

People on the Fringe

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Contents

Leaving No One Behind

Convention on Land, Forest and Social Rights of the Marginal and Excluded communities

A Leg-up to Tea Workers

Reports on Trainings and Workshops

Elections in Tea Gardens and the Larger Issues of Tea Workers

Study and Survey: Ethnic communities, Harijan, Bede, Sex Workers, Bihari, Rishi and Household Survey of Modhupur Forest Villages

Poster

Convention and Cultural Festival 2018: Program

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Leaving No One Behind Convention on Land, Forest and Social Rights of the Marginal and Excluded communities



Oraon cultural team performing at one cultural evening. Photo. Philip Gain

The marginal and excluded people of Bangladesh—approximately eight million—are among the poorest of the poor. While Bangladesh has made commendable progress on many fronts, the twin problems of marginalization and exclusion continue to haunt a wide range of ethnic minorities, particularly from the plains and other excluded groups.

These marginal and excluded groups—ethnic communities, Harijans (sweepers), Bedes (gypsies), Jaladas (fishing community in seashore), Kaiputra (pig rearing community), Rishi (cobblers), sex workers, Biharis and other smaller communities—face multi-dimensional exclusion and poverty challenges. While the majoritarian culture and religion have been trying to shape

them according to their own image or likeness, these communities are struggling to establish their identities, languages, cultures and customary rights to land and forest. Social and political protection is also equally difficult for them to achieve.

While some difficulties that these communities face are common, many are unique to each community. Many of the Adivasi communities such as Garos, Santals, and Oraons are deprived of right to forest and land that used to be their commons. The forest-dwelling Adivasis do have enough access to forest commons. But many still live in forest villages but without right to the very land they live on. Many groups such as the tea communities, Harijans, Bedes, sex workers and Jaladas are



This project is funded by the European Union and ICCO COOPERATION. The views expressed in this publication do not necessarily reflect the views of the European Union and ICCO Cooperation.

completely landless or have little access to crop land. Those who live among their Bangalee neighbors face land grabs and physical violence including killing and rape. All these anomalies lead to progressive denial of rights to land and forest commons and thus perpetuate continued impoverishment of the marginal and excluded communities that is generational.

It is in this context, four organizations—Society for Environment and Human Development (SEHD), Power and Participation Research Centre (PPRC), Christian Commission for Development in Bangladesh (CCDB) and Gram Bikash Kendra (GBK)—in their efforts to bring the challenge of exclusion and marginalization into focus organized a convention in Rangpur on 16 and 17 November 2017. The event was part of a multi-year program supported by the European Union and ICCO Cooperation.

The convention, first in the row of three, focused on the right to forest and land and social and political protection. While findings of research and investigations were shared from the organizers' end, representatives of some 20 communities and groups and some 60 civil society, community based organizations and cultural groups assembled to share stories of deprivation and human rights abuses and importantly their cultural riches.

Multifaceted Deprivation

Research findings, reports and testimonies given by the victims clearly spelled out the multifaceted deprivation that the Adivasis and other excluded communities experience in their daily life. The director of SEHD, in his keynote presentation, reflected that communities that still live on the forest land have no right to land they live on. They are made to engage in conflict with the Forest Department that was created by the state. The



Dr. Hossain Zillur Rahman speaking at the inaugural session. Photo: Prosad Sarker

Garos, Santals, Oraons and many other communities have been living in the forest since long time before the Forest Department was created. The British colonial rulers started taking control of the forest in the interest of the state. They started reservation of forest, an act considered 'immoral' by the forest dwelling communities. The subsequent states created many institutions that continued reservation and commercial exploitation of the forest resources.

Eugene Nokrek, a Garo and the president of a premier local organization of the Garos and Koch in Modhupur sal forest area told the story of atrocities inflicted on them by the Forest Department. "Seven thousand Adivasis are spending their days under eviction threat since the fresh reservation of 9145.07 acres of land in 2016." Nokrek accuses that the process of reservation was completed without their knowledge, which is unlawful. Nokrek also narrated how plantation projects have caused massive destruction to natural forest.

Rabindranath Soren, president of North-Bengal based Jatiyo Adivasi Parishad (National Adivasi Council) concurred with Nokrek and gave a vivid description of how natural sal forest has been destroyed in Rangpur and Rajshahi divisions due to plantations. He also talked on immense sufferings that the Adivasis of the North Bengal go through due

to progressive land grabbing and acquisition of land by the state. Soren accuses, 'the land grabbers burn Adivasi houses, kill them and rape their women to grab land. The influentials, politicians and even the state agencies have rendered them landless. Insecure, many have left the country.'

