


**JOINT SUBMISSION ON THE HUMAN RIGHTS SITUATION OF  
INDIGENOUS PEOPLES HUMAN RIGHTS DEFENDERS IN  
BANGLADESH**

Submitted to

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Submitted by

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### **A. Introduction and Methodology**

1. This is a joint submission by Indigenous Peoples Rights International (IPRI) registered in the Philippines and USA, Campaign for Humanity Protection (CHP) based in India, and Chittagong Hill Tracts Jumma Refugees Welfare Association, based in Bangladesh and CHT Indigenous Peoples Council of Canada based in Canada (please see Annexe-A for the list of the organizations) working on the human rights of indigenous Jumma peoples of Chittagong Hill Tracts (CHT) in Bangladesh to the UPR working group of the Human Rights Council.
2. This report has been prepared on the basis of human rights reports of indigenous peoples' organizations and human rights organizations working in Bangladesh, and media news published in various newspapers and online news portals in Bangladesh.

### **B. Overall Situation of IPHRDs**

3. A historic agreement popularly known as the CHT Accord<sup>1</sup> was signed in 1997 between the Bangladesh government and *Parbatya Chattagram Jana Samhati Samiti (PCJSS)* aiming at resolving CHT problem through political and peaceful means. After signing the Accord, the then government implemented a few provisions including, among others, enactment of CHT Regional Council Act 1998, three Hill District Council Acts in 1998 and CHT Land Dispute Resolution Commission Act 2001 (amended in 2016), establishment of CHT Affairs Ministry, repatriation of Jumma refugees from Indian, withdrawal of 101 temporary camps (out of 545 camps), transfer of few subjects to Hill District Councils (HDCs) etc. But the two-third provisions of the Accord including core issues, such as, legal and administrative measures to preserve tribal-inhabited characteristics of the CHT, establishing special administrative system with devolution of administrative power and functions, land disputes resolution, demilitarization, rehabilitation of internally displaced persons and India-returnee refugees, bringing amendment to all the laws and regulations applicable to CHT to making them in consonance with the Accord, appointment of permanent residents in all jobs in CHT and so forth, have not been implemented properly and precisely.

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<sup>1</sup> [Agreement](#) between the National Committee on the CHT constituted by the Government of Bangladesh and the PCJSS.

4. Non-implementation of Accord has severely threatened the culture and identity of the region's Indigenous population, and violated their human rights.<sup>2</sup> As the CHT Accord has not been properly implemented, the human rights situation in the region has not improved much. As in the pre-Accord period, systematic human rights violations against the indigenous Jumma people are now frequently taking place in every nook and corner of the CHT.
5. Even in the plains, indigenous peoples' human rights defenders who have been vocal in demanding land rights and against land grabbing are also targeted by land grabbers and influential groups.

### **C. Militarization and military atrocity in CHT**

6. The CHT Accord provides for the demilitarization of the CHT region through withdrawing all the temporary camps from the region. After signing of the Accord, from among the 545 temporary camps, only 70 camps were withdrawn during the period of 1997-1999 and 35 temporary camps were withdrawn during 2009-2013. Even, the time-line therefor has not yet been determined. As a result, more than 400 temporary camps are still in force in the CHT which makes the obstacles in demilitarizing the region.
7. Instead of demilitarizing the region, the then government promulgated de facto military rule named 'Operation Uttoron' (*Operation Upliftment*) on 01 September 2001. It is by merit of this, the army have been controlling all significant affairs including the administration, law & order, judiciary and development. At present, the withdrawal process of temporary camps has been put to a total halt. Rather, the government is re-establishing the withdrawn camps. It is only during COVID-19 pandemic, 20 camps have been re-established.<sup>3</sup> Recently, the government has taken a move to deploy Armed Police Battalion (APBn) in the lands of withdrawn army camps<sup>4</sup> violating Section 17(a) and 17(b) of the Part-D of the CHT Accord that stipulates to withdraw all temporary camps from CHT and to hand over the lands of abandoned camp sites of the army to the actual land owners or to the Hill District Councils concerned.
8. The present government of Bangladesh, instead of solution of political and peaceful means to the CHT crisis through implementing the CHT Accord, has been following the policy of using military means in resolving CHT problem like the earlier despotic rulers. At present, by taking the advantage of Operation Uttoron, the military have been obstructing the CHT Accord implementation process by interfering in all the affairs of the region while discharging the ultra vires role in implementing the programs of anti-Accord and anti-interest of indigenous Jumma peoples.
9. The constitution of Bangladesh does not recognize indigenous peoples as Adivasi (indigenous peoples). Along with the political leadership, the country's army have been opposing the most in recognizing them as Adivasi. It goes without saying that the military forces have direct or indirect dominance over the governance system of the country. As a result, the army create obstacles in many ways in according constitutional recognition and establishing political and cultural rights of the indigenous peoples in the country. Again, the mass media is pressured by the military and military intelligence agencies to not use indigenous terms. One of the such latest examples set forth by the army is: at the eve of International Day of the World's Indigenous Peoples, a directive from Directorate of Defense Intelligence was issued on 4 July 2022 imposing restriction on the use of the term 'Adivasi' or 'indigenous people' on the plea of being constitutional obligation, which landed in a

