

The Santals Ethnic Community of Bangladesh: A Critical Review on the Current status to the Unregulated Minority Right in light of UNDRIP-2007 and ILO- 1989/169 to the Unregulated Minority Rights

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Abstract

Bangladesh still needs to ratify UNDRIP-2007 and ILO-1989/169 as a member of the UN and ILO. This article aims to discuss the unregulated Minority Rights in light of two major international treaties—UNDRIP-2007 and ILO-1989/169 concerning the Santal community of Bangladesh. This study explores the gaps and problems in establishing Minority rights under the regime of SDGs and how to overcome these to ensure the development of this community. According to the National Census 2011, Santal, along with other ethnic groups, is not identified as a distinctive 'Indigenous group' but as a small minority group. Methodologically, this study takes an ethnographic approach, aided by secondary data, reflecting diverse perspectives. Consecutively, Santal's identity is that of a minority, and their identity is an illusion. These hurdles, by all means, push them to lag behind most people in society. The Santals have been

severely deprived of advantages and possibilities, struggling to compete with the majority of Bengalis to access the shared resources or property pools. This study proposes some legal ratification amendments of existing policies to become a conduit to make a sustainable community development framework for enduring the minority's rights and national prosperity and accelerating to reach the goals 2030.

Keywords: Santal community, Ethnic minority, Bangladesh, Human Rights, UNDRIP, ILO 169, SDGs.

Introduction

UNDRIP-2007 and ILO-1989/169 are two principal international legal instruments and pertinent treaties regarding the crisis of the existence of minorities and their human rights. These two are established, and yet to date, legal manifestations that both have taken human rights as core, particularly of ethnic groups. Both are towering tools in ensuring minority communities' living standards with dignity, self-determination, and social recognition. Nevertheless, most countries still need to ratify both agreements, and Bangladesh is one of those. Both treaties are on the side lines of Bangladeshi policy.

Bangladesh, as a member state of the ILO and a moral concern by the UN Charter, is home to a diverse range of ethnic groups. While the UN recognises fifty small ethnic groups (SEGs), some scholars like Mohammad Rafi (2017) have identified 73 SEGs in Bangladesh, categorised as discrete 64, merged as 5, and ethno-occupational groups 4. The naming and total number of these ethnic groups in Bangladesh are still a subject of academic debate, highlighting the complexity of the issue.

Therefore, SEGs have become 'scapegoats' for development interventions. For example, from 1957 to 1962, in Kaptai Lake, Rangamati, a 655 sq. km settlement of SEGs was submerged as a result of the construction of the Kaptai Lake Dam. The ethnic dwellers of the Kaptai area have lost their houses and cultivable land. About 16,000 families and 1,00,000 ethnic people have been displaced. More than forty thousand Chakma people migrated to neighbouring India.

Land acquisition has been cited as one of the leading causes of conflict in most SEG areas (Nobi,2021), and the clash for coal mine in Phulbari in 2006 (Hasan,2020) are a few of many examples across the country where the small minority are paying the cost of development. Their human rights are at stake (Barkat, 2016; ADB,1998). In these mega-development projects, the people, their melodies, and their voices are not presented, heard, or reflected in any way. Their voices, ironically, merge with the mainstream trends to turn into a withering community of others.

The Santal community, one of the ethnic groups in Bangladesh, is a stark example of the challenges faced by ethnic minority groups. They suffer from power polarisation, economic marginalisation, and are often victims of human rights violations. They are unable to avail collective or individual claims. This paper, viewed through an ethnographic lens, aims to propose solutions for addressing these issues faced by the Santal community, as illuminated by the two major international accords—UNDRIP and ILO.

Literature Review

Sustainable development is a globally contested issue that is yet to find the right solutions at the community level (Pisani, 2006). In response, Ulrich Grober (2007) proposed two local sustainability solutions to safeguard natural resources, akin to the 'Roman Club' in the 1920s (Meadows et al., 2018). These two solutions aim to achieve sustainability without sudden and unconditional collapse and the ability to meet the basic needs of all people (Meadows et al., 2018, as cited in Grober, 2007, p. 6). Sustainability is integral to customary laws, and community sustainability should accompany development.

Self-identity: crisis to cry in the constitution

Bangladesh achieved a flag and a constitution through a bloody war of nine months in 1971. If the Constitution mirrors a nation-state, then it should be able to safeguard the hopes and aspirations of all ethnic groups in Bangladesh. To an extent, the Constitution is the mother's womb that gives shelter to all her citizens, from street children to far-reaching hill people. A debate, almost since the inception of the Constitution, started in the national assembly of Bangladesh on 31 October 1972, when all the small ethnic groups were advised to become 'Bengali' (Mohsin, 2012; Chakma & Maitrot, 2016). It is a painful, unpardonable phenomenon and distressing to deal with foreign-born nation-states. This debate gave birth to many bloody occurrences in this country, and yet to date, it is now a topic among the civil society, academicians, politicians, and ethnic leaders, particularly Barrister Raja Debashis Roy, Sanjeeb Drang, Prashanta Tripura, Principal and Advocate Gonesh Shoren, and Rabindra Shoren.

