



## Indigenous Land Grabbing under the Guise of Development Projects

Bandarban district of Bangladesh



To the Attention to :

**UN Special Rapporteur on the Rights of Indigenous Peoples (SRIP)  
UN Working Group on Business and Human Rights**



## **Executive Summary**

Bangladesh is home to over 54 indigenous communities, scattered across different regions of the country and representing approximately 1.8% of the total population. The indigenous peoples of Bangladesh have a deep spiritual, cultural, social, and economic connection to their land, which forms the foundation of their existence and survival. However, under the pretext of large-scale development projects, such as military and para-military camps, tourism complexes, eco-parks, and economic zones, both state and non-state actors continue to dispossess them of their traditional lands.

Most recently, starting in 2022, a series of devastating incidents involving the encroachment of land belonging to the indigenous Mro and Tripura villagers of the Sarai Union of Lama Upazila of Bandarban District have developed. The encroachment, orchestrated by the Lama Rubber Company (with the support of Bangladeshi state actors), has led to the destruction of forests and crops, while causing acute shortages of food and water for the affected villagers. The company has used hired mercenaries, including Rohingya refugees, to forcibly occupy the land and intimidate the local population. The National Human Rights Commission has confirmed that the company has attempted to evict indigenous peoples by burning Jum farming land and natural forests. However, despite recommendations to cancel the leases and provide support for affected communities, no legal action has been taken against the land grabbers.

These most recent events reflect an ongoing pattern of land grabbing of Bangladesh's indigenous peoples in the name of business and development. Through the leasing and expropriation of indigenous lands in the Chittagong Hill Tracts to non-residents, including military and civil officials, political leaders, and business companies, countless indigenous peoples have lost their farming lands and sources of livelihood, while face continual displacement from their ancestral land and homesteads.

These developments directly undermine the Chittagong Hill Tracts Accord. The Chittagong Hill Tracts Accord is a peace agreement signed between the Government of Bangladesh and the Parbatya Chattagram Jana Sanghati Samiti (PCJSS), an organization representing the indigenous people of the Chittagong Hill Tracts, in 1997. The accord aimed to resolve the long-standing conflict between the government and the indigenous people over land, autonomy, and cultural rights, and importantly, recognizes the rights of indigenous peoples over their land and territory, while acknowledging that the previous land acquisitions and leasing without the consent of the indigenous peoples were unjust. The Accord stated that the leases would be cancelled and that the land would be returned to its rightful owners. However, the Deputy Commissioners of the CHT districts continue to ignore and violate orders to revoke the illegal settlements.



Despite the existence of numerous international human rights instruments and national laws recognizing the rights of indigenous peoples, as well as statements by the UN High Commissioner for Human Rights emphasizing the importance of protecting minority groups, particularly indigenous peoples, from violence and land encroachments – the Bangladesh government has continually failed to fully respect, protect, and fulfill its obligations.

This report provides a detailed account of the recent incidents of indigenous land grabbing in the Bandarban District by the Lama Rubber Company, along with an introduction to the indigenous peoples of the Chittagong Hill Tracts and their profound connection with their land. It also sheds light on the longstanding and systemic challenges faced by indigenous communities in Bangladesh due to the leasing and expropriation of their land to outsiders, often under the pretext of development and business. The report aims to provide a comprehensive background and timeline of events, highlighting the gravity of the situation and the urgent need for action to protect the rights and interests of indigenous peoples in Bangladesh.

This information of this report has been gathered and compiled by the *Parbatya Chattagram Jana Samhati Samiti* (PCJSS) representing the indigenous Jumma people of the Chittagong Hill Tracts (CHT). The report has also been compiled with the support of the Unrepresented Nations and Peoples Organization (UNPO) – an international movement and organization established to empower the voices of unrepresented and marginalized peoples worldwide and to protect their rights to self-determination. The information presented in this report has primarily been gathered through direct contacts with individuals and organizations working in the affected areas.

