retaliated by deliberately firing on two groups of unarmed tribal people killing a number of villagers after they were ordered to line up.⁽³⁾ From then on, Bengali settlers began to attack the tribal people apparently at the instigation of the army or in conjunction with the operations of army personnel. The army reportedly recruited armed groups known as Village Defence Parties (VDP - also called village defence police) from the new settlers and provided them with firearms to resist the *Shanti Bahini*. Official figures indicate that more than 8,500 rebels, soldiers and civilians have been killed during two decades of insurgency. The number of civilians killed is estimated at 2,500." (AI February 2000, section 2)

Causes of displacement in the Chittagong Hill Tracts (CHT)

Atrocities against the indigenous population leads to substantial displacement (1975-1992)

- The tribal population either fled to India or were internally displaced to other towns in the forests
- The land of the displaced population was often confiscated

The Government of Bangladesh itself claimed "failure of national integration" and "lack of socially sensitive and compensatory development policies during the most periods of post-Independence years" as reasons for the deepening conflict between Bengali settlers and the indigenous population:

"The country's otherwise remarkable homogeneity in terms of language and culture notwithstanding, there has been a growing dissent in case of ethnic minorities, especially the hill people living in the Chittagong Hill Tracts (CHT). This was partly due to the failure of national integration, which did not allow much room for the non-Bengali people in the imagined community of the Bengali nation. But, the matter was made worse by the lack of socially sensitive and compensatory development policies during the most periods of post-Independence years. Attempts were made to deal with the issue of inter-ethnic conflict as a "law and order" problem leading to growing militarization of the conflict itself. The government had to spend a sizable share of the defence budget on peacekeeping operations in the CHT; the response of the *shantibahini* (the military wing of the dissenting ethnic groups and organizations) to counter these attempts only reinforced the overall tendency towards militarization. All these processes led to a large number of internally displaced persons and further widened the chasm between the Bengali and the hill people." (UN May 2001, Presentation by the Government of Bangladesh)

"... more than two decades of protected [*sic*] conflict in the form of insurgency and counter-insurgency operation in the Chittagong Hill Tracts, south-eastern part of Bangladesh displaced more than 50% of hill peoples' population. During the conflicting period at least twelve massacres upon the hill peoples were committed by Bangladesh armed forces⁷. As result of this conflict a kind of centrifugal and centripetal tendency of population displacement was observed. Just to avoid the conflict and atrocities of government military some groups of hill people silently moved toward the small towns and administrative centers while others moved toward the deep forest and compel to live a kind of nomadic existence. In 1986 at the height of the conflict 60,000 of them had become refugee in Tripura state of India." (Chakma February 2000)

"People displaced between August 1975 and August 1992 are considered IDPs. Some 60,000 tribal people were internally displaced during this period. They included people whose villages were attacked, whose neighbours were massacred and whose homes were burnt during army operations. They left everything behind for safer areas moving to neighbouring villages, to

relatives or started anew in the forest interior. The settlers confiscated their land and in many instances obtained official certificates of ownership. Internally displaced tribals represent a significant portion of the tribal population and their rehabilitation will continue to be a major task."(AI February 2000, para. 5.3)

The situation in the Chittagong Hill Tracts remains tense and resentment against the government is growing (December 2004)

- Seven years after the signing of the Chittagong Hill Tracts peace agreement, discontent persists in the region as the government has not implemented important parts
- The post-armed-conflict situation is characterized by many uncertainties, tensions and diverging interests
- The peace agreement also activated disagreements and conflicts within or among the tribal groups
- In 1998, Jumma activists who want full autonomy of the CHT launched a new political party, the United Peoples' Democratic Front (UPDF)
- The government of Bangladesh brands the 'full autonomy' activists as 'terrorists'
- Resentment against the peace agreement grew further during year 2002 due to a lack of initiative in solving the outstanding problems of the Chittagong Hill Tracts

"Seven years after the signing of the Chittagong Hill Tracts (CHT) peace accord on December 2, 1997, discontent persists in the region as the government did not fully implement the accord. The accord had ended two decades of bush war and sought to make the indigenous people happy by involving them in the local administration, but their participation in the decision-making process still remains negligible.

The hills people are unhappy that army presence in the region continued despite the peace accord.

The accord virtually divided the indigenous people into two groups-- one opposing it and the other still hoping it will be implemented in full. Over 500 people belonging to the two groups were killed and more than 1,000 injured in clashes between them. Moreover about 1,000 people of the two groups were kidnapped.

The CHT region also witnesses a rise of extortion by local gangs backed by both the feuding groups.

Bangla-speaking people who settled in the region have added another dimension to the discontent by launching a movement against the peace accord. The accord has made them second class citizens, they alleged.

The settlers also oppose the Parbatya Chattagram Jana Sanghati Samity (PC JSS) that signed the accord with the previous Awami League (AL) government.

Sama Odhikar Andolon, a platform of the Bangla-speaking people reportedly backed by a quarter in the government, is carrying out an agitation demanding cancellation of the accord." (Daily Star 1 December 2004)

"The post-armed-conflict situation is characterized by many uncertainties, tensions and diverging interests – between the national government and the regional council, between larger ethnic groups and smaller ethnic groups, between rival factions in the leadership, and between the

indigenous groups and the Bengali settlers within local communities. In the Chittagong Hill Tracts there is general distrust—of the national government's strategies for developing the region, and of the continuing presence of the military. These parties are thought to be interested only in exploiting the rich resources of the region, which include timber, oil and tourism. There is a general feeling among the indigenous people that they should be consulted in the decision-making related to the peace process and to development policies." (Rawoo 2000, p.18)

"The challenge is not only to ensure harmonious development in relation to the CHT and the rest of the country, the Bengalis and the hill people but also within the complex and diverse entity called the hill people. While the Bengali versus tribal divide is often magnified, the latter is as well sharply divided not only vertically but also horizontally. The hill people of CHT, divided into thirteen tribal and three religious groups, are not at the same level of development. While some of them surpass even the Bengalis in terms of literacy rate, some others are yet to be brought to the modern way of life and modern economic activities. Due to the central conflict of the region along the Bengali-Tribal dividing line, conflicts within or among the tribal groups remained suppressed. Once the central conflict is somehow contained or in the process of resolution, the tribal people will have to compete among themselves for the scarce resources and limited opportunities, the conflicts within or among the tribal groups could surface. The process of development will also have to deal with the issue that is quite a sensitive one." (Daily Star Features, 4 August 2000 – "Peace Building in Chittagong Hill Tracts")

The main opposition party to PCJSS, the UPDF, was created in 1998 in protest to the peace agreement:

" On 26 December 1998, the Jumma activists who had declared they would continue the struggle for 'full autonomy' launched a new political party, the United Peoples' Democratic Front (UPDF).

[...]

The government of Bangladesh brands the 'full autonomy' activists as 'terrorists' and uses their existence to justify the continuing presence of the military in the CHT.

[...]

The situation in the CHT is far from peaceful, not only as a result of government repression of UPDF but also as a result of the conflict between the JSS and the UPDF and their allied organisations. This conflict has become highly polarised. There are reports of serious in-fights between the two Jumma groups. Ordinary Jumma villagers are often caught in the middle of these two groups. In one village, Jummas told representatives of The Chittagong Hill Tracts Commission that the situation had deteriorated for them because now they have to pay 'taxes' for taking bamboo and other products out of their area to three different groups - Government officials, the JSS and the UPDF." (CHTC 2000, pp. 30,32,34)

"[During meetings with the UN Special Rapporteur for Religious Freedom and indigenous community representatives in May 2000], all indigenous community representatives consulted by the Special Rapporteur lamented the obstacle, and the delays that had been built up. Doubts had even been expressed as to whether the Government genuinely desired to make the Accord succeed. Of primary concern in this context was the fact that the government had not transferred to the Regional Council the majority of the powers provided for under the Accord, thus rendering the Council inoperative. As a result, the government continued to administer the Chittagong Hill Tracts directly (through its local representatives, the Deputy Commissioner and the army). Mention was also made of the delay in the setting up of the Land Commission (two and a half years) and in the return of land ; the fact that a large part of the military presence had been maintained ; and the fact that rehabilitation of displaced persons and refugees was still incomplete. It was further noted that Bengalis continued to be settled in the Chittagong Hill Tracts. Although this process had not been planned by the Government, it did benefit from assistance provided by local authorities (distribution of food rations and allocation of housing) and Muslim extremists. Because of the lack of arable land in the Chittagong Hill Tracts, it was stated

that apart from the Bengalis who were settled during the British period, and the few Bengalis who had settled legally, the rest of the Bengali population should return their land to the indigenous population and be resettled outside the region. It was explained that this was a precondition for any reconciliation between the authorities and the Bengalis, because the land was key to the survival and identity of the indigenous peoples in the region, and the essential and fundamental means for guaranteeing their survival and identity."(UN GA August 2000, para. 71)

Violence between Bengali settlers and tribals in August 2003 displaced 1,500 people (August-November 2003)

- On 25 August 2003, nearly 1,500 tribal people were rendered homeless after their houses were torched by Bengali settlers
- Some 274 houses and three Buddhist temples were ransacked and one burned to the ground
- In September, the IDPs had not yet returned due to security fears

"Tribal leaders have alleged that the lawmakers of the ruling party are instigating violence against the indigenous people. One such incident erupted on August 25, 2003, in Mahalchhari in which two persons were killed and nearly 1500 tribesmen were rendered homeless after their houses were allegedly torched by Bengali settlers. PCJSS chief Santu Larma held the Chittagong Hill Tracts Development Board (CHTDB) Chairman and Bangladesh Nationalist Party (BNP) legislator Wadood Bhuiyan responsible for these incidents. He has also threatened to cancel certificates of permanent residence of the settlers in the CHT area." (SATP 2003)

"According to The Daily Star today, over 1,500 indigenous people have been displaced by recent ethnic violence in the southeastern district of Khagrachhari. The IDPs (internally displaced persons) have been living in the open and in forests 7 days after Bengali settlers burned and looted 8 villages in revenge for the recent kidnapping of a Bengali businessman in the area. Army and police personnel have been reportedly deployed to the raided villages, however, the IDPs have not yet returned due to security fears. In addition, 5 villages were reportedly completely burnt down. The indigenous people claim that both Hindu and Muslim Bengali settlers torched and looted about 350 houses, killing two and raping at least 10 women. In addition, they allege that police stood by during the attacks. Police claim they could not control the attacking mobs." (COE-DMHA, 4 September 2003)

"On 26 August 2003, in the remote Upazila¹ of Mahalchhari of Khagrachori District in the Chittagong Hill Tracts, violent clashes occurred between two groups involving indigenous tribal people and Bengali settlers over the abduction of a local businessman. As a direct consequence of this incident, one person was killed and more than 10 people wounded. More than 1,500 people (575 families) have been affected. Some 274 houses and three Buddhist temples were ransacked and one burned to the ground." (IFRC 12 September 2003)

A new episode of displacement was reported in September 2004:

[in September 2004] at least 300 indigenous people were reportedly displaced in the CHT [...] after armed members of the United People's Democratic Front (UPDF), another tribal group that opposes the treaty, attacked their villages in Rangamati district. About 300 people are currently taking refuge in a community center, while 500 others are reportedly hiding in the jungle. More than 200 people have reportedly died in violence in CHT since 1997. (COE-DMHA, 21 September 2004)

Tension between tribal groups have occasionally led to displacement of civilians (September 2005)

- During 2004, both UPDF and PCJSS supporters have attacked villages and forced several hundred to flee
- In February 2004, a parliamentary committee advised the government to address the rise of violence in the Chittagong Hill Tracts and said that the BNP government has given the problems far too little attention
- Tension between the two tribal groupings continued throughout 2005

"Besides the rise in Islamic fundamentalism, the political and law and order situation in Chittagong Hill Tracts (CHT) have deteriorated alarmingly in recent times as the two main rival organizations of the region, Parbatya Chattagram Jana Sanghati Samity (PCJSS) and the United People's Democratic Front (UPDF), and several groups of armed cadres are resorting to open confrontation.. Abductions are being followed by kidnappings while murders are being avenged by gruesome killings. A total of 500 persons were killed, around 100 abducted and more than 1000 injured during the last five years in CHT. As many as 24 armed clashes between the activists of PCJSS and UPDF had occurred during the same period. Besides, the miscreants were engaged in gun battles with army men and police eight times during the last four months. The armed cadres of both PCJSS and UPDF had set fire to tribal villages and markets in remote hill areas of CHT. Sources said the activities of the rival political parties in CHT resulted in more than 60 gunfights in the last eleven months. Moreover many incidents of abduction took place in the CHT including the kidnapping of three foreigners from Naniarchar under Rangamati district on February 16, 2001." (Ramasubramanian, 15 September 2005)

"A surge of abductions, murders, and clashes between indigenous tribes and Bengali settlers is threatening a peace treaty that ended bush wars in Bangladesh's southeastern Chittagong Hill Tracts (CHT) in 1997, and impeding development work in the region.

Last month, the two groups abducted at least 42 activists from both sides in the three hill districts of Rangamati, Khagrachhari and Bandarban. In addition, their clashes left at least three dead.

