



ILLUSTRATION: KAZI TAHSIN AGAZ APURBO

I am not going to parse my words over this one. Bangladesh has practically decriminalised the rape of Jumma women. By "decriminalisation", I do not mean it from a legal perspective but rather that, by creating an environment of impunity for criminals, the state has made it politically and socially acceptable for anyone to rape Jumma women and not face any consequences for it. This decriminalisation, I argue, is part of a larger political strategy of dispossession of the Jumma people from their land.

Rapes that take place in the CHT are dealt with politically and the state policy appears to be one of impunity. Advocate Samari Chakma, who practices in Khagrachari judge's court, pointed out in an article published in *Thotkata*, a feminist blog, that when an indigenous woman is raped in the CHT, the police refuse to accept the case in court and indigenous activists and lawyers have to appear at the police station with the victim and her family and put pressure on the police officer to register the rape case. The doctors are reluctant to do a rape test and are pressured to produce negative tests.

Chakma cites a case in February of that year, of a ninth grader who had been raped by two Bengali settlers following which her mother filed a case at the local police station.

Even though the perpetrators were identified by the girl in her statement, the medical report came out negative.

In another case in 2012, following the abduction and gang rape of a 16-year-old girl in Laxmichhari, Khagrachari, the doctor at the district hospital found no sign of rape three days after the incident. Family members of the victim alleged that the medical report was fabricated and that the doctor in fact had never examined her. Of the 215 cases of violence against women

between 2010-2011 documented in a study commissioned by the CHT Commission titled *Marginalisation and Impunity: Violence Against Women and Girls in the Chittagong Hill Tracts*, no convictions have taken place so far.

According to Kapaeng Foundation, a human rights organisation established in 2004 which works for the promotion and protection of the rights of indigenous peoples of the country, a total of 58 indigenous women and girls were sexually and physically assaulted.

Continued to page 7

WHAT DOES IT MEAN TO CELEBRATE INTERNATIONAL WOMEN'S DAY IN BANGLADESH WHERE VIOLENCE AGAINST JUMMA WOMEN IS NORMALISED?

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in 2016. Of them, 28 were indigenous women from the CHT. As per their latest report, which will soon be published, in 2017 an estimated 56 indigenous women were sexually or physically assaulted by 75 alleged perpetrators, most of them non-indigenous. Researcher Bina D'Costa, who led the 2014 CHT Commission study, points out that the protracted and intense use of force by the security forces also produced a culture of violence in the region— "Not only are indigenous women disadvantaged relative to nonindigenous women in Bangladesh, but in a context of

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Continued to page 7

HUMAN RIGHTS VIOLENCE AGAINST JUMMA WOMEN *After page 6*

perpetual conflict, indigenous women have become disadvantaged at the hands of their own indigenous men." The study also emphasises that "Impunity has been the single most crucial factor contributing to increasing incidents of SGBV [sexual and gender-based violence].

Kabita Chakma, coordinator of the CHT Jumma Peoples Network of the Asia Pacific, and Glen Hill of Australian National University, noted that the CHT is administered in a way that resembles colonial practices and the state's attitude towards the Jumma people is a manifestation of that. They have argued that "sexual violence against indigenous women have been instrumental in the forced relocation of Jummas from their homes and lands." Jumma families, and in some cases, communities, have been forced to leave their ancestral homes and relocate elsewhere in the CHT, which then allowed their lands to be taken over by the state.

According to Dina Siddiqi, the signing of the CHT Peace Accord has normalised military presence in the CHT and has, in fact, been used to maintain constant surveillance in the area and create an environment of fear, intimidation and self-censorship with little hope for justice.

The January 22 rape of a Marma teenager this year, and subsequent assault of her sister allegedly by security forces, and the way in which they were taken away from the hospital under questionable circumstances, take the decriminalisation to yet another level of political acceptance.

Through the news media, we learned that the two sisters (19 and 14 years of age) were attacked in the early morning of January 22 at their home in Orachhari village under Farua Union in Rangamati's Bilaichari Upazila, allegedly by members of the security forces. We also know that the sisters remained illegally confined at the Rangamati Sadar Hospital under strict 24-hour police surveillance until February 15 when a large number of police officers escorted them from the hospital. At first, the police produced a High Court order directing the parents to take custody of the sisters; when the sisters refused to leave with their parents, the security forces turned off the lights of the hospital and forcibly removed the sisters from the premises, according to multiple witness testimonies. When activists put up a resistance, they were assaulted by the security forces at the hospital. The latter was at the hospital for nearly eight hours to carry out this operation.

Since then, the family has been kept under the custody of former Hill District Council (HDC) member Abhilash Tanchangya and no one has been able to visit them or communicate with the family in any way. The only person who has been able to talk to them has been an Australia-trained lawyer calling from the UK who has published a recording of an interview with the former HDC member, who claimed that the sisters were never raped. In the meantime, the activists who were in contact with the Marma sisters

have reported that they are now under constant surveillance. The matter is being "managed" by the mechanism set in place and the powers that be in the CHT which allows criminals to get away with raping Jumma women time and again. In the case of the Marma sisters, this matter needed such drastic "management" for the obvious reason that the alleged in question are members of the security forces, the protection of whose image is a matter of concern that has national and international implications.

