

## **Cultural Identity and Recognition: Ethnic Minority Rights in Bangladesh through Kymlicka's Multiculturalism**

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**[Abstract:** This paper explores the multifaceted challenges faced by ethnic minorities in Bangladesh, emphasizing their distinct linguistic, cultural, and social identities. These communities experience persistent ethnocultural injustice, including discrimination by the state, internal community conflicts, and violations of fundamental rights. Indigenous women, in particular, suffer from layered oppression due to their gender and ethnic identity, facing both patriarchal violence within their communities and systemic marginalization outside. Based on Kymlicka's Multiculturalism, this study argues that existing human rights frameworks are inadequate to protect ethnic minority peoples in Bangladesh, especially regarding internal displacement, language policies, and political representation. Moreover, this paper emphasizes implementing "Citizenship Education" in Bangladesh to foster respect for cultural diversity and promote democratic values. It further recommends legal reforms, such as recognizing customary land rights, ratifying international conventions, and fully implementing the 1997 Chittagong Hill Tracts Accord. Additionally, the paper highlights the urgent need for inclusive national policies that ensure equitable access to education, healthcare, and political participation for ethnic minorities, particularly women. It concludes by identifying critical areas of ethnic minorities for further research, including community-specific challenges, Marginalization of women based on race, class, and gender identity, and the role of religious institutions in shaping identities.]

**Key Words:** Identity; Ethnicity; Recognition; Societal Culture; Internal Restriction; External Protection; Human Rights; Group-differentiated rights.

### **Part 1: Introduction**

In Bangladesh, more than 50 ethnic minority groups reside, each distinguished by its own language, cultural practices, and political or group affiliations (Statistics, 2024, p. 365). These communities maintain psychological and geographical boundaries, possess a strong sense of collective identity, and practice collectivism—a process involving self-ascription and mutual recognition. According to the 2022 Population and Housing Census of Bangladesh, ethnic minority groups constitute 1% of the country's population (49.98% male and 50.02% female), with more than half (60.04%) residing in the Chittagong Division, particularly in the Chittagong Hill Tracts (CHT). The remaining ethnic population lives in the plains: 14.82% in Rajshahi, 8.28% in Sylhet, 5.52% in Rangpur,

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and 4.99% in Dhaka (2024, p. 97). The Constitution of the People's Republic of Bangladesh, in Articles 27 and 28(1), acknowledges “All citizens are equal before the law and are entitled to equal protection of the law,” and “The State shall not discriminate against any citizen on grounds only of religion, race, caste, sex, or place of birth.” However, ethnic minority communities remain socio-economically, culturally, and politically underprivileged, vulnerable, and discriminated against—an example of ethnocultural injustice. To achieve ethnocultural justice, these challenges must be addressed properly and systematically. This paper aims to analyze how ethnic minority communities experience social, traditional, cultural, and political life both within and outside their communities and to explore how they can sustain themselves as distinct societies. To analyze these issues, Kymlicka’s theory of minority rights—or his broader theory of multiculturalism—provides a useful framework and potential recommendations.

### Method and Methodology:

This article employs a qualitative research methodology, which yields descriptive data such as written or spoken words and observable behavior (Taylor et al., 2016, p. 7). For primary data collection, the researcher used semi-structured interviews with open-ended, descriptive questions (Smith & Smith, 2018, p. 74). This approach enables in-depth exploration of participants' perspectives and experiences regarding the topic. The author developed open-ended questionnaires tailored to each participant’s ethnicity, age, profession, and geographic location. In addition, group interviews were conducted, enabling open-ended discussions in a collective setting to gather diverse viewpoints and experiences (Taylor et al., 2016, p. 131). Beyond interviews, this study also draws on domestic legal frameworks, policy documents, and international instruments as primary data. Secondary data were gathered from national and international reports, the 2022 Population and Housing Census, newspapers, journal articles, books, press releases, and conference papers. Moreover, the paper employs qualitative content analysis. As Schreier (2014, p. 170) notes, “Qualitative content analysis is a method for systematically describing the meaning of qualitative data.” Three key features characterize this method: it is systematic, flexible, and data-reducing. The author collected a substantial amount of data from 19 interviews and, using a coding frame, categorized the content for thematic analysis (See chart 1 below). I used a Snowball sampling plan to select my interviewees. According to Tracy, “Researchers begin by identifying several participants who fit the study’s criteria and then ask these people to suggest a colleague, a friend, or a family member” (2013, p 136).

**Chart 1: Information about interviews and their coding name in the paper**

| Se. | Interview Date   | Ethnicity<br>(total<br>population by<br>Census 2022) | Gender<br>and Age | Occupation and Area                               | Coding name                           |
|-----|------------------|------------------------------------------------------|-------------------|---------------------------------------------------|---------------------------------------|
| 1.  | 06 February 2024 | Chakma<br>(483365)                                   | Female, 43        | A former employee of an<br>international NGO. CHT | Member 1 of the Chakma<br>ethnicity   |
| 2.  | 07 February 2024 | Kora<br>(816)                                        | Male, 20          | Student, Dinajpur                                 | Member 1 of the Kora<br>ethnicity     |
| 3.  | 08 February 2024 | Bengali                                              | Male, 40          | Ethno-musical instrument<br>Researcher, Dhaka     | Member 1 of the Bengali<br>ethnicity  |
| 4.  | 9 February 2024  | Manipuri<br>(22979)                                  | Male, 47          | Author and freelancer, Sylhet                     | A member of the Monipuri<br>ethnicity |
| 5.  | 10 February 2024 | Tripura<br>(156620)                                  | Male, 25          | Student, CHT                                      | Member 1 of the Tripura<br>ethnicity  |
| 6.  | 11 February 2024 | Chakma<br>(483365)                                   | Male, 26          | Digital artist and Student,<br>CHT                | Member 2 of the Chakma<br>ethnicity   |