Quite a few victims—men and women—from different districts came to the convention to testify the torment that the Adivasis, Harijans, sex workers, Bede, Biharis and Bagda Farm tragedy went through in the recent past.

Humiliation in social life is common for the Harijans. Kalu Bashphor, the general secretary of Bangladesh Harijan Yakkho Parishad, Rangpur shared his experience on deprivation and humiliation. "I work in a government office. Everybody in our office goes to the annual picnic, but I am left behind. My colleagues do not eat with a sweeper. I feel so humiliated," said Bashphor.

Language movement veteran and a well-respected octogenarian of Rangpur town Md. Afzal is appalled at the sad stories that he hears. His observation: 'We dreamed of equal rights for every citizen at the time of our independence. That dream has not come true. The Adivasis are deprived of their rights to education and employment. They routinely

face repression and eviction from their houses and land. Even the government is taking away their land.’

Researcher and novelist Dr. Harishankar Jaladas travelled from Chittagong. He talked on their social and habitat condition and significance of their presence in the society. He believes the society cannot make real progress leaving them behind. He himself suffered immensely because he is one of the Jaladas community.

Nurul Quader, representative of the delegation of European Union (EU) to Bangladesh informed that EU works towards achieving one of the key goals of SDGs, viz., no one should be left behind. He informed that the EU is working on a pilot project on land survey, which will facilitate formulation of a national land policy in Bangladesh. ‘In Bangladesh there are no separate policies on land use, forestry, fishery, etc. If there is a national land policy, its indiscriminate use can be halted. We have submitted a draft land policy to the government, which finalized, will yield benefit,’ reported Quader.

Dr. Hossain Zillur Rahman, a career researcher and chair of the inaugural session spoke on universal rights to education, housing, employment, land, social and political rights of the marginal and excluded groups. ‘General poverty alleviation approach to address the issues of marginality will not be effective. Change in attitude of everyone is important here,’ said Rahman.

‘Needless to say political protection of these communities depends much on the state and politicians who form governments. But social protection of the excluded people depends much on the people of the majority community. If the majority community plays an effective role in establishing equal dignity and social justice for all, political protection becomes easier,’ noted Gain, the keynote speaker.

Others who spoke at different sessions of the convention included Moazzem Hossain, Dr. Tanzimuddin Khan, Dr. Mohammad Abdul Wazed, Bhupesh Roy and Harun-ur-Rashid.

Celebration of Cultures

In a country of overwhelming Bangalee majority, there are as many as 115 communities among the Adivasis, tea workers and Harijans and there are at least 40 languages except for Bangla spoken by these communities. The diversity added by languages, education, indigenous technologies, cultural heritage, history and food habits of these communities is very important.

Nine cultural groups from among the Santals, Mushohors, Oraons, Garos, Mahles, Koras (an ethnic community of merely 21 households in Birol Upazila in Dinajpur) and Turis performed their unique traditional songs and dances in the evenings of both days. What was unique of the cultural groups and their performances was that most of the members were farmers, day laborers, housewives, coolies (Turi) and students. They carried with them their original drums, flutes, costumes and other cultural instruments that played and displayed filled the air of the convention venue with festivity.

Dr. Masudul Hoque, a professor of Bangla of Dinajpur Government College marveled the audience when he spoke on the language and culture of the Adivasis and other marginal communities. In his discussion he emphasized on the relations between Bangalee and indigenous cultures. ‘The Bangla language has hugely benefited from many languages spoken by different Adivasi communities. Bangalee culture is also deeply indebted to other cultures,’ said Hoque.

Dr. Shashwata Bhattacharjee, a professor of Kaunia College reflected on how culture is related with life, struggle and politics. ‘The greatest

crisis of our indigenous people is their landlessness. Their culture and language are under threat due to progressive loss of their land,’ said Bhattacharjee. ‘Politics is also deeply connected with cultures and their protection. That our state religion is Islam and state language is Bangla is outcomes of politics that pose threats to other languages and cultures in Bangladesh.’

