

MILITARIZATION IN THE CHITTAGONG HILL TRACTS, BANGLADESH

Bangladesh



THE SLOW DEMISE OF THE REGION'S
INDIGENOUS PEOPLES

IWGIA report 14

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THE CHITTAGONG HILL TRACTS,
BANGLADESH**

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Report 14

IWGIA
ORGANISING COMMITTEE CHT CAMPAIGN
SHIMIN GAIKOU CENTRE

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MILITARIZATION IN THE CHITTAGONG HILL TRACTS, BANGLADESH —
THE SLOW DEMISE OF THE REGION'S INDIGENOUS PEOPLES

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ORGANISING COMMITTEE CHT CAMPAIGN

PO Box 15939 - 1001NK Amsterdam - The Netherlands
E-mail: occht@xs4all.nl



SHIMIN GAIKOU CENTRE

(CITIZENS' DIPLOMATIC CENTRE FOR THE RIGHTS OF INDIGENOUS PEOPLES)

3-35-13-204 Higashi-komatsugawa - Edogawa-ku, Tokyo, 132-0033, Japan
Tel & fax: (+81)3-5662-0906



INTERNATIONAL WORK GROUP FOR INDIGENOUS AFFAIRS

Classensgade 11 E, DK 2100 - Copenhagen, Denmark
Tel: (+45) 35 27 05 00 - Fax: (+45) 35 27 05 07
E-mail: iwgia@iwgia.org - Web: www.iwgia.org

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LIST OF ABBREVIATIONS

ALK	Arakan Liberation Party
APBn	Armed Police Battalions
ASBKP	<i>Adi O Sthayee Bangalee Kalyan Parishad</i>
BDR	Bangladesh Rifles
BGB	Border Guard Bangladesh
BNP	Bangladesh Nationalist Party
CHT	Chittagong Hill Tracts
DGFI	Directorate General of Forces Intelligence
DPKO	United Nations Department of Peacekeeping Operations
GOC	General Officer Commanding
ILO	International Labour Organization
MP	Member of Parliament
NGO	Non-governmental organization
OHCHR	Office of the High Commissioner for Human Rights
PCJSS	<i>Parbatya Chattagram Jana Samhati Samiti</i>
RAB	Rapid Action Battalion
RSO	Rohingya Solidarity Organization
SKS	<i>Sena Kalyan Sangstha</i>
UN	United Nations
UNDP	United Nations Development Programme
UNO	Upazilla Nirbahi Officer
UNPFII	United Nations Permanent Forum on Indigenous Issues
UPDF	United People's Democratic Front
VDP	Village Defense Party

Map of the Chittagong Hill Tracts



INTRODUCTION

For decades, indigenous organizations as well as national and international human rights bodies have systematically documented and raised attention both at the national and international level to the excessive military presence and the ensuing human rights violations perpetrated against the indigenous peoples in the Chittagong Hill Tracts (CHT) of Bangladesh. Yet the human rights violations continue and the military continues to exert its influence on many spheres of life in the CHT, including civil affairs. This is despite a Peace Accord signed in 1997 between the Government of Bangladesh and the indigenous political party, *Parbatya Chattagram Jana Samhati Samiti* (PCJSS). The Accord provides, amongst other things, for the withdrawal of all temporary military camps and the transfer of power to the civil authorities in the region.

At the 2011 session of the United Nations Permanent Forum on Indigenous Issues (UNPFII), an appointed Special Rapporteur, Mr. Lars Anders-Baer, submitted a report entitled “Study on the status of implementation of the Chittagong Hill Tracts Accord of 1997”.¹ The report expressed concern that the 1997 CHT Accord had hardly been implemented, noting *de facto* military rule and the excessive deployment of armed forces in the region. On the basis of this report, the UNPFII recommended that the Government of Bangladesh declare a timeline for implementation of the Accord and withdraw all temporary military camps from the CHT. Furthermore, in light of the fact that Bangladesh is among the top three countries in terms of the number of personnel sent on UN peacekeeping missions, the UNPFII recommended that the United Nations Department of Peacekeeping Operations (DPKO) prevent military personnel that are violating human rights from participating in such missions.²

It is rare in the history of the UNPFII for a report to be drafted and recommendations to be made specifically on issues relating to the indigenous peoples of a particular country in this manner. This occurred precisely because of a heightened concern and a sense of crisis among international experts on indigenous issues regarding continuing human rights violations and *de facto* military rule in the CHT under a democratically-elected regime.

This report documents the extent of the military presence in the CHT, the ways in which the military exerts its influence on various aspects of society, including economic, political and social, and the consequences

this presence has on the human rights situation in the region. In a democratic country like Bangladesh, *de facto* military control of a certain region in which no insurgency is prevalent and where there is no threat of conflict with neighboring countries should be a cause for great concern both for the Government of Bangladesh, the international donors providing development assistance to Bangladesh and the international agencies that have a mandate to address specific human rights situations.

2. THE OBJECTIVE AND CONDUCT OF THE STUDY

The overall objective

Although there have been many efforts to document the human rights violations committed against the indigenous population in the CHT, there is little thorough or systematic documentation of the violations committed or tolerated by the army and the *de facto* military rule in the region. This is partly due to a fear that the army might retaliate if there were any specific report documenting the misconducts of its personnel.

The objective of this present study is to analyze the historical background and the present status of human rights violations involving military personnel, as well as the excessive military deployment in the CHT. The report also raises concerns about the dispatch of troops to UN peacekeeping missions, touching upon its significance for the Bangladesh military, and discusses what needs to be done by the DPKO, the Office of the High Commissioner for Human Rights (OHCHR) and other international actors. It is thus hoped that the report will be an entry point for a genuine dialogue involving all stakeholders, including the Government of Bangladesh, on how to restore peace and normality in the CHT.

as the International CHT Commission) have published reports, documentary films, etc., regarding human rights violations in the CHT; they are listed in the Bibliography.

As the study deals with sensitive issues, the researchers were highly concerned that it would place informants at risk of subsequent harassment, arrest or torture by the Bangladesh military authorities. Informants have already faced various forms of harassment during the research, including arbitrary arrest, torture and harassment of the activities of the organizations they belong to (especially NGOs). It has thus been necessary to withhold the names of all interviewees in the present report.

Methodological approach

In order to obtain first-hand information on the extent of militarization of the CHT and the cases of human rights abuses involving army personnel, several visits were carried out to all three districts in the region between April 2011 and February 2012 and interviews were conducted with as many and as wide a range of concerned stakeholders as possible. The information obtained from personal interviews has as far as possible been cross-checked and corroborated with a variety of secondary data sources, including books, reports, newspaper articles, correspondence from government agencies and publicly available reports. For some incidents, it was not possible to obtain adequate information from interviews alone, partly because they occurred in places difficult to access. In those cases, secondary data sources such as reports from reliable organizations, newspaper articles and other data were used to supplement the primary data. A number of indigenous political organizations (such as PCJSS and UPDF), human rights NGOs (such as Kapaeng Foundation) and advocacy bodies (such

3. BACKGROUND TO THE CHITTAGONG HILL TRACTS CONFLICT

The CHT is home to 11 indigenous peoples, popularly known as Jummas,³ with a population of approx. 700,000.⁴ From the early 1970s until the signing of the Chittagong Hill Tracts Accord, popularly referred to as the “Peace Accord”, in 1997, the armed wing of the indigenous political party, the PCJSS, led a low-intensity guerrilla war against the Government of Bangladesh in response to violations of the region’s autonomy. As a counter-insurgency measure, the government implemented a transmigration programme to settle approximately 400,000 Bengali people in the CHT, thereby drastically changing the demographics of the region.⁵ Troops were deployed in large numbers and more than 500 military camps were established during the insurgency period.

On December 2, 1997, the PCJSS and the Awami League alliance government signed the CHT Accord. The Accord provided, amongst other things, for a strengthening of local autonomy, the establishment of a Land Commission to resolve land-related disputes, and a phased withdrawal of all temporary military camps to six permanent cantonments. There has been very little progress in the implementation of the Accord, however, leading to continuous and widespread human rights violations along with heightening frustration among the indigenous peoples. Bengali settlers have continued to perpetrate frequent human rights violations and attacks against the indigenous peoples with the primary aim of grabbing their land. Ten large-scale attacks have been carried out by the settlers against the indigenous peoples since the Peace Accord was signed (see Section 5). The Bangladesh government and military have not addressed these attacks satisfactorily and, at times, there have been allegations of civil and military institutions assisting these attacks, thus exacerbating the situation.

After the national parliamentary elections in October 2001, the Bangladesh Nationalist Party (BNP), which had been opposing the Accord from the beginning, gained power by forming an alliance with Islamic political parties. Just after assuming power, the BNP-led government violated a number of major provisions of the CHT Accord, including not appointing a Minister from among the indigenous Members of Parliament (MPs) (instead, the Prime Minister held the CHT portfolio) and appointing Wadud Bhuiyan, a Bengali MP from Khagrachari

district, as the chair of the CHT Development Board, although the Accord states that a tribal person should be given preference.⁶ In the same year, the implementation of “Operation Uttoron” (upliftment) was enforced by the Government of Bangladesh. It is unknown which Ministry or wing of the Government gave this order, and the contents of the order were not discussed in the Parliament. The only thing known to the public is that it replaced “Operation Dabanal” (wildfire), which had been enforced by the then military dictator Hussain Mohammad Ershad during the insurgency period, and which gave authority to the military officials to conduct a counterinsurgency-oriented programme, allowing them to intervene in all important aspects of civil administration. Although not publicized, Operation Uttoron is known to extend the same authority to the military as Operation Dabanal, despite the fact that the insurgency against the government and its security forces ended in 1997.

From 2007-2008, the country was under the quasi-military rule of a “Caretaker Government”, which declared a “state of emergency”. The Caretaker Government was supposed to be an interim government in order to ensure fair parliamentary elections. However, the influence of the military officers was remarkable and there were gross human rights violations during this period.

Jumma regional parties were not allowed to contest the national parliamentary elections in December 2008 because, among other things, the party registration laws require parties to have offices in several districts, or to have participated in a previous election. The lack of Jumma parties participating in the election resulted in the Awami League’s complete victory in the region. In its Election Manifesto, the Awami League-led Grand Alliance promised to end terrorism, discriminatory treatment and human rights violations against religious and ethnic minorities and indigenous people as well as to fully implement the CHT Accord.⁷ Once it took office in 2009, high expectations of improvements in the human rights situation were therefore raised. The Awami League-led coalition government expressed eagerness to implement the CHT Accord, and has declared publicly before the international community, during the UN Human Rights Council’s Universal Periodic Review in February 2009 and on many other occasions, that it will

do so. And yet the human rights situation in the CHT has improved little despite the government's public position. This should be considered in light of the fact that the military has vested interests and exerts *de facto* rule in the region. The present regime could be said to lack true governing power in the CHT and reports of widespread human rights violations continue, highlighting the importance of further efforts to promote positive change. One clear indication is the absence of any independent government-led inquiry into the numerous acts of human rights violations perpetrated against indigenous people. A culture of impunity thus prevails in the region.

4. OVERVIEW OF THE MILITARY PRESENCE IN THE CHITTAGONG HILL TRACTS

The military has played a decisive role in Bangladesh since the nation state was formed in 1971. Its influence over political, economic and social affairs is particularly pronounced in the CHT, where the excessive concentration of military forces has a negative impact on civilian life. This section documents the extent of military deployment in the CHT and discusses the official reasons given for the overwhelming military presence in the area. Contrary to the army's claims that it contributes to peace and development in the CHT, the structures of the counter-insurgency period are becoming increasingly ingrained, leading to a continued and *de facto* military rule in the region.

The number of military personnel and army camps in the CHT

After the signing of the CHT Accord, the indigenous armed resistance was demobilized although the overwhelming military force of the Bangladesh army remained stationed in the CHT, in violation of the Peace Accord. Although it is difficult to verify the exact number of troops currently deployed in the CHT, military officials attest to the fact that one-third of the entire Bangladesh army is deployed in the CHT.⁸ Out of a total of some 120,000 army personnel, it has been said that around 35,000 to 40,000 are deployed in the CHT. Apart from the army, 10,000 personnel from the Border Guard Bangladesh (BGB), along with another 10,000 Ansar⁹ and Armed Police Battalions (APBn) personnel are also deployed in the area, making a total of 50,000-60,000 armed personnel stationed in the CHT.¹⁰ In addition, the Village Defense Party (VDP), a voluntary paramilitary force organized under the Ministry of Home Affairs, is recruited largely from Bengali villagers and trained by the police. The total number of VDP members in Bangladesh is approx. 5.6 million¹¹ but the number of VDP members in the CHT is not known to the authors.

Map 1 in the annex shows the proportion of armed forces personnel, population and area of the CHT compared to the rest of Bangladesh, referred to as plain areas. According to the 2011 census, the population of the CHT is 1,330,000, around 1% of the total population of Bangladesh, and its area accounts for 9% of the

total territory of the country. The deployment of one-third of the entire army in the CHT, or one soldier per 40 civilians, is thus excessive by any standard, especially in a country that is at peace with its neighbors, and where no insurgency is prevailing.

The CHT Accord called for the withdrawal of all temporary camps of the military, Ansar and VDP to permanent installations and permanent cantonments (Rangamati, Khagrachari, Bandarban, Alikadam, Ruma and Dighinala). According to the government, about 240 of the more than 500 camps previously in the CHT have already been withdrawn to date.¹² However, the PCJSS as signatory to the Accord estimates that only 74 military camps were actually withdrawn, and the process stopped in 2009. New camps have allegedly been set up in some other places following the withdrawal of old ones.¹³

Map 2 in the annex shows the location of army, BGB and armed police camps in the three districts that make up the CHT: Bandarban, Rangamati and Khagrachari. Local sources identified the names and locations of 148 army camps, 128 BGB camps and 106 APBn, Ansar, VDP and police camps, making a total of 382 camps in the CHT (as of December 2011).¹⁴ There are, however, believed to be more camps than those shown on the map for reasons stated above.

The ethnic and religious affiliations of the security personnel, including army personnel, deserve to be noted. Close to 100% of the army and other security personnel in the CHT are ethnically Bengali, and the vast majority of them are adherents of Islam. A similar ratio prevails in the case of the government-sponsored settlers in the CHT. In contrast, the indigenous people follow non-Islamic faiths (Buddhism, Hinduism, Christianity and indigenous faiths), and belong to ethnic and linguistic groups that are distinct from the Bengalis. Although a small number of indigenous people have joined the army, BGB, police and Ansar, hardly any of them are posted to the CHT. This leads to biased and discriminatory conduct, and army and other security personnel often sympathize with, and more importantly, act in favor of the settlers, and against the indigenous people.

The role of the military during the armed conflict in the CHT

After a military coup which brought General Ziaur Rahman to power in 1975, Bangladesh was ruled by the army for 15 years until President General Ershad was forced to resign in 1990 in a democratic uprising. The armed conflict began in the CHT after M. N. Larma, the popular Jumma leader and MP asked Sheikh Mujibur Rahman's government to recognize indigenous peoples in the Constitution and Sheikh Mujibur refused to do so. Gross human rights violations were committed not only against the PCJSS and its armed wing, Shanti Bahini (peace fighters), but also against civilians. Since 1977, the matter of the CHT has been under the remit of the Ministry of Defense instead of the Ministry of Home Affairs. The military budget, which was decreasing in the mid-1970s, increased from 1976 and a paramilitary border patrol force, the Bangladesh Rifles (BDR; now renamed the BGB), was increased in size. The military also took control of the administration of the CHT during this time, with the General Officer Commanding (GOC) of the Chittagong Division being handed the responsibility for administering the CHT.¹⁵

At the same time, as a counter-insurgency measure, President Zia decided to start a state-sponsored transmigration programme. In late 1979, the plan to relocate poor and erosion-affected people from other districts of Bangladesh, in violation of the CHT Regulation 1900, began. The army planned this operation according to the US counter-insurgency model in Vietnam in order to create a defensible perimeter by creating strategic hamlets. In the CHT, Bengali families were located in cluster villages under the supervision of the security forces. More than 400,000 Bengalis were settled in the CHT from 1979 to 1983.¹⁶

In response to the state-sponsored transmigration programme, the Shanti Bahini started to attack the settlers. In retaliation, the army, often using or assisting settlers, waged large-scale attacks against the indigenous Jumma villagers. This led to a mass exodus of refugees. More than 80,000 people crossed the border from Barkal to the state of Mizoram, India in 1984 and from Matiranga, Panchari and Dighinala to the Indian state of Tripura in 1986. In these attacks, the settlers were first in line to attack the villages with the aim of evicting Jumma villagers with the help of the army.¹⁷ Those who left the Barkal area in 1984 returned to the country and had to rehabilitate themselves with little or no government assistance. Only the refugees who left in 1986 were afterwards included in an agreement between the Jumma Refugee Welfare Association and the Govern-

ment of Bangladesh, which was also referred to in the 1997 CHT Accord. This group numbered almost 70,000.

In these attacks, along with the army and paramilitary, members of the VDP were often involved. In the CHT, they were recruited mainly from among Bengali villagers, given arms and ammunition and trained by the police in order to ensure the protection and security of villages.¹⁸ Nowadays, a very small fraction of VDP personnel are indigenous persons. Between 1979 and 1997, 15 major massacres of Jumma people took place, and the VDP is alleged to have been involved in 12 of them.¹⁹ In this way, the Bengali settlers were used as a human shield against Shanti Bahini, and as soldiers by the army to attack the Jumma villagers, making the relationship between the two communities antagonistic. The structure of confrontation has changed little to this day, and has become the basis for communal strife.

