

MARGINALISATION AND IMPUNITY

Violence Against Women and Girls in the Chittagong Hill Tracts

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Study commissioned by the
Chittagong Hill Tracts Commission

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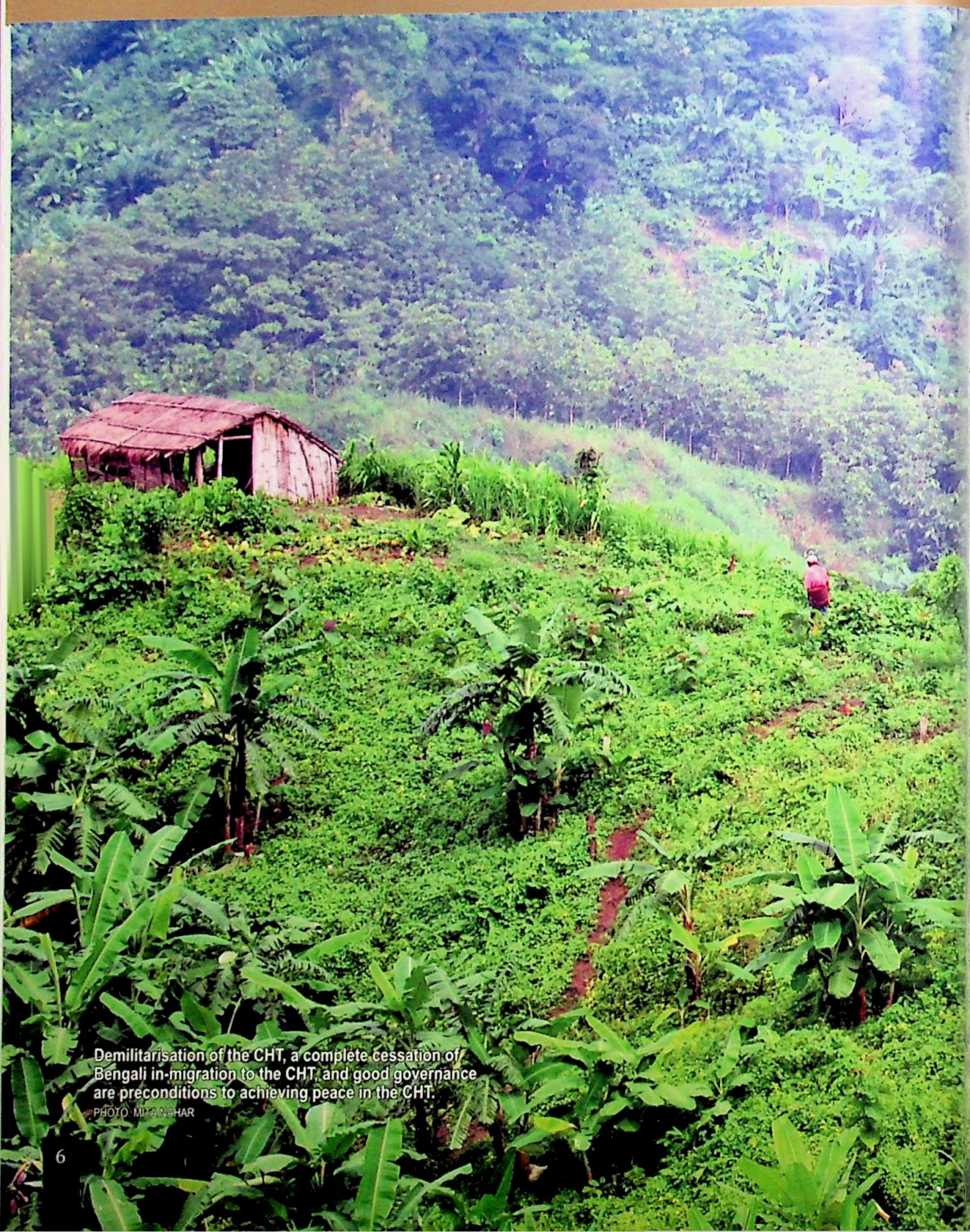
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Selected Abbreviations and Acronyms

ASK	Ain o Shalish Kendra
BGB	Border Guard, Bangladesh
BIWN	Bangladesh Indigenous Women's Network
BLAST	Bangladesh Legal Aid and Services Trust
BMP	Bangladesh Mohila Parishad
CEDAW	The Convention on the Elimination of All Forms of Discrimination Against Women (1979)
CHT	Chittagong Hill Tracts
CHTC	Chittagong Hill Tracts Commission
CHTRC	Chittagong Hill Tracts Regional Council
DEVAW	The United Nations Declaration on the Elimination of Violence against Women (1993)
HDC	Hill District Council
PCJSS	Parbatya Chattagram Jana Samhati Samity
RAB	Rapid Action Battalion
RTI	Right to Information Act (Bangladesh)
SGBV	Sexual and Gender-Based Violence
UN	The United Nations
UNDRIP	United Nations Declaration on the Rights of Indigenous Peoples (2007)
VAW	Violence against Women
VDP	Village Defense Party

Selected Glossary

Adibashis: Indigenous Peoples
Gram: Villages
Jum: Shifting Cultivation
Jumma: Collective term for the Indigenous Peoples of the CHT
Karbari/Karbaries: Village Chiefs
Shanti Bahini: 'Peace Force', the military wing of the PCJSS
Shanti Chukti: Peace Accord
Nari O Shishu Nirjaton Domon Ain: Suppression of Violence against Women and Children Act, 2000 (amended in 2003)
Upazila/Thana: Sub-districts



Demilitarisation of the CHT, a complete cessation of Bengali in-migration to the CHT, and good governance are preconditions to achieving peace in the CHT.
PHOTO: MITA NAHAR

Executive Summary

Bangladesh is a signatory to a number of international conventions intended to secure women's rights. Drawing from various international human rights instruments, such as the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP), 2007; the Convention on the Elimination of Discrimination Against Women, 1979 (CEDAW); the UN Security Council Resolution 1325 (2000) and the UN Declaration on the Elimination of Violence against Women, 1993 (DEVAW) this report examines selected cases of violence against women and girls in the Chittagong Hill Tracts (CHT) in 2011 and 2012. This report also discusses relevant legal contexts and, based on four key principles, provides recommendations to the government and civil society to address violence against women and girls in the region.