The debate is the point of the journey of the ethnic crisis in independent Bangladesh. Later, when the ethnic leaders — M.N Larma, Gyanenendu Bikash Chakma, Upendralal Chakma, Siddhartha Chakma met with the father of the nation of Bangladesh, Sheikh Mujibur Rahman, boldly advised them, "*You become Bangali*" (Roy et al., 2022; Azad, 2014). Fate was decided that day, and the crisis was of majority-minority. This statement is the core of the Government's political decision on what they would do in the case of Ethnic people.

A good number (17 times from 1972 to 2022) of constitutional

amendments happened over the last fifty years. Not only the Santals; all the ethnic people were ignored regarding their communal identity and respectful space. As the Government of Bangladesh said, the two treaties had yet to be ratified; instead, the states were called by different names from time to time (see Table 1)—primitive, tribal, *Adivasi*, and Indigenous. According to the Small Ethnic Groups Institutions Act 2010, ethnic people have not been freed from the crisis of making their identity. Even the 15th amendment of the Constitution declared that the people of Bangladesh should be Bengali as a nation and that the citizens of Bangladesh should be known as Bangladesh (15th Amendment of the Constitution, 2011).

A blurred picture comes after the information presented in Tables 1 and 2, which provides a perplexing scenario regarding identity and its quantification. It delves into the legal practices in Bangladesh to understand the logic behind the self-determination claimed by SEGs for ensuring political participation and human rights.

Table 1 Scholarly Debate on Total Number of SEGs in Bangladesh

Organizations/ Acts	Number
Small Ethnic Groups and Cultural Institutions Act-2010 (Amendment , 2019)	50
A Review Committee of Ministry of Cultural Affairs 2015 Census , 2011	50
Poverty Reduction Strategy Paper,2001	45
Bangladesh Adivasi Forum	45
International Work Group of Indigenous Affairs, 2022	54

Table 2 Scholarly Debate on Santal Naming Issue in Bangladesh

Authors	Referring to Santal is -
Sur (1977), Ali (1998), Debnath (2010), Besra (2014)	Santal
O'Malley (1916)	The people are not all Bengalis, settlers
Sarker et al., (2017)	Not Indigenous but Tribal. Small Ethnic Group
Rahmatullah et al.(2012)	Tribal
Mehrab Ali (2002); Shafie and Kilby (2003)	<i>Adivasi</i>

From a leftist viewpoint, a nation cannot give equal participation to all ethnic groups in the nation-state formation process (Jahangir, 1996). This assertion, which echoes the 'father of the nation's' statement, is a key ideological pillar in the context of Bangladesh's nation-building. The minimisation of hurdles in this system regarding humanity has to be kept (Mohsin, 2002, 2001). When this harsh reality is confronted in the context of granting human rights, the plight of those who are marginalised and excluded from the mainstream of Bangladesh becomes painfully evident.

Fortunately, international organisations, such as ILO and UNDRIP, have been tirelessly working to alleviate the suffering of all small ethnic groups through various agreements and frameworks. However, their efforts can only go so far. Unless the state ratifies the treaties, UNDRIP, ILO/169, and SDGs are merely people's friendly. The Santal people's self-identity crisis has now turned into a scream because the Bangladesh government has not yet intervened to ratify ILO-169 and UNDRIP. On the other hand, their human rights situation is becoming ailing daily (Chakma & Maitrot, 2016; Barkat, 2016).

The government and non-governmental organisations are actively taking various measures to facilitate the development of dialogue between the government and the ethnic people in this country. Their paramount objectives in this dialogue are to protect and recognise the human rights of Indigenous peoples, sustain the hopes and aspirations of those disadvantaged, improve their institutions, and ensure economic development and political participation, either in a collective or individual identity and dignity in the society. The Santal people's identity crisis has now turned into a scream in Bangladesh that was started almost fifty years ago in the parliament (Tripura, 2020; Chakma & Maitrot, 2016; Mohsin, 2002, 2001).

Santals of Bangladesh: references to international treaties

Santal is one of those SEGs in Bangladesh. As indicated, there are two noteworthy international treaties communicate favouring Indigenous or small ethnic groups and endorse improving their self-determination and self-control, including self-management. The treaties are UNDRIP-2007, and ILO-1989 / C-169.