Apart from the military operations, as a counter-insurgency programme, the army was also involved in a "pacification programme" to give the Jumma villagers more confidence in the military. The programme included food distribution, construction of religious institutions or schools, small-scale income-generating projects, etc.²⁰ The pacification programme continued even after the CHT Accord, and the budget is currently distributed from the Ministry of CHT Affairs although it is implemented by the army. There are allegations that funds from this programme are often used to finance activities, which go against the interest of the indigenous peoples, by the settlers, including the militant anti-indigenous organization known as *Somo Odhikar Andolan*. It is alleged that the pacification funds are not audited by any civilian authorities and next to nothing is known in the public sphere about how the money is spent.

Why is there still an overwhelming presence of the army in the CHT?

Why does the military remain deployed *en masse* in the CHT even though the Peace Accord has been signed and the armed conflict between the security forces and the indigenous guerrillas has ended? Let us consider a number of the reasons given by the government and military.

1. Protection of national borders

The CHT borders India and Burma but no conflict has been known with security forces or insurgent groups across the border, unlike in some parts of northern Bangladesh outside the CHT, where there have been occasional clashes or tensions between India's Border

Security Force and Bangladesh's BGB (former BDR). The CHT was an important region for the national defense strategy when the PCJSS was reportedly receiving support from India in the 1970s and 1980s. However, support from India to the PCJSS ended before the 1997 Peace Accord.

At present, Bangladesh is not at war with any of its neighboring countries. Furthermore, the BGB has been deployed along the national border for its defense. So the mere fact that the eastern flank of the CHT shares borders with India and Myanmar does not explain why 30,000 to 40,000 Bangladesh army personnel are concentrated in this region, and why they are mobilized in hundreds of camps in a battle-zone fashion far from the border.

2. Promotion of conflict resolution

The army claims that attacks due to land disputes and conflict between the two indigenous parties, the PCJSS and the United People's Democratic Front (UPDF), are hindering peace in the CHT. However, there is no evidence to suggest that the army has tried to prevent conflicts between these two groups. In fact, there are widespread allegations that the army, along with the military intelligence agency the Directorate General of Forces Intelligence (DGFI), actually incite or instigate intra-indigenous conflicts. Furthermore, the conflict between the indigenous political parties arose after the signing of the CHT Accord. A group of students and others dissatisfied with the CHT Accord because it did not bring full regional autonomy formed the UPDF, and instances of violence between the UPDF and PCJSS have continued to grow in recent years, resulting in several deaths. The schism originated from differences over the contents of the Accord and has escalated into a political power struggle. It is a problem that requires political resolution rather than a military solution.

Similarly, the presence of the military has not inhibited the conflict between the settlers and the Jumma peoples but has instead worsened it. The army has seldom acted promptly when Bengali settlers attack indigenous villagers and the number of such instances has been alarmingly high since the 1997 Accord (see Section 5). The converse, indigenous people attacking settlers, is almost unheard of since the Accord. This clearly indicates that Bengali settlers do not feel restrained from attacking indigenous villagers, perhaps because no deterrent measures are taken. The military presence thus provides blanket security to the settlers, whose attacks against indigenous people and land-grabbing activities seem to go almost totally unchecked.

The official arguments of promoting conflict resolution therefore do not explain the massive concentration of the Bangladesh army in the CHT. It might be conjectured that the true reason is that it is more convenient for the military if the conflict in the CHT were to continue. The defense budget of Bangladesh has shown an increasing trend in recent years. It is currently estimated at somewhat more than USD 1 billion, and constitutes approx. 1% of the country's total GDP. In fiscal 2008-09, defense was the eighth largest sector, representing USD 935 million or about 6.4% of the Government spending, ahead of sectors like Transport and Communications (6.1%), Health (5.9%) or Public Order and Security (5.6%).²¹ According to a news report, the Government of Bangladesh plans to increase the country's defense budget by over 11% between the next fiscal year (2011-12) and this (2010-11). The report quotes the Bangladeshi Finance Minister as saying, "I propose a total budget allocation of Tk. 121.34 billion (USD 1,456 million) for the 2011-12 fiscal which is higher than the budget for the 2010-11 fiscal year by Tk. 12.16 billion (USD 145 million)".²² An ongoing conflict in the CHT thus justifies the presence of the military and provides grounds for securing the budget needed for this.

5. ULTRA VIRES INTERVENTIONS AND ROLE OF THE MILITARY IN THE CHITTAGONG HILL TRACTS

With its excessive presence in the CHT and the failure to empower regional civil authorities in accordance with the CHT Accord, the military has wide scope for intervening and carrying out activities according to its own interests. The direct involvement of army personnel in, or their covert support of, the numerous communal attacks on indigenous villages, often motivated by the quest for control of indigenous peoples' traditional lands, is a case in point. The same goes for the military's role in duties normally carried out by civilian agencies, such as development projects or the supervision of NGO ac-

tivities, its influence over policymaking as well as the economic gains it receives from its involvement in, for example, tourism.

Human rights violations

1. Human rights violations by military personnel

Table 1 summarizes the number of human rights violations by the military in the CHT between 2004 and 2011. In general, the number of cases of torture and arbitrary

Table 1: Human rights violations by the military in the CHT (2004-2011)

	2004	2005	2006	2007	2008	2009	2010	2011	TOTAL
Deaths	3	1	1	3	2	5	0	0	15
Injury	5	5	1	0	2	7	0	11	31
Rape	0	0	2	0	0	0	0	0	2
Attempted rape	0	1	1	1	0	8	4	1	16
Looting	4	20	1	0	0	0	6	1	32
Homes burnt	0	0	0	5	0	0	0	0	5
Temples destroyed	1	0	0	2	1	1	1	1	7
Arrests	53	84	21	38	11	159	43	55	464
Torture	64	40	42	30	38	112	9	39	374
Beating	26	36	0	1	1	36	22	32	154
Desecration	1	0	1	1	2	4	5	3	17
Harassment	10	0	0	0	0	33	24	18	85
Eviction	0	1	275	0	9	0	0	0	285
TOTAL	167	188	345	81	66	365	114	161	1,487

Source: Newspapers (Daily Star, Prothom Alo, etc), reports from regional political parties (PCJSS and UPDF) and human rights organizations (Kapaeng Foundation, chtnews.org, CHT Commission).

arrest is high, showing that there is no guarantee of freedom of expression for individuals and organizations defending their rights or speaking out against human rights violations. This situation has created a structure of oppression in all aspects of life on the part of the military and other security forces, the police and, at times, government officials and Bengali settlers. It is notable that a large number of arrests, and much torture and harassment continued even after the Awami League came to power in 2009. In most of the cases of human rights violations, no independent investigations are being undertaken and the culprits are not arrested; this thus becomes the basis for repeated crimes.

The cases of attempted rape, which increased in 2009 and 2010 as compared to previous years, are a matter of particular concern. In case of rape and attempted rape, the victims fear both retaliation from the army and social stigma in their own community; many cases thus go unreported and hence do not figure in the table.

2. Attacks by Bengali settlers: “State-abetted attacks” against indigenous peoples

One of the biggest threats to the Jumma people in the CHT today are the attacks by settlers. These attacks happen for the purpose of land grabbing and, in most cases, military involvement is alleged, such as in the

arson attacks of Baghaichari/Khagrachari in February 2010 and in Ramgarh in April 2011 (see case studies 2 and 3 in Section 6). **Table 2** shows the number of casualties from such attacks between 2001 and 2011.

What is alarming is that the number of incidents and casualties increased under the Awami League regime from 2009-2011. Over this period, 642 houses have already been burnt and many have been rendered homeless following these attacks.

Such incidents are often reported as “attacks by Bengali settlers”. However, interviews with the survivors of these incidents reveal that, in most cases, the army was involved in the attacks and contributed to aggravating the situation. The details of the Mahalchari, Baghaichari and Ramgarh incidents will be discussed in Section 6 but, in most cases, a small-scale clash takes place between the Bengali settlers and the Jumma villagers. The settlers then seek the intervention of the army and a large-scale attack commences with the army’s presence. *Hill in Flames*, a documentary film on the Baghaichari incident in 2010, shows that the army and the police were present during the attacks but that they did not take any action to prevent the violence, particularly when the attacks were made by settlers against indigenous people. In the vast majority of cases, the violence takes place in Jumma villages and not in settler villages, which clearly demonstrates that Jummas do not go over to settler villages but that settlers attack Jumma villages

Table 2: Major attacks by Bengali settlers backed by military personnel (2001-2011)

	2001-2006 BNP regime	2007-2008 Caretaker regime	2009-2011 Awami League regime	TOTAL
Torture	0	6	0	6
Temples burnt	4	1	4	9
Homes burnt	368	60	642	1,070
Homes destroyed	98	0	0	98
Looting	32	2	4	38
Rape	10	0	0	10
Injury	14	6	22	42
Deaths	2	0	5	7

Source: Newspapers (Daily Star, Prothom Alo, etc), reports from regional political parties (PCJSS and UPDF) and human rights organizations (Kapaeng Foundation, chtnews.org, CHT Commission).

and the Jummas are merely trying to protect their lives, lands, homes and other property.

It should be noticed that the confrontation between the Jumma people and settlers, with the support of the army, has its roots in the transmigration programme that took place during the insurgency period (1979-1984/85).²³ At that time, the army used settlers as human shields,²⁴ instigating them to attack the Jumma peoples, while the Shanti Bahini attacked the settlers. The army was thus one of the combatants in the CHT insurgency as well as an instigator of the conflict between the settlers and indigenous peoples. The continued presence of the army after the CHT Accord is perpetuating such a structure of conflict, obstructing its resolution. One major difference is that, while during the conflict the settlers were hesitant to venture into the more remote locations because of the presence of the Shanti Bahini guerrillas, now they are freer to travel without fear of attacks from the guerrillas, who have returned to their normal lives since the 1997 Accord.

It has also been pointed out that, apart from the army, BGB and armed police, many VDP personnel also play a role in such attacks. During the insurgency, the VDP personnel in the CHT were recruited largely from Bengali villagers and were given instructions from the army for the counter-insurgency operations. This is in sharp contrast with the recruitment and functioning of the VDP in other areas of Bangladesh, where their main role is to protect their own villages. Even today, VDP personnel in the CHT are recruited largely from the Bengali population.

The fact that the army and other security forces, including the VDP, are involved in the attacks shows that the arson attacks by the settlers are not mere "communal clashes" between civilians but that they are state-sponsored attacks against the indigenous peoples in the CHT. Although there is violence between indigenous groups - primarily the PCJSS and the UPDF - there has been no insurgency since 1997, and there are no longer any attacks on government personnel, civil or military, or on civilians or installations. It could be said, however, that even after signing of the Accord, the army and paramilitary have maintained the counter-insurgency structure of that period, and that ethnic persecution continues, albeit in a form less visible from the outside. Neither can the present regime be exempt from blame for contributing to the systematic violence and human rights violations against indigenous peoples, as it has allowed such a structure to continue in the CHT.

Support to right-wing movements and religious extremism

As seen in the previous section, arson attacks and violence as part of land grabbing attempts carried out by Bengali settlers are a serious threat to the people in the CHT. Often, these attacks involve right-wing organizations and religious extremists and there are allegations that the army lends a hand in the activities of such groups. Indeed, as can be seen from the cases below, it is difficult to see how the activities of these groups would be possible without the backing of the military.

1. Instigation of communal clashes through *Somo Odhikar Andolan Parishad*

In addition to the army's involvement in or support of attacks on indigenous villages, there is an allegation that such attacks by settlers are triggered by right-wing Bengali organizations sponsored by the army or by politicians who have close links with the army. The most prominent organizations are the *Somo Odhikar Andolan Parishad* (Equal Rights Movement Party) and its student wing, the *Parbatya Bangali Chatra Parishad* (Hill Bengali Students' Council). The former was established with the strong support of Abdul Wadud Bhuiyan, a former MP of the BNP from Khagrachari constituency. *Somo Odhikar* has opposed the CHT Accord and demanded an equal share for Bengalis in any dispensation intended for CHT indigenous peoples. However, such demands ignore the historical context of violation of indigenous peoples' rights to lands and resources due to the government-sponsored transmigration programme during the insurgency period. Such demands are also contrary to the provisions of the Constitution of Bangladesh on equality and non-discrimination and Bangladesh's obligations under the International Convention on the Elimination of All Forms of Racial Discrimination and ILO Convention Nos. 107 and 111. The organization is also alleged to have been involved in flaring communal tension and in attacks against Jumma villagers. There is an allegation that the *Somo Odhikar* leaders are involved in most of the large-scale attacks in one way or the other.²⁵

Somo Odhikar enjoyed the patronage of the BNP during its rule. Wadud Bhuiyan, who was recognized as the *de facto* leader of the organization, appointed the leaders of *Somo Odhikar* as members of the Hill District Councils and tried to replace the Bengali member of the Regional Council,²⁶ and allegedly supported *Somo Odhikar's* activities by diverting government funds for the members.²⁷

The army has also supported the activities of *Somo Odhikar*. In 2005, the *Adi O Sthayee Bangalee Kalyan Parishad* (ASBKP), an organization of permanent Bengali residents (those who settled in the CHT before the government commenced state-sponsored migration) who supported the implementation of the CHT Accord, was pressurized to join the activities of *Somo Odhikar*. On June 14, 2005, the soldiers of Rangamati Brigade brought in 18 leaders of the ASBKP to the 114th Brigade Signal Company office and coerced them to dissolve the organization and join the *Somo Odhikar*. They tortured three leaders; one was seriously injured and admitted to the Rangamati Hospital.²⁸ Following this, the leaders of the ASBKP announced that the organization would merge with *Somo Odhikar* on July 2, 2005.²⁹

On July 20, 2007, *Somo Odhikar* organized a district conference at the office of the Khagrachari Contractors' Association. It was during the State of Emergency under the Caretaker Government which prohibited such gatherings, and many people see this as evidence of the army's support for the activities of this organization.³⁰

2. Encouraging right-wing religious extremism

Bangladesh opted for secularism immediately after its independence from Pakistan in 1971 but, in 1988, the constitution was amended and Islam was made the state religion. The majority of indigenous peoples in the hills follow Buddhism, Hinduism, Christianity and indigenous religions, and they became the target of Islamization and religious persecution, especially during the insurgency period, when the army occasionally attacked religious institutions and directly supported the activities of right-wing religious organizations. For example, in 1986, within a period of eight months, 54 Buddhist temples had been destroyed and 22 Hindu temples burnt down by the army.³¹ Prevention of worship and forcible conversion also took place frequently during this time. Harassment of and attacks on religious institutions continue to this day, especially at the time of attacks by settlers, which are documented in detail in Section 6.

Forcible conversion is considered a state-assisted method of assimilation. *Al-Rabita*, a Saudi government-funded NGO, is the main Islamic missionary organization active in the CHT and it started its activity in 1980. It is believed to have strong support from the military and much Islamization is believed to be done by them.³² The *Jamaat-e-Islami*, a religious Islamic party, is believed to be working actively with the military in the CHT.³³ The number of mosques and madrasas (Islamic religious schools) is rapidly increasing in the area. Compared to only 592 mosques and 35 madrasas in 1981,³⁴ there are

now around 2,297 mosques and 1,552 madrasas, which outnumbers the institutions of religions followed by the Jumma people: there are approx. 1,471 pagodas (Buddhist temples), 415 monidirs (Hindu temples) and 366 churches.³⁵

There are news reports that many mosques and madrasas are built in remote uninhabited areas of Naik-khongchari, in Bandarban district. It is alleged that they are funded by foreign organizations, and that 'Jihadi training' is taking place in the name of religious education. Although the officer in charge of the police station in the area is dubious as to the activities of these mosques and madrasas, there is no official instruction to monitor them.³⁶ It is highly possible that both the army and the police acknowledge the activities of these dubious religious institutions but give them their tacit consent by not taking any measures or actions.

Intervention in State politics and civil administration

In addition to its direct or indirect involvement in human rights violations, the military's intervention in politics and civil administration also has a negative influence over the situation in the CHT. The areas of intervention are diverse, ranging from high-level policy decisions about the CHT, constitutional amendment, etc., to various issues at the district, sub-district or grassroots level.

1. Intervention in legislation and policy-making on CHT issues

The relationship between the military and the government in Bangladesh since the reinstatement of democracy has been such that there have been factions within the army leaning towards each of the two major political parties, the BNP and Awami League, and their interests have been coordinated largely through family relationships with the prime ministers.³⁷ In the absence of a defense minister (this portfolio is traditionally held by the Prime Minister), Major General Tareq Siddique, security advisor to Prime Minister Sheikh Hasina and brother-in-law of the Prime Minister's sister Rehana, is currently said to be an influential power broker between the Awami League regime and the army top brass. It is a matter of concern that the army and the DGFI appear to be deeply involved in policy-making with regard to the CHT, as is apparent from their role in the Strategic Management Forum discussed below.

Case 1: Intervention in constitutional recognition of “Indigenous Peoples”

The most significant military intervention in 2011 was with regard to provisions on indigenous peoples in the process leading up to the constitutional amendment. According to the *Jugantor*, a daily paper published in Dhaka, in June 2011 the DGFI briefed high-level ministers about why indigenous peoples should not be termed “indigenous” and how this would affect the sovereignty of the country and gives them “special rights”.³⁸ In fact, according to the leaked minutes of the cabinet meeting held on January 26, 2011, the military brought up the cases of East Timor and South Sudan, saying, “We should think about the CHT so that such unwanted situation could not happen in the CHT”.³⁹ In the 15th amendment to the Constitution passed by the Parliament on June 30, 2011, indigenous peoples are referred to as “tribes [*upajati*], small peoples/nations [*khudro jatishot-ta*], ethnic sects and communities [*nrigoshthi o shom-prodal*], despite strong demands to be recognised as “indigenous peoples”.