|     |                  |                      |             |                                                                           |                                       |
|-----|------------------|----------------------|-------------|---------------------------------------------------------------------------|---------------------------------------|
| 7.  | 11 February 2024 | Tangchangya (459974) | Male, 50+   | Indigenous leader and former local government representative of CHT       | Member 1 of the Tangchangya ethnicity |
| 8.  | 14 February 2024 | Hajong (7996)        | Female, 27+ | Program Associate at International NGO, Mymensingh                        | Member 1 of the Hajong ethnicity      |
| 9.  | 16 February 2024 | Chak (3077)          | Female, 42  | Researcher and Activist, CHT                                              | Member 1 of the Chak ethnicity        |
| 10. | 18 February 2024 | Garos (76845)        | Female, 24  | Students Netrokona                                                        | Member 1 of the Garos ethnicity       |
| 11. | 18 February 2024 | Garos                | Female, 24  | Students Mymensingh                                                       | Member 2 of the Garos ethnicity       |
| 12. | 23 February 2024 | Munda (60201)        | Male, 33    | Teacher and NGO Activist                                                  | Member 1 of the Munda Ethnicity and   |
| 13. | 23 February 2024 | Gonju (4137)         | Male, 48    | Farmer, Joypurhat                                                         | Member 1 of the Gonju ethnicity       |
| 14. | 23 February 2024 | Oraon (85858)        | Male, 62    | Retired Teacher Joypurhat                                                 | Member 1 of the Oraon ethnicity       |
| 15. | 24 February 2024 | Tripura (156620)     | Female, 25  | Student, CHT                                                              | Member 2 of the Tripura ethnicity     |
| 16. | 25 February 2024 | Malo (14797)         | Male, 44    | Buddhist monk, Joypurhat                                                  | Member 1 of the Malo ethnicity        |
| 17. | 27 February 2024 | Marma (224299)       | Male, 37    | Journalist and District Correspondent, CHT                                | Member 1 of the Marma ethnicity       |
| 18. | 29 February 2024 | Munda (60201)        | Male, 28    | Youth Indigenous leader and student, Joypurhat                            | Member of 2 the Munda ethnicity       |
| 19. | 29 February 2024 | Garos                | Male, 58    | General Secretary, Bangladesh National Indigenous Forum, Mymensingh       | Member 3 of the Garos ethnicity       |
| 20. | 04 March 2024    | Bengali              | Male, 31    | Former news reporter, cultural activist, author and researcher, Joypurhat | Member 2 of the Bengali ethnicity     |
| 21. | 08 March 2024    | Santal (129056)      | Male, 34    | Student, Naogaon                                                          | Member 1 of the Santal ethnicity      |

(Statistics, 2024, p. 365)

## Part II

### Ethnic Minority Rights in Bangladesh through Kymlicka's Multiculturalism:

This paper developed a theoretical framework using Will Kymlicka's theory of "minority rights" or "multiculturalism". As an umbrella term, Kymlicka uses the word 'multiculturalism' for the claims of ethnocultural groups. According to him, ethnocultural groups such as "immigrants, national minorities, indigenous peoples, racial groups, and ethno-religious groups" who seek recognition tend to be minorities, so that is the reasons Kymlicka also use the term "minority rights" (Kymlicka, 2002, p. 335). Kymlicka "tended to treat indigenous peoples as a subset of the broader category of national minorities" (Kymlicka, 2001, p. 120). Kymlicka divided national minorities into two categories: one is 'substate nations',<sup>1</sup> and another is "indigenous people". According to him, indigenous peoples are "peoples whose traditional lands have been overrun by settlers, and who have then been forcibly, or through treaties, incorporated into states run by people they regard as foreigners" (Kymlicka, 2002, p. 349).

In his theory of multiculturalism, Kymlicka uses citizenship and cultural membership as two primary concepts, which are connected to community and individual choice. According to him, every person lives in two different kinds of communities:

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1. According to him, substate nations are "nations which do not currently have a state in which they are a majority, but which may have had such a state in the past, or which may have sought such a state".

political and cultural (Kymlicka, 1989, p. 135). He emphasizes cultural community and citizenship with cultural identity and diversity (Kymlicka, 1989, p. 156). Kymlicka focuses on two broad patterns of cultural diversity: one is “multination” states, where cultural diversity results from the integration of formerly autonomous, “territorially concentrated cultures into a larger state”, and the second is “polyethnic” states, where cultural diversity results from “individual and familial immigration” (Kymlicka, 1995, p. 6). For the first pattern, he incorporated the term “national minorities” in multination states. This group “typically wish to maintain themselves as distinct societies alongside the majority culture, and demands various forms of autonomy or self-government to ensure their survival as distinct societies”. In the second case, Kymlicka incorporated “ethnic groups” in polyethnic states. Typically, this group seeks full acceptance and integration into society. Their goal is to change the institutions and laws of mainstream society to be more tolerant of cultural differences, rather than to establish a distinct, autonomous nation alongside the larger society. However, they frequently strive for greater recognition of their ethnic identity (1995, pp. 10-11).

Kymlicka uses the terms “multicultural” and “culture” in a distinct manner. He used the term “culture” to mean “a nation” or “a people”—that is, an intergenerational community that is roughly institutionally complete, inhabits a specific region or homeland, and has a common language and history (Kymlicka, 1995, p. 18). Furthermore, “multicultural” refers to a wide range of cultural pluralism, each presenting unique difficulties (Kymlicka, 1995, p. 6). In the framework of liberal democratic theory, Kymlicka emphasised “cultural membership”, which is connected with individual autonomy and freedom of choice (1995, p. 7). Kymlicka argues that belonging to a culture is beneficial, characterising it as a “primary good” (1989, p. 4). Kymlicka argues, “[C]ultural membership provides meaningful options, in the sense that familiarity with a culture determines the boundaries of the imaginable”. If the culture is deteriorating or discriminatory, the options and opportunities available to its membership will decrease, become less appealing, and increase the likelihood that their pursuits will fail (1995, p. 89). Following a likely innovative discussion of “Who am I?” and “Where do I belong?”, these two questions connect “identity” and “cultural membership” (Kymlicka, 1989, p. 4). Kymlicka argues that most people have a powerful connection to their own culture, and individual choice depends on the existence of a “societal culture” defined by language and history (1995, p. 8). According to him, “societal culture” is:

[A] culture which provides its members with meaningful ways of life across the full range of human activities, including social, educational, religious, recreational, and economic life, encompassing both public and private spheres. These cultures tend to be territorially concentrated, and based on a shared language... they involve not just shared memories or values, but also common institutions and practices (Kymlicka, 1995, p. 76).

