

A lot has had happened since word spread that one Marma girl was allegedly raped, and another molested, by members of security forces last month. The claims led to a confusing chain of events involving state forces and rights activists which rapidly escalated the crisis. On one hand, a court ordered the girls to be handed over to the custody of their parents, against their wishes. On the other hand, the queen of the Chakma circle Rani Yan Yan accused the security forces of assaulting her and her volunteers. *Star Weekend* takes a step back to evaluate the whole situation.

The chaos around the rape allegation

The entire question of whether or not one girl was raped and another was molested is now being thrown into question because of the actions taken by the government authorities during investigation.

A team of doctors inspected the girls but submitted an inconclusive medical report to the court on January 31. "The report only stated that further investigation was necessary, for which the girls would need to be taken to Chittagong Medical College Hospital (CMCH) because our hospital does not have the facilities required," states Dr Nihar Ranjan Nandi, the acting Civil Surgeon in Rangamati. The report was prepared by a medical investigation committee headed by gynecologist Dr Hena Rani Barua. In spite of multiple attempts by *Star Weekend*, Dr Barua could not be reached over the phone to explain her reasons for recommending that the girls be taken to CMCH.

"Rangamati Sadar Hospital routinely handles the medical investigation of rape cases. Why was this any different?" asks Sushmita Chakma, one of the sisters' lawyers. The girls turned up only a day after the incident reportedly happened to them, says the advocate. Any wounds they may have sustained, would have still been detectable. "The older girl was also bleeding, and taking medicine to stop it," adds Sushmita.

Would a medical investigation conducted now be successful, since a month has passed by already? Rights advocate Sultana Kamal is doubtful. "It is very difficult to collect evidence after a month," she says.

She also questioned why the Rangamati court did not immediately direct the girls towards CMCH when they received an inconclusive report. The medical report was submitted to court about a week after the girls reported the incident.

The absence of medical evidence will jeopardise the girls' claims. Meanwhile their version has been refuted by the Inter Service Public Relations Directorate (ISPR). Lt Col Rashidul Hasan, director of ISPR, reiterated that no such incident happened. "The Ansar was conducting a search in the village (Orachhori) and they went inside the house where the sisters live. One of the Ansar members probably put a hand on the older sister's arm and she screamed out. An army unit was patrolling nearby, so they went inside to see what was happening."



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PHOTO: PRABIR DAS

says Lt Col Hasan.

The girls' version, which was translated by Rani Yan Yan for *Star Weekend* claims that the incident happened when four men from the security forces came to their house and took away the parents for questioning.

"Two of these four men went inside their house, with the torchlight on, checked the rooms and left. They went back inside a second time, but left again. The third time, they turned off the torch and got inside a room where the two sisters and their seven-year-old brother were," she adds. She then goes on to describe how the men took their guns out, and told the girls to cover their eyes. They then raped the older sister and

were about to turn to the younger one when she started screaming.

How was this incident treated differently?

This case stood out because of the involvement of the security forces. "The girls checked themselves into the hospital two days after the incident happened and have been under security ever since," says Sushmita Chakma.

"We provided the sisters with protection because the court ordered us to," says the Superintendent of Rangamati Police, Sayeed Taruqul Hassan. When asked about what this court order is, the girls' lawyers

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Why did the police and the parents come to the hospital to take the girls away?

A court order was issued on February 13 directing that the girls be handed over to their parents. A High Court bench told government authorities to facilitate the process. This directive came as a response to a writ petition filed by the father.

"The court gave us an order and we carried it out and handed the girls over to their father," says Additional Superintendent of Rangamati police Ruhul Amin Siddiqi.

However, the girls themselves had filed a writ petition a week before their father,

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requesting that their custody be handed over to Raja Devasish Roy and Rani Yan Yan, based on security concerns. The hearing was supposed to be on February 18, but was postponed to February 22. The hearing, which was supposed to be dealt by a single chamber judge, has been assigned a full court.

Sultana Kamal along with Dr Kamal Hossain requested the High Court bench to issue a stay on the order but were not successful. "We requested the judge to take into consideration that the girls have a writ petition pending in court, a fact which was suppressed during the hearing of the father's petition. He however, refused to recall the order," says Sultana Kamal.

That the girls would choose to be in the custody of Devasish and Yan Yan can be justified by the unusual behaviour of their parents. Their father and mother have been noticeably absent from the sisters' bedside. They were not at home either. The parents visited the hospital only twice before they finally took the girls away, Yan Yan told *The Daily Star*. "Each time they came, they were accompanied by people in plain clothes," she added.

"The sisters know for sure that their parents have been intimidated because when they came to take them away on the 25th, they essentially asked their daughters to lie [about the incident]," Yan Yan told *Star Weekend*.