Case 2: Strategic Management Forum on CHT

Another important piece of evidence showing the army and DGFI’s influence over CHT issues is an unofficial proposal from the Armed Forces Division of the Prime Minister’s Office to establish a “Strategic Management Forum”.⁴⁰ The leaked minutes of a meeting of the Armed Forces Division on June 30, 2010 mentions the forming of a “Strategic Management Forum” for CHT policy-making led by a minister/adviser and involving the Chairman of the Regional Council, Ministry of CHT Affairs and Home Affairs, Armed Forces Division, Forest Department, Circle Chiefs concerned,⁴¹ National Security Intelligence, DGFI, Army Headquarters and high-ranking representatives of the 24th Infantry Division. It seems to be envisioned as a body to handle implementation of the CHT Accord (thereby bypassing the CHT Accord Implementation Committee established in line with the CHT Accord), coordination of the law and order situation, socio-economic development and monitoring the activities of development partners, etc.⁴²

The proposal indicates that there is an increasing tendency to adopt policies under the strong influence of the army and intelligence agencies, ignoring the CHT Accord’s provisions for transfer of powers to the local councils and their role in national and regional policy-making. Various Jumma organizations have therefore heavily criticized this plan. The PCJSS stated that some of the elements in the plan go against the spirit of the CHT Accord. Another organization requested that the

Prime Minister include CHT lawmakers within the planning process. The UPDF stated that it would pave the way for greater military supervision in the hill districts.⁴³

2. Intervention in civil administration

Apart from its intervention in national-level politics, the army’s influence over district-level administration also poses a threat to democratic civil governance in the CHT. The Deputy Commissioners of Khagrachari, Rangamati and Bandarban, the top administrators of the three hill districts, are in close contact with the Brigadiers who are in charge of the Brigade headquarters and they would not take any action without their prior approval. The rank and status of the Brigade Commanders is higher than that of the Deputy Commissioners, thus allowing the former to dominate decision-making, in addition to the authority provided by Operation Uttoron (see Section 3).

There are numerous cases of the army’s intervention in civil administration. Their intervention in human rights activities, as well as NGO work, is currently one of the most alarming issues for human rights work in the region.

Case 1: Intervention in the collection of land tax by *karbaries* (headmen)

In 1998, immediately after the CHT Accord was signed, Lt. Colonel Shahid Mostafa Kamal, on behalf of the GOC of Chittagong Division, sent a confidential note to the district authorities regarding the collection of the land tax (*khajana*). In the note, it was stated that the Circle Chiefs and traditional headmen (*karbaries*) had decided not to accept land tax from Bengalis living in the CHT. The military interpreted this to the effect that the decision was made in order to “create legal complications for them to live in the Chittagong Hill Tracts” and requested the district authorities to “take necessary effective steps through administrative processes in order to mitigate these land tax related problems”.⁴⁴ This is a case of intervention in civil administration as well as the traditional customary rights of the Jumma people regarding their land.

Case 2: Restrictions on travel at night

In August 2003, a notice was issued to the Deputy Commissioner of Bandarban from Abu Mohammad Islam (vice-secretary to the GOC), Civil Affairs Office, 24th Artillery Division, Chittagong Cantonment. The letter draws attention to the Standard Operation Procedure of the Division, which states that: “the travel of non-govern-

mental individuals and vehicles is prohibited at the time and on the roads determined by the regional command” and “travel of security forces, government officers and foreigners shall be controlled and coordinated by the region headquarter from before the trip until its conclusion.” The letter further requested the district authority to follow the instruction and inform all transport companies.⁴⁵

Case 3: Sixth mission of the International CHT Commission

During the sixth mission of the International CHT Commission, held between 22 and 29 November 2011 and aimed at discussing the human rights violations in the CHT and the status of implementation of the CHT Accord, the Commission members faced interference from the army and military intelligence. On 25 November, when meetings were being held with civil society groups in Rangamati and Bandarban districts, officials of the district administrations, intelligence agencies, including the DGFI, and the security forces insisted on being present. The Commission requested that they leave because this would violate the principles of confidentiality and trust and affect the testimonies of those present, but they would not. The members of the administration said that they had orders from the Ministries of Foreign Affairs, Home Affairs and CHT Affairs that they be present during the meetings held by the CHT Commission. Because of this interference, the CHT Commission was compelled to discontinue its planned mission.⁴⁶

3. Intervention in NGO activities

The NGO Affairs Bureau and the Ministry of Home Affairs do not allow NGOs in CHT to be registered (to enable them to receive foreign funding) without clearance from the DGFI. It is alleged that the DGFI has denied clearance to an NGO that has been working on the capacity building of indigenous peoples’ organizations for the last five years. The most prominent case of intervention in NGO activities is that of the Hill Tracts NGO Forum, which was instructed in writing to discontinue its activities by the Department of Social Welfare and the NGO Affairs Bureau. In another recent case of harassment, the Department of Social Welfare in Rangamati, acting upon verbal instructions from the DGFI, accused two local NGOs of being “anti-Bengali”.⁴⁷ There are many more cases of intervention and harassment of NGOs through the district administration, and it is believed that many interventions are instructed by the army and the DGFI. Below are two cases with concrete evidence and testimony.

Case 1: Army’s intervention in NGO activities through the district administration

NGOs with projects in the CHT districts are required to submit information to the army and district administration in order to obtain a performance certificate every year. In these performance checks, they are requested to have 50% Bengali beneficiaries along with the indigenous beneficiaries. The NGOs are also asked specifically what the ratio of Bengali to indigenous staff members is.⁴⁸ Some NGOs were even given show cause notices by the Social Welfare Department - at the behest of military intelligence officials - to explain why they were “anti-Bengali”, merely based upon the high percentage of indigenous beneficiaries, a result of the higher number of indigenous people living in remote areas who are marginalized and disadvantaged on account of their exclusion from access to education, healthcare, electricity, the market, land title and so forth.

Until 2010, NGOs were requested to submit information directly to the military, after which this function was taken over by the district administration. In November 2011, the district administration issued a directive to NGOs to submit reports on their organizations but requested that they submit the information to the zone commander as well.⁴⁹ This is serious interference in civil administration, being an attempt on the part of the army to collect the information it wants through the district administration, and to impose the requirement that half of the beneficiaries of NGO projects are Bengalis.

Case 2: DGFI’s intervention in NGO activities

In 2005, an NGO working on indigenous issues held a training programme for traditional leaders regarding laws and legislation on land management. The DGFI reported to the Armed Forces Division, Prime Minister’s Office that the training was being conducted on the sensitive issue of land, and that it might create a communal conflict in the area. In 2007, after the Caretaker Government was installed, the Ministry of Social Welfare issued a letter calling for suspension of the NGO’s activity.⁵⁰

This case is doubly problematic in that the DGFI made a unilateral judgment on NGO programmes, not only intervening in civil administration matters but also obstructing NGO activities.

Counter-insurgency and development programmes

The army has become the implementation agency for various development projects in the CHT. Such activities

prolong the military presence in the CHT and obstruct a demilitarization of the region. Meanwhile, the army creates vested interests enabling it to divert funds to Bengali settlers' organizations.

1. Pacification programme: counter-insurgency measure after the political settlement?

As noted in Section 4, during the insurgency period, the army carried out a "Pacification Programme" as one of the counter-insurgency measures to "win the hearts and minds of the people". It is surprising that such counter-insurgency measures continue to this day, 14 years after the insurgency ended with the signing of the CHT Accord. There is an allegation that the military receives more than 10,000 metric tons of rice and grain every year and distributes them or their sale proceeds, currently valued at approx. USD 3.2 million.⁵¹ Apart from this, army personnel engage in the distribution of clothes and construction of schools and religious institutions. Recently, the Guimara Brigade conducted a medical treatment camp for cataract operations in Laxmichari.⁵²

It goes without saying that it is not proper to continue such counter-insurgency measures after the signing of the Peace Accord when there is no insurgency. The problem is that, although the budget comes through the Ministry of CHT Affairs, no audit is conducted of the programme being carried out by the military and hence no report is published. Not even the programme budget is mentioned in any publicly available documents.⁵³ This leads to a lack of transparency, and invites suspicion from the indigenous peoples that the funds are being utilized in a manner that violates their rights. There are allegations that the food grain is being used to rehabilitate ever more settlers and that the funds are being given to *Somo Odhikar* leaders.⁵⁴ It is believed by many that the tin-roofed houses of new settlements of Bengalis created at Mahalchari, Mahalya (Malya), Baghaihat and many other places from 2005-2011 were subsidized from the pacification funds.

2. Road construction under the Department of Roads and Highways

Another major form of development work by the army is road construction carried out under the Department of Roads and Highways. In the CHT, major work on road construction is commissioned to the army with the explanation that there is a disturbance in the area and only the army can handle construction in such areas. According to the army, out of 16 major road construction projects which the army is carrying out, 15 are located in

the CHT.⁵⁵ In 2011, the army did maintenance work on more than 500 kilometers of roads in the CHT.⁵⁶

It can be pointed out that road construction by the army has a downside in that it creates huge vested interests for the military. In many cases, the actual construction work is outsourced to contractors.

3. CHT Development Board

The CHT Development Board is one of the oldest government bodies to work on development projects in the CHT. It was established in 1976 under President Ziaur Rahman's regime and, in 1982, and again in 2007-2008, the GOC of Chittagong division held the position as chairperson of the Board. The Brigade Commanders of the three districts also functioned as *de facto* members of the Board. The major projects of the Board are concerned with infrastructure, such as construction of roads, buildings and bridges, etc. There were also two small-scale projects for the hill people, the "Upland Resettlement Projects" and "Integrated Community Development Project".

After the CHT Accord in 1997, the chair was replaced with an MP from the region. However, during the BNP regime from 2001-2006, the local MP from Kha-grachari constituency, Wadud Bhuiyan, was appointed as the chair. This is in violation of the provisions of the CHT Accord, which states that in the appointment of Chairman of the CHT Development Board, competent tribal candidates shall be given priority. Wadud Bhuiyan diverted all the money, including for the "Upland Resettlement Projects" and "Integrated Community Development Project", to the development of the Bengali population in the region⁵⁷ and there are testimonies that many local *Somo Odhikar* leaders were appointed as local contractors for the CHT Development Board's projects during his chairmanship.⁵⁸

Economic interests

The army not only acts as the implementing agency for development programmes, it also profits economically from its presence in the region. Some of the income-generating activities are done legally and organizationally, such as the tourist industry in Bandarban district. Others, however, are of an illegal nature and mainly involve the enrichment of individuals. Illegal leases of land by high-ranking army officers and the taking of bribes from the timber trade are cases in point.

1. Tourism

The Bangladesh military has a business wing called *Sena Kalyan Sangstha* (SKS) under the auspices of the Ministry of Defense. Funds earned from UN peacekeeping missions are an important source of capital for SKS, in addition to government subsidies of approx. Tk. 3 crore (approx. USD 360,000) per year. Along with its interests in cement factories, food manufacturing and real estate, its presence in the tourism industry is also well known. The Radisson Water Garden Hotel, the first five star hotel in Dhaka, is a notable example.⁵⁹

It also operates resorts in the CHT, the most famous of which is the Nilgiri Resort. Situated on the shoulder of a mountain, it is known as one of the luxury resorts in the CHT. During construction of this resort, the army destroyed an orchard of the local Mro people as well as shops and a school on the road nearby.⁶⁰ The Nilachar lodge facility, four kilometers from Bandarban town, is also run by the military.

2. Illegal lease of land

A total of 1,871 leases of 25-acre plots totaling 46,775 acres of “*khas*” (government owned) land in the CHT were issued prior to the Peace Accord, mostly to non-resident industrialists, companies, and civil and military officials, with only around 30 being granted to Jumma people.⁶¹ Among the lessees are prominent individuals such as General M.A. Matin, Chief of Staff during the 2007-08 Caretaker regime⁶² and later GOC of Chittagong Division, as well as retired Colonel Oli Ahmed, former Communications Minister and head of a parliamentary committee in charge of peace talks with the PCJSS from 1992-93.⁶³

The lease contracts require the lessees to plant rubber or other crops on the land within ten years, and do not allow transfer of the lease to others. In addition to this, the CHT Accord stipulates that leased lands lying unused are to be returned to the original owners or the relevant Hill District Council. Many of the lease holders have, however, used the land as collateral to borrow money from banks, or have transferred the leases to third parties using notarized affidavits, without developing the land as required.⁶⁴

In 2009, the CHT Accord Implementation Committee announced that it would cancel leases to lands that had not been planted as per the lease deed. A planting rush ensued, and some lease holders allegedly also seized this opportunity to clear and plant on adjacent lands.⁶⁵ Following a survey, it was announced that the leases to 593 plots had been cancelled but, allegedly, most of the cancelled leases were reinstated upon payment of the

necessary bribes.⁶⁶ Below are three prominent cases of such dubious lease contracts on the part of high-ranking or retired army officers.

Case 1: A lease to General M.A. Matin, Chief of Staff during the 2007-08 Caretaker Regime and ex-GOC, Chittagong Division

It is reported that General M.A. Matin acquired the lease to 275 acres of land in Bakkhali mouza, Naikhyongchari sub-district, Bandarban district in his and his family members' names.⁶⁷ The Local Government and Engineering Department built an eight km brick-laid road at a cost of around Tk. 20 million (USD 24,000) to a point close to Matin's land, in an area otherwise lacking in paved roads. Matin is said to have used some of the land for orchards but to have sold 75 acres to a relative named Harun in violation of the terms of the lease contract. In response to a reporter's query, Matin is quoted as saying, “When I took the plot, I was eager to make an orchard, but I lost interest because the land was so far away.”⁶⁸

Case 2: A lease to retired Colonel Oli Ahmed

Retired Colonel Oli Ahmed obtained the lease to 150 acres of land in No. 303 Daluichari mouza in Soroi Union of Lama sub-district, Bandarban district, which was being used for *jhum* cultivation by local Tripura, Marma and Mro people. Local people say that the land was left undeveloped but that, in the mid-2000s, Oli Ahmed's men came to demarcate the land. When the government moved to cancel unused leases, Oli Ahmed successfully lobbied the government to get his land declared “partially developed” (with signs of former cultivation as evidence) so his lease was removed from the cancellation list.⁶⁹

Case 3: Destiny-2000, headed by former army chief, grabs land in the name of “profit-sharing” with lease and title holders

Destiny Tree Plantations Limited, a subsidiary of Destiny-2000 Limited, whose president is former army chief Lt. Gen. (retired) Harun-ur-Rashid, has used high-handed tactics to grab more than 5,000 acres of land from at least 1,000 Mro, Tripura and Bengali families to establish commercial tree plantations in 24 mouzas (administrative units) of Bandarban sadar, Lama, Alikadam and Naikkyongchari sub-districts of Bandarban district. The company claims that it has entered into “profit sharing arrangements” with holders of leased or titled land in the region, but local people allege that they were coerced to surrender their

land for a pittance at best to the well-connected company. Destiny-2000 is facing an imminent government probe for illegal banking as national dailies have exposed a multi-level marketing scam in which some six million investors may have been defrauded of billions of taka.

3. Timber trade

The army and intelligence agencies are interfering in the trade in timber from land privately owned by indigenous peoples, profiting - along with civil administration and Forest Department officials - from bribes for granting approval for the extraction and transit of such timber. A government circular issued in May 1998 gave powers to the army and local MPs to be involved in approving timber permits, in defiance of the CHT Forest Transit Rules 1973.⁷⁰ Although this circular was declared invalid by the Dhaka High Court in 2010,⁷¹ the military continues to be involved in a less visible manner. The DGFI is said to have a checkpoint for checking timber shipments at the junction with Mahalchari road at Manikchari in Rangamati district. There is also an army checkpoint in Subhalong, Rangamati, where timber merchants allegedly have to pay the army bribes of Tk. 2,000-3,000 (USD 25-35) per boat.⁷² Indigenous timber merchants claim that they must pay bribes totaling a third of their revenues, or approx. Tk. 200 (USD 2.50) per cubic foot for timber they sell to Bengali middlemen for around Tk. 600-800 (USD 7.50 – 9.75) per cubic foot.⁷³ The bribes are primarily paid to the civil administration (Deputy Commissioner, Upazilla Nirbahi Officer, Divisional Forest Officer, Range Officer and Assistant Conservator of Forests) but also to military and intelligence officers at checkpoints along the main timber transport routes.

It is alleged that, during the counter-insurgency period, the military was also involved in and profited from the illicit trade in timber from public lands under the jurisdiction of the Forest Department. The military controlled the checkpoints that the logging trucks passed at night-time. Most of the natural forests on Forest Department lands have now been denuded and commercial logging therein has come to an end. The Forest Department's monocultures of teak, acacia, eucalyptus, gamari, etc., have still not matured sufficiently for sale.⁷⁴

Tacit consent to armed groups active in the CHT

There are armed groups other than the Jumma groups who fought for autonomy operating in the CHT. It has been alleged that the army does not take action against

these armed groups, which have targeted Jumma organizations such as the PCJSS and the UPDF. Recently, attacks on the UPDF by a group called the "Borkha Party" have intensified. Moreover, the activities of Rohingya⁷⁵ armed groups, allegedly assisted by foreign Islamic groups, are threatening the security of the region. The army's inaction towards these groups raises serious doubts as to its claim that it is present to suppress armed conflict and promote peace in the region.