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## **1. Land and Indigenous Peoples of the Chittagong Hill Tracts**

Bangladesh is a country with diverse cultures and languages, religion and ethnicity. There are more than 54 indigenous communities living in different parts of Bangladesh. Half of them are located mainly in the Chittagong Hill Tracts ('CHT') and the rest are found in the northwest (Rajshahi-Dinajpur), central north (Mymensingh & Tangail), northeast (Greater Sylhet), south and south (Chittagong, Cox's Bazar and Barisal) of Bangladesh. According to the 2011 census, the country's indigenous population is approximately 15,87,000, which represent 1.8% of the total population of the country. However, the plain land indigenous peoples claim that their population is about 2.0 million. Unfortunately, there are no clear official demographic statistics of the indigenous peoples in Bangladesh.

Indigenous peoples of Bangladesh, have imbibed a strong spiritual, cultural, social and economic relationship with their lands, which gradually metamorphosed into a tradition to be handed down through generations. Land, therefore, is the foundation of life to them, and the source of their existence. Their survival is entirely conditional to their association with land and natural resources. If and when this bondage is disrupted, the very continuation of indigenous being is put at risk. However, States are often, irrespective of the degree of progressive governance that they are wedded to, reluctant to recognize these fundamental rights of indigenous peoples to their traditional lands. The Bangladesh government is no exception in dealing with its indigenous peoples, who are inexplicably labelled with multiple identities as tribal, minor race, ethnic sects etc.

The indigenous peoples both in the CHT and in the plains, continue to be dispossessed of their lands by state and non-state actors. Many indigenous families have been and are being displaced from their traditional lands following large-scale development projects, such as: the establishment of military and para military camps; training centers; tourism complexes; national/eco parks; especial economic zone; especial tourist zones, and so on. Activities such as these that lead to land alienation can be attributed to either direct government intervention or various other powerful government agencies, as well as influential civil, military and business figures who enjoy indirect government patronage.

The acts of land alienation as mentioned above are in contravention of the existing and functioning national and international laws, United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP) and the ILO Convention 107 – which provide safeguard for individual and collective rights of indigenous peoples. Bangladesh government has ratified ILO Convention No. 107 on Indigenous and Tribal Populations in 1972. However, the government is still reluctant to harmonize its national laws and policies in line with the spirit of ILO Convention No. 107. As a result, the



implementation of the Convention No 107 in Bangladesh remains insignificant. The East Bengal State Acquisition and Tenancy Act, 1950 regulates and forbids transfer of lands owned by aboriginals to non-aboriginals in the plains without the consent of the government's district officer. However, it is only partially practiced in some parts of the plain land.

Different government agencies, Bengali settlers and land grabbers, private companies, and influential political leaders are all involved directly or indirectly in grabbing the lands of indigenous peoples. Sometimes such actions result in gross human rights violations involving intimidation, torture, physical assault, forced eviction, killing etc. of indigenous peoples.

Although numerous international human rights instruments, national laws and policies recognize the right to land and natural resources of indigenous peoples, Bangladesh government, in most of cases, fails to respect, protect and fulfill those rights.

## **2. Recent land related incidents in the Bandarban District**



On 23 October 2022 the villagers Rengyen Mro Karbari Para were informed that the mercenaries of the lama rubber company started cutting down the forests of Mro villagers. On 26 October 2022 at around 10:00am, about 60 hired men of the lama rubber company cut the forest, 50 mango trees and 20 acres of village forest of the



indigenous villagers of Rengyen Mro Karbari Para of Sarai Union under Lama Upazila of Bandarban District in Chittagong Hill Tracts.

### Background and timeline of events



The lands belonging to the indigenous peoples of Sarai Union of Lama Upazila of Bandarban District had been leased out to 64 military-civilian bureaucrats and influential persons of the area, who formed a rubber company called **Lama Rubber Industries Limited**. However, while only 1,600 acres of land in 64 plots of 25 acres per plot were leased out to the 64 lessees, the Lama Rubber Company, with the support of the security forces and local administration, has encroached about 3,500 acres of land, including cultivable Jum farming land, Mouza land, and village common forest in three Jumma villages.

About 40 families in three villages have faced acute shortages of food and drinking water due to fires caused by Lama Rubber Industries Limited. It is reported that most of the residents had no food in their houses. They were living a dehumanized life by eating the boiled herbs of the forest. Sometimes they had to go without food.