The way in which the administration tried to cover up the incident, eventually isolating the family from the activists, illustrates that the authorities are

Chakma nearly twenty-two years ago. Following the rape of Jyoti Singh (Nirbhaya), a medical student in Delhi in December 2012 and a nationwide movement against rape in India, an Indian government committee issued the Justice Verma Committee Report which made recommendations to end military impunity in acts of sexual violence. While the recommendations were very progressive, the Indian government has refused to touch the Armed Forces Special Powers Act (AFSPA). The AFSPA gives impunity to soldiers in Jammu and Kashmir and some parts of the Northeast India and is a tool of oppression against the indigenous people there. In Canada, indigenous women are

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state has been involved in dispossessing the indigenous people from their land, creating enclosures, commodifying land and nature and disenfranchising the indigenous people of the land.

Anthropologist Talal Asad and feminist philosopher Judith

Butler have both argued that there is less moral outrage at state-sponsored violence, it is considered inevitable. This seems to be the case for violence against Jumma women. The elite middle-class know that they are unaffected by such attacks and so the state takes advantage of this apathy of the people to slowly disappear the issue into the nation's blind spot.

The Bangladeshi state apparatuses and society in general

have shown complete indifference to the violence in Jumma women while maintaining military presence in the CHT in the name of the protection of the people. Much of this "protection" is provided to the elite middle-class Bengali tourists—it is not meant for Jumma people. The situation of the Jumma women is trivialised and made invisible in our national narrative. The continued impunity that rapists enjoy in the CHT is evidence of the decriminalisation of rape in the CHT. Under these circumstances, the celebration of International Women's Day in Bangladesh by highlighting statistics of female empowerment and achievement of development goals rings very hollow and seems simply another way of erasing the everyday violence faced by Jumma women in Bangladesh. As long as we deal with the CHT using repressive capitalist policies, there will not be any justice for Jumma people and the whole development rhetoric will remain meaningless.

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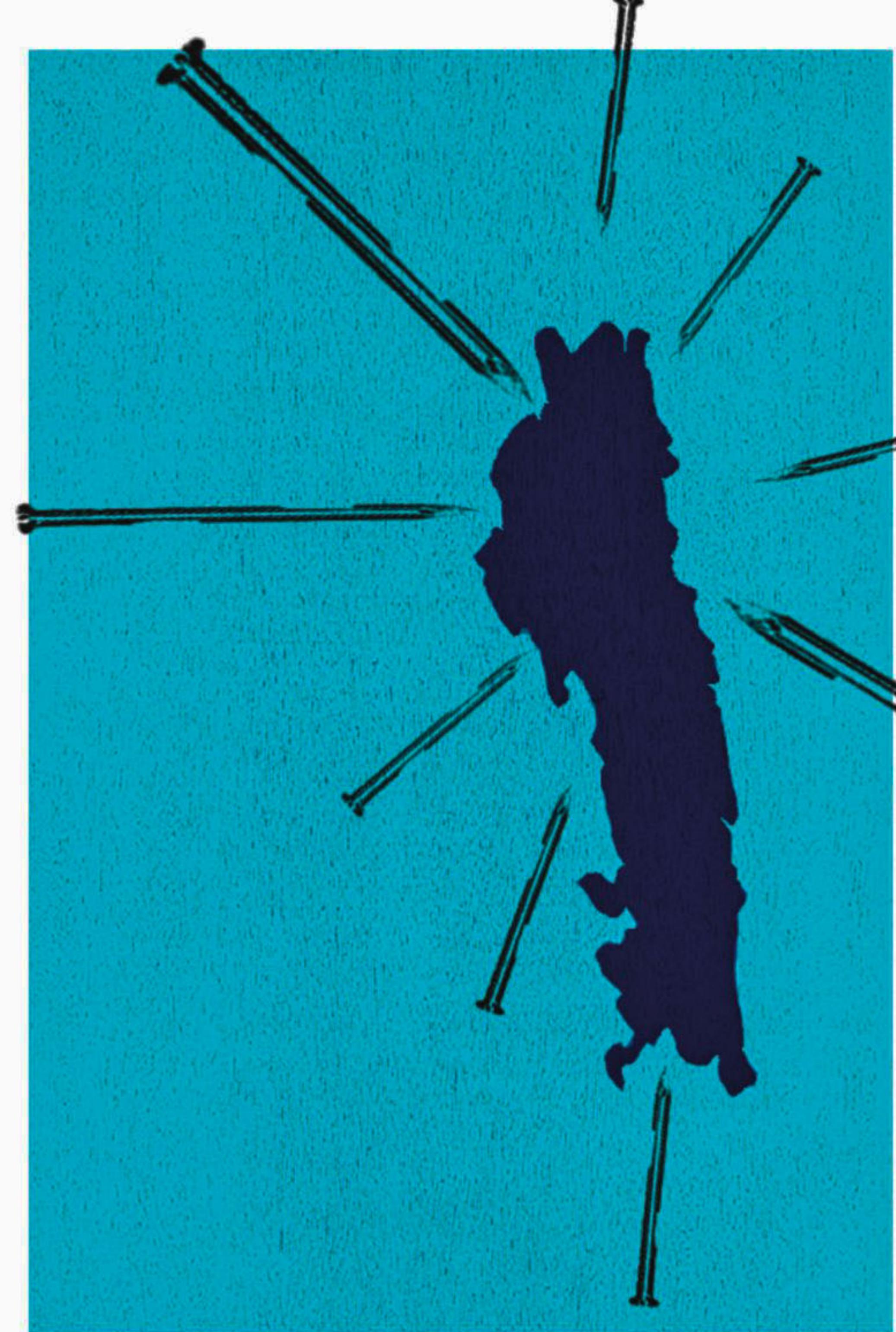


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actively trying to misinform people. The state has repeatedly treated the girls as if they are criminals—first through placing them under surveillance and then through the posting of their photos on Facebook by the superintendent of police while completely removing the two accused from the picture.

We have seen this form of "management" before in the case of the forced disappearance of Kalpana