

**Statement at the UPR Pre-session of the Human Rights Forum of Bangladesh/ Nagorik Uddyog on
Rights of Indigenous People and Rohingya Refugees in Bangladesh**

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I'm Zakir Hossain from Bangladesh.

This statement is delivered on behalf of the Human Rights Forum, Bangladesh (HRF, B), a coalition of 20 human rights and development organisations working for the promotion and protection of human rights in Bangladesh and Nagorik Uddyog, a member of the Forum, and a non-governmental Bangladeshi human rights and development organization that promotes access to justice, rights and entitlements for disadvantaged and socially excluded communities, by strengthening their capacity and building their agencies so that they can claim their rights and raise collective voice.

This submission focuses on addressing the rights of Indigenous People and of Forcibly Displaced Myanmar Nationals, or the Rohingya community.

1. RIGHTS OF INDIGENOUS PEOPLE

Alongside express prohibitions on discrimination, the Constitution identifies all citizens as “*Bangalees*” and does not explicitly recognize ‘*indigenous peoples*’. The rights of the indigenous people are reflected in some of the state policies and documents such as 8th five-year plan, National Social Security Strategy, National Health Policy, and National Education Policy. However, special attention is required to translate the policy commitment into action.

Indigenous peoples in the plain lands face serious threats to ancestral land rights, especially in the northern and eastern parts of Bangladesh. Land grabbing and associated violence are routine on the pretext of development and security. There are frequent reports of human rights violations against the indigenous peoples including arbitrary arrest, criminalization of the people from Indigenous communities, sexual harassment including rape of indigenous women and girls and other violence. In many cases, perpetrators remain unaccountable.

The Chittagong Hill Tracts (CHT) Accord lacks full implementation to date, despite the lapse of 26 years, and repeated government commitments, including in previous UPR sessions. Implementation challenges include activating the CHT Land Disputes Resolution Commission, withdrawing military camps, ensuring rehabilitation of internally displaced persons and repatriated tribal refugees’ from the neighboring country, and holding Hill District Council elections, among others.

Therefore, we recommend that the Government of Bangladesh:

1. Ensure express constitutional recognition of the identity of Indigenous Peoples with dignity while promoting and protecting their distinct languages, cultures, and traditions.
2. Implement ILO Convention No. 107, ratified by Bangladesh in 1972.
3. Ratify ILO Convention No. 169 on indigenous and tribal peoples.
4. Address discrimination and violence against Indigenous Peoples by including special provisions in the draft Anti-Discrimination Act.
5. End all forms of violence against indigenous people, including women and girls.
6. Establish quotas for Indigenous People in first and second class government jobs.
7. Ensure full implementation of the CHT Accord of 1997.
8. Establish a separate Land Commission for Plain lands Indigenous Peoples.
9. Establish and activate a Minority Rights and Protection Commission.

2. RIGHTS OF THE ROHINGYA COMMUNITY IN BANGLADESH

Bangladesh continues to generously host nearly one million Rohingya refugees from Myanmar, making it one of the largest protracted refugee situations in the world. The Government of Bangladesh and a section of the Rohingya community are working for dignified and voluntary repatriation. Several thousand Rohingyas were reportedly involuntarily relocated to Bhashan Char Island, though the Government of Bangladesh and UNHCR agreed on protective guidelines. Some Government-led initiatives have created limited work and educational opportunities; humanitarian aid, and internet connections disrupted by pandemic measures, have resumed. There were reports of deaths and numerous arrests resulting from the Law Enforcement Agencies' crime control and public order activities. Bangladesh has not ratified the Refugee Convention. Bangladeshi laws extending protection for non-citizens, marriage and divorce registration facilities and access to institutions for survivors of gender-based violence are applicable within the camps. Bangladesh continues to support the international Criminal Court and International Court of Justice processes regarding justice and accountability for the Rohingya. In 2023, the UN Joint Response Plan for the Rohingya humanitarian crisis received only a quarter of the required contributions, and the funding shortfall led to cuts in Rohingya food rations, increasing desperation and the spread of illicit activities like drug smuggling, extortion, and human trafficking in the camps.

We recommend that the Government of Bangladesh and the international community:

1. Initiate diplomatic and policy-level consultations to expedite sustainable and voluntary repatriation of Rohingyas to Myanmar.
2. Continue extending support and assistance for ensuring justice and accountability for the Rohingya before the International Court of Justice and the International Criminal Court.
3. Provide access to formal education, accreditation, and development opportunities to enable Rohingya to access decent work and lift themselves out of cycles of poverty and exploitation.
4. Ensure effective legal protection within Bangladesh for Rohingya, in particular women, children and vulnerable groups, through the informal and formal justice systems, and strengthening public-private partnerships for legal assistance and paralegal programmes.
5. Provide required resources to ensure humanitarian response, and livelihood support for the Rohingya community in Bangladesh.

I thank you.