The pro-peace group, Parbatya Chattagram Jana Sanghati Samity (PCJSS), has threatened to launch an anti-government movement if the ruling party does not implement all aspects of the peace treaty by this month. The PCJSS says the government has implemented only four of the 40 points in the treaty." (OneWorld South Asia, 14 January 2004)

"A parliamentary committee on [February 2004] advised the government to find ways to defuse tension in Bandarban, Rangamati and Khagrachhari in line with the Chittagong Hill Tracts treaty, signed in 1997.

[...]

Three conflicting political groups were pressing their respective demands in three hill districts where killing, abduction, gun running and other sorts of crime have risen remarkably over the last couple of months, the committee observed.

[...]

The Parbatya Chattagram Jana Sanghati Samiti signed the treaty with the Awami League government in 1997, ending decades-long insurgency in the region.

However, the United Peoples Democratic Front, a breakaway faction of the PCJSS, opposes the treaty, saying it curtails rights of the tribesmen.

Besides, the Samadhikar Andolan, which demands equal rights for tribesmen and Bengali settlers, emerged after the BNP-led coalition, which opposed the treaty during its signing, assumed power in 2001.

A member of the standing committee said the authorities had hardly spent a minute on the treaty to resolve the problems in the last two and a half years of the BNP-led coalition government.

A committee, headed by a minister, has, meanwhile, been working on implementation of the treaty and development in the CHT." (New Age, 24 February 2004 "JS body for defusing CHT tensions in line with treaty")

During 2004, both UPDF and PCJSS supporters attacked villages and forced several hundred to flee:

"[in September 2004] at least 300 indigenous people were reportedly displaced in the CHT [...] after armed members of the United People's Democratic Front (UPDF), another tribal group that opposes the treaty, attacked their villages in Rangamati district. About 300 people are currently taking refuge in a community center, while 500 others are reportedly hiding in the jungle. More than 200 people have reportedly died in violence in CHT since 1997." (COE-DMHA, 21 September 2004)

"The HWHRF team learnt that in the month of May 2004, an armed group of 14-15 members of the Jana Samhati Samiti [PCJSS] made an incursion into LakshMichari area under Khagrachari district of the Chittagong Hill Tracts. They engaged in terrorizing the villagers. When the common people, completely fed up with them, put up resistance to their activities, the armed group fled from the area. However, a few days later, they came back with a bigger group of 35 members. For many months, the group unleashed a reign of terror in LakshMichari, Dullyatoli and Bermachari of Khagrachari district and in some areas of Fatikchari and Kawkhali under Rangamati district. They killed four villagers including Mr. Suiching Marma, a member of the United people's Democratic Front (UPDF), kidnapped innocent villagers and exacted hundreds of thousands of Taka as ransom, forced every village to pay them "tax", carried out raids and rapine, ransacked houses, destroyed properties and tortured innocent villagers.
[...]

One of the villagers said:

The present situation of the village is such that many of the villagers have fled because of torture. [...]The villagers were not driven out. They fled in fear.
[...]

Another witness said:

Of the total 84 families that we were in our village, we are now 27 families staying back. The rest have fled in fear." (Hill Watch, 14 October 2004)

Tension between PCJSS and UPDF continued during 2005:

"The general people of Chittagong Hill Tracts (CHT), tribals as well as Bengalees, have lately been passing their days in panic due to serious deterioration in law and order over the arms rivalry between two rival groups: Parbatya Chattagram Jana Sanghati Samity (PCJSS) and United People's Democratic Front (UPDF).

The villagers of CHT region, particularly the young, are staying out of their villages for fear of sparking of clashes between the two groups any time.

More than 8,000 young and educated tribals are made to stay in Dhaka, Chittagong and other cities of the country as fear gripped them over the violent rivalry. These displaced young tribals are employed in different garment factories and Export Processing Zones (EPZs) as workers or employees.

Talking to The Independent yesterday, some tribals as well as Bengalee residents of the hill region, expressed their apprehension that armed conflict between the two rival groups might flare up in CHT region any time.

Besides, incidents of abduction and sudden attacks resorted to by both the groups have created a situation of panic in the hill region"(The Independent, 24 November 2005)

Continuing government sponsored resettlement of Bengalis in the Hill Tracts increase protests among tribal groups (April 2005)

"Sources from Baghaichari have reported that the government of Bangladesh is planning to settle 65 thousand Bengalees in Sajek Union under Rangamati district. For the last few days military officials have been frequenting to the area. Rangamati Brigade Commander will visit Sajek in a few days. Soldiers are now clearing jungles for a temporary helipad to enable a military copter to drop the Brigade commander.

For the last one and half years the military has been engaged in constructing a road from Baghaihat to Sajek. It is believed that as soon as the road is completed the government will start the settlement of the Bengali people.

According to the alleged plan the government will settle them on a vast hilly area from Baghaihat to Majolong in the Union. As part of the blueprint, apart from constructing the Sajek road, a new army camp has already been set up in a place called Nandaram.

The settlement of such a large number of Bengali settler families will have devastating effect on the environment. It will evict the Christian Pankua nationality who have been living in the area peacefully, mostly unaffected during the JSS struggle." (UPDF, 25 April 2005)

The issue has also been raised by the Asian Centre for Human Rights:

"In addition to continuous trickling of plain settlers into the CHTs, the government of Bangladesh is also reportedly planning to implant another 65,000 plain settlers' families in a vast area between Baghaihat and Majolong in Sajek Union under Rangamati Hill district. Military officials have been regularly visiting the area for the last two months. The security forces have reportedly been clearing jungles for a temporary helipad to enable the visit of senior military officers. The military has been engaged in construction of a road from Baghaihat to Sajek to facilitate the transport of the plain settlers.

The settlement of such a large number of Bengali settler families will have devastating effect on the indigenous peoples. With the transfer of half a million plain settlers, indigenous Jumma peoples have already been reduced to minority in their own land. The Pankua indigenous peoples, who profess Christianity, will be forcibly evicted from these areas." (ACHR, 25 May 2005)

The Chittagong Hill Tracts peace agreement

A 1997 peace agreement has not resolved the displacement issue (2000-2003)

- Important parts of the peace agreement has never been implemented
- The peace agreement is opposed by the winner party of the elections in October 2001: the Bangladesh National Party, which says the accord represents a loss of Bangladesh sovereignty
- Several indigenous groups claim that the Peace Accord does not give a sufficient degree of autonomy to the region
- Key institutions like the CHT Regional Council only became operational in May 1999
- The Land Commission, essential for the economic rehabilitation of returning refugees and internally displaced, was only established on 6 April 2000 - no available information has confirmed that the Land Commission is presently active
- Restitution of land from Bengali settlers to the displaced tribal population remains at the core of the conflict
- Prior to the 2001 elections, the Awami League government passed a CHTs Land Dispute Settlement Commission Act which is strongly opposed by the Jumma population

A compilation of sources which analyze the provisions and implementation of the peace agreement is available [here](#).

"The most salient feature of the Accord is the establishment of the Chittagong Hill Tracts Regional Council "comprising the Local Government Councils of the three Hill Districts". It has 22 members and its tenure is five years. The Regional Council Chairman, who shall be a tribal and who has the status of a state minister, as well as other members of the Regional Council are elected by the members of the three Hill District Councils. Pending the formation of an elected Regional Council, its responsibilities are discharged by an interim Regional Council appointed by the Government.

[...]

The Accord provides for the rehabilitation of tribal refugees and internally displaced tribals, a land survey in consultation with the Regional Council to "finally determine land ownership of the tribal people through settling the land-disputes on proper verification and shall record their lands and ensure their rights thereto" (Article D.2). Disputes will be settled by a Land Commission with a minimum tenure of three years to "resolve the disputes in consonance with the law, custom and practice in force in the Chittagong Hill Tracts".

[...]

Finally, under the accord a Ministry for the Chittagong Hill Tracts is established with a minister appointed from the tribal people. An Advisory Committee comprising the Minister for Chittagong Hill Tracts, Chairman/Representative of the Regional Council, Chairman/representative of each of the three Hill District Councils, the three members of parliament for the Chittagong Hill Tracts, the three tribal chiefs, and three non-tribal members from among the permanent resident in the Chittagong Hill Tracts will be established "to lend support to this Ministry."

[...]

Although the [Awami League] government has amended existing laws to provide for the implementation of the peace accord, the accord is facing a number of difficulties which require urgent and continued attention. The first one is the slow pace of implementation by the government. Concern over this has been raised by the international community, by the human rights groups in and outside Bangladesh, and by the tribal people of the Chittagong Hill Tracts, at times threatening to derail the peace process altogether.

The second issue is that the accord is not recognized by the [*then*] main opposition party, the BNP led by Begum Khaleda Zia. Although the process of achieving peace in the Chittagong Hill Tracts began at the time of the BNP government, the BNP has distanced itself from the accord which was finalized under the Awami League government, amid fears that should a future BNP government take office, it may seek to repeal the Awami League enacted legislation that uphold the accord.

Sadly, the peace accord has like many other important issues in the country been caught in the cross confrontation of Bangladesh party politics. The government has not missed the opportunity to utilize it as a mark of its own success; and the opposition has not missed the opportunity to decry the accord as a mark of the government's failure.

The BNP has on occasions staged street protests against the peace accord which it considers to be a loss of Bangladesh sovereignty. The BNP's boycott of the parliament meant that it did not take part in the debate or the vote on the accord related legislation. A move to guarantee the accord through constitutional provisions would have gone some way to allay fears of its arbitrary derailment in the future, but the government has not moved in that direction.

A third issue is the position of the disaffected political groups in the Chittagong Hill Tracts who consider the accord to have failed to respond to their aspiration of full autonomy. These include *Pahari Gano Parishad* (PGP or Hill Peoples Council), *Pahari Chattra Parishad* (PCP or Hill Students Council) and Hill Women Federation (HWF) who argue that the accord has failed to "reflect the genuine hopes and aspirations of the peoples of the Chittagong Hill Tracts and has failed to fulfill the main demands of the Jumma people namely, constitutional recognition to the national ethnic minorities of the CHT with guarantee for Full Autonomy [sic], restoration of traditional land rights, demilitarisation of the area, and withdrawal and resettlement of the Bengali settlers in the plain land." (AI February 2000, sections 4 - 5)

"It is a fact that no internally displaced Jumma people have been rehabilitated so far. The government has initiated a process of rehabilitation of all the Bengali settlers brought into the CHT under the state-sponsored Muslim population transfer programme for Islamisation of the CHT by identifying them as "internally displaced persons", though the Clause 1 and 2 of Part D of the CHT Accord allow such rehabilitation only for the internally displaced Jumma people. It resulted in a serious uncertainty over implementation of the CHT Accord and solution to the CHT conflict. In protest to the continued attempts of the Task Force to identify the Bengali settlers as "internally displaced persons" for rehabilitation in the CHT, the delegations of the PCJSS and the Returnee Jumma Refugee Welfare Association staged a walk-out from the 9th round of the meeting of the Task Force held on 22 September 1999. They boldly declared to the Task Force authorities that they would not join the meeting until and unless the process of rehabilitation of the Bengali settlers in the CHT was stopped, and issued a joint press release to this effect. Later, at a unilateral meeting held on 15 May 2000, the authorities identified 90,208 Jumma families and 38,156 non-tribal Bengali settler families as "internally displaced families" and recommended a package programme for them." (UNPO, May 2004, p. 22)

"A vocal section of the Jumma people, in particular the leaders of the Hill People's Council, Hill Students' Council and Hill Women's Federation, however, felt that the agreement was unacceptable given that the main demands of the JSS and the Jumma people had not been fulfilled and the accord could thus not be considered as a basis for further developments in their favour. They felt betrayed and decided to continue their struggle for 'full autonomy'. Whereas before the Jumma people had been more or less united in their struggle for their demands as formulated by the JSS and the main contradiction had been between them and the Bangladesh government and Bengali settlers, now the Jumma people stand divided among themselves.

At the other end of the scale, the Bengali settlers (who came to the CHT through secret government transmigration programmes) and the mainstream opposition parties have rejected

the Peace Accord, arguing that the agreement is unconstitutional, endangers the sovereignty of the country and fails to safeguard the rights of the Bengali settlers. The main national opposition parties staged a number of protest marches and demonstrations against the accord during the first few months after it was signed." (CHTC 2000, pp.12-13)

"The Peace Accord provided for establishment of a Land Commission to resolve the land disputes within three years. However, between 1997 and 2001, then Awami League government did little to set up a Land Commission. One day before handing over power to the caretaker government prior to the 2001 general elections, the Awami League government passed the CHTs Land Dispute Settlement Commission Act, 2001. The government did not even consult the CHTs Regional Council.[...] Indigenous Jumma peoples have rejected the CHTs Land Dispute Settlement Commission Act, 2001, among others, because of (i) the arbitrary powers of the Chairperson to provide final judgement in the event of lack of consensus among other members; (ii) the exclusion of Jumma refugees who returned to the CHTs under the 1992 repatriation agreement from the ambit of the Land Commission; and (iii) the exclusion of the internally displaced Jummas from the scope of the Act. These provisions undermine the CHTs Peace Accord.[...]" (AITPN, January 2003, p.4)

Violations of the peace agreement continue to be reported (May 2005)

- Essential elements of the 1997 peace agreement have not been implemented such as withdrawal of army camps and increased autonomy to the region
- Provisions concerning internally displaced have been only partially implemented or totally neglected

"Over 7 years have elapsed since the signing of the so-called Chittagong Hill Tracts Peace Accord between the government of Bangladesh and Jana Samhati Samiti (JSS) on 2 December 1997. Yet, peace remains the most elusive in the CHTs – the homeland of indigenous Jumma peoples. Instead of implementing provisions of the so-called Peace Accord, Dhaka has been inexorably moving towards further destruction of a people – indigenous Jumma peoples. Another resistance against the destructive designs of the government of Bangladesh has been prevailing over by fratricidal killings between the Jana Samhati Samiti and its *bete-noire*, United Peoples Democratic Forum.

