

Mandates of the Special Rapporteur on the situation of human rights defenders; the Working Group on Arbitrary Detention; the Working Group on the issue of human rights and transnational corporations and other business enterprises; the Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression and the Special Rapporteur on the rights to freedom of peaceful assembly and of association

Ref.: AL BGD 3/2025

(Please use this reference in your reply)

23 May 2025

Excellency,

We have the honour to address you in our capacities as Special Rapporteur on the situation of human rights defenders; Working Group on Arbitrary Detention; Working Group on the issue of human rights and transnational corporations and other business enterprises; Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression and Special Rapporteur on the rights to freedom of peaceful assembly and of association, pursuant to Human Rights Council resolutions 52/4, 51/8, 53/3, 52/9 and 50/17.

In this connection, we would like to bring to the attention of your Excellency's Government information we have received concerning the **criminalisation of Mr. Ringrong Mro in Bandarban District Jail on the basis of a complaint filed by the corporation Lama Rubber Industries Limited in 2022.**

Mr. **Ringrong Mro** is an environmental human rights defender and indigenous community leader of the Mro community in Lama Upazila located in the Bandarban district of the Chittagong Hill Tracts. As a leader of the Indigenous Jhum Land Protection Committee, he advocates at a grassroots level for the protection of the local environment and indigenous lands in the region, particularly against illegal encroachment and acquisition of land by corporations, and raises awareness of environmental degradation and land dispossession of local indigenous peoples.

According to the information received:

In 1992, the corporation Lama Rubber Industries Ltd. was granted a lease for 1,600 acres of land in 64 plots of 25 acres per slot by the Bandarban Hill District Council for rubber cultivation. It is reported that since then, Lama Rubber Industries Ltd. has, with the alleged support of security forces and local administration, encroached up to 3,500 acres of land in total. This includes Jhum farming land, Mouza land and common forest belonging to local indigenous peoples. Additionally, between March and September 2022, agents of Lama Rubber Industries Ltd. are reported to have threatened indigenous community members with forced eviction, hired outside labourers to forcibly occupy the lands of indigenous villagers, set fire to 350 acres of farming land and forests, and contaminated the water in the Kalaia Jhiri area using poisonous substances. As a result, there have been reports of food and drinking water shortages for Mr. Ringrong's local community which cannot be adequately met by relief efforts. In response to these reported encroachments and attacks, Mr. Mro has been vocal in protesting the presence of Lama Rubber Industries Ltd. on his community's ancestral land, raising awareness about the corporation's

environmental and human rights impact in the region.

On 14 August 2022, a case was filed against Mr. Ringrong Mro in connection with a complaint filed by Lama Rubber Industries Ltd against him and other Mro indigenous community members also protesting the illegal encroachment. The complaint accused the community members of unlawful assembly and mischief by fire or explosive substance under section 435 of the Bangladesh Penal Code, which carries a penalty of up to seven years imprisonment and a monetary fine.

On 22 February 2025, Mr. Mro was arrested in Langkam Para, Sarai Union in Lama Upazila, Bandarban District without an arrest warrant by plainclothes Lama Police. This arrest was made on the basis of the complaint made in 2022 by Lama Rubber Industries Ltd, on the same charges. Following his arrest, on 23 February 2025, the environmental human rights defender was allegedly arbitrarily detained and held in Bandarban District Jail until he was released on 28 March 2025. The criminal case against Mr. Ringrong Mro is ongoing.

As well as judicial persecution, Mr. Mro has also reportedly been subject to threats and harassment in connection with his human rights and environmental work in defence of his community's ancestral land and environment.

Without prejudging the accuracy of the allegations, we are deeply concerned about the continued criminalisation of indigenous community leader and land defender Mr. Ringrong Mro. We are particularly concerned about the apparent lack of due process employed in the arrest of Mr. Mro and the fact that he was held in pre-trial detention for over one month before his release. If confirmed, the alleged facts would appear to contravene, among other norms, with articles 9 and 14 of the International Covenant on Civil and Political Rights (ICCPR), acceded to by Bangladesh on 6 September 2000, which guarantee the rights not to be arbitrarily deprived of liberty and the right to a fair trial, as well as article 19 guaranteeing the right to freedom of opinion and expression. We express our concern at what appears to be an emerging pattern of criminalization and judicial harassment of indigenous community leaders and environmental human rights defenders in the Chittagong Hill Tracts which we fear may have a deterring effect on their work in defence of human rights and their local environment.

The arrest of Mr. Ringrong Mro on the basis of a complaint made over two years before by a private corporation accused of encroaching on the land of the environmental human rights defender's community is especially concerning as such encroachments and developments directly undermine the Chittagong Hill Tracts Accord, a peace agreement signed in 1997 by your Excellency's Government and representatives of the indigenous people of the Chittagong Hill Tracts, the Parbatya Chattagram Jana Sanghati Samiti (PCJSS). The Accord was drafted to resolve conflict over land, autonomy, cultural rights, and the rights of indigenous peoples over their land and territory, acknowledging that previous land acquisitions and leases without the consent of the indigenous peoples was unjust and that the land should be returned to its rightful owners.