What Needs to be Done

Insecurity to life, language and culture considered, the speakers and participants shared their suggestions. For identities of different ethnic communities to be established defining all communities, making them visible and engaging communities in production of accurate statistics on each community was suggested. As the keynote speaker noted, ‘Although according to the government source the number of the ethnic communities in Bangladesh is 27, we have mapped 110 communities [except those among the Harijans]. Each of these communities has an ethnic identity, belief, language and culture.’

In work on identity, it is important to examine what are defined in laws, its relevance and what more needs to be done. This will assist each community in their efforts for self-determination, which is very important. Care about languages and cultures is considered to be of great significance.

Taking advantage of government, state and state processes (i.e. statistics, laws and safety net program) was suggested by many. Training of government officials was suggested to make them aware about the issues and difficulties of the communities. A national resource center is now under consideration to serve the communities and everyone else with information and guidance about the marginal and excluded communities.

By Philip Gain, Debu Mallick, Syeda Amirun Nuzhat and Rownok Jahan □

A Leg-up to Tea Workers



Participants of the workshop with Dr. Satyakam Chakraborty. Photo: Sonjoy Kairi

The tea workers and their communities in Bangladesh face multifaceted difficulties at the workplace and in society. Their rights provided by labour law are not materialized. They remain far behind in education compared to the national level. Poorly paid, majority of the tea workers are malnourished. The houses they live in are generally in bad condition. They are not to own land. Importantly, their identities (as many as 80 communities are found in the tea gardens) are not recognized and their languages and cultures are threatened. These are perfect conditions for communities in the tea gardens to remain excluded and ‘tied’ to the tea gardens.

These difficulties were discussed at length in a workshop on 18-20 December 2017 in Sreemangal with learning objectives to analyze the protection of the tea workers and share experiences and scale up capacities of trade union and panchayet leaders. The Society for Environment and Human Development (SEHD) organized the workshop attended by 21 leaders representing all of seven valleys and selection of panchayets.

In setting the tone of the workshop, Philip Gain, director of SEHD gave an overview of the tea communities in Bangladesh. Sharing the findings of SEHD’s research he

reported that there are as many as 80 communities in tea gardens of Bangladesh; outsiders know very little about them. He referred to the book, *Slaves In These Times: Tea Communities of Bangladesh* that SEHD has published in 2016, which provides for wealth of information on the tea workers, their communities and the tea industry. Editor of the book, Gain informed, “These communities speak many languages and represent diverse cultures that are endangered. Protection of languages and cultures of the tea gardens is important for protection and progress of communities. Without proper nurturing languages may get lost and cultures eroded. Without languages and identities protected establishing rights become difficult.”

Dr. Md. Zoynal Abedin Tito, Sreemangal Upazila Health and Family Planning Officer, discussed the health issues of the tea workers at length and apprised the participants of the government health services that exist and how the tea workers can access them. He reflected on the diseases that are rampant in the tea gardens. “Diarrhea, anemia, pneumonia, leprosy, tuberculosis, cervical cancer are diseases that are widespread in the tea gardens compared to the national level. Major factors behind are malnourishment, poor education, lack of safe potable

water and proper sanitation, shabby housing condition in many cases, lack of awareness and superstition,” said Abedin. “The foremost underlying factor behind all these visible factors is very low wages of tea workers.”

Abedin also talked on difficulties even the government faces in scaling up health services for the tea communities. “The company dispensaries are in disarray. We want to establish community clinics in tea gardens but do not get land while the entire landmass (113,663.87 ha) leased for production of tea is owned by the state,” said he. “The company dispensaries shall be reshaped and qualified doctors and nurses be appointed. We are ready to cooperate with the owners of the tea gardens in this regard.”

Dr. Satyakam Chakraborty, Civil Surgeon of Maulvibazar District added significant insights and analyses on poor health conditions in the tea gardens and how to better access the government services that are made available to everyone.

Chakraborty put more emphasis on strategies rather than mere services. “That health is a fundamental rights applies more for the tea workers,” reminded the civil surgeon, “who are poorly paid for their painstaking jobs, particularly the ones performed by the women tealeaf pickers.”

Chakraborty explained health context in the tea gardens. “Environment and sanitation is poor in the tea gardens. Defecation in the open field is still extensive. Safe potable water is still seriously lacking. There are no toilets, sheds, and washing facility for the workers at workplace. Nutritional support for tea workers is poor for the workers and their living condition is also generally poor. Calorie intake is much lower than the need.” said he.

