2023 BANGLADESH LAND CONFLICT MONITORING REPORT

In Bangladesh, almost 60 percent of all legal disputes are related to land (TIB, 2015), in particular, land grabbing of indigenous people's land. Neoliberal development policies of the 1990s and the increasing power of local corporate firms have amped up this problem. As of 2008, close to 82,000 hectares of land belonging to 10 plain-land indigenous communities have been taken by outside groups either by fraud or by force (Barkat, 2016c).

Besides private interests, the Forest Department is another source of conflict in indigenous people's lands. The Forest Department, being the State agency responsible for forest management in Bangladesh, regards the indigenous people as a major threat to forest management (Roy, 2004). Thus, there has historically been an antagonistic relationship between indigenous people and this government agency. At the same time, "one-dimensional" development projects of the government, including eco-parks, reserved forests, construction of large dams, so-called "social forestry," construction of military installations and Special Economic Zones (SEZs), and openpit mining, among others, have exacerbated the tensions between indigenous peoples and the government.

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Migration by settlers to land held by indigenous people is another recurring source of conflict in indigenous people's lands in Chittagong Hill Tracts (CHT) (Roy, 2005; World Bank, 2010; CARE, 2003; Uddin and Haque, 2009).

Moreover, increasing urbanization is ramping up the demand for land, resulting in the conversion of agricultural land for industrial uses. This is increasing the frequency and intensity of land conflicts (Herrera, 2016; Hossain, 2015).

Land Conflict Monitoring Report on Bangladesh

The first conflict monitoring report on Bangladesh, authored by Md. Mahmudul Haque, was published in 2018 by the Community Development Association (CDA) and the Asian NGO Coalition on Agrarian Reform and Rural Development (ANGOC). A follow-up report, entitled *"Powerful Individuals" as Top* Aggressors, Smallholder Farmers Hardest Hit: 2020 Bangladesh Land Conflict Monitoring Report, was produced by the same publishers in 2021.

This 2023 report, produced by the Association for Land Reform and Development (ALRD) and ANGOC, provides an update on the aforementioned reports.

Land reform in Bangladesh

Land inequality is a perennial problem in Bangladesh that is exacerbated by land grabs by elite groups and the government's failure to enforce laws on land ownership ceilings. The 1950 Act and the 1984 Ordinance provides for land ownership ceilings, but the latter have not been widely implemented (LANDac Factsheet 2019, USAID, 2010). Aside from the lack of political will by the government to recover all ceiling surplus lands, many landowners succeeded in circumventing the land ownership ceiling laws through illegal land transactions and corruption.

The policy focus of the government in regard to land has been on land reform. During the period of Indian partition, the East Bengal State Acquisition and Tenancy Act of 1950 (EBSATA) – later renamed as State Acquisition and Tenancy Act – abolished the *zamindari* (intermediary rent-collectors of landlord) system, and gave back control of the land to their tillers. Subsequent land reform laws provided for tenure security of sharecroppers, established a minimum daily wage for agricultural labor, and stipulated sharecropping arrangements between landowners and tenants. There were brief periods of land reform in 1972 and 1991, but the implementation of reforms was hampered by the succession of civilian governments, military coups, and military regimes.

Methodology and data sources

ALRD gathered both primary and secondary data to understand the nature and prevalence of land conflicts, their causes, and their implications in terms of violence or human rights violations in the country.

Source	Number of cases	Percent of cases (%)
Mainstream media (print, online, radio)	103	87
CSO/NGO	8	7
Community/community- based organization	6	5
Government agencies, institutions	1	1
Total	118	100

Table 1. Sources of information for the cases

Primary data were gathered through interviews, questionnaires, observations, focus group discussions (FGDs), and the collection of oral statements. In a number of cases, data were gathered through phone calls.

News reports and feature articles from mainstream media were the main source of secondary data as shown in Table 1. At the same time, more secondary data were culled from online news portals of mainstream media outlets, and on one occasion, from a report by government. The collected data were then verified, summarized, and encoded.