<sup>2</sup> Bangladesh: [UN expert concerned about non-implementation of Chittagong Hill Tracts Accord](#), Francisco Cali Tzay, Special Rapporteur on the Rights of Indigenous Peoples of United Nations, 2 December 2022,

<sup>3</sup> [19 new camps set up in CHT in two years, repression increasing](#), Hill Voice, February 4, 2021.

<sup>4</sup> [Int'l CHT Commission concerned over deployment of APBn in CHT](#), New Age, May 29, 2022.

vehement protest for being against the basic right and right to speech conferred by the constitution and sounds to be racist and conspiring.<sup>5</sup>

10. An example in interfering the civil affairs is directive of the Armed Forces Division of the Prime Minister's Office to take immediate steps to increase strict surveillance and discourage the cultivation of turmeric and ginger in CHT. On 29 August 2021, in a directive signed by Major HM Mohaimin Billah Chowdhury on behalf of the Principal Staff Officer of the Armed Forces Division, titled "the issue of destruction of biodiversity and natural balance in the hill areas through arson for commercial cultivation of Jum (turmeric / ginger)", the secretaries of the Ministry of CHT Affairs and the Ministry of Environment, Forests and Climate Change were informed to take such action.<sup>6</sup>
11. The army are still continuing various kinds of persecution on indigenous peoples in CHT, such as, forced labor without pay for the construction of army camps and clearing the jungle around the camp, free supply of trees and bamboos for the construction of camps, fetching drinking water from springs in camps built on hilltop every day by turns, carrying ammunition and goods of army during operations without pay, supply of cow-goat-poultry at low price or without pay, etc.<sup>7</sup>
12. 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. 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.<sup>8</sup> Another way for the army to get promoted is to stage a drama of arms and ammunition recovery and arbitrary arrest of innocent Jumma people putting arm with the arrestee. Various officers of the army and the BGB often pretended to carry out operations and recover weapons for their own promotion. In this regard, they used country-made weapons to arrest any unarmed indigenous people and rights activists labeling them as a terrorist.<sup>9</sup>
13. The latest instance of illegal land occupation and forcible eviction of the indigenous Jumma peoples is the plan that involves construction of luxurious Tourism Complex including Five-Star Hotel in the lands of indigenous Mro people at Chimbuk Hill in Bandarban district under initiative of the army. Although the army were given lease of 20 acres of land for this project, but have already demarcated boundary with more than 20 acres in the Naitong hills evicting four Mro villages which is about 5 km long area covering more than eight hundred acres of land. Besides, 70 to 116 villages will indirectly be affected while causing approximately 10,000 Jum cultivators to fall under threat of eviction. Many international organizations including UN human rights experts and local communities protested and urged to not construct such hotel and amusement park, but the army paid no heed to it. Even the government is completely silence in this regard.<sup>10</sup>
14. The security forces, intelligence agencies and administration in association with some of the opportunists and power-hungers from among the indigenous Jumma people have been giving birth and supporting to one after another pro-army armed terrorist groups and having them

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<sup>5</sup> [Censoring the indigenous](#), Netra News, August 1st, 2022.