UNDRIP-2007

The United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP) is a powerful tool for integrating minorities into mainstream society. Notably, out of 195 countries, 144 have ratified the agreement, leaving Bangladesh among the 11 countries that have not taken a stance. In the upcoming discussion section, the researcher delves into the key features

presented in UNDRIP (Figure 1) and explore their direct relevance to the unregulated rights of the Santal community (Table 3). UNDRIP emphasises that achieving or ensuring these essential features will pave the way for the desired self-governance of the Santal community or similar ethnic groups. By examining Figure 1, we can effectively analyse the interconnectedness between UNDRIP and the Santal ethnic community in Bangladesh, ultimately working towards advancing human rights.



Source: Adopted from UNDRIP

Figure 1 Salient Features of UNDRIP—2007

Figure 1 illustrates the critical components of UNDRIP-2007. The agreement states that the Santal community can achieve self-determination through triparty relationships (www.ilo.org). This implies that for self-determination to be ensured, the UNDRIP features mentioned in the text must involve the Santal people and Bangladesh (Chowdhury, eds, 2014). Are the rights described under UNDRIP-2007 predominantly enjoyed by the Santal community living in the north? We can examine these rights in the tables below. In determining yes or no, information obtained from common law (The Permanent Settlement Regulation-1793; The State Acquisition and Tenancy Act-1950; The Enemy Property Act-1965; The Acquisition of Immovable Property Act-1982; The Vested Property Act-1974; Biodiversity Act, 2017; Education Policy 2010), news published in newspapers (<https://www.parbattanews.com>; prothomalo.com; dailystar.net), articles (Debnath, 2020; Sarker et al., 2014, 2016; Shafie & Kilby, 2003), and books

(Tripura, 2020; Barkat, 2016; Chowdhury, ed., 2014) have been utilised.

Table 3 Status of UNDRIP-2007 Rights Assuming the Santal

Rights/Dignity As of UNDRIP-2007	Right Enjoying Status			Authors' Comment(s)
	Yes	No	Remarks	
Self-determination		✓		<i>i.</i> No Status is higher than yes. <i>ii.</i> we notified Limited Practice. In this backdrop, we have opportunity to work with UNDRIP-2007 to lead the Sustainable SEGs Development in Bangladesh
Self-Control		✓		
Political	✓		Limited	
Legal		✓		
Nationality	✓			
Fully Participation		✓		
Voting	✓			
Physical & mental Integrity			Not defined	
Collective rights in freedom		✓		
Effective mechanism for prevention		✓		
Customary Rights & Practice	✓		Moderate	
Own Language Practice	✓		Limited	
Social dignity		✓		
Social Security		✓	Limited	
Traditionally own land/ Common Property Resources / Common Resources Pool		✓		

Table 4 Rights Enjoyed by the Santal

Rights/Dignity As of UNDRIP-2007	Right Enjoying Status			Authors' Comment(s)
	Yes	No	Remarks	
Cultural institutions	✓		Moderate	
Social equity		✓		

Reference to ILO- C 169

ILO-169 is an international agreement on Indigenous development established in 1989 after a long process (www.ilo.org). Alike UNDRIP-2007, Bangladesh still needs to sign this treaty. However, this accord is an effective strategy for the overall development of SEGs. Let us take a snapshot of what has been said in this strategy.

ILO-169 first time provides the structural truth of Indigenous People (IP) and states that if the following elements exist, they will be defined as Indigenous (Ethnic is in Bangladesh, herein after, this paper adopt them as Ethnic, instead of Indigenous or Tribal, as per the current legal provisions) peoples: (1) Traditional lifestyles; (2) Culture and way of life differ from the other national population segments, e.g., in making a living, language, customs, etc; (3) Own social organisation and political institution; and (4) Living in historical continuity in a particular area or before Others "invaded" or came to the area (Convention-169 of ILO).

ILO-169 presents some significant ways to ensure the rights of minority groups. The elements presented in figure 2 below. However, the ILO Convention 169 stipulates a triparty relationship between the Government, Workers, and Employers to implement this convention. Regardless of the form and structure, the government plays a pivotal role in this type of relationship (convention of ILO), being the principal accountable for ensuring the implementation of this convention. This is crucial for the sustainable development of communities (Roy et al., 2022).



Source: ILO Convention-169

Figure 2 Salient features of ILO-169 Convention

Figure 2 indicates the salient features of ILO-169 , as mentioned below (Chowdhury et al., 2014):

- 1) Social security and fundamental rights belong to peace, governance, human rights, and sustainable community development;
- 2) Non-traditional features include employment, vocational training, consultation, participation, and displacement,
- 3) Traditional features are land, environment, customary law, and substantive economics; and
- 4) Policy and Institution belong to Self-determination, self-management, and particular measurement by the government. ILO claims that the government is responsible and accountable for implementing these convention articles. For ethnic welfare, but Government of Bangladesh still now did not heed this issue after demanding the ethnic population

Method

This paper presents a comprehensive research process incorporating secondary data and an extensive literature review of various books, journals, and papers. The researcher interviewed ethnic and Santal leaders, Santal

people from Dinajpur and a few senior civil servants from Bangladesh. In addition, relevant literature such as UNDRIP-2007 and ILO convention-169 were reviewed. The study was conducted in a remote Santal ethnic village in Biraganj Upazilla of Dinajpur district in northern Bangladesh. To capture the perspectives of the Santal, the researcher asked specific questions regarding the mainstream attitudes towards the Santal community and the adequacy of state facilities. Furthermore, critical discourse analysis was performed on self-identification, self-control, self-management, Human Rights, and sustainable community development.