[...]

The CHTs Accord provided for withdrawal of all non-permanent camps of the security forces. According to the JSS, so far only 35 out of 500 camps have been withdrawn. The government also established more new camps at Milachari under Bandarban district and at Ghagra in Rangamati district. The army had closed down the local primary school in Gha-gra to use it as accommodation while the camp was being established in July 2004. A Buddhist monastery in Barkal, Rangamati district, was also forcibly pulled down to make way for a camp for the Bangladesh Rifles. In a related development, there have been increasing reports of the presence of armed insurgent groups from neighbouring countries operating in the CHTs. It is alleged that the Bangladesh army have adopted a policy of publicizing the presence of these foreign insurgent groups as a further justification for their continued and expanding presence. Approximately one-third of the Bangladesh military is deployed there and the government reportedly spends an estimated US\$125 million per year for the continued presence of the military in the region. [...]" (ACHR, 25 May 2005)

"The members of the CHT Affairs Ministry Parliamentary Standing Committee team visited Khagrachhari, Rangamati and Bandarban Hill districts [in December 2004]

[...]

In their three-day visit JS team separately discussed in detail with Bengali and tribal leaders, government officials, NGOs representatives about the law and order and post peace treaty situation in CHT.

[...]

In the discussion meeting the indigenous leaders thanked the JS team for their first visit in CHT and strongly raised demand to the team for full implementation of the historic CHT peace deal.

Termining the land problem, the main problem in CHT, tribal leaders requested the standing committee for beginning the function of the land commission as soon as possible for the greater interest of the CHT people.

The indigenous leaders emphasized on formation of mixed police force to improve law and order situation and establish standing peace in the turmoil region.

Mentioning CHT Development Board and CHT Affairs Ministry the leaders also demanded to the JS team that appointment of a competent tribal leaders to the post of Chairman of CHT Development Board by removing present chairman and hand over the charge of the CHT Affairs Ministry to a full-fledged tribal minister.

The leaders also raised demand for withdrawal of all camps of army, APBN (Armed Police Battalion), Ansars and VDP (Village Defence Party) from the CHT immediately as per the provision of the peace agreement.

The leaders requested the team to place their demands to the highups of the government for betterment of the CHT people and building up amity between the Bengali and tribal people in the three Hill districts.

The tribal leaders also demanded to the team to restart the functioning of the CHT internal repatriate refugees taskforce committee and reform the CHT Affairs Advisory Committee of Jatiya Sangsad as per the condition of CHT treaty.

The JS members assured the tribal leaders and said that the present alliance government is very sincere about the CHT problem. So the government is trying to implement the peace agreement.

[...]

During their visit in Rangamati they (JS team) called on Jyotirindra Bodhipriya Larma (Suntu Larma), the Chairman of the CHT regional council and also President of the Parbattya Chattagram Jana Sanghati Samity (PCJSS) at CHTRC conference room at his office.

During their exchange of views with Larma they discussed different development activities and law and order situation in CHT, PCJSS sources said.

Welcoming the JS team for the first time in CHT, Larma demanded for proper implementation of the CHT peace treaty." (Bangladesh Observer, 20 December 2004)

Displacement due to expansion of 'Reserve Forests' and other land acquisition projects

Tribal group says the government and military projects in the Hill Tracts will displace thousands (May 2005)

- Land acquisition projects will displace thousands in the Chittagong Hill District
- The large majority of the affected people are tribals
- The compensation given in some cases has been largely insufficient

"The government is going to acquire 45 acres of land in Babuchara under Dighinala Thana in Khagrachari district for the purpose of constructing a battalion headquarters office of the Bangladesh Rifles, the border security force of the country.

The move will instantly oust 74 Jumma families in three villages - Jatna Dhan Karbari Para, Gobinda Karbari Para and Hengottya Karbari Para. An additional one hundred families will have to ultimately vacate their lands once the construction of the camp compound is completed.

Most of these families were victims of Kaptai Hydro Electric Project that evicted one hundred thousand Jummas in the early sixties. Moreover, in 1986 almost all these 74 families had to flee to Indian state of Tripura where they lived as refugees until the Chittagong Hill Tracts accord was signed in 1997.

The Deputy Commissioner of Khagrachari already issued acquisition notices on 31 March 2005. They have been addressed to the owners of acquisitioned lands.

[...]

The Jumma leaders think there is no need for any BDR camp in the area, as the nearest border point is 40 miles away to the north. Moreover, there is already an army camp adjacent to the proposed site of the BDR camp.

The local people are opposed to the setting up of the BDR headquarter in their area. They think it is merely a ploy to drive them out of their homes and grab their lands.

They have already submitted petitions to the Chittagong Hill Tracts Affairs ministry, the Regional Council, Khagrachari District Council and Deputy Commissioner of Khagrachari against the proposed land acquisition. While the petitions evoked some sympathy, they failed to persuade the government to cancel the plan." (UPDF, 18 June 2005)

"1. The government acquired 9,650 acres of land in Bandarban for the expansion of Ruma garrison. On 22 March 2005 the government surveyed the area and put up poles marking the acquired land.

2. The government acquired the land despite protests from local people. The move will displace approximately one thousand families belonging to ethnic people such as Murang, Tripua and Marma. Most of them practice Jum cultivation in the area.

3. The government has planned to acquire 183 acres of land in Balaghata in Bandarban district for the expansion of army brigade headquarter.

4. The government has already acquired 11,446.24 acres of land in Sualok Union of Bandarban in the name of an Artillery Training Centre, uprooting 4 hundred indigenous families. Each family was provided a paltry sum of Taka 3 - 8 thousand as compensation.

5. A process is now underway to acquire 26,000 acres of land in Bandarban for the construction of a training centre for the Bangladesh Air Force. The proposed site falls in Sualock Union of Bandarban as well as in Lama Thana.

6. A plan to acquire 19,000 acres of land in Bandarban for the expansion of an Artillery Training centre is now under consideration.

7. In Chimbuk of Bandarban a total of 5,600 acres of land have been acquired in the name of constructing an Eco Park.

8. A process is now underway to acquire 5,500 acres of land in Sangu Mouza of Bandarban district in the name of creating a "Abhoyarannyo" (animal sanctuary).

9. A process is underway to lease away 40,071 acres of land in Lama, Nikkyong Cahri, Alikadam and Bandarban Sadar to private individuals for rubber and tea plantation.

10. The government issued land acquisition notices for the purpose of construction of a battalion headquarter for the Bangladesh Rifles in Babuchara in Khagrachari. It seeks to acquire 45 acres of land belonging to the Jumma people.

11. In Pujgang of Panchari under Khagrachari district the army acquired 450 acres of land after destroying the villages of the Jumma people. The army is now constructing a cantonment on the illegally occupied land." (UPDF, April 2005)

Government expansion of 'Reserve Forests' in the Chittagong Hill Tracts displaces the tribal population (2001)

- Half of the land in the CHT has been declared as 'reserved forest' by the Bangladesh Ministry of Environment and Forests
- Thousands have been evicted since the end of the 1990s
- A declaration of additional 'reserved forests' may relocate thousands of others

"Government projects, Reserved forests and Unclassified State Forests are excluded from the Hill District Councils' control over land. The Ministry of Environment and Forests plans to declare a total area of almost 220,000 acres in the three Hill Districts as additional reserved forests under different schemes. This means that the Ministry will have exclusive control over these lands, reducing even further the limited authority of the Hill District Councils. Half of this land has already been declared as reserved forest during the last three or four years and some 2,000 people, mostly from the Khyang community, have been evicted from their land without any compensation. It should be kept in mind that the major portion of the CHT already consists of reserved forests over which the Hill District Councils have no authority. With the declaration of additional reserved forests, the central government is seeking to establish control over an even larger part of the Chittagong Hill Tracts. This means above all that another 200,000 people will be affected and their rights over land and forest resources will be denied. Most of them will have to relocate if the plans are implemented. Jumma people suspect that the government is planning to resettle Bengalis in reserved forest and unclassified state forest areas." (CHTC 2000)

"The GoB's expansion of 'Reserve Forest' areas in the CHT (where agricultural practices are forbidden and where even collecting fuelwood is a crime) also adds to the IDP population, and brings the land crisis to new levels of desperation. Almost the entire Khyang tribe has been evicted without compensation or assistance under this scheme, with tens of thousands of others also at risk." (Feeny October 2001)

Displacement due to tension on Bangladesh-India border

Border tension between India and Bangladesh creates occasional displacement

- The building of a Indian fence on the Indian side of the border between the two countries has created several controversies - sometimes leading to exchange of fire between the border forces
- In February 2005 tension mounted as BDR tried to stop the Indian fencing work on a number of occasions, maintaining it represented a breach on international law

"A number of issues have plagued the bilateral relationship between India and Bangladesh in recent times. But India has been seriously concerned about two issues. First is use of Bangladeshi territory by the insurgent groups who are operating in northeastern India for anti-India activities. India is also concerned about illegal immigration which has reached serious proportions in recent years. India sought Bangladesh cooperation to sort these issues, but its requests fell on deaf ears. What is worse, steps taken by India to check cross border terrorism and illegal immigration have been resented by Bangladesh. Its result has been regular skirmishes between the border guards of two countries.

[...]

Since February this year [2005], tension has increased manifold on Indo-Bangladesh as [Bangladesh Rifles] BDR has tried to stop the fencing work on a number of occasions.

[...]

To diffuse the situation in Ramgarh of Khagrachhari Bangladesh Rifles (BDR) and [the Indian] Border Security Force (BSF) held a meeting at Subrum in India on March 5. But that meeting remained inconclusive and both sides blamed each other for the situation. However, it was agreed that the issue of fencing would figure again during the deputy director general level meeting between BDR and BSF to be held in Agartala of India on March 14, followed by a director general level meeting in Dhaka on April 14.

After a few days' lull, Bangladesh Rifles (BDR) and Border Security Force (BSF) exchanged several thousands bullets in two skirmishes over construction of fences along the border at Singimari in Lalmonirhat and Ramgarh in Khagrachhari on March 9. Both sides agreed to a ceasefire after telephonic conversation between Rangpur BDR sector commander Col Lutfar Rahman and acting Kuchbihar BSF sector commander PK Tripathy. A flag meeting was also held between BDR and BSF on March 10 on the zero line in Singrimari border during which both sides agreed to resolve the problem as per international border rules.

India also tried to discuss this issue at the political level. The Indian High Commission in Dhaka requested the government to instruct Bangladesh Rifles (BDR) not to resist Border Security Force (BSF) of India from constructing barbed wire fences at some places within 150 yards of the no man's land. The request was made in a letter sent to the foreign ministry on March 14. It also said that fencing work by the BSF has been underway since 1989 and greater part of the fence is located at or beyond 150 yards from the zero-line on the Indian side. However, in specific areas mainly due to the existence of villages, or as necessitated by terrain conditions the fence had to be built within 150 yards. India has formally conveyed details of villages, houses and population within 150 yards of the zero-line to Bangladesh.

In the letter, India once again highlighted that the 1975 Border Guidelines relate to the demolition of defensive structures only and they do not apply to the building of a fence, which is a physical barrier intended to stop smuggling and other illegal movements across the border. It further stated that calling fences a defence structure was a misinterpretation of the 1975 Border Guidelines, which were actually drawn up in a spirit of friendship and understanding to guide the two forces.

India reminded Bangladesh that it did not raise any objection to a request from that country, made in 1999, to construct a 1320 feet by 10 feet high masonry wall along the Hilli Railway Station, within only a few feet from the zero-line. India had taken this decision with a view to enable the Bangladeshi authorities to check illegal trans-border movement and to contain criminal activities. Now India expects cooperation in return as the Bangladesh government is well aware of India's concerns regarding the illegal and criminal activities on the border, including large-scale

smuggling, trafficking of women and children, narcotics trafficking, smuggling of arms and explosives, infiltration, illegal migration, etc. India thinks that building a fence would help both countries to manage long and highly porous border in a better way, thereby contributing to the further strengthening of bilateral ties.

The thorny issue of border fencing was once again discussed during a three day meeting from March 15 to 17, between Bangladesh Rifles (BDR) and Border Security Force (BSF) at Agartala in Tripura. It ended with commitments from both the sides to resolve differences over controversial issues in accordance with the border guidelines. The BSF accepted a BDR proposal to stop construction of barbed wire fences within 150 yards of the 'zero line' for the time being and resolve the issue at the highest level of the governments of Bangladesh and India. The issue is would once again figure at a director general-level meeting between the two border forces to be held on April 14 in Dhaka.