<sup>6</sup> [Directive of the Armed Forces Division to stop turmeric-ginger cultivation in the hills](#), Hill Voice, November 20, 2021.

<sup>7</sup> <https://hillvoice.net/en/16-jumma-villagers-of-ruma-compelled-to-serve-forced-labour-to-bagalake-camp/>

<sup>8</sup> [Militarization in the Chittagong Hill Tracts](#), IWGIA Report-14, 2012.

<sup>9</sup> [Army and BGB say 'arms recovery', public say 'drama'](#), Hill Voice, November 30, 2020.

<sup>10</sup> [What is happening to the land of the Mropeople?](#) IWGIA, 15 December 2021.

deployed at various strategic locations, have been being incited against the movement of the Implementation of CHT Accord as well as rights to self-determination of indigenous peoples. As the vested quarter sitting inside the state machinery has been creating formidable environment by providing support and shelter to the armed terrorist groups while meting out suppressive and oppressive measures upon the Jumma people including the IPHRDs and imposing the responsibility for the terrorist activities upon the Jumma people vocal for the legitimate rights.<sup>11</sup>

15. Bangladesh army, having participation in the UN Peace Keeping Missions, is serving for maintaining peace and human rights in various countries. But the dichotomy is that inside the country, it is the same army, which has been erecting obstructions against the process of peaceful solution of CHT problem through obstructing the implementation of the CHT Accord and frequent violating the human rights. In the UNPFII session held in 2011, a recommendation was adopted urging not to appoint the members of the Bangladesh security forces who had been involved in human rights violation inside the country.

#### **D. Criminalization of movement of indigenous Peoples and IPHRDs**

16. Under the power of de facto military rule named 'Operation Uttoron' promulgated in 2001, the military forces have been carrying out criminalization of movement of indigenous Jumma peoples for implementation of the CHT Accord and rights to land, territory and natural resources including Indigenous Peoples Human Rights Defenders (IPHRDs) labeling them as 'separatists', 'extortionists', 'terrorists', 'miscreants' etc. which is having a huge negative impact on the life, freedom and security of the indigenous peoples in CHT. The security and law enforcement forces are continuing activities of anti-humanity and anti-interest of indigenous peoples including military operations upon the indigenous people, searching houses, arbitrary arrests, extra-judicial killings in the name of cross-fire, filing up fabricated cases, violence against women, forcible land occupation, anti-Accord propagation, etc. For instances, at least 779 persons have fallen prey to the 110 incidents of human rights violations perpetrated by the security forces in 2022 in CHT alone.<sup>12</sup>
17. For instance, law and order meetings are often held on part of the government in the name of solving the CHT crisis in the region. In all such meetings, the mass demand of CHT Accord implementation is slipped under the carpet while widely holding up the issues of terrorism, extortion and conflict in CHT with an aim to criminalize the movement of indigenous peoples. In this kind of meetings, instead of prioritizing the implementation of the Accord, threatening of stern actions is pronounced against the organizations and right-seeking Jumma people who are engaged in the movement, fictitiously alleging them to have involved in terrorist activities. At a similar meeting held on 26 May 2022 in Rangamati, Maj. Gen. Saiful Abedin, GOC of the 24th Infantry Division and Chittagong Area Commander, called on the Jumma peoples engaged in movement for implementation of CHT Accord to a war and threatened to destroy them within 30 minutes.<sup>13</sup>
18. In this meeting, GOC Major General Saiful Abedin also said that out of 72 articles of the CHT Accord, only two clauses were applicable to PCJSS. But GOC purposely alleged with the intention of criminalize the political activists that the then members of PCJSS had not deposited all their arms and ammunition as per sections 13 and 14 of Part D of the CHT Accord and its all the armed members had not surrendered. Whereas the progress report on the implementation of the CHT Accord, made by the Ministry of CHT Affairs, clearly states that these clauses have been 'implemented' fully. Basically, the army raised such false and

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<sup>11</sup> <https://hillvoice.net/en/army-backed-another-armed-group-kuki-chin-national-front-in-bandarban/>

<sup>12</sup> [PCJSS Annual Report of 2022 on Human Rights Situation in CHT](#), PCJSS, January 1st, 2023.