Findings

Self-identification

The discourse surrounding the international legal definition of indigenous peoples has its roots in the colonial era. The dissatisfaction of both indigenous communities and the State with the current international definition of indigenous peoples fuels this ongoing debate. In addition to the above, the Indigenous community and the scholars prefer 'self-determination or self-identity' in this regard. However, the mechanism of 'self-identity' cannot be protected or recognised as an exclusive right for indigenous peoples. Self-identity instead creates severe or actual problems for all citizens (Ahmed, 2010) within the nation-state. Recognising the Santal community as indigenous, based on the specific criteria outlined in the UNDRIP-2007, would not only be a step towards rectifying historical injustices but also a means to ensure their rights and cultural heritage are protected.

For example, in the process of nation-state formation in Bangladesh, if the idea of self-identity had been adopted here, more than one State would have been born. If one nation-state is to be formed, not all ethnic groups can be included. Due to this concern, we can refer to ILO-169, which, at least, speaks of some characteristics of the Indigenous peoples rather than determining which are as follows:

- a) Traditional lifestyles,
- b) Different Cultures and ways of life,
- c) Own Social and Political institutions,
- d) Historical continuity; and
- e) Distinctive Language.

In light of these five areas above, we can identify the Santal community living in northern Bangladesh as an Indigenous/ethnic group, those struggling to achieve 'Self-Identification' face the following problems. The prevention of all these concerns has been mentioned in UNDRIP-2007, and coincidentally, these issues fit within the Santal community. Hence, they can be Indigenous. Let us elaborate on this statement, which can be as follows:

1. We have to protect cultural values.

2. Land, territories, common resources pool, and property resources should be protected from abuse.
3. They cannot be forcibly evicted.
4. They cannot be treated violently.
5. Necessary steps must be taken to prevent conversion.
6. Racial discrimination cannot be done.
7. No propaganda or discrimination can be spread against them [the Santal].

Moreover, it must be resisted (UNDRIP-2007). Fundamentally, if the State signs these seven interventions, it will be responsible for implementing them on time.

Self-control and self-management

In the Santals' case, self-control or self-management is preserved by tradition and customary practice. In this customary practice, inequality or injustice in society is immoral or unjust. Therefore, Article 9 of UNDRIP-2007 calls for ensuring Santal society's right to practice its traditions and customs. Article 14, as an illustration, states: "*...Indigenous people have the right to establish and control their educational systems and institutions providing education in their language.*"

As a note, with a particular focus on self-control and self-management in ethnic communities, it is well said that Indigenous peoples have the right to practice and determine their development practices and priorities (Article 23, UNDRIP). Furthermore, if this practice is deterred, development activities relinquish their average pace, resulting in human rights violations. For example, recently, in March 2022, two Santal farmers in Rajshahi committed suicide by taking pesticides in front of a machine operator in protest of not getting water in the paddy field through the irrigation project of the government of Bangladesh. As a result, the marginal peasant family became more marginalised in society, and others got a message to live inhumane life (TheDaily et al., 22 April 2022).

ILO-1989 / C-169 states that self-management is one of the priorities of Indigenous Peoples sectors; that is why ILO underscores the "Self-Management" of ethnic Peoples. It is because it [self-management] controls ethnic people's lives and destinies and attains greater recognition of their distinct cultures, traditions, and customs. They also have more control over their economic, social, and cultural/development. In this case, the government must act responsibly. We can refer to ILO as weighing more: "*Governments have the duty to protect and promote the rights of Indigenous peoples in their own countries. They are also responsible for ensuring that convention is implemented fully.*" (Article 2.1, ILO-1989 / Convention 169)."

Human rights

As outlined in the UN Human Rights Declaration, the definition of human rights and the interpretation given by UNDRIP and ILO highlight the plight of the Santal people. The Santal community, often facing land dispossession, forced evictions, and a lack of access to essential services, is a stark example of these human rights violations. Before delving into the international treaties, it is crucial to examine Bangladesh's Constitution—articles 14 and 15 of the Constitution of Bangladesh — which emphasize the State's fundamental responsibility to emancipate the toiling masses, the peasants and workers, and the backward sections of the people from all forms of exploitation (article-14, Constitution, 2022, Government of Bangladesh).

