

24 August, 2011

## Press Statement

The CHT Commission would like to clarify some of the allegations that were made by His Excellency Abul Kalam Abdul Momen, Ambassador and Permanent Representative of Bangladesh to the United Nations in New York in a statement on Agenda item 14(h) of the 2011 Substantive Session of Economic and Social Council (ECOSOC), on 29 July 2011. These allegations were then reflected in some media reports afterwards.

His allegations focused on the **'Study on the status of implementation of the Chittagong Hill Tracts Accord of 1997'** which was submitted by Lars-Anders Baer who is a former member of the United Nations Permanent Forum on Indigenous Issues (UNPFII). The Permanent Forum in its ninth session in 2009 appointed Mr. Baer, who was then a member, as Special Rapporteur to undertake this study.

The allegations brought by the Ambassador at the ECOSOC were that the study was **"conducted in a manner that raised questions of transparency, ethics, impartiality and objectivity relating to its conduct and contents"** and that the Special Rapporteur conducting the study **"chose not to disclose his identity, mandate and objective"** during his meetings with government authorities and other stakeholders which **"was a clear violation of established norms and practices"**. The Ambassador also stated that Special Rapporteur Lars-Anders was a member of **"a partisan CHT-based NGO of Bangladesh holding membership of the PFII and simultaneously serving as a Special Rapporteur"**.

Mr. Lars-Anders Baer, who is also a member of the Chittagong Hill Tracts Commission, conducted the investigation for this study when he came to visit Bangladesh in September 2010. During his stay he held meetings with the Law Minister, the Honourable Mr. Shafique Ahmed, the Foreign Minister, the Honourable Dr. Dipu Moni MP, the Land Minister, the Honourable Mr. Rezaul Karim and the Minister for CHT Affairs, the Honourable Mr. Dipankar Talukder MP. At these meetings he clearly stated to all the ministers that he was conducting a study for the United Nations Permanent Forum regarding the status of the implementation of the CHT Accord. The CHT Commission's records confirm that Mr. Baer informed the Foreign Minister about the study he was conducting as a Special Rapporteur. At the meetings with various stakeholders in the Chittagong Hill Tracts, Mr. Baer clearly stated he was here to conduct the study for the UN Permanent Forum.

# Chittagong Hill Tracts Commission

## Co-Chairpersons:

Sultana Kamal,  
Lord Eric Avebury,  
Elsa Stamatopoulou

Prior to coming to Bangladesh in September 2010, Mr. Baer had a meeting with the head of the Bangladesh delegation in April 2010 during the ninth session of the Permanent Forum. At this meeting he asked Dr. Abul Kalam Abdul Momen, the head of the UN mission in Bangladesh, whether he had any objections against pursuing a study concerning the CHT Accord. He had none.

After finalizing the 'Study on the status of implementation of the Chittagong Hill Tracts Accord of 1997', it was sent to the Bangladesh UN mission in Geneva on **19 January, 2011** before presenting it at the tenth session of the Permanent Forum in May, 2011.

Here are excerpts from the letter to the Bangladesh Permanent Mission to the UN in Geneva:

*In May 2010 I was appointed Special Rapporteur by the UN Permanent Forum on Indigenous Issues to undertake a study on the status of implementation of the Chittagong Hill Tracts Accord of 1997. Following my appointment I was in Bangladesh in September where I had the honor of meeting, among others, the Foreign Minister and the State Minister, Ministry of Chittagong Hill Tracts Affairs, who both stated their full support for the study.*

*The study has now been completed and I am forwarding it to you for your kind perusal. Your comments and input are most welcome and I will, as far as possible, try to include your views in the presentation of the study during the 10th session of the Permanent Forum to take place in May 2011 in New York. I would also be at your disposal for a meeting in Geneva to discuss the study.*

However, Special Rapporteur Mr. Lars-Anders never received any objection or query from any Bangladeshi authority during this time.

The objections were first raised by Mr. Iqbal Ahmed, the First Secretary of the Bangladesh mission to the UN, at the tenth session of the Permanent Forum on 25 May 2011. The Foreign Minister's objections came three days before the ECOSOC session which took place on 29 July, 2011.

# Chittagong Hill Tracts Commission

## Co-Chairpersons:

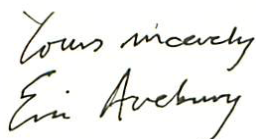
Sultana Kamal,  
Lord Eric Avebury,  
Elsa Stamatopoulou

The CHT Commission also objects to the terming of the CHT Commission as “a partisan CHT-based NGO of Bangladesh” by His Excellency Abul Kalam Abdul Momen. The CHT Commission is a non-partisan international human rights body whose members are highly respected for their work to uphold human rights laws nationally and internationally. It was established to facilitate the implementation of the 1997 CHT Accord and bring peace to the Chittagong Hill Tracts. Its mandate is:

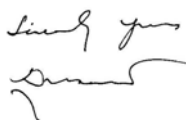
*To promote respect for human rights, democracy, and restoration of civil and political rights, participatory development and land rights in the Chittagong Hill Tracts in Bangladesh, including examination of the implementation of the CHT Peace Accord of 1997.*

The CHT Commission appreciates the ECOSOC’s decision on the report, in which the Council took note both of the report and the importance of the Permanent Forum continuing to adhere to its mandate and take into account the concerns not only of United Nations Member States, but also of indigenous peoples and all other stakeholders.

On behalf of the CHT Commission



Eric Avebury  
Co-chair of the  
CHT Commission



Sultana Kamal  
Co-chair of the  
CHT Commission



Elsa Stamatopoulou  
Co-chair of the  
CHT Commission