In connection with the above alleged facts and concerns, please refer to the **Annex on Reference to international human rights law** attached to this letter which

cites international human rights instruments and standards relevant to these allegations.

As it is our responsibility, under the mandates provided to us by the Human Rights Council, to seek to clarify all cases brought to our attention, we would be grateful for your observations on the following matters:

1. Please provide any additional information and/or comment(s) you may have on the above-mentioned allegations.
2. Please provide additional information on the factual and legal basis for the arrest and detention of environmental human rights defender and community leader Mr. Ringrong Mro.
3. Please indicate what steps your Excellency's Government has taken or is considering to take, including policies, legislation, and regulations, to uphold its obligations to protect against human rights abuses by business enterprises in its territory and/or under its jurisdiction, and ensuring that business enterprises within its territory and/or jurisdiction conduct effective human rights due diligence to identify, prevent, mitigate, and account for how they address their impacts on human rights and the natural environment throughout their operations, as set forth by the UN Guiding Principles on Business and Human Rights.
4. Please indicate what measures have been taken to ensure that environmental and land human rights defenders in the Chittagong Hill Tracts are able to carry out their legitimate work in a safe and enabling environment without fear of threats or acts of intimidation, harassment, and prosecution of any sort from both state and non-state actors.
5. Please provide information on any steps taken by your Excellency's Government to ensure that the affected Indigenous Peoples in your territory and/or jurisdiction have access to effective, adequate and timely remedies, and compensation for the above-mentioned business-related human rights abuses.
6. Please indicate what measures have been taken to ensure the rights to freedom of expression and freedom of peaceful assembly of human rights defenders, including environmental human rights defenders, and community members exercising their legitimate rights are guaranteed.

This communication and any response received from your Excellency's Government will be made public via the communications reporting [website](#) within 60 days. They will also subsequently be made available in the usual report to be presented to the Human Rights Council.

While awaiting a reply, we urge that all necessary interim measures be taken to halt the alleged violations and prevent their re-occurrence and in the event that the investigations support or suggest the allegations to be correct, to ensure the accountability of any person(s) responsible for the alleged violations.

Further, we would like to inform your Excellency's Government that after having transmitted the information contained in the present communication to the Government, the Working Group on Arbitrary Detention may also transmit the case through its regular procedure in order to render an opinion on whether the deprivation of liberty was arbitrary or not. The present communication in no way prejudices any opinion the Working Group may render. The Government is required to respond separately to the present communication and the regular procedure.

We may publicly express our concerns in the near future as, in our view, the information upon which the press release will be based is sufficiently reliable to indicate a matter warranting immediate attention. We also believe that the wider public should be alerted to the potential implications of the above-mentioned allegations. The press release will indicate that we have been in contact with your Excellency's Government's to clarify the issue/s in question.

Please be informed that a letter on this subject matter has also been sent to those business enterprises that are involved including Lama Rubber Industries Ltd.

Please accept, Excellency, the assurances of our highest consideration.

Mary Lawlor
Special Rapporteur on the situation of human rights defenders

Matthew Gillett
Vice-Chair on Communications of the Working Group on Arbitrary Detention

Lyra Jakulevičienė
Chair-Rapporteur of the Working Group on the issue of human rights and transnational corporations and other business enterprises

Irene Khan
Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression

Gina Romero
Special Rapporteur on the rights to freedom of peaceful assembly and of association

Annex

Reference to international human rights law

In connection with above alleged facts and concerns, we would like to draw the attention of your Excellency's Government to the relevant international norms and standards that are applicable to the issues brought forth by the situation described above. In particular, the facts alleged, if proved correct, appear to be in contravention, among other norms, with articles 9, 14, and 19 of the International Covenant on Civil and Political Rights (ICCPR), acceded to by Bangladesh on 6 September 2000.

We wish to emphasize that the prohibition of arbitrary deprivation of liberty is absolute and universal, noting that detention for the peaceful exercise of rights is arbitrary in accordance with the article 9 of the Covenant, resolution 24/5 of the Human Rights Council and the Committee on Human Rights, general comment No. 35, and general comment No. 37 (2020), as well as the jurisprudence of the Working Group on Arbitrary Detention.¹ The Human Rights Committee has further stated that the deprivation of liberty of an individual for exercising their freedom of expression, in addition to constituting an arbitrary deprivation of liberty contrary to article 9 of the Covenant, see CCPR/C/GC/35 para. 17, also constitutes a concurrent violation of article 19 of the ICCPR. In addition, we would also like to draw the attention of your Excellency's Government to the jurisprudence of the Working Group on Arbitrary Detention which stated that access to information or freedom of expression is the precondition to the fulfillment of all other rights in the democratic society.