In the meantime, India and Bangladesh also undertook a boundary survey to reduce the chances of any further misunderstanding between the BDR and the BSF. They agreed to set up new boundary pillars and repair the damaged ones and resolve amicably the disputes over illegally-occupied lands along the border." (Kumar, 8 April 2005)

The conflict as presented by Bangladeshi media:

"Bangladesh Rifles (BDR) has been put on red alert along the country's entire frontiers with India in view of mounting tension because of construction of barbed wire fences and other provocative activities of the BSF in violation of international laws.

A source at the ministry concerned said yesterday that the BDR had been put on alert along the entire 4000 kilometre-long international border between Bangladesh and India.

[...]

The BDR had been instructed to resist any kind of construction within 150 yards from zero point of the international boundary known as 'no man's land' and other acts of provocation by BSF threatening national sovereignty and territorial integrity of Bangladesh.

A battalion commander level flag meeting between Bangladesh Rifles (BDR) and Border Security Force (BSF) of India at Singhimari border in Lalmonirhat agreed to maintain ceasefire along the borders.

Tension was still simmering along the frontiers three days ahead of a border talks between the two neighbours. A four-day senior official-level meeting between BDR and BSF is due to begin in Agartala on March 14. Deputy Director Generals of BDR and BSF will lead their respective delegations at the meeting – a regular routine consultation between the two countries." (The Independent, 11 March 2005)

Thousands were displaced in March and April 2005 due to disputes between India and Bangladesh border forces

- During the beginning of March 2005, thousands of people fled their homes due to fear of confrontation between the India and Bangladesh border forces
- Many were also evacuated by the Bangladesh Border Rifles (BDR)
- In the beginning of April, further skirmishes led to new waves of displacement - the large majority of the displaced returned after a few days

"Thousands of people have started fleeing their homes to safer places fearing that skirmishes could break out at any moment. The Bangladesh Border Rifles (BDR) has been kept on red alert in the borders of Lalmonirhat, Chapainawabganj and Khagrachhari districts.

[...]

A report from Lalmonirhat said, more than 1,000 families of two villages, Singimari and Burosarodubi, had left for shelters as the BDR announced a red alert at the Singimari border point under Hatibandha sub-district. Many other families are also on a move to leave the villages due to the tense situation at the border points." (Arab News, 7 March 2005)

"Panicky villagers, who left the areas on Wednesday [March 2005], did not come back to their homes.

[...]

The people who fled their frontier homes amid the border skirmish on Wednesday could not return home till this report was filed at 9 pm yesterday.

[...]

About 200 families evacuated from the border village in the wake of the fighting have not yet returned home. Most of their houses were partially damaged by artillery fire from across the border." (The Independent, 11 March 2005)

"The border security forces of Bangladesh and India were today in a confrontation state on Tuesday as BDR obstructed tea plantation by Indians on zero line of the border violating international rules, reports UNB.

Officials said several hundred Indian workers began plantation in the morning at Majheepara border close to Panchagarh-Tetulia highway. They were backed by troops of Nayabari outpost, who were seen digging bunkers on zero line.

BDR raised objection, protested to BSF and asked for a flag meeting. Paying no heed BSF continued digging bunkers and mobilizing troops and heavy artilleries on the border. BDR took retaliatory measures.

The state of confrontation raised fears among the people living in border villages. Many of the villagers left home for safety. Trucks and buses moved cautiously through the Panchagarh-Tetulia highway.

Villagers fleeing homes said that the Indians were extending tea plantation to the zero line of the border turning the area a troubled spot. Indian action led to occasional confrontations during the last five years." (News Today, 30 March 2005)

Armed confrontation continued during the month of April, creating new waves of displacement:

"Tension runs high along the Bangladesh-India border at the wake of Saturday's border skirmishes at Akhaura tapering off trade through the country's 12 land ports with import through Benapole suspended for the second consecutive day yesterday.

At diplomatic level, India yesterday lodged a strong protest with Bangladesh against the "killing" of a senior Border Security Force (BSF) officer by Bangladesh Rifles (BDR) and said "repercussions" of the incident cannot be ignored.

[...]

Witnesses say BSF members yesterday were patrolling with heavy arms along the border at Petrapole opposite to Benapole. Panic has gripped the people in the bordering villages in Benapole area apprehending possible encounters between BDR and BSF.

[...]

Our Brahmanbaria correspondent reports: The uneasy situation in the bordering areas of Akhaura has started to relax gradually.

About 90 percent of the villagers who fled home following the encounter between BDR and BSF about 400 yards inside Bangladesh last Saturday leaving a Bangladeshi child and a BSF officer killed have returned to their houses.

According to BDR sources, the Bangladeshi border guards are kept on high alert along the 5-km border at Akhaura.

People have started travelling through Akhaura Land Port but export-import is yet to begin, says BDR 7 battalion commander Lt Col Sayed Quamruzzaman.

[...]

Our Satkhira correspondent reports: A tense situation is prevailing at Sultanpur- Chanduria border in Kalaroa upazila as BSF has continued threatening with dire consequences to the people of bordering villages after a Bangladeshi allegedly stolen in a cow from India on April 16.

People of the area were virtually besieged by BSF troops over the incident. Apprehending sudden BSF attack farmers dare not go to their croplands near the border, villagers say." (Daily Star, 20 April 2005)

"Only three days into striking an accord to exercise maximum restraint at border, Indian Border Security Force (BSF) without any reported provocation yesterday shot down two Bangladeshi citizens on the no man's land in Moheshpur upazila of Jhenidah district.

[...]

Earlier, on Friday night, a BSF team entered Tarapur village in Kasba upazila of Brahmanbaria district causing panic among the villagers.

The latest shooting stoked up once again the Indo-Bangladesh border tension brewing since April 16 skirmishes at Akhaura that had simmered down to some extent last Wednesday, following negotiations between Dhaka and New Delhi at diplomatic and other planes.

[...]

With yesterday's killings, 387 Bangladeshis have been killed by BSF in the last five and a half years, according to the statistics compiled by Odhikar, a rights watchdog of Bangladesh. Besides, the Odhikar report said, 1,863 persons have suffered human rights violations by Indian miscreants in the period at north and southwestern borders.

"With continued infiltration into Bangladesh territory and killings, abductions and tortures by BSF personnel, the Indo-Bangla border has turned into a human disaster," remarked Odhikar." (Daily Star, 24 April 2005)

POPULATION FIGURES AND PROFILE

Overview

Number of internally displaced in the Chittagong Hill Tracts (Special report, March 2006)

Estimates over the number of internally displaced in the Chittagong Hill Tracts vary between 60,000 (AI, 2000) and 500,000 (Government task force, 2000). Another estimate says the conflict displaced 100,000 people, and of these between 30,000 and 50,000 took shelter in reserve forests (Adnan, p.52). The compilation of a list of IDPs became one of the most controversial issues in the post-conflict years, and is still a major issue of contention today.

Districts	Tribal families	Non-tribal Families	Total
Rangamati	35,595	15,516	51,111
Khagrachari	46,570	22,371	68941
Bandarban	8,043	269	8,312
Grand Total	90, 208	38,156	128,364

(Source: Government task force on internal displacement, 2000)

The 2000 task force report stated that 128,364 displaced families (90,208 tribal and 38,156 non-tribal), or 500,000-550,000 people, were displaced due to the conflict. This means that up to half of the total population of the Chittagong Hill Tracts were internally displaced that year due to the conflict. However, there is a general consensus between tribal representatives, NGO workers and Bangladeshi academics that the task force list is inaccurate.

The list was compiled by members of local union councils without any involvement of the internally displaced themselves. Furthermore, no proper survey was carried out and remote areas were often not taken into account. The RJRWA claims that up to 10,000 tribal IDP families were not counted, nor were the refugees who had become internally displaced after repatriation. On the other hand, there are also claims that the local lists were inflated on both sides. A former tribal union chairman from the Rangamati district, for example, said Bengali union members included an exaggerated number of displaced settlers in the lists in order to secure a larger share of the rehabilitation package. However, it should be noted that the tribal protests in general are not targeting the original Bengali population of the Chittagong Hill Tracts who also became victims of displacement during the conflict. One tribal union chairman from the Bandarban district for example, stated that he included in his IDP list Bengali permanent residents who were displaced in 1989 when the army confiscated their land.

The debate about the IDP definition is still ongoing. No recent information exists about the current number of displaced, nor are there any reports of reintegration or rehabilitation of the internally displaced population, although many might have integrated in their place of refuge since the time of the survey. Some have started a new life in urban centres. It should also be noted that villagers around the Kaptai reservoir who lost their land due to construction of the Kaptai dam maintain that they also are internally displaced who are entitled to rehabilitation.

Global Figures

Estimates of internally displaced due to post-election violence

- An unknown number of Hindus, perhaps as many as 200,000, became internally displaced due to post-election violence
- Refugees International estimate that up to 20,000 Hindus remain internally displaced

"Following the October 2001 election, an estimated 5,000 to 20,000 Bangladeshi Hindus and other minorities fled to India to escape violence against the minorities. An unknown number of Hindus, perhaps as many as 200,000, became internally displaced.

[...]

At the end of 2002, however, reliable estimates—even a range—of Bangladeshi Hindus who were internally displaced or who were asylum seekers in India were unavailable." (USCR 2003)

"Communal violence and discrimination have displaced up to 20,000 Hindus in recent years, with the most serious violations occurring in 2001" (RI, 8 August 2003)

"The Hindu-dominated areas in Barisal, Bhola, Pirojpur, Satkhira, Jessore, Khulna, Kushtia, Jhenidah, Bagerhat, Feni, Tangail, Noakhali, Natore, Bogra, Sirajganj, Munshiganj, Narayanganj, Narsingdi, Brahmanbaria, Gazipur and Chittagong were the worst hit.

Many Hindu families have reportedly fled their homes and sought refuge in areas considered 'safe.' The Bangladesh Observer reported that at least 10,000 people of the minority community from Barisal district had left their homes following attacks by activists of the fundamentalist Jamaat-i-Islami party and had taken shelter in neighbouring Gopalganj district, the electorate of the former Prime Minister Sheikh Hasina. Many others fled to the Indian states of Tripura and West Bengal." (HRF 2002)

Figures from episodes of displacement during 2003-2004 in the Chittagong Hill Tracts

Bengali settlers displaced up to 2,200 people in August 2003:

"According to The Daily Star today, over 1,500 indigenous people have been displaced by recent ethnic violence in the southeastern district of Khagrachhari. The IDPs (internally displaced persons) have been living in the open and in forests 7 days after Bengali settlers burned and looted 8 villages in revenge for the recent kidnapping of a Bengali businessman in the area." (COE-DMHA

"The results of this incident are 433 indigenous families from 9 villages made homeless with their capability to recover totally undermined.

[...]

The specific objective of [the European Commission's] decision is to provide immediate assistance in the form of shelter, basic living requirements and helping to rebuild livelihoods for approximately 2200 displaced people." (EC, 6 October 2004)

During 2004, both UPDF and PCJSS supporters have attacked villages and forced several hundred to flee:

"[in September 2004] at least 300 indigenous people were reportedly displaced in the CHT [...] after armed members of the United People's Democratic Front (UPDF), another tribal group that opposes the treaty, attacked their villages in Rangamati district. About 300 people are currently taking refuge in a community center, while 500 others are reportedly hiding in the jungle. More than 200 people have reportedly died in violence in CHT since 1997." (COE-DMHA, 21 September 2004)

Displacement by PCJSS supporters:

"The HWHRF team learnt that in the month of May 2004, an armed group of 14-15 members of the Jana Samhati Samiti [PCJSS] made an incursion into Lakshmichari area under Khagrachari district of the Chittagong Hill Tracts.
[...]

One of the villagers said:

The present situation of the village is such that many of the villagers have fled because of torture.
[...]The villagers were not driven out. They fled in fear.
[...]

Another witness said:

Of the total 84 families that we were in our village, we are now 27 families staying back. The rest have fled in fear." (Hill Watch, 14 October 2004)

Estimates of internally displaced in the Chittagong Hill Tracts vary between 60,000 to 500,000 (2000-2003)

- The 1997 peace agreement paved the way for return of refugees in India, but many became internally displaced upon return to the CHT
- The government CHT Task Force finalized figures for internally displaced at the end of 1999 at 90,208 tribal and 38,156 non-tribal internally displaced families
- It should be noted that the figure of 128,364 is used somewhat arbitrarily both for families and individuals. It has not been possible to verify whether this figure actually refers to individuals or families
- The Chittagong Hill Tracts Commission says about 500,000 people are internally displaced
- IDPs are too scattered to be contacted easily and thus to be named in the list
- Tribal groups and the Government disagree on the definition of internally displaced in the CHT
- The Government CHT Task Force figure included Bengali settlers who had to leave the land upon return by the indigenous population:
- Tribal representatives members opposed this stance and held that it went against the terms and spirit of the peace agreement

USCR and Amnesty International estimate more than 60,000 internally displaced, but these figures do not include Bangladesh settlers :

"In the mid-1980s, Muslim settlers' appropriation of land belonging to ethnic minorities in Bangladesh's Chittagong Hill Tracts (CHT) region caused some 64,000 members of those groups, the vast majority of them Chakma, to flee to India and more than 60,000 others to become internally displaced.

In December 1997, the government of Bangladesh signed a peace accord that ended a 25-year conflict with the Parbatya Chattagram Jana Sanghati Samity (PCJSS)—a CHT solidarity

movement—and its now-defunct armed insurgent wing, the Shanti Bahini, composed primarily of ethnic Chakma. The accord allowed limited regional autonomy in the CHT.