Ethnic minorities in Bangladesh have a strong connection to their own cultures. Following Kymlicka's argument (1995, p. 8), their choice depends on the existence of a “societal culture” defined by language and history. In the next section of this thesis, this paper will discuss how Bangladeshi society revolves around a common language (Bengali).

According to Kymlicka, minorities claim two cultural rights to maintain a distinct society: “internal restrictions” and “external protections”. Both forms of cultural rights share the goal of safeguarding minority groups' stability and supporting the preservation of their respective cultures. Both of these rights are collectively referred to as “Collective Rights”. Internal restrictions concern intra-group relations, and external protections

concern “inter-group relations, which are related to the larger society (1995, p. 36). Internal restriction involves the right of a group to take action against its members to shield the group from the destabilizing effects of internal disputes. Internal restrictions concern the freedom of individual members within their society when individuals' rights are curtailed to maintain cultural purity, group solidarity, or religious orthodoxy. For instance, a group may contend that its members should not be able to legally obtain an education, choose their marriage partners freely, or receive equal treatment in divorce proceedings (Kymlicka, 1995, p. 36; Kymlicka, 2002, p. 340).

Due to internal restrictions, indigenous women in Bangladesh are not able to represent their community as village heads. Member 1 of the Chak ethnicity stated that, according to customary rules in the CHT, if a “Karbari” (a village head responsible for resolving social disorder) has a daughter, the “Karbari” role would pass to his brother's male child rather than to his daughter. Therefore, women are discriminated against by society through customary rules. Furthermore, they remain silent when they face physical, mental or sexual violence. A member of the Marma ethnicity mentioned that if indigenous women in the hill tracks are subjected to any torture, they keep it inside themselves and do not say it openly because they are too worried about what society will say, because society cannot accept it in the name of cultural purity. Indigenous women face challenges from their ethnic communities if they marry outside their community, especially in the Bengali community. Member 1 of the Chakma ethnicity married a man from the Bengali community, and her ethnic community roughly criticized her. She states, “A wealthy man is accepted in whatever community he marries. Being a woman doing something against the norms of my community, I face criticism, which is very discriminatory and classified.” Members 1, 2, and 3 of the Garo ethnicities also mentioned that if a Garo woman marries a Bengali man, she is also ostracized from society. Earlier, the entire family was separated for such incidents, but now only the girl is isolated from the community. Member 1 of the Hajong ethnicity also married a Bengali man, and because of that, her community criticized her. She mentioned that if a woman from her community marries into the Bengali community, her family faces numerous restrictions and challenges within her community, purportedly to maintain cultural purity and group solidarity. According to Article 23 of the ICCPR, the right to marriage is a human right. However, they did not enjoy these rights due to internal restrictions imposed by their community. Kymlicka's argument is relevant here. He mentioned that national minorities should respect two limitations. According to him:

[M]inority rights should not allow one group to dominate other groups; and they should not enable a group to oppress its own members. In other words, liberals should seek to ensure that there is equality *between* groups, and freedom and equality *within* groups. Within these limits, minority rights can play a valuable role within a broader theory of liberal justice (Kymlicka, 1995, p. 194).

On the one hand, the internal restriction that deprives women of their rights is an injustice to them. On the other hand, external protection concerns the right to protest against the larger society to protect a group from the effects of external pressures, such as political or economic decisions made by the larger society. Moreover, to defend their existence and identity, they try to minimize the impact of decisions made by the larger society (Kymlicka, 2002, p. 341). This implies inter-group relations. The relationship between majority and minority ethnic groups is significantly more complicated in CHT than in the plains. In the CHT area, people from the minority ethnic community face challenges to their freedom of movement due to the reason of military checkpoints in the name of

security. Members 1 and 2 of the Marma and Tripura ethnicities reported that the time required to enter the CHT is long due to numerous army checkpoints. They check their bags and belongings to see what they have carried. They must present their Identity Cards. Member 1 of the Marma ethnic group stated, “There is no freedom of movement; we cannot drive a car after six pm in hill areas.” He also states that because of that restriction, many incidents happened which are unreported; for example, pregnant women die of labour pains on mountain roads due to restrictions. Although Article 13(1) of the UDHR, Article 12(1) of the ICCPR, and Article 36 of the Constitution of Bangladesh mention freedom of movement.<sup>2</sup> However, these rights are violated.

Additionally, the right to freedom of assembly is violated by government restrictions on the celebration of World Indigenous Day. All interviewees stated that they could celebrate World Indigenous Day only at the central Shaheed Minar in Dhaka, not elsewhere in the country. Therefore, in 2022, the Bangladesh Indigenous Peoples Forum (BIPF) demanded that the International Day of the World's Indigenous Peoples be celebrated nationally (Forum, 2022, p.2). Article 3(20) of the UDHR and Article 37 of the Constitution of Bangladesh recognise the rights to freedom of peaceful assembly and association, yet these rights are also violated. Kymlicka argues that individuals need freedom of expression and association to make meaningful choices, which depend on “access to a cultural structure” (1995, p. 84).

Members 1 of the Marma and Tangchangya ethnicities said that while the indigenous identity movement was gaining momentum, some groups were formed among the Bengali communities living in the hills, such as the *Somo Adhikar Andolon*, *Pahari Bengali Parishad*, *Parbattya Bangali Chattra Parishad*, and *Pahari Bengali Nagorik Parishad*, which opposed the indigenous identity movement of the CHT. They have expressed their position in various meetings, associations, processions, and ongoing activities. They have often claimed that hill people are not indigenous; Bengalis are the original indigenous people of this country. Therefore, due to intergroup relations, indigenous peoples face distinct challenges in maintaining their cultures. Members 1 and 2 of the Chakma and Tripura ethnicities and Member 1 of the Chak, Marma and Tangchangya ethnicities mentioned that in recent years, there had been instability in the hills during the “Bizhu” (a traditional New Year festival for the Chakma ethnicity), including other festivals between Bengali and indigenous communities. Sometimes incidents involving women or land occur. For security reasons, different political parties boycotted the festival. Kymlicka (1995, p. 104) argues that viewing culture as a separate society threatens its existence, and indigenous communities also face this crisis because of the role of outsiders within their communities.