One roundtable discussion was organized on 19 February 2024 in Dhaka and had 122 participants, including the Chairperson of the National Human Rights Commission (NHRC), academics, journalists, lawyers, representatives of national and local civil society organizations (CSOs), and representatives of affected communities. The roundtable discussion was organized to validate the findings and recommendations of the draft report. Relevant inputs were taken from their comments and changes in the report were made accordingly.

Scope and limitations of the study

ALRD collected information and data on 34 cases of structural land conflicts that were reported all over Bangladesh in the year 2023. Data were collected mainly from secondary sources, i.e., mainstream media reports. ALRD was also able to gather information directly from communities and from partner CSOs.

The monitoring covered structural land conflicts in rural areas. Common conflict information collected may be classified as follows:

- Information about the case or the basic components of the conflict's storyline, e.g., type of land/resource contested, size of contested area, location;
- Information about the *relationships* or the stakeholders involved in a land conflict and their actions, e.g., affected communities, adverse claimants;
- Information about *incidents* or violent events that are markers for ongoing conflicts, e.g., victims and perpetrators of violence, types of violence; and,
- Most of the conflicts captured the attention of the media and the public when violent incidents occurred. Therefore, most of the conflicts that were included in the monitoring were *manifest* conflicts, or those marked by violent incidents.

There were also *latent* conflicts covered in the monitoring, such as communities actively challenging the ownership or control of other actors, or communities facing threats of dispossession or displacement due to the ongoing conflict. These conflicts also include instances where community discontentment remains even after the cases have been officially resolved. The scope of monitoring may suffer due to lack of recent data and information. With the political strikes and turmoil that prevailed until the end of the year 2023 and even in the first half of the month of January 2024, field visits intended for gathering of primary data from communities and local CSOs have been limited.

Key findings of the study

Population and area affected by conflicts

The 34 land conflict cases affected 51,227 households, within a total area of 10,823 hectares of land (Table 2).

Information on these 34 cases were collected from:

Rangpur Division, 10 cases

- Dinajpur (3)
- Kurigram (2)
- Nilphamari (2)
- Thakurgaon (2)
- Gaibandha (1)

Rajshahi Division, 4 cases

- Sirajganj (2)
- Naogaon (1)
- Rajshahi (1)

Khulna Division, 6 cases

- Satkhira (4)
- Khulna (1)
- Kushtia (1)

Barishal Division, 3 cases

- Barishal (1)
- Bhola (1)
- Patuakhali (1)

Dhaka division, 5 cases

- Naryanganj (3)
- Munshiganj (1)
- Tangail (1)

Mymensingh Division, 1 case

• Jamalpur (1)

Sylhet Division, 2 cases

• Moulvibazar (2)

Chattogram Division, 3 cases

- Bandarban Hill District of CHT (2)
- Noakhali (1)

(See Figure 1 for the geographic location of the cases.)

Table 2. Total number of cases, area, andhouseholds affected by land and resourceconflicts, 2023

Ongoing cases	Number
Total number of cases	34
Total number of hectares affected	10,823
Total number of households affected	51,227

Most of the land conflict cases have been going on for several years. Their duration ranges from one year to 61 years (the case of land conflict between the Garo/Mandi community and Forest Department in Modupur, Tangail). Over a fifth of all land conflict cases are 21 years or older.

The duration of one case is unknown -- that of Berenga Punji in Barolekha upazila of Moulvibazar district.

Documented conflicts with available information on duration have been summarized in Table 3.

Figure 1. Geographical location of the cases gathered in 2023

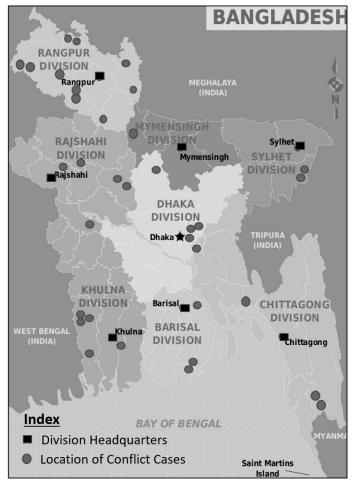


Table 3. Duration of conflicts, in number of years

Duration	Number of cases	Percent of cases (%)
Less than 2 years	5	15
2 to less than 5 years	9	26
5 to less than 10 years	4	12
10 to less than 15 years	3	9
15 to less than 20 years	4	12
20 years or more	8	23
Unknown	1	3
Total	34	100

