Special Report on Violence against indigenous Jumma in the Chittagong hill tracts

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In May 2011, Justicemakers Bangladesh Trust along with Global Human Rights Defence (GHRD)’s local partner in Bangladesh Adv. Shahanur Islam led an eight day mission to the CHT region, speaking with members from over 100 Jumma families who were victims of arson attacks in the Chittagong Hill Tracts (CHT) region of Bangladesh which occurred in Rangamati and Khagrachari districts in February and April of 2011. We are to date the only human rights organization to conduct a first hand investigation into the attacks.

This special report is devoted to the current human rights issues in the CHT region and documents our key findings from the May investigations.

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Introduction

In February and April of this year, over one hundred houses, one school and two Buddhist temples were burnt to ashes in two different attacks against indigenous minority communities in the Chittagong Hill Tracts (CHT) of Bangladesh, leaving hundreds of indigenous men women and children homeless and many injured.

JMBangladesh and GHRD’s local partner Adv. Shahanur Islam recently went to the region to investigate the attacks and talk to those affected. Our investigations found that some 638 Jumma were affected in the attacks. Many of those who lost their homes in the arson attacks continue to live in tents or temporary shelter.

All interviewees confirmed that on both occasions, security forces were present but failed to act to stop the violence, looking on as the destruction occurred. The government of Bangladesh has thus far failed to adequately investigate this - reflecting its lack of real commitment to bringing peace in the region and bringing into question the real intention of the government to implement the 1997 CHT Peace Accord.

The local authorities have also failed to investigate the attacks, despite identification of the main perpetrators of the violence. At the time of writing of this report no-one had yet been arrested in relation to these attacks.

Instead of promoting transparent investigations and reporting, the government proclaimed an ‘emergency’ prohibiting any access to the area following the attacks. The government has also failed to promote transparency in the region following the attacks. During our team’s investigations, the local authorities expressed strong suspicion towards any international involvement in the region. Our observers were approached and questioned.
on multiple occasions by members of the Border Guards of Bangladesh and by the
district special branch of police who requested information on the identity of the team, the
organisation they worked for and purpose for their visit.

These attacks are clear examples of a government failure to uphold basic human rights
and protect the Jumma. In addition, the implication of military forces in the attacks and the
lack of impartial investigation prove that the government of Bangladesh is either unwilling
or unable to protect its Jumma population and must be held accountable within the
international forum.

“He took us to one corner of the field in front of the police station. Sitting on the
ground, he asked similar questions repeatedly for 3 hours...asking about my
organization, our purpose for coming to the region and whether we had any link to
any foreign organization”

Adv. Shahanur Islam, chief of the fact finding mission

“Bengali settlers first set fire to the houses of Rangi Para under Gulshakhali union.
Then, 20 – 25 Jumma villagers gathered themselves and tried to defend the
remaining houses and face off the settlers”

Mr. Milan Chakma, Victim of violence.
Massive Communal Arson Attack upon Indigenous Jumma Peoples by Bengali Settlers in Ramgarh & Manikchari, Khagrachhari District
17 April 2011, Khagrachhari district

On Sunday 17 April 2011, exactly two months after Bengali settlers attacked the Jumma villages in the Rangamati district of the CHT; Bengali settlers in the presence of government security forces again attacked five indigenous Jumma villages in Khagrachari district of the CHT, but this time on a larger scale. The news was published on diverse electronic and print media in local and national level. The news came to knowledge at the concern authority of JusticeMakers Bangladesh Trust and a high-level fact-finding mission has been conducted by a team of JMBangladesh led by Adv. Shahanur Islam (Saikot), founding board member of JusticeMakers Bangladesh Trust from 13 to 22, May 2011. The following information is based on received by the fact finding team:

Country and Region: Bangladesh, Ramgarh & Manikchari, in Khagrachhari district, Chittagong Hill Tracts, South Eastern Bangladesh

Type of Violation: Minority rights; Indigenous rights, Right to property; rights to land, Right to security of the person

Type of Act: Beating, arson attack, vandalise and looting
IDENTITY OF THE VICTIM(S):

Total affected families: 105;
Total affected people: 521;
Total affected above the age of 18 People: 243;
Total affected people under the age of 18: 278

Total affected Jumma Family: 97;
Total affected Jumma people: 487;
Total affected above 18 Jumma people: 226;
Total affected under 18 Jumma people: 261