The government developed the National Cultural Policy in 2006 and the Small Ethnic Communities Cultural Institutions Act in 2010. The aims of the National Cultural Policy 2006 are “To protect and promote all cultural expressions in Bangladesh regardless of caste, class, religion, origin, etc” and “To protect, preserve and develop cultural elements of small ethnic groups” (GoPRB, 2006, p. 2). The Small Ethnic

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2. According to Article 13(1) of the UDHR “Everyone has the right to freedom of movement and residence within the borders of each State”; Article 12(1) of the ICCPR mentioned that “Everyone lawfully within the territory of a State shall, within that territory, have the right to liberty of movement and freedom to choose his residence”; and Article 36 of the constitution of Bangladesh also mentioned that, “Subject to any reasonable restrictions imposed by law in the public interest, every citizen shall have the right to move freely throughout Bangladesh”.

Communities Cultural Institutions Act of 2010 was enacted to establish cultural programs for minority groups and related measures to preserve, develop, and promote the unique regional cultural heritage of various minority groups and communities in Bangladesh (GoPRB, 2010, p. 1). In addition, Article 27(1) of the UDHR and Article 27 of the ICCPR recognise the right to enjoy a free cultural life. However, they did not enjoy their cultural rights due to intergroup conflict.

According to Kymlicka, human rights standards are not sufficient to stop ethnocultural injustice, and human rights fail to fully account for group claims on internal restriction and external protection. He added that even so, human rights successfully protect individual rights. However, individual rights only serve members of the dominant culture, and assimilationist pressure easily wins over minorities. For this reason, enforcing human rights does not address the problems associated with ethnocultural justice, which concerns “Internal Migration/ Settlement Policies”, “The Boundaries and Powers of Internal Political Subunits”, and “Official Language Policy” (Kymlicka, 2001, pp. 72-80).

#### **i. Internal Migration/Settlement Policies:**

The struggle between the ethnic minorities in CHT and the government changed from a democratic struggle to a low-intensity armed conflict in 1975. To establish state hegemony over the ethnic communities in CHT, the state of Bangladesh implemented two significant policies. One is the complete militarization of the CHT region, and the other is the introduction of the mass migration and settlement policy of Bengalis to alter the CHT's demographic makeup. All development programs and administration were under the control of the security forces, demonstrating that these initiatives served as “counter-insurgency strategies” (Salam & Aktar, 2014, p. 55).

On the other hand, the government allowed landless and impoverished people from various parts of Bangladesh to migrate to the CHT (Zahed, 2013, p. 99). It is believed that the CHT experienced the “Bengaliization” of the early 1980s when about 400,000 non-Pahari Bengali people moved there (Uddin, 2008, p. 46). Additionally, each family of Bengali settlers was given either 2.5 acres of paddy land, 4 acres of mixed land, or 5 acres of hilly land (Zahed, 2013, p. 99). The entire Bangalee settlement process in the CHT was orchestrated and executed with the stealth and precision of a covert military operation. This transmigration program was designed to expedite the establishment of a sizable Bangalee population loyal to Bangladesh in the Chittagong Hill Tracts. Bangalees were concentrated mainly in “cluster villages” close to army camps, where they served as “human shields” and potential recruits for paramilitary groups fighting the “Shanti Bahini” and the larger Pahari populace (Hasan, 2014, p. 85).

Following Kymlicka's argument, this paper contends that intentionally weakening national minorities by denying them access to natural resources on their lands, thereby reducing their presence even in their ancestral lands, is a common goal of large-scale settlement policies. Not only is this a significant source of injustice, but it is also the reason for violent conflict. Therefore, human rights doctrines would offer a means of opposing such policies. As a result, they demanded various measures to defend against these unfair settlement policies, such as asserting specific land claims and requesting that particular areas be set aside for their exclusive use (2001, pp. 73-74). With reference to Bangladesh, Kymlicka states that the government defended the settlement policy by arguing that lands owned by indigenous peoples belonged to the nation and ought to be used for the benefit of all citizens, both indigenous and non-indigenous. More people would live better lives, and a more equitable distribution of

resources would result from a denser population and the cultivation of frontier land (2001, p. 134).

In addition to military forces, the forestry and tourism sectors, and influential companies under the shadow of political power, have also seized land. According to one report, in 2023, the CHT have seen more than 24 dangerous incidents, including violent attacks and forcible land grabs or attempted grabs. More than 200 indigenous people were subjected to human rights violations because of this incident, including six people who were killed. More than ten of these incidents have also occurred in the plains (IWGIA, 2024, p. 12). The perpetrators are land-grabbers, Muslim Bengali settlers, and communal and fundamentalist organizations. Several of these instances involved state security forces (IWGIA, 2024, p. 155). Other two reports mentioned that the Mro ethnic people claimed that workers of the rubber company with 150 Bengali settlers attacked them on 2 January 2023 to drive them out of the area; however, the rubber company refuted this claim, arguing that the Mro indigenous people were constructing homes on company property (Marma, 2023a, p. 1; Foundation, 2023, p. 1). This is the chain reaction of the settlement policies. According to Kymlicka:

Settlement plans are almost always flawed in one or more of these three ways—that is, they serve the rich rather than the poor; and/ or they lead to environmental destruction rather than sustainable development; and/ or they target indigenous groups which are resource-poor rather than resource-rich (2001, p. 137).