According to Article 15, Constitution 2022, it shall be a fundamental responsibility of the State to attain, through planned economic growth, a constant increase of productive forces and a steady improvement in the material and cultural standard of living of the people, to secure its citizens –

- a) the provision of the necessities of life, including food, clothing, shelter, education and medical care;
- b) the right to work, that is, the right to guaranteed employment at a reasonable wage having regard to the quantity and quality of work;
- c) the right to reasonable rest, recreation, and leisure, and
- d) the right to social security, that is to say, to public assistance in cases of undeserved want arising from unemployment, illness or disablement, or suffered by widows or orphans or in old age, or other such cases.

Explicitly, the Government of Bangladesh is accountable to the Santal people, along with other minorities, to ensure their human rights as her citizens because now human rights are not a matter of collective rights but rather also individual rights (Chowdhury, ed 2014; Schendel & Dasgupta, 1992). The Constitution commits to providing the Santals people with all opportunities and rights to live as dignified citizens (Debnath, 2020; Hasan, 2020). In other words, one of the State's fundamental responsibilities is accountability to the Santal community to evade all forms of exploitation and disgrace as a backward section of the people.

According to the 2011 census, the Santal community is also a backward and minority community (Tripura, 2018, 2015; Uddin, 2015). UNDRIP-2007 and ILO-169 seek to ensure the human rights of all backward and indigenous communities. Article 15 of UNDRIP-2007 states, "Indigenous peoples have the dignity and diversity of cultures and traditions." Against this backdrop, a person is considered to enjoy their dignity when one enjoys all the deserving rights without restriction. Nevertheless, this country's Santal people live without dignity (Jahan, 2020; Rahman, 2002). This way, the community [Santal] turned into a withering from others (Hasan, 2020; Besra, 2014; Rahman, 2002; Doshi,1990).

UNDRIP comes with a solution. UNDRIP's Article-18 indicates that "they must be involved in the decision-making process that violates the rights of the [Santals]." No concern remains if this statement is considered in the local legal provision. Nevertheless, Santal society must participate more adequately and robustly in this process(www.un.org/undrip).In addition, article 33.1 of the International Labour Organization (Convention 169) puts this matter on the Government, which will ensure the human rights of the Indigenous community [santal]- "Government will ensure the appropriate human rights of the indigenous and tribal peoples human rights." (ILO-1989/169; Article 33.1). Tomaselli's (2007) thought is appropriate here – "*A number of human rights are referred to as practical right and / or political liberties- i.e. Freedom of expression, freedom of association and assembly and right to role and to stand for election*" (p.392).

From a legal perspective, it is imperative to understand why the Santal community needs the government of Bangladesh to acknowledge their rights. This backward population has been a victim of colonial discrimination since its inception in this subcontinent, and this trend continues even in our independent country. They have the right to 'self-control' to enjoy their human rights or political freedom as citizens. The urgency of the situation is clear, and it is crucial for the Bangladesh government to realize the reform of the fundamental structure for self-determination or self-control pertinent to the human rights of this minority Santal people.

Sustainable community development

UNDRIP and ILO are directive documents that protect and enhance Indigenous peoples' quality of life. The Sustainable Development Goals (SDGs) are one of the steps the United Nations has taken to make the enduring endeavour of sustainable development. Looking at the time frame, this is an ongoing international programme. Among the SDGs, 'Sustainable Communities' is the eleventh goal out of 17 in the sustainable initiatives by the UN, which, along with Goal Four and others, obviously addresses the people. While implementing sustainable development goals from 2015, we also need to make the community sustainable, which UNDRIP and ILO have been advocating for a long time worldwide.