Article 9 of the ICCPR requires that arrests be carried out in accordance with the law and the procedure prescribed by it. Paragraph 3 stipulates that anyone who is deprived of his liberty by arrest or detention is entitled to take proceedings before a court, in order that that court may decide without delay on the lawfulness of the individual's detention and order their release if the detention is not lawful. Paragraph 4 requires that detention in custody of persons awaiting trial shall be the exception rather than the rule. It should not be the general practice to subject defendants to pre-trial detention. Detention pending trial must be based on an individualized determination that it is reasonable and necessary taking into account all the circumstances, for such purposes as to prevent flight, interference with evidence or the recurrence of crime. Pre-trial detention should not be mandatory for all defendants charged with a particular crime, without regard to individual circumstances (Human Rights Committee, general comment No. 35, para. 38). Article 14 of the Covenant further guarantees the right to equality before the courts and to a fair and public hearing by a competent, independent and impartial tribunal established by law.

According to deliberation No. 10 on reparations for arbitrary deprivation of liberty of the Working Group on Arbitrary Detention, all victims of arbitrary deprivation of liberty are entitled to an enforceable right before the competent national authority to prompt and adequate reparations, which should be proportional to the gravity of the violations and the harm suffered.

¹ See A/HRC/23/40/Add.1 and Opinions Nos 79/2018; 28/2018; 83/2018; 16/2017

In relation to the allegations indicating that Mr. Ringrong Mro is being targeted because of his activities defending human rights, we would further like to refer your Excellency's Government to the fundamental principles set forth in the Declaration on the Right and Responsibility of Individuals, Groups and Organs of Society to Promote and Protect Universally Recognized Human Rights and Fundamental Freedoms, also known as the UN Declaration on Human Rights Defenders. In particular, we would like to refer to articles 1 and 2 of the Declaration which state that everyone has the right to promote and to strive for the protection and realization of human rights and fundamental freedoms at the national and international levels and that each State has a prime responsibility and duty to protect, promote and implement all human rights and fundamental freedoms.

In addition, we would like to bring to the attention of your Excellency's Government the following provisions of the UN Declaration on Human Rights Defenders:

- article 5, which provides that everyone has the right, individually and in association with others, at the national and international levels, for the purpose of promoting and protecting human rights and fundamental freedoms, to meet or assemble peacefully;
- article 6, which states that everyone has the right, individually and in association with others, to know, seek, obtain, receive and hold information about all human rights and fundamental freedoms, including having access to information as to how those rights and freedoms are given effect in domestic legislative, judicial or administrative systems;
- article 12, paragraphs 2 and 3, which provides that the State shall take all necessary measures to ensure the protection of everyone against any violence, threats, retaliation, de facto or de jure adverse discrimination, pressure or any other arbitrary action as a consequence of his or her legitimate exercise of the rights referred to in the Declaration;
- article 18, paragraph 3, which states that individuals, groups, institutions and non-governmental organizations also have an important role and a responsibility in contributing, as appropriate, to the promotion of the right of everyone to a social and international order in which the rights and freedoms set forth in the Universal Declaration of Human Rights and other human rights instruments can be fully realized.

Further, the UN Declaration on the Rights of Indigenous Peoples in its article 1 states that indigenous peoples have the right to the full enjoyment, as a collective or as individuals, of all human rights and fundamental freedoms as recognized in the Charter of the United Nations, the Universal Declaration of Human Rights and international human rights law. This includes the rights to life, physical and mental integrity, liberty and security of the person (article 7). It further provides in article 2 that indigenous peoples and individuals are free and equal to all other peoples and individuals and have the right to be free from any kind of discrimination, in the exercise of their rights, in particular based on their indigenous origin or identity. During her official visit to Bangladesh in August 2022, the UN High Commissioner for Human Rights, Michelle

Bachelet, stressed the importance of protecting minority groups and indigenous peoples from violence or land encroachments, particularly in the context of the peace accord in the Chittagong Hill Tracts.

Additionally, we would like to bring to your Excellency's Government's attention that in his report to the General Assembly on the exercise of the rights to freedom of peaceful assembly and of association as essential to advancing climate justice, the former Special Rapporteur called on States to: "Adopt all necessary measures to ensure that individuals, organizations, communities and indigenous people exercising their rights to freedom of peaceful assembly and of association in support of climate justice are not subjected to attacks, harassment, threats and intimidation, including conducting thorough, prompt, effective and impartial investigations into killings and violence against civil society actors, ensuring that perpetrators are brought to justice and refraining from issuing official and unofficial statements stigmatizing civil society groups engaged in climate justice" (A/HRC/76/222, para. 90(b))." (...) "Ensure that law and practice illegitimately restricting the place where and manner in which protests may take place, including laws criminalizing protests at or near business worksites as well as blanket bans on particular forms of protest, are reformed, in order to ensure full access to and enjoyment of the right to freedom of peaceful assembly. Among other things, States should amend laws criminalizing road blocking as a form of peaceful protest. States should recognize and provide space for civil disobedience and non-violent direct-action campaigns and ensure that any restriction complies with legality, necessity and proportionality requirements" (A/HRC/76/222, para. 90(d))."