Following the enactment of the CHT Land Dispute Settlement Commission Act in 2001, a dispute resolution commission was established to resolve land disputes in the CHT. However, this commission has not yet resolved any conflicts due to a lack of authority and necessary materials. No such safety net exists in the plains; therefore, there has long been a land commission for the plains, but this requirement has not been met yet. Families of minority ethnic people encountered violence related to the land in several plains' districts. In 2023, at least 17 incidents were reported involving their land rights. This report also noted that these incidents were perpetrated by influential members of the Bengali community with political, social, and economic influence (IWGIA, 2024, p. 155). The depletion of land and natural resources is forcing these communities in Bangladesh to lose their economic stability and socio-cultural cohesion. They face the loss of traditional livelihood practices, the intergenerational transmission of traditional knowledge, the erosion of traditional institutions and social structures, and the erosion of cultural and spiritual practices. They lived in poverty, food insecurity and social isolation. This results in a loss of identity and human dignity. Because of legal recognition and title to their collective (and individual) community lands, they are particularly vulnerable to land grabbing and consequent human rights violations. In particular, Bangladesh lacks legislative frameworks that recognize and safeguard ethnic minority communities and their lands because Bangladesh has not ratified ILO Convention 169, although it ratified the ILO Convention 107. Moreover, Bangladesh abstained from voting on the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP). UNDRIP recognizes land rights as a fundamental human rights issue for Indigenous Peoples and devotes several articles to this topic, particularly Articles 25, 26, and 32. One of Indigenous Peoples' most fundamental rights is the ability to give or withhold consent for any project that affects their lands, territories, and resources. This right is known as the right to free, prior, and informed consent (FPIC), outlined in Article 32 of the UNDRIP. Based on that, the Bangladesh Indigenous Forum demanded that no eco-park, Social



Forestry, Tourism, EPZ, or other project be undertaken or implemented on indigenous lands without their consent (Forum, 2022; Forum, 2023).

## ii. Internal Political Subunits within Ethnic Minorities:

Kymlicka argues that the borders of internal political subunits raise fundamental questions of justice in states where national minorities are territorially concentrated. Given that national minorities are frequently territorially concentrated, boundaries can be established in a way that empowers them, i.e., to develop political subdivisions where the national minority constitutes a local majority and can thus be utilized as a means of achieving autonomy and self-governance (2001, p. 75). Ethnic minority communities in Bangladesh are also territorially concentrated, and within these territories, they formed political groups, sometimes based on individual ethnicities and sometimes collectively. Members 1 of the Chak and Tangchangya mentioned that apart from the Bengali community, the Chakma community is the most advanced in the power dynamics of the CHT; they have been in armed struggle for a long time; they have made various revolutions in the field of education, the economic and political field, they are exercising more power followed in the CHT peace accord. During the time of the CHT peace agreement, the Parbatya Chattogram Jana Samhati Samiti (PCJSS) or the dominant ethnic groups like Chakma, Marma, and Tripura, ignored those who (non-PCJSS people or reluctant groups like Pangkhua, Lushai, or Bom) did not take up arms against the state authorities. As a result, the representation of Chakma, Marma, and Tripura is higher than the others in the CHT peace accord<sup>3</sup> (Uddin, 2016, p. 331). Numerous political groups formed with their own agendas and did not appreciate PCJSS activities. The Hill Peoples' Council (HPC), Hill Students' Council (HSC), and Hill Women's Federation (HWF) publicly expressed their disappointment, and they vowed to keep up the fight for "full autonomy" (Salam & Aktar, 2014, p. 59).

On the other hand, the government delayed the implementation of the accord's provisions. A decrease in the circumstances raised severe doubts about the peace agreement. Young members from the ethnic communities, meanwhile, started accusing the PCJSS of "selling out the CHT" for the sake of the peace accord. To start a movement against the government of Bangladesh and PCJSS, a group of young people from the Hill, primarily from Marma, Chakma, Tripura, Bom, and Tanchangya, established a new group called the United Peoples' Democratic Front (UPDF), a new political party, on December 26, 1998 (Uddin, 2008, p. 49). The failure to implement the Accord led to a surge in internal conflict within the CHT, particularly between the PCJSS and the UPDF. About 500 people lost their lives in a communal conflict involving the PCJSS and UPDF in December 1998 (Zahed, 2013, p. 101). In CHT, the Kuki-Chin National Front (KNF), also called the Bom Party, was founded in 2017 by Nathan Bom. The Kuki-Chin National Army (KNA) is the KNF's armed wing. KNF challenged the

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3. According to the CHT peace accord, section C, and Chittagong Hill Tracts Regional Council, "The Council shall be formed with 22 (twenty-two) members including the Chairman. Two-thirds of the members shall be elected from among the tribals". Among this two-thirds of the tribal members, for the male member, five people from the Chakma, three from the Marma, two from the Tripura, one from the Murung and Tanchongya, and one from the Bawm, Chak, Khumi, Khiyang, Lusai, and Pankho tribes. Among the tribal women members, one woman is from the Chakma tribe, and one is from all other tribes. So, one representative for six ethnicities together.

existing parties like PCJSS and UPDF and wanted a distinct autonomous state with nine subdistricts (upazilas) within the districts of Rangamati and Bandarban, which was called “Kuki-Chin State”, and this included people from the Bom, Khiang, Pankhoa, Lusai, Khumi, and Mro ethnicities (Nur, 2022; Talukder, 2022).<sup>4</sup> However, people from the Chakma, Marma, and Tripura communities also lived in the same area, and KNF saw them as outsiders. Violence between JSS and KNF started, and KNF attacked JSS's armed wing, JLA and killed three members, including 21 other people (Nur, 2022; Talukder, 2022).

To sum up, all these ethnic minority communities seek recognition of indigeneity and autonomy within the same territory, and one ethnic community sees another community as an outsider through their ethnic-based political community and their interests and agendas.