Total affected Bengali family: 8;
Total affected Bengali people: 34;
total affected above 18 Bengali people: 17;
total affected under 18 Bengali people 17

Total 125 Jumma student of primary and secondary level affected and their study has been stopped

Total physically affected 16 Jumma people and one still missing
Total homes burnt down: 87;
Total Jumma homes: 79;
Total Bengali homes: 8.
[Indigenous Marma, Chakma, Tripura community were affected]

DATE AND PLACE OF THE INCIDENT:

Date: April 17, 2011
Location: Ramgarh and Manikchari upazila under Khagrachhari district

ALLEGED PERPETRATOR(S):

250 – 300 Bengali settlers of Ramgarh and Manikchhari upazila under Khagrachhari district.

LEGAL STATUS:
Two cases have been filed by Mr Munjurul Afser, officer in charge of Guimari police Station in the connection of murder and the arson.

The FIR is dated 18 April, 2011 under 47/148/149/447/448/323/324/325/326/302/307/34/436/109/427 of the penal code and was submitted by Mr. Munjurul Afser, officer in charge of Guimari police Station. The case is under investigation and two alleged Jumma people have been arrested in the connection of this case.

On 19 April, 2011 another FIR was filed, again by Mr. Munjurul Afser, officer in charge of Guimari police station, number 2 dated 19 April 2011 under 147/148/323/427/436 of penal code. The case relates to the arson attacks and is currently under investigation. As of the date of reporting, no perpetrators have yet been arrested in connection with this case.

CASE SUMMERY:

On 17 April 2011, 250 – 300 Bengali settlers committed a massive communal arson attack on five indigenous Jumma villages (Shankhola Para, Toikarma Para, Reemaram Para, Suludong Para and Pathachara village) of Hafchari union of Ramgarh upazila and two villages in Manikchari upazila under Khagrachari district of Chittagong Hill Tracts. In this attack around 87 houses belonging to indigenous Jumma villagers including two Buddhist temples were completely burnt to ashes. At least 16 Jummas including four women were injured. One Jumma is still missing (Mr. Ashis Chakma, S/o Debopriyo Chakma, Vill: Balukhali, P/s: Baghai Chhari, Dist: Rangamati). The Jummas have fled in to the jungle in the face of the settler attack. At the date of reporting, a small amount of
relief has been provided to the victims who have been living under open sky in the jungle or in traditional tents (details of the relief provided are below).

On 17 April, 2011, the Bengali settlers in the presence of security forces started attack upon Jumma people of Shankhola Para, Toikarma Para, Reemaram Para, Suludong Para and Pathachara villages of Hafchari union under Ramgarh upazila following the death of three Bengali settlers during trying to adverse possession of some disputed land of Jummas. During the attacks around 20-25 army men were standing in Shankhola Bengali para (village) talking. Later they stand at Chhonkhola Jumma para and ate some mango and green coconut from the tree of Jumma people who had fled. The houses and shops of the Jumma people were looted, vandalised and set ablaze. Though military forces were patrolling throughout the areas, they did not oppose Bengali settlers from setting fire to Jumma houses. The army kept patrolling along the roadside while on the other, Bengali settlers started entering Jumma villages and setting fire to Jumma houses. Around 56-60 Army men with 4-5 army vans were patrolling. In this attack, 86 houses including one Buddhist temple at Shankhola Para were completely burnt to ashes.

In Jalia para area, Bengali settlers attacked Jumma passengers getting them down from public buses including Shanti Paribahan who were coming from Chittagong and Feni to Khagrachari. At least 16 Jummas including 4 women were wounded in this attack. Two of them were admitted in serous condition to the local hospital. According to eyewitnesses Bengali settlers were stopping every vehicle and looking for ethnic minority people in jalia para area, getting the ethnic minority people out of the vehicle and then beating them with batons, kicking and slapping them - most of the victims injured their legs, hands, and head and had bruises all over their bodies.

Around 6.00 pm on same day, Bengali settlers brought out a procession at Manikchari bazaar under Manikchari upazila shouting slogans against the Jumma people along with
the dead body of a Bengali settler. Interviewed victims stated that the local administration did not oppose the Bengali settlers while they were bringing out the procession with the dead body. Immediately after the procession, Bengali settlers set fire to Jumma houses in the Mahamani areas of Manikchari upazila headquarters. At least 11 houses of Jumma villagers of Kyajai Karbari Para were completely burnt to ashes in this attack and 6 shops and 7 houses belonging to Jumma people were looted and ransacked. It is also reported that one Jumma people still remain missing (Mr. Ashis Chakma, S/o- Debopriyo Chakma, Vill: Balukhali, P/s: Baghai Chhari, Dist: Rangamati).