<sup>13</sup> <https://hillvoice.net/en/gocs-statement-exposes-racist-and-extremist-rhetoric/>

fabricated allegations to criminalize the people involved in the movement demanding the implementation of the CHT Accord as terrorists and armed miscreants.<sup>14</sup>

19. The army collect family information in villages to villages in the CHT to identify indigenous rights activists and preserve their information for future action. For example, towards the end of August 2022, the army were out in the Jurachari Upazila under Rangamati district and kept on collecting personal information on the indigenous villagers by visiting house to house. This gave rise to extreme concern among the Indigenous people and such act was questioned as to whether collection of personal information fell under army jurisdiction or what could have the purpose been behind.<sup>15</sup>

### **E. Extra-judicial killing**

20. The Government of Bangladesh claims that it maintains a ‘zero tolerance policy’ towards any misdeed, offence, or transgression by members of law enforcement agencies. But in the CHT, none of the incident of the extra-judicial killings committed by security forces and law-order forces have been brought to justice. Rather, members of the security forces involved in extrajudicial killings continue to enjoy impunity. As a result, security forces and law enforcement agencies continue to carry out extrajudicial killings of indigenous rights activists in the name of crossfire in the CHT like across the country. From January-December 2019 alone, there have been 7 extra-judicial killings in the name of cross-fire. In 2020, 3 people were extra-judicially killed while one person was killed in 2022.<sup>16</sup>
21. For instances, Gyana Shankar Chakma (45), a member of PCJSS, and Mayadhan Chakma, General Secretary of Mogban branch of PCJSS, were arrested from Chittagong city by RAB-7 on 14 March 2019. Gyana Shankar Chakma was shot dead by joint forces of army and RAB (Rapid Action Battalion) led by Lt. Col. Miftah Uddin Ahmed, commanding officer of RAB-7, in a so-called crossfire at Tulatali Doluchari area of Dochari union under Naikhyongchari upazila in Bandarban district on 3 April 2019. On the other, Mayadhan Chakma still remained missing.
22. On 26 February 2020, a group of army from Subalong Camp under Rangamati Army Zone killed Arpon Chakma (31) who had been kidnapped by the army-backed Reformist armed group one week ago, in the name of crossfire in Sahajbandha village of Bandukbhanga Union under Rangamati Sadar Upazila.

### **F. Arbitrary arrest**

23. Security forces and law enforcement forces have been arbitrarily arresting IPHRDs and political activists who have been vocal in demanding the implementation of the CHT Accord including land rights in the CHT and plain land. Particularly in CHT, the military are conducting raid in the villages and arresting innocent villagers without any arrest warrant. After being arrested, many were being sent to jail in connection with pre-filed organized cases. Many arrestees were shown being arrested plotting the gun. When many of the arrestees were released from the jail on bail from the High Court, the security forces and the intelligence forces were re-arresting them from the jail gate. After being arrested from jail gate and kept in an unknown place, after being beaten and tortured for days, they are again being implicated in some organized case and are being sent to jail. After the arrests, the army and police sent many rights activists to jail labelling them as terrorists by putting arms with them purposely. At least 10 members and supporters of PCJSS including 5 elected public

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<sup>14</sup> <https://hillvoice.net/en/gocs-statement-exposes-racist-and-extremist-rhetoric/>

<sup>15</sup> <https://hillvoice.net/en/gocs-statement-exposes-racist-and-extremist-rhetoric/>

<sup>16</sup> <https://www.pcjss.org/annual-report-on-human-rights-situation-in-cht-in-2020/>, <https://www.pcjss.org/pcjss-annual-report-of-2022-on-human-rights-situation-in-cht/>



representatives have been made shown arrested one after another case during or before getting out from the jail in accordance with the bail granted by High Court in 2019 while 55 were arrested illegally (five of whom were arrested at the jail gates after being released on bail in 2021).