### iii. Language Policy:

Regarding language policy issues, Kymlicka notes that the majority language is typically designated as the single “official language” in most democratic states, meaning it is used in bureaucracy, courts, government, and educational institutions, among other contexts. Then, this language becomes mandatory for all citizens to learn in school, and proficiency in it is necessary to work for the government or interact with it. Although the ‘efficiency’ of this policy is frequently invoked in its defence, it is also implemented to guarantee the national minority group's ultimate integration into the majority population (Kymlicka, 2001, p. 78). A strong sense of Bangalee nationalism, grounded in the Bangla language, propelled the country's 1971 independence movement and laid the foundation for Bangladesh's constitution. In Bangladesh, in addition to Bangla, there are 45 other ethnic languages. The language policy, including other state policies, is grounded in the majority language and history, and ethnic minority communities are required to participate in common societal institutions. National Cultural Policy 2006 mentioned that in 5.8, the government should take measures to preserve, practice and develop the tribal (Upajati) language, culture, and heritage and shall familiarize and associate with the mainstream of Bangladesh, including the Bengali language (GoPRB, 2006, p. 19). Additionally, Article 9 of the Small Ethnic Communities Cultural Institutions Act states that small ethnic and cultural institutions conduct research on language. Moreover, the National Education Policy 2010 reflects the government's view that issues related to ethnic languages are significant. The National Educational Policy 2010 clearly states its commitment to developing and promoting “Adibashi” and the languages and cultures of small ethnic groups. One of the aims and objectives (n. 23) of this policy is to promote and develop the languages and cultures of all small ethnic groups, including the ‘Adibashi’ of this country (GoB, 2010, p. 2). Furthermore, this policy's ‘Pre-primary and primary education’ sections aim to organize learning in the mother languages of all ethnic groups, including ‘Adibashi’ at the primary level of education (GoB, 2010, p. 4). Many affirmative actions pertain to the needs of “Adibashi” teachers, language-based texts, primary schools, and teacher and student residences, which are included in articles 18 to 20 of this section (Gob, 2010, p. 7).<sup>5</sup> The National Curriculum and Textbook Board

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4. According to Census 2022, the total population of these six ethnicities is 76499 (Statistics, 2024, p. 365).

5. Articles 18 to 20 mentioned measures will be taken to ensure the availability of ‘Adibashi’ teachers and to prepare texts so that ‘Adibashi’ children can learn their languages; special

publish elementary school textbooks in five languages for small ethnic groups, in accordance with the government's decision. While many of Bangladesh's indigenous communities speak their languages, not all have written scripts (Reza & Ullah, 2023, pp. 125-126). Nevertheless, a large number of other indigenous languages are currently at risk of extinction. There should be more clarity in the quota policies governing the admission of underprivileged students to postsecondary educational institutions. The current provisions for the education of minority ethnic communities should also be clearly formulated, with explicit guidelines for their implementation.

All interviewees reported that dropout is random among many children living in rural areas. Not only that, but there are also inadequate schools in rural areas, even though high schools and colleges are rare in rural areas. A news report stated that children and teenagers from about 300 Mro, Tripura, and Marma families in 18 villages of the Remakri Union of Thanchi Upazila, Bandarban District, have been deprived of access to education for 30 years (Marma, 2023, p. 1). Another challenge is the lack of sufficient books and qualified language teachers who can teach ethnic languages to diverse ethnic groups. Members 1 and 2 of the Chakma and all members 1 of the Marma, Tripura, Tangchangya, Gunju, and Munda ethnicities reported that the government introduced a system for teaching their languages in primary schools. However, they need trained teachers to teach their language correctly here. As a result, residents of these communities need support with reading and writing in their language. Furthermore, since their language is not used in working or official life, children from the indigenous communities in the Hill and Plain lose their interest in learning their mother language. Member 1 of the Marma ethnicity states that their children do not want to learn the written version of their mother tongue as it has no value for their future and is useless, as it has no application. Member 1 of the Kora ethnicity mentioned that the children in class 1 are afraid to go to school because they do not understand the Bengali language. It takes them a long time to understand the teacher's words. Member 1, of Kora and Garo ethnicity, states that in their daily life, they communicate in Bengali, so their mother tongue is less practised. In addition, due to language barriers, they face discrimination in accessing the mainstream job market. Member 1, of the Hajong ethnic group, reported experiencing discrimination based on her pronunciation during a job interview. She states, "The interview board judged us based on our pronunciation rather than merit or qualifications".

Furthermore, language also influences access to medical treatment. Member 1 of the Chak, Marma, Tripura, and Tangchangya Ethnic Groups stated that residents of remote hill communities lack access to medical care. Among them, member 1 of the Chak ethnic group states that, linguistically, ethnic groups in the hill area are distinct, so when they come for medical treatment at the hospital, they do not understand the hospital staff's language. As a result, they need to understand the language to access necessary care, even

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support arrangements will be made for 'Adibashi' marginalised children; and primary schools will be set up in areas where there are no primary schools in 'Adibashi'-dominated areas (Hill or plains), including residential arrangements for students and teachers (Gob, 2010, p. 7). Section 4, Secondary education, mentions efforts to eliminate disparities in secondary educational institutions and among socio-economic, ethnic, and other backward groups. Supporting educational progress through special measures for lagging areas as long as necessary (Gob, 2010, p. 12). Furthermore, according to the higher education (Section 8), measures will be taken to provide residential facilities, special assistance, and scholarships for the children of freedom fighters from small ethnic communities, including 'Adibashi', as well as socially disadvantaged and other groups (Gob, 2010, p. 23).

though they sometimes do not know where to go. The 2011 National Health Policy does not specifically address ethnic minorities. However, a few general provisions use terminology such as “underprivileged”, “marginal”, and “backwards” groups, and a few place “adibashi”. Special measures will be implemented to address the circumstances of the categories listed above. However, the policy does not address the relationship between indigenous peoples' diverse languages and cultures and their access to essential medical care.

Kymlicka pointed out that in most democratic states, the language spoken by the majority is typically designated as the only “official language”, meaning that it is utilized for government, courts, bureaucracy, and educational institutions, among other things. Learning this language in school becomes required for all citizens, and communicating or working for the government or other sectors requires fluency. However, the “efficiency” of this policy is often invoked to support it, as it is said to ensure the eventual integration of national minority groups into the majority population. Furthermore, official language decisions by governments are essentially decisions about which languages will survive and which will become extinct because there is ample evidence that languages cannot survive in the modern world without being used in public life. Moreover, if higher education in the majority language is required for all jobs in a modern economy, mother-language education at the elementary school level is insufficient. The requirement that higher education be provided in the language of the majority discourages minority parents from enrolling their kids in minority-language elementary schools in the first place. Therefore, it may be necessary for national minorities to have comprehensive language policies to address the injustice caused by majority attempts to impose linguistic homogeneity (Kymlicka, 2001, pp. 78-79).

