Expert Mechanism on the Rights of Indigenous Peoples Seventeen Session 6-13 July 2024

Palais des Nations, Geneva

Item 3: Study and advice on Constitutions, laws, legislation, policies, judicial decisions, and other mechanisms through which States have taken measures to achieve the ends of the United Nations Declaration on the Rights of Indigenous Peoples, in accordance with Article 38 of the Declaration.

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Presented by:

Dhananjoy Chakma

Bangladesh Indigenous Peoples Forum

Email: [dhana123chakma@gmail.com](mailto:dhana123chakma@gmail.com)

Honorable Madam Chair,

Juju and Thank you honorable chair for giving me the floor.

I, Dhananjoy Chakma, am very honored to speak on behalf of Bangladesh Indigenous Peoples Forum and also I would like to thank the UN Voluntary Fund for Indigenous Peoples for giving me the opportunity to attend this august session.

Bangladesh government has ratified the ILO Convention No. 107 on Indigenous and Tribal Populations in 1972, and individuals and collective lands of the indigenous peoples and their customary land rights system have been recognised in this convention. But, the government of Bangladesh has not taken any measure to insert these rights to any national law and regulation. As a result, the lands ownerships of indigenous peoples are being taken away by the powerful authorities both in Chittagong Hill Tracts (CHT) and plain lands areas.

The government of Bangladesh has consecutively undertaken plan in the 6th, 7th and current 8th Five Year Plan to implement the UN Declaration on the Rights of Indigenous Peoples and to ratify ILO’s Convention No. 169 on Indigenous and Tribal Peoples. But these promises of the government are basically still limited to papers.

Even, when the constitution was framed in 1972, it stipulated all citizens of Bangladesh as Bengali, which was a clear rejection of the indigenous diversity their communities in Bangladesh. Even, during the 15th amendment of the constitution in 2011, the government again denied to recognition as indigenous peoples. However, the government recognises as “tribes, minor races, ethnic sects and communities”, which is very insulting and underestimating words for indigenous peoples.

After signing the CHT Accord, 26 years has been passed. But still many laws and regulations applicable in the CHT have not been amended according to this agreement. According to CHT Accord, there is an obligation to take the advice and opinion of CHT Regional Council in making any law related to CHT, but the government continues to ignore it.

Finally, I recomend following issues to the Government of Bangladesh through the Expert Mechanism and UN Bodies:

1. To take programme of work for implementation of the UN Declaration on the Rights of Indigenous Peoples.
2. To ratify ILO’s Convention No. 169 on Indigenous and Tribal Peoples without further delay.
3. To amend all necessary laws and regulations applicable in CHT as per CHT

Accord.

Thank You