The report emphasises that militarisation and transmigration programs illegally settling Bengalis in the CHT that started in full swing from 1976 onwards have created extreme vulnerability and poverty for the Indigenous Peoples, and have deeply affected indigenous women and girls' safety and security in the CHT.

Impunity has been the single most important factor contributing to increased incidents of sexual and gender based violence (SGBV) in the CHT. The biases of the administrative, political and judicial systems prevent access to equality and justice by Indigenous Peoples and minorities. This report stresses that the relationship of Indigenous Peoples with law enforcement agencies is vitally important in the CHT. Local authorities and police stations have more political influence and fewer financial resources, both factors that can be obstacles in addressing SGBV.

Based on the following key principles, the CHT violence against women (VAW) study provides specific recommendations to the Government of Bangladesh and to civil society:

- A strong political will to bring peace and stability in the CHT must begin with the demilitarisation of the region as stipulated in the 1997 CHT Accord. Demilitarisation of the CHT, a complete cessation of Bengali in-migration to the CHT, and good governance are preconditions to achieving peace in the CHT.
- Voluntary resettlement of Bengalis who have illegally occupied lands that belong to the Indigenous Peoples must be carried out systematically by the state authorities.
- Sustainable gender-sensitive and gender-responsive development projects combating the poverty and inequality of indigenous communities in the region must be endorsed.
- All stakeholders must recognise that the end to impunity is fundamental and urgent, and that without adequate, effective and impartial enforcement of relevant laws, violence against indigenous women and girls cannot be mitigated.



Context

The Chittagong Hill Tracts (CHT) in Southeast Bangladesh consisting of the districts of Rangamati, Khagrachari and Bandarban, is the home of at least 11 diverse Indigenous Peoples.[1] The Adibashis (Indigenous Peoples), often termed Paharis (hill dwellers), are easily distinguishable from the people of the plains in terms of their ethnicity, socio-cultural and religious practices and economic activities. Because of their traditional practice of shifting cultivation they are also collectively referred as 'Jumma'[2] people. Various CHT political communities, including women's groups, also use this self-identification in framing their own Adibashi/Jumma advocacy strategies.[3] In this report, the terms Indigenous Peoples, Adibashis and Jumma have been used interchangeably to refer collectively to all the indigenous groups of the CHT.

---

1 Depending on the bases of classification, some authors note that there are 12 or more different ethnic groups in the CHT. For example see, Panday, Pranab Kumar and Jamil, Ishtiaq, 2009, 'Conflict in the Chittagong Hill Tracts of Bangladesh'; Adnan, Shapan and Dastidar, Ranabir, 2011, Alienation of the Lands of Indigenous Peoples in the Chittagong Hill Tracts of Bangladesh. Note that the 1991 census erroneously listed Mro and Murang as two separate groups.

2 van Schendel argues that the Jumma identity was constructed as a bid for ethnic innovation to cope with marginalisation and loss of power. van Schendel, Willem, 1992, 'The Invention of the Jummas'.

3 The Parbatya Chattagram Jana Samhati Samiity (PCJSS)—the party that led the armed struggle against the state also advocated the notion of 'Jumma' people.



Women rights activists gather from the three hill districts to protest the rape and killing of an indigenous woman in February 2014.

PHOTO: MITA NAHAR

The CHT has geo-political and strategic significance for Bangladesh and South Asia, due to its location and proximity to India and Burma/Myanmar, and the porosity of the border; its richness in natural resources; and the historical, political and social contexts. Demands for indigenous rights, deeply embedded in the struggle for self-determination, survival and land rights in the CHT have been ruthlessly suppressed by the Bangladeshi state, contributing to massive political violence, killings, and displacement over the years.

A range of repressive strategies have been employed by the Bangladeshi state in the CHT affecting the Indigenous Peoples. First, militarisation of the CHT, through a huge military presence in the region and the deployment of other security forces such as the police including the Rapid Action Battalion (RAB), an elite anti-crime and anti-terrorism unit of the Bangladesh police; the Border Guard Bangladesh (BGB), a para-military force; the Village Defense Party (VDP), a voluntary para-military force recruited largely from Bengali settlers and trained by

the police; and the intelligence agencies, in disproportionate numbers.[4] Second, policies aimed at changing the demography of the indigenous areas through different government-sponsored transmigration programs of Bengali settlers from the plains to the CHT region. And, finally, discriminatory practices, such as restricted access to educational, social and healthcare services for Adibashi communities, especially the smaller ethnic groups, living in remote and rural areas of the hills, as well as rigid funding regulations for international organisations, NGOs and community groups.