1. "Borkha Party"

Numerous newspapers have reported that a group of masked, armed indigenous men referred to by locals as the "Borkha Party" (veil party) has been terrorizing the populace in Laxmichari sub-district of Khagrachari district. The group is alleged to have its hide-out in Jurgachari, only 200 yards from the Laxmichari police station,⁷⁶ and to have been indulging in murder, abduction for ransom, extortion and other illegal activities. Such activities are said to persist even after the Rapid Action Battalion (RAB) raided its hide-out and recovered large amounts of weapons and ammunition on October 21, 2011.⁷⁷

The group is alleged to be openly extorting money from civilians near Laxmichari Zone headquarters,⁷⁸ and those opposing the group have been targeted with false cases.⁷⁹ It is reported that the group assisted the military in violently obstructing a reception for school graduates in Barmachori union of Laxmichari sub-district organized on February 25, 2011 by the Hill Students Council,⁸⁰ and to have fired upon a procession organized by the UPDF on July 12, 2011 in Laxmichari, causing serious injury to two protestors.⁸¹ The UPDF alleges that the group shot dead one of its members in 2009 and a former Borkha Party member in 2011⁸² and that it abducted 23 people, including three UPDF activists,⁸³ between December 2009 and March 2012.⁸⁴

Local villagers have formed a committee to oppose the group. They held a press conference in March 2011 and two protest rallies in October 2011 calling for government action against them.⁸⁵ The UPDF alleges that the outfit is an army-sponsored indigenous vigilante group with similarities to the Mukosh Bahini (masked force) active in Khagrachari in 1995-1996, in the same way that the army sponsored the Mru Bahini (an armed group of indigenous Mro people) to fight the Shanti Bahini in Bandarban in the early 1980s.⁸⁶

2. Rohingya armed groups in Bandarban and Cox's Bazaar

Between 2004 and 2005, national dailies reported that the Rohingya Solidarity Organization (RSO) and other

Islamic rebel groups from Burma were conducting military training, arms and drug trafficking, along with other illicit activities, in Naikkyangchari sub-district of Bandarban district, as well as Ukhia, Teknaf and Ramu sub-districts of Cox's Bazaar district.⁸⁷ It was reported that the groups were working under the cover of Islamic religious schools (madrasas) funded by overseas Islamic charities such as *Rabeta Al-Alam-Al-Islami* and *Al-Harmain Islami Foundation* of Saudi Arabia.⁸⁸ Madrasa students told reporters that RSO rebels were provided with armed training at five training camps built on the hilltop surrounding the madrasa of Chakdala Bazaar in Naikkyangchari.⁸⁹ The reporters speculated that their activities were condoned because the approximately 350,000 Rohingyas in Bandarban and Cox Bazaar districts, many of whom had blended with the local Bengali population, provided a potential bank of voters, and because their militants helped to suppress the PCJSS / Shanti Bahini and bring in massive funds from overseas Islamic charities.

It appears that these groups had become a bone of contention between the military and police authorities. Bandarban police who were interviewed shortly after the RAB and BDR discovered 20 AK-47 rifles and thousands of rounds of ammunition in a remote forest in Naikkyangchari⁹⁰ complained that they had not been asked to participate in the raid, and were unable to make a list of the confiscated items, as they had been transferred to Bandarban army authorities, thus bypassing them.⁹¹ The officer in charge of Naikkyangchari police station said, "The police must get prior permission from the military or BDR" before going to the rebel-inhabited jungles in Douchari, Lemuchari and Baishari of Naikkyangchari.⁹²

6. CASE STUDIES OF ARMY INVOLVEMENT IN HUMAN RIGHTS VIOLATIONS

This section documents specific cases of symptomatic and widespread human rights violations directly or indirectly involving army personnel. From the outset, attacks by settlers, assisted by military personnel, have been the most prominent cases to pose a threat to the lives and livelihood of indigenous peoples in the CHT. These cases started not long after the Peace Accord, continued under the BNP regime and the Caretaker Government regime, and the largest incident took place under the Awami League government. Land grabbing is another major threat to the Jumma people. Two prominent cases involving the army are documented in this section.

In addition to these types of human rights violations, indigenous peoples in the region face numerous cases of religious persecution, arbitrary arrests and torture, and violence against women, notably rapes and at-

tempted rapes. Only a few of the cases are documented in this section and while only those cases with clear army involvement are included in this report, it should be noted that many more similar cases are allegedly perpetrated by settlers with the tacit consent of the army.

The following cases are documented below:

1. Mahalchari incident
2. Baghaichari/Khagrachari incidents
3. Ramghar incident
4. Sualok artillery training center
5. Ruma Cantonment
6. Religious persecutions
7. Arbitrary arrest and torture
8. Violence against women: rape/attempted rape

Case study 1: Mahalchari incident

Date	August 26, 2003
Place	Mahalchari sub-district, Khagrachari district
Casualties	A communal attack with the tacit support of the army resulted in the burning of 359 homes and three Buddhist temples; two deaths and around a dozen rapes of indigenous women were also reported.
Military involvement	There are eye-witness testimonies to the fact that soldiers accompanied the attacking Bengali settlers, and there are allegations that the army instructed them to conduct the attack.
Military officers and units involved	Lt Colonel Abdul Awal, Commander of Mahalchari Zone Major Moazzem, Mahalchari Zone

Characteristics of the incident

This incident was the first massive communal attack to occur after the Peace Accord. Although minor conflicts between the settlers and Jumma peoples had continued, it had been thought that there would no longer be such attacks on entire villages by the army, security forces and settlers, as had occurred during the insurgency. This attack on more than 10 villages simultaneously was a

big shock for all concerned, reminding the CHT people that the conflict had not ended. The attacks were clearly well-planned.

It is notable that Lt Colonel Abdul Awal, Commander of Mahalchari Zone, has served in a UN peacekeeping mission in Sierra Leone and had only just returned back from the mission shortly before this incident.⁹³

Background

After the BNP regime took over in 2001, the MP for Khagrachari, Abdul Wadud Bhuiyan, began attempting to settle 175 Bengali families in Lemuchari village. As Lemuchari village was also targeted in the attack, the victimized Jumma villagers think that the main objective of the attack must have been to grab land.⁹⁴

It was the abduction of a Bengali man that triggered the attack itself. A Bengali Hindu man named Rupan Mahajan had been abducted from Mahalchari sub-district on August 24, 2003.⁹⁵ The army and the BNP suspected that a Jumma organization was involved in the abduction, and had been harassing Jumma people during searches. In protest, the UPDF called for a boycott of Mahalchari Bazaar.

Summary of the incident

On the morning of 26 August, a group of settlers came to a store in Babupara and harassed the owner, asking why the store was open despite the boycott of the bazaar. They withdrew after the Jumma villagers protested but, following that, they came back with a group of army officers led by Mahalchari Zone Commander, Lt. Col. Abdul Awal, and beat up Binod Bihari Khisha (an uncle of a UPDF leader) at his store. His son was also beaten up when he tried to intervene. Binod Bihari Khisha tried to speak to the Commanding Officer but Major Moazzem allegedly refused to listen, handing him over to the settlers, who beat him to death with sticks and iron rods.⁹⁶ Ronel Chakma, Mongsangyo Marma and others who had first protested against the settlers' attack were taken to Mahalchari camp and tortured.⁹⁷

Simultaneously, looting and arson of the villages began. The attackers were accompanied by the military so the villagers could do nothing but flee. Witness accounts say that some 400-500 Bengalis participated in the attack on Babupara village.⁹⁸ The attacks spread from Babupara to Marma Para, Nua Para, Pahartuli, Durpujyanal, Herengyanal, Boidyo Adam, Basanta Para, Rameshu Para, Saw Mil Para and Lemuchari, etc.

During the attack on Herengyanal village, Kiriton Chakma, a nine-month-old infant, was murdered and his grandmother Kala Sona Chakma, who was with him, was raped. The two were attacked while they were escaping from their house, which had been set on fire. A further ten women were raped during this attack. It is unclear whether the perpetrators were settlers or soldiers. The rape victims included three or four teenage girls.⁹⁹

The army and settlers also targeted their attacks on Buddhist temples. Amrakanan Buddhist Temple, Shanti Niketon Bouddha Vihara and Arjyo Mitra Buddha Vihara were looted and ransacked. Buddha images were smashed, valuables were carried away and everything else was destroyed.

Response of the government, politicians and military

Two parliamentary teams - one from the government and the other from the opposition party, the Awami League - visited the affected areas on September 8 and 9, 2003 respectively. The government promised the victims a paltry sum of Tk. 2,000 (USD 24.4) each, but it has not been confirmed whether all families received this. The army eventually re-constructed about 300 of the destroyed houses, albeit on a much smaller scale than the original homes. The UNDP was also allowed to reconstruct homes, and the World Food Programme and various NGOs could provide relief to the affected villagers.

Disciplinary action against officer(s) responsible, if any

None, as far as can be confirmed. On the contrary, the administrative officer, the Upazilla Nirbahi Officer (UNO), of Mahalchari sub-district was transferred immediately after commenting that "the hill people are helpless, and I am without any means to do anything".¹⁰⁰

Case study 2: Baghaichari/Khagrachari incident

There were two attacks in the same region in Baghaichari; one in Sajek in 2008, the other in Baghaihat / Khagrachari in 2010.

Case study 2.a: Sajek incident, 2008

Date	April 20, 2008
Place	Baghaihat, Sajek Union, Baghaichari sub-district, Rangamati district
Casualties	A massive attack with military involvement. 78 houses were burnt down, and one person was killed.
Military involvement	The military is alleged to have accompanied the attacking settlers and participated in the arson.
Military officers and units involved	Lt. Col. Shajid Imtiaz, Commanding Officer, Baghaihat Zone Major Kabir, Bagaihat camp, Captain Zabaedur Rahman and R.P. Habilder Harun, Armed Police Battalion

Characteristics of the incident

A large-scale arson attack triggered by the land grabbing attempts of Bengali settlers who had recently entered the area with military backing. There are many testimonies of direct military involvement in the attacks as well as land grabbing attempts. Even after the attack, the Jumma people in the area continued to be under constant repression and intimidation, creating tensions that exploded again two years later.

Summary of the incident

On April 20, 2008, after Jumma villagers thwarted an attempt by Bengali settlers to build houses on their lands, a group of settlers led by Selim Bahari, president of Baghaichari branch and Mr. Golam Molla, president of the Baghaihat branch of *Sama Odhikar Andolan*,¹⁰¹ launched an attack on seven indigenous villages in Sajek union lasting four hours from 9:30 p.m. until 1:30 a.m.¹⁰² the following morning, allegedly with the support of army officers from Baghaihat army zone of the 33rd East Bengali Regiment led by Commanding Officer Lt. Col. Sajid Imtiaz. At least 76 houses of indigenous villagers and 43 houses of Bengali settlers were burnt to the ground.¹⁰³ The Jumma villagers claim that the Bengali settlers set fire to their own huts as a diversionary tactic and were given higher priority in subsequent relief distribution by the military.¹⁰⁴

Many of the male villagers remained in hiding long after the incident, in fear of arrest. In subsequent months, many Jumma villagers were harassed, intimidated or tortured by the military, and there were continued land grabbing attempts, which the Jummas resisted with a boycott of the Baghaihat Bazaar to put pressure on Bengali merchants who rely on their busi-

ness.¹⁰⁵ Mr. Ladumoni Chakma of Retkaba village was hacked to death by a group of Bengali settlers one day after giving key testimony on the arson attack to the International CHT Commission during its mission to the CHT in August 2008.¹⁰⁶ During this time, many false criminal cases were filed against innocent Jummas.

Response of the government, politicians and military

The Army Corps of Engineers in Gangaram Mukh camp is reported to have eventually restrained the arson attack and brought the situation under control.¹⁰⁷ The army prepared a victim list and distributed Tk. 10,000 (USD 120) per family from the Chief Adviser's fund to the affected villagers, both Bengali and Jumma, although many Jummas were unable or unwilling to collect the relief goods.¹⁰⁸ A donation of Tk. 100,000 (USD 1,200) from the Rangamati Hill District Council was even handed over to Lt. Col. Sajid Imtiaz for distribution.¹⁰⁹ The authorities did not prevent NGOs from distributing relief goods but such efforts were at times obstructed by settlers for alleged pro-Jumma bias. The Commanding Officer who replaced Lt. Col. Sajid Imtiaz stopped the distribution of rations to settlers and ordered them to vacate arbitrarily occupied land.¹¹⁰

Disciplinary action against officer(s) responsible, if any

In September 2008, Lt. Col. Sajid Imtiaz, Commanding Officer of Baghaihat army zone was transferred elsewhere although it is unclear if this was a disciplinary measure.¹¹¹

Case study 2.b: Baghaihat / Khagrachari incident, 2010

Date	February 19-20 / February 23-24, 2010
Place	Baghaihat, Baghaichari sub-district, Rangamati district / Khagrachari town, Khagrachari district
Casualties	More than 400 houses, two temples, one church and numerous NGO facilities were burnt down; two people were killed in army firing, two remain missing and 25 were injured.
Military involvement	There is eye-witness testimony that soldiers accompanied the attacking Bengali settlers, and allegations that the army instructed them to conduct the attack.
Military officers and units involved	Lt. Colonel Wasim, Baghaihat Zone Commander, 14 Bengal Regiment Major Julfique, Assistant Zone Commander, Baghaihat

Characteristics of the incident

This was the largest communal attack in the CHT since the 2003 Mahalchari incident (see case study 1) as well as since the 1997 CHT Accord. The massive violence, plunder and arson in both Baghaihat and Khagrachari occurred in the immediate presence of large numbers of military personnel, who offered tacit protection and at times active support to the attackers, according to numerous eyewitness accounts. Two people were shot dead by the military, and 25 people were seriously injured, some by bullets fired by the military.¹¹²

Background

The dozen villages attacked on 19-20 February were in the Kassalong Reserve Forest, an area originally inhabited by Pangkhua and Lusai people. Other Jumma peoples migrated to the area after being displaced by the building of the Kaptai dam in the 1960s and by Bengali settlers in the Mahalya, Khirachar and Merung areas within Baghaichari and Dighinala sub-districts during the armed insurgency. After the CHT Accord, a road was built through the forest to the Indian border, and the army assisted a number of Bengalis to settle in the area. This led to frequent disputes over land, which came to a head with the April 2008 Sajek incident (see case study 2.a). In January 2010, the army again started to encourage Bengalis to build settlements on Jumma-occupied land.¹¹³

Summary of the incident

On the afternoon of February 19, 2010, a group of Bengali settlers who had arrived in mini-buses from the plains

attempted to build huts in the Gangaram Dwar area but were blocked by local Jummas.¹¹⁴ At around 8:30 p.m. a group of settlers armed with sharp weapons arrived again, accompanied by army officers, and began shouting and indiscriminately beating the Jumma villagers, who ran away, after which they looted and set fire to some of the houses. Again, at about 11 p.m., a patrol of four army vehicles arrived, immediately after which settlers accompanied by army personnel began beating the Jummas and looting and setting fire to their houses. A total of 35 houses, a church and a school were burned to the ground in Gangaram Mukh village that night. The army made no attempts to stop or arrest the attackers. On the contrary, a youth named Debendra Chakma was taken away and allegedly tortured with electric shocks at the camp.¹¹⁵

The following morning, the affected Jumma people gathered in the Gangaram Mukh area to see the burnt houses and to protest. Many soldiers were deployed, as settlers armed with sharp weapons also started to gather. At 10 a.m., the soldiers ordered the Jummas to leave the area, and tension rose as the Jummas refused to leave. At one point, the soldiers began to hit the Jummas indiscriminately. In retaliation, a Jumma man attacked and injured Sergeant Rejaul Korim with a machete.¹¹⁶ Korim and other soldiers began to fire indiscriminately on the Jummas.¹¹⁷ Eyewitnesses claim that a number of Jummas were killed and many injured on the spot. The settlers also jumped on the Jummas with sticks and sharp weapons, attacking them indiscriminately. The Jummas could do nothing but run away. The settlers went on to systematically loot and set fire to Jumma houses.

A total of 434 Jumma houses were burned down in 13 villages. Two Buddhist temples, one church, six Para Development Committee offices, two schools, two

UNICEF Para Centers, and one MSF hospital were also burnt down.¹¹⁸ The dead were Ms Buddhaputi Chakma of Gucchagram village, and Mr. Lakshmi Bijoy Chakma of Golkomachora village.¹¹⁹ At least 25 Jummas were injured, and at least three went missing and are feared dead.¹²⁰ Journalists who had come with the UNO to cover the incident the previous night reported seeing settlers running around with cans of gasoline, unhindered by the army and police. A monk also witnessed large numbers of army officers with the settlers as they came to destroy his temple.¹²¹

On 23 February, a road blockade was enforced by the UPDF in Khagrachari and Rangamati in protest at the incident in Baghahat.¹²² As the demonstration rally of Jummas approached Shapla Circle in Khagrachari town, it was assaulted by a group of Bengalis who went on to attack the Jumma-inhabited Mohajanpara area with sticks and sharp weapons. The Jumma villagers tried to stop them but army officers allegedly prevented them from doing so, after which the Bengalis seized the opportunity to set fire to houses there. The Bengalis went on to Milonpur, Modhupur and Upali Para and set fire to Jumma houses. Finally, they set fire to a large number of the homes of Marma villagers in Satbhaiya Para.¹²³ A total of 61 Jumma houses in four villages were burned, and an additional nine homes and stores were looted. One of the attackers, Anwar Hossain, was killed.¹²⁴ Three Bengali houses were also burned down in the confusion. The PCJSS office in Larma Square, Ziran Hotel and two stores were looted and burned to the ground.¹²⁵

Response of the government, politicians and military

The State Minister of CHT Affairs, Dipankar Talukdar, and Jatindra Lal Tripura, MP and Chairman of the Task Force on Rehabilitation of the Returnee Refugees and Internally Displaced People, visited Baghahat on 21 February promising relief and an investigation (which never came).¹²⁶ It was not until the evening of 23 February that a curfew was imposed in Khagrachari under Section 144, and the RAB was deployed to bring the situation under control.¹²⁷ The State Minister of Home Affairs visited Khagrachari on 24 February and complained to the media of a BNP-*Jamaat-e-Islami* conspiracy behind the incident.¹²⁸ The government distributed some corrugated iron sheets, staple foods and cash to the victims on both sites, but prevented the UNDP, World Food Programme and NGOs from providing assistance. Jumma-Net (a support group for Jummas based in Japan) and the Manusher Jonno Foundation (a human rights NGO based in Dhaka) together applied for permission from the NGO Bureau to distribute relief to the victims but waited for more than a year in vain.