“It is for all these conditions that the health services are not effective enough in the tea garden,” said Chakraborty, ‘therefore, maternal deaths are high in the tea gardens and child mortality is also high although

vaccination coverage is almost 100%.”

Md. Azizul Islam, former Deputy Inspector General of the Department of Inspection for Factories and Establishments explained the rights of the tea workers guaranteed by the labor law. He, however, alerted that it is a responsibility of the trade union leaders to have clear understanding of the labour law.

“If the workers fail to amicably settle disputes with owners, they should go to designated labour courts,” advised Islam. “There are seven labor courts in Bangladesh, but tea workers can go only to the second labour court in Chittagong. If a worker files a lawsuit in the labour court, the employer must go there for defense. If the verdict goes against the worker, s/he can appeal in the Appeal Tribunal.”

Harun-Or-Rashid, a development consultant, explained the significance of organized efforts to become effective in achieving skills and capacity to build and run an organization. “An organization is established to resolve difficulties faced by workers or communities, to claim rights and to protest against injustice, said Rashid, “for which right leadership, regular interaction, resources, rules and regulations in place, planning and implementation of activities are necessary.”

Rambhajan Kairi, general secretary of Bangladesh Cha Sramik Union (BCSU) said, “At the roots of many difficulties is meager pay (daily cash pay of Taka 85) for work in the tea gardens. It is for such low income that we cannot spend much for education of our children. Our children cannot compete with others and we can hardly send our children to universities.”

On the one hand, the labour law is discriminatory for the tea workers and on the other, many of the rights it guarantees are violated by the owners, Kairi pointed out. “The tea workers have never been given gratuity, even after it was included in the agreement of 2016 between the

owners’ association and Bangladesh Cha Sramik Union (BCSU),” alleged Kairi. “There is no safety committee or welfare officer in any tea garden, which has been made mandatory by the labour rules of 2015. Worse, the law does not provide us casual leave, which other industrial workers get.”

The participants, divided into two groups, visited Mazdehee Tea Estate and Moulvi Tea Estate both in Maulvibazar district to get an idea of quality of education, health, housing and socio-economic conditions in the gardens. They had discussion with a select of panchayet members and some general tea workers.

The group that visited Moulvi Tea Estate reported that the owner of this privately owned and “B” class garden pays little attention to the welfare of the workers. The garden does not have supply of safe drinking water. The sanitation and housing condition is pretty bad and the children fall behind in education in the absence of adequate schooling.

Mazdehee Tea Estate, an ‘A’ class garden, owned by Duncan Brothers, a Sterling company, is better off than others, reported the group that visited the garden. The students of this garden get primary education because there is sufficient number of primary schools (13 all together including one government). However, many students aspiring higher education do not get it because there is no high school in the garden. There is a dispensary in the garden that provides some basic medicines but it does not have an ambulance to take serious patients out of the garden for better treatment.

The participants also updated assessment part of the profiles of the two gardens they visited. SEHD, as part of its consistent research, is developing the profile of each garden with the assessment of performance of parties involved, a task that will culminate into a publication and web portal on tea gardens. *By Philip Gain and Rownok Jahan* □

Other Reports on Trainings and Workshops

Hands-on Training for Survey on Forest Villages in Modhupur

Thirty young human rights defenders and students attended the three-day hands-on workshop held on 16-18 May 2017 in Modhupur, Tangail. All but four of the participants were Garos who were later engaged in a household survey of the forest villagers in Modhupur forest.

It is in the absence of baseline data on the condition of the forest villagers the household survey was planned to generate both quantitative and qualitative data and information. The participants who attended the workshop were taught the skills of field survey, interview, FGD and investigation. They were engaged in testing a structured questionnaire in the field before it was made final.

The workshop also brought a

select of community leaders and UNO (local administration) to share their insights, history of the Modhupur forest and how it has diminished rapidly.

The Modhupur forest villages, originally home to the Garo and Koch, are outnumbered by the Bengalis. The traditional sal forest is now reduced to about 12% of its original size (44 forest villages were surveyed during the second year).



Participants at the workshop

Residential workshop for strengthening organizational capacity of sex workers



The three-day workshop was organized in Dhaka from 20 to 22 September 2017. Twenty-two participants—20 of them representing brothel-based (from eight brothels) and floating sex workers and their organizations and two Hijra (transgender) sex workers—attended the workshop. The key objectives of the workshop were understanding the current situation of the sex workers in Bangladesh and actors and actions among them, share knowledge products on modern-day sex slavery, and increase skills of the human rights defenders among the sex workers and others working with them.