BACKGROUND INFORMATION:

According to witness statements, the events of 17 April began following a discrete dispute over land between a small group of Bengali settlers who were trying to occupy Jumma land. Details of this dispute are as follows:

In 1986, Mr. Aung Marma s/o Pija Aung Marma along and other Jumma people were evicted from their land at Hatimura area of Hafchari union under Ramgarh upazila in Khagrachari district. At that time, Bengali settlers led by Md. Joynal pc of VDP grabbed that land and began cultivating the crops.

After the 1997 CHT peace accord, Mr Aung and the other previously evicted Jumma returned to their land and tried to cultivate it but, Md. Joynal pc of VDP created obstacles and continued to occupy the 15 acres of land in question, which is owned by Ruihla Aung Marma s/o Pija Aung Marma at Hatimura area of Hafchari union under Ramgarh upazila in Khagrachari district.

In early 2011, the Jumma people submitted an allegation to the Ramgor Upazila regarding the disputed land and the Upazila Adminstration asked both parties to present
documents supporting their ownership of the disputed land. After reviewing both party’s submissions, the Ramgor upazila administration declared their decision about the disputed land in favour of the Jumma people.

Then, being aggrieved by the decision given by the Ramgor Upazila administration, Joynal Pichi submitted an appeal to commander office of Sindukchhari zone under Ramgor Upazila in Khagrachhari district. Later, the zone commander called both parties and made a decision upholding the decision of Ramgor Upazila Administration. At this time, the commander also prohibited both parties from cultivating the disputed land.

However, on April 14, 2011, while most of indigenous Jumma people were engaged in enjoying the traditional Bizu or Sangrai or Boisu festival, the Bengali Muslim settlers led by Md. Joynal pc started occupying said lands of the local Jumma people and began clearing the forest and planting banana saplings. The local Jumma people, who have had their ownership of the land confirmed by the administration, protested this illegal occupation and the settlers escaped the area. Afterwards the local Jumma people verbally informed the local authorities (police and army) of what had happened, but the authorities failed to take any action.

On 17 April 2011 around 10 a.m. the Bengali settlers led by the Md. Joynal pc of VDP again started clearing bushes and making temporary makeshifts to forcefully occupy the Jummas disputed land. At this point, the Jumma owners of the land tried to stop Md Joynal and the other Bengalis from occupying the land, using a sharp weapon and a fight ensued. As a result 3 Bengali settlers died on their way to hospital and another one was severely injured who also died the following day in hospital.
On 18 April 2011 the Inter-Services Public Relations (ISPR) of military forces issued a press release regarding the attacks which stated that the incident began due to an “attack on innocent/unarmed Bengalis by terrorist Hill people equipped with sharp weapons”. It also mentioned that a number of houses of both Bengalis and Jummas were burnt down in this attack.

**GOVERNMENT ACTION:**

The local administration banned gatherings, rallies and carrying firearms by imposing Section 144 of the Code of Criminal Procedure for a five day period due to the spreading violence.

On 18 April 2011 in the morning Mr. Jatindra Lal Tripura, a local Member of Parliament of the ruling party Awami League visited the spot under strict military control. The chairman of the Khagrachari Hill District Council Mr. Kujendra Lal Tripura and Deputy Inspector General of Police of Chittagong Range Md Nawsher Ali accompanied Mr. Tripura. They held a public meeting at Jalia Para Government Primary School premises in the afternoon. The meeting was mainly attended by Bengali settlers but a few Marma leaders also attended. The General Officer Commanding (GOC) of Chittagong division Maj General Ashab Uddin, Deputy Commissioner (DC) of Khagrachhari district Anisul Haque Bhuiyan, Superintendent of Police Abu Kalam Siddique, local leader Konjuri Marma, Ramgarh upazila chairman Belayed Hossain Bhuiyan also took part in the meeting.