Disciplinary action against officer(s) responsible, if any

Lt. Colonel Wasim, Baghahat Zone Commander, was transferred to Ruma Zone, Bandarban, where he is said to be promoting land acquisition for the Ruma Garrison (see case study 5). It appears to have been a routine reassignment rather than a disciplinary measure.

Case study 3: Ramgharh incident

Date	April 17, 2011
Place	Hatimura area, Hafchari Union, Ramgarh sub-district Mahamuni area, Manikchari sub-district, Khagrachari district
Casualties	A group of settlers led by a VDP leader and backed by the army allegedly conducted a large-scale looting and arson attack. The incident was triggered by an attempt to grab the land of Jumma people. 97 houses in seven villages were completely burnt down, two Jumma villagers died, one went missing and 20 were injured.
Military involvement	There is eye-witness testimony that army officers accompanied the attacking Bengali settlers
Military officers and units involved	Lt. Col. Quamrul Hassan, Commander of Sindukchari Zone

Characteristics of the incident

The Ramghar incident is a classic example of conflict in the CHT in which a dispute over land escalated into a massive communal attack. The extent of military intervention in a land dispute and its support of Bengali settlers in such an attack is noteworthy. The involvement of an influential VDP member and the initiation of the attack during the Jumma people's New Year's celebration of *Bizu-Bishu-Boishu-Sanghraing* are also recurring themes of such communal attacks.

Background

Following an exodus of people living in the northern part of Khagrachari district due to massive attacks by the military and settlers in 1986, Joynal, a member of the VDP, occupied a plot of land owned by Aung Marma of Hatimura area of Hafchari Union in Ramgarh sub-district. After the 1997 Peace Accord, Aung Marma appealed to the authorities for the return of his land but no action was taken in this regard. In 2011, a petition was made to the Ramgarh sub-district administration, which ruled in favor of Aung Marma. Dissatisfied by this decision, Joynal complained to the Sindukchori Zone Commander. The Commander upheld the decision of the administration, and told both parties to abstain from using this land.¹²⁹

Summary of the incident

On 14 April 2011, when Jumma villagers were celebrating their traditional *Bizu-Bishu-Boishu-Sanghraing* festival, a group of Bengalis led by Joynal allegedly began occupying the disputed land. The land owner informed the army and local authorities but they did not intervene. The settlers withdrew that day after the Jumma people protested but they made a similar attempt three days later, on 17 April. This led to mayhem between the Jumma villagers and the settlers in which four settlers lost their lives.¹³⁰

An hour later, approx. 300 settlers backed by soldiers

of the Guimara Brigade began assaulting the Jumma villagers. They looted and set fire to houses in a number of villages, reducing entire settlements to ashes. A total of 86 houses were completely burnt down, and Buddhist temples were also damaged. It is reported that approx. 60 army personnel accompanied the settlers at the time of the attack. Furthermore, Jumma villagers on buses were attacked at Jalia para and 16 suffered injuries.¹³¹

Meanwhile, in Manikchari Bazaar of Manikchari sub-district, a procession of demonstrators carrying the dead body of a Bengali who was killed during the attacks began setting fire to homes in the Mahamuni area of Manikchari, burning down 11 houses. Nearby stores were also reported to have been looted. When the demonstrators began to march with the dead body, the likelihood of subsequent assaults should have been evident. It is noteworthy that the local administration and police did nothing to stop the attack, although they should have anticipated something of the sort.¹³²

Response of the government, politicians and military

After the incident, Jatindra Lal Tripura, MP from Khagrachari and Md. Nawsher Ali, Deputy Inspector General of Police of Chittagong Division visited the site and held a public meeting. The GOC of the Chittagong Division, Major General Ashab Uddin, Deputy Commissioner of Khagrachari district, Anisul Haque Bhuiyan, Superintendent of Police, Abu Kalam Siddique, and others also attended the meeting. MP Tripura promised adequate compensation for the victims, and the GOC also pledged compensation of Tk. 25,000 (USD 300) for each household. However, as of May 2011 each family had only received Tk. 6,000 (USD 73.5).¹³³

Disciplinary action against officer(s) responsible, if any

Lt. Col. Quamrul Hassan was transferred from the Sindukchari Zone camp after the incident but it is said to have been a routine reassignment rather than a punitive transfer.

Case study 4: Eviction and land acquisition for army artillery firing range in Sualok, Bandarban

Date	September - November 2006
Place	Renikkhong, Sualok and Tonkabeti mauzas (administrative units), Bandarban sub-district, Bandarban district

Casualties	275 Mro, other Jumma and Bengali families were forcefully evicted to make way for a military artillery firing range on 11,445 acres of land that had been acquired in 1991-93. At least two elders and seven children allegedly died of exposure. Community leader Ranglai Mro was arrested with fabricated evidence of "illegal arms".
Military involvement	Sudden forced eviction at gunpoint; profiteering by extracting rents for acquired lands; destruction of livelihood assets provided by UNDP and NGOs to the community.
Military officers and units involved	Details unknown

Characteristics of the incident

Sudden, forceful eviction of vulnerable communities without minimum safeguards for their survival in order to enlarge an artillery firing range used only occasionally, and otherwise leased out to provide illicit income to the military. This is the largest scale acquisition of land for military use since the CHT Accord. It is also noteworthy that the local leader who protested at the sudden eviction was arrested and tortured.

Summary of the incident¹³⁴

The affected area is inhabited by the Mro people, indigenous to the region, as well as Bengalis, Chakmas and other Jummas resettled by the government to make way for the Kaptai Dam in the mid-1960s. In 1991-92, 11,445 acres of land in Renikkhong, Sualok and Tonkaboti mouzas (administrative units) of Bandarban sub-district were acquired by the army for an army artillery firing range. There may be doubts as to the legality of this land acquisition, e.g., whether the consent of the relevant headmen and the Hill District Council was sought in compliance with the 1900 CHT Manual and the 1989 Local Government Council Acts. The inhabitants with land titles were paid compensation in 1993, at less than half of the fair value of the land (e.g. about Tk. 11,000 (USD 135) per acre of second class land and Tk. 40,000 (USD 490) per acre of paddy land, worth more than Tk. 100,000 (USD 1,200)). At the time, some people were evicted but many were allowed to stay and cultivate their lands for a lease fee of Tk. 500,000 (USD 6,000) per year, as agreed between Union Council Chairman Ranglai Mro and the army authorities. Many complain that they did not receive the compensation due to irregularities, or lost much of it in bribes.

In 2006, the army suddenly increased the lease fee to Tk. 5 million (USD 60,000) per year. Unable to pay this amount, the Union Council Chairman protested but to no avail. Between September and November 2006, 275 families in the area were forced to relocate, some to

the steep slopes of Chimbuk Hill to the west, and others along a road on the plains to the east of the firing range. Many villagers report that the army arrived suddenly on their doorstep and evicted them at gunpoint without giving them a chance to collect their belongings or livestock. No alternative shelter or land was provided, except some government land along the road where 15 families were permitted to stay temporarily. Many families lived for months under the open sky, shifting from place to place, unable to find a place to settle. Two elderly men and seven children died of pneumonia or exposure to cold during this time.

The Union Council Chairman Ranglai Mro, who had been demanding that the evictees be given sufficient prior notice and rehabilitated properly, was arrested and tortured in February 2007 and sentenced to 17 years in prison on false charges in June 2007 (see case study 7.c).¹³⁵ The villagers were too frightened to raise their issues with the authorities after this.

The evictees living on land rented from local landlords along the road in the plains east of the firing range survive by providing day labor, cutting wood/bamboo to sell in the market, or grazing their cattle in the firing range area, for which they must pay rent and tolls to the army or land brokers. Those who can afford it rent land inside the firing range for cultivation. Many have fallen in deep debt to micro-credit agencies to rebuild their homes. There is a serious shortage of water and sanitary facilities. They have built a small schoolhouse from scrap wood and corrugated metal; government promises to rebuild the school remain unfulfilled. The Muslims worship in a makeshift mosque of bamboo and tin, unable to pray or bury their dead in their former mosque, while the Jummas are without any place of worship.

Some villagers allege that the army destroyed their houses outside of the boundary previously surveyed by the district administration, and later moved the boundary pillars further out to cover up this misdeed. Many suspect that an area much larger than 11,445 acres has been acquired; they feel that another survey should be

conducted, and that wrongly acquired land should be re-distributed to the evictees.

It is also reported that the army destroyed the embankment of a fish farming project funded by UNDP, and expropriated a school building built by World Vision (an international NGO). Neither organization complained as the Bangladesh Emergency Power Rules of 2007 were in effect under the Caretaker regime at the time. Some villagers allege that the army mobilized them to construct a fish pond saying it was a rehabilitation project and that Tk. 50 (USD 0.60) from their daily Tk. 150 (USD 1.80) wage would be saved in the bank for them, but later handed over the project to influential outsiders and never returned the money.

The army officers are currently leasing out some of the land in the firing range to influential Bengali busi-

nessmen, who are operating fish ponds, chicken farms and other projects as well as sub-letting land to the former inhabitants. In other areas, the army directly leases out cultivable lands (e.g. Tk. 1,600–3,000 (USD 20–36) per acre of paddy land per season) or collects tolls for grazing or firewood collection in the acquired lands. The rents and tolls appear to vary. Evictees whose livestock enter the acquired area without permission are fined (e.g. Tk. 500 (USD 6) for cows, Tk. 100 (USD 1.20) for goats). It is unknown how the money is used by the army.

Disciplinary action against officer(s) responsible, if any

It is not known that any disciplinary action has been taken for the above acts of abuse, neglect, destruction of property, fraud and illegal profiteering.

Case study 5: Land acquisition and expansion of Ruma Cantonment in Bandarban

Date	1973 to present
Place	9,560 acres of land in Shengum Mouza, Pantola Mouza and Galengya Mouza under Ruma sub-district, Bandarban district.
Casualties	Approximately 5,000 people of about 700 families from the Mro, Marma and Tripura communities are due to lose more than 1,500 acres of land used for <i>jhum</i> cultivation. Approximately 2,000-3,000 acres of land belonging to the Forest Department is also included in the proposed area.
Military involvement	The Ruma Zone has recently been trying to expedite the land acquisition process, which had been stalled due to bureaucratic hurdles and local opposition.
Military officers and units involved	Lt. Col. Wasim, Ruma Zone Commander (Commanding Officer of Baghaihat Zone at the time of the February 2010 Baghaichari/Khagrachari incident described in case study 2.b)

Characteristics of the incident

This is one of several ongoing plans on the part of the army to acquire lands for military facilities in Bandarban district. If implemented, it will have a devastating impact on some of the most marginalized Jumma communities. The Ruma Zone Commander, previously implicated in the February 2010 Baghaihat incident (see case study 2.b), announced in October 2010 that the land acquisition process would be starting soon. Some activists protesting at this move have faced harassment.

Summary of the incident

The Mro, Marma and other Jumma peoples who have been living for generations in Shengum, Pantola and Galengya Mouzas under Ruma sub-district of Bandarban district are deeply anxious over army plans to acquire an area of 9,560 acres to expand the Ruma Cantonment. The Ministry of Defense initiated the land expropriation process in 1977, shortly after the garrison was established in 1974.¹³⁶ Since most inhabitants of the targeted area rely on shifting culti-

vation on untitled customary lands, they fear they will not receive sufficient compensation, as in the case of the land appropriated for the artillery firing range in Sualok Union, Bandarban in 2006-07 (see case study 4). Shifting cultivators in surrounding areas, who have seen their crop yields decline over the years, fear that they will be further impoverished if they have to share their lands with the displaced people.¹³⁷

The land acquisition process began in 1973 with a request for 186 acres of land in No. 356 Poli Union of Ruma, which was approved by the Land Ministry in the same year.¹³⁸ In 1975, the Military Estate Officer cancelled this plan, and instead made a new request in 1977 for 9,560 acres of land in Galengya, Pantola and Shengum Mouzas to expand the Ruma Garrison.¹³⁹ This proposal was approved by the District Land Distribution Committee in 1980, and forwarded to the Divisional Commissioner of Chittagong, who confirmed it and sent it to the Land Administration and Land Reform Ministry.¹⁴⁰ The ministry has not approved the plan to date. Nonetheless, the Military Estate Officer has continued to make requests for this land.

When the Military Estate Officer asked for the opinion of the UNO of Ruma, he replied in a letter dated August 15, 1991 that 4,315 people from 655 families would lose 1,569 acres of their land if the plan was implemented.¹⁴¹ The plan was eventually approved at a meeting chaired by the Bandarban Deputy Commissioner in September 1992. A survey was conducted under orders from the Bandarban Deputy Commissioner on June 28, 1998, at which time it was estimated that about 400 families using roughly 700 acres of land would be affected. The Minister of CHT Affairs voiced opposition to the land acquisition around this time.¹⁴² After the transition to the BNP regime, government officials again surveyed the area on March 22, 2005 (estimating that 278 families

consisting of 1,498 people would be affected)¹⁴³ and put up poles marking the acquired land.¹⁴⁴ During the 2007-08 Caretaker regime, the army exerted strong pressure on the headmen and *karbaris* to surrender their lands.

Recently, Ruma Zone Commander Lt. Col. Wasim, who was transferred to the area after playing a questionable role as the Zone Commander during the February 2010 Baghahat incident (see case study 2.b), has been trying to expedite the land acquisition process. On October 24 and 31, 2010, he held meetings with the headmen and *karbaris* of the affected communities, asking them to show their land documents and informing them that the land acquisition process would start soon.¹⁴⁵

The local people have repeatedly called on the government to cancel the expansion of the Ruma Cantonment, questioning whether the army really needs the land when most of the 500 acres occupied by the Cantonment remain unused and there are vast Forest Department lands available nearby.¹⁴⁶ They submitted petitions calling for cancellation of the plan in 2008 and 2009. On November 8, 2010, they organized a demonstration at the Ruma sub-district headquarters and submitted a memorandum to the Prime Minister also calling for cancellation of a plan to establish a BGB Wing Headquarters on 25 acres of land in Poli Mouza of Ruma sub-district, which would uproot more than 100 Marma families in three villages.¹⁴⁷ More recently, on May 3, 2011, 700 local people staged a 40 km march from Ruma to Bandarban town to submit a memorandum to the Prime Minister and Deputy Commissioner calling for cancellation of both plans.¹⁴⁸ They also boycotted a meeting on this issue called by Ruma Zone Commander Lt. Col. Wasim on May 9, 2011.¹⁴⁹ In January 2012, Mr. Aung Thowai Ching Marma, Ruma Upazilla Council, was summoned for questioning on his role in the long march.¹⁵⁰

Case study 6: Religious persecution

Prominent cases of religious persecution include destruction of or assaults upon Buddhist temples as well as harassment of monks. Assaults on Buddhist temples tend to be carried out in order to grab land, and also occur during the arson attacks (see case studies 1, 2 and 3) but there are cases such as the two following incidents in which the cause is unclear. There have also been cases of harassment during the con-

struction of new temple buildings, when the people have been told to “build a mosque instead”. There are also many cases of harassment of Buddhist monks, the main objective of which is thought to be to negate the sense of values of Jumma society or to assert domination by denigrating clergy respected in Jumma society. There are also cases of Christian churches or clergy being targeted.

Case study 6.a: Harassment of a venerated Buddhist monk

Date	May 21, 2009
Place	Checkpoint of Betchari army camp, Rangamati district
Victim(s)	Rev. Bishuddhananda Bhikkhu, chief priest of Ratnankur Buddhist Temple
Military officers involve	Captain Shamim, Betchari army camp, Naniarchar Zone

At around 10:30 a.m. on May 21, 2009, as Rev. Bishuddhananda Bhikkhu, chief priest of Ratnankur Buddhist Temple, was returning from a gathering in Mahalchari sub-district, he passed by the checkpoint of Betchari army camp. The army officers ordered the passengers to get out of the vehicle and, while the other monks complied, Bishuddhananda Bhikkhu refused on grounds of his age and physical condition and requested that the vehicle be exempted from search as it belonged to the temple. Captain Shamim was furious and tried to tie the monk to a tree. An hour and a half later, the Second-in-Command of Naniachar Zone rushed to the scene, apologized for the rude treatment, and allowed the monks to return to their temple.¹⁵¹

Demonstrations were held in Chittagong City and Naniarchar to protest at the rude behavior towards the Buddhist monks. Two female participants in the demonstration were arrested on their way home. They were forced to sign blank sheets of paper before being released by army officers of Naniarchar army zone.