With a cluster survey on 11 brothels and survey of the sex workers ahead, the participants were given hands-on training about how to write their own stories, participate in the field survey and FGDs. Two sets of questionnaires—one for survey of brothels and one for survey of individual sex workers—were also made final with active participation of the participants.

Strengthening capacity of Bede (gypsy) leaders



A residential workshop was organized from 17 to 19 December 2017 in Dhaka with a select of Bede (gypsy) community to map and understand their issues and strengthen the capacity of the community leaders and the organizations that work for them.

Twenty participants to the workshop included Bede *sardars* (group leaders), community leaders from Savar and Munshiganj, young representatives from the community and one journalist. In addition, project staff attended the workshop. The key objectives of the workshop were mapping the current status of the Bede community in Bangladesh, building capacity of the participants, identifying their socio-economic issues and finding possible solutions to their problems.

The Bede, estimated at 0.8 million, is a floating community that keeps moving most of the year—in the past largely on boats and nowadays on land—have great difficulties in maintaining their traditional life style with their children staying largely illiterate.

The participants suggested that one immediate need of the community is access to education and alternative employment opportunities. They also want to change their traditional occupations [that have been fast losing their relevance] for which they need vocational and technical training. Educated and employed in dignified jobs, they can gradually reduce the common practice of polygamy and child marriage.

Organizational capacity building of Adivasi leaders in the Northwest

A residential workshop was organized from 7 to 9 January 2018 in Parbatipur, Dinajpur. Twenty-four young delegates from

seven marginalized and ethnic communities—Santal, Munda, Oraon, Bashphore, Rabidas, Koda and Rishi—associated with different indigenous organizations participated in the workshop. The workshop highlighted their marginalization, exclusion, cultures, languages, education and health related issues. The significance of intellectual clarity and building organizational capacity of the Adivasis in the Northwest was discussed at length.

Scaling up skills and capacity of the community leaders in the Southwest



Ethnic communities, Harijan (sweeper), Rishi/Muchi (cobbler) and Kaiputra (pig rearing community) are the key excluded groups living in the southwest districts of Bangladesh. The problems and issues of these excluded communities were highlighted in the workshop held in Jessore from 15 to 17 January 2018. Twenty-four participants represented the Kaiputra, Harijan, Rishi and Munda communities and media. The learning objectives of the workshop were to scale up the capacity of the excluded groups and their organizations and build solidarity among the actors who are committed to protect them.

Poorest of the poor, they face discrimination in employment, education, housing and other basic services. Many are socially outcast, considered ‘untouchables’ and often face atrocities including physical assault.

Building capacity and partnerships of Bihari and Harijan communities



The workshop was organized in Dhaka from 23-24 January 2018. Twenty-five representatives of Stranded Pakistanis General Repatriation Committee (SPGRC), the sole Bihari organization that advocates for the rights and demands of the Biharis (stranded Pakistanis) in Bangladesh and members of Bangladesh Horijan Yokkha Parishad, an organization that works to achieve the economic, social and political rights of the Harijans (sweepers) participated in workshop. The key objective of the workshop was to scale up their organizational capacity and leadership skills. The participants of the workshop discussed their socio-economic and political problems with experts and suggested recommendations to solve their problems.

“There is no precedence in recent history of the government conducting an election of a trade union in any other industry with funding support.”

—Tapan Dutta

“The government has conducted our elections because we still have not developed our capacity to conduct elections of such a large union.”

—Rambhajan Kairi

Elections in Tea Gardens and The Larger Issues of Tea Workers

Philip Gain

Election of Bangladesh Cha Sramik Union (BCSU) on June 24 was a joyous occasion for tea workers. BCSU happens to be the largest trade union in Bangladesh. And it is the only union for the 97,646 voters who are all registered workers in 161 tea gardens in Sylhet, Maulvibazar, Habiganj, Chattogram and Rangamati Hill District. The recent election was the third time since 1948 that the impoverished tea workers had voted for their leaders.