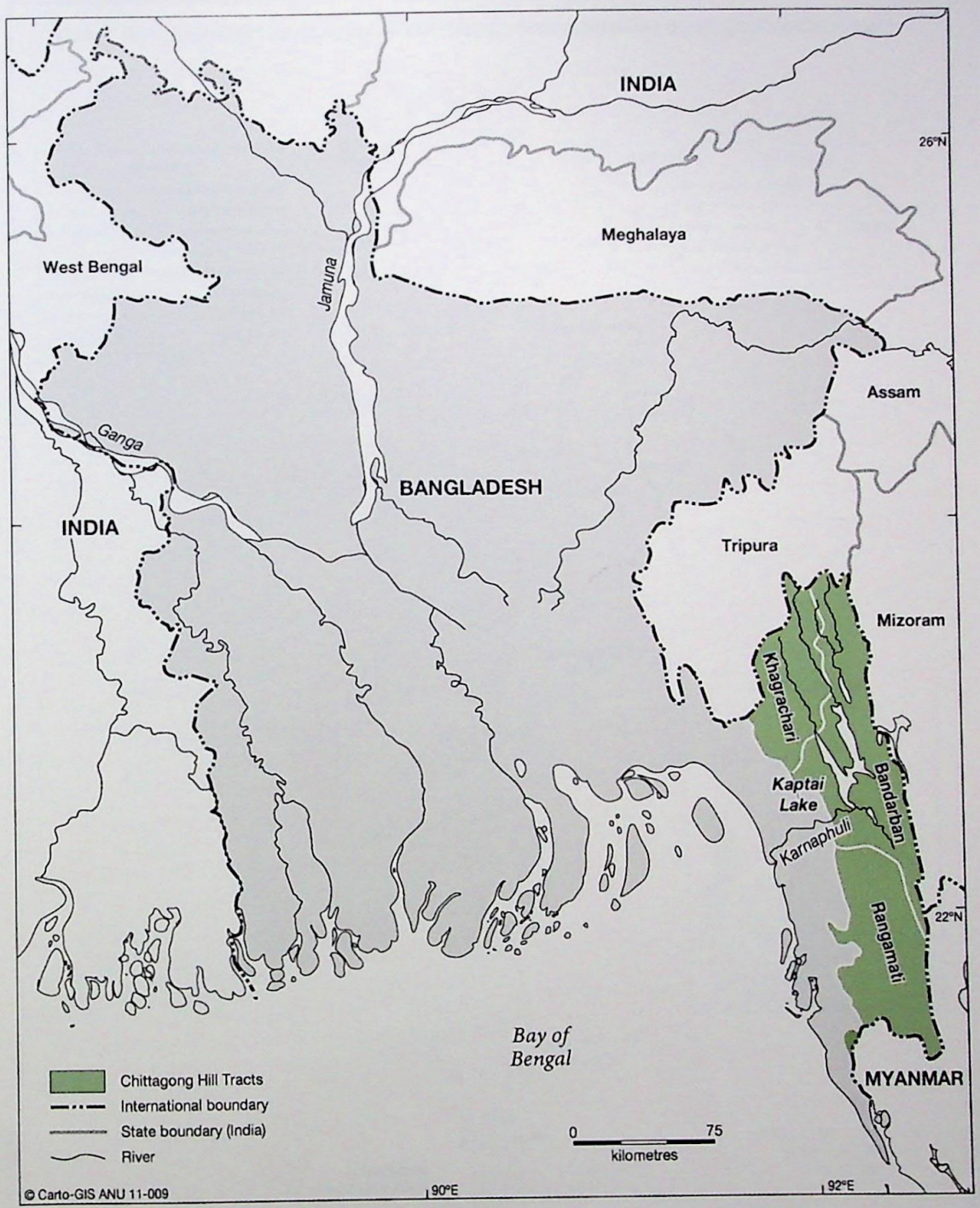
The Chittagong Hill Tracts Accord 1997, popularly known as the Peace Accord (*shanti chukti*), signed on 2 December 1997, formally marked an end to more than two decades of armed conflict and demands for autonomy by the Indigenous Peoples of the CHT. Nearly 20 years after the armed conflict, little progress has been made in implementing the Accord, in particular the most contentious of the provisions of the Accord such as demilitarisation, settlement of land disputes, rehabilitation of the displaced Adibashis, and an end to the transmigration programs. Women and girls have also been severely affected by the armed conflict in the CHT. Unfortunately, the peace negotiations failed to include any indigenous women in the formal and high-level meetings resulting in a gender-blind CHT Accord.

The state failed to prevent the growing incidence of communal violence[5], even after the Accord, and also failed to bring the perpetrators to justice. Through a range of powerful affiliations, collusion or protection (by, variously, the security forces, political parties, law enforcement agencies or the bureaucracy) the perpetrators of violence often succeed in evading justice in the CHT. As a result, indigenous communities, particularly women and girls, have continued to be victims of atrocities including kidnap and abduction, rape, gang rape and torture, as well as being deprived of justice in cases of domestic violence. Such gross violation of basic rights have eroded the confidence of victimised communities in formal justice processes.

