



**The Right to Property of the Bede Community in Bangladesh: A Legal  
Analysis**

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## Letter of Transmittal

Dr. Kudrat-E-Khuda Babu

Associate Professor

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Dear Sir,

It's a great pleasure for me that I have been able to make research on "**The Right to Property of the Bede Community in Bangladesh: A Legal Analysis**". During concluding this research I have given all of my best effort to form the useful research and by collecting all the relevant information from different sources that it can fulfill your expectation.

Therefore, I shall remain grateful to you if you pass through this research paper for your evaluation and I would be like that if any valuable recommendation is formed from your part in this matter.

I am always available for any further clarification of any part of this paper at your convenience.

Sincerely yours.

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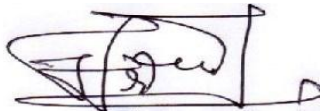
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## Letter of Approval

This is to certify that the work is done “**The Right to Property of the Bede Community in Bangladesh: A Legal Analysis**” is a real work done by kolpona khanam, ID: 193-38-357, batch: 30<sup>th</sup>, Department of Law, Daffodil International University, done under my supervision in the partial fulfillment for the research, work is done for the fulfillment of course requirements of Law-812, 812 from the Department of law, Daffodil international University.



-----  
Dr. Kudrat-E-Khuda Babu

Associate Professor

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## Declaration

I, hereby, declare that the work, present in this research is performed by me under the supervision of Dr. Kudrat-E-Khuda Babu (Associate Professor, Department of Law, Daffodil International University). I also assure that this research or no part thereof is being submitted anywhere for the award of any degree.



Kolpona Khanam

(Candidate)

## ACKNOWLEDGEMENT

It is a great pleasure for me to thank that person who supports me to complete this research like family and teachers. To begin with, I would like to express my deep gratitude to my supervisor Dr. Kudrat-E-Khuda Babu (Associate Professor, Department of Law, Daffodil International University), who was a source of ideas, and provider of suggestions. A great thanks due to this well regarded teacher for supporting at the time of COVID-19 when the whole world is shuttered.

I also express my special gratitude to our honorable teacher Md. Abu Saleh who has taken our entire research related course.

## Dedication

Firstly I am showing very much respect and gratitude to my Allah. I would like to express my gratitude and love to my parents for their sacrifice and to provide me the opportunities for higher education. They are still guiding me being a good human being and motivated me to dedicate myself benefit of the country.

## Abstract

The Bede community is sometimes called nomadic people. They live dispersed and travelled by the river throughout the whole Bangladesh. Whereas the nomadic people are dispersed and have highly miscellaneous lifestyle, that's why they faced different kind of risk or threats for survive. Basically they face many pressures from prevailing society. Their main problem is land rights, whereas more than 90% percent Bede's still could not enroll themselves in their voter list since they are nomad, that's why they don't get any bank loan also don't get any government privileges, so they don't have any shelter and land. I strongly believe that this is one of the reason but not the only reason. The main purpose of my research is not analyzing the present status of their property rights. The paper present, in short the analysis and assessment of legal and governmental action to ensure the property rights of the Bede Community in Bangladesh.



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## **List of Abbreviations**

UDHR	Universal Declaration of Human Rights
NGOs	Non Governmental Organizations
GO	Governmental Organization
ICERD	International Convention on Elimination of Racial Discrimination
ICCPR	International Covenant on Civil and Political Rights
ICESR	International Covenant on Economic and Social Rights
IACtHR	Inter American Court of Human Rights
ICJ	International Court of Justice
PIL	Public International Litigation
MoSW	Ministry of Social Welfare
SDGs	Sustainable Development Goals

## Chapter One

### **Introduction**

#### **1.1 Background of the Study**

Whereas the Bangladesh social structure is an extraordinary characteristics, there have a small group of communities are living in the small piece of land. One of such groups is known as Bede community. Bede communities are an ethnic group in Bangladesh. They are also known as the water or river gypsies to the local people. There have almost 80,000 nomadic people, more than 98% Bede's people live under the below poverty. 2% Bede children got the opportunity to be immunized against vaccine preventable from diseases. Almost 99% percent nomadic Bede's are deprived from access to energy, access to electricity and gas. Whereas they faced a different kind of problem, that's why they are passing difficulties livelihood. Whereas their house is made bamboo and polythene so that is unable to protect from natural calamities. They have to shelter in close school verandas or local institute which is made for sheltering of this people. Landless people normally sustain their livelihood excluded from the society. Specially, the people who have no land are involved in some sort of earning that are effecting on their poverty. The statistics of poverty among the urban landless people has reduced more than the rural landless people. Whereas there are more earning facilities in the urban area more than the rural areas, therefore, due to loss of earning means most of the households of the Bede people lost their capacities to repair their broken boats or buy a new boat, that's why they loss their essential shelter. From time to time their boats are go down into the water because of natural disaster because of high tide water because of they have no permanent land or shelter so they are shelter less today. Since the Bede people don't have any control over the land or local and national power that's why they have no land, so they cannot get any bank loan or NGO microcredit. Most of the Bede people lives on the bank river. River deterioration destroys a good number of Bede households every year. Government, UN agencies, NGOs have taken different initiative or programs for the poor and marginalized people including (Bede Community) but also there have no development ,no development program was inaugurated for the Bede community. Resulting in they are socially excluded and stigmatized, don't get any shelter facilities.

#### **1.2 Literature Review**

This research paper is composed basically by taking assistance on literature and some journals and articles. This data can be from primary and secondary sources. As secondary sources prompt to several literature and journals. Looking into literary works concentrated on book, diaries, articles, report and papers, and looking through the web and talking university teacher's instructors and expert. Explicit reference of the material utilized are given in the

commentary and concerned section. This literature review helps us to know the historical background, causes, risk factors, and consequences of nomadic life.