Minority rights are crucial, but adding a comprehensive list to international human rights treaties is not always the most effective means of addressing them. Universal human rights are insufficient to guarantee ethnocultural justice and to acknowledge the necessity of augmenting them with minority rights appropriate to each nation. International organizations can help resolve disputes involving minority rights. Still, it is unlikely that these functions will take the form of deciding cases or enforcing a single, internationally recognized list of minority rights and will hold governments responsible for upholding both human rights and minority rights (Kymlicka, 2001, pp.83-84). To sum up, based on Kymlicka's argument, this paper identified that human rights standards are not enough to stop ethnocultural injustice against indigenous peoples in Bangladesh.

### **Part III**

#### **Results and Concluding Remarks:**

In conclusion, ethnic minorities in Bangladesh exhibit distinctiveness linguistically, culturally, traditionally, and socially within their intergenerational communities. They belong to a cultural membership, which gives them individual autonomy and freedom of choice. Cultural membership gives them self-identity. They are constantly being subjected to various forms of discrimination and human rights violations and face ethnocultural injustice. Sometimes, they are discriminated against by the state through its policies and institutions; they are harassed and tortured within minority ethnic communities, and sometimes by the majority ethnic community. Their land, resources, and language rights have been violated, including social and political rights such as the rights to education, medical treatment, freedom of association and assembly, and freedom of movement. Furthermore, the majority's political and economic decisions jeopardise the survival of their communities. Moreover, state policies favour the majority's language and

culture and create a national identity based on Bengali nationalism. As a result, they face significant challenges in social cohesion, cultural preservation, and the maintenance of their distinct society.

This paper argues that, to safeguard their identity and society, ethnic minorities in Bangladesh seek recognition of their indigenous status, including the rights to autonomy and self-determination. They formed political communities, parties, and associations, sometimes based on ethnicity. On the one hand, they claim external protection, which concerns the right to protest against the larger society to protect their groups from the effects of external pressures, such as political or economic decisions made by the larger society. On the other hand, one ethnic minority fights with other ethnic minority communities to fulfil their political agendas through their armed wings. One community regards another as an outsider because of the other's political decisions and agendas, and they compete for power, language policies, and access to education, employment, and healthcare. They also question the validity of internal restrictions imposed by their group on its constituents' civil or political rights in the name of "tradition" or cultural purity.

This paper also identifies that human rights standards are insufficient to protect ethnic minority's rights, especially when issues are related to internal migration or settlement policies, the role of internal political parties, and language policies. To safeguard cultural membership, a distinct society, self-identity, and a sense of respect and establish political, social, economic, and cultural rights, they claimed legal protection for customary and traditional land rights, a separate ministry and land commission for the indigenous people of the plain land, and legal protection for indigenous women's rights and security. They demand the proper implementation of the Chittagong Hill Tract peace agreement and of ILO Convention 107, including ratification of the Declaration on the Rights of Indigenous Peoples and ILO Convention No. 169. They also demand special quotas in local government councils and in parliament for Class 1 government jobs, including student quotas in higher education institutions. In addition, they demand that no eco-park, Social Forestry, Tourism, EPZ, or other project be undertaken or implemented on indigenous lands without their consent. They also demand that all false cases must be withdrawn immediately, including the cessation of all oppression and torture against indigenous people. They demanded constitutional recognition and rights to self-determination according to Article 1 of ICCPR and ICESCR<sup>6</sup> (Forum, 2022, pp. 1-2 and Forum, 2023, pp. 1-9).

Women in Bangladesh face an increasingly complex situation with their two different identities as women and as members of ethnic minorities. They are often victims of structural violence, as well as other forms of violence, that victimise them in everyday situations. Initially, they resist patriarchy within their society as women. They then face challenges upon leaving the community due to differences in language and racial appearance. As a result, they are living in a culture of fear. All female participants mentioned that they face harassment, humiliation, and bullying by the members of the majority because of their cultural practices, language, clothes and racial appearance. The attitude of the Bengali community towards the people of the minority ethnic community represents that there is a lack of recognition of cultural diversity, a lack of education

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6. According to Article 1(1) of the ICCPR and ICESCR, "All peoples have the right of self-determination. By virtue of that right they freely determine their political status and freely pursue their economic, social and cultural development".

about ethnic identity, a lack of a respectful attitude towards other people, a lack of acceptance of cultural diversity and valuing one's own culture only. In addition, a lack of civic responsibility is the primary reason for this attitude. Therefore, this paper recommends Kymlicka's "Citizenship Education" for Bangladeshi children. The "Citizenship Education" concept is needed to sensitize future generations to be democratic citizens and to respect others who are culturally and ethnically different from each other.

Education is widely recognized as one of its primary purposes, teaching the next generation about their civic responsibilities. The goal of fostering a responsible and informed populace was unquestionably the primary driver behind the establishment of the public school system and the mandate of education. Kymlicka's concept of "Citizenship Education" offers a comprehensive approach that extends well beyond civics classes, even though civics is a necessary component. Citizenship education is more than just teaching students about constitutional principles, political institutions and political life. This education encompasses the development of attitudes, values and loyalties that are closely linked to the practice of democratic citizenship. Only children do not acquire these values and allegiances in civics classes; the entire education system plays a role in teaching them (Kymlicka, 2001, p. 293). Citizenship education includes how individuals perceive and interact with others, particularly those unlike themselves in terms of their social class, ethnicity, or religion (Kymlicka, 2001, p. 304).

Citizenship education includes fostering a critical attitude toward authority and developing habits of civility and skills of public reasonableness (Kymlicka, 2001, p. 308). This education, valued for enabling people to lead more fulfilling lives regardless of their roles as citizens, rather than for improving citizens, indirectly promotes autonomy (Kymlicka, 2001, p. 315). There will be fewer legal obstacles and social stigma for groups seeking to preserve their cultural practices and identities. Additionally, civility fosters greater interaction among members of various groups, thereby increasing the likelihood that individuals will acquire new knowledge about ways of life. People have historically maintained "cultural boundaries" by openly displaying prejudice toward outsiders; they remained within their group because they were not welcome elsewhere. Developing habits of civility and the ability for public reasonableness is also part of citizenship education, as is encouraging a critical attitude toward authority. Both indirectly support autonomy by encouraging children to engage with people from different ways of life and groups, accept the validity of their beliefs and traditions, and break away from cultural boundaries (Kymlicka, 2001, pp. 308-309). Kymlicka contends that civic virtue cannot be taught through civil society associations, the market, or the family. Since respect for authority and private discourse frequently hold these spheres together, people will not automatically learn to question authority or engage in public discourse in any of them. This implies that critical thinking and moral perspective—which characterize public reasonableness—should be taught to school students (2001, p. 303).