- On **7 March 2022**, the Commander of Lama Army Camp had called the elders of villagers of three villages to the camp and ordered them to leave their



villages and go away within one week, otherwise, their villages would be set on fire and then they would be evicted by force.

- On **9 April 2022**, Chairman of Lama Rubber Industries Limited Moazzem Hossain, Project Director Md. Kamal Uddin, and Managing Director Md. Zahirul Islam hired more than 200 Rohingya peoples displaced from Myanmar and who had taken refuge in Bangladesh. They attempted to forcibly occupy the land of the residents of Langkam Para, Joy Chandra Para and Rengyen Para and cut down various species of trees planted by the local indigenous villagers, including fruit plantation such as pineapple, plum, mango, yam, jackfruit and bamboo.



- On **26 April 2022**, in an attempt to deliberately to occupy the land a group of 60-70 outsider Bengalis and Rohingya workers led by Md. Kamal Uddin, Deputy Director of Lama Rubber Industries Company, set fire to 350 acres of Jum farming land, hills and village common forest at Langkam Mro Karbari Para, Rengyeng Mro Karbari Para and Joychandra Tripura Karbari Para of Duluchhari Mouza of Ward No. 4 of Sorai Union in Lama Upazila,. The fire destroyed about three hundred and fifty acres of Jum plantation including paddy, bamboo, mango, banana, pineapple and various fruit and forest trees. **The National Human Rights Commission (NHRC)** of Bangladesh has confirmed that the local Mro and Tripura indigenous people were targeted in an attempt to evict them from their lands by burning about three hundred and fifty acres of Jum farm and natural forest and destroying water springs in



Lama upazila of Bandarban. This information was given in a press note signed by the public relation officer of the NHRC, Farhana Sayeed, on 11 May 2022. <sup>1</sup>According to the press notice, the Commission has drawn attention to the dire situation of the people of three villages due to lack of food and potable water. The commission ordered the Superintendent of Police (SP) of Bandarban District to take legal action against land grabbers. However, no one has been arrested yet.

- After the destruction and arson of 350 acres of Jum farming land of Mro and Tripura people, in **May 2022** a 5-member investigation committee headed by member of Bandarban Hill District Council Mozammel Haque Bahadur was formed at the initiative of the Hill District Council to address the problem. Based on the report of the Committee, Chairman of Bandarban Hill District Council Kyew Shwe Hla on **19 May 2022** sent a 4-point recommendation to the secretary and parliamentary standing committee of the Ministry of CHT Affairs, including canceling all leases of Lama Rubber Industries Limited, providing support for Jum cultivation and development of plantations to the affected Mro and Tripura, and arresting the arsonists.



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<sup>1</sup> <https://www.thedailystar.net/news/bangladesh/crime-justice/news/attacks-the-mro-nhrc-team-finds-proof-arson-vandalism-3213541>



- On **13 July 2022**, land grabber Kamal Uddin, Moazzem Hossain, Uhir Uddin gang attacked the convener of Bhumi Raksha Sangram Committee, Rangdhajan Tripura, at the Doluchari Headman's office with the intention to kill him. He was seriously injured and had to stay in the hospital for 5 days.



- On **10 August 2022**, a group of 25/30 miscreants led by land grabber Nurul Haque Noor attacked the newly built Ashok Buddhist temple at Rengyen Karbari Para with sharp weapons and batons. The attackers ransacked the temple and looted two idols. On **14 August 2022**, Deputy Manager of Lama Rubber Industries Limited Md. Abdul Malek has filed a case in the court of Senior Judicial Magistrate of Bandarban as the plaintiff. In the case, 11 villagers including convener of Bhumi Raksha Sangram Committee Rangdhajan Tripura, Karbari Rengyen Mro, Karbari Langkom Mro and 15/20 unknown persons have been charged. The case was filed under the sections 109/143/447/379/427/506/34 of Penal Code of Bangladesh.
- On **6 September 2022**, around 15 workers of the rubber company are reported to have sprayed poison in Kalaia Jhiri area, the main source of water for hunting fish for the indigenous peoples of Langkom Mro Para, Jayachandra Tripura Para and Rengen Mro Karbari Para of Sarai Union. According to the locals, the people of the company sprayed the poison with the intention of making the villagers leave the area and occupying the place. As a result of the poisons, the water has become contaminated and is no



longer drinkable, while the number of the fish, shrimp and crabs are in sharp decline.

