

STATE OF INDIGENOUS BANGLADESH: ISSUES AND

WOMEN AND GIRLS IN CONCERNS AT A GLANCE

October 2016



Over 54 indigenous peoples have lived in different parts of Bangladesh since time immemorial. According to the 2011 census, their population is approximately 1,587,000 which represents around 1.08% of the total population of Bangladesh. Nearly half of them are women. Disaggregated official data concerning demographic distribution of indigenous women and girls belonging to different indigenous groups is unavailable.

The lives of indigenous peoples are defined by deprivation and struggle irrespective of their geographic location or ethnic identity. Discrimination and routine violations of human rights enshrined in the international human rights law have been inseparable parts of indigenous peoples over the years. The Constitution of the country does not recognise indigenous peoples in the country as 'indigenous'. Thus, land grabbing, 'development' interventions, militarization, corporate greed, energy projects and forestry projects on their ancestral lands have pushed the survival of indigenous peoples to an alarming state. In this sorry state of indigenous peoples, women and girls are the most vulnerable section, who face multiple and intersecting forms of discrimination due to their gender, ethnicity, language, religion, class and geographic location.



Human Rights Instruments and National Laws Pertinent to Women

Bangladesh endorsed almost all the major international human rights instruments. And at the national level, it has formulated a number of legislations pertinent to women, including the Dowry Prohibition Act 1980, Women and Children Repression Act 2000 (Amendment 2003), Acid Control Act 2002, Domestic Violence (Prevention and Protection) Act 2010, Cruelty to Women and Children Act 2012, Pornography Control Act 2012, Prevention and Suppression of Human Trafficking Act 2012, Children Act 2013 and Child Marriage Restraint Act 2014. While these are commendable initiatives of the State, their proper and impartial enforcement has always remained very limited. Furthermore, none of these laws mention a word about indigenous women and girls, let alone having specific provisions concerning their issues. As a result, the State is yet to fulfil its responsibilities for bringing positive changes in the situation of indigenous women on the ground.

Violence

Over the past few years, the most appalling issue facing indigenous women and girls in Bangladesh is the alarming rate of violence against them, especially due to weak enforcement of existing legal and institutional measures by the State. According to Kapaeeng Foundation's statistics, from January 2007 to September 2016, there have been at least 466 reported incidents of violence against indigenous women and girls in Bangladesh.¹ In comparison to 50 indigenous women and girls who were victims of rape, attempted rape and gang rape as reported by Kapaeeng Foundation, there were 615 victims of mainstream Bengali women and girls reported by Ain O Salish Kendra (ASK) in 2014. It is worth mentioning that 7.52% of the victims/survivors in 2014 were from indigenous communities, who are merely 1.8% of country's total population, while the remaining 92.48% victims were from the Bengali community, who are the majority in the country with 98.2% of the total population.² From the statistical data given, it is clear that the propensity of committing sexual and physical violence against indigenous women is higher than the violence faced by Bengali women. In regards to the alarming trend of violence experienced by indigenous women and girls, impunity enjoyed by the perpetrators plays a crucial role. A study report commissioned by the CHT Commission reveals that not a single conviction had taken place out of 215 cases occurred in the CHT documented by them.³

Mother-Tongue Based Education

Mother-tongue based multilingual education is of paramount importance for development of indigenous women and girls. Recently, the Ministry of Primary and Mass Education of Bangladesh has undertaken a historic initiative to introduce mother tongue based multilingual education for indigenous children at the pre-primary level. However, the State is yet to settle a number of associated issues, including hiring and training an adequate number of qualified teachers with necessary language skills, taking preparation for the next stages of education of the children following completion of pre-primary education in respective mother tongues, specific roadmap for the following phases of development, printing and distribution of books and making arrangements for setting up schools and other infrastructural facilities for indigenous children living in the far-flung areas.

Health Services

Concerning health services for indigenous peoples, the 7th Five Year Plan (2016-2020) of Bangladesh has specifically mentioned insurance of indigenous friendly health services. However, the health service situation is far from acceptable in most indigenous-inhabited regions of the country. There is no disaggregated data regarding indigenous women's health status in Bangladesh from the end of the government. It appears that indigenous women's health is at risk particularly at the time of childbirth. Malnutrition, anaemia and malaria are the common diseases in the hills where indigenous women live. UNDP reported in 2009 that six out of 10 households in CHT - irrespective of ethnicity - live below the national absolute poverty line where each member consumes less than 2,100 calories per day; the other four households live in extreme poverty (less than 1,800 calories per day).⁴ This naturally has a grave, negative effect on their health.

Decision Making

In public and professional life and decision-making indigenous women and girls lag behind men in general but also their mainstream female counterparts. The participation is lacking in the judiciary system as well as in civil services and administration, and elected positions in the Parliament and local bodies. In almost every sphere of political and public life of the country, the indigenous women are excluded from important decision-making roles and positions. For example, out of the 350 seats in the National Parliament, 50 are reserved for women to increase representation of women in the national policy-making process. None of these seats are reserved for indigenous women in Bangladesh. Sim-



ilarly, there are no reserved seats exclusively for the indigenous women in local government bodies. For this reason, *Upazila Parishad* (sub-district council) elections in 2014 and *Pourasava* (municipality) elections held in 2015, the performance of indigenous women was remarkably poor.

Recommendations

Against the above backdrop of indigenous women and girls in Bangladesh, we would like make following recommendations:

- a. Ensure **constitutional recognition** of the identity and fundamental rights of indigenous peoples of Bangladesh.
- b. Ensure **gender disaggregated data** for indigenous people in regards to different sectors including housing, food, nutrition, education, healthcare, employment and judgement.
- c. Ensure **access to justice** of indigenous women and girls and bring the perpetrators to justice, ensuring exemplary punishment for those who are involved with violence against indigenous women and girls. In this regard, form a special body to investigate the cases of violence against indigenous women and girls.
- d. Ensure indigenous women's **proper representation** and partnership in all aspects of the political and public life of the country, including making special arrangements to reserve quota in the Parliament and all local government bodies for indigenous women.
- e. Take effective measures for **immediate and full implementation of CHT Accord of 1997** to ensure lasting peace, security and development of people, including the indigenous women and girls, of the CHT.
- f. **Form an independent land commission** for indigenous peoples of the plains for settling the disputes of the land and thus to address the violence and harassment of indigenous women centring land-related disputes.

Notes

- 1 Kapaeeng Foundation (2016) *Human Rights Report 2015 on Indigenous Peoples in Bangladesh* ed. Mong Shanoo Chowdhury and Pallab Chakma, Dhaka. Assistance has also been taken from the documentation team of Kapaeeng Foundation.
 - 2 Kapaeeng Foundation (2015) *Human Rights Report 2014 on Indigenous Peoples in Bangladesh*, ed. Mong Shanoo Chowdhury and Pallab Chakma, Kapaeeng Foundation, Dhaka
 - 3 Chittagong Hill Tracts Commission (2014) *Marginalization and Impunity: Violence against Women and Girls in the Chittagong Hill Tract*, Dhaka.
 - 4 UNPO, *Chittagong Hill Tracts: Least Literate and Lagging Behind*, <http://www.unpo.org/article/13437>
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