Type of land/resource	Number of cases	Percent of cases (%)	Contested area (in hectares)	Percent of contested area (%)
Smallholder agriculture/farming	21	62	5,730	53
Indigenous people/customary land	10	29	4,890	45
Water/fisheries resources	1	3	124	1
Others	2	6	79	1
Total	34	100	10,823	100

Table 4. Type of land and resource affected by conflicts based on number and percent of cases and
contested area (in hectares)

Types of land and resources affected by conflict

Table 4 shows that the largest number of cases (21 cases, or 62 percent) took place on smallholder agricultural lands measuring 5,730 hectares (53 percent of total affected area). The second highest number of cases (10 cases, or 29 percent) were recorded on 4,890 hectares of IP or communal land. Together, these two types of land account for 98 percent of the conflictaffected areas. The least number of cases (one case, or three percent) happened in water and fisheries resources covering 124 hectares.

Communities and sectors most affected by conflict

Farmers and indigenous peoples comprised 85 percent of the communities affected by the land conflicts (Table 5).

Adversarial claimants

Table 6 shows that in the majority of cases (15 cases, or 44 percent), powerful individuals, including elected representatives such as the chairperson and members of the union or *upazila parishad* (council or assembly), former

Table 5. Primary sector or community affectedby conflicts based on number and percent ofcases

Primary sector/community	Number of cases	Percent of cases (%)
Farmers	19	56
Indigenous people (IP)	10	29
Tenured residents	2	6
Fisherfolk	1	3
Discriminated sectors (caste, religion, ethnicity)	1	3
Others	1	3
Total	34	100

government bureaucrats, ex-military personnel, political cadres, landlords, and other influential people were the adversarial claimants.

In nine cases (26 percent), private companies were involved. In particular, private investors made land claims through the use of land titles, leases, government-issued concessions, or outright land grabbing. Government agencies and State enterprises were the adversaries in nine cases as well (26 percent), which involved government projects/

Table 6. Adversarial claimants in land conflictcases based on number and percent of cases

Adversarial claimants	Number of cases	Percent of cases (%)
Powerful individuals	15	44
Private companies	9	26
Government agencies and State enterprises	9	26
Local Government	1	4
Total	34	100

programs or conservation/protected area declaration.

Local government made the adverse claim in one case (four percent), which was triggered by the construction of a water supply and treatment plant.

Drivers of land conflict

All of the cases pertained to vertical conflicts, or conflicts between parties with different levels of power and influence, as opposed to horizontal conflicts, or conflicts between parties or communities of similar status.

The major drivers of land conflict in the 34 cases were: (a) private-led business enterprises (13

Land conflict between forest dweller communities and the Forest Department in Madhupur Upazila

In 1962, the then government of East Pakistan declared the Madhupur forest, located in Madhupur upazila in Tangail District, as a national park. Over 3,500 Mandi (Garo) and Koch families lived in the forest. At the time, these indigenous families comprised the majority of the forest occupants. In 2016, the government declared 3,700 hectares of land in Madhupur upazila as a reserve forest. The Forest Department also arranged for the Bengalis to settle in the forest, to implement various activities, including social forestry projects. The Bengalis henceforth became the dominant community in the Madhupur Forest.

A door-to-door survey conducted in 2009 by the Bangladesh Environmental Lawyers Association (BELA) found that 4,129 Mandi families had staked a claim to 3,307 hectares of land. On the other hand, the non-IPs Bengali families occupied about 2,245 hectares of land in the forest. The creation of the reserve forest in 2016 has left about 6,000 people living in the area, among them Garo, Koch, Bormon, and Bangalee, in a state of anxiety and fear. Some members of the ethnic communities view the move as a conspiracy to evict them what they claim as their "ancestral land."