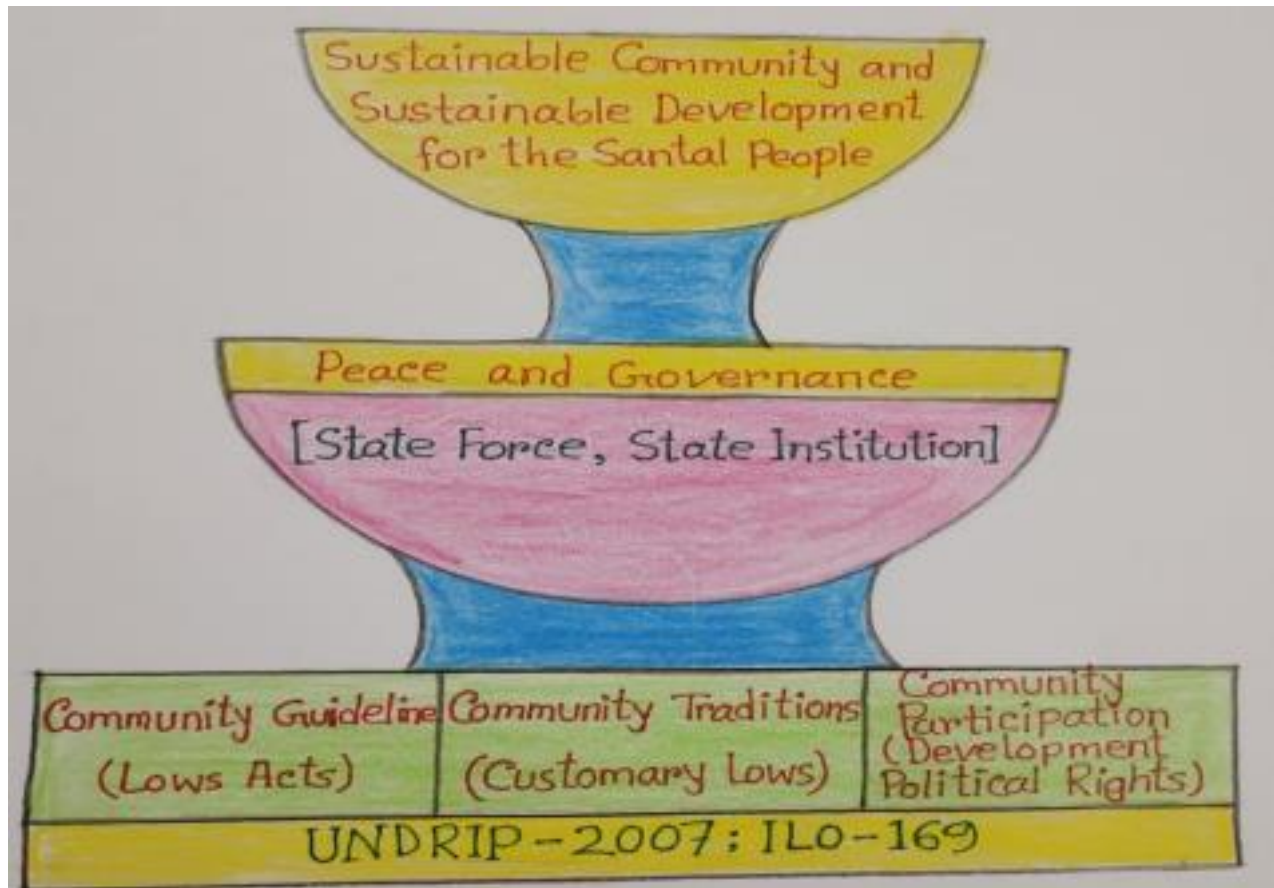
We can debrief that to sustain the community, it is wise to allow them to go their way; the rooted reason is that SDGs, UNDP, and ILO are not even 100 hundred years old, but the sustainability mechanism practised in this community has been time-tested. This is the key to a Sustainable Community or a proper development. Denial of the fact is to deny the local history. Taking the local into legal participation may be seeded in the community resource pool, common property resources, and political participation. If we imagine, people of the Santal community are involved in decision-making at the community level when developing or directing policies taken by the

government of Bangladesh for this community. Two direct outcomes: no rights violation and no exclusion will be seen. However, in light of UNDRIP and ILO, as said, they are legal dimensions that incorporate people's knowledge. The community [Santal] must continue to move towards political rights for sustainable community development.

Proposing A Framework for Sustainable Community Development for Human Rights

Before delving into the proposed framework that is crucial for safeguarding the human rights of the Santal community and preventing ethnic discrimination, it is essential to clarify some key concepts. The proposed framework aims to structure into three distinct stages, holds significant implications for the community's future.

- 1) **Stage 1:** The initial stage, the foundation of the proposed framework, is where the groundwork is laid. This stage is characterised by two pivotal conventions, the successful implementation of which will yield promising outcomes in the subsequent step of the proposed framework. These outcomes, in turn, will foster effective governance and peace within the community, instilling a profound sense of hope and optimism.
- 2) **Stage 2:** Once the tasks of the first stage are completed, the results of the second stage will start to show their effectiveness after a minimum of 5-10 years. The pace of the second phase's implementation is such that it takes at least ten years to initiate the next stage. This gradual approach ensures the sustainability and long-term impact of the proposed framework.
- 3) **Stage 3:** The impact on the community when we have an impact that willpower leads to sustainable development for the community.



Source: Adopted from UNDRIP , and ILO -169

Figure 3 Proposed Framework for Sustainable Santal Community

Now, let us look at the elements of the proposed framework. The three elements are community guidelines, community traditions, and community participation. Each element is constituted of a few elements. One, the community guidelines belong to laws, regulations, and acts to focus peoples' direction on society. The community tradition beholds customary law; finally, participation in development and politics is rare under community participation. Community peace and governance depend on these three inputs. The state will nurture these inputs under its purview with its institutions and forces. That is what the proposed structure wants to say to make the community development of the Santal people sustainable. The proposed framework will not go astray conditionally if input and outcome do not deviate in this structure; at least, the theoretical guidelines give that like directions.