After the demonstration, Ramani Mohan Talukder, Chairman in charge of Naniachar Union, and several others were summoned to Naniachar Zone headquarters between 25-27 May and made to give testimony on video that "Captain Shamim was not involved in the harassment of the Buddhist monks".¹⁵²

Case study 6.b: Destruction and ransacking of a Buddhist temple atop Bhujulichuk hill

Date	December 31, 2007
Place	Buddhist temple-cum-meditation centre at Bhujulichuk hilltop, Lakshmichari, Khagrachari district
Victim(s)	Rev. Shradha Tissyo Thera, Rev. Karuna Tirtho Bhikkhu, Shubhopriyo Sramana
Military officers involved	Captain Shohel, Commander of Indra Singh Karbaripara Camp, Lakshmichari

On December 21, 2007, a group of 20 army personnel led by Captain Shohel from Indra Singh Karbari Para camp (30th Field Artillery) assaulted the Bhujulichuk temple-cum-meditation centre and harassed the Buddhist monks there. Captain Shohel interrogated them as to "who had given them permission to build a temple there" and told them: "We will not tolerate any Buddha house here; we want only Allah's house". Furthermore, Captain Shohel forced the villagers to attend a meeting on 30 December, and told them: "You will only be able to construct temples if you obtain permission from the government".

At 8 a.m. on the following day, 31 December, Captain Shohel and 15 soldiers destroyed the cottages and tore down the thatched roof and bamboo walls of the temple. The army commander told the monks that they could live there only if they got permission from the government; otherwise they would have to leave. Rev. Shradha Tissyo Thera countered by asking, "Is this written in the Bangladesh constitution?" and "Do establishments of other religions also need approval?" and refused to leave. Captain Shohel left after this exchange of words.¹⁵³

Case study 7: Arbitrary arrest and torture

Arbitrary arrest and torture account for the largest number of incidents of human rights violations in the CHT. A wide range of people have been targeted, ranging from villagers, NGO workers and human rights activists to local leaders and members of the UPDF, PCJSS and other political parties. In the case of political party members and activists, arrests (with false charges) followed by detention and torture are prevalent. Meanwhile, villagers are, in many cases, accosted abruptly and subjected to violence on the spot or taken away to be tortured at military camps, with the objective of grabbing land, searching for “terrorists” (see case study 7.b), etc.

Arrest and torture of human rights defenders intensified during the 2007-2008 Caretaker regime. Case study 7.c concerning the arrest, detention, torture and subsequent inhumane treatment of Ranglai Mro is a classic example. As documented in Section 5, such cases of arrest and torture still continue to a considerable degree.

In such cases, as in others, the ringleaders are almost never punished. This makes it difficult for people to raise their voices against oppression and human rights abuses by the military, also leading to violation of the freedom of speech.

Case study 7.a: Torture of traditional village heads (*karbaris*) by the BGB

Date	September 18, 2011
Place	Remacri Union, Thanchi Upazila, Bandarban district
Victim(s)	Bathowai Aung Marma, Karbari of Bathowai Aung Para Khyai Sathui Marma, Karbari of Baro Modak Para
Military officers involved	Captain Rashed, Commander, Baro Modak BGB camp, 10 Battalion Boli Para BGB zone

On September 18, 2011, camp commander Captain Rashed called a public meeting of the *karbaris* of 25 nearby villages in Remacri union. At the meeting, Mr. Bathowai Aung Marma, *karbari* of Bathowai Aung Para and Khyai Sathui Marma, *karbari* of Baro Modak Para were beaten with sticks and hung from a tree with their hands tied. Another *karbari* was also subjected to harassment and two *karbaris* were forced to sign blank sheets of paper.¹⁵⁴

Captain Rashed blamed the *karbaris* for not informing them that the Arakan Liberation Party (ALP) and Mro Party (two groups believed to be terrorist groups by the army) had

visited their village; the torture was carried out in this context. However, the *karbaris* claim that they had previously informed the BGB of the presence of the ALP but that they had done nothing about it. In fact, a headman, a *karbari* and another person from Singafa mauza had been shot dead in 2008 because they had informed the BGB of their presence.¹⁵⁵

Subsequently, Captain Rashed ordered all *karbaris* to attend a public meeting to be held every Sunday at the camp, and to each bring five kgs of fowl each time. It is alleged that BGB personnel in the vicinity of this camp have often not paid a fair price when purchasing goats, cows or fowl.¹⁵⁶

Case study 7.b: Torture of six villagers in Baghaihat

Date	June 20, 2009
Place	MSF Para, Baghaihat Upazila, Rangamati district
Victim(s)	Ballya Chakma of village MSF Para; Chuchyang Naga Chakma of Bhuchari; Jagadish Chakma of Karengatoli; Amar Dhan Chakma of Nakshachari; Kaladhan Chakma of Gangaram Dore. One unknown.
Military officers involved	Lt. Col. Anisuzzaman, Commander, Baghaihat Zone, Khagrachari Brigade

On June 20, 2009, Bangladesh army soldiers from Baghahat Zone conducted a search operation at MSF Para. The soldiers surrounded the village searching for “terrorists” and hauled six villagers back to the army camp. The six men were each arrested at different places, while they were at home, going to the market, working, etc. After beating them up with wooden sticks, the army tortured them with electric shocks. The six men were eventually released, some that night and others the following day.¹⁵⁷

Chtnews.com reports that Baghahat Zone is notorious for arresting and torturing innocent villagers on the pretext of searching for terrorists.¹⁵⁸ In fact, there have been various human rights abuses here, such as the communal attack of April 2008 described in case study 2.a, when the military assisted in a large-scale attempt of settlers to grab land, as well as smaller land grabbing attempts and cases of arrest and torture.

Case study 7.c: Arrest, torture, and lengthy detention of leader opposing land acquisition by the military

Date	February 2007 to January 2009
Place	Tortured at Bandarban Cantonment, detained without any medical treatment at Chittagong District Jail
Victim(s)	Ranglai Mro, community leader of the Mro people
Military officers involved	Bandarban Cantonment, Bandarban General Hospital

In February 2007, community leader and Union Council Chairman Ranglai Mro was arrested on suspicion of possessing a pistol without a permit, and brought to the Bandarban Cantonment where he was tortured by several army officers (there has been no investigation regarding this torture). Ranglai Mro was next handed over to the police but, due to his deteriorating condition, was transported to Bandarban General Hospital where it was found that he had suffered a heart attack. Nonetheless, he was sent back to Chittagong District Jail without receiving proper treatment.¹⁵⁹

He was given a sentence of 17 years in prison in June 2007, even though his lawyer proved that he had duly obtained a permit for the pistol he owned. In October 2007, he was again sent to the hospital due to the deterioration in his health. The doctor advised that he needed treatment in a hospital with better facilities but he was nonetheless sent back to jail again.¹⁶⁰

He was subsequently transferred to the National Institute for Cardiovascular Disease and hospitalized

in its coronary care unit on January 1, 2009. Despite his serious condition, he was kept shackled in his bed until the National Human Rights Commission and Ain-O-Shalish Kendra (ASK), a human rights organization, intervened. On September 28, 2008, Amnesty International expressed its concern for this case and called for letters to be written to request that he be given proper treatment.¹⁶¹ Even after the High Court had granted his release on January 7, 2009, he was kept handcuffed under the strict surveillance of six to seven police officers until his release on 26 January.¹⁶²

As a backdrop to his arrest, it should be noted that Ranglai Mro had been protesting at the eviction of 275 Mro families in December 2006 for military acquisition of land for a training center (see case study 4). According to Mro’s lawyer, “He had been preparing a petition for the authorities about the situation of Mro people in the area”.¹⁶³

Case study 8: Violence against women: rape/attempted rape

Violence against women is one of the most serious threats faced by the indigenous peoples in the CHT, with incidents being reported in the media every month.

Many cases, however, go unreported because the victims fear both retaliation by the culprits and social ostracism. Many incidents are of a heinous nature, such as

gang rapes or rapes of minors or women with physical disabilities.¹⁶⁵ Violence against women is a serious problem in the plains areas of Bangladesh too, but its distinct feature in the CHT is characterized by the structure of violence during the counter-insurgency period.

During the insurgency period, the army used violence against women as a counter-insurgency measure. It is said that, in 1983, a secret memorandum was circulated among army officers instructing them to “marry women in the CHT”.¹⁶⁶ Due to such policies, there were many incidents of soldiers or settlers abducting or raping women and then marrying them by force. The CHT Commission concluded that “rape is used systematically as a weapon against women in the CHT”.¹⁶⁷

Unfortunately, such a structure persists even after the signing of the CHT Accord. Between 2003 and 2006,

a total of 15 rape incidents with 26 victims were reported from the CHT, out of which 11 cases were perpetrated by settlers and four by military or paramilitary personnel.¹⁶⁸ Since 2007, most incidents have been perpetrated by settlers but the use of rape as a counter-insurgency tactic undoubtedly casts a long shadow to this day, particularly because the perpetrators are seldom brought to justice. Furthermore, although not mentioned in media reports, it is alleged that junior officers in civilian dress are involved in many of these incidents.¹⁶⁹

The following are two recent attempted rape cases. Both are indicative not only of the rampant impunity enjoyed by perpetrators but also of the systematic cover-ups by the military. It is said that the victims are coerced into silence with offers of money or violent threats in countless cases.¹⁷⁰

Case study 8.a: Attempted rape in Ghilachari and repression of subsequent protests

Date	November 8, 2009
Place	Ghilachari Union, Nanyachar Upazila, Rangamati district
Casualties	Attempted rape of a Chakma woman by a soldier of Ghilachari camp. Subsequently, five demonstrators including four women suffered injuries due to violence by soldiers from the camp.
Military involvement	Ghilachari camp authorities tried to control the protests by giving money to the victim’s husband. When the voices of protest intensified into demands for the dismantling of the army camp, army personnel were deployed to besiege several local leaders’ homes to suppress the protest. When this sparked new protests, the army officers used violence against the demonstrators, including four women.
Military officers and units involved	Md. Ziaul, a soldier of Ghilachari camp, Nanyachar army zone Lt. Colonel Mushfikur Rahman, office-in-charge of the Nanyachar army zone

On November 8, 2009 in Ghilachari Union, Nanyachar sub-district, Rangamati district, a woman who had gone to fetch water from a well suffered an attempted rape by Md. Ziaul, a soldier from Ghilachari camp, Nanyachar army zone.¹⁷¹ The woman was able to narrowly escape and seek the assistance of nearby Jumma villagers. When the husband of the victim and neighboring villagers went to Ghilachari camp to protest, the camp authorities imposed an eye-wash punishment on the perpetrator and tried to appease the husband by giving him money.¹⁷²

The local people and the victim’s husband objected to this, and a protest ensued with the participation of many women. At 5 p.m. that day, Nanyachar army zone commander, Lt. Colonel Mushfikur Rahman, visited the

site of the incident and promised to punish the offender appropriately. However, demonstrations continued the next day and protesters surrounded Upazila (sub-district) leaders visiting the area, demanding punishment of the perpetrator, withdrawal of the army camp and an end to harassment and crimes against women.¹⁷³

In response to this situation, the army commenced operations in the Ghilachari area on 12 November and encircled the homes of several people, including the chairman of the Union Council. Protests erupted once more, leading to an incident in which villagers blockaded an army pick-up truck. On 17 November, a large-scale demonstration was held on the Khagrachari-Rangamati road. Protesters broke the windshield of an army pick-up truck and the women

whipped the soldiers with their *pinon* (wrap-around skirts). The army personnel used force against the protestors, seri-

ously injuring five people, including four women.¹⁷⁴

Case study 8.b: Attempted rape in Matiranga

Date	March 9, 2010
Place	Matiranga, Khagrachari district
Casualties	Attempted rape of two Jumma women by two army personnel and an Ansar member of Taikatang army camp.
Military involvement	Apart from the soldiers attempted rape, the second-in-command of the Matiranga Zone found out about the incident but did not take appropriate action. On the contrary, he pressured the victim and her family not to disclose what had happened.
Military officers and units involved	Lieutenant Mohiuddin, Taikatang army camp commander Major Mehedi, second-in-command of the Matiranga Zone The names of the army personnel who attempted the rape are unknown.

On March 9, 2010, two Jumma women who were working in the forest were subjected to an attempted rape by two soldiers and an Ansar member of Taikatang camp who happened to be passing by.¹⁷⁵ The women raised their voices and nearby Jumma villagers ran to their assistance. The crime was aborted and the soldiers ran away.

On the following day, Major Mehedi, second-in-command at Matiranga Zone, visited the homes of the vic-

timized women and took several villagers to the camp to ask them what had happened. The women were asked who had tried to rape them, and they identified the perpetrators. However, Lieutenant Mohiuddin, the camp commander, did not punish the offenders or take any action. On the contrary, he pressured the victims and their guardians not to disclose what had happened.¹⁷⁶

7. ISSUES AND CONCERNS REGARDING THE DISPATCH OF BANGLADESH MILITARY PERSONNEL TO UN PEACEKEEPING MISSIONS

Bangladesh started dispatching troops to overseas missions under the auspices of the United Nations Department of Peacekeeping Operations (DPKO) in 1988. As of February 2012, Bangladesh had the second largest number of soldiers serving on UN peacekeeping missions, and held the top spot in terms of dispatched personnel including police officers (8,082 soldiers and 2,081 police officers).¹⁷⁷ However, concerns have been expressed that sending military personnel criticized for human rights violations at home could lead to similar human rights violations overseas. There is also the moral issue involved in allowing military personnel who might have committed human rights violations at home on international peacekeeping missions. As it stands, the DPKO only screens officers of the rank of Major or above hired directly by the UN as military observers prior to dispatchment on peacekeeping missions. The department relies fully on the OHCHR for information on concerns regarding military personnel's involvement in human rights abuses in the home country.¹⁷⁸

With around one-third of the Bangladesh army deployed in the CHT, the area has been referred to as a "training ground" for the military. It is said that serving in the CHT is considered work experience in "a low-intensity conflict zone", which is viewed positively when selecting soldiers for UN Peacekeeping missions.¹⁷⁹ For example, the Bangladesh Institute of Peace Support Operation Training, which was established to train peacekeepers for employment in all types of UN peace support operations, has a few army officers employed as instructors who have served in the CHT and who have been awarded active duty medals for "Operation Uttaran" and "Operation Dabanal".¹⁸⁰

In recent years, there have been several reports of cases in which soldiers dispatched on UN peacekeeping missions became involved in human rights violations, including murders and rapes of citizens in the Democratic Republic of Congo, attracting the attention of human rights bodies and the international community.¹⁸¹ Cases of grave human rights violations by security forces during the civil war in Nepal and the fact that Nepal is one of the countries providing a substantial number of troops to international peacekeeping mis-

sions prompted Human Rights Watch to recommend that international donors and other influential international actors "ensure an effective system of vetting is in place for any members of the Nepali security forces proposed for overseas UN peacekeeping duties, or specialized training abroad, to ensure that anyone under investigation for grave human rights violations is banned from traveling abroad".¹⁸²

Considering that many of the top contributors to the UN peacekeeping missions - Pakistan, Bangladesh, India and Nepal - have internal conflicts and that many cases of military personnel accused of committing human rights violations at home have been reported, the issue should be widely examined by the DPKO. It should, however, be recognized that in 2003, the UN Secretary-General promulgated a zero-tolerance policy on sexual exploitation in its bulletin "Special measures for protection from sexual exploitation and sexual abuse".¹⁸³

The significance of UN peacekeeping missions for the Bangladesh military

The Bangladesh military has participated in more than 40 UN peacekeeping missions since sending its first unit during the regime of President Ershad. For the Bangladesh military, the dispatch of personnel to UN peacekeeping missions is not only an important duty, highlighting its significance and contribution to the international community, but also a big source of income. Army officers on UN peacekeeping missions earn an average monthly salary of USD 1,100¹⁸⁴ (approx. Tk. 75,680), which is astronomical considering that the salary of commissioned officers in Bangladesh is in the range of Tk. 10,000 (second lieutenant) to Tk. 38,565 (brigadier general). In fact, during the BDR (Bangladesh Rifles) mutiny in February 2009 when BDR personnel killed some 60 top army officers, one of the points of contention seems to have been the fact that the BDR personnel were not allowed to participate in peacekeeping missions, which prevented them from making an income from that.¹⁸⁵ The BDR was renamed the BGB (Border Guards Bangladesh) after the incident.

The Bangladesh military's total income from UN peacekeeping missions is approx. Tk. 200 crore (USD 24 million).¹⁸⁶ Much of this is said to be invested in *Sena Kalyan Sangstha* (SKS), the business arm of the military. SKS has broad interests in the food industry, cement factories, real estate and tourism. The upmarket Radisson Water Garden Hotel, Dhaka was, for example, constructed with donations from army officers previously dispatched on UN peacekeeping missions.¹⁸⁷

For the United Nations, which faces constant shortages of soldiers for peacekeeping missions, the Bangladesh military's contribution of one-eighth of the required personnel is significant indeed. Meanwhile, attention should be paid not only to concerns regarding the human rights violations mentioned above but also the relative importance within Bangladesh of the financial benefits gained by the military and its soldiers from serving on UN peacekeeping missions. Military income from UN peacekeeping missions is contributing to problematic structures of military ownership of business interests and pursuit of financial profit. It can also be pointed out that it bolsters structural violence in the CHT in the long term by strengthening the military as an organization.