24. Four newly elected chairmen of four Union Parishads under Nanyachar and Sadar upazilas of Rangamati district have been arrested by the police from the premises of the Deputy Commissioner's office after taking oath from the Deputy Commissioner's office in Rangamati on January 25, 2022.<sup>17</sup> They were all elected for the second time as independent candidates in the fourth round of UP elections held on December 26, 2021.<sup>18</sup>
25. In April 2020, police arrested two Mro villagers namely Langkum Mro (48), a Karbari (village head) and Ring Rong Mro (50) from Dhenkichara Noapara in Sorai union of the upazila, in connection with a fabricated case filed by Meridian Company in Lama upazila so that the company could grab the land easily. Meridian Company had illegally occupied 3,000 acres of land in Lama upazila. Furthermore, the police arrested one of the leaders of the Lama Land Protection Action Committee, Mothi Tripura, on March 01, 2023, in the false case of the rubber company who has been occupying homesteads and Jum-farming land of indigenous peoples.<sup>19</sup>

### **G. Filing fabricated cases**

26. A number of cases are being filed against indigenous human rights activists and political activists for harassment and compelling them to flee from their respective locality by state and non-state actors. After any rights activists are arrested, they are immediately entangled in those framed cases, then produced before the court and sent to jail. After being sent to jail, when any activists come out on bail from the High Court, the security forces and the intelligence agencies immediately arrest him from the jail gate and send him to jail again in the same manner, implicating another fabricated case. For example, around 278 indigenous rights activists including members and supporters of PCJSS have been falsely charged in the 17 fabricated cases in 2019. Fabricated cases had been filed against 82 rights activists in 2020 in CHT. Basically, projected cases were filed against the activists engaged in the movement in a selective and purposeful manner to drive them out of the area. Hence, hundreds of political activists were compelled to flee from their respective areas since 2019.<sup>20</sup>
27. For instance, 8 members of PCJSS who were freed on bail, have been sent to the jail dismissing their plea for extension of bail as they made themselves available in the court on 12 January 2020.<sup>21</sup> Furthermore, on 13 March 2020, Chairman of Subalong Union Parishad Tarun Jyoti Chakma was arrested from the jail gate by police and intelligence forces after he was released from the Rangamati jail on high court bail. After his arrest, he was shown arrested in a murder case of in Subalong. On 7 November 2019, he was arrested by the army from the Rangamati town with fabricated charges of grenade attack on Subalong. The army have filed a case against 22 persons including members of the Parbatya Chattagram Jana Samhati Samiti (PCJSS) with Ruma police station in connection with the shootings between

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<sup>17</sup> [4 Rangamati UP chairmen arrested in murder case](#), The Daily Star, 25 January 2022.

<sup>18</sup> [March-May 2022: Report on the Human Rights Situation in CHT](#), www.pcjss.org, June 11, 2022.

<sup>19</sup> [March-May 2022: Report on the Human Rights Situation in CHT](#), www.pcjss.org, June 11, 2022.

<sup>20</sup> <https://www.pcjss.org/pcjss-annual-report-of-2022-on-human-rights-situation-in-cht/>

<sup>21</sup> The PCJSS members who have been sent to jail are: Joly Mong, Education and Cultural Secretary of PCJSS; K S Mong, Assistant Organizational Secretary; Sadhuram Tripura, Law Secretary; Kyawba Mong, General Secretary of Bandarban District Committee of PCJSS; Aungthowai Ching Marma, Vice-President of Bandarban District Committee; Shambhu Kumar Tanchangya, Organizational Secretary of Bandarban District Committee; Headman Mongpu Marma, Land and Agricultural Secretary of Bandarban Sadar Upazila Committee and Chaihla Marma, member of PCJSS.

the army and alleged armed groups at Bathi Tripura Para in Ruma upazila of Bandarban. The lawsuit was filed on February 10, 2022 by Lance Corporal Abdullah Al Mamun of Raikhyong Lake Army Camp.<sup>22</sup>

