

Status of Minorities in Bangladesh in 2009

Annual Report from SAHR

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List of acronyms

BHBCOP	- Bangladesh Buddhist-Hindu-Christian Unity Council
CHT	- Chittagong Hill Tracts
CHTRC	- Chittagong Hill Tracts Regional Council
DFID	-Department for International Development
GoB	- Government of Bangladesh
NGOs	- Non Government organizations
MJF	- Manusher Jonno Foundation
NK	- Nijera Kori
NU	- Nagorik Uddog
PCJSS	- Parbatya Chittagong Jana Smahati Samiti
RIB	- Research Initiatives of Bangladesh
SAD	- Special Affairs Division
HC	- High Court
NICVD	- The National Institute of Cardiovascular Diseases
SAHR	-South Asians for Human Rights
UNPD	- United Nations Development Programme
USCIRF	-United States Commission on International Religious Freedom

1. Background:

Despite the long history of accommodation and tolerance of diversity and multiculturalism that constituted a previous generation of Bengali culture and nationalism, it is evident that in Bangladesh public and political culture appears increasingly priorities the interests of the religious majority which thus marginalizes minority religious and other cultural groups (Hindus, Buddhists, Christians, indigenous people). For instance, an undercounting of minorities and indigenous people has been reported in the national census. The challenge for progressive groups is to transform this political culture and promote multiculturalism and pluralism.

Several organizations are working together to protect the rights of minority groups and to correct policies that are discriminatory. The Bangladesh Government has taken some corrective measures to improve their status and position. In recognition of this, in 2009, the United States Commission on International Religious Freedom (USCIRF), a US Congressional body dropped Bangladesh from its Watch List of countries deemed to violate minorities' rights to religious freedom.¹

2. Religious Minorities:

Religion has shaped the platforms of a few political parties, but the government has been sensitive to the religious sentiments of most citizens. Nevertheless, violence against religious and ethnic minorities was reported occasionally. But the numbers dropped significantly from the previous year. Some sporadic incidents of destruction of idols and attacks on Hindu temples (in Sutrapur, Dhaka, Faridpur, Bandarban, Gazipur, Rangamati, Bandarban, etc.) were noted in the media. Religious minorities were vulnerable due to their relatively limited influence with political elites. They were reluctant to seek redress from a criminal justice system they perceived as corrupt and ineffective. Police frequently were ineffective in upholding law and order and sometimes were slow to assist religious minorities. In 2009, relatively prompt police responses were reported, though the final outcomes of these incidents were not known.

According to the Bangladesh Buddhist-Hindu-Christian Unity Council (BHBCOP), from April 2008 to March 2009, there were three killings, ten attacks on or occupation of temples, twelve incidents of land grabbing, two cases of rape, and three kidnappings.

On January 10, according to the Bangla language daily Prothom Alo and the Bangladesh Buddhist Hindu Christian Unity Council, more than 150 armed thugs attacked a largely Hindu village in Gazipur, outside Dhaka. The mob beat many of the residents, damaged several houses and an image of a goddess, and assaulted several women.

According to the BHBCOP and Shamokal, (a Bangla national newspaper) on January 28, 2009, in Faridpur, a group led by a former local politician vandalized idols in the Shmashan Kali (Hindu) temple and then set fire to it.

On January 28, 2009, in Tangail, a gang of unidentified attackers killed Basanti Mangsa, a Christian headmistress of Gaira Missionary Primary School, as she was returning home from a meeting. Two teachers were also injured in what was alleged to be a well-planned attack. The motive was unclear and the case remained unsolved.

According to Shamokal, a Bangla national newspaper, on March 30, 2009, 50 police officers and 100 others evicted approximately 400 individuals, mostly Hindus, from Sutrapur in old Dhaka and destroyed their ancestral homes with hammers. The mob, allegedly led by the brother of a local politician of the ruling party, also destroyed the oldest Shiva temple in Kalirghat. The individuals

¹ UNHCR Report, 2009

evicted claimed that the land was registered in their name in 1945 and that they had been paying municipal taxes and utility bills. After the passage of the Vested Property Act, the area was registered as "vested property." The Hindu residents alleged that several powerful local leaders had filed a case claiming the property. Police sided against the Hindu occupants, claiming they had been illegally occupying the land.