Conclusion

Human rights have no boundaries; hence, they are universal and political, and the state is the implementing tool that wants to ensure that in the interest of public welfare. The government must implement fundamental structural reforms to ensure human rights. The Santal people need constitutional

recognition. It is time a fitting matter to ratify the agreements of UNDRIP-2007 and ILO -1989/169. It is necessary to know the minority groups' sensitivity to this issue of 'self-determination.' Otherwise, human rights will be worse and already in danger. Establishing human rights for the ethnic people [Santal], the author hopes the proposed framework will work effectively to ensure sustainable community development.

This article is limited to UNDRIP and ILO / 169. In this case, the proposed framework could only be one of the options for empowering the Santal community, not the only panacea. As discussed, whatever the procedure is to deal with the problems, the government is the key role player, and the nation-state must ratify the treaties first. By constitution, the government is the only one accountable for its implementation with the service of other agencies. The subject of tripartite relations will be the local, rural, and remote Santal village in the Northeastern part of Bangladesh.

However, the unanswered question is, in a nation-state, can the government always give equal priority to all ethnic groups (including mainstream groups)? Our unquestioned answer is: No. Does not this mean that we are in favour of discrimination against the Santal community or self-determination? In this context, what is our way out of this issue? For this reason, another unquestioned answer is that, before implementing the proposed framework, the Government of Bangladesh must convey a fundamental structural reform, per se, a constitutional amendment for SEG recognition.

References

- Ahmed, K. (2010). Defining 'indigenous' in Bangladesh: International law in domestic context. *International Journal on Minority and Group Rights*, 17(1), 47-73.
- Ali, A. (1998). *Santals of Bangladesh*. Institute of Social Research & Applied Anthropology.
- Ali, M. (2002), *Dinajpurer Adivasi*. Adivasi Academy.
- Andersen, B.P, Mehdi, R., & Prakash, A. (2021). *Re-interrogating civil society in South Asia: Critical perspectives from India, Pakistan, and Bangladesh*. Routledge, India.
- Azad, H. (2014). *Parbbatya Chattogram: Sobuj Paharer Vitor Diye Hingsar Jharna Dhara*. Agami Prakashani.
- Barkat, A. (2016). *Political economy of unpeopling of indigenous peoples: The case of Bangladesh*. Mukto Buddhi Prokasana.

Barth, F. (1998). *Ethnic groups and boundaries: The social organization of culture difference*. Waveland Press.

Besra, L. (2014). *A critical review of democracy and governance challenges in Bangladesh with special references to a human rights-based approach for the development of marginalized indigenous people*. Flinders of Institute of Public Policy Management, PhD Thesis.

Bhaumik, S. (1996). *Insurgent crossfire North-East India*. Lancer Publishers.

Bodding, P. O. (1987). *Traditions and Institutions of Santals*. BAHUMUKHI

Cavallaro, F., & Rahman, T. (2009). The Santals of Bangladesh. *Linguistics Journal*, 4.

Chakma and Maitrot. (2016). *Working paper on – How Ethnic Minorities became poor and stay poor in Bangladesh: A Qualitative enquiry*. EEP

Chowdhury, M.S. (2014). *Survival under threat: Human rights situation of Indigenous Peoples in Bangladesh*. AIPP.

Constitution of Bangladesh (2019), Ministry of law, justice, and parliamentary affairs, GoB.

Day, A. (2015). An ancient history: Ethnographic study of the Santhal. *International Journal of Novel Research in Humanity and Social Sciences*, 2(4), 31-38.

Debnath, M. K. (2010). *Living on the edge: The predicament of a rural indigenous Santal community in Bangladesh* (Doctoral dissertation).

Debnath, M. K. (2012). The invisible agenda: civilising mission or missionizing civilization. *The International Journal of Human Rights*, 16(3), 461-473.

Debnath, M.K. (2020). A community under siege: Exclusionary education policies and indigenous Santals* in the Bangladeshi context. *Third World Quarterly*, 41(3), 453- 469.

Drang, Sanjeeb (2019), *Does God forget the Santals?*. Suchipatra.

Eisenberg, A. I., & Spinner-Halev, J. (2005). *Minorities within minorities: Equality, rights and diversity*, Cambridge University Press.

Erueti, A. (2017). The politics of international Indigenous rights. *The*

University of Toronto Law Journal, 67(4), 569–595.

<https://www.jstor.org/stable/90017187>

Erueti, A. (2022). *The UN Declaration on the Rights of Indigenous Peoples: A New Interpretative Approach*. Oxford University Press.

Erueti, A., & Centre for International Governance Innovation. (2020). *The UN Declaration on the Rights of Indigenous Peoples: A Mixed Model of Interpretation*. In *UNDRIP Implementation: Comparative Approaches, Indigenous Voices from CANZUS*. Centre for International Governance Innovation.