Their claim is supported by various incidents that have taken place in recent years. In 2022, the government began to dig a lake in the agricultural land and forest area of Dokhla-Amtali Baid, located in the Madhupur forest area. Members of the Garo and Koch communities staged several marches and rallies protesting this move.

Earlier, on 14 September 2021, the Forest Department cut down a small-scale banana plantation owned by Basanti Rema, a Mandi indigenous forest dweller. Protesters formed human chains, declaring that the Forest Department authorities are using colonial legal tools to restrict indigenous communities' access to the forest and its resources.

cases, or 38 percent), (b) agrarian conflicts i.e., conflicts between *jotdars*, wealthy individuals and landless families, peasants contesting mostly *khas* (public) lands (10 cases, or 29 percent), and (c) government projects (seven cases, or 21 percent).

The conflict between the Forest Department and communities figured in three cases (nine

percent), which started with the declaration or establishment of conservation/protected areas, and other attempts to restrict the land rights holders' access to the disputed land.

Responses of affected communities

In the 34 cases, communities sought to address the conflict through a variety of means (58

Table 7. Drivers of land and resource conflict based on number and percent of cases and contested area (in hectares)

Drivers of conflict	Number of cases	Percent of cases (%)	Contested area (in ha)	Percent of contested area (%)
Private-led business enterprises	13	38	969	9
Agribusiness, plantations	5		277	
Property/housing/real estate development	3		68	
Industry/manufacturing/production	1		67	
Power generation and transmission	1		299	
Tourism, ecotourism	1		35	
Others	2		223	
Landlord-tenant conflict/agrarian conflict	10	29	2,462	23
Government projects/programs	7	21	3,366	31
Public infrastructure (including roads, bridges, airports, ports)	3		405	
Public utilities (dams, power lines, power/energy, irrigation, etc.)	3		2,215	
Special economic zones	1		746	
Conservation/Protected Areas and "No Go" Zones	3	9	3,902	36
Others	1	3	124	1
Total	34	100	10,823	100

Land conflict between Mro and Tripura families and a rubber company in the Chittagong Hill Tracts

On 2 January 2023, at least a dozen homes of members of the indigenous Mro community, living in the Bandarban's Lama upazila of the Chittagong Hill Tracts (CHT), were torched and vandalized. The victims alleged that the attack was carried out by persons associated with a rubber plantation company to drive them away from the area. The company, named Lama Rubber Industries Limited, was founded by some exbureaucrats. It has been trying since April 2022 to grab about 400 acres of cropland owned by 39 indigenous Mro and Tripura families in three small villages – Langkom Mro Karbari Para, Joychandra Tripura Karbari Para, and Rengyen Mro Karbari Para – in the Sorai union of Lama upazila. There had been a number of attacks attributed to the company in 2022. On 26 April 2022, the company set fire to about 400 acres of cropland, claiming that it had a right to the land by virtue of a lease agreement. On 6 September 2022, the company allegedly poured poison into a stream, which was the only source of water for the villagers. It then destroyed a banana garden belonging to a Mro family on 26 September 2022.

On 4 January 2023, the National Human Rights Commission expressed anger and concern over the arson attack and vandalism of the houses, saying that the attack on the Mro village was abetted by the lack of effective administrative measures. A high-powered delegation of the commission was sent to investigate the incident.

percent), including filing administrative cases, and seeking a response by submitting a memorandum or representation, while undertaking peaceful protest actions (Table 8).

It must be noted that the category, "Seeking conflict resolution," was prioritized in the data entry for single, versus multiple, option.

Only three cases had corrective actions to address the conflicts (Table 9).

Incidents of human rights violations and perpetrators

Six individuals and 422 households fell victim to violence and human rights violations (HRVs) in 2023 (Table 10). All of the six individuals were men and suffered physical injury or were assaulted (Table 11).

Table 12 shows that the reported perpetrators were mostly powerful individuals (83 percent),

followed by private companies (17 percent). Similarly, the same kind of perpetrators were reported in the HRVs involving households (Table 15).