In the meeting, Jatindra Lal Tripura MP assured the victims to provide sufficient compensation. Kujendra Lal Tripura announced three bundles of corrugated iron sheets and necessary financial assistance to each of them from Khagrachari Hill District Council.
while the district administration also declared to distribute rice and corrugated iron sheets among the victims.

GOC Maj General Ashab Uddin said that the arson occurred due to a land dispute. He said Bengali settlers were asked not to go disputed land, but they went. This incident would not have happened if the settlers had heeded army instructions. He also declared Tk 25,000 (circa 230 euros) for each of the families of the deceased and Tk 5,000 (circa 45 euros) each among other victims.

Meanwhile, the DC formed a three-member committee to investigate the events with Additional Deputy Commissioner (General) Mohammad Salahuddin as the chief. Other members of the committee are: Additional Superintendent of Police in Khagrachhari Delwar Hossain Sayedee and Ramgarh Upazila Nirbahi Officer Gopal Chandra Das.

The committee has been requested to submit its report in two working days; however, at the date of this report the committee has not yet submitted its findings. The committed is said to still be conducting the investigation.

**Compensation provided:**

The government provided 5000/=BDT in cheque (circa 45 euros), and 1000/=BDT (circa 9 euros) in cash to each family. It also distributed some essential goods with the help of ICRC.

This compensation is not sufficient. For the affected people, living in a tent is difficult, particularly during rainy season. All of the victims are still living in traditional tents. Most
have gone back to work however; most of the students have not gone back to school as their books, khata, pencils, school dress and other essentials were burnt to ashes.

**OBSERVATION FROM THE INVESTIGATION TEAM - Intention of the attack:**

Due to non-implementation of the 1997 CHT Peace Accord and the non-resolution of land disputes in CHT as required by the CHT Accord, Bengali settlers have been continuing to occupy Jumma people’s land throughout the CHT over the years. For this reason, from time to time Bengali settlers have been conducting communal attacks on indigenous Jumma people and creating excuses for making attacks on Jumma villagers. It is observed that the 17 April attacks were planned and patronized by the Islamic fundamentalist in the region with the intention to capture the remaining lands that are currently still in the hands of the Marma people. These are my own (Shahanur Islam) observations, as well as comments from some of the Jumma interviewed, from monitoring the national political situation, role of opposition party, and also the role of the army in the region.

According to other information from some of the jumma interviewed, the group United Peoples Democratic Front (UPDF), a group opposed to the CHT Accord, have been instigating communal tension in order to hinder implementation process of CHT Accord by making the CHT situation unstable. Sources have confirmed that a few armed cadres of UPDF fired a few rounds of bullets during the clash between Bengali settlers and Jumma villagers at Shankhola Para area. Hence, it is to be believed that in order to drive local Jumma villagers into an unwieldy situation and to get revenge on Bengali settlers, UPDF took the opportunity to create communal tension by opening fire few rounds.
On the morning of 17 February 2011 around 200-300 Bengali settlers from the Gulshakhali settler area under Longadu Upazila in Rangamati district began staged demonstrations, attacking and setting fire to the Jumma villages of Gulshakhali and Rangi Para. The news was published on the difference electronics and print media in national and local level. The news came to knowledge at the concern authority of JusticeMakers Bangladesh Trust and a high level fact-finding mission has been conducted by a team of JusticeMakers Bangladesh Trust led by Adv. Shahanur Islam (Saikot), founding board member of Justice Makers Bangladesh Trust from 13 to 22, May 2011. The following information is based on received by the fact finding team:

**TYPE OF VIOLATION:**
Minority rights; indigenous rights, right to property; rights to land & shelter; right to personal security and integrity of the person

**TYPE OF ACT:**
Arson attacks, looting valuable properties; destroyed shelter and physical assault

**IDENTITY OF THE VICTIM(S):**
Total affected families: 32;
Total affected people: 165;
Total affected above 18: 86;
Total affected under 18: 79

Total affected Jumma family: 29;
Total affected Jumma people: 151;
Total affected above 18: 80;
Total affected under 18: 71

Total affected male: 83;
Total affected female: 82,
Total Jumma male: 75,
Total affected Jumma female: 76

Total affected Bengali settler family: 3;
Total affected Bengali Settler people: 14;
Total affected Bengali settler above 18: 6;
Total affected Bengali settler under 18: 8

Total affected Buddhist (Jumma) family: 29;
Total affected Buddhist (Jumma) people: 151;
Total affected Buddhist (Jumma) above 18: 86;
Total affected Buddhist (Jumma) under 18: 79

Total affected Muslim (Bengali) family: 3;
Total affected Muslim (Bengali) people: 14;
Total affected Muslim (Bengali) above 18: 6;
Total affected Muslim (Bengali) under 18: 8

Total 2 Jumma people were beaten.
Of them one was adult and one was under 18 years old.