International concern on the human rights situation in the CHT

Concerns regarding human rights abuses in the CHT led to human rights activists from the region and international organizations raising the issue at the United Nations. In 2001, the concluding observations of the Committee on the Elimination of Racial Discrimination welcomed the signing of the CHT Accord but also expressed concern about "reports of human rights violations by security forces present in the Chittagong Hill Tracts affecting the tribal population, including reports of arbitrary arrests and detentions, and ill-treatment".¹⁸⁸

In 2005, following the report that a Bangladeshi soldier on a peacekeeping mission had allegedly raped a 14-year-old boy in Sierra Leone in June 2002, and that one of the officers returning from duty was involved in the arson attacks and rapes of nine indigenous women in the Mahalchari incident in 2003 (see case study 1 in Section 6),¹⁸⁹ the United Nations Permanent Forum on Indigenous Issues (UNPFII), at its fourth session in 2005, recommended "that the Department of Peacekeeping Operations of the United Nations Secretariat establish a policy on indigenous peoples, in consultation with indigenous peoples".¹⁹⁰ The following year, at its fifth session, UNPFII recommended "that the Department of Peacekeeping Operations of the United Nations Secre-

tariat collaborate with indigenous peoples' organizations in investigating violations of indigenous peoples' human rights committed by United Nations peacekeepers".¹⁹¹

In 2009, the Working Group on the Universal Periodic Review on Bangladesh recommended "fully implement[ing] the Chittagong Hill Tracts Accord as a matter of priority and develop[ing] a time frame for its full implementation".¹⁹² In their reports to the UN Human Rights Council, the Special Rapporteur on the rights of indigenous peoples,¹⁹³ the Independent Expert on the question of human rights and extreme poverty and the Independent Expert on the issue of human rights obligations related to access to safe drinking water and sanitation¹⁹⁴ have all expressed concern over the human rights violations being committed in the CHT and the failure to implement the CHT Accord as a means to solve the many land disputes and end the human rights violations.

Various human rights organizations have also expressed their concern at the human rights situation in the CHT. The International CHT Commission has, since 1990, paid regular visits to Bangladesh and the CHT and documented the human rights situation in the CHT. Amnesty International made a public statement asking for an investigation of the army's alleged involvement in human rights abuses in the CHT following the Bagaihat incident in February 2010 (see case study 2.b in Section 6).¹⁹⁵ Survival International and the Unrepresented Nations and Peoples Organization have reported various incidents of human rights abuses on their websites.¹⁹⁶ "100,000 Global Voices for Peace in the CHT" was organized by support NGOs and overseas Jumma organizations, including Jumma Net (Japan), Organising Committee Chittagong Hill Tracts Campaign (Holland), Indigenous Jumma People's Network USA and Jumma People's Network of Asia Pacific Australia, and called for the implementation of the CHT Accord.

In 2010, the UNPFII appointed Mr. Lars-Anders Baer, then member of the UNPFII, as Special Rapporteur to undertake a study on the status of implementation of the 1997 CHT Accord. Based on a visit to Bangladesh, he submitted a report to the UNPFII at its tenth session in May 2011.¹⁹⁷ The report concluded that the delay in implementation of the CHT Accord was largely due to the overwhelming presence of the military in the region, and suggested that all temporary army camps be dismantled as stipulated in the Accord.

Taking note of the study by Mr. Lars-Anders Baer, the UNPFII adopted several recommendations,¹⁹⁸ including:

- That the Government of Bangladesh undertake a phased withdrawal of temporary military camps from the region and otherwise demilitarize the region,

consistent with the safeguards of the peace accord, which will contribute to the ultimate objective of peace and economic and social development, and improve the relationship between indigenous peoples and the Government of Bangladesh;

- That, consistent with the code of conduct for United Nations peacekeeping personnel, the Department of Peacekeeping Operations prevent military personnel and units that are violating human rights from participating in international peacekeeping activities under the auspices of the United Nations, in order to maintain the integrity of the indigenous peoples concerned;
- That the Government of Bangladesh establish a high-level, independent and impartial commission of enquiry into human rights violations perpetrated against indigenous peoples, including sexual violence against women and girls, and prosecute and punish the perpetrators, as well as provide reparations for the victims concerned.

Response to the UNPFII's recommendations from the Government of Bangladesh

In response to the study report presented to the UNPFII, the Government of Bangladesh countered by saying that “there are no indigenous peoples in Bangladesh” and hence the report was beyond the mandate of the UNPFII. Later, the Government of Bangladesh asked the Economic and Social Council to expunge those paragraphs from the UNPFII's report but the Council rejected the request.

Since the presentation and discussion of the study report, there have been a series of actions by the Government of Bangladesh which undermine the rights of indigenous peoples in the country. From the outset, despite the demands of the Jumma people, the government refused to officially recognize them as “indigenous peoples” in its 15th amendment to the national Constitution of Bangladesh. Instead, they are termed “sub-nations [*upajati*], small peoples/nations [*khudro jatishotta*], ethnic sects and communities [*nrigoshthi o shompro-daj*].” Furthermore, in July 2011, Foreign Minister Dipu Moni held a meeting with journalists and diplomats and briefed them that there were no indigenous peoples in Bangladesh.

Following this move, it has been reported that the Government of Bangladesh decided at its inter-ministerial meeting to remove the term “indigenous” from all the government's laws, policies documents and publica-

tions.¹⁹⁹ The Deputy Commissioner of Khagrachari district gave instruction to NGOs in the area that they should not use the term “adivasi” in their projects.²⁰⁰ Most importantly, the Chittagong Hill Tracts Development Facility, UNDP-Bangladesh stopped using the word “indigenous peoples” in its Cultural Diversity Festival 2011, jointly organized with the Ministry of CHT Affairs. Indigenous organizations reacted sharply to this and called for a boycott of the cultural diversity festival. When Jumma students organized a demonstration during the festival in Dhaka, the police beat up the student demonstrators as they were leaving the place and arrested nine indigenous students.²⁰¹

On March 11, 2012, the Minister of Home Affairs sent a secret directive regarding the World Indigenous Day celebrations to the Ministry of Local Government, Rural Development and Cooperatives, the District Commissioners and the UNO of Rangamati district. The directive states that senior government officials should not give speeches and/or comments that conflict or are in contradiction with the policies of the government, and monitoring should be conducted to ensure that no government sponsorship/support is provided during World Indigenous Day.²⁰²

Considering that the Awami League has been a known supporter and guardian of indigenous peoples' rights, and that many of the now current ministers have attended World Indigenous Day celebrations in the past, have publically referred to the Jumma people as indigenous people and have committed themselves to supporting indigenous issues, recent events represent a 180-degree turn on their previous stance towards CHT issues. In fact, the Awami League used the term “indigenous” in its 2008 Election Manifesto and many other public documents before this. This sudden change of tune thus surprised many and gave rise to speculation that the army was behind this move. What further fueled the speculation was the increasing restrictions on human rights activities and on foreigners visiting the CHT. In November 2011, a mission of the International CHT Commission was obstructed in Rangamati and Bandarban districts to such an extent that the entire mission had to be discontinued (see Section 5). The situation is particularly severe in Bandarban district, where the Deputy Commissioner gave notice in 2011 that foreigners holding meetings on political or religious matters in the district had to obtain the Deputy Commissioner's prior permission and have the relevant officials accompany them.²⁰³ Furthermore, there have been two cases of foreigners being expelled from Bandarban district because their actions were deemed “suspicious”.²⁰⁴

8. CONCLUSION AND RECOMMENDATIONS

The overwhelming presence of the military and the pervasive role it has in civil, political, economic and social matters is causing an acute and serious threat to the Jumma people in the CHT. Due to land grabbing and arson attacks by settlers, assisted by the army, Jumma villagers are slowly losing control over their resources, resources that are vital for the continued existence of their culture and way of life. Arbitrary arrests and torture, religious persecution and violence against women all violate their fundamental rights such as freedom of expression, freedom of religion and freedom from fear. Many people in the CHT express a fear that if this situation continues, the Jumma people will become a minority in their own homeland, and it will be difficult to maintain their distinct identity. There is therefore an urgent need to fully implement the 1997 CHT Accord, particularly in terms of demilitarization and a devolution of power to civil authorities in the region. Considering that many of the human rights violations documented in this report have been committed with the intention of grabbing indigenous peoples' lands, the full activation of the Land Commission and the amendment of the Land Dispute Settlement Commission Act of 2001 as proposed by the CHT Regional Council are also of particular urgency.

It goes without saying that a tacit understanding with the Bangladesh government facilitates the human rights abuses and profiteering by the Bangladesh military described in this report. Due to historical circumstances, Bangladesh is a country in which the military has a relatively high level of authority and frequently intervenes in politics. A coup d'état attempt on the Prime Minister in December 2011²⁰⁵ and *de facto* military rule under the Caretaker Government of 2007-2008 are indicative of this. However, Bangladesh as a whole is not militarized or subjected to human rights abuses to the extent that the CHT is. From the excessive concentration of military forces in the CHT, which continues to this day, it can be inferred that the present Awami League-led government is lending its tacit approval to this situation in return for favors from and strengthened ties with certain quarters of the military establishment.

It is speculated that, after the February 2009 Pilkhana incident, in which the Bangladesh Rifles (now renamed Border Guards Bangladesh or "BGB") rebelled against the military command and massacred

a large number of the top military brass, the Awami League government felt a heightened need to strengthen its ties with the military in order to ensure its survival in the face of the BNP and other opposition parties with stronger connections to the military.

Nonetheless, the primary responsibility for the lack of improvement in the human rights situation in the CHT lies with the Bangladesh government. While the government needs to respond to these issues in good faith, it is also important that the international community, including UN human rights bodies, the DPKO and donors, encourages the government to make improvements and creates an enabling environment for the government to address the issues.

Bangladesh receives huge amounts of aid each year from donor countries, international financial institutions and UN bodies. Japan, the leading donor to Bangladesh for many years, as well as the World Bank, Asian Development Bank and other international financial institutions, have not raised their voices against the human rights abuses in the CHT, despite concerns raised by NGOs and the people of the region for many years. In the past, it was not uncommon for such aid money to pass directly into the hands of the military.

Although it is less common now for such overseas development assistance projects to be directly implemented by the military, under the present circumstances, in which the military has many vested interests and implements many projects such as road construction, pacification programmes and tourist operations outside of the normal military budget, aid given to the government ultimately passes through various hands before replenishing the military coffers. In this regard, development aid donors should be cognizant of how they are structurally abetting human rights abuses in the CHT, and should promote a more rights-based development agenda.

The income generated from providing troops to UN peacekeeping missions cannot be underestimated. The fact that the United Nations continues to deploy troops from Bangladesh, seemingly without much concern for the human rights violations in the CHT involving military personnel, is only likely to help the military maintain or even strengthen its position in the CHT. The DPKO has a particularly strong voice in matters relating to the Bangladesh military. It is believed that the views expressed by the DPKO were particularly in-

fluent in ending military rule under the 2007-08 Caretaker Government; it is hoped that it will continue to exert its influence over the military to get it to align its actions with UN principles in the same manner in the future. Furthermore, in line with the UNPFII recommendations, it is necessary to build a mechanism for more rigorous screening of military personnel or units involved in domestic human rights violations, so as not to dispatch them on international peacekeeping missions.

Recommendations

Government of Bangladesh

It is recommended that the Government of Bangladesh implement the following recommendations, some of which are in line with the recommendations made by the UNPFII in its 2011 report:

- a. Declare a timeline for implementation of all provisions of the CHT Accord and outline modalities of implementation and persons and/or institutions responsible for implementation.
- b. Undertake a phased withdrawal of temporary military camps from the region in accordance with the CHT Accord.
- c. Publicise the order authorizing Operation Uttoron for public scrutiny and judicial review in the public interest.
- d. Fully activate the Land Commission and amend the Land Dispute Settlement Commission Act of 2001 as proposed by the CHT Regional Council.
- e. Hand over all the agreed subjects and functions specified in the CHT Accord to the civil authorities in the region so as to restore full civilian administration in the CHT and transfer to the civil administration functions normally performed by civilian agencies and not requiring specific military skills but now undertaken by the military, such as development projects and supervision of NGO activities.
- f. Establish a high-level, independent and impartial commission of enquiry into human rights violations perpetrated against indigenous peoples, including sexual violence against women and girls, and prosecute and punish the perpetrators, as well as provide reparation for the victims concerned. The investigation reports should be made publicly available.

Development donors to Bangladesh

The following recommendations are made to donors providing development assistance to Bangladesh:

- a. Appeal to the Bangladesh government to implement the above recommendations.
- b. Include components conducive to the implementation of the above recommendations when implementing projects in the CHT.
- c. Liaise with the OHCHR, indigenous rights organizations and regional networks of the indigenous peoples in the region, such as Asia Indigenous Peoples Pact, to provide human rights training to the indigenous peoples in Bangladesh.

UN Department of Peacekeeping Operations

Considering that Bangladesh is one of the largest providers of UN troops, it is recommended that the DPKO:

- a. Implement screening to prevent military personnel and units that are violating human rights from participating in international peacekeeping activities under the auspices of the United Nations, in order to maintain the integrity of the indigenous peoples concerned – as recommended by the UNPFII in its report on the tenth session.
- b. Appoint a focal person to assess and advise on how to address the situation in the CHT. This person should be accessible to the indigenous peoples of the CHT.
- c. Liaise with the Government of Bangladesh and the OHCHR to give human rights training to the military personnel dispatched on international peacekeeping missions.

Donors to UN Department of Peacekeeping Operations

Countries providing financial support to the DPKO are recommended to:

- a. Appeal to the DPKO to implement the above recommendation.

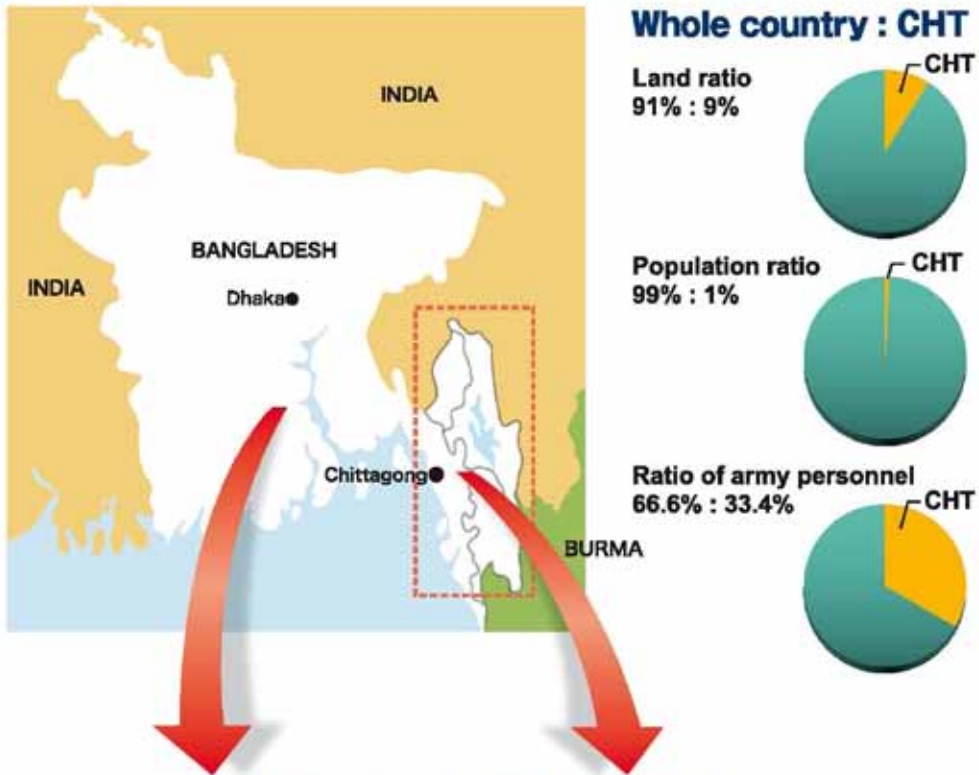
Office of the High Commissioner for Human Rights

As the DPKO relies on the OHCHR for information about the human rights situation in Bangladesh and allegations of human rights abuses committed by military personnel to be dispatched on UN peacekeeping missions, the following is recommended:

- a. Assist the DPKO in developing a framework that prevents army personnel and units that are violating human rights from participating in international peacekeeping activities under the auspices of the United Nations.
- b. Closely monitor the implementation of the CHT Accord of 1997, particularly the demilitarization of the region, and request that the Government of Bangladesh declare a timeline and outline modalities of implementation for the Accord.
- c. Liaise with the Government of Bangladesh, the DPKO and the indigenous peoples in Bangladesh and provide technical assistance to human rights training of the Bangladesh army as well as indigenous peoples in the country.
- d. Assist in the strengthening and capacity building of the National Human Rights Commission of Bangladesh so that it can investigate alleged violations committed against the indigenous peoples in the CHT and publish the findings of such enquiries, along with recommendations.
- e. Appoint a special rapporteur to investigate alleged human rights violations on the part of security personnel in Pakistan, Bangladesh, India, Nepal and other key contributors to the UN peacekeeping missions.