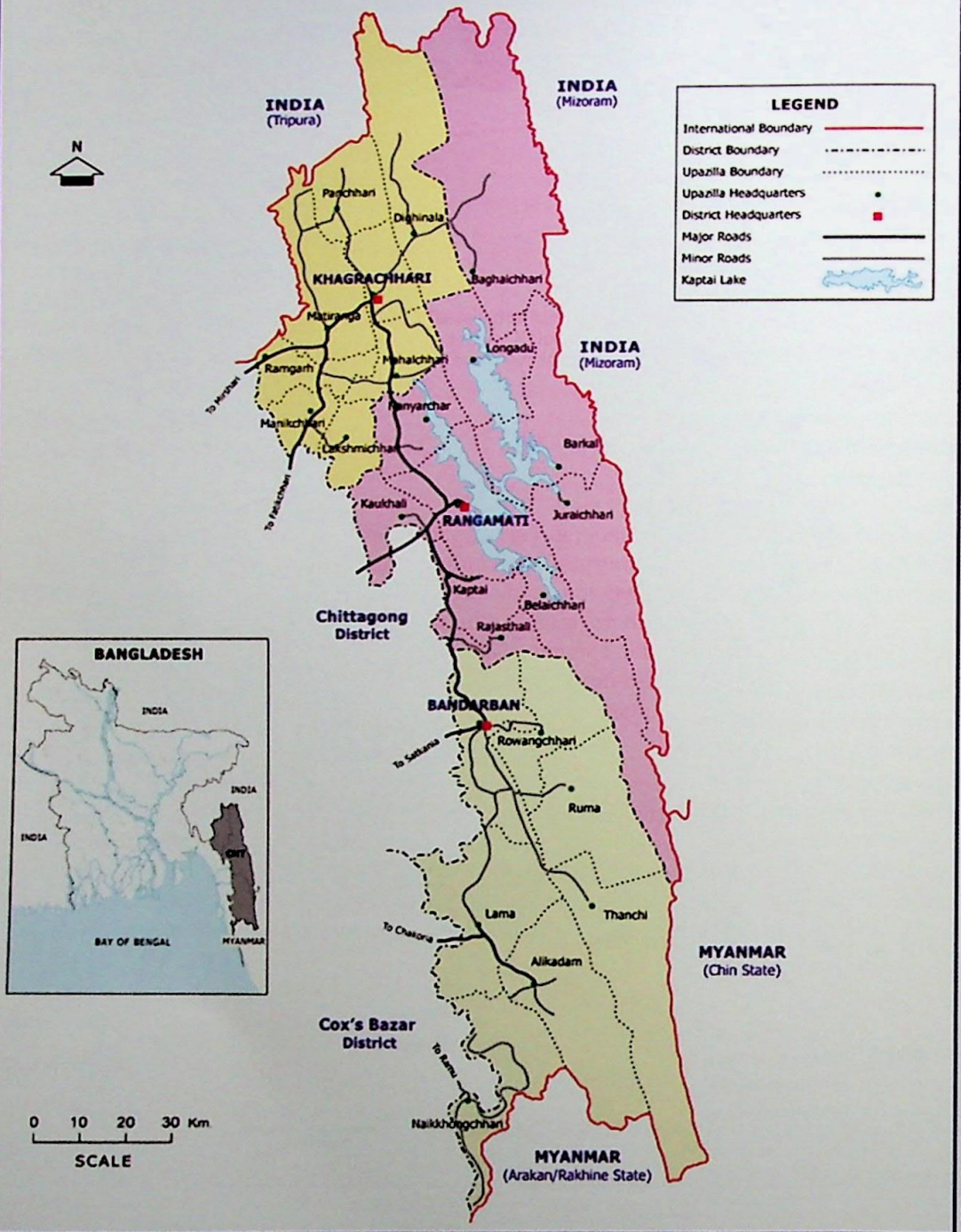
Despite the fact that some cases involving violence against women and girls go to court, especially due to increased involvement of local and national human rights NGOs and activists, indigenous communities, and women in particular, generally continue to lack confidence in the legal system. Uncertainty about complex mechanisms; apprehensions about the intricate bureaucratic hurdles, including dealing with the police, lawyers and judges; and the cost and time it takes to go through formal justice processes are major factors that contribute to such lack of confidence. In contrast, familiarity with indigenous justice mechanisms, personal relationships with community leaders that have developed over a long period of time, and trust, influence family decisions to rely on traditional justice systems. However, as discussed later in the report, indigenous women's rights activists have suggested that this may no longer be a homogeneous view.

4 While it is difficult to verify the exact number of troops, 35,000 to 40,000 out of a total of 120,000 army personnel is deployed in the CHT. In addition, 10,000 from the BGB and another 10,000 Ansar and Armed Police Battalions (APBn) personnel are also deployed in the region. For details see, IWGIA, 2013, Militarization in the Chittagong Hill Tracts, Bangladesh, p.12

5 For example, after false claims that a Buddhist youth defamed Islam and the Holy Qur'an on Facebook, 12 Buddhist temples and approximately 50 Buddhist homes were set on fire in Ramu, Cox's Bazaar in September, 2012.