Total affected male: 83;
Total affected female: 82,
Total Jumma male: 75,
Total affected Jumma female: 76

DATE AND PLACE OF THE INCIDENT:
Date: February 17, 2011
Location: Tintilyaghat, Rangipara, Ranjitaripara and Shantinagar under Longdu upazila in Rangamati district
ALLEGED PERPETRATOR(S):

Approximately 250-300 other unknown people from the nearby settler populated area of Gulshakhali and bogachatar union under longdu police station in Rangamati district. Not a single perpetrator has been arrested.

LEGAL STATUS:

Milan Chakma (35), S/o Ranjit Chakma, one co victim of the incident lodged a First Information Report (FIR) with the police station of Longdu on February 26, 2011 being number 05/11 under the section of 142/144/323/374/380/300/436/448/506/34 of the Penal Code. Mr. Ershad Ali, Sub Inspector of Longdu police station and also the investigation officer of the case visited the spot and collected the evidence. The case is under investigation but there is no development of the case and no perpetrators have been arrested yet, although the perpetrators are doing their usual activities openly. This is the only formally registered police investigation related to the attacks.

CASE SUMMERY:

On the morning of 17 February 2011, 250 to 300 Bengali settlers of longdu area began to spread communal agitation in different villages of longdu area that the Jumma peoples are responsible to death of one Bengali settler Mr. Saber Ali who went missing on February 15, 2011 and was discovered dead on February 16, 2011. Around 11:00 am the Bengali settlers brought out a procession with the dead body of Saber Ali at Longadu
headquarter. During the procession, most of the Jumma people escaped from the area in fear. At the end of the procession around 1.00 pm, two Jumma students who came from Rangamati by a launch (boat) and were disembarking and were unaware of the situation were attacked by Bengali settlers at Tintilyaghat of Longadu headquarter and severely beaten. According to reports the Bengali settlers attacked them only for being a member of the Jumma community. Later, they were admitted to Rangamati general hospital.

Afterwards, at about 5:00 pm on the same day the Bengali settlers again began to gather into a group numbering around 300-350 people made an attack on Jumma villages of Gulsakhali and Bagachatar union and set fire to the Jumma houses one after another. In the attack, at least 21 Jumma houses including one BRAC school were burnt to ashes and 6 houses were looted. According to all the Jumma victims interviewed, the Border Guard of Bangladesh (BGB) did nothing to stop the Bengali settlers from setting fire on Jumma houses, although they were present during the time of set fire. There were 12 BGB members present during the arson attacks (led by Habilder Jahangir from Rangipara Tematha camp, londgu, Rangamati – located near the affected areas).

Bengali settlers first set fire to the houses of Rangi Para under Gulshakhali union. Then, 20 – 25 Jumma villagers gathered themselves and tried to defend the remaining houses and face off the settlers. Meanwhile, Jumma leaders informed the local administration including police and a group of BGB from Rangipara Tematha camp led by Habildar Jahangir under Rajnagar. A group of 12 BGB personnel went immediately to the area and upon their arrival, the Jumma people escaped from the spot. The Bengali settlers increased their attack and then proceeded to Gulshakhali village and set fire to Jumma houses in this village and looted the valuables indiscriminately in presence of 12 BGB personnel who did nothing but watch the settlers’ destruction. Property looted included:
paddy, rice, dry turmeric, fresh turmeric, goat, ornament, solar panel, battery, TV, kitchen, kids etc. All the time the BGB members were silent and only watching the destruction. They did not stop the settlers and did not try to protect them from doing destruction.

Early in the day on the morning of the 17 February when the Bengali settlers began spreading communal tension, Jumma leader Mr. Milon Chakma informed the BGB member of Tematha camp and other members of the administration to protect them, but they did not come. Later in the evening when the Jumma people and Bengali settlers were standing at Rangipara, after two houses of Jumma people were set fire (around 5.00pm) around 12 BGB member rush the spot. Until this time there were no BGB members present, although they were asked to help Jumma people.