Whereas the Bede people are known as nomadic that's why they traditionally live on the water. Even they have no control over the land .some NGOs take initiative and try to develop their educational, social qualities.<sup>1</sup> Bede community are not enrolled until 2008 and since there have no land for living so they could not claimed any rights because of they are enrolled in a citizen of Bangladesh. Even at that time they dint get any digital or government services.<sup>2</sup> They belong to the religion of Islam but sometimes they are maintain or follow any other rituals like (puja) while at the same time they follow Islamic ritual and obey these holidays. There are five types of profession over their existing lifestyle such as vaidyas, Shandars, Shapurias, Bajikars, and Tantriks.<sup>3</sup> Sometimes they live on the land for construction will built but they evicted from this land because of this place is under controlled the local people. They are disoriented because of where to go if they would be required to move out, even they were evicted from one place to another place always. Though they want change their lifestyle and want to change their profession because of they want to live socially with the agriculture.<sup>4</sup> According to the constitution of India 1950 article 21 right to life which is conferred by this article including right to livelihood other one is no estoppels can be claimed against enforcement of right to livelihood. Whereas the Article32 is the fundamental rights that is estoppels principle from this case the decision that no eviction without notice or resettlement.<sup>5</sup>

Nomadism is something ancient era that they will gradually disappear. When the some important issue is focused on the ground of human rights law then it was contradicted to that ground. When the people said that they are deprived from any kind of legal remedies and also they were faced extreme forms of discrimination because of they are conduct nomadic lifestyle. Despite of They are still now here, there life is under threat.<sup>6</sup> Day by day the lifestyle of Bede community is changing Because of the development of science, changing the river channel, water pollution and natural disaster. They are being forced to the land from their boat. Day by day the society is changing there have some governmental and non-governmental NGOs, some social welfare organization have some contribution and taken initiative to developed their condition and try to shifted profession and traditional lifestyle as well as permanent shelter. They think that the society was not changed, their children do not access to educational facilities, do not access to medical care facilities, do not access to purifying water, sanitation facilities, they do not get access to solid waste management

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<sup>1</sup> A.K.M Maksud,Imtiaj rasul, Participatory Action Research for Human Development of Nomadic Bede Community, Grambangla Unnayan Committee and Research Initiatives, Bangladesh (RIB), Dhaka.

<sup>2</sup> See: Sariful Islam, dissecting the nomadic life style of the Bede community in Bangladesh, The daily sun <<https://www.daily-sun.com/printversion/details/298572/2018/03/30/Dissecting-The-Nomadic-Lifestyle-Of-%E2%80%98Bede%E2%80%99-Community>> last visited 30 march 2018

<sup>3</sup> Seyda seraj, Mohammad Rahmatullah, Mohammad monjur-E-khuda, Sadia afrin Apornna, Mohammad Samiul Hasan Khan, The Journal of Alternative and Complementary medicine. November 2011.

<sup>4</sup> See: Philips gain, The story of floating people, the daily star,25 January 2019 <<https://www.thedailystar.net/star-weekend/spotlight/news/water-land-1692571>>access at 25 January 2019

<sup>5</sup> Olga tellis and others vs. Bombay Municipal Corporation (1985) *indiankanoon.org*.

<sup>6</sup> Geremie Gilbert, Nomadic people and Human Rights,( New York, 1<sup>st</sup> published 2014)

facilities in municipal area, in resulting of the environment was polluted.<sup>7</sup> Some khas land has under the control of the government, according to the State Acquisition and Tenancy Act, 1950. Whereas the government has discretionary power so the govt. can distribute the khas land among the landless people. For that the government distributes the land through the two policies, such as, the Agricultural khas land settlement and Management policy, 1997 and the Non Agricultural Khas land settlement and management policy, 1950.<sup>8</sup> The non discriminatory principle is recognized by the UN all human rights instrument. According to the UN declaration people who is belong to the ethnic or national, religious, and minorities makes it compulsory part that develop the condition for the protection of the community.<sup>9</sup> For hundreds of years river the life of the Bede community, they have depart along complex water ways, training monkeys, snake charming, performing magic and healing people, and selling trinkets. Pushed to the margin, they are struggling in everyday for preserve their heritage.<sup>10</sup> Bede's are 200 years ancient almost, their history was different, and there have fiction and nonfictional literacy. Portrayals in Bede and Bengali literature are the best fictional literature to the audience than the non fictional literature. This is the exception from the mass media like radio, television, newspaper, but their non fictional literature had within the colonial environment that's why their literature cannot reach to the wide number of audience. They have influenced or taking important decision or making policy by the superior person of the community.<sup>11</sup> Bede people loss the source of income because of the modern society marginalized to their profession they are victim for their income taking toll. Short history of Bede found by Taylor's Book "A sketch of the topography and statistics of Dacca 1840" Bangladesh is based on agriculture, 60% people depend on the agriculture but the Bede people never wants to involved with the agriculture. They are deprived from the social right that's why they shifted to the other profession.<sup>12</sup>

I have consolidated my perception while investigation the other paper or different Author works I found from that work they are focused on different issue of their rights like social, economical, education, lifestyle etc. but they are failed to ensure the basic rights of the Bede Community which is the property or land rights where they can be settled. That's why through my paper I will focus on the property rights of the Bede community.

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<sup>7</sup> Zakia akhter, Dr. A.K.M. Abdul kalam, Access to Urban Basic Services of the people Living in Urban Poverty: A Case Study of Bede Community in Saver Municipality (2018)

<[https://www.bip.org.bd/SharingFiles/journal\\_book/20181204072956.pdf](https://www.bip.org.bd/SharingFiles/journal_book/20181204072956.pdf)> access 2018

<sup>8</sup> Hasibuzzaman and Shamsun Nahar, PIL in Bangladesh (2019) Bangladesh Journal of Legal Studies at 35.

<sup>9</sup> Nina Goswami is with the Ain o Shalish Kendra, Dhaka. Paper presented to the Global Minorities Meet, New Delhi, 9 March 2008.

<sup>10</sup> Das, B. (2013). Rough sailing for Bangladesh river-gypsies. Al Jazeera. Retrieved from <http://www.aljazeera.com/indepth/features/2013/01/201312181138776540.html>

<sup>11</sup> Carman Brandt, the 'Bede's' of Bengal- Establishing an Ethnic Group Through portrayals, LIT Varleg munster, last edition ,(2018)

<sup>12</sup> A. S.M. Riad Arif, The New Identity of Bede in Bangladesh, Our times, 4 June 2018 < <http://www.ourtimebd.com/beta/2018/06/04/the-new-identity-of-the-bede-in-bangladesh//>> access 2018



### **1.3 Objective of the Study**

My research objectives are as follows:

- a. Critically review the different forms violation of rights of the Bede Community in Bangladesh.
- b. To analysis the national and international legal instrument the property rights of the Bede community
- c. To find out the actual reason and consequence behind the deprivation of land rights
- d. To some recommendation for ensuring the property rights of the Bede community in Bangladesh
- e. To help the future research work with the Bede community.

This paper is to document and analyze the state of property rights in Bede community in Bangladesh and discuss about whether they have enjoy the right to property and at present legal status of their rights and for ensuring access to property right .I try to excluded and stigma of Bede community.