The first time they were allowed to vote by secret ballot was in 2008. At the time the daily pay of a tea worker was only Tk 32.50. The second election took place on August 10, 2014 when the daily pay had risen to Tk 65. In both elections, Rambhajan Kairi and Makhonlal Karmokar’s panels had won landslide victories. To no one’s surprise the results this time were the same.

Like in the past two elections, the Department of Labour (DL)—a state agency—conducted the election with an election commission headed by Shib Nath Roy, Director General (additional secretary) of DL under the Ministry of Labour and Employment. And the elections were carried out very well.

Tea workers seemed to be in high spirit on election day. Nearly 97 percent of voters showed up to vote and had no problem electing their candidates of panchayets, seven valley committees and the central committee of BCSU.

The central committee of BCSU is composed of 35 members—eight directly elected (president’s and general secretary’s panels) by voters, 22 presidents, vice-presidents, secretaries and organising secretary (only of Balishira Valley) from seven valleys (two from Balisira considering its large size compared to others), and five nominated by the losing panels of president (three) and secretary (two).

Rambhajan Kairi, elected general secretary for the third time, is happy about the elections. He was at the forefront of a youth-led campaign against Rajendraprasad Bunarjee and allegedly a central committee of his choice who controlled BCSU and its central office located in the Labour House from 1970 to 2006. No democratic elections were held during this time. “The tea workers have voted three times in BCSU and in support of our ongoing struggle for rights,” said Kairi.



Makhonlal Karmokar and Rambhajan Kairi with Chief Election Commissioner after announcement of results. Photo. Prosad Sarker

Why is the government in a trade union election?

The Labour Law of 2006 considers the tea industry as a group of establishments and allows tea workers to unionise only at the national level. To form a union in the tea industry, 30 percent of the total workers must be members. Now that all registered workers have been made members of the lone union, it is unlikely for there to be a second trade union in the tea industry should the current situation persist.

What is most appalling is that BCSU remains isolated from unions, federations or confederations outside the tea industry.

“There is no precedence in recent history of the government conducting an election of a trade union in any other industry with funding support,” said Tapan Dutta, president of Trade Union Center in Chattogram and a close associate with BCSU.

Rambhajan Kairi, the winner has his contention: “The government has conducted our elections because we still have not developed our capacity to conduct elections of such a large union.”

Syed Sultan Uddin Ahmed, a trade union expert and Executive Director of Bangladesh Institute of Law and Labour Studies (BILS) believes that given the conflicting situation in the tea gardens, the government may come forward to assist. “But I do not know if the government has conducted election of a trade union in any other industry with funding support,” frowns Ahmed. He suggests that only one union for the entire tea industry is not desirable. The labour law should allow formation of trade unions in at least the valley level, if not at garden level. The 161 tea garden (excluding the ones in the north Bengal) are split into seven valleys.

The larger issue of the tea workers’ deprivation

The larger issue beyond elections of BCSU is the deprivation of tea workers that must end. The tea industry is an industry where no tea

worker gets an appointment letter and no gratuity upon retirement or end of job. Unlike other industrial workers, tea workers get no casual leave. The single most significant issue of deprivation is “unjust” wages—daily cash pay of Taka 102 (effective from January 2017).

The deprivation of tea workers for four generations has deep roots. The majority of them, non-locals, belong to as many as 80 communities. The British companies brought them from Bihar, Madras, Orissa, Andhra Pradesh, Madhya Pradesh, West Bengal, Uttar Pradesh and other places in India to work in the tea gardens of Sylhet region. The misfortune of these indentured laborers started with their journey to the tea gardens that begun more than 150 years ago. According to one account, in the early years, a third of tea plantation workers died during their long journey to the tea gardens and due to difficult working and living conditions.

To the majority of people in Bangladesh, they thus remain invisible. They sometimes treat them as aliens and are therefore indifferent about their plights and rights as equal citizens. These provide the perfect conditions for owners of tea gardens to continue exploiting them.

The state and people of the majority communities have a responsibility towards tea workers. There are allegations from different sources that state agencies and law makers are not thinking and doing enough to end the discrimination in the labour law against tea workers and are maintaining the *status quo* by not implementing the labour law.

On the cultural front, tea communities, excluded and disconnected, have lost their original languages in most parts as well as their culture, history, education, knowledge and unity. They deserve special attention from the state, besides equal treatment, which go far beyond a well-managed election like the one we saw on June 24.