During the later arson attacks in Stantinagaor village, 20-25 BGB members staying in a nearby temporary BGB camp at Shanti Nagar did not come out of the camp to do anything to stop the violence, rather they watched the attacks from inside the camp.

BACKGROUND INFORMATION:

On the morning of 15 February 2011, two Bengali settlers named Md. Saber Ali (33) s/o Nehat Ali and Md. Sahid (35) s/o Julya Pagala from the settler’s village Rahamatpur of Gulshakhali union, went to the nearby jungle of Gulshakhali area to collect flower-broom (a kind of natural shrub). Of them, Md. Sahid returned home, however, Md. Saber Ali went missing. On 16 February 2011 around 10.00 am police and BGB recovered the dead body of Saber Ali from Rangi Para area and brought it to police station of Longadu headquarters at 3:00 pm.
Following his death in the evening around 5.30 pm on February 16, 2011, Bengali settlers began to spread communal tension alleging Jumma villagers were responsible for the death of Saber Ali and brought out processions separately at Gulshakhali bazar and Choumuhani bazar. Bengali settlers also brought out another procession at Longadu headquarter area at night about 12.00 pm.

The affected Jumma people interviewed alleged that the Bengali settlers who were brought from plain lands and settled down at Gulshakhali, Bogachadar and Kalapaguiya areas under Longadu upazila in 1980s have been trying to grab the lands of Jumma people in the Longdu area (the highest number of Bengali settlers live in the Longdu area). A recent example of these attempts is the 21 December 2010 Bengali attacks on Jumma the village of Shanti Nagar and inhumanely beat 14 Jumma villagers and ransacked 5 houses alleging that Jumma villagers beat a Bengali settler who went to jungle to collect firewood.

The Jumma interviewed also expressed suspicions that Saber Ali might be killed by Bengali settlers to create a lame excuse for making an attack on the Jumma people. Bengali settlers said that there were several injuries on the dead body of Saber Ali. However, a doctor, who made the post-mortem and wished not to be named, said that no injury was found. It is rumored that the brother of the killed Saber Ali asked the other settlers not to make the procession regarding his brother death. But the settler people stopped his mouth telling that that was an urgent issue that they can use to evict Jumma people from that area.
GOVERNMENT ACTION:

On February 18, the Additional Deputy Commissioner (ADC), Rangamati, Superintendent of police (SP), Rangamati and Chief Executive Officer (CEO) of BGB visited the area of the attacks and around at 2.00pm on same day held a general meeting in Upazila parishad conference room on controlling law and order situation in the region, presided over by upazila Nirbahi Offier (UNO). A probe committee with seven members was formed to enquire into the events. At the meeting, the authorities asked both the Jumma and Bengali settler people to be calm and also made a commitment to give compensation to the affected families and to form the probe committee to enquire into the matter. They discussed the reasons for the incident and how to control the situation.

On February 19, the committee visited the area and assessed the primary damage of the properties. They also talked with the affected people and tried to calm both the Jumma and the Bengali settlers. With this information they provided some relief and compensation to the affected families. The report of this visit has been made public, any people of Hill Track area can ask to see the report from the authority.

Later, all the victim families received from the local administration 2000BDT and 20KG rice to meet their primary needs. Finally, the government provide 50,000/= BDT to each affected family as their compensation.

OBSERVATION:

Report published on newspaper, statement of victim, victim family members and eyewitness, information provide by the concerned police official, it is gross violation of our fundamental, legal and human rights and findings are followings:
The team found that the Bengali settlers attacked the Jumma people using the issue of death of one Bengali settler to spread communal agitation. The settlers set fire to and looted the Jumma people's houses in presence of the Border Guard Bangladesh (BGB) who did nothing to stop the attacks. Almost all the Jumma victims interviewed stated this as fact.

After the violation, the government formed a probe committee to enquire incident but as yet the committee has not published the report publicly. The government provided some emergency relief support to the affected people, but that was not sufficient and still some people are living without home (Two families – 8 people).