### **1.4 Significance of the Research**

Before conducting the research I tried to the basic loopholes of the Bede community, what is the significance of my research and how to contribute to the societies for recovering the gap? Through the study will help to know about the property rights of the Bede community under national and international perspective. Bede community are deprived various reason. There are many lacking of other works, through my works it will be remove. Even they faced such kind of problems; I strongly believe that they get such opportunity through my work and came clarity. Moreover it will open great opportunities for other researchers concerned with the arena. This research may be very much helpful for the student of law to enrich their own knowledge.

### **1.5 Research Question**

My research questions are as follows:

1. Is there any law to protect the property rights of Bede community in Bangladesh?
2. What are actual reasons and consequences behind the violation of the property rights?
3. Whether the government will be eradicated hazardous situation of Bede community in Bangladesh by 2030 by ensuring their right, and makes them exemplary communities are their unbreakable attachment?

## **1.6 Research Methodology**

In this research I have been used qualitative, analytical, doctrinal methodology and includes fact finding inquires of different kinds. It is primarily analytical based on primary and secondary sources. At first I reviewed some books of different scholars, visited several websites and read out several journal articles about human rights of the Bede community and their lifestyle. I also gathered information from newspaper articles. I also included statutory law, convention treaties, international law, and case laws etc. I shall use analytical method because of I use analytical theory and available information also make a critical evaluation of the material.

## **1.7 Limitations of the Research**

The main limitation of this paper is it extensive dependency on journal, book, and reports, through the online. Further, unavailability of data with regard to practical scenario in relation to the research issue may also be termed as another limitation. Basically there have many data, but we cannot say that this research is accurate or 100% percent authentic. There have another problem of time limitation and budget. Actually it's too much difficult to complete a research accurately within a short time, with limited budget.

## CHAPTER TWO

### **Primary Concept of Bede Community**

#### **2.1 Introduction**

They are known as Bede in the society and do not hesitate to introduce themselves as Bede. They make a living playing snake games and playing pot music at certain times of the year and usually live by the river or in the surrounding areas. Every person has a lifestyle and it depends on the inherent and human nature and all kinds of natural forms. A nomadic people are member of a community who live in different locations and moving one place to another place (time to time). Their culture was different. Anthropologist H.K.S Arefeen mentioned that “The people of the Bede community are the marginalized Muslim community of Bangladesh”. In the 1680 year they come in Bangladesh with the king Arakan king Ballal Sen, They were fugitive from Myanmar ethnic group, then they are settled in Bikrampur of Bangladesh, then they were spared all over the country.<sup>13</sup>

#### **2.2 Recent Scenario of the Status of Bede Community**

Since the Bede community is a nomadic by inherently the women superior in their social policy. Women is the only one earning persons in their family, decision maker also. Whereas we know that they lived in boat, this area didn't have their, if they want to settled there before settling house the sardar of the community taken permission from the Authority of the local area. They are unable to increasingly proper family planning because of they are uneducated people. Maximum house was made by polythene and bamboo. At the time of natural clematis they are unable to protect their house. The woman range is very high other than male or other gender (76%, 14%, 10%).<sup>14</sup> Their income rate is very low, maximum 300 to 400 tk par day. Day by day they losing their culture, their other skill are lower, lack of educational skill in a result they attended in any profession. Peoples think that they are increasing the pollution of the society, they are treated like that by the people, and the always carries stigma as a Bede and face discrimination from them.<sup>15</sup> They loss their major portion of income and culture, different institution which worked on the Bede community and they think that the

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<sup>13</sup> Maksud, AKM, 2002, Prospects and Possible Interventions and Potentials for Sustainable Development in Beday Community, Grameen Trust, Dhaka.

<sup>14</sup> Raf- Ana- Rabbi shawan, Present social Awareness and Economic Condition of Nomadic Bede Community Bede Community at Narayanganj District in Bangladesh, American Journal of Rural Development(2017), vol5(4)

<sup>15</sup> Bijoyeta Das, bangladesh's River Gypsies Fighting to Preserve their Culture, DW.Com, (2011) <<https://www.dw.com/en/bangladeshs-river-gypsies-fighting-to-preserve-their-culture/a-6546197>> access at 12 august 2020

government should help gypsies retain their culture and household by ensuring security, ensure their rights for livelihood.<sup>16</sup>

## **2.3 Forms of Violation of their Rights**

Whereas the Bede people belong to the poverty line, other than they are nomadic, they have no permanent land, since they were not to citizen of Bangladesh, that's why they cannot get any privileges from government, their violated their rights of every sector.

### **2.3.1 Education**

A large number of Bede's children almost 95% cannot get educational opportunity, they cannot go to school because of they have no permanent land for living. Almost all the months of the year they travel from one place to another place with their parents. Bede's are excluded from primary education which is determined by the government. Private NGOs and municipality intervention primary education reached to the Bede's children. Whereas they are illiterate that's why they have no choice without their profession and traditional business.

### **2.3.2 Health**

Almost every villages have a community clinic where medicines are distributed free of charge by the municipality for the poor people. Though it is a government project but Bede people cannot access or get this medicine because they are not conscious about this matter, they are illiterate. Their children cannot get vaccine facilities for their health service but 2% percent of the children get immunize vaccine. Bede women's are suffered from deadly diseases, when they suffer any diseases then they cannot fulfill their daily needs. More than 5% percent of those women cannot get TT during the last pregnancy.

### **2.3.3 Nutrition and Food security**

Since the Bede community belong to the lowest earning people, so they live under poverty line. During the flood the Bede people cannot go out for income, they had to stay on the boat 2-3 months almost. They had to fail storage of food during that time, they could not sold their product because the road under the water, that's why they fall under lack of nutrition food. In a result they suffered severe diseases. They could not get any basic necessities from the government or private NGOs and municipality. Nutrition is very much important for better standard of livelihood. More than 90% percent of the Bede children are suffered from malnutrition. There have no way to overcome from malnutrition, though some NGOs and governmental organization taken some initiative to protect the children from the malnutrition.

### **2.3.4 Water**

Only fewer Bede people aware of the drinking, boiling or purifying water. There is no piped line water supply. Many Bede people don't have the ability to buy tube well. They live beside

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<sup>16</sup> Pankaj Kumar and Mahbubur Rahman Khan, Gypsies Saying bye to Rivers, (2014) <<https://www.thedailystar.net/gypsies-saying-bye-to-rivers-26549>> access at 01 june 2014.

the riverbank during the flood and maximum months of the year. So they used such kind of water for a drink that is not suitable, it is polluted water. They cannot get any loan from the Government even cannot get any facilities from the municipality of tube well or pure drinking water for poverty reduction.

### **2.3.5 Lack of Opportunity for Savings**

Since the Bede people are illiterate and as an ethnic group so they cannot access to the bank where they saved any amount for future. They saved their money (coin) in a secret place of their boat. They do not dare to go to the Bank for opening an account because of they don't have any actual residence or land property where they was settled.