Besides democratic citizenship education, "social unity" is vital to citizens' lives because it fosters mutual respect, trust, and solidarity. According to Kymlicka, "Social unity requires that citizens identify with their fellow citizens and view them as "one of us". This sense of shared identity helps sustain the relationships of trust and solidarity needed for citizens to accept the results of democratic decisions and the obligations of liberal justice" (2001, p. 311).

Finally, this article recommends a time-bound roadmap for the full implementation of the 1997 CHT Accord. The government should investigate reports of intimidation,

violence, sexual violence and disappearances of people from these communities, and necessary steps must be taken to investigate the underlying causes of violence in their areas. Moreover, this paper recommends implementing constructive measures to ensure the legal recognition and protection of women from ethnic minorities, as well as their rights to land, territory, and resources, with their effective participation and consultation in Bangladesh. It is essential to intensify pressure and demand accountability on states to meet their legal obligations to recognize, respect and protect the rights of women, especially in light of the many severe forms of intersectional discrimination these women face.

This paper also suggests that Bangladesh's National Education Policy should be more explicit regarding the quota policies governing the admission of underprivileged students to postsecondary educational institutions. The current provisions on the education of ethnic minority peoples should also be clearly formulated, with explicit guidelines for their implementation. Furthermore, it is also essential to establish guidelines for the construction of health facilities in hilly areas based on geographic proximity rather than population, taking into account the unique linguistic and cultural characteristics of peoples when formulating policies that would permit hiring staff at public health facilities who speak the language fluently; providing training for traditional birth attendants and healers in fundamental health care; and, above all, involving professionals with experience and expertise in working with different ethnic communities peoples on health-related issues in the decision-making process and policy implementation.

This paper recommends the points outlined above, but the findings identify additional research topics for further investigation. For example, it is essential to explore the problems that each ethnic minority community faces individually and how ethnic minority women are subjected to exploitation and deprivation within and outside their own society. Moreover, it is vital to research the role of religious institutions in shaping the identity of indigenous peoples.

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[সার-সংক্ষেপ: এই প্রবন্ধে অন্বেষণ করা হয়েছে, বাংলাদেশের জাতিগত সংখ্যালঘু জনগোষ্ঠীর বহুমুখী সমস্যাকে; গুরুত্ব দেওয়া হয়েছে, তাদের স্বতন্ত্র ভাষা, সাংস্কৃতিক এবং সামাজিক পরিচয়কে। তারা নানাভাবে নিজস্ব ভাষা এবং সংস্কৃতি চর্চায় বৈষম্যের শিকার হচ্ছে কখনো রাষ্ট্র দ্বারা, কখনো নিজ নিজ গোষ্ঠী দ্বারা, আবার কখনো অপর জনগোষ্ঠী দ্বারা। এর পাশাপাশি প্রতিনিয়ত সম্মুখীন হচ্ছে মানবাধিকার লঙ্ঘনজনিত ঘটনার। কিমলিকার *Multiculturalism* তত্ত্বের উপর ভিত্তি করে, এই গবেষণায় যুক্তি দেয়া হয়েছে যে, বিদ্যমান মানবাধিকার কাঠামো বাংলাদেশের জাতিগত সংখ্যালঘু জনগোষ্ঠীর সুরক্ষার জন্য অপরিপূর্ণ, বিশেষ করে অভ্যন্তরীণ স্থানচ্যুতি, ভাষার নীতি এবং রাজনৈতিক প্রতিনিধিত্বের ক্ষেত্রে। এর পাশাপাশি, এই গবেষণাপত্রে গুরুত্ব দেয়া হয়েছে "নাগরিকত্ব শিক্ষা" বা *Citizenship Education*, যা মূলত সাংস্কৃতিক বৈচিত্র্যের প্রতি শ্রদ্ধা বৃদ্ধি এবং গণতান্ত্রিক মূল্যবোধ সমুন্নত রাখার জন্য অন্যতম ভূমিকা পালন করে। এই প্রবন্ধে কিছু আইনি সংস্কারের সুপারিশ করা হয়েছে যেমন, প্রথাগত ভূমি অধিকারের স্বীকৃতি, আন্তর্জাতিক কনভেনশন অনুমোদন এবং ১৯৯৭ সালের পার্বত্য চট্টগ্রাম চুক্তির পূর্ণ বাস্তবায়ন। এছাড়া গুরুত্বারোপ করা হয়েছে, অন্তর্ভুক্তিমূলক জাতীয় নীতিমালার প্রতি যা জাতিগত সংখ্যালঘু জনগোষ্ঠীর, বিশেষ করে শিক্ষা, স্বাস্থ্যসেবা এবং রাজনৈতিক অংশগ্রহণে নারীর ন্যায্য সুযোগ প্রদানে গুরুত্বপূর্ণ বলে বিবেচিত। পরিশেষে, এই প্রবন্ধে ভবিষ্যতে গবেষণার জন্য কয়েকটি গুরুত্বপূর্ণ ক্ষেত্র চিহ্নিত করা হয়েছে, উল্লেখযোগ্যভাবে, প্রতিটি জাতিগোষ্ঠীর অভ্যন্তরে বিদ্যমান সমস্যা চিহ্নিতকরণপূর্বক বিশ্লেষণ করা; জাতি, শ্রেণী এবং লিঙ্গ পরিচয়ের ভিত্তিতে নারীর প্রান্তিকীকরণ প্রক্রিয়াকে অনুসন্ধানপূর্বক আলোচনা করা; এবং পরিচয় গঠনে ধর্মীয় প্রতিষ্ঠানের ভূমিকা নিরূপণ করার মতো প্রসঙ্গসমূহ।]