First published in the Daily Star on 30 June 2018. □

Study and Survey

Following are brief descriptions of excluded and marginal communities studied under the project. In the previous issue of this newsletter briefs on tea communities, Jaladas and Kaiputra were published. Full reports await publication.



ETHNIC COMMUNITIES

The small ethnic communities or Adivasis of Bangladesh can be categorized as distinct and merged ethno-occupational groups. Examples of distinct (with clear identification) ethnic groups are the 11 communities that inhabit the Chittagong Hill Tracts (CHT), and the Santal, Oraon, Khasi, Garo, Hajong, and Monipuri in the plains. *Khudra Nri-gosthi Sangskritik Pratisthan Ain, 2010*, (The Small Ethnic Groups Cultural Institution Act 2010) that identifies the adivasi communities as *khudra nri-gosthi* (meaning close to ‘small ethnic groups’) contains a list of 27 *khudra nri-gosthi*.

Marma and Mong in the Chittagong Hill Tracts are the same people and so are the Tripura and Usai or Usui. In the plains Malpahari and Pahari are also the same people. So, the actual number of ethnic communities is 24 according to this law. According to the findings of an extensive inventory [carried out in 2014-2015] by SEHD, the number of ethnic communities [outside the gardens] on top of official records is 37. Outside the tea gardens and the Chittagong Hill Tracts (CHT), the ethnic communities are concentrated basically in three regions Northwestern, North-central and Northeastern.

HARIJAN



Also referred to as Dalit, the Harijan is an occupational group or community who are also traditionally known as 'sweepers'. Belonging to the so-called fifth category in the Hindu casteism, they do the cleaning work in the city corporations and municipalities in all districts of Bangladesh except for three districts in the Chittagong Hill Tracts (CHT). According to Bangladesh Harijan Yokkha Parishad, the Harijan population is estimated between one and 1.5 million, which, according to Asad Asaduzzaman in his book, *The 'Pariah' People – An Ethnography of the Urban Sweepers in Bangladesh* (2001) is only one hundred thousand.

Power and Participation Research Centre (PPRC) took lead in a study on the Harijan in 46 of the most populous and well-known Harijan or 'sweeper' colonies in 37 districts of the country. A total 39,017 Harijans occupy these colonies, who belong to 6,103 families. What appears from PPRC study, field investigations and different sources is that the Harijan population working as sweepers in cities and living in colonies will be around one hundred thousand, which supports Asaduzzaman's estimate.

The British rulers brought the Harijan to their current location from different parts of India such as the state of Orissa, Bihar and Uttar Pradesh. They were allured with the prospect of better jobs, housing and medical facilities in an assumed affluent East Bengal. Instead they were engaged in sweeping and cleaning the city garbage, which is now their occupation for more than 200 years.

BEDE



The Bede are a Muslim nomadic community or gypsies who travel around the country 10 months a year to earn a living and gather in 75 locations of the country to meet their families and other community members for two months. According to different estimates the Bede population ranges between 0.5 and 0.8 million in Bangladesh. According to Grambangla Unnayan Committee, around 5,000 Bede groups roam around in the country.

A floating people, majority of the Bedes are completely landless. There are different occupational sub-groups or *gotro* among the Bedes. For instance, *mirshikari* or traditional healers who do *jhar phook* and sell *tabij*, *sapure* (who catch snakes and sell them), *kurindar* or *jhai* (who search lost items or gold from river), *bajigar* (magicians), *sandar* (hawkers who sell cosmetics from door to door), etc.

Bedes are extremely poor with extremely low literacy rate. They have little access to resources including khas land, healthcare, basic government services and safety net programs. It was in 2008 that the Bede gained the right to vote. PPRC conducted a study on 14 of the most populous and well-known community clusters of the Bedes in eight districts of the country where their total population is 55,408.

SEX WORKERS

Around 4,000 female sex workers (FSWs) work in 11 brothels in Tangail, Jamalpur, Mymensingh, Faridpur, Rajbari, Jashore, Bagerhat and



A sex worker physically assaulted.

Patuakhali districts at any given time. The total number of FSWs is much bigger in the country—around 95,000. According to Ministry of Health and Family Welfare of Government of Bangladesh (2016) of these FSWs, 36,593 are based in the streets, 36,539 in residence, and 15,960 in hotels. Besides, there are around 10,000 transgender who are engaged in sex work.