### **2.3.6 Loss of Shelter**

Most of the Bede people loosed their last shelter because they don't have able to income too much, on the other hand they loss their profession for developing the society, and changing the demand of the general people. Whereas they are not able to repair their old boat, cannot buy new boat, not to get any privileges for livelihood from the government. The Government took initiative by the social Welfare policy for that under privileges people, but they were not accessed.

### **2.3.7 Out of Governance process**

Bangladesh is a less governance performing country. If the Government was taken any development program is rarely consulted taken into account or delay planning and implementing the program. These issues of the Bede people are not taken into consideration because of they have no access to the government planning of the development program. These people are not the structural of adjustment process carried by the government investigating and determined the huge amount of every year.<sup>17</sup> One of the main reasons is our governmental authority or project authority is highly dishonest or corrupted.

### **2.3.8 Risk of Vulnerability**

Sometimes Bede people get endangered during the unwanted situation or weather. Due to thunder stormed, heavy rain, and heavy wind their boats sometimes get drowned in the river.<sup>18</sup> Whereas they lived into the boats with their children on the river, that boat is very small that's why it is unsafe to them. Most of the Bede people's pieces of land on those people are settled on the bank of the river. So river erosion destroyed the maximum household of the Bede's every year. Loss of social capital, fear of unfamiliarity, out of governance process, Advancement of technology and medical science, lack of political will for inclusion, lack of implementing of legal provisions are the main causes of vulnerability of the Bede community.

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<sup>17</sup> Supravat Halder, Bede Community of Bangladesh: A Socio Legal Study, Northern University Journal of Law, Volume iii (2012)

<sup>18</sup> Ibid

### **2.3.9 Access to public resources**

Almost 3.3 acres of khas land have in Bangladesh. More than 88.5% percent of agricultural khas lands are illegally evicted by the rich and powerful people of Bangladesh. No incident has been happened where the rich people thought about the Bede people and not allocated or distributed of the khas land to those people.

### **2.3.10 Illegal Seasonal Migration and Violation of Human Rights**

A large number of Bede people migrate to the other country in every year. While they pulled to migrate for economic purpose than more than the time it was illegal. Basically they went to India, Myanmar etc. Almost 5000 people passed the border illegally and BSF push to them for passing border.

### **2.3.11 Access to Energy Resources**

Bede people cannot get access to energy gas, and electricity. Whereas they are poor people and nomadic that's why they cannot get access such kind of permanent facilities. The government didn't taken their under the electricity or gas project. Less than 0.3 % percent of the Bede people get electricity facilities because of they lived in permanently on the road side.

### **2.3.12 Power Participation and Self Governance**

There are 8,00,000 people of the Bede community in Bangladesh. Almost 2,50,000 Bede people have included in the voter list, they are the citizen of Bangladesh that's why they get some facilities from the governance. But other people are not enrolled in the voter list, since they are not the citizen of Bangladesh whereas they are not the citizen of Bangladesh and cannot get any facilities even any shelter.

## **2.4 Present land or living status of Bede community**

Almost 8 to 10 months a year they live on boat and their intent to travel from one place to another place in Bangladesh through water but at the beginning of the dry season they come back to the land for permanent settlement for a few months because of this land not their permanent land.<sup>19</sup> Last 5 to 6 years few families were permanently settle on the land while the few families live on the land at the time all other Bede people live on the boat in the river, there are many building have build outside them, two particular types of boat can be identified such as one is original boats and second one is cubic forms that is different forms of typical boat.<sup>20</sup> In many cases bamboo and other cheap materials like plastic sheeting and textile fabrics have been used as boat materials now this traditional customs is changing. Bangladesh suffers increasingly from the consequences of changing weather patterns.<sup>21</sup> Everybody we know that the Bede people were lived in boat maximum time in years but in

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<sup>19</sup> Dialouge between Land and River- Cultural Dias for Nomads of Water (Bede Community) BUET, 10 July 2015

<sup>20</sup> Ibid

<sup>21</sup> Ibid

that area, they didn't, because they are nomadic, their geographical region is different and the availability of unused land and they have lived there for a long time.<sup>22</sup> Before buildup their house in a new area must be taken permission to the local leader or matubbar by the sardar of the community<sup>23</sup>. Although they lived in boat that is small size but the Bede population was increasing day by day due to lack of proper family planning as well as the male member of their family could not interest to maintain the family in small.<sup>24</sup>

## 2.5 Conclusion

We know that the Bede communities are an ethnic group and also called the River gypsy. They belong to their own culture and traditions. Their lifestyle was different and has no lands; don't have any opportunity to work outside the communities. In this study described their lifestyle and their rights where they are deprived day by day. They lived in a small boat as well as their children have more than two so their living standard was not so easy. These boats are their house think so. Women are the only earning person of her family but sometimes men and women both are working for catching the snake and entertain the peoples through snake charming. Their children have no education so the government and private organizations try to move forward and running the school to educate Bede children.

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<sup>22</sup>Hossan, M.S., Khan, A.H.M., Bari, S., Jahan, R. and Rahmatullah, M. (2009). Ethnobotanical survey of the Tripura tribe of Bangladesh. *American Eurasian Journal of Sustainable Agriculture*, 3(2): 253-261.

<sup>23</sup> Arefeen, H.K.S. (1992). Sub-culture: Society of Bangladesh. Samaj Nirikhan, Vol.46. Samaj Nirikhan Kendra, Dhaka.

<sup>24</sup>Bhuiyan, M.H. (2012). "Narayanganj District". In Islam, Sirajul; Jamal, Ahmed A. *Banglapedia: National Encyclopedia of Bangladesh* (Second ed.). Asiatic Society of Bangladesh.