Subsequently, the entire refugee population returned from India. However, the situation of the more than 60,000 internally displaced Chakma remained unresolved at the end of 2002, despite provisions in the accord for the "rehabilitation" of both the refugees and the internally displaced." (USCR 2003)

"People displaced between August 1975 and August 1992 are considered IDPs. Some 60,000 tribal people were internally displaced during this period. They included people whose villages were attacked, whose neighbours were massacred and whose homes were burnt during army operations. They left everything behind for safer areas moving to neighbouring villages, to relatives or started anew in the forest interior. The settlers confiscated their land and in many instances obtained official certificates of ownership. Internally displaced tribals represent a significant portion of the tribal population and their rehabilitation will continue to be a major task." (AI February 2000, section 5.3)

"About 43,000 Jumma refugees returned to CHTs from Tripura State of India after the signing of the Peace Accord. In addition, about 60,000 [...] indigenous peoples were internally displaced between 1992 and 1997. They include people whose neighbours were massacred and whose homes were burnt down during military operations. " (AITPN, September 2003)

There was considerable controversy over a decision to consider Bengali settlers who had to move due to repatriation of Jumma refugees as internally displaced persons:

"Article 1 of section D of the Accord provides "The internal refugees of the three hill districts will be rehabilitated through their proper identification by a task force".

However, the accord does not provide any definition of the IDPs. It remained silent about the modalities of their rehabilitation and the terms of reference of the Task Force. " (HWHRF, 29 November 2003)

"Of the 64,609 refugees who returned, nearly 50% of them have been unable to return to their own homesteads and native villages because they are still "occupied" by Bengali settlers. Complicating the problem is the reality that the Bengali settlers have no where to go." (SAFHR, April 2000)

"The non-tribal internal refugees were scrutinised from among those living in CHT between the period of 1975 to 1992, [...]" (Daily Star 16 May 2000)

"[...] as a part of the rehabilitation work of the repatriated *Jumma* refugees and the internally displaced people of CHT, a nine-member Task Force Committee was formed by Representatives from JSS, RJRWA, Members of the three Hill District Councils, Member of the Parliament from the CHT region, representative of the twenty-fourth Infantry Division of the Bangladesh Army and Divisional Commissioner of Chittagong Division. There were reports of serious controversy over the identification of internally displaced persons among the members of the Task Force Committee. Ironically, it was reported that the ruling party members of parliament from CHT and some other members of the committee wanted to include the non-indigenous people of the settlers' families in the internally displaced people's list as they were also displaced because of prevailing disturbed situations. The logic behind this could be that due to repatriation of Chakma refugees in CHT, the Bengali Muslim settlers were also displaced. But, the JSS and RJRWA members opposed this stance and held that it went against the terms and spirit of the accord. The committee could not reach any decision on the issue even after several meetings being held, which ultimately led to a stalemate situation with regard to rehabilitation activities of the

repatriated refugees and the internally displaced people. The government unilaterally made a list of the internally displaced people that shows now that there are at least 1,28,364 internally displaced families in the CHT of which 90,208 families are 'tribal' and 38,156 are 'non-tribal'." (Kharat, February 2003)

"According to the Peace Accord, the internally displaced refugees will be rehabilitated by the Task Force. One of the most contentious issues in connection with the rehabilitation of these internally displaced refugees is over the role of the Task Force. Not only is their rehabilitation still pending, but a major conflict erupted between the government and the JSS leadership over *the mandate of the Task Force*, or more concretely: over the question whether Bengali settlers should also be considered internally displaced people. The Task Force has sent to the Ministry a list of 128,364 families (or approximately 500,000 individuals) of internally displaced persons to be rehabilitated, comprising 90,208 Jumma families and 38,156 non-permanent settler families. Task Force chairman Dipankar Talukdar (Jumma MP for Rangamati district) has given instruction to include Bengali settlers, but the JSS vehemently opposes this, fearing that this may lead to the legal recognition of settlers as residents of the CHT and thereby as legal owners of the land." (CHTC 2000, p.48)

Statistics of Refugees in the greater Chittagong Hill Tracts

It should be noted that the figure of 128,364 is used somewhat arbitrarily both for families and individuals. It has not been possible to verify the figures:

"The Task Force has sent to the Ministry a list of 128,364 families (or approximately 500,000 individuals) of internally displaced persons to be rehabilitated, comprising 90,208 Jumma families and 38,156 non-permanent settler families.

[...]

The number of internally displaced refugees identified by the Task Force is huge if one takes into consideration the total population of roughly 600,000 Jummas and 500,000 Bengalis in the CHT. This means that about half of the population of the CHT has been designated as displaced by the 25 year-long conflict." (CHTC 2000)

"Statistics of Refugees in the greater Chittagong Hill Tracts

District	Tribal Families	Non-tribal Families	Total
Khagrachari Hill District	8,126	876	9,102
	11,189	3,858	15,047
	3,541	2,755	6,296
	8,096	1,800	9,896
	1,925	3,122	5,047
	6,249	7,802	14,051
	4,659	1,036	5,695
	2,085	121	2,206
	700	1,001	1,701
	46,570	22,371	68,941

Tribal Families = 46,570
 Non-tribal Families = 22,371

Total Families = 68,941

District	Tribal Families	Non-tribal Families	Total
Bandarban Hill District	1,906	0	1,906
	1,648	2	1,650
	1,800	10	1,810
	90	0	90
	591	176	767
	1,153	81	1,234
	378	0	378
	477	0	477
	8,043	269	8,312

Tribal Families = 8,043
 Non-tribal Families = 269
 Total Families = 8,312

District	Tribal Families	Non-tribal Families	Total
Rangamati Hill District	304	0	304
	3,723	0	3,723
	297	12	309
	4,553	0	4,553
	2,598	2,568	5,166
	6,439	1,281	7,720
	165	59	224
	7,253	7,463	14,716
	1,659	203	1,862
	2,895	1,636	4,531
	5,709	2,294	8,003
	35,595	15,516	51,111

Tribal Families = 35,595
 Non-tribal Families = 15,516
 Total Families = 51,111

Total number of Refugees in the three Hill Districts

(Khagrachari+Bandarban+Rangamati)

Tribal Family (46,570+8,043+35,595) = 90,208

(Khagrachari+Bandarban+Rangamati)

Non tribal Family (22,371+269+15,516) = 38,156

(Khagrachari+Bandarban+Rangamati)

Total Tribal and Non-tribal Families =1,28,364" (GoB-Task Force on the Hill Tracts Region)

The disagreement about the IDP definition is still blocking rehabilitation (March 2005)

- The Chittagong Hill Tracts Task Force has been unable to agree on a definition of IDPs
- The issue has been transferred to a parliamentary Cabinet Committee on CHT Affairs

"Disagreement over Bengali settlers' inclusion in the list of 'internal refugees' has been prolonging the process of rehabilitation of over 1,28,000 families displaced from their homesteads due to the insurgency that lasted for more than two decades in the Chittagong Hill Tracts.

The authorities have failed to commence rehabilitation of the refugees eight years after the signing of the CHT treaty in 1997 for resolving all longstanding problems of the hill region.

The Taskforce for CHT Refugee Rehabilitation Affairs, formed to settle the refugee issue, has prepared a list of displaced people including Bengalis. The Parbatya Chattagram Jano Sanghati Samity (PCJSS) rejected the list, saying the Bengalis can never be the refugees in the hills.

Failing to make any headway towards rehabilitation, the taskforce recently referred the issue to the cabinet committee on CHT affairs, seeking an acceptable definition of the word 'refugee'.

'We have nothing to do but to wait for the decision of the cabinet committee,' Samiran Dewan, the chairman of the taskforce, told New Age on Friday. He said the only problem was now to define 'refugee' and determine which persons fit that definition.

He said the PCJSS does not admit that Bengalis in the hills are refugees, although the taskforce has identified both Bengalis and indigenous tribals as refugees.

The members of the PCJSS claimed that the Bengalis settled there to oust the Jumma people from their lands, and under no circumstances can they be considered refugees in the CHT.

The taskforce, formed on January 28, 1998 in line with the CHT accord, was given the responsibility to prepare a list of the internal refugees. The armed conflict ended with the signing of the treaty between the then AL government and the PCJSS on December 2, 1997.

The nine-member taskforce, with Dipankar Talukder of Awami League as chairman, prepared the list of some 1,28,314 families, including 90,208 tribals and 38,156 non-tribals from the three hill districts — Rangamati, Khagrachhari and Bandarban — during the previous Awami League regime.

The samity's representatives in the taskforce rejected the list.

Sudha Sindhu Khisha, the samity's representative, led a walk-out from the taskforce's ninth meeting, protesting against the inclusion of the Bengalis in the refugees' list. Dipanker held a total of 11 meetings before he resigned to contest the 2001 general election. He had proposed a package of compensation for the Bengali refugees and rehabilitation in the districts they had left.

After the post lay vacant for over two years, the BNP-led coalition government appointed Samiran Dewan as chairman of the taskforce to implement the rehabilitation scheme. But the new chairman, who conducted two meetings of the taskforce, has so far failed to make any headway in executing the rehabilitation plan." (New Age, 27 March 2005)

PATTERNS OF DISPLACEMENT

Overview

Patterns of displacement (Special report, March 2006)

The 1991 report of the Chittagong Hill Tracts Commission "Life is not ours" identified two types of conflict-induced internal displacement: People either fled to the nearest forest or went into hiding for a few days, sometimes even for several years, or they were forcibly relocated to cluster villages. Many tribals from the Rangamati and Bandarban districts attempted to find safety in the Mizoram State of India but were pushed back by Indian border forces in 1986. Instead, they settled in reserve forests along the Indian border.

Today, many are still living illegally in the Kassalong and Rheinkhyong Reserve Forests where they currently face threats of eviction. Forcible relocation to cluster villages became a part of the military's counter-insurgency strategy from 1979 onwards. Conditions in these villages were reported to be worse than in the relief camps in Tripura (CHT Commission, 1991). Shortage of land and limited assistance from the government led to widespread starvation. Furthermore, loss of land and restricted movement made traditional agricultural activities impossible. Many therefore started working as day labourers in plantations or as sharecroppers in afforestation projects. Today, the cluster villages have been dismantled but many displaced remain in these sites with nowhere else to go.

General

The indigenous population sought refuge in towns or hid in the forest (2000)

"... more than two decades of protected conflict in the form of insurgency and counter-insurgency operation in the Chittagong Hill Tracts, south-eastern part of Bangladesh displaced more than 50% of hill peoples' population. During the conflicting period at least twelve massacres upon the hill peoples were committed by Bangladesh armed forces. As result of this conflict a kind of centrifugal and centripetal tendency of population displacement was observed. Just to avoid the conflict and atrocities of government military some groups of hill people silently moved toward the small towns and administrative centers while others moved toward the deep forest and compel to live a kind of nomadic existence. In 1986 at the height of the conflict 60,000 of them had become refugee in Tripura state of India." (Chakma, February 2000)

PHYSICAL SECURITY & FREEDOM OF MOVEMENT

Overview

Developments in 2005 - the security situation in the Chittagong Hill Tracts (Special report, March 2006)

Violent incidents have occurred in the Chittagong Hill Tracts since the signing of the 1997 peace accord, occasionally causing further displacement of civilians. There are reportedly ongoing cases of land deprivation as Bengali settlers continue to move into the region, especially in Khagrachari District where the settlers constitute a vote bank for the ruling BNP (CARE, 2004, p.46; ACHR, 26 August 2004). Several violent clashes which occurred after the peace accord are directly related to land grabbing.

No major episodes of violence leading to displacement were reported in 2005. However, tensions between Jumma and Bengali settlers, political and criminal attacks, abductions, “anti-terrorist” military operations, and clashes between PCJSS and UPDF militants have continued unabated and continue to create a general climate of insecurity.

In Khagrachari district in January 2005, Bengali settlers started clearing and building houses on land belonging to tribal people. This time, the army stepped in and ordered the dismantling of the houses (PCJSS, January 2005). In August 2005, another serious incident was reported. PCJSS says more than 100 settlers attacked eight tribal villages, damaging trees, paddy and orchards, and threatened to expel the tribal population. The main motivation behind the attack was allegedly to seize 600 acres of land (PCJSS, August 2005). The reported incident took place in the Latiban union of Panchari sub-district, Khagrachari district on 17 August 2005. There have also been reports of destruction of houses of tribal cultivators by Bangladesh border security forces accusing them of being terrorists (PCJSS, June 2005). Threats of eviction are widespread and could result in future displacement for local villagers as well as for those already uprooted.

In the course of 2005, the tribal communities in the Chittagong Hill Tracts faced new restrictions and harassment by government officials aimed at limiting their freedom of expression, something which indirectly affects the internally displaced. Tribal representatives experienced official intimidation due to statements they made in UN fora such as the UN Permanent Forum on Indigenous Issues in New York in May 2005 where they demanded the full implementation of the peace accord. Members of the Jumma communities in the Chittagong Hill Tracts also faced harassment when at least two meetings were stopped by the authorities (PCJSS, March and April 2005). Leaders of the Permanent Bengali Welfare Council, which represents the Bengali permanent residents in the Chittagong Hill Tracts who had land titles before 1979 and who support the peace accord, were prevented from organising a meeting on 3 June 2005. Some of the leaders have reportedly been mistreated by the authorities (AI, 13 October 2005; New Age, 16 June 2005; Daily Star, 18 June 2005). On the other hand, the Sama Adhikar Andolon (Equal Rights Movement) representing the Bengali settlers has been particularly vocal and did not appear to face any hindrance during 2005 (Daily Star, 4 May 2005).