July 3, 2009 at Palash Upazila of Narsingdi District. Ten persons including women and children were seriously injured in an attack on the houses of Dharendra and Monindra Chandra Barman in Charsindhu village.

2.1.1 Land-Grabbing

Land grabbing is the most common problem for both religious and ethnic minorities. Incidents of land grabbing were reported not only in the Chittagong Hill Tracts (in Sajek, Bandarban, Ramgarh, Longadu, Laxmichari under Khagrachari area) but also in Nowgaon, Rajshahi and some other districts of Bangladesh. Brief information on the incidents is given below-

On 12 June, 2009 a Bangali settler attempted to seize about 300 acres of land belonging to Jumma people in Ramgarh.² A group of illegal Bangali settlers were reported to have cut trees in the jungle for cultivation in Boroitali under Hapchari Union (No. 3) on 7 Jun. They erected a house structure with bamboos.

On 14 August 2009 a group of Bangali settlers tried to attack Jumma villages at Bagachadar union under Longadu upazila (sub-district) in Rangamati district. At least four Jumma villagers were allegedly assaulted and their possessions looted.

On 25 September, 2009 Bangali settlers burned down three Jumma houses in Laxmichari under Khagrachari district.

2.1.2 Equal Opportunities in Employment

Religious minorities do not appear to have equal access to military and government jobs, including to elected office. However, the present Government has appointed more religious minorities at all levels of government. In the new cabinet, three out of 38 Ministers are non-Muslim. Minority communities in general remained under represented in the higher ranks of government. One notable exception was the government-owned Bangladesh Bank, which had approximately ten percent non-Muslims in its upper ranks. Selection boards for government services often lacked minority representation.

2.1.3 Attacks on Ahmadiyas

As in the previous year, government protection of Ahmadiyas, a Muslim sect, continued to improve, although social discrimination continued and there were sporadic cases of harassment. The High Court stays on the government ban on Ahmadiyya publications, effectively allowing Ahmadiyas to publish their literature.

2.2 Indigenous communities

2.2.1 Indigenous communities in the Chittagong Hill Tracts

The Chittagong Hill Tracts (CHT) Peace Accord (1997) has yet to be implemented, even though the manifesto of the Awami League Party promised its full implementation so as to uphold the rights of ethnic minorities. The Government announced the removal of 35 army camps from the region, in a symbolic gesture towards fulfilling the 1997 Accord. But the withdrawal programme was halted later on.

Pressure continues to build on the Government to announce a timetable for implementation. At the same time, powerful Bangali groups which have benefited by grabbing huge tracts of land

² chtnews.com, News No. 50/2009, June 12, 2009

from Jummas in CHT, and profited from illegal timber felling and cross-border smuggling have combined together to protest the Peace Accord.

Recently on 13 April, 2010 the High Court affirmed valid the CHT Peace Accord signed between the government and the erstwhile Shanti Bahini leaders in 1997, but declared unconstitutional the Chittagong Hill Tracts Regional Council Act, 1998. After the judgment, Additional Attorney General prayed for staying operation of the judgment and giving a certificate under the article 103 (2)(a) so that the government could go straight to the Appellate Division for appeal against the HC judgment. The court then issued a stay order for 6 weeks.

The government reconstituted the Land Commission in order to resolve land disputes in the Chittagong Hill Tracts. This was opposed by the local Jumma people, because land was owned by the community was not registered with the land department, whereas the Bangali settlers had registered their acquired lands. On 7 October 2009 human rights groups urged the Land Commission to scrap its decision to conduct land survey in CHT before resolving the land disputes at a press conference held at Reporters' Unity auditorium in Dhaka.