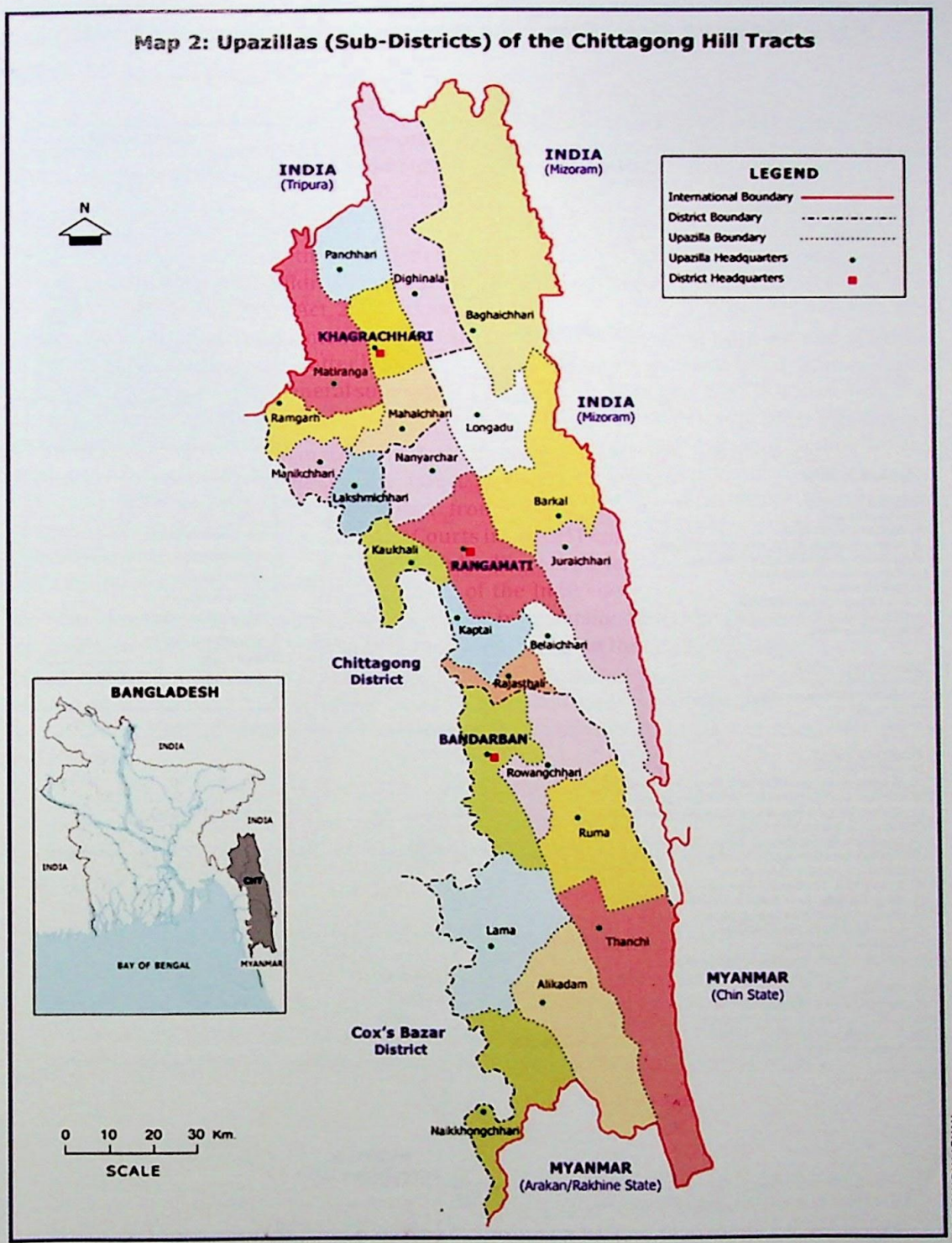

INDIA
26°N
Meghalaya
West Bengal
Jamuna
Assam
Ganga
BANGLADESH
INDIA
Tripura
Mizoram
Khagrachari
Kaptai Lake
Bandarban
Karnaphuli
Rangamati
22°N
Bay of Bengal
MYANMAR
Chittagong Hill Tracts
International boundary
State boundary (India)
River
0
75
kilometres
© Carto-GIS ANU 11-009
90°E
92°E

Map 1: Districts, Road Networks and the Kaptai Lake in the Chittagong Hill Tracts



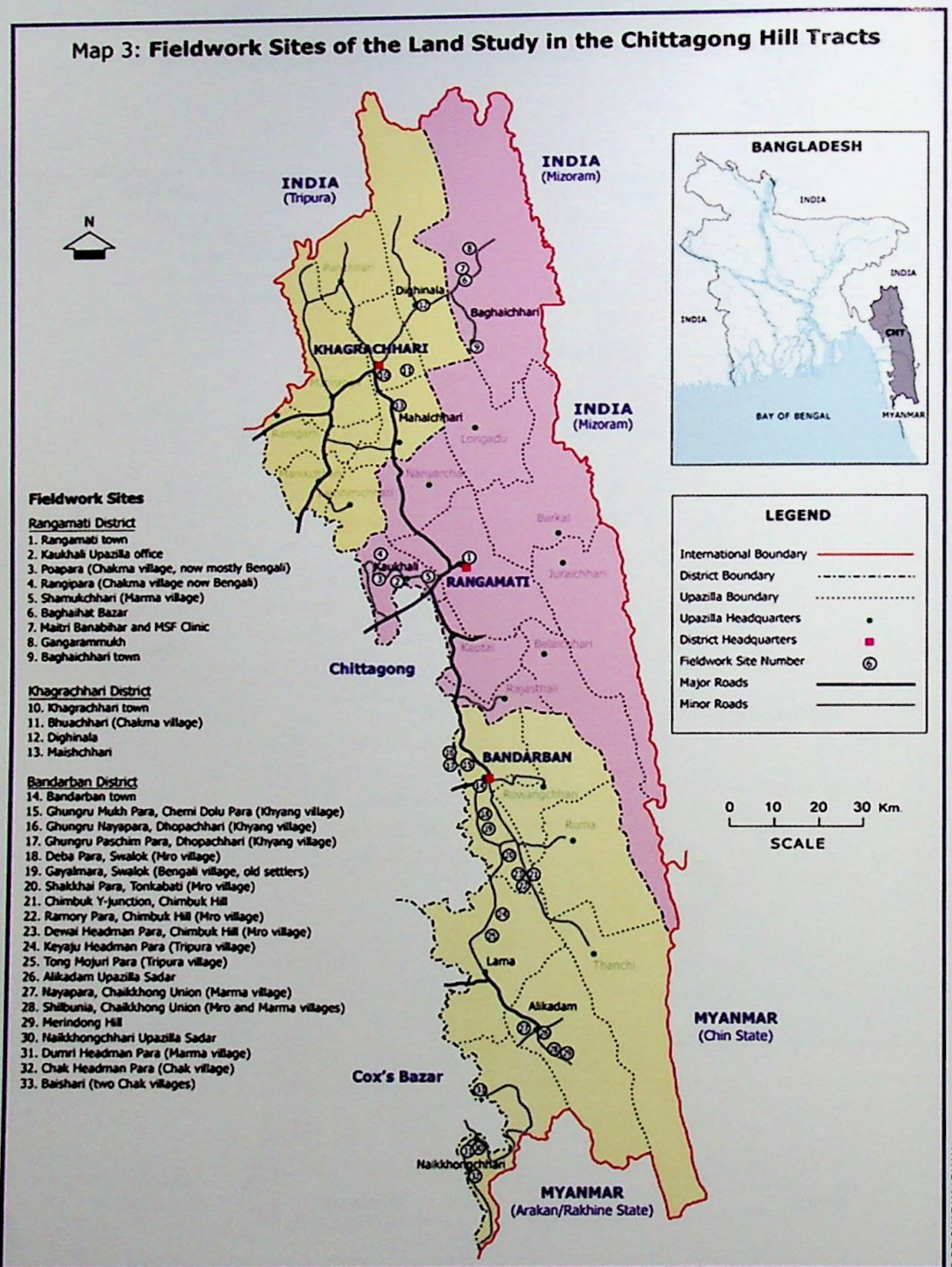
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Map 2: Upazillas (Sub-Districts) of the Chittagong Hill Tracts