Humanitarian access to the Chittagong Hill Tracts continues to be difficult. Information gathering and monitoring about internal displacement are complicated by the fact that communications with the outside world are extremely poor. In August 2005, for example, the government closed down all the commercial mobile phone networks in the three hill districts on security grounds (PCJSS,

August 2005). Internet connections are slow and often disrupted. The movement of foreign visitors is restricted to the urban centres of the three district headquarters and permission to enter rural areas is only granted exceptionally and with armed escorts, keeping internally displaced areas off limits to foreigners.

Physical Security

Kadiani families fear for their life- a number of people have fled their homes (November 2003)

"At least 70 members of Kadiani families at Uttarbhabanipur are languishing holed up in their at houses as village leaders have called for death to all Kadianis on the Eid-day if they do not embrace Islam by then.

"We feel totally insecure, " they said when a group of journalists with former justice KM Sobhan and writer Sharier Kabir Sunday visited the village under Mirpur upazila, 35 kilometers from Kushtia district headquarters.

Earlier on October 24, at a meeting at Dharampur bazar, Union BNP leader Jalal Uddin urged the villagers to sever all contacts with the Kadianis on the basis of a Fatwa that any connection with the Kadianis was against Islam. Since then the ostracised families remained confined to their homes. All Kadiani children have stopped going to schools.

A local leader of Jaamat-e-Islami of the area, Moulana Abdur Razzak reportedly issued the Fatwa.

A number of Kadianis have fled homes in fear of persecution by the fundamentalists early this month.

Kushtia Police Superintendent Abdus Salam visited the area and held talks with the locals on November 4. He later said that the situation was under control and asked the Kadianis who fled homes to return to their dwellings.

"Many of the families have been forced to sign an undertaking that they would embrace Islam after returning home, " [...]" (The Daily Star, 18 November 2003)

The continued presence of military in the Chittagong Hill Tracts is perceived as threatening by the tribal population (2003)

"According to the accord, the implementation of withdrawal of Army camps from the CHT is yet to begin in a true sense, because according to the government report, only 62 out of 500 camps have been withdrawn till May 2000. The existence of more than 100 Bangladesh Rifles paramilitary camps in CHT provides a feeling of constant threat and sense of insecurity among the returnee IDPs. Moreover, the accord is silent about the time frame of withdrawal of the military camps and perhaps that is yet another flaw in the accord. But one cannot ignore the fact that in the event of crisis the direct or indirect involvement of military forces can hamper the

establishment of a democratic process not only in CHT but also over all in Bangladesh." (Kharat, February 2003)

SUBSISTENCE NEEDS

Overview

Living conditions of IDPs in the Chittagong Hill Tracts (Special report, March 2006)

Information on the conditions in which internally displaced currently live in the Chittagong Hill Tracts is not available. Most humanitarian and NGO reports generally assess or analyse the overall needs of their targeted beneficiaries, tribal and non-tribal, without making specific references to those who have been displaced. However, it is widely acknowledged that a large number of tribal internally displaced live illegally in reserve forests which are administered by the Bangladesh Forest Department and fall outside the scope of the peace accord. IDPs in reserve forests face an extremely difficult situation as agricultural practices, use of forest products and even collection of firewood is officially prohibited.

Access to livelihood is the most critical issue affecting the IDPs. According to a World Food Programme (WFP) study, unresolved resettlement issues are one of the four main causes of food insecurity in the Chittagong Hill Tracts. Furthermore, reserve forests and other areas believed to house the most vulnerable IDPs have a very high level of relative food insecurity. The same areas also appear to have the highest primary and adult education needs, with no access to health services and adequate sanitation and safe drinking water. High prevalence of malaria is also a serious health concern (WFP, March 2005, pp. 10, 25, 26, 30).

To date, food aid has been supplied only to the families who returned from exile in India, while the remaining internally displaced population has been unassisted. In 2003, a government decision to stop all food assistance to the tribal returnees while continuing to provide it to 28,000 Bengali settler families led to strong protests from tribal organisations. Rice distribution eventually resumed, but only at half of the original quantity. Full rations were not reinstated before 2004, but have since then been distributed on a regular basis (Daily Star, 14 June 2004).

Around 10,000 IDPs, plus some returnees from India, are known to live in the Kassalong Reserve Forest, situated in the Rangamati District near the border with the Indian State of Mizoram (JIDRWA, February 2006). Their main sources of income are swidden (slash-and-burn) cultivation, small vegetable gardens and illegal logging of teak timber and bamboo. According to the Jumma Internally Displaced Rehabilitation and Welfare Association (JIDRWA), the IDPs have never received any rehabilitation nor have they benefited from any development programme carried out in the Chittagong Hill Tracts. For medical treatment, their only option is to approach the Médecins sans Frontières NGO clinic in the area as well as basic public health facilities based in the main local centre, Baghaihat, a remote hill village which is far from where they live. In 2005, 20 children died due to lack of health care and clean drinking water.

Only 40 IDP children attend the government school in Baghaihat (JIDRWA, February 2006). The IDPs have established some self-supported schools for their children, but receive no subsidies from the government as schools in the reserve forests are illegal. Inhabitants of these forests are therefore denied their basic right to education (CARE 2004, p. 43).

IDPs in the Bandarban district face similar conditions and hardship. Many displaced from various indigenous communities were gathered by the army into cluster villages during the conflict and have continued to live on these sites in mixed groups as they have lost their original lands. Other

IDPs such as the Khyang, who were all displaced during the conflict, have scattered in the Rheinkhyong Reserve Forest.

Food and Health

Internally displaced are reported to lack food after cut in food rations (April 2004)

According to this NGO, a large percentage of local people in need of assistance are returning refugees who since have become internally displaced:

"Beneficiaries for PBM's [a local NGO] projects are carefully chosen and are mainly destitute women and poor orphaned children. Other projects also target landless poor, day laborers, marginal farmers and underprivileged and disadvantaged youth from various indigenous minority communities. These beneficiaries generally have little or no education, inadequate housing and food supplies and have generally been victimized from the years of guerilla warfare and neglect that has plagued the CHT, causing them to be suspicious of foreign/development activity in the area. Many have lost their homes, land and possessions and are still struggling to provide their families with food. A large percentage of the people who are still struggling are people who had fled the violence of the civil war to neighboring India and returned with the signing of the 1997 Peace Accord. Of the thousands that returned few have been able to regain their original land or homes, creating a large percentage of internally displaced people. PBM also focuses on these people by providing basic necessities such as clothes and clean water sources. Future plans include aiding in house building and in the legal process of land requisition." (PBM 2004 Project Infomation)

The situation got worse during summer 2003, when food subsidies to the tribal population ceased:

"A large number of indigenous people of Chittagong Hill Tracts (CHT) are living below subsistence level without rations despite a prime ministerial directive.

Prime Minister Khaleda Zia on October 13 directed officials concerned to provide rations to the CHT's 12,222 families of ethnic internal refugees from the PM's emergency relief fund. But sources said the fund is not big enough to provide the required amount of grains.

"We can provide only 7,500 tonnes of grains from the emergency fund, which is half the required amount. The rest has to be managed from somewhere else," said a high official of the CHT affairs ministry on condition of anonymity.

The annual requirement of rations for the refugees is some 15,300 tonnes of food grain.

Some 65,000 indigenous people of the 12,222 families received a weekly ration of five kg of rice for an adult and half that amount for a child until June when the government stopped the rations.

An order from the prime minister asked the CHT affairs ministry to find an alternative for their rehabilitation with funds from the Annual Development Programme.

The order however did not affect some 26,000 Bangalees living in cluster villages who continued to get their rations as before.

The indigenous internal refugees of the CHT region returned home from refugee camps in India's Tripura after the signing of the CHT peace treaty. A large number of families are still awaiting rehabilitation and depend on rations. According to official statistics, 3,055 families out of the

12,222 are yet to get back their homesteads. The process of their rehabilitation was stalled after the four-party coalition government took office, alleged leaders of the internal refugees.

The prime minister however directed Deputy Minister for CHT Affairs Moni Swapan Dewan to take steps for implementation of the CHT peace treaty and resolve problems of the indigenous people." (The Daily Star, 23 October 2003)

Demands for increased food rations have several times been submitted by the internally displaced tribal population:

"Too poor to afford this year's Baisabi celebrations, the indigenous internal refugees of Chittagong Hill Tracts (CHT) have asked Prime Minister Khaleda Zia to double their yearly ration.

On March 21, Chittagong Hill Tracts Repatriated Jumma Refugees Welfare Association sent an application to the prime minister through the deputy commissioner of Khagrachhari requesting her to allocate six more months of food grain for them. Otherwise it would be impossible for them to celebrate Baisabi, the application said.

Baisabi, the biggest festival of the hill people, begins April 12.

Nearly 65,000 indigenous people were repatriated from refugee camps of India's Tripura after signing of the CHT peace treaty in 1997.

These refugees have to make do with only six months of ration every year after the government withdrew their yearly ration aid of 15,000 metric tons of food grains from last year's budget and instead sanctioned half of that amount from the CHT emergency fund.

Moni Swapan Dewan, deputy minister for CHT affairs, said the emergency fund is all but exhausted already.

"The small amount of food grain that still remains in the fund is for Jumma farmers who face a famine-like situation after April. So I could not give any fund for Baisabi celebrations," the deputy minister said.

Ministry sources said 7,700 metric tons of food grains have been distributed already, leaving only 65 metric tons and Tk 2,20,000 in the emergency fund." (The Daily Star, 8 April 2004)

Anecdotal information suggests that the internally displaced tribal population suffers from starvation and has little access to medical services (2000)

- No information has been found on the present situation of the internally displaced in the CHT
- Food provision has become a serious problem for the tribal population while the Bengali settlers living in cluster villages reportedly still receive free rations
- Available information indicates that the Bengali settler population receives more assistance than the tribal population
- Information from 1998-1999 indicated that displaced people in Chittagong Hill Tracts were in bad shape due to food and medicine shortage

"Failing to qualify for government rehabilitation ration packages, the majority of Internally Displaced Persons continue to suffer starvation conditions, with little or no access to any kind of service." (AITPN, June 2003)

"Many families remain in Refugee Transit Camps, where three years have passed without any progress in their cases. Food provision has become a serious problem, and GoB assistance will soon finish. This is in sharp contrast to Bengali settlers living in cluster villages, who have been receiving food rations ever since they arrived. In Khagrachari district alone, where the majority of refugee transit camps are located, there are 80 Bengali villages holding 26,262 families, all of whom continue to receive free rations.

[...]

Failing to qualify for government rehabilitation ration packages, the majority of IDPs continue to suffer starvation conditions, with little or no access to any kind of service. In 1998, a Jumma NGO, Taungya, reported on the IDP populations in Langadu thana and Baghaichhari thana in Rangamati district, where they investigated the deaths of 40 people from malnutrition and lack of medical facilities." (Feeny, October 2001)

Information from 1998-1999 indicated that displaced people in Chittagong Hill Tracts were in bad shape due to food and medicine shortage (1999):

"Many of the internally displaced Jumma refugees are still living in starvation conditions. As already mentioned, they have never received any food rations from the government. In 1998, a Jumma NGO, Taungya, reported on malnutrition and starvation conditions in Langadu thana and Baghaichhari thana in Rangamati district. Workers from Taungya went to investigate reports on the deaths of five people in Langadu and 35 in Baghaichhari because of malnutrition and lack of medical facilities. In both areas, people had been internally displaced in the late 70s and 80s and they had returned to their original areas after the signing of the Peace Accord. However, they had found their lands occupied by settlers and many had been living off wild potatoes and bananas for weeks, waiting for the harvest of some *jhum* cultivation which they had taken up, compelled by necessity. After Taungya brought out its shocking report, the returnees to this area received some food aid through the World Food Programme Taungya Newsletter Issue 1, Year 1, January 1999. Odhikar, a Bangladeshi human rights organisation, also reported the death of 23 internally displaced refugees in the CHT through lack of food and medicines in 1999." (CHTC 2000, p.48)

"A Doctors Without Borders exploratory mission last week visited the Chittagong Hill Tracts in Bangladesh, an area which until recently was closed to all aid organizations. As the result of a peace agreement, some 60,000 tribal people have returned there since last December after spending 30 years in exile in India. The displaced populations have yet to receive land allocations and monthly food rations promised in the peace accord. Doctors Without Borders has visited all the area healthcare institutions and evaluated current healthcare needs. The clinics appear to be suffering from a shortage of medical personnel and drugs. Malaria in its most serious form poses the greatest health risk to the tribal population. Doctors Without Borders is launching a program at a regional health clinic that is visited by both tribal and Bengali patients." (DWB 23 August 1998)

The first ever conference on internal displacement in Bangladesh in 1999, brought further evidence of the need for food aid to the internally displaced tribal population :

"At least 30 internally displaced persons (IDPs) died in the April-May period last year in Chittagong Hill Tracts due to food and medicine shortage, a conference in the city was told yesterday.

[...]