The Deputy Commissioner claims that the parents have been in town the entire time. "The parents have been staying in the house of Avilash Tanchangya, an Awami League leader," says Rangamati DC Mannan. In spite of attempts all week, Avilash Tanchangya could not be reached over phone to confirm this.

The locals barred from access also included human rights activists and lawyers, according to what Yan Yan told *Star Weekend*.

"The sisters have been questioned over and over again by their men. The OC himself came in, charged the girls and took their photos and videos—even though they are rape victims," she says.

"When I spoke to the girls, they were traumatised; they told me they were scared that they were surrounded by the police at all times."

At one point in the live video, Yan Yan cried out in Bangla to an unknown person, "You cannot intimidate and take them away like this!" The live video stopped soon after. Later, in a statement published on Facebook, on February 17 by Raja Devasish Roy and Rani Yan Yan, more details of what happened in the hospital room were described. (Rani Yan Yan confirmed that the statement circulated online was indeed posted by them as an official version).

"At one point, being so incited by the police, the father slapped one of the victims and at another point, the mother slapped another one of the victims," the statement says. This was also confirmed with multiple eyewitnesses.

A statement issued by Raja Devasish Roy and Rani Yan Yan jointly, on their Facebook profiles narrated what happened after Yan Yan's live video ended.

Rani and the volunteers intervened stating that the court order, although

providing custody to the parents, did not provide for the use of force to take them away against their wishes, and therefore, that the victims would have to be arrested in order to be forcibly taken away from the hospital," the statement further reads.

How did the girls leave the hospital?

This is a question with many conflicting answers. Around 7:30 pm, one of the volunteers who had accompanied Yan Yan to the hospital called this correspondent. "They just threw us out of the hospital! They turned off all the lights, pushed us about and dragged us out," said the agitated volunteer. "We don't know where the Rani is anymore." Her identity is being

"Around 7:30 pm, eight to 10 women in civilian clothes, wearing scarves and/or mouth masks, and around six men in civilian clothes wearing mouth masks, and who were issuing orders to the group of women, entered the ward and attacked the Rani and the woman volunteer in the presence of the victims, their parents and their 10-year old brother," it says.

They kicked and punched Rani Yan Yan and the other woman volunteer, who were both thrown to the ground and beaten further. The volunteer was not only beaten, but sexually molested by the men, while the women held her and dragged her down the stairs. Both were dragged out physically into the corridor and then downstairs. This group was then joined by



PHOTO: PUSHPO CHAKMA

kept anonymous to protect her.

A few minutes later, the sisters' lawyer Sushmita Chakma called this correspondent to say that the Marma sisters had been taken away and that the Rani could not be found. "The girls got into a car that looked like a silver Noah," she said.

The Additional Superintendent of Rangamati Sadar police Ruhul Amin Siddiqi then informed this correspondent that the police did not escort them out of the hospital. "We handed over the girls to their parents in the evening... We however don't know where they are now, or where they have been taken," he had said.

Rangamati police SP Hassan however later told this correspondent on February 18, that the girls had been taken out of the hospital in a police car. They then turned up at the house of Avilash Tanchangya.

What happened to the Rani?

About an hour after the girls left the hospital, Rani Yan Yan was found, beaten up and bruised. She informed our Chittagong correspondent that she had minor head injuries.

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another six men downstairs, in civilian clothes."

"After dragging the Rani and the woman volunteer downstairs, the group of attackers separated the two, and while they took the Rani to the rear corridor, they took the volunteer to the corridor leading to the front foyer," it adds.

"While the Rani was being beaten and dragged to the rear corridor leading to the rear entrance of the hospital, she heard the attackers saying: 'If we are to finish this off, we cannot do it here, it has to be done outside the hospital.'" Yan Yan then made a run for the nearest boundary wall and hid in a ditch for half an hour before seeking help from people nearby.

It is unclear who these people in civilian clothes were, whom the Raja and Rani are accusing for the attack. "Only the police was present at the hospital on the day the girls were being taken away," claims the police Superintendent Hassan.

Lt Col Rashidul Hasan, director of ISPR was also asked whether anyone from the military was present in plainclothes.

"There was no military personnel at the hospital with the girls," he states, "the police was tasked with providing security not army. So the army did not go to the hospital."

DC Mannan reiterates the same. "Unless

of course anyone went in disguise, in which case, we wouldn't know of course," he says.

He also adds this, "It is my strong belief that nobody can hurt the Rani."

So which security forces were at the hospital? "The police were providing support to the parents," confirms Additional SP Siddiqi, "but no high-level policeman was present. Only constables and such. I went to visit once and left the spot soon after. I was not there when the girls left with their parents." *Star Weekend's* request to be connected with a police officer who was an eye witness was not accepted because all the cops present were junior officers who are not allowed to talk to the media.