SEHD took lead in survey in 2017-2018 on the sex workers' current condition with attention to their constraints and needs. In addition to cluster survey of all 11 brothels, in-depth interviews of 140 sex workers [including transgenders] of different ages in brothels and on the streets were conducted.

BIHARI



Approximately 300,000 Urdu-speaking Biharis live in 70 camps in 51 districts of Bangladesh. The Indian state of Bihar is the original homes of

most of the Biharis in Bangladesh. They emigrated to the then East Pakistan (present-day Bangladesh) after the Partition of India in 1947 with portions of them still living in India and Pakistan.

The Biharis remained stateless until May 19, 2008 when the High Court of Bangladesh passed a verdict that provided citizenship and voting rights to about 150,000 Bihari refugees who were minors during 1971 as well as those born after the war. However, they still live inferior lives in the camps without a permanent address and basic facilities. They are continuously deprived of most of their political, economic, social and cultural rights.

According to a source, in 1972, there were 735,180 Biharis living in the new camps established right after the war of independence. However, their number drastically decreased over the years as approximately 178,069 Biharis were repatriated to Pakistan between 1973 and 1993. PPRC took lead in a study in 30 of the most populous and well-known camps and settlements of the Biharis in 13 districts. In total 265,531 Biharis were found living in these 30 camps.

RISHI



The Rishis of Bengal are traditionally skimmers, leather-workers and musicians. They are also known as Muchi, Chamar or Charmakar—which are often considered derogatory terms for the community. In Bangla, these terms usually refer to a leather-worker, a shoemaker or shoe repairer or cobbler, a tanner and a Skinner. With a large population, they are said to be the largest among the untouchable or ‘Dalit’ communities in the Hindu world (Joshua Project 2018).

However, many of the ‘untouchables’ including the Rishis now use the intensely political term ‘Dalit’ to address themselves, which means ‘oppressed’ or ‘crushed’. Most of the Rishis have left behind their traditional occupation of skinning and making shoes. However, the stigma still sticks with their identity, which is at the root of their social, economic and political deprivation.

In Bangladesh, the Rishis now live in almost every district of Bangladesh with their highest concentration in Jashore, Satkhira, Bagerhat and Khulna. The PPRC study covered 53 of the most populous para or villages of the Rishi community in 20 upazilas of Satkhira, Jashore, Khulna and Bagerhat districts in Khulna division. The study covered 9,088 Rishi families with a population of 51,745.

HOUSEHOLD SURVEY OF MODHUPUR FOREST VILLAGES

Led by SEHD 44 forest villages in Modhupur sal forest [in Tangail district in the North-centre of Bangladesh] with 11,048 households and a population of 47,033 have been surveyed. Of this population 35.39% are Garos. Few decades ago these forest villages were inhabited mostly by the Garos and Koch, two distinct ethnic communities of Bangladesh. At one time in history, as the story goes, there was no Bengali inhabiting these forest villages.

Another key feature of these forest villages is that only 13% Bengali and 4.2% Garo households have CS or



RoR (title deeds) for their homestead land. For high land where they grow banana, pineapple, spices and other garden crops only 4.8% Bengali HHs and 2.6% Garo HHs have CS or ROR for their land. For the low land 9.7% Bengali and 11.2% Garos have CS and RoR.

The cases filed by the Forest Department is major concern for the forest villagers. In 44 villages surveyed, there are 3029 forest cases and in the entire Modhupur Forest the number of forest cases is estimated at 4500, which is 90% of all forest cases in the Tangail district!

During the British colonial time Modhupur sal forest was under the jurisdiction of king of Natore. The tenants—the Garo, Koch and other forest-dwellers—paid taxes for land they used. But after independence from the British, the inhabitants, isolated from the mainstream population, could not take advantage of East Bengal State Acquisition and Tenancy Act (EBSATA) and the land was transferred to the FD and the land tenural rights of forest-dwelling people remained unsettled, which today is at the roots of serious human rights abuses and environmental catastrophe in the Modhupur sal forest. □

By Sabrina Miti Gain and Philip Gain; photos: Philip Gain

Leaving No One Behind

Convention on Land, Forest and Social Rights
of the Marginal and Excluded Communities

16-17 November 2017 Rangpur



Marginal and Excluded People of Bangladesh



Key marginal and excluded people are Adivasi, tea workers, Harijan, Rishi, Bede, Kaiputra, Jaladas, sex workers, Bihari and few other smaller communities.

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