Presenting a paper at the conference on IDPs, an expert called for immediate attention to internally displaced persons living in the hill districts, especially those in difficult terrain, as they are highly vulnerable to food shortage.

"The most immediate problem at present is making sure that the IDPs of Sajek do not suffer again from the food shortage in 1999, as they did in 1998. Priority needs to be given to the IDPs, as they are already the weakest and most vulnerable of all the hill communities", said Ina Hume,

CHT Planning Advisor of CIDA. Sajek Valley in Baghaichhari thana of Rangamati district is home to 7,500 out of a total of 100,000 IDPs in CHT.

Presenting her case study on Sajek Valley, Ina Hume said, people in the locality had reported that they were having live off wild jungle potatoes due to lack of proper food or adequate. She added that the Baghaichhari thana health complex had been without a doctor for eight years." (Daily Star, 16 Feb 1999)

PROPERTY ISSUES

Restitution

The ownership of tribal land remains at the core of the conflict (November 2003)

- A major problem is to determine the ownership of tribal land. Among the tribal population many did not possess any documentation of land ownership, while Bengali settlers taking over their land obtained official certificates
- A substantial number of returning refugees have not regained possession of their land and are therefore internally displaced
- Today, 3,055 repatriated families (25%) are still unable to reclaim their land, with 40 entire villages occupied by Bengali settlers
- The Land Commission, which was supposed to resolve land disputes, has not been functioning for two years, but a new chair person has recently been appointed

"A large percentage of the rural community [in the Chittagong Hill Tracts] consists of people who do not have secure rights to land use, clearly a disincentive to their investing in improved farming techniques and resource management. Additionally, the CHT's infrastructure is poor, markets are underdeveloped, and the institutional support system is not structured to address the needs of the rural poor and landless, predominantly tribal population" (ADB, 2000 – Chittagong Rural Development Loan).

"The [Peace] Accord provides for the rehabilitation of tribal refugees and internally displaced tribals, a land survey in consultation with the Regional Council to "finally determine land ownership of the tribal people through settling the land-disputes on proper verification and shall record their lands and ensure their rights thereto" (Article D.2). Disputes will be settled by a Land Commission with a minimum tenure of three years to "resolve the disputes in consonance with the law, custom and practice in force in the Chittagong Hill Tracts". " (AI, 2000)

"Prior to the conflict, tribal communities owned land on a communal basis, and very little documentation was deemed necessary. The new Bengali settlers introduced a new framework of land demarcation whereby written proof was required, which then led to widespread illegal 'land grabbing'. Many settlers used the conflict to 'negotiate' false contracts in the real owner's absence, while the minimal official documentation that did exist was destroyed in the looting and burning. Today, 3,055 repatriated families (25%) are still unable to reclaim their land, with 40 entire villages occupied by Bengali settlers refusing to leave." (Feeny, October 2001)

"The settlers confiscated their lands and in many instances obtained false official certificates of ownership. In addition to returning the land under the CHTs Peace Accord, the government further agreed to "ensure leasing two acres of land in the respective locality subject to availability of land of the landless tribals or the tribals having less than two acres of land per family. However, groveland can be allotted in case of non-availability of necessary lands."

The government took no initiatives to provide cultivable land or groveland. About 40 villages of returnee refugees are still under the occupation of the plain settlers. Over 3,000 families did not get back their own land.[...] Rather than rehabilitating the returnee Jumma refugees and Jumma IDPs, then Awami League government identified the illegal settlers – who had displaced

indigenous Jumma peoples from their homes in the first place – as “internally displaced persons”. As a result, the Government CHTs Task Force on IDPs estimated the number of IDPs as of July 2000 at 1,28,000.[...] The present Bangladesh National Party government has also failed to appoint a Chairman of the Task Force. It however provides free rations only to the illegal settlers." (AITPN, September 2003)

On withdrawal of Bengali settlers:

"Before signing the accord the National Committee on behalf of the government of Bangladesh gave a commitment to JSS that Bengali settlers would be withdrawn from CHT to other plains districts. Prime Minister, Sheikh Hasina reaffirmed that commitment in a meeting with the JSS delegation on Dec 2, 1997 that Bengali settlers would be transferred to other districts. As part of that process, the government would stop providing rations to the Bengali settlers and dismantle their cluster villages. But till today the government has taken no such steps, on the contrary, the government authorities are formulating projects and providing more facilities for their rehabilitation in CHT." (SAFHR April 2000)

On Land Allocation :

"On the issue of canceling the lease for lands allocated to non tribals and non local persons who have not utilised the lands for rubber and other plantations in the last 10 years, the government has made no move to implement this provision in the accord. On the contrary the Deputy Commissioners of the three Hill Districts have allocated more lands to non tribals and non local persons in the last two years.

Under the accord no land can be leased or sold out or transferred in any way without the permission of the Hill District Council concerned." (SAFHR April 2000)

"The Land Commission, thrown up under the landmark CHT Peace Agreement five years ago, is yet to start business, while about 35,000 cases of dispute grew as the real millstone around the region's neck.

The cases, most of which pit Bangalee settlers against the tribal people in Rangamati, Bandarban and Khagrachhari hill districts, still hold the potential for igniting a fresh spate of violence, locals said.

[...]

"Most problems of the CHT would stand resolved, if the government settled disputes over hilly lands," said Gautom Chakma, a prominent PCJSS leader.

The contour of land conflict is even greater. Over 35,000 cases are pending before law courts, but many more go unreported as tribal people generally tend to skirt litigation, locals said.

And the land disputes are snowballing every day. As the hills people do not preserve their documents, a section of Bangalee settlers occupy their lands craftily.

Most of the 64,000 tribal refugees who returned home from India on the heels of the peace pact are yet to get back their lands. And some Bangalee settlers were still moving ahead throwing up houses on the forest fringe, pushing tribal people deeper into the jungles." (The Daily Star 21 May 2003)

"A taskforce crucial for the rehabilitation of internal refugees in the Chittagong Hill Tracts (CHT) is yet to launch its operation because of a controversy over the status of its newly appointed chairman. After lying vacant for over two years now, the post of the Taskforce for Chittagong Hill Tracts Refugee Rehabilitation Affairs (TCHTRRA) chairman was filled recently.

The prime minister on October 13 approved Samiran Dewan as the chairman of the taskforce, headed earlier by then AL lawmaker Dipankar Talukdar, who stepped down in August 2001 to contest the October 1 ballot. Samiran is a former chairman of Khagrachhari district council. Jafar Ahmed, a local Bangladesh Nationalist Party leader, was also named a member of the nine-

member taskforce, the rest of which are ex officio members. But indecision on the chairman's official status, which used to be equivalent to a state minister, has left the taskforce in limbo.

[...]

As yet, the new committee has not held a meeting and no financial allocation for running the committee operation has been made. No one of the 10 employees of its office at Khagrachhari district headquarters has received salary since the coalition government took power in October 2001.

The then AL government, in line with the peace agreement, formed the nine-member taskforce headed by Dipankar to address the rehabilitation issue. Accordingly, the office of the taskforce was set up at Khagrachhari district headquarters in late 1998. " (The Daily Star, 22 November 2003)

Overview of the announced reintegration package for refugees and internally displaced people in the Chittagong Hill Tracts (2001)

"Refugee and IDP Rehabilitation

All the 12,222 CHT Jumma refugee families numbering 64,609 persons have returned to CHT from Tripura, India. The state of Bangladesh constitutionally guarantees the safety of life and property of all the returnees and their family members.

The following facilities are being given to the returnees:

1. Every family will be paid a cash grant of Taka 15,000.00 (US \$ 335)
2. Every family will be provided free ration at the following rates of entitlement: Adult member/5 kilogram of soybean oil, 4 kg. of lentils, 2kg. of salt
3. Corrugated sheets worth 2 bundles/per family
4. Taka 8,000.00 per family of cash transfers for those families owning arable land and a pair of bullock for tilling the land
5. The landless will be provided with land grant and a cash transfer to Taka 3,000.00 per family
6. Debt forgiveness of up to Taka 5,000.00 per family in respect of agricultural loans
7. Similar loan forgiveness would be considered, on a case by case basis, for non-agricultural loans
8. Loans taken in the past from the Chittagong Hill Tracts Development Board Would be written off
9. General Amnesty for the insurgents announced earlier shall remain in force. This amnesty shall be applicable in respect of cases registered during the state of emergency (when insurgency was on)
10. Land will be returned to their original owners and they will not be rehabilitated in the cluster villages
11. Reinstatement in government service for those who were employed there prior to becoming internal and external refugees would be considered most sympathetically
12. Arrangements would be made for holding special examinations for High School and College Diplomas for those who had studied in neighboring countries
13. Create opportunities for the returnee students in schools in order that they could complete their courses of studies
14. According priority to the tribal youth in recruitment's for vacant positions in different offices of the districts and elsewhere
15. A general amnesty for those convicted in different criminal cases during insurgency All returnee 'Headmen' (of village councils) to be reinstated in their previous positions " (SAFHR April 2000)

The Government has yet to deliver the announced compensation package for the internally displaced (2000)

- More than 3,000 families returning refugee families have not gotten back their property and it is estimated that 80,000 internally displaced Jumma refugees have not yet been compensated
- The government has not yet started process of rehabilitation of the internally displaced tribal population
- Nearly 25% of the returning refugees have been unable to return to their own homesteads and native villages
- The rehabilitation of internally displaced remains problematic – not least because it has not been decided whether Bengali settlers who lost land should be defined as internally displaced
- The authorities claim that it needs some time as a huge financial involvement is required for the rehabilitation of the internally displaced
- Claims of discriminatory practices in Government assistance to Bengali settlers versus the internally displaced tribal population

"IDPs reportedly continue to have little access to farming lands, non-farm dwellings, safe drinking water and sanitation facilities, healthcare and education. The economic rehabilitation of the IDPs has not yet begun in earnest." (AI February 2000, section 5.3)

"[...] the government has not taken up the process of rehabilitation for Internally Displaced Jumma People. [...] A Committee has been formed to facilitate their rehabilitation but no measures have been taken in this regard. In violation of this provision the government is making attempt to rehabilitate the Bengali settlers in CHT.

Under the accord, the rehabilitation of the tribal and internally displaced was to commence, as soon as possible, in consultation with the Regional Council, the land survey of the CHT and finally determine the land ownership of the tribal peoples and settle land disputes on proper verification. Land survey would record their land rights and thus ensure their rights. This programme has yet to be taken up for implementation.

Moreover, the government has yet to take up the programme for settling two acres of land per tribal family having no land or less than 2 acres. Where no land was available in the locality, government lands were to be tapped. No progress has been made on this front." (SAFHR, April 2000)

"[In February 1999] the CHT Returnee Jumma Refugee Welfare Association, headed by Upendra Lal Chakma, conducted a survey among all the repatriated refugees concerning their rehabilitation [...]. According to the survey, 3,055 families (or 25 percent of all repatriated families) have not yet received their lands back as promised, while 40 entire villages have not been returned to the refugees at all because they are still completely occupied by settlers. Complaints have been lodged with the authorities concerning all these cases.

Findings of the survey on implementation of the agreement with the refugees:

1,339 repatriated families have not been returned their homesteads.

942 families have not been returned their paddy lands.

774 families have not been returned their horticultural gardens.

40 villages have not been returned to the refugees at all.

All families have been provided with Tk.15,000 and two bundles of CI-sheets.

All families have been provided with food rations for 9 months.

890 landed families have not been given a pair of bullocks or Tk.10,000.

All landless families have received Tk.3,000 for a dairy cow.
Seven Buddhist and Hindu temples are still occupied by settlers, two by security forces.
One orphanage is still occupied by settlers, all 72 boys from this orphanage are in France where they have been adopted.
642 families had bank loans, but no one has been exempted.
It is not specified as to whether and how many Jummas were reinstated in their jobs." (CHTC 2000, pp.45-46)

"Secretary of the Ministry of CHT Affairs informed the session that according to the Peace Accord, the Task Force has successfully identified members of 1,28,364 families as internally displaced persons (IDPs) and has sent the proposed plan of action for their rehabilitation to the concerned ministry. Some speakers expressed their dissatisfaction over the slow progress in this field, but according to the Secretary, it needs some time as a huge financial involvement is required for the rehabilitation of such a large number of IDPs. Similarly Maj. Gen. (retd.) Ibrahim thought it would be difficult to rehabilitate the IDPs from the CHT to other parts of Bangladesh as the IDPs are living there for about 20 years and already a second generation is there who were born and brought up there with a lot of emotional attachments. Rather, he suggested that all persons who had lived in the CHT prior to signing of the Peace Accord as the inhabitants of the CHT, and then freezing the number and conducting development initiatives for all of them. Prof. Imtiaz also found it very complex to identify the settlers or the original inhabitants from his appearance or dialect as there have been a lot of inter-marriages and then relatives migrating at later points. He suggested the need for extensive research in this complex area on part of the researchers." (Daily Star 4 August 2000)

PATTERNS OF RETURN AND RESETTLEMENT

Overview

Obstacles to return and reintegration (Special report, March 2006)

The land issue remains the key obstacle for the return and reintegration of the internally displaced as well as for the implementation of the peace accord. Land-related conflicts between tribal people and settlers are also the greatest threat to peace and stability in the region.