28. Land grabbers in the plains and hills have been filing false cases against indigenous activists who are vocal in their demand for land rights in order to humiliate and harass the protestors against land grabbing. For instance, on May 5, 2021, land grabber Md. Mahabubur Rahman filed a false and fabricated case (Case No. CR-109/ 21) against the victim Niren Mardi along with local indigenous leaders in Senior Judicial Magistrate Amla Court (5), Dinajpur in connection with the land grabbing. In that case, Rabindranath Soren, renowned indigenous leader President of Jatiya Adivasi Parishad and Chairperson of Kapaeeng Foundation was shown as the no. 1 accused in the case. Manik Soren, Information & Research secretary of the Jatiya Adivasi Parishad were also included in the case among others. A total of 22 people have been accused in that false case.<sup>23</sup>
29. On August 14, 2022, Deputy Manager Abdul Malek Lama filed a case against 11 villagers including Lama Sarai Bhumi Raksha Sangam Committee convener Rangdhajan Tripura with the Senior Judicial Magistrate Court in Bandarban, while On September 4, another false case (CR Case No-313/2022) was filed against 14 villagers including Rangdhajan Tripura and Longkom Mro, who were involved in the land protection movement, by Abdul Malek, Deputy Manager of Lama Rubber Industries Limited. On the contrary, on January 7, 2023, Karbari (village head) Rengyen Mro filed the case as the plaintiff with Lama police station. Even though Lama Rubber Industries has committed abhorrent incidents such as arson and vandalism to the houses of the residents of Mro, poisoning the water supply and attacking the leaders and workers of the land protection movement, the administration has not taken any action against them. However, the police purposely arrested Mothi Tripura, on March 01, 2023, in the false case of the rubber company.<sup>24</sup>

## **H. Detention and torture**

30. According to the law, there is a provision to produce an arrestee before court within 24 hours after arrest. But the security forces in many cases detained and tortured many people in camps in CHT without producing them before court as per the law. After being illegally detained in camps, the army hand over the detainee to the police implicating with false charges or release them to the custody of local representatives or traditional leaders after beatings and harassment. According to the PCJSS report, 28 persons have been detained and 54 persons have been beaten up in CHT in 2022.<sup>25</sup>
31. For instance, an elected member of Ward No. 8 of Raikhal Union in Kaptai Upazila named Suichapru Marma, who was reportedly arrested by the Kaptai Army Zone in Rangamati district on 27 April 2020, has been released from the Kaptai Army Zone after being inhumanely beaten for seven days on 3 May 2020.<sup>26</sup>

## **I. House searching**

32. In CHT, the army conducts house-to-house raids without warrant in search of terrorists and harassing people and ransacking the belongings of the houses is a routine matter. As part of the criminalization of the Jumma people who engaged in the movement, the homes of rights

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<sup>22</sup> [Case filed against 22 workers of PCJSS in connection with the gunfight in Ruma](#), Hill Voice, 14 February 2022

<sup>23</sup> [False lawsuit against the Chairperson of the Kapaeeng Foundation in Dinajpur](#), Kapaeeng Foundation, May 12, 2021

<sup>24</sup> <https://www.pcjss.org/pcjss-annual-report-of-2022-on-human-rights-situation-in-cht/>

<sup>25</sup> <https://www.pcjss.org/pcjss-annual-report-of-2022-on-human-rights-situation-in-cht/>

<sup>26</sup> <https://www.pcjss.org/pcjss-annual-report-of-2022-on-human-rights-situation-in-cht/>



activists are especially targeted. In some cases, the houses were searched at mid-night where the people of the house, including sleeping children, women and the elderly persons, were woken up. At that time, the people of every house of the village gathered at a place and were interrogated, beaten, detained and harassed. In some cases, sexual violence is perpetrated on indigenous women and girls.<sup>27</sup>

33. For instance, on 9 April 2020, a group of army of 23 Bengal led by a Major from Rajasthali camp in Rangamati district cordoned off PCJSS activist named Subhash Tanchangya's house in Mahabat Para and Hridoy Kumar Tanchanga's house in Maitri Para of Rajasthali upazila headquarters. At that time, the army ransacked the house. When Subhash Tanchangya was not found at home, the army took away his passport and some documents. A total of 104 houses were searched and 25 houses including 20 temporary shops were vandalized in 2020 while 124 houses have been searched in 2021 in addition to search of 21 houses and ransacking of property of the houses in 2022 in CHT.<sup>28</sup>