## CHAPTER THREE

### **Legal Instrument in relation with the Property of the Bede Community (Nomadic People)**

#### **3. 1 Introduction**

Since the nomadic people throughout the world that's why their previous history have been encroached upon land and on reduced. International and national organization as well as the international law has been played very important or significant role for ensuring the non-recognition rights of the nomadic people.<sup>25</sup> For a long time the international law was based on the territorial rules where the land occupied by the colonial people as well as this land occupied and used by the nomadic people with the dominant view. For developing the human rights law within international legal framework has been changed through arguable and focused on the state power that means the state has not been power to control or ensure over the people or their rights, As well as this laws focused on the issue that the international human rights law ensure the fundamental human rights occupy by the individual person rather than the state power.<sup>26</sup> Whereas the Universal Declaration of Human Rights apply to all that's why some protection of the human rights for the nomadic lifestyle, also cultural and human rights are very important for leading life and also include the way of life. But Human rights Law does not mention that specifically what kinds of rights or how specific rights for livelihood of the Bede community. The first section of the content of land rights under International Human Rights law, the second one is process of the rights, and third one is focused one practical way to use International law at the local level.<sup>27</sup> Basically, the National law is determined the use, control and transfer by the state policy and custom, in some countries, national law recognized and also have jurisdictions individual and group of individual have right to enjoy various land rights and access to the property rights, use control and transfer of land and property also.<sup>28</sup>

#### **3.2 Why Land Rights are Necessary**

Land rights are not only the human rights but also it refers to right to use, control, and transfer of land. There have included right to occupy, enjoy, usages the land and resources. Basically land rights fall under the law, agreement, planning policy, but it is regulated by the Human Rights law.<sup>29</sup> Internationally there have no declaration or treaties and agreement that

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<sup>25</sup> Jeremie Gilber, 'Land Rights and Nomadic People: Using International Law at the Local level' ( 2012) HLR,16-17

<sup>26</sup> Ibid

<sup>27</sup> Ibid

<sup>28</sup> Martine perret, Land and Human Rights: Standard and Application, United Nation Human Rights Commission, (20155),< [https://www.ohchr.org/Documents/Publications/Land\\_HR-StandardsApplications.pdf](https://www.ohchr.org/Documents/Publications/Land_HR-StandardsApplications.pdf)>

<sup>29</sup> Jeremie Gilbert, Indigenous Communities and Representative of NGOs on cases involving Land Rights, International Journal on Human rights , june 2013 < <https://sur.conectas.org/en/land-rights-human-rights/>> access at june 2013



the human rights to land. Most of the nomadic are facing lack of access to fundamental rights (food, cloths, house, Medicare, education) Where they deprived from the basic rights so what are the initiative of the government. The lack of land security contributing to insecurity of marginalized of the Bede community. The Right to property of the most controversial issue, right to property or right to own property based on regarding processions. These conflicts are not only based on the usages of land resources there are deeply concern their household that's why they permanently settled their life. Inter American Courts of Human Rights given the legal development regarding lands rights which was focused on the plight of indigenous peoples to land rights. The UN declaration has provided the practical approach to land rights by focusing on different process of rights.<sup>30</sup>

### **3.3 International Legal Instrument**

The legal framework on land rights approach which comes from the banner of non-discrimination. The (ICERD) is an efficient way to claim to the property rights of the nomadic community.<sup>31</sup> As a central point the land rights have been recognized by several key International Human Rights Instruments. Basically, property refers to the ownership and the US Bill of Rights and the French Declaration put the protection of property rights. Private property means the guarantee, security and protection of the landed and the right to property applies to the people who have possession in the land, and also who does not address the rights and not to acquire to the possession of the land.<sup>32</sup> The negative of International jurist about that society, but was started the respect upon them at the beginning of the 70s and the new way of legal approach was adopted in international law, it is an important judgment of the court states that the nomadic societies were juridical entities and entitle to collective rights.<sup>33</sup>

#### **3.3.1 UDHR**

Whereas the right to property has been influenced by the International Human Rights Law and also it has importance so it uses or reflected for the international human rights protection as a contemporary system of law. On the other hand it is a controversial issue, so Article 17 of the Universal Declaration of Human Rights (UDHR) states that:

1. Everyone has the Right to own property alone as well as in association with others.
2. No one shall be arbitrarily deprived of his property.

Whereas it is a controversial issue that's why arisen many debate and they negotiate some serious debate and whether need to include some rights and extent some rights which right should be limited by the national law, while there have particular issues of land property which was not a particular focus, it's divided into individual and some social powerful

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<sup>30</sup> Supra note 15

<sup>31</sup> Supra note 19

<sup>32</sup> Jeremie Gilbert, Land Rights as Human Rights, International Journal on Human Rights , Jun/2012

<sup>33</sup> By Maro Moretti, International Law and Nomadic People, <  
<file:///C:/Users/User/Downloads/NOMADIC%20PEOPLE.pdf>>

approaches.<sup>34</sup> Whereas the UDHR is a binding document that's why every state bound to follow this statement, even the right to property is human rights and the government should be ensure the property rights of every citizen of the state, not based on the race, sex, religion, settled and nomadic.

The Right to Property is most apparently by the African Charter on Human and people's Rights (ACHPR) of Article 14, states that further its recognized by the Article 13 of the ACHPR, where states that every citizen of the states has the right to participate freely equal access to public service and public property.

### **3.3.2 ICCPR**

When the reference of right to property was adopted then two covenants was adopted in 1966 which ensures the right to property, in general human rights law worked for ensuring land rights against the government intrusion but on the universal level access the indigenous and tribal communities to the land rights as a cultural human rights of the International Covenants on Civil and Political Rights (ICCPR).As well as International Covenants on Economic, Social and Cultural Rights (ICESCR). Though the Article 27 of ICCPR is not directly mentioned the property rights, but it is connection with the land and cultural rights.

### **3.3.3 IACtHR**

Land rights and cultural rights for indigenous has a new jurisdiction of the Inter American Court of Human Rights (IACtHR). "Awas Tingni Community vs Nicaragua case" (2001), the court stated that: By the fact the Indigenous people have existence and they have right to live with freedom and their own territory and their land right must be recognized as a fundamental basis of their cultures, their integrity, their spiritual life, and their economic survival and their relation to the land not only possession and production but also their spiritual element which they must fully enjoy their rights even to preserve their cultural system.<sup>35</sup> The Inter American Court of Human Rights has developed jurisprudence on a land rights so every people has a right to use land and livelihood.

In 1975 the "western Sahara case" the relationship of nomadic peoples to their territories is recognized by the international law, UN General Assembly asked to the International Court of Justice (ICJ) for an advisory opinion on the land territory and they advised that nomadic community should be considered as a relevant period of land rights which migrated.<sup>36</sup>

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<sup>34</sup> Ibid

<sup>35</sup> Supra note 26

<sup>36</sup> Geremie Gilbert, *Nomadic Territories: A Human Rights Approach to Nomadic People' land Rights*, (2007) *Human Rights Law Review* (OUP) 36

### **3.4 National legal Instrument**

Bangladesh has one of the largest amounts the river around the world, day by day increasing the population and polluting water and changing the weather also including the rain that's why the Bede community could vanish within few years as they discard their annual migration between land and water.<sup>37</sup> But where they would be gone, though they were attending the different works they were not settled in any permanent land for livelihood. There is no discrimination on the casting system in Bangladesh nonetheless they are illiterate and highly poor. Whereas there was no land for nomadic but has a settling land for living almost 6 months for semi-nomadic people. The Bede community loss of access to transhumance territory, which means they lose their basic rights like facing lack of access to natural resources, don't have freedom of movement, and migration onto the land which allows their livelihood, the Government should take initiative to force nomadic for settling down.<sup>38</sup> The Bangladesh is a democratic country, and most of the law was reflected a secular principle, almost 90% laws of the country deals with in our everyday life secular and uniform, that means equal rights for every people principle of equality before law.