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Map 3: **Fieldwork Sites of the Land Study in the Chittagong Hill Tracts**



Fieldwork Sites

Rangamati District
1. Rangamati town
2. Kaukhali Upazilla office
3. Poapara (Chakma village, now mostly Bengali)
4. Rangipara (Chakma village now Bengali)
5. Shamukchhari (Marma village)
6. Baghaihat Bazar
7. Maitri Banabihar and MSF Clinic
8. Gangarammukh
9. Baghaichhari town

Khagrachhari District
10. Khagrachhari town
11. Bhuachhari (Chakma village)
12. Dighinala
13. Maishchhari

Bandarban District
14. Bandarban town
15. Ghungru Mukh Para, Chemi Dolu Para (Khyang village)
16. Ghungru Nayapara, Dhopachhari (Khyang village)
17. Ghungru Paschim Para, Dhopachhari (Khyang village)
18. Deba Para, Swalok (Mro village)
19. Gayalmara, Swalok (Bengali village, old settlers)
20. Shakkhai Para, Tonkabati (Mro village)
21. Chimbuk Y-junction, Chimbuk Hill
22. Ramory Para, Chimbuk Hill (Mro village)
23. Dewai Headman Para, Chimbuk Hill (Mro village)
24. Keyaju Headman Para (Tripura village)
25. Tong Mojuri Para (Tripura village)
26. Alikadam Upazilla Sadar
27. Nayapara, Chaikkhong Union (Marma village)
28. Shilbunia, Chaikkhong Union (Mro and Marma villages)
29. Merindong Hill
30. Naikkhongchhari Upazilla Sadar
31. Dumri Headman Para (Marma village)
32. Chak Headman Para (Chak village)
33. Baishari (two Chak villages)

© DR SHAPAN ADNAN

International Framework: Human Rights Norms and Instruments

The UN Declaration on the Rights of Indigenous Peoples (UNDRIP), adopted by the General Assembly on 13 September 2007 is the most comprehensive international instrument dealing with Indigenous Peoples' rights.[6]

> Article 22.2 asserts: 'States shall take measures, in conjunction with Indigenous Peoples, to ensure that indigenous women and children enjoy full protection and guarantees against all forms of violence and discrimination.'

The Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW, 1979) requires measures to ensure that women can enjoy, on an equal basis, human rights norms codified in other human rights treaties. CEDAW, ratified to date by 175 states including Bangladesh, also specifically deals with women living in rural locations, which has significance for indigenous women's rights in Bangladesh. CEDAW calls for national action to end discrimination against women. Bangladesh acceded to the CEDAW Convention on 6 November 1984 and subsequently ratified the Optional Protocol on CEDAW in 2000. The National Women's Development Policy in 2011 also expressly refers to CEDAW, and pledges gender equality in various sectors. Bangladesh is also a signatory to the Beijing Declaration and endorsed its Platform of Action.

More recently, CEDAW's goals have been further advanced through a women, peace and security focus: UN Security Council Resolutions 1325 (2000), 1820 (2008), 1888 (2009), 1889 (2009), and 1960 (2010), acknowledge the important role of women in the prevention and resolution of conflicts and in peace-building, and advocate the importance of their equal participation and full involvement in all efforts for the maintenance and promotion of peace and security.

This report draws on the UN Declaration on the Elimination of Violence against Women (DEVAW) in 1994 and the Inter-American Convention on the Prevention, Punishment and Eradication of Violence against Women (IA-VAW) both of which explicitly identify rape as a form of violence against women (VAW).[7]

> Article 2, IA-VAW notes, violence against women shall be understood to include physical, sexual and psychological violence:
>
> '-that occurs within the family or domestic unit or within any other interpersonal relationship, whether or not the perpetrator shares or has shared the same residence with the woman, including, among others, rape, battery and sexual abuse;

6 The United Nations Declaration on the Rights of the Indigenous Peoples. Available at, http://www.un.org/esa/socdev/unpfii/documents/DRIPS_en.pdf

7 Please note, while IA-VAW does not apply to Bangladesh, this definition is useful here for conceptual purposes. The Inter-American Convention on the Prevention, Punishment and Eradication of Violence against Women, adopted on 6 September, 1995. Available at, http://www.oas.org/juridico/english/sigs/a-61.html

-that occurs in the community and is perpetrated by any person, including, among others, rape, sexual abuse, torture, trafficking in persons, forced prostitution, kidnapping and sexual harassment in the workplace, as well as in educational institutions, health facilities or any other place; and

-that is perpetrated or condoned by the state or its agents regardless of where it occurs.'

DEVAW adopts the language of 'violence against women' by broadening this definition to 'gender-based violence'.[8]

Article 1, DEVAW states:

'any act of gender-based violence that results in, or is likely to result in, physical, sexual or psychological harm or suffering to women, including threats of such acts, coercion or arbitrary deprivation of liberty, whether occurring in public or in private life.'

The Protocol to the African Charter on Human and Peoples' Rights on the Rights of the Women in Africa (ACHPR-APWR) that entered into force in 2005 is the only international instrument that includes economic harm as a form of VAW.[9]

Article 1(b), ACHPR-APWR states:

'Violence against women means all acts perpetrated against women which cause or could cause them physical, sexual, psychological, and economic harm, including the threat to take such acts; or to undertake the imposition of arbitrary restrictions on or deprivation of fundamental freedoms in private or public life in peace time and during situations of armed conflicts or of war.'

