Indigenous women target of rape in land-related conflicts in Bangladesh
March 15, 2018.- Indigenous women and girls in Bangladesh are increasingly being raped in land-related conflicts, especially in militarized areas. An alarming trend worth reflecting upon on the International Women’s Day 2018.

The latest example of brutal sexual violence against indigenous women and girls in Bangladesh sparked international attention last month when two young indigenous Marma sisters were allegedly raped and assaulted by security forces in Rangamati Hill District. The case showcases the level of violence and vulnerability indigenous women are exposed to daily in Bangladesh.

20 years after the government of Bangladesh signed a peace accord to solve long-standing territorial and natural resources conflicts, violence against indigenous women and girls is intensifying as a tool in the midst of the unresolved conflict. The numbers speak for themselves: incidents of violence against indigenous women have been increasing every year, according to Kapaeeng Foundation.

“What is important to understand is that this violence is driven by unresolved land disputes. The perpetrators are part of an organised strategy to grab their lands, using terror and rape as the main weapon to suppress indigenous peoples’ claims”, explains Pallab Chakma, Director at Kapaeeng Foundation.

In the densely populated country, the struggle over land and resources is extremely present in the everyday life of the communities. Rape continues to be the type of assault that indigenous women are most often victims of.

According to Kapaeeng Foundation’s latest research that will soon be published, only in 2017 an estimated 56 indigenous women were sexually or physically assaulted by 75 alleged perpetrators, most of them non-indigenous. What is more, most of the rape victims were children and girls below 18 years old. All of this without contemplating the many cases that go unreported because the victims fear both retaliation by the offenders and social ostracism.

Indigenous women and girls are left alone in a fragile state of unprotectedness. They face challenges while accessing medical treatment and legal justice, particularly in remote areas, where they navigate a justice system that does not recognise their indigenous languages and cultural traditions. Deep-rooted discriminatory practices such as non-cooperation of local administrations along with lack of adequate treatment, compensation and rehabilitation are naturalised human rights violations.
Hostages of their own land: A continuous struggle driven by land grabbing

The Chittagong Hill Tracts (CHT) is home to 11 different indigenous peoples with a population estimated at 700,000 by the last census in 2011. Since the 1970s indigenous peoples have been claiming violations of the region’s autonomy. The military has played a decisive role in Bangladesh since the nation state was formed in 1971. Its influence over political, economic and social affairs is particularly pronounced in the area, where military officials attest to the fact that one-third of the entire Bangladesh army is deployed.

Land grabbing in the name of ‘development’ interventions, militarization, corporate greed, energy and forestry projects on their ancestral lands have pushed the survival of indigenous peoples in Bangladesh to an alarming state.

The heavy militarization operates in different ways, but when it comes to women’s rights, it aims clearly at intimidating indigenous women and their families through means of violence to push them to stop claiming territory and autonomy. This has been a method used by the army as a counter-insurgency measure for decades, also plainly referred as “a weapon against women” by the CHT Commission.

Statistical data confirms that indigenous women are more likely to be the targets of military violence than Bengali women. Most of the victims who have come forward in cases filed between 2007 and 2017 alleging that police forces have remained non-cooperative. Evidence also shows that many victims were unable to properly file a complaint with relevant authorities due to language barriers, cultural barriers, lack of awareness of the laws, and lack of resources to access judicial support. Even when cases were filed, the authorities themselves obstructed the investigation process.

Kapaeeng Foundation research has also found that doctors at hospitals delay health checkups abetting the evidence to disappear. Similarly, the justice system also tends to be biased towards the perpetrators, who often benefit from powerful connections within the military, police enforcement or local governments.

Even though military presence is argued for promoting conflict resolution, many claims that it has instead worsened the conflicts. Military personnel are often the alleged perpetrators and had largely enjoyed impunity. A study report commissioned by the CHT Commission reveals that not a single conviction had taken place out of 215 cases occurred in the CHT documented by them.

Security forces are reported to be standing by when indigenous communities are being harassed and even driven out of their villages that are looted and burned down, such as the case of the Longadu attack back in June 2017.

Discrimination against indigenous peoples remain at the core

For decades, indigenous organizations, as well as national and international human rights bodies, have systematically documented and raised attention to the excessive military presence and the ensuing human rights violations perpetrated against indigenous peoples in the Chittagong Hill Tracts (CHT) of Bangladesh.

Despite this, there are two key issues that hinder the protection of indigenous peoples, in particular, indigenous women and girls. The non-recognition of indigenous peoples in the constitution and the absence of gender-disaggregated data. Both clearly indicate the state’s unwillingness to recognize indigenous people’s existence and mainstreaming them into the sustainable development process.

“The root of the escalating violence comes down to discrimination at its core. And for indigenous peoples discrimination most often means being deprived of the right to their land - this is the case all over Bangladesh. In the Chittagong Hill Tracts, however, the sexual violence is a result of heavy military presence. It is unspoken that this is one of the most heavily militarised areas in the world with 1 military person per 6 indigenous peoples”, explains Signe Leth Senior Advisor on Land Rights.
Access to justice for survivors: the work on the ground

“Some of the areas where the violence takes place are so remote that you can only reach them by walking”, explains lawyer Projjal Chakma at Kapaeeng Foundation. For him, besides the obstacles of geographical location, the challenge is that there is very little expertise and resource allocation within the justice system to deal with cases against indigenous women.

At the end of 2016, the CHT district had a total of 5000 cases waiting to be solved, of which an average of 15 are filled on the ground of violence against indigenous women and girls. Given the fact that there is only one district court with one judge handling all cases, that meant that maybe 5 of the cases could be processed a day. As a result of this, the system in itself encourages the victims to settle their disputes outside of the courtroom.

The data and testimonies collected by lawyers and activists have helped raise awareness of the situation on the ground and presented at the UN Committee on the Elimination of Discrimination against Women (CEDAW) in 2016.

The recommendations that were made to the government of Bangladesh have raised hopes and given civil society more tools to demand from the government protection of the rights of indigenous women. It remains unseen how the government will adhere to their duty to effectively investigate all reports of gender-based violence against indigenous women.

These atrocities and the continued fight for justice for indigenous women in Bangladesh will be at centre of attention next March 8th when the Bangladesh Indigenous Women Network (BIWN) and Hill Women's Federation (HWF) will hold a discussion meeting in Dhaka.

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