#### **3.4.1 Constitution of Bangladesh**

The protection of minorities is supervised by the Constitution of the Peoples Republic of Bangladesh 1972, Right to Property or Right to own property has been classified as a human rights, but art. 42 of the constitution of Bangladesh states that "Every citizen shall have the right to acquire, hold, transfer or otherwise dispose of property, and no property shall be compulsory acquired, nationalized or requisitioned save by authority of law. Whereas the constitution of Bangladesh given the right to property but they do not get access to this property.

#### **3.4.2 Other Provision Relating to Property**

Whereas there is no religious different between civil and criminal laws also like that there is no difference between majorities and minorities that means equality before law. The Governmental body was created many land related law which is not deprived minorities from the land property. In 2011 was created a special provision for the protection of culture and local tradition of the tribes, sect, and communities, through the 15<sup>th</sup> constitutional amendment provision (article 23A). Until 2001 Minority groups such as the Bangladeshi Hindu, Buddhist, and Christian are often targeted under the vested property Act, 2001 which is permitted the Government confiscate the property from any individual then this law has been repealed. The Land Reforms Ordinance of 1984 which established a land ceiling governs the distribution of the government land (khas) to the landless people. The land Acquisition and Requisition Act of Immoveable Property Ordinance of 1982 is the main instrument for the compulsory acquisition of lands that its use for public purpose. Since the Government is concerned for

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<sup>37</sup> Sabbir Hossain, Bangladesh's River Gypsies forced onto Dry Land, DAWNNEWS (2009)<  
<file:///C:/Users/User/Downloads/Bangladesh%60s%20river%20gypsies%20forced%20onto%20dry%20land%20-%20DAWN.COM.html>> access at 18 September 2009

<sup>38</sup> Supra note 6

that so he decided and declared that they were undertaking a number of projects which is working by the non-governmental organizations. They claimed that that issued will be solved very soon.

The Vagrant and Shelter less (rehabilitation) Act, 2011 was made for the shelter less people. Those people who are detained in the vagrancy center, this Act does not provide or that person, purpose of any complaint mechanism.

The government has been taken different projects national and international law ensure the right to property for every people but the nomadic people do not get any kind of shelter or property where they live because of they are dominated by the local powerful person.

PIL on Forced Eviction of Landless people; In the year of 1997, the Government has been decided to lease out the khas land to the landless people in Bangladesh by the Agricultural khas land management and allotment Guideline, residing at domar in Nilfamari and executed and registered the kabuliyat deed in their name.

### **3.5 Whether these laws are effective or not?**

As regards definitions and interpretations, there are some other imperfections in the laws. The Government created a rehabilitate for the homeless people under the vagrant and Shelterless (Rehabilitation) Act, 2011. Through this Act, we thought that this law is worked for that people and the government was committed that the shelter will be made for the shelterless people included the nomadic group because they are citizens of Bangladesh till 2008. The constitution is the supreme law of our country here stated that every citizen shall have the right to acquire, hold, transfer or otherwise dispose of property so here is the flaw of laws. According to the PIL on the forced eviction of landless people; in 1997, the Government has been decided to lease out the khas land to the landless people in Bangladesh by the Agricultural khas land management and allotment Guideline, residing at domar in Nilfamari and executed and registered the kabuliyat deed in their name. On the other hand, 50.4% of nomadic (Bede community) are landless it's a violation of their human rights and also it is their fundamental rights. The Government has made policy, and the legislative body has been enacted and the amendment also many laws every year but there has no concern about their rights and land property. Although the minimum percentage was enacted that is not effective properly. Minimum 2% laws are when their rights were violated and extreme then effective the private organizations come to help them for ensuring their rights. The Bede peoples were not satisfied with the governmental system and legislative because it seems that these laws are not equitable and effective.

### **3.6 Conclusion:**

Though there are no laws which directly ensure the property rights of the Bede community it has dealing with different law that directly said that the right to property is the fundamental rights of every citizen of the state. Even national and international laws are trying to ensure the property rights of the minority or nomadic people. Development is processing and

expanding for ensuring property rights its necessary to remove the primary sources of unfreedom for that the people enjoys freedom.

## CHAPTER FOUR

### **Causes and Consequences of the Violation of Property Rights**

#### **4.1 Introduction**

Just ten years ago the Bede community has been shown snake charming, played flutes, and sold traditional medicine in the rail station as well as different places that was their sources of income and their boat has always been their home. There nomadic lifestyle has been mixed with sadness and day by day gone their traditional business. The government trying shifted their profession, traditional culture and nomadic lifestyle to the permanent shelter. But there have no solution for removing the sadness. They didn't get any permanent shelter yet, at the same time they are forced to the come down from their houseboat because of river pollution. They do not stay in a particular place, and move from one place to another place, they think that the entire world is their home under sky. They face always stigma crisis and discrimination from local people. Whereas their demand they are Muslims from Arab but they did not get respect that means dominated as a pure Muslims from the local Muslims people. A major portions of Bede community said that the Muslims people misbehave with them.

#### **4.2 Reason behind the violation of the property rights**

The Bede community is the dominated community from the local social people in Bangladesh. As being they are Bede so there have no skill at anything, they cannot claim their rights at the proper time. But they are always wanted to better living standard than on water lifestyle, here they are deprived from the governmental or non-governmental organization (NGOs) privileges. They do not get any opportunity for law making purposes that means there is no headache about their rights to the government. Their house structure is too much poor, lives temporarily and cannot get emphasis to create the permanent household because of its not the strength cope up of the cyclone or stormed.

##### **4.2.1 Political freedom**

Until 2007 the Bede communities were not included in the voter list, when the caretaker government was in power then they had been taken the initiative to bring the Bede people under the voter list. But fortunately despite they are listed the voter list but they are deprived of all government programs and frequently run down their basic rights. Illiteracy and living

under the poverty line so they are deprived of the delegation in the decision-making level.<sup>39</sup> The Bede people are deprived of the wider societies to access of the different kinds of job sectors. They faced penalties from their leader because they failed to show cause actual reason for their fault.