- On **24 September 2022**, workers of the Lama Rubber Company illegally cut 300 banana trees belonging to the indigenous peoples in Rengen Mro Karbari Para of Sarai Union under Lama Upazila of Bandarban District in Chittagong Hill Tracts.
- On **25 September 2022**, Sub-Inspector of Lama Police Station, Shamim, ordered the villagers engaged in the construction of a school to stop the construction work. At this time, he threatened that if the school was to be built here, the approval of the Officer-in-Charge (OC) of the police station must be taken.
- On **28 September 2022** in a press statement issued by the International Chittagong Hill Tracts Commissions (CHT Commission) three Co-Chairs, Sultana Kamal, Elsa Stamatopoulou and Myrna Cunningham Kain expressed grave concern over the ongoing violence in Lama Upazila of Bandarban district<sup>2</sup>.

A four-member inquiry team of the **National Human Rights Commission (NHRC)** visited Rengyen Mro Para, the spot of the attack and arson, at Dhenkichara Ambagan area of Sarai Union of Lama Upazila in Bandarban.

- On **January 5, 2023** at 10:30 am, the investigation team from Bandarban district town reached Rengyen Mro Para for on-site investigation. The investigation team of the NHRC consists of Director (Complaints and Investigations) Md. Ashraful Alam (District and Sessions Judge), Deputy Director Mohammad Gazi Salauddin and Officer-in-Charge of Rangamati Hill District Office of the Commission Md. Rabiul Islam under the leadership of Commission's member from Chittagong Hill Tracts (CHT) Kongjori Chowdhury. During the visit of the inquiry committee of the NHRC to the spot, Officer-in-Charge of Lama Police Station Shahidul Islam Chowdhury, Chairman of Sarai Union Parishad Mohammad Idris Company, journalists from Bandarban District and Lama Upazila were present. Members of the inquiry committee of the NHRC visited burnt houses and destroyed houses

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<sup>2</sup> <https://www.iwgia.org/en/news/4780-international-cht-commission-calls-for-an-impartial-investigation-of-allegations-against-corporation-s-occupation-of-mro-land.html>



there. Villagers who lost their homes in the attack burst into tears after finding them. A report about the findings was published by the investigation team <sup>3</sup>.

It is notable that, earlier in 2019, the rubber company filed a case against 6 villagers. Amal Uddin, Director of Lama Rubber Industries and Md. Mehedi Hasan, Manager of Meridian Agro Limited filed a case number-GR-26/20 against 8 indigenous villagers alleging of illegal trespassing into company's lease land and cutting off and trafficking trees, with the Lama Court of Senior Judicial Magistrate on 3 April 2020.

### **3. The Ongoing Issue of Leasing and Expropriation of Land to Outsiders**

The UN High Commissioner for Human Rights Michelle Bachelet addressed the importance of protecting minority groups, such as indigenous peoples from violence or land encroachments on her visit to Bangladesh on 25 August 2022. The peace accord in the Chittagong Hill Tracts 25 years ago was an important achievement. But in light of the continued allegations of human rights violations, linked with land disputes and the need for demilitarization, she called for full implementation of the peace accord and unrestricted access for independent actors to visit the area.

During the 1980s and 90s, 40 year long-term leases of land for non-residents in the three hill districts of Chittagong Hill Tracts (CHT) were granted by the government for rubber plantations, forest plantations and horticulture. Lease holders include military and civil officials and their relatives, political leaders, business companies, various influential personalities.

A total of 40,077 acres of land has been leased in 1605 plots (25 acres per plot) to the residents of plain districts (Dhaka, Chittagong, Rajshahi, Khulna, Barisal and Sylhet divisions) in Bandarban Sadar, Lama, Alikdam and Naikhyongchari upazilas alone. However, Movement for the Protection of CHT Forest and Land Rights claimed that a total 1,877 plots covering 46,750 acres of land have been lease to non-resident Bengalis.