## **J. Enforced Disappearances**

34. In 2019, 4 persons have been subjected to victims of enforced disappearance by the plain cloth law-enforcement and security forces, among whom 2 persons have been freed after keeping couple of days in the detention in unknown places, but 2 persons remain missing till to-date.
35. For instance, a PCJSS activist named Subhash Chakma from Kaukhali of Rangamati was abducted on August 8, 2019 by a white-clothed man posing as law enforcement officers after coming out of Chittagong Central Jail on bail from the High Court after 11 months of imprisonment.<sup>29</sup>

## **K. Restrictions on Assembly and Freedom of Speech**

36. Although the constitution of Bangladesh gives citizens the right to hold political events/activities, frequent use of excessive force by security officials has become a regular practice when citizens exercise the right to peaceful assembly. In particular, the CHT has been turned into a de facto blockade area by imposing restrictions on freedom of expression, freedom of assembly and association, and publication of news of human rights violations. Due to the presence of military authority and suppression, the human rights violations are not widely reported in the national dailies and electronic media.<sup>30</sup>
37. On the one hand, propaganda is being spread by the government and its agencies against PCJSS as well as Jumma people and about the CHT through hired yellow journalists that the military forces have been doing commendable job in the CHT and the CHT Accord has almost been implemented, but on the other hand, freedom of expression, freedom of assembly and association, restrictions on publishing news on human rights violations have been strictly controlled due to which the region has turned into choked areas. For example, in April, an online news portal named Hill Voice on the CHT, indigenous peoples and minority affairs was blocked in Bangladesh. Many such news portals had been blocked in the country in 2020. As a result, in 2020, the news of oppression and torture committed by the military and paramilitary forces in the CHT remained completely unknown to the mass-media and the people of the country.<sup>31</sup>

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<sup>27</sup> <https://www.pcjss.org/pcjss-annual-report-of-2022-on-human-rights-situation-in-cht/>

<sup>28</sup> <https://www.pcjss.org/pcjss-annual-report-of-2022-on-human-rights-situation-in-cht/>

<sup>29</sup> [Paathok News](#), August 9, 2019

<sup>30</sup> <https://www.pcjss.org/pcjss-annual-report-of-2022-on-human-rights-situation-in-cht/>

<sup>31</sup> <https://www.pcjss.org/annual-report-on-human-rights-situation-in-cht-in-2020/>

38. The Bangladesh Telecommunication Regulatory Commission is considering adoption of “the Regulation of Digital, Social Media and OTT platforms” Policy, which may potentially curtail free expression, enhance state surveillance capacity, put journalists, dissidents and right activists at risk, and compel digital service providers or intermediaries to self-censor.<sup>32</sup>

## **L. Recommendations**

- a) *To withdraw all temporary camps including de facto military rule 'Operation Uttoron' from CHT as per the provision of the CHT Accord of 1997.*
- b) *To 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.*
- c) *Immediately stop the criminalization of indigenous peoples' human rights defenders including arrest, detention, filing of false cases, disappearances, house searching without warrant, intimidation in CHT.*
- d) *To take action for proper, speedy and complete implementation of the CHT Accord for the sake of a political and peaceful solution to the CHT problem, and to adopt a time-frame based action plan (roadmap) without any delay-dallying tactics and anti-Accord conspiracy.*
- e) *To protect indigenous peoples' human rights defenders from extrajudicial killings, arbitrary arrests, illegal detentions, enforced disappearances etc. and take effective measures to protect their human rights.*
- f) *To investigate properly incidents of extrajudicial killings and enforced disappearances of indigenous peoples' human rights defenders and bring those involved to justice.*
- g) *To ensure indigenous peoples' traditional land rights in accordance with ILO Convention No. 107 on Indigenous and Tribal Populations and to take special measures to protect indigenous lands from land grabbing by state and non-state land grabbers.*
- h) *To strengthen National Human Rights Commission particularly by handing over power and functions to investigate human rights violations of the military and ensure their independent operations and adequate resources*

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<sup>32</sup> [BTRC draft rules on OTT: Govt given indemnity for its actions](#), The Daily Star, October 20, 2022.