

CHITTAGONG HILL TRACTS COMMISSION

Co-Chairpersons: Sultana Kamal, Lord Eric Avebury, Ida Nicolaisen

Members: Shapan Adnan, Lars-Anders Baer, Victoria Tauli Corpuz, Sara Hossain, Muhammad Zafar Iqbal, Lee Swepston, Robert Evans, Hideaki Uemura

22 February 2010

To
Honourable Prime Minister Sheikh Hasina
Government of the Peoples' Republic of Bangladesh
Prime Minister's Office
Tejgaon, Dhaka

Subject: Urgent demand for investigation into arson attack and alleged killings in Sajek

The CHT Commission (CHTC) is appalled to receive reports of the arson attacks carried out on over 200 Pahari homes in the Baghaihat area of Sajek union under Baghaichari upazila in Rangamati district from the night of 19 February 2010, in the following villages and their adjoining areas -- Gangaram Mukh, Guchchhagram, Hazachhara, Jaralchhari, Dane Baipachhara, Bame Baipachhara, Simanachhara, Chhurung Nala and Gulakmachhara, and the subsequent confirmed killings of 2 persons, reportedly in firing.

The CHT Commission is very deeply disturbed at allegations of the involvement of the army in the killings of at least two Pahari villagers in 'brushfire'. The Commission has also received reports that the Banani Bana Bihar, a Buddhist temple of the locality, has been looted.

The CHT Commission notes with concern that certain political quarters are claiming that this outbreak of violence is primarily due to the withdrawal of army camps from the CHT (as mandated by the 1997 CHT Accord). However, the Commission in its various field visits to the CHT has not found any evidence of the army presence being withdrawn from the area in question; indeed, the army has long had, and continues to have, a garrison in Baghaihat which is in close proximity of the Pahari villages that were attacked. It has been alleged by affected people that, prior to the firing by the army, a planned arson attack was carried out by Bangali settlers in collusion with the Army and other security forces.

Thousands of Pahari families have been living in this area after having been suffered internal displacement from other parts of the CHT. However, in 2008, some Bengali settlers began to illegally construct houses in Gangaram area on land used by Pahari villagers. On April 20, 2008, a group of settlers attacked several indigenous villages, injuring people and burning down more than 70 houses. However, there was no effective intervention by the authorities, despite the close presence of the army and the other security forces. Subsequently, many indigenous peoples fled the area and are in hiding.

In view of the circumstances and considerations noted above, the CHT Commission urges the Government of Bangladesh to immediately take the following remedial actions:

1. To prevent any further destruction of forensic and other evidence of killing or arson by any party, including the administration and security forces;
2. To ensure safety and security of all injured persons and transport them to a nearby hospital and provide urgent medical treatment to those suffering;
3. To also take immediate governmental custody of all dead bodies from the army and settlers, transferring them to neutral civilian government administration members, with the eventual objective of handing these over to the respective families;
4. To undertake an urgent, independent, high level investigation into the killings and allegations of human rights violations in the Baghaihat area of Sajek;
5. To prosecute through fair and prompt and independent processes those who are responsible for such killings and violence, and to ensure immediate security and safety for the bereaved families and other victims;
6. To take immediate steps to provide security of life and property, as well as food, water and shelter, for all women, men and children who have been left homeless, insecure and destitute from the arson attacks;

The CHT Commission also urges the Government of Bangladesh to take the following short-term actions:

1. To take immediate steps to activate the Land Commission and amend the CHT Land Dispute Settlement Commission Act 2001, so that all outstanding land disputes in the Chittagong Hill Tracts can be readily and fairly settled, as per provisions of the CHT Accord, thereby helping to prevent the outbreak of further violence;
2. To withdraw army camps from the three hill districts in accordance with the CHT Accord, as well as terminate Operation Uttaran;
3. To immediately declare a roadmap for full and comprehensive implementation of the 1997 CHT Accord, in line with the government's election pledge.

On behalf of the CHT Commission

Yours sincerely
Eric Avebury

Eric Avebury
Co-chair of the
CHT Commission

Sincerely yours
Sultana Kamal

Sultana Kamal
Co-chair of the
CHT Commission

Yours Sincerely
Ida Nicolaisen

Ida Nicolaisen
Co-chair of the
CHT Commission

cc to:

1. Syeda Sajeda Chowdhury, Honorable Deputy Leader of the House & Chairperson of the National Committee for Implementation of the CHT Peace Accord.
2. Dr. Dipu Moni, Honourable Minister, Foreign Ministry, Government of the People's Republic of Bangladesh, Dhaka.
3. Barrister Shafique Ahmed, Honourable Minister, Law, Justice and Parliamentary Ministry, Government of the People's Republic of Bangladesh, Bangladesh Secretariat, Dhaka.
4. Mr. Syed Ashraf Islam, Honourable Minister, Local Government, Rural Development and Cooperative Ministry, Government of the People's Republic of Bangladesh, Bangladesh Secretariat, Dhaka.
5. Mr. Rezaul Karim Hira, Honourable Minister, Ministry of Land, Government of the People's Republic of Bangladesh, Bangladesh Secretariat, Dhaka.
6. Mr. Jyotirindra Bodhipriya Larma, Chairman, CHT Regional Council, Rangamati.
7. Mr. Dipankar Talukdar MP, Honourable State Minister, Ministry of CHT Affairs, Government of the People's Republic of Bangladesh, Bangladesh Secretariat, Dhaka.
8. Mr. Hasan Mahmud, Honourable State Minister, Ministry of Forest and Environment, Government of the People's Republic of Bangladesh, Bangladesh Secretariat, Dhaka.
9. Mr. Promod Mankin, Honourable State Minister, Ministry of Cultural Affairs.
10. Mohammad Shah Alam, MP and Chairman, Parliamentary Standing Committee on CHT Affairs, Jatiya Sangsad Bhaban, Dhaka.
11. Mr. Jatindra Lal Tripura, MP and Chairman, Task Force on Rehabilitation of Returnee Refugees and IDPs, Khagrachari.
12. Mr. Bir Bahadur, MP and Chairman, CHT Development Board, Rangamati.
13. Justice Khademul Islam Chowdhury, Chairperson, CHT Land Commission.