Furthermore, incidents on human rights violations including torture, killings, harassment of Buddhist monks, sexual violence against women and children and the dispossession of indigenous peoples' lands by Bengali settlers and military personnel are regularly reported both in the Chittagong Hill Tracts.

On 22 January 2009 at midnight Mr. Shaktipada Tripura (42), Organising Secretary of the Parbatya Chhattagram Jana Shamiti (PCJSS) and Bangladesh Indigenous Peoples Forum, was arrested, without warrant, from a house at Mirpur in Dhaka,

Very recently, Government of Bangladesh (GoB) planned to begin production of gas from Semutang gas field in Manikchari upazila under Khagrachari district in Chittagong Hill Tracts (CHT) without consulting with CHT Regional Council (CHTRC) and Khagrachari Hill District Council (HDC).

On June 26, 2009, a Jumma youth Mr Tarun Kusum Chakma, in Chittagong Hill Tracts (CHT), Bangladesh become the victim of an extra-judicial killing.

2.2.2 Plain lands

There are two types of Adibasi communities in Bangladesh: Hill people and plain land Adibasis. According to the 1991 Government census, the Adibasi population is 12,05,978 which was 1.13% of the total population. It is estimated that 22 lakh indigenous people live in the plains, mainly in northern districts, and greater Mymensingh and Sylhet districts. While the Hill people in the Chittagong Hill Tracts received quite a bit attention because of high political salience, the plain Adibasis have not received much attention in terms of poverty profile, socio-economic standing and access to services.

Unlike CHT, most of the Adibasis of plainlands suffered from insecurity on their right to land or property. Landlessness is very high among the plain lands ethnic minorities even though a large proportion depends on agriculture for their livelihood. The forest department has occupied some of their lands; lots have been seized by influential quarters, by forging documents. This has resulted in their eviction.

Ethnic minorities living in the plains are subject to discrimination in development allocation, and natural habitats of many small ethnic groups have been threatened due to ill-conceived projects. Most of the development projects were imposed on the indigenous people against their will and at the cost of their habitats and livelihoods.

From different news sources it was reported that the proposed Phulbari open pit coal mine in Bangladesh would divert a river, suck an aquifer dry for 30 years and evict thousands of people from their homes. The mine would displace 40,000 people according to Asia Energy. Activists state that the number of people affected could be more than ten times this figure.³

“No matter wherever we are put, if we get evicted from our homes, we will lose our traditions, social organisation and businesses. These losses are beyond compensation,”

-Nima Banik, a lecturer at Phulbari Women’s Degree College told the Bangladesh NGO, Society for Environment and Human Development (SEHD).

Besides, in last ten years, twelve indigenous persons, including human rights defenders, were killed in Modhupur forest. No trial was held into the killing of Garo leader Cholesh Ritchil. More than a thousand Khasi families are in threat of eviction from their ancestral land, which is planned as an Eco-Park. The main livelihood of the Khasis depends on cultivating betel leaf on trees. The Environment and Forest Ministry gave permission to cut down 4,000 trees from Khasi land and the tea company has already cut down 1,200 trees. The indigenous organisations organized protest rallies to stop cutting of trees. In some Khasi villages, forest department has forcibly implemented social forestry programme by planting of exotic trees. The indigenous peoples were not consulted.

On 12 June 2009, land-grabbers attacked an Adibasi village at Porsha upazila of Naogaon district and destroyed 74 houses. They set fire to the houses. More than 500 Bangalis attacked the indigenous village to evict the villagers from their land. The police remained passive. After the attack, many indigenous, civil society and human rights organisations protested and condemned the attack and supported the Santal villagers. Indigenous families have been living under without any shelter while the land grabbers have not been arrested, even after media publicity.

2.3 Dalit and Low caste communities

Bangladesh is a predominantly Muslim country, where caste hierarchies are not sanctioned by the religion, unlike the Hindu religious practice. Dalit Communities in Bangladesh are subject to systematic humiliation by the Hindus, but the Muslim communities also follow the practice of treating them as outcastes.