#### **4.2.2. Economic facilities**

Whereas the Bede community belongs to the poverty line because their income source varies from time to time as well as place to place, today there has a minimum amount of taka but they do not know how to lead their life tomorrow, this is uncertain. They are having below-average income. They have no other sources of income other than hereditary or traditional customs. Whereas the local people and powerful people don't bother their status so, they are bound to live in that situation that means poverty situation and findings no other ways. There has no sufficient money for living a better way so, they cannot change their lifestyle. Although they could not get access to the land for settling house, they live in the boat. That is to say the Bede people are excluded from all governmental activities. Bangladesh needs an operational plan which is creating a long term vision for removing their poverty.<sup>40</sup>

#### **4.2.3 Social opportunities**

Some peoples of the community start residing the khas land which is distributed by the government program for them, but still now 100% percent Bede people get that land. This unsuccessful method is based on the wider social and cultural and religious people because they think that they are unable for getting social opportunities. They have created their house through tin, polythene and wooden, always they live outside the city so they face some difficulties. Always the consequences of the exclusion is not the same for individual or group of individual whereas it also indicate not having access to a prestigious group.<sup>41</sup> The traditional Bede community socially excluded in Bangladesh, the basic provision what they needs likes shelter, food, water are not giving to that area where he lives as well as they facing the lack of housing opportunities and access to political area.<sup>42</sup> Being the citizen of Bangladesh they have the rights to get all kinds of facilities but the reality is different they are excluded from the society.<sup>43</sup>

#### **4.2.4 Transparency guarantees and**

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<sup>39</sup> Irteja hasan, Ibrahim Khalil, S. Hossain and Ali adnan, Coastal Communities could Survive in Cyclone: A case Study on Water Gypsy (Bede),(ICACE-2014)

<sup>40</sup> International monetary fund, Bangladesh: Poverty Reduction Strategy Paper, December 2005 <[https://www.elibrary.imf.org/view/IMF002/14051-9781451804171/14051-9781451804171/14051-9781451804171\\_A001.xml?language=es&redirect=true](https://www.elibrary.imf.org/view/IMF002/14051-9781451804171/14051-9781451804171/14051-9781451804171_A001.xml?language=es&redirect=true)> access at 05 October 2005

<sup>41</sup> Mrinmoy Samadder, When Occupation leads Social Exclusion: An Experience of Bede Community, The Journal of Social Studies\132

<sup>42</sup> Sheikh Muhammad Anwar Hossain, Social Exclusion in Bangladesh, The Dailyasianage,26 january 2019 <[<sup>43</sup> Supranote 35](https://dailyasianage.com/news/160587/social-exclusion-in-bangladesh#:~:text=Like%20Dalits%2C%20the%20traditional%20Bede,or%20material%20assets%20or%20bot h.></a></p></div><div data-bbox=)

Every citizen needs to freedom in the state, and the government should be ensured the openness to the citizen so that developed that social interaction among administration, wider society and minor citizen. The rulers of the country as well as the wider society take full advantage of this lack of repressions. Ensuring their rights like removing corruption, ensure the mechanism for seeking justice, access to different kinds of protection, as well as the Government should be ensure access to the land of the Bede people where they live without any harassment.

#### **4.2.5 Protective security.**

Whereas the Bede people also called the nomadic that's why their important factor is lack of land security which is contributing to nomads increased marginalization and insecurity. Basically, maximum nomadic communities based on customary systems public land usage that are generally not recognized by the state authorities, but the governments have taken an approach based on western land tenure systems, favoring private ownership.<sup>44</sup> As a result nomadic peoples' mobile and collective patterns of land tenure are not recognized, national and international land tenure approaches are different and these are based on the colonial system.<sup>45</sup> Despite the government has taken initiative but there was no progress on that approached also the right to land should be recognized under the formal land management regulations or systems because of that nomadic people have been the victims of state governing system that have been developed under dominant sitting principle so the government should be ensured there security where they will be protected.

### **4.3 Disappearing Professions**

More than 200 years ago they are also known as nomadic or river gypsy but day by day they have loosed their tradition and name of river gypsy because they live around the state from one area to another area for making a living while they do not settle anywhere in the country. Life is not easy at all for all kinds of people like that their life was not so easy on these nomadic groups. They are facing many difficulties in making a living because they have loosed their profession already and sometimes they are forced by the different people to take part in the drug, trafficking, and any other crimes to make sure of their needs. Most of the Bede people involve taking yaba trading and also its spreading neighboring area where they lived or used as a Bede polli.<sup>46</sup> We had to work with them for documentary purposes and taking interviews then we talked to the different peoples about their lifestyle also their settlement rights, they are deprived of their basic rights. At the time of the interview, the Bede leaders told us that they forced to join drug and trafficking whereas they were out of work and wanted to earn money without their traditional professions like before.

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<sup>44</sup> Jeremie Gilbert, "Nomadism, Land Disputes and Security" ORG 13 june 2016 <<https://onlinelibrary.london.ac.uk/support/referencing/referencing-styles-oscola>> access at 07 june 2020

<sup>45</sup> Ibid

<sup>46</sup> Ahmed Sharjin Sharif, Winds of Change Transforming Savar's Bede Polli, 4<sup>th</sup> October 2019 <https://www.dhakatribune.com/bangladesh/nation/2019/10/04/winds-of-change-transforming-savar-s-bede-polli> access at 13 august 2020

#### **4.4 Role of Government and A Way Forward**

Landless or shelterless and also the nomadic strategic paper is a Government document where the front liner is the Bede community and faced land less problem. The government should plan for the Bede community prioritizing their development needs, and solving their needs permanently through the legal action as though they would not be evicted from their land for any legal ground as well as should ensure the social safety. Major livelihood or necessities are health, nutrition, water, sanitation, lands, and education policies in Bangladesh need to fulfill to the disadvantageous or Bede people and provide a legal framework for improving their land status and basic entitlements. As a policy of the Ministry of social Welfare for “Development of Living Standard of Dalit, Horizon, and Bede community” has been formed in 2013 the government should monitor the all activities properly impose on local bodies to ensure the development of the Bede Community.<sup>47</sup> From that perspective there is need to Development agencies including (GOs and NGOs) or state authorities to actively engage with nomadic people and ensure their involvement in a fair engaged manner to the rules regarding land tenure and the use of land resources.<sup>48</sup>

#### **4.5 Conclusions**

The Bede people was depriving regularly from at any place for anything by different ways like socially, politically, lack of protective security, and by the stigmatized, their life is always at risk now in an attempt to come through the changing times, now the Bede communities of Bangladesh are focusing on a more permanent solution to their settlement issues. They are getting more unhappy lives with each passing day because they don't have a living place as well as they were unemployed, their children may have primary education but not must be, they were not getting any job offer because they belong to the Bede community. They were neglected always and isolated from society. So every people of the Bede, their expectation or prayer to the government of the state that they are permanently allocated some khas land among them or ready to another process so that they can purchase a small piece of land in any area where they feel free and comfortable to live in that place. .