The leases given to the outsiders by the government to date in the name of rubber plantation and horticulture in Bandarban district alone is given in the following table:

Sl .	Name of upazila	Rubber plantation		Horticulture		Total	
		No. of plots	Land (in acre)	No. of plots	Land (in acre)	No. of plots	Land (in acre)
1.	Bandarban	91	2,275	119	2,855	210	5,130
2.	Lama	835	20,875	177	4,500	1012	25,375

<sup>3</sup> <https://hillvoice.net/en/inquiry-team-of-nhrc-visits-the-spot-of-attack-and-arson-in-lama/>



3.	Alikadam	194	4,847	62	1,550	256	6,397
4.	Naikhyangch ari	112	2,800	15	375	127	3,175
Total in 4 upazilas		1,23 2	31,79 7	373	9,280	1,605	40,07 7

### ***Leasing of Jum farming land, Mauza land and village forests***

The leased land includes the traditional Jum farming land and Mouza land of the indigenous Jumma people. Even in some cases, registered and recorded land of indigenous Jumma people were given to leases. As a result, hundreds of Jumma residents have lost their Jum farming lands, Mauza lands and village common forests and are being displaced from their ancestral land and homesteads.

### ***Conditions on grant of lease***

When the government gave leases to non-locals in the 1980s and 90s, there was a condition that rubber plantation or horticulture should be created within 5 years of taking the lease. But the lease holders did not develop any rubber plantation or horticulture within 5 years after taking the lease. Many holders even took crores of loans from government banks to create rubber plantations, but did not create any plantations.

### ***Provision in CHT Accord for cancellation of lease***

The CHT Accord signed in 1997 between the Bangladesh government and the Parbatya Chattagram Jana Samhati Samiti (PCJSS), a political organization representing the indigenous Jumma peoples, to cancel land leases given to non-locals undermining the traditional land rights of the indigenous peoples. Clause 8 of Part the 'D' of the CHT Accord states-

*“Land allocation for rubber and other plantation: Out of the lands allotted to non-tribal and non-local persons for rubber and other plantations, the lease (allocation) in respect of the lands of those who did not undertake any project during the last ten years or did not properly utilize the lands shall be cancelled.”*

### ***Decisions for cancellation of lease***

The Parliamentary Standing Committee on the CHT Affairs Ministry in its meeting at Khagrachari and Rangamati on 20 July 2009 and 18 August 2009 respectively decided to cancel those plots which remained unutilized for more than ten years. The Deputy Commissioners (DC) of Bandarban district claimed that about 593 plantation plots so far have been cancelled. But to the utter frustration of the CHT people, the DC of Bandarban has recently reinstated some plots to the owners, keeping the CHT Ministry in dark. More plots are currently in the process of being reinstated.

However, the Deputy Commissioners (DCs) of the hill districts continue to ignore and violate the circular issued by the Land Ministry on 17 July 1989 and instruction by the CHT Regional Council. The DCs of the three hill districts were ordered to revoke this illegal settlement, lease or transfer of land through a letter no. CHTAM(P-1)/HD/



Miscellaneous/ 85/2000/529 issued by the CHT Affairs Ministry on 14 October 2000. Nevertheless, the process of giving lease and settlement of land to outsiders has not been stopped. This trend continues to covertly persist.

***Lease continues in violation of CHT Accord***

In violation of the above cited provisions of the CHT Accord, allotments of land under this category continue unabated by the authorities. The Deputy Commissioner of the Bandarban Hill district continues to give hundreds of acres of land in lease to the outsider non-tribal Bengali people.

In the name of rubber plantation and horticulture, in June 2000, the Deputy Commissioner of the Bandarban Hill district allotted a large number of plots consisting of 25 acres to 50 acres of land from Holding no. 704 and 706 under Sualok Mouza and Holding No. 63 and 67 under Tumburu Mouza of Bandarban Hill district to the relatives of the Superintendent of Police, Chief Executive Officer of the Bandarban HDC, Additional District Magistrate, Additional Deputy Commissioner (General and Revenue) and Bandarban Sadar Upazila Nirbahi Officer (UNO). It was learnt that 40 other district and upazila level officers were also involved in this illegal allotment and transaction of land.