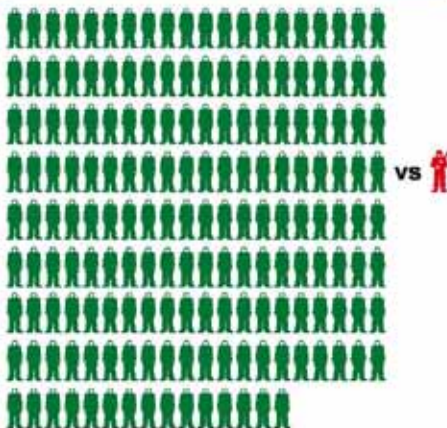
Map 1: The Proportion of Army Personnel in the Chittagong Hill Tracts

2011 Census of Bangladesh

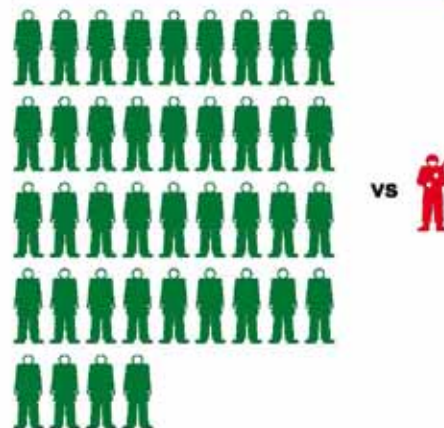


Civilians vs Army Personnel

Plain Areas : 140,000,000 vs 80,000
(One soldier per 1750 civilians)

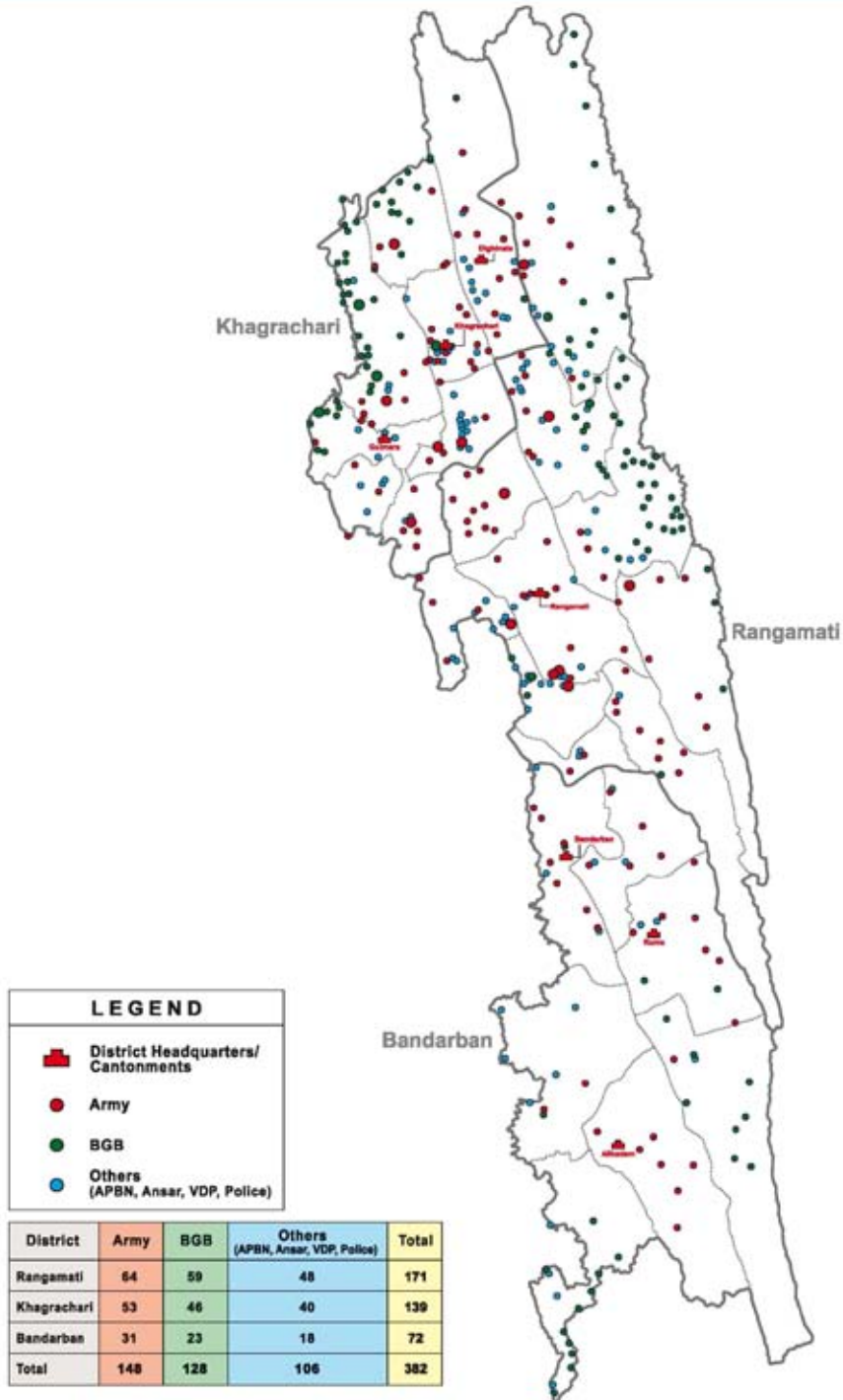


CHT : 1,600,000 vs 40,000
(One soldier per 40 civilians)



Map 2 : The Location of Army and Paramilitary Camps in the Chittagong Hill Tracts, Bangladesh

December 2011



NOTES

- 1 E/C.19/2011/6.
- 2 E/2011/43-E/C.19/2011/14.
- 3 Jumma is a blanket term to refer to all the indigenous peoples in the CHT. "Jumma" derives from the term "jhum", which means shifting cultivation practiced by many of the indigenous communities in the region.
- 4 The Census of Bangladesh, 2011 shows that the population of the three hill districts is approx. 1,587,000 (<http://www.bbs.gov.bd>). It is estimated that around half of the population of the CHT comprises indigenous peoples, thus the number of indigenous peoples is estimated at 700,000 to 800,000.
- 5 Chittagong Hill Tracts Commission 1991: 52; E/C.19/2011/6: para 6.
- 6 The CHT Accord, Clause D-19 and Clause C-10.
- 7 "i. Terrorism, discriminatory treatment and human rights violations against religious and ethnic minorities and indigenous people must come to an end permanently. Security of their life, wealth and honor will be guaranteed. Their entitlement to equal opportunity in all spheres of state and social life will be ensured. Special measures will be taken to secure their original ownership on land, water bodies, and their age-old rights on forest areas. In addition, a land commission will be formed. All laws and other arrangements discriminatory to minorities, indigenous people and ethnic groups will be repealed. Special privileges will be made available in educational institutions for religious minorities and indigenous people. Such special privileges will also apply for their employment".
"ii. The 1997 Chittagong Hill Tract Peace Accord will be fully implemented. More efforts will be directed toward the development of underdeveloped tribal areas, and special programmes on priority basis will be taken to secure their rights and to preserve their language, literature, culture, and unique lifestyles". (Clause 18 of Awami League's 2008 Election Manifesto).
- 8 Interview with a retired army officer, December 2, 2011.
- 9 Ansar is a disciplined paramilitary force for the preservation of internal security and law enforcement in Bangladesh. It is administered by the Ministry of Home Affairs.
- 10 Interview with a retired army officer, December 2, 2011. There are 36 battalions (14,400 personnel) of "Battalion Ansar", the bulk of which are employed in the CHT. http://www.bdmilitary.com/index.php?option=com_content&view=article&id=113&Itemid=135. Accessed on April 26, 2012.
- 11 http://www.bdmilitary.com/index.php?option=com_content&view=article&id=113&Itemid=135. Accessed on April 17, 2012
- 12 Interview with the Secretary of the Ministry of CHT Affairs, December 27, 2011.
- 13 For example, on January 25, 2011, the PCJSS reported that the Bangladesh army had started construction of a new camp at Taitongpara in Rajasthali Upazila <http://chtvoice.blogspot.com/2012/01/new-army-camp-in-cht.html>. Accessed on April 12, 2012.
- 14 The number of camps was confirmed with the help of local informants.
- 15 Mohsin 1997: 166, 168, 172; Mohsin 2003: 34.
- 16 <http://www.thedailystar.net/forum/2010/april/broken.htm> Accessed on April 26, 2012 .
- 17 Chittagong Hill Tracts Commission 1991: 19-20.
- 18 It is only in CHT that the VDPs engage in such counter-insurgency activities.
- 19 Chittagong Hill Tracts Commission 1991: 31, 34.
- 20 Chittagong Hill Tracts Commission 1991: 46.
- 21 <https://www.cia.gov/library/publications/the-world-factbook/geos/bg.html>. and <http://milexdata.sipri.org/> Accessed on April 15, 2012. *Daily Star*, July 5, 2008.
- 22 http://news.xinhuanet.com/english2010/world/2011-06/09/c_13920692.htm. Accessed on April 23, 2012.
- 23 A high-ranking officer (ex-Deputy Commissioner of Chittagong, 1978-81) admits that the transmigration was conducted by the government, under the strict instruction from President Ziaur Rahman. However, in the CHT Accord, the resettlement of settlers outside CHT was not mentioned anywhere. <http://www.thedailystar.net/forum/2010/april/broken.htm>. Accessed on April 20, 2012
- 24 <http://www.thedailystar.net/forum/2010/april/broken.htm>. Accessed on April 26, 2012.
- 25 For an example, see the 2008 Sajek incident in Section 6.
- 26 Tebtebba 2010: pp. 68-69.
- 27 Interview with former government official in the CHT, December 2011.
- 28 PCJSS Annual Report 2005; *The Daily Star*, June 18, 2005.
- 29 *Daily Star*, July 3, 2005.
- 30 PCJSS Annual Report 2007.
- 31 <http://www.angelfire.com/ab/jumma/bgground.html>. Accessed on April 23, 2012.
- 32 Chittagong Hill Tracts Commission 1991: 73.
- 33 Mohsin 1997: 179.
- 34 Ibid.
- 35 <http://www.bbs.gov.bd/RptZillaProfile.aspx>; <http://chtnewsupdate.blogspot.jp/2011/08/is-cht-really-turning-into-majority.html>. Accessed on April 25, 2012
- 36 *Pratham Alo*, August 14, 2004.
- 37 Cordon 2007: para 81.
- 38 *The Jugantor*, June 7, 2011.
- 39 Minutes of 7th Meeting of Cabinet Committee on Law and Order held on January 26, 2011.
- 40 E/C.19/2011/6: para51.
- 41 Circle Chiefs are the administrative head of a Circle responsible for the administration of "tribal" justice and customary laws of the indigenous people, for revenue administration and for advising the Deputy Commissioners, the Hill District Councils, the CHT Development Board and the Ministry of CHT Affairs. There are three circles in the CHT.
- 42 *The Jugantor*, July 5, 2010.
- 43 *The New Age*, July 6, 2010.
- 44 A letter headed "Confidential" from the City Office, 24th Infantry Division, Chittagong Cantonment, issued August 9, 1998.
- 45 A notice entitled "Travel at night in hill region" from the Civil Affairs Office, 24th Artillery Division, Chittagong Cantonment to the office of the Deputy Commissioner of Bandarban, August 6, 2003.
- 46 <http://www.chtcommission.org/wp-content/uploads/2011/12/English-CHT-Commission-Press-Release-6-Mission-3011111.pdf>. Accessed on April 3, 2012 .
- 47 Information from local indigenous leader, December 2011.
- 48 Directive from the Deputy Commissioner's office, Rangamati district, to all the NGOs in the CHT, dated November 22, 2011.
- 49 Directive from the Deputy Commissioner's office, Rangamati district, to all the NGOs in the CHT, dated November 22, 2011. The required information is: 1. Name of organization, 2. Total Beneficiaries (2011-2012), 3. Percentage of Bengali and Indigenous Beneficiaries (2011-2012), 4. Amount of Foreign Donations (2011-2012), 5. Number of Projects (2011-2012), 6. Progress in Project Implementation, 7. Number of Employees (2011-2012), 8. Percentage

- of Bengali and indigenous out of the total number of employees (2011-2012), 9. Comments.
- 50 Interview with former local NGO staff, December 2011. The staff came to know about the intervention by the DGFI when negotiating the removal of the suspension with the Social Welfare Department.
- 51 This is an estimated amount. Rice is sold at approximately Tk. 40 per 1 kg in Bangladesh.
- 52 *The Daily Samakal*, January 23, 2012.
- 53 When one of the authors of this report asked for the budget of the "Pacification Programme", the Secretary of the Ministry of CHT Affairs answered that the information would be given only through the procedures set by the Right to Information Act, and avoided giving the data. There is, however, a clause that information concerning security issues is not subject to the law, so it is quite possible that the budget would not be disclosed through this procedure.
- 54 Interview with various sections of Jumma people, including local activists, journalists, NGO staff and former government officials, September and December 2011.
- 55 <http://www.army.mil.bd/>. Accessed on January 17, 2012.
- 56 A list of the roads which the army did maintenance work on in 2011 is as follows: Chimbuk - Thanchi Road(53.50 km), Rangamati - Chandraghona - Banglahalia - Bandarban Road (58.92 km), Banglahalia - Rajastholi Road (21 km), Baghahat - Massalong - Sajek Road (36 km), Dighinala - Chotomerung - Chongrachori - Longodu Road (40 km), Khagrachari - Dighinala - Baghahat Road (32.8 km), Chittagong - Hat Hajari - Rangamati Road (37 km), Bandarban - Chimbuk Road (23 km), Chimbuk Y junction - Ruma Road (29 km), Ruma Bridge Project (237.15 meters).
- 57 Interview with former government official in the CHT, December 2011.
- 58 Interview with local journalist in Rangamati, December 2011.
- 59 Bhattacharjee 2010: 18-21.
- 60 Interview with local people in 2009.
- 61 *Daily Samakal*, September 10, 2009.
- 62 List of rubber holdings in Bandarban district.
- 63 Chittagong Hill Tracts Commission 1994: 8.
- 64 Adnan 2011: 79.
- 65 Adnan 2011: xxvi.
- 66 Kapaeeng Foundation 2012: 97.
- 67 *Daily Samakal*, August 25, 2009.
- 68 *Daily Samakal*, September 7, 2009.
- 69 *Daily Samakal*, September 1, 2009.
- 70 Circular No. Pa.Ba.Ma (section-3)/33/95/88 dated March 5, 1998
- 71 Supreme court judgment on writ petition No. 7083 of 2010.
- 72 Interview with timber trader, 2011.
- 73 Ibid.
- 74 Ibid.
- 75 The Rohingya is a Muslim ethnic group of the Northern Arakan State of Western Burma. They have continued to suffer human rights violations under the Burmese junta since 1978 and many have fled to neighboring Bangladesh.
- 76 UKBDnews.com, November 17, 2011.
- 77 Ibid.
- 78 *Naya Diganta*, November 18, 2011.
- 79 *Suprabhat*, October 9, 2011.
- 80 *The New Age*, February 26, 2011.
- 81 *Jugantor*, July 11, 2011; *Suprabhat*, July 13, 2011.
- 82 *Suprabhat*, March 10, 2011; Chtnews.com, News No. 140/2009, October 3, 2009; Chtnews.com, News No. 145/2011, September 13, 2011; *Samakal*, October 7, 2011; *Suprabhat*, September 14, 2011.
- 83 *Suprabhat*, June 2, 2011; *Jugantor*, May 31, 2011.
- 84 List of people abducted by "Borkha Party" prepared by Information and Publicity Department, United Peoples' Democratic Front (UPDF) on April 9, 2012.
- 85 *Suprabhat*, March 10, 2011; *Suprabhat*, October 9, 2011; *Suprabhat*, October 24, 2011.
- 86 Chittagong Hill Tracts Commission 2000: 26-28.
- 87 *Prothom Alo*, August 14, 2004.
- 88 *Prothom Alo*, August 15, 2004; Wikipedia states that al-Har- amain Foundation has been banned by UN Security Council Committee1267 and is alleged by US Treasury Department to have "direct links" to Al Qaeda.
- 89 *Prothom Alo*, August 14, 2004.
- 90 *Daily Star*, September 4, 2005.
- 91 *Janakantha*, September 8, 2005.
- 92 *Prothom Alo*, August 15, 2004.
- 93 <http://www.unpo.org/article/1927>. Accessed on April 27, 2012; [http://www.internal-displacement.org/8025708F004CE90B/\(httpDocuments\)/9465E7EF116B56FDC12575F40062A0BE/\\$file/vr_paperinahume.pdf](http://www.internal-displacement.org/8025708F004CE90B/(httpDocuments)/9465E7EF116B56FDC12575F40062A0BE/$file/vr_paperinahume.pdf). Accessed on April 27, 2012.
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- 95 Ibid.
- 96 Interview with a survivor of the Mahalchari incident, August 2011 in Khagrachari town. Supplemented with Hill Watch Human Rights Forum (2003) and *The Independent*, Dhaka, September 25, 2003.
- 97 Hill Watch Human Rights Forum 2003: 5-6, 11.
- 98 Hill Watch Human Rights Forum 2003: 11.
- 99 Ibid.
- 100 *Prothom Alo*, September 4, 2003.
- 101 Kapaeeng Watch E-mail alert, April 25, 2008.
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- 113 Ibid.
- 114 Villagers stated that the attackers were unfamiliar to them and likely from elsewhere. Interviews with survivors of the incident in Baghahat, 2010.
- 115 http://www.pcjss-cht.org/Major%20Communal%20Attack/10-Baghahat-Khagrachari%20Attack%20_19-23%20Feb%202010_.pdf. Accessed on April 24, 2012.
- 116 Villagers claim he struck back with a barbed stick. Interviews with survivors of the incident in Baghahat, 2010.
- 117 http://www.pcjss-cht.org/Major%20Communal%20Attack/10-Baghahat-Khagrachari%20Attack%20_19-23%20Feb%202010_.pdf. Accessed on April 24, 2012.
- 118 The burnt remains of the MSF hospital were witnessed by author in 2010.
- 119 Interviews with survivors of the incident in Baghahat, 2010.
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- 123 The burnt houses of Satbyaiya Para Marma village were witnessed by author in 2010.
- 124 Relatives of Anwar Hossain interviewed in 2010 claim he was killed by "tribal miscreants" when he had gone to retrieve belongings from his burnt house.

- 125 http://www.pcjss-cht.org/Major%20Communal%20Attack/10-Baghaihat-Khagrachari%20Attack%20_19-23%20Feb%202010_.pdf. Accessed on April 24, 2012.
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