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<sup>47</sup> Supranote 7

<sup>48</sup> Supra note 38



## CHAPTER-5

### **Action Plan of the Government for the Bede Community**

#### **5.1 Introduction**

Dalit, Harizin and Bede's are the small group of communities in Bangladesh, they have neglected from time immemorial. Every citizen shall have the equal rights but they are discriminated by the family, socially, and economically. The government or state should be responsible for ensuring their rights, and the government tries to develop their livelihood. Creating a better life of Dalitt, Harizon, and Bede communities by providing social protection and social development enacted the Social welfare rules 2013.

#### **5.2 Vision and Mission of Ministry of Social Welfare (MoSW)**

Vision and Mission of the Ministry of Social Welfare are as follows,

- Establishing better life and acceptable society
- Main mission is creating better life by providing social protection, power given to someone to do something and social development.
- To give educational scholarship for ensuring education of their children
- To increase skill through training
- To ensure social security
- To establish their fundamental rights
- To ensure Socio- economic development
- To ensure social empowerment
- To give old age allowance

This mission and vision will applicable for the Bede and under privileged communities. The Social welfare Ministry said that current success in that program.

#### **5.3 Status of the Community Regarding SDGs (2017)**

The main theme of Sustainable Development Goal (SDGs) is leaving no one behind. In the year of 2015 SDG was determined the 17<sup>th</sup> goal which will be implemented from (2016 to 2030), each and every goal is related to the fundamental rights. Bede communities are the outline of deprived communities under SDGs of Bangladesh. Dr. Binayak Sen and David Hume said in their journal that, despite many positive changes in Bangladesh but a part of the country is still out of the discussion, it is extremely poverty. They have been living in extreme poverty for a long time and they are getting any relief. Dalit Women and Economical Empowerment the research report entitled 50.6% women lived on khas land and other 50.4%

are landless, this is the violation of human rights. Analysis the SDGs findings in all cases the position of disadvantages people is negative, such as-

- Poverty
- Health
- Education
- Economy and workplace
- Preventing discrimination
- Responsible use of resources
- Peaceful justice
- Development of SDGs

Every kind of lacking and relief has mentioned here but there has not been mentioned about where they live? There has no headache about the land or shelter. So how will be fulfilled the SDGs (2016 to 2030) where there was no initiative has been taken.

#### **5.4 Recommendations**

May the SDGs implementation be successful as the huge success that Bangladesh has shown in the implementation of the MDGs. Ensuring their rights and for preventing the violation the government should take some necessary measures immediately.

- Need specific statistics to know their true condition.
- Enacted the specific law and mention in the constitution of Bangladesh through certain article.
- Taking initiative to the least amount of tk sanctioned by the national budget.
- To ensure their cultural celebration their own motion.
- To ensure their entry at any place
- To allotment the khas land into that's people for removing poverty
- To ensure their basic rights like food, education, treatment etc.
- To ensure the job market at social level with proper social security
- To enact the Prevention of discrimination Act of that community.

#### **5.5 Conclusion**

It will be a good matter that when the government of Bangladesh would be identified the problem. The main objective of the government is to establish human rights, improve socio economic condition and provide permanent housing to the Bede community so that they can live without any discrimination in any way. If the government prepares to solve problems in a research way, it will gradually identify other problems and create a mindset of finding solutions.

## CHAPTER SIX

### Recommendations

1. It is true that, everyone has the right to live, and a permanent place to live is needed, be it more or less. Freedom of live and permanent land is a fundamental right for all community. But the thesis express that the 100% percent Bede people are shelterless. Whereas they have no land or shelter that's why their children and female member feel insecure and far away from the social safety. Naturally they are compelled to accept their fate.
2. Government and their development organization should recognized the special need must be land settlement of the Bede community who are belong to the under sky on the boat.
3. Government should include the issue poverty situation.
4. I suggest that the NGOs and high societies Donner should take initiative to provide the khas land for settlement or taking way out like Donnet the least amount of taka as they purchase the land where they live.
5. The government should ensure legal facilities for the Bede people as they claim any legal facilities as well as make sure their social acceptance and job market.
6. Bede community uses the same water for drinking, cooking and using in other household purposes. Since the natural situation is risk so sanitation, hygiene and household by the Bede communities are highly injurious. So the government should ensure the water, health, sanitation, housing and other environmental safety as soon as possible implemented within Bede community.
7. As soon as possible governmental authority would be enacted new law for establishing the rights of the Bede people.
8. Although several countries in south Asia have been taken many measurements to improve the Dalit Harizon and Bede community, the government has not been success to pass new legislation to reduce discrimination and property. Basically, where there is equality, there is no respect and live with each other. Although the constitution stated that to ensure equal opportunities for all citizen, the law has been suspended with different promises Achieving the SDGs should take into account the 80,000 Bede people and ensure land rights as a human rights.
9. In 2010, separate funds were sanctioned to improve the living standard of that community, but after 2011 although the government started working to improve the situation by the Social security diversion program through the ministry of social welfare but the government suddenly stopped sanctioned for that community in 2018-2019 allocating the budget in the name of backward section that's why they are all deprived from the governmental budget .So the government should be the financial budget sanctioned in the name of that community specifically because of the can use that money for purchasing the land for settled.

10. The Bede People as a citizen of Bangladesh so it should be promoted in the community as well as in political or local powerful people to help them and negotiate the other NGOs so that establish their rights with creating the household.

## **Conclusions**

From the point of my view the Bede community is belong to under poverty line because of they are nomadic they have no permanent land, they are regularly deprived from the social or local people as well as they deprived of their basic needs. They have lack of political freedom, economical problems, and also deprived of the attention of the government. From the study expressed that they would be vanished immediately from our culture and our society until the government can ensure their land and living status, so hoped to the government as well as the NGOs to help the Bede community for managing a piece of land or any one home and one farm project as they don't vanished from my culture and ensure their freedom of movement and ethnic culture. From this point of view if there is need from the international community or legislation that will be used to the national level and also state authority and different agencies to engaged with nomads and ensure their retention in a fair and participative manner to the regulations regarding land tenure and the use of natural resources. It is high time to ensure proper rights of the Bede community based rehabilitation and ensure basic human rights.

## **REFERANCE**

### **PRIMARY SOURCES:**

#### **LEGAL INSTRUMENT**

1. UDHR
2. ICCPR
3. IACtHR
4. The Constitution of Bangladesh
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