Table 8. Responses to land conflicts bycommunities

Responses of Communities to Land Conflicts	Number	Percent of Responses (%)
Seek conflict resolution	18	58
 Through judicial courts, NHRC, legal adjudication 	13	
 Through government administrative mechanism 	5	
Peaceful demonstrations	13	42
Total	31	100

Table 9. Corrective actions to address the landconflict

Were there any corrective actions taken to address the conflict?	Number
No/Not yet	16
No information available	15
Yes	3
• By the government/State	3
Total	34

Conclusion and Recommendations

In addressing the roots of land conflict, a fundamental shift in development thinking and approaches is necessary for more equitable, just, and sustainable outcomes, including:

- Developing food security and agricultural strategies based on smallholder farming and agrarian reforms;
- Recognition and protection of customary land rights;
- Delineation, allocation of rights and sustainable management of lands under the so-called "public domain" (e.g., State land, forest areas);
- Reviewing the scope and implementation of "public interest" and social protection policies (i.e., FPIC) in all State-led and Statesupported land acquisitions;
- Questioning the role of the State and officials as "brokers" for large private land investments; and,
- Ending impunity for perpetrators of violence and land grabbing, and ensuring ethnic and religious minorities' land rights and protection.

For Government:

- Formulate and enact a special law to protect agricultural land and lands of marginalized communities;
- Prevent land grabbing and ensure quick resolution of land disputes;

Table 10. HRVs based on number of incidentsand victims

Incidents of HRVs	Number of incidents	Number of victims
Against individuals	6	6
Against communities	7	422 HHs
Total	13	

Table 11. Types of HRVs committed against individuals, by number of incidents, number of victims, and gender

Type of HRV	Number of	Number of individual	Ge	ender
пки	incidents	victims	Male	Female
Physical injury/ assault	6	6	6	0
Total	6	6	6	0

Table 12. Reported perpetrators of HRVsagainst individuals based on number andpercent of incidents

Perpetrators of HRVs against individuals	Number of incidents	Percent of incidents (%)
Powerful individuals	5	83
Private companies, private armed groups	1	17
Total	6	100

- Enact laws and formulate a mechanism to protect land rights defenders;
- Initiate the dismissal of false cases of land conflicts and stop police or administrative harassment immediately against land rights holders and defenders;
- Ensure people-centered and proactive land governance and digitalization of the land management system; and,
- Develop user-friendly, updated, disaggregated, decentralized, and publiclyaccessible land database.

For the National Human Rights Commission (NHRC):

- Formulate a National Action Plan to resolve land disputes by engaging political parties, CSOs, and other stakeholders;
- Recommend to cancel the leasing of land to companies/corporations/political and nonpolitical influential accused of violation of land-human rights; and,
- Monitor the cases of harassment in the Office of Land Administration, police stations, and relevant duty bearers.

For CSOs:

- Popularize land rights as human rights;
- Monitor land conflicts regularly and publish land conflict monitoring reports periodically and annually;
- Build up public solidarity and support, especially in cases of large-scale land grabbing and eviction due to land acquisitions that violate land-human rights;
- Empower affected communities and strengthen their organizations, particularly those of the landless and small producers;
- Mobilize media and citizens' platforms in association with grassroots people in the conflict sites to protest against the land grabbers;

- Advocate for the strengthening of local government to build a support/protection mechanism within the legal framework; and,
- Mobilize people to claim their rights collectively as there is strength in numbers.

Table 13. Communities affected by HRVs based on number of incidents and affected households

Communities affected by HRVs	Number of incidents	Number of affected households
Farmers	3	255
Indigenous people (IP)	2	67
Others	2	100
Total	7	422

Table 14. Type of HRVs committed againstcommunities based on number of incidents andaffected households

Type of HRVs against communities	Number of incidents	Number of affected households
Destruction of crops, homes, property	3	107
Physical threat and other forms of intimidation	2	50
Forcible entry/ encroachment, entry without free, prior and informed consent (FPIC)	1	205
Eviction, displacement, work termination	1	60
Total	7	422

Table 15. Reported perpetrators of HRVsagainst communities based on number andpercent of incidents

Perpetrators of HRVs against communities	Number of incidents	Percent of incidents (%)
Powerful individuals, authorities	4	57
Private companies, private armed groups	3	43
Total	7	100

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