In the two decades since the early 1990s, several special international tribunals have been established – either as international or 'hybrid' bodies - to try individuals accused of responsibility for international crimes. The International Criminal Tribunal for the former Yugoslavia (ICTY) and the International Criminal Tribunal for Rwanda (ICTR) were ground-breaking in securing the very first convictions for sexual violence as a war crime, crime against humanity or an act of genocide. It is now recognised that the abuse of women's reproductive capability, to manipulate and affect reproductive outcomes and alter ethnicity, can amount to criminal conduct under international law. The control, manipulation and elimination of reproductive abilities of a specific group, within the Genocide Convention, may in certain circumstances, even constitute genocide.[10] The International Criminal Court (ICC) currently has the most sophisticated regime — legally and procedurally — enabling the prosecution of

8 Declaration on the Elimination of Violence against Women, adopted on 20 December 1993. Available at, http://www.un.org/documents/ga/res/48/a48r104.htm

9 The Protocol to the African Charter on Human and Peoples' Rights on the Rights of the Women in Africa, adopted on 11 July, 2003. Available at, http://www.achpr.org/instruments/women-protocol/

10 D'Costa, Bina and Hossain, Sara, 2010, 'Redress for Sexual Violence before the International Crimes Tribunal in Bangladesh'.



National members of the CHTC discuss the situation of the implementation of the CHT Accord at a roundtable in Dhaka in May 2013.

PHOTO: CHTC

crimes of sexual violence in the international arena. Article 68(1) of the Rome Statute, the ICC's founding treaty, provides extensive powers to the Trial Chamber in relation to witness protection, and Rules 71, 72 and 73 of the Rules of Procedure and Evidence specifically address issues arising in relation to victims of sexual violence. Article 29 of the ICC Code of Professional Conduct for Counsel addresses itself to how the legal counsels are to behave with victims. Insofar as victim reparation is concerned, Article 75 of the Rome Statute has opened the way for extensive possibilities for that purpose. [11] Bangladesh signed the Rome Statute in 1999 and ratified it on 23 March 2010, making it the first South Asian state to do so.

Bangladesh is bound by the following international instruments:

- Universal Declaration of Human Rights, 1948 (UDHR)
- Convention on the Prevention and Punishment of the Crime of Genocide, 1948
- International Convention on the Elimination of All Forms of Racial Discrimination, 1965 (CERD)
- International Convention Civil and Political Rights, 1966 (ICCPR)
- International Convention on Economic, Social and Cultural Rights, 1966 (ICESCR)
- Convention on the Elimination of All Forms of Discrimination against Women, 1979 (CEDAW)
- Convention against Torture, and Other Cruel, Inhuman or Degrading Treatment or Punishment, 1984 (CAT)
- Convention on the Rights of the Child, 1989 (CRC)
- International Convention on the Protection of the Rights of All Migrant Workers and Members of their Families, 1990 (CMW)
- Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women, 1999 (OP-CEDAW)
- Convention on the Rights of Persons with Disabilities, 2006 (CRPD)

With reference to these international instruments and human rights norms, this report examines selected cases of violence against women and girls in the CHT in 2011 and 2012, discusses relevant legal contexts and, based on four key principles, provides recommendations to the government and the civil society to address violence against women and girls in the region.

11 Ibid.



PHOTO: MITA NAHAR

Several investigations by the Government have so far failed to identify any named individual involved with the abduction of indigenous activist Kalpana Chakma. Civil society groups in Dhaka are here protesting one such investigation report.

Gender Justice Advocacy, Transnational and National Networks

Women's activism and coalitions around peace and gender justice developed in the context of a worldwide rise of intolerance, violence and suffering of marginalised groups. At the same time, genocidal conflicts in Rwanda, Bosnia and Kosovo have put civilian security on the front page of the newspapers, with such conflicts rekindling interest in, and recasting, questions of resistance. Against the backdrop of such events, women's activism around the world has increased dramatically. In particular, the UN's Fourth Conference on Women, in Beijing in 1995, advocated the need to share experiences, compare organisational forms and exchange thoughts.

Earlier, in June 1993, a Global Tribunal on Violations of Women's Human Rights was held in Vienna, organised by a feminist coalition called the Global Campaign for Women's Human Rights. This process addressed five interconnected themes: human-rights abuse in the family, war crimes against women, violations of women's bodily integrity, socio-economic violations of women's human rights, and gender-based political persecution and discrimination.[12] In relation to the Rio, Vienna, Cairo, Copenhagen and Beijing conferences,[13] some of the fundamental issues that have been raised, are encapsulated below:

- From the 'women's question' to the women's view of the world, as suggested by women in Rio;
- The notion of rights, which emerged in Vienna from discussion of the inviolability of the female body;

12 D'Costa, Bina, 2011 (2013), Nationbuilding, Gender and War Crimes in South Asia.

13 The United Nations Conference on Environment and Development (Rio, 1992), the United Nations World Conference on Human Rights (Vienna, 1993), the International Conference on Population and Development in (Cairo, 1994), the United Nations World Summit for Social Development (Copenhagen, 1995) and the Fourth World Conference on Women (Beijing, 1995) provided greater access to a wide range of NGOs including Southern women's and indigenous organisations in UN human rights deliberations.

- The meaning of self-determination in relation to body management and to reproductive technologies, as emerged at the Cairo Conference; and
- The relationship between women's movements (in the Global North and South), and civil-society movements regarding development models, as emerged in Copenhagen and again in Beijing.[14]

Beyond these headline meetings, over the last two decades there has been a proliferation of workshops and conferences about women during and following conflict. These enriched conversations among feminists across national boundaries and raised several crucial questions: How to abrogate state-imposed family roles? Is it possible for women to sue for reparations for the multiple burdens of violence sustained at the hands of occupying forces and their own patriarchal communities? What prevents rural women from organising internationally? These and related questions are critical, particularly in the context of justice mechanisms for indigenous women and girls in the CHT.