According to customary law, the tribal population practised communal ownership of land used for slash-and-burn cultivation and for cattle grazing, which is not registered in public records. The situation is different for the Bengali settler population, who received landownership documents after having been relocated to the Chittagong Hill Tracts by the government. One of the main issues to be resolved by the Land Commission or another body is therefore to balance customary rights and usages prevailing in the Chittagong Hill Tracts against ownership by Bengali settlers which is backed by documents (CARE 2004, p.47). In accordance with the peace accord, some Bengali settlers did lose their ownership rights to land belonging to returning tribal refugees. They were subsequently required to relocate several times, and in some cases made landless altogether. But many Bengali settlers, backed by the military and the ruling political party, refused to give up the land to the returning tribal people. More than 40 villages formerly inhabited by the tribal population are still occupied by government-sponsored settlers.

In view of the scarcity of land available, especially after the reclassification of 220,000 acres of forest as reserve forests, it is difficult to understand how the government will be able to return land to the hill people while accommodating the Bengali settlers within the Chittagong Hill Tracts (Amena Mohsin, 2003, p.51). At the same time, it is unlikely that either of the two mainstream political parties, whether the BNP or Awami League, would ever consider removing the settlers even though the PCJSS claims their rehabilitation outside the Chittagong Hill Tracts was an "unwritten" part of the peace accord.

General

Tribal groups protest against the repatriation of non-tribal people to the Chittagong Hill Tracts (2000)

- Representatives of the tribal population boycott the Task Force on Internal Displacement in the CHT because of plans to repatriate non-tribal people to the CHT
- The chairman of the Government Task Force states that the peace accord provides for equal treatment of tribal and non-tribal refugees

"Parbattya Chattagram Jana Sanghati Samity (PCJSS) and Tribal Refugee Welfare Association (TRWA) for the third time boycotted the meeting of the Task Force on Refugees in CHT held here at Chittagong circuit house today.

The two representatives - Sudasindu Khisa of PCJSS and Bakul Chakma of TRWA - boycotted the meeting protesting the Task Force move to repatriate internal non-tribal refugees in CHT, sources said.

The meeting over today Task Force chairman Dipankar Talukder, MP, told the newsmen that a list of 1,28,364 families of internal refugees was finalised for repatriation.

The list included 90,208 families of tribal and 38,156 families of non-tribals, Talukder said. The rehabilitation would start on receipt of order from the ministries concerned, he added. The non-tribal internal refugees were scrutinised from among those living in CHT between the period of 1975 to 1992, Talukder said.

Replying to a question he said it was nowhere written in the peace accord that non-tribal refugees should not be rehabilitated in CHT.

Both tribal and non-tribal should get equal treatment in the CHT to establish peace, chairman of the Task Force said. The internal refugees would be provided with Tk 15,000 per family in cash in addition to other supports, he said." (Daily Star 16 May 2000)

HUMANITARIAN ACCESS

General

The Peace Accord created a more favourable environment for assistance activities in the Chittagong Hill Tracts (1999-2003)

- The armed conflict in the region hindered access for all humanitarian and development organizations
- Donor-aided development programmes were suspended for security reasons following abduction of two Danish aid workers and a British engineer in February 2001
- UNDP assessment during spring 2003 concluded that the area was safe for starting development activities

"The political turbulence which lasted for a little more than two decades (1974-1996) in CHT have barred development organizations from taking any significant initiative directed towards the poor in the region. The signing of the Peace Agreement in 1997 created an environment for such ventures in the region." (BRAC 1999)

"MSF is the first aid organization to have permission to work in the region, where unkept promises of autonomy for the tribal people have resulted in off-and-on low-level conflict. Access to health care, especially for the non-Bengali population, is limited." (MSF 2000)

"Because of the ongoing conflicts very few development organizations were working in the CHT area before the accord of 1997. However, in the postaccord era many big national NGOs have expanded their activities and services in the region.

[...]

Unlike all other regions of Bangladesh, the armed conflicts of the past decades have severely restricted the activities of NGOs in the CHT. As a result, while there are a good number of NGOs with divergent interests working in the region, most of them are just evolving and gaining experience." (Aarens and Chakma, 2002)

"Donor-aided development programmes were suspended for security reasons following abduction of two Danish and a British engineers from Kalapahar area under Naniarchar upazila in Rangamati district on February 16, 2001.

Development activities resumed after a joint assessment by the government and the UNDP reported that the CHT is safe for development workers to return and that it is important to provide facilities in the tension-torn CHT. " (The Daily Star, June 17 2003)

NATIONAL AND INTERNATIONAL RESPONSES

No assistance strategy for internally displaced (March 2006)

National assistance: political will is missing

The government of Bangladesh has done little to assess and respond to the rights and needs of people who have been forced to flee their homes due to conflict. A national strategy and political will are lacking to address the needs of the internally displaced in Bangladesh. This is also reflected in the Poverty Reduction Strategic Plan (PRSP) of Bangladesh, released in November 2005, which only mentions internal displacement once, in relation to trafficking (“Unlocking the Potential”, October 2005, p. 151). In relation to the Chittagong Hill Tracts, one of the stated objectives of the PRSP is full implementation of the peace accord and operationalisation of the Chittagong Hill Tracts Refugee Task Force and Land Commission, but again there is no mention of IDPs.

In the Chittagong Hill Tracts, the government continues to discourage involvement in the political situation by donors and international organisations due to the “sensitivity” of the issue. On 23 November 2005, a high profile two-day workshop on land issues organised among others by the Chittagong Hill Tracts NGO Forum and supported by DANIDA, was stopped by the Rangamati Deputy Commissioner following a memo from the Prime Minister’s Office. Internal displacement was among the items on the agenda (Daily Star, 24 November 2005).

Bangladesh is said to have the largest and most active NGO community in the world, and its NGOs receive more external assistance than in any other country. In 1997, there were 848 registered NGOs, compared with only 45 in 1981. It has been estimated that NGOs operate in nearly 80 per cent of all Bangladeshi villages (Brazier, March 2001). Since 1997, larger Bangladeshi NGOs have started programmes in the fields of health, education, water and sanitation in the Chittagong Hill Tracts, as well as microcredit activities. National NGOs are also intervening in diverse areas such as agriculture, horticulture, forestry, fisheries, poultry farming, microcredit, education, women in development, income generation, the environment, and training and development in general (Aarens and Chakma, 2002). Civil society organisations in the Chittagong Hill Tracts insist that external development initiatives should only be implemented with the informed consent and participation of the communities involved. Furthermore, they also demand development policies to be respectful of their cultural identities and be environmentally sustainable. In 1998 they reaffirmed those principles in the Rangamati Declaration released at a conference involving all development actors, including government and donors’ representatives.

The Hill Tracts NGO Forum was established in 1999 to strengthen the activities of local NGOs and improve coordination with development planners. Only a few of the 61 members have targeted internally displaced people with rehabilitation assistance. However, IDPs are likely to be among the beneficiaries of some ongoing development projects.

A serious obstacle for the Hill Tracts NGO Forum (HTNF) as well as for a significant number of local NGOs is the difficulty of obtaining official registration at the government NGO Bureau, without which they cannot receive any foreign grants. As a result some local NGOs complain that they are excluded from the internationally-supported development initiatives.

Only ad-hoc international assistance

Nearly forty bilateral and multilateral donors are active in the country and give external assistance. Aid is largely focused development and disaster response (ADB 2001-2003, p.28). The five largest donors are the [World Bank](#), the Asian Development Bank (ADB), [Japan](#), the [European Union](#) (EU) and [USAID](#).

The [UN country team](#) in Bangladesh consists of [UNDP](#), [FAO](#), [ILO](#), [IMF](#), IOM, [UNESCO](#), [UNFPA](#), [UNHCR](#), [UNICEF](#), [WHO](#), [WFP](#) and the [World Bank](#). As no particular organization is mandated with assisting internally displaced people in Bangladesh, the UN Resident Coordinator is responsible for ensuring an adequate response.

The international community has largely played a passive role when it comes to addressing the situation of internal displacement in the country. In the Chittagong Hill Tracts, the improved security situation has allowed for the start-up of relief and development activities. However, aid programmes have been suspended on some occasions, notably in 2001 after the abduction of aid workers and a generally deteriorating security climate after the elections. While some donors made implementation of the Chittagong Hill Tracts peace accord a precondition for starting programmes, many have started funding development projects. Bilateral and multilateral donors have given external assistance largely focused on development and disaster response (ADB 2001-2003, p.28). However, there are several signs of increasing impatience among the donor community. Widespread allegations of corruption and inefficiency together with the deteriorating security situation and the blocked political situation led to a sharp decrease of foreign aid to Bangladesh during 2005 compared to the previous year. In early 2005, donors also met in Washington D.C. without the participation of the Bangladeshi government to discuss the country's failure to meet conditions imposed by the main aid actors (COE-DMHA, 14 March 2006).

There is no official UN strategy to address conflict-induced displacement in the country. On 15 December 2005, the government approved the largest ever development project in the Chittagong Hill Tracts, led by the United Nations Development Programme (UNDP). This ambitious multi-sectoral programme will invest \$50 million over the next five years (from 2005 to September 2009) to promote development and confidence-building and will be implemented through local NGO partners and the Chittagong Hill Tracts institutions. The programme aims at overall development for both the indigenous population and the settlers, which will also benefit IDPs. One of its 32 components will specifically target "returned refugees, internally displaced people and ex-combatants" and comprises two activities: (a) an assessment of the situation of these groups to determine their location, current socio-economic status and priority needs, and (b) activities to improve social services and economic opportunities through a special fund.

UN activities in the Chittagong Hill Tracts region also include development projects by the children's agency UNICEF and a food security programme by the World Food Programme (WFP). UNICEF initiated its programmes in the Chittagong Hill Tracts in the early 1980s and assisted activities related to pre-school education, health and nutrition awareness as well as small water and sanitation projects. In 1998, WFP expanded its activities in the Chittagong Hill Tracts to respond to the influx of returning refugees from India. Its current food aid selection criteria include IDPs, women and the ultra-poor. Although not formally mandated, UNHCR monitored the return of refugees from camps in Tripura to the Hill Tracts after the signing of the peace agreement. In general, local NGOs have pointed out that education is a development sector, which appear to be disregarded as no budget has been earmarked for education in the UNDP programme and UNICEF education projects are restricted to pre-school activities.

Several international NGOs are also present in the Hill Tracts. Médecins Sans Frontières has been combating malaria and delivering basic health in the region since 2000 with a team of

expatriates and Voluntary Services Overseas (VSO) makes volunteers available to provide technical assistance to local NGOs.

In the aftermath of the violence in the Mahalchari Sub-district of Rangamati in Chittagong Hill Tracts in August 2003, the government provided and also invited international agencies to assist the tribal displaced. Various government departments, local and international agencies provided relief assistance to the displaced population. The government approved a UN needs assessment mission and UNDP launched an appeal for one million Euros, largely funded by the European Commission's humanitarian aid department ECHO, covering food, health, water and sanitation, housing, agriculture, education, non-food items and rebuilding livelihoods for the displaced (EC, 6 October 2003). According to donors and international agencies all the affected people have now been adequately rehabilitated. WFP also assisted with food relief families displaced after an incident between PCJSS and UDPF supporters in September 2004.

No information has been found regarding assistance to the Hindu, Ahmadi or Christian religious minorities, as well as indigenous communities in Northern Bangladesh, either by national authorities, or by the international community. In April 2005, the E.U. Parliament passed a strong resolution expressing concerns at violence against religious minorities (European Parliament, 14 April 2005).

Of awareness raising activities, a workshop on the UN IDP Guiding Principles was held on 25 November 2004 with a mixed participation of scholars, lawyers, activists and victims of displacement. The event was co-sponsored by the Indian organization Calcutta Research Group and the Bangladesh NGO Ain O Salish Kendra (ASK).

Needs for addressing conflict-induced displacement in Bangladesh

In the Chittagong Hill Tracts, available information indicates that those who returned from India only to be displaced again are especially vulnerable and in need of assistance. But little is known about the remaining internally displaced population: to what extent they have reintegrated and restarted a livelihood, or whether they have special needs for material or legal assistance. There is no estimate of to what extent minorities were or are internally displaced due to religious persecution in Bangladesh.

An assessment of numbers of IDPs, the degree of vulnerability and the risk of future displacement/eviction faced by these groups would be essential towards creating an adequate response to the human rights abuses faced by the minority population. The component in the UNDP joint programme with the Bangladesh government specifically targeting IDPs in the Chittagong Hill Tracts is an important first step. Also, there is a need to raise awareness of the phenomenon of conflict-induced displacement in Bangladesh among aid actors. Forced displacement is, for example, not mentioned in any of the main donor strategy documents and in general information about people displaced by conflict in Bangladesh is virtually non-existent.

The UN guiding principles of internal displacement are an essential tool for resolving contention over the definition of IDPs and should be incorporated into national strategies and legislations. They should also serve as a guideline to international humanitarian agencies, local institutions and local NGO partners. To this effect, broad-based training is recommended to include civil society, aid agencies and government officials. The capacity-building components of the UNDP-funded project could offer a platform for awareness-raising. In-depth and independent surveys are also needed to identify the number of displaced people, their living conditions and the specific challenges they face. It is essential that the government, UN agencies, NGOs and the donor community cooperate to monitor and address the needs of the internally displaced in Bangladesh.

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