A size of 25 acres of land of the indigenous Tripura community at Tongo Jiripara of Soroi union in Bandarban district have also been leased out to a NGO named Development Organisation of the Rural Poor (DORP) run by non-indigenous Bengali outsiders. In May 2008, DORP set fire on orchards around 35 acres after cutting its trees planted by the indigenous villagers and hung up a signboard 'Swasthagram DORP' (Health Village Dorp) on that land. Local Tripura villagers are living in fear of eviction.

Similarly, a multi-level marketing company named Destiny-2000 also undertakes afforestation programmes for commercial purposes at Chemi Dalupara area under Bandarban sadar upazila (sub-district) by occupying private lands owned by indigenous Jumma villagers and purchasing lands that was leased out to non-residents of CHT. On 10 September 2008 Destiny workers tried to clean the land by setting fire with kerosene on existing forest and orchard owned by indigenous Jumma villagers, but failed due to being ultimately prevented by the local people.

Similar report has been received that in 2008 by occupying more than 100 acres of Jum land of indigenous Tripura community, a NGO named Thengamara Mahila Sabuj Sangha undertook afforestation programmes at Alutila hills under Badalchara mouza in Matiranga upazila. Due to the shrinking Jum land from this NGO occupying this land, the livelihood of the Tripura villagers became extremely uncertain.

***Other incidents regarding Land grabbing and eviction of Jumma villagers***

With the help and support of the military and civil administration, Jum farming land, Mouza Land and village common forests belonging to indigenous Jumma peoples continue to be expropriated via leases to rubber companies and other businesses and influential individuals. The following incidents are illustrative of these challenges:



(a) In March 2013, an indigenous Chak village comprising of 21 families named Badujhiri Chak Para in Naikhyongchari were evicted by the land grabbers including the lease holders and former UP Chairman Farooq Ahmed in Kamichra Mauza who occupied land belonging to indigenous Chak villagers and destroyed a huge forest at that time.

(b) In May 2014, the Laden group led by Md. Anisur Rahman alias Laden in Sangu Mauza of Fasyakhali Union, Lama Rubber Industries in Doluchari Mauza of Sarai Union, and Quantum Foundation in Doluchari, Lulein and Bamu Mouzas started encroachment of thousands of acres of lands belonging to indigenous peoples including Mro people.

(c) On 29 May 2015, Gazi Rubber Plantation workers attacked the Jummas peoples when indigenous Mro and Marma villagers protested against land grabbing in five Jumma villages in Lama upazila.

(d) In 2015, an influential person named Badiul Alam seized nearly 1,000 acres of recorded and traditional lands belonging to Mro, Tripura and Marma families in Alikadam upazila. At the same time, a group of land grabbers led by Mujibul Haque attacked Marma villagers and started occupying about 500 acres of land in Rupsi Union of Lama Upazila.

## **Conclusion**

The Bandarban District of Bangladesh has been plagued by continued land grabbing of indigenous peoples in the name of development projects. Despite the government's efforts to address the issue, many indigenous communities continue to lose their ancestral lands and resources to powerful business groups and influential individuals. These land grabbers often receive support and protection from the military and civil administration, making it difficult for the indigenous peoples to seek justice. As a result, many indigenous communities are left marginalized, impoverished, and living in fear of eviction. The situation highlights the urgent need for the government to take more effective measures to protect the land and resource rights of indigenous peoples in Bangladesh.

To address the situation, the Bangladeshi government must take a proactive role in protecting the rights of indigenous peoples and their land. This can be achieved through the proper implementation and enforcement of existing laws, including, importantly, full respect for the CHT Peace Accord and its provisions on land acquisitions and leasing's. It is also vital that the international community should put pressure on the Bangladeshi government to recognize and protect the land rights of indigenous peoples in the country. The international community must provide support for indigenous communities in the Bandarban district and the Chittagong Hill Tracts.



### **Applicable Violations of Human Rights Laws:**

- (a) ILO Convention No. 107 on Indigenous and Tribal Populations 1957.
- (b) United Nations Declaration on the Rights of Indigenous Peoples 2007.
- (c) Convention on Biodiversity 1992.

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