Gilbert, J. (2017). Indigenous peoples, human rights, and cultural heritage: Towards a right to cultural integrity. In A. Xanthaki, S. Valkonen, L. Heinämäki, & P. Nuorgam (Eds.), *Indigenous Peoples' Cultural Heritage: Rights, Debates, Challenges* (pp. 20–38). Brill.

Guhathakurta, M. (2004). Minority rights, identity politics and gender in Bangladesh: Current Problems and Issues, *Meghbarta*. 5 (2), 15 pages.

Haaland, G. (2012). Event focused fieldwork and comparative methodology: Exploring ethnic boundaries and cultural variation. *An Ethnography of Global Landscapes and Corridors*, 23-56.

Grober, U. (2007). *Deep roots-a conceptual history of sustainable development*. Nachhaltigkeit.

Hallam, E., & Street, B. (2013). *Cultural encounters: Representing otherness*. Routledge.

Hossain, K. T. (2000). *The Santals of Bangladesh: An ethnic minority in transition*. Works Shop Paper of ENBS.

Jahan, F. (2020). *The issue of identity: State denial, local controversies and everyday resistance among the Santal in Bangladesh*, PhD Thesis, Hale University.

Jahangir, B K.(1996). *Modernity and Nationalism*. Agami Prokashoni.

Karim, A. Z. (2014). Anthropology in Bangladesh: Its Emergence in relevance to global contextual. *The Anthropologist*, 17(3), 957-965.

Knight, F. (2014). *Law, power, and Culture: Supporting change from within*.

Springer.

Lindroth, M., & Sinevaara-Niskanen, H. (2022). *The colonial politics of hope: Critical junctures of Indigenous-State relations*. Routledge.

Mahapatra, S. (1986). *Modernization and ritual: Identity and change in Santal society*. Oxford University Press.

Mathur, N. (Ed.). (2001). *Santhal worldview*. Concept Publishing Company.

Mohsin, A. (2001). *The state of "minority" rights in Bangladesh*. International Centre for Ethnic Studies.

Meadows, D. H., Meadows, D. L., Randers, J., & Behrens, W. W. (2018). The limits to growth. In *Green planet blues* (pp. 25-29). Routledge.

Mohsin, A. (2002). *The politics of nationalism: The case of the Chittagong Hill Tracts Bangladesh*. The University Press Limited.

Murmu, Fr. Marcus. 2004. "The Santals: Their Traditions and Institutions in Bangladesh." In Santal Resource Page.
<http://srpbypst.blogspot.de/2009/05/the-santals-their-traditions-and.html>.

Nobi, M. N. (2021). Cost-benefit analysis of Kaptai Dam in Rangamati District, Chittagong, Bangladesh. *arXiv preprint arXiv:2109.05419*.

Pisani, J. A. (2006). Sustainable development—historical roots of the concept. *Environmental sciences*, 3(2), 83-96.

Rafi, M. (2017). *Small ethnic groups of Bangladesh: a mapping exercise*. Panjeree Publications.

Rahman, M. (2002). *In search of a withering community: the Santals of Bangladesh*. Empowerment through Law of the Common People.

Roy, P., Chowdhury, J. S., Abd Wahab, H., & Saad, R. B. M. (2022). Ethnic tension of the Bangladeshi Santal: A CDA of the Constitutional Provision. In *Handbook of Research on Ethnic, Racial, and Religious Conflicts and Their Impact on State and Social Security* (pp. 208- 226). IGI Global.

Sarker, M. A. R., Khan, N. A., & Musarrat, K. M. (2016). Livelihood and vulnerability of the Santals community in Bangladesh. *The Malaysian Journal of Social Administration*, 12(1), 38- 55.

Schendel, W and Dasgupta, A. (1992). Development and underdevelopment in Bengal: Castes, communities and the State. *Economic and Political Weekly*, 27(14), 692 .

Srinivas, M. N. (1956). A note on Sanskritization and Westernization. *The Journal of Asian Studies*, 15(4), 481-496.

Sneddon, C., Howarth, R. B., & Norgaard, R. B. (2006). Sustainable development in a post Brundtland world. *Ecological economics*, 57(2), 253-268.

Sumi, M. J., & Bulan, R. (2019). Land rights of Indigenous people: A study on Santal community in Bangladesh. In *Social research methodology and new techniques in analysis, interpretation, and writing* (pp. 190-215). IGI Global.

Tomaselli, A. (2017). The right to political participation of Indigenous Peoples: A holistic approach. *International Journal on Minority and Group Rights* , 24 (4),390–427.

Tripura, P. (2020). *Colonial shadow in Bangladesh*. Sangbed.

Uddin, N. (2011). Decolonising ethnography in the field: An anthropological account. *International Journal of Social Research Methodology*, 14(6), 455-467.