The complainant of the FIR, Milon Chakma is now experiencing threats from the Bengali perpetrators to withdraw the case, or they (Mr Chakma) will face more suffering. They also threatened to implicate him with false and fabricated robbery case, if he would not withdraw the case. On 7 March 2011, when Mr. Milon Chakma was waiting to take tea at sohan jamider tea stall, Mohan Miah, Md. Abdul Owadul and Mr. Jasim threatened Mr. Chakma stating “If you do not withdraw the case, we will take that step which we need to withdraw”. On the 25 March 2011, Ershad Ali called Mr. Chakma’s mobile phone and threatened “If you do not withdraw the case you will fall in danger”. On 28 April, 2011, Mr. Alamgir came to the Mr. Chakma’s house and threatened him by saying that the 17 February attacks are not a big matter and that after the union Parishad election, more than a hundred incidents will be perpetrated and then this area will be cool. Mr. Milon informed the police administration of these threats but the authority did not take any steps.
The brutal incident has been perpetrated direct patronized by the ruling party’s local MP as well as the Chairman of Upazila Parishad;

Though, the perpetrators still issuing the threats against the victim, the local police administration is inactive to take prompt action against them;

During the incident, the victim repeatedly requested the local police administration to help them to ensure their security through arresting the perpetrators but they did not do that, rather the policemen asked the perpetrators to ran away as well as order the victims to leave their home;

Though the victims lost their shelter, food and valuable properties include cash money as well as living under the sky, the concerned authority did not provide the food or any others necessary thing for emergency living.

As the victim severely assaulted by the perpetrators, the concerned authority did not provide medical treatment

ISSUES ENCOUNTERED DURING FACT FINDING INVESTIGATIONS:

During our team’s investigations, the local authorities expressed strong suspicion towards any international involvement in the region. Our observer Adv. Shahanur Islam was approached and questioned on multiple occasions by members of the Border Guards of Bangladesh and by the district special branch of police who requested information on the identity of the team, the organisation they worked for and purpose for their visit.

The fact finding team was stopped and interrogated by Assistant Chief executive officer of Tematha BGB camp who made alarm not to visit the spot. The team was also
interrogated by the district special branch of police (DSB) who documented all personal information of the team members as well as about the organization they worked for.

On May 16, 2011 around 10.30 am, when the team was going beside the Tematha BGB camp to the spot one BGB member dressed in civilian clothing asked one of team members, Mr. Gonesh Rajbonshi, to stop and asked where were from they come, where would they go and what is their purpose to go? At that time, Adv. Shahanur Islam asked him to make the query to him. As soon as he asked the BGB member to question him, the BGB man asked Mr. Islam to sit down on the ground. Introducing himself as a lawyer and Mr. Gonesh as his supporting staff, Mr. Islam refused to sit on the ground and asked him about his identity. Then he replied that he is a member of BGB and Assistant Chief Executive Officer of Tematha BGB camp and asked him why they are going to the deep hill tracks area without informing the camp? He also told that the deep hill tracks area is so dangerous and they are not allowed to go there. He again asked him about the purpose of visit, whether they know the Jumma people who were with them during the

Moving forward around 150 feet; another armed BGB man again stopped the team and asked Mr. Islam the same questions as the previous interrogation. When he told that they had already been interrogated once previously, he allowed them to go. Again moving forward around 450 feet; another man dressed in civilian clothing and introducing himself
as BGB man asked the same questions as the previous interrogation. Finally he also allowed the team to go when Mr. Islam again told that already they had been interrogated two times previously.

On the same day around 2 PM, one of the local network member informed Mr. Islam by cellphone that the District Special branch of Longdu was searching for Mr. Islam. They visited his hotel and asked him several questions about Mr. Islam, organization and their purpose for coming to the region. The DSB man also asked him to give Mr. Islam cell number to him as well as inform Mr. Islam to meet with DSB personnel when they return.

On the same day around 7.00PM, the DSB man, named Khalil, came to Mr. Islam hotel along with another police officer in civilian clothing and he asked Mr. Islam to come with him. Then he took the team one corner of the field in front of the Longadu police station. Sitting on the floor, he asked the similar questions repeatedly for 3 hours and finally asked Mr. Islam to keep open his mobile phone so that he can communicate with him if any necessity arises in future. The 3 hour conversation concerned the following questions:

i) Where were from they come? ii) What is his organization’s name? iii) Where is it located? (iv) Who is the donor of his organization? v) Is any foreign organization is linked with him? vi) What is their purpose to do investigation? vii) What will he do by this report? viii) Will they send this report to aboard? ix) How much money we will spend for this mission? x) How long he has been engaged in the work of the CHT? xi) Who are the other persons working for the BIHR? xii) Who is the chief of BIHR? xiii) What is their relation with government? xiv) Have they good relation with government? xv) Have they take permission from the Deputy Commissioner of Rangamati? Or they direct come from Dhaka to longdu? xvi) Where will they go after longdu visit?
RECOMMENDATION:

The February and April arson attacks amount to a government failure to uphold basic human rights and protect the Jumma. The implication of military forces in the attacks and the lack of impartial investigation prove that the government of Bangladesh is either unwilling or unable to protect its Jumma population and must be held accountable within the international forum.