Due to the social structure women of Bangladeshi Dalit communities are the worst victims of discrimination, harassment and violence. Recently Some NGOs like Manusher Jonno Foundation (MJF), Research Initiatives of Bangladesh (RIB), Nijera Kori (NK), Nagorik Uddog (NU) conducted some research on the pattern of deprivation in the life and livelihood patterns of the Dalits. Gradually Dalit communities are forming their own networks and mobilizing their struggle by linking with other NGOs. Some donors have supported their claims.

2.4 Biharis (Stranded Pakistanis)

Approximately 160,000-200,000 non-Bangali Bihari Muslims migrated to the former East Pakistan during the 1947 partition. A large number of them supported Pakistan during the 1971 war, and opted for Pakistani citizenship. But Pakistan has not taken them back. They were kept in camps in 1972 and many of them continue to live in camps throughout the country. According to Refugees International, many of these persons lived in unsanitary conditions with little access to education and medical resources. Many in the Bihari community were born after 1971, and the vast majority of this population has now been assimilated into the mainstream Bangla-speaking environment, although social barriers to upward mobility remain.

³ “Urgent Appeal by World Organization against Torture: Risk of Violent Suppression of Public Opposition to the Phulbari Coal Mine Project”, Phulbari Resistance, 22 December 2007.

Approximately 80 per cent of all adult Biharis, or 184,000 persons, were registered as voters following voter registration drives ahead of the December 2008 elections.⁴

3. Some institutional developments in 2009

The Government has introduced the following institutional measures to protect the rights of minorities:

- Appointed the Deputy Leader of the House Syeda Sajeda Chowdhury as Chairperson of the CHT Accord Implementation Committee to implement the 1997 Peace Accord.

On 24 March 2009 Mr. Bir Bahadur, MP from Bandarban was appointed as Chairmanperson of CHT Development Board replacing GoC of 24 Infantry Division of Bangladesh Army.

- On 19 July 2009 the Government of Bangladesh appointed retired Justice Khademur Rahman Chowdhury as Chairperson of the Land Commission.
- The Bangladesh Cabinet approved the Vested Property Return (Amendment) Act 2009 for restoring property seized from minority groups, mainly from Hindus, during the united Pakistan era. A parliamentary watchdog committee on March 11 asked the Land Ministry to draft the new Vested Property Return Act restoring the six-month deadline for local authorities to compile a list of land seized under the law. On 2 November, 2009 the cabinet finally approved the Vested Property Return (Amendment) Act 2009 for restoring property acquired from the nation's minority groups, mainly from the Hindus⁵.
- Special Affairs Division (SAD) under Prime Minister's office dealing with indigenous peoples' development in plain districts included Hindu minorities in the list of beneficiaries for a development grant. Furthermore, the Ministry of Religious Affairs administered three funds for religious and cultural activities: the Islamic Foundation, the Hindu Welfare Trust, and the Buddhist Welfare Trust. The allocation is made for temple-based literacy and religious programs. In addition, the trust money was used to repair temples and monasteries, organize training programs for Buddhist monks, and celebrate the Buddhist festival Purnima, improve cremation pyres, and help destitute Hindu families to meet expenses for medical treatment.
- On 26 January 2009 Mro leader, Ranglai Mro was freed 19 days after the High Court (HC) granted him bail. He was handcuffed to a bed at NICVD and suffered due to delays in reaching his bail order to the jail authorities from the HC. Ranglai Mro had been detained for 22 months since his arrest in February 2008 charged in a criminal case under the Arms Act for illegal possession of weapons. A number of national and international organisations had earlier issued appeals for Mro's release, including Amnesty International, the International Commission on the CHT, SAHR and other human rights defenders in Bangladesh. SAHR submitted a memorandum to the Chief Advisor of Bangladesh to ensure a fair trial.

Sources:

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- *UNHCR Report,*
- *The Bangladesh Buddhist Hindu Christian Unity Council report (BHBCOP)*

⁴ <http://www.state.gov/g/drl/rls/irf/2009/127363.htm>

⁵ <http://www.thehindu.com/2009/11/03/stories/2009110360801000.htm>