Implementation of the 1997 Peace Accord was a major election promise of the ruling government, the Awami League. To date, the government has failed to honour this commitment and land grabbing and disputes over land continue to be the main reason for attacks by Bengali settlers against the Jumma in the CHT.

- JMBangladesh and GHRD's view remains that the government of Bangladesh must take responsibility for the human rights violations in the region and must fully honour its stated commitment to the 1997 Peace Accord by: impartially investigating the human rights violations that have occurred and the role of the military in these violations, bringing those responsible to justice and demilitarizing the region.

- JMBangladesh and GHRD therefore urges the government of Bangladesh to:

- Thoroughly and impartially investigate the February and April attacks; identify the main perpetrators and those responsible to justice. Ensure exemplary punishment of the perpetrators who were directly or indirectly involved in this violation of human rights.
- Investigate the involvement of the security forces and Border Guards of Bangladesh in these attacks and punish those responsible.

- Issue instructions to military, para-military, police and para-police personnel posted in the CHT to protect all communities without discrimination and to provide communities that have a recent history of such attacks or vulnerability special protection.

- Take all measures to fulfil Awami League election promises by fully implementing the Chittagong Hill Tracts Peace Accord and providing a forum for solving land disputes.

- Recognise minority Jumma as indigenous in Constitution and sign the UN Declaration on Indigenous peoples rights

The End
JusticeMakers Bangladesh Trust (JMBangladesh) has been initiated on 2010 by a group of young, energetic and experienced lawyer & social worker in the field of human rights in Bangladesh with a promise to human rights, justice and rehabilitation among community level for the protection and promotion of human rights and ensuring the respect and realization of the Universal Declaration of Human Rights and the fundamental provisions of the Constitution of Bangladesh as well as providing humanitarian assistance to the victim of violation and discrimination in the country. Since the inauguration of JMBangladesh is devoted to serve mankind specially who are victim of torture and organized violence as well as other form of human rights violation discrimination. JMBangladesh was born and brought up to remain beside the victim of torture, mal treatment and organized violation as well as other form of violation indifferent to race or religion, sex or age.

Vision: A country without any form of Human Rights violation and discrimination. The main spirit covers three main thematic areas- Rehabilitation, Justice and Awareness.

Mission:
- To insure human rights throughout the country through maintaining the legal and financial rights of the all Bangladesh people;
- To serve mankind especially who are victim of torture, mal treatment and organized violence as well as other human rights violation indifferent to race or religion, sex or age;
- Enable the government and the non-government organizations to observe, learn and understand closely and concretely the impacts of different legislations on the life and livelihood of common people.

Objective:
- To provide legal aid and legal counselling to community members through their respective organizations as well as in centre;
- To organize seminars, workshops, symposiums, rallies, human chains and view exchange meetings on various human rights related issues and attending such programmes organized by others;
- To provide training especially on paralegal and human rights aspect to community organizers as well as conduct a summer course on human rights for university graduates and law enforcing agencies;
- To promote legal & human rights literacy, which includes translating and publishing handbooks of law in layman’s language and a training manual on human rights;
- To establish a human rights documentation and information centre to ensure exchange and dissemination of human rights violation;
- To publish a weekly “Law Corner” in a popular magazine, with cartoons to simplify legal problems and to respond to inquiries about legal problems for those who need legal advice and cannot receive it;
- To conduct lobbying, campaign and advocacy activity to protect and promote human rights in national and international level;
- To conduct research on legal and human rights aspect as well as conduct fact finding and issue urgent appeal/action regarding violation of human rights;
- To build up institution as well as human rights defender in community level;
- May engage in income-generating and profit-making activities but none of the income and/or profit shall be distributed to the Trustees who shall render voluntary service and the income and the profit will be utilized for implementation of the vision and mission of the Trust.