A notable example of transnational/regional dialogue was the South Asia Conference on 'Recasting Women's Agency and Transformative Strategies' in February 2013 in Nepal. This was the first initiative of UN Women South Asia that brought together 60 leading policymakers, practitioners and activists from Afghanistan, Bangladesh, India, Nepal. Pakistan and Sri Lanka to discuss the human rights challenges that woman face and promoting women's participation in building transformative, just and equal peace. Focussing on the theme of women and peace, these experts used this conference as a platform for sharing experiences and strategies between women across borders. The conference drew particular attention to militarisation and women's vulnerability in the CHT and stressed that the predominance of the national security state mindset have increased women's vulnerability in the region.

Such transnational dialogues have proven to be effective tools for forming strong coalitions of feminists across religious, ethnic and political divides. These coalitions are often able to assess the impact of armed conflict on women, work towards building peace in local communities, contribute to the overall knowledge about gendered approaches to peace-building, and provide information about local initiatives to develop a comparative analysis of feminist strategies. These conversations contribute to an exploration of the practical needs and strategic interests fundamental to women's survival in post-conflict situations. The critical neglect of women's needs in the rehabilitation and reconstruction processes in the aftermath of conflict is a reflection of discrimination faced by them in every aspect of their daily lives.

The first ever National Indigenous Women's Conference of Bangladesh was held in Dhaka in early 2012 and included a total of 23 indigenous women's organisations from the country. Organised by Kapaeeng Foundation and OXFAM, this conference resulted in the formation of an advocacy platform by the indigenous women rights activists and women's organisations named the Bangladesh Indigenous Women's Network (BIWN). A declaration on the concerns of indigenous women was also adopted in the conference. This declaration included the following pledges:

- Leading a united struggle against all kinds of oppression over the indigenous women in the country;

14 Ibid.



PHOTO: CHTC

Indigenous women's solidarity groups gather together to protest against the rape and killing of an indigenous girl by a Bengali settler in 2012.

- Strengthening networking and solidarity among indigenous women's organisations, activists and organisers;
- Continuing movements to ensure indigenous women's participation and representation in society and the state;
- Continuing movements to establish equal dignity and right of indigenous women in the state, society and family life;
- Stressing the need for raising public awareness regarding indigenous women rights;
- Spreading networks at international level to communicate successfully with the international rights organisations.[15]

International, regional and local/national mobilisation in the past three decades, and the international legal understanding and tools regarding violence against women have been clarified and sharpened. Especially, the engagement of state responsibility in terms of due diligence and/or state condoned violence against women is a crucial normative element that has surfaced.

15 For details see, http://kapaeeng.org/1st-national-indigenous-women-conference-held-in-dhaka-indigenous-women-form-a-network-aiming-at-realising-their-rights-through-united-movement/

National Framework: Constitutional and Legal

According to Article 27 of the Constitution of the Peoples Republic of Bangladesh 1972, 'All citizens are equal before the law and are entitled to get equal protection of law'. In addition, Article 28 guarantees non-discrimination and allows affirmative action for certain groups.[16]

> Article 28, the Bangladesh Constitution, 1972
>
> 1)The State shall not discriminate against any citizen on grounds only of religion, race, caste, sex or place of birth.
>
> 2) Women shall have equal rights with men in all spheres of the State and of public life. 3) No citizen shall, on grounds only of religion, race, caste, sex or place of birth be subjected to any disability, liability, restriction or condition with regard to access to any place of public entertainment or resort, or admission to any educational institution.
>
> 4) Nothing in this article shall prevent the State from making special provision in favour of women or children or for the advancement of any backward section of citizens.

However, the reality is very different from the scope and ambit of constitutional rights as guaranteed by law. The 15th Amendment to the Constitution (2011) disregards the equality guarantee by stating that 'the people of Bangladesh shall be known as Bangalees as a nation' while retaining the language inserted by the 5th amendment that 'the citizens of Bangladesh shall be known as Bangladeshis'. Indigenous Peoples rejected this provision and argued that they are Bangladeshis as citizens but not 'Banglaees' as a nation.[17]

In addition, the enactment of the Small Ethnic Groups Cultural Institutions Act, 2010 recognises only 27 of the 'small ethnic groups' in the country whereas indigenous activists point out that there are about 50 indigenous groups in Bangladesh. The Parliamentary Caucus on Indigenous Peoples has discussed a proposal to enact an 'Bangladesh Indigenous Peoples' Rights Act' and under this to set up a 'National Commission on Indigenous Peoples' to ensure the rights of the Indigenous Peoples.

VAW

Violence against women, particularly indigenous women and girls, is a serious concern in Bangladesh. The Penal Code 1860 and the *Nari O Shishu Nirjaton Domon Ain*, 2000 [Suppression of Violence against Women and Children Act, 2000 (amended in 2003)], and the *Acid Oporadh Domon Ain*, 2002 [Acid Crime Control Act, 2002 (amended in 2006)] include specific provisions providing remedies for women and girls against violence. Relevant procedures are contained largely in the Code of Criminal Procedure 1898, and rules of evidence

16 http://bdlaws.minlaw.gov.bd/print_sections_all.php?id=367

17 Also see, CHTC Letter to the Honourable Prime Minister Sheikh Hasina, 12 July, 2011, 'Concern Regarding the 15th Amendment of the Constitution'. Available at, http://www.chtcommission.org/wp-content/uploads/2011/07/CHTCommission_LetterToPM_Constitution.pdf



Violence against women, particularly indigenous women and girls, is a serious concern in Bangladesh.

PHOTO: COURTESY

in the Evidence Act, 1872, or in some of these Acts. In 2009 the National Human Rights Commission Act was enacted, followed by the *Paribarik Shohingshota* (*Protirodh O Shurokkha Ain*, 2010 [the Domestic Violence (Prevention and Protection) Act, 2010]. Bangladesh also criminalised and increased sentences for human trafficking in 2012 under the *Manob Pachar Protirodh O Domon Ain*, 2012 [Human Trafficking Prevention and Control Act, 2012].

The laws mentioned above and a variety of other legal measures which may impact specifically on the situation of indigenous women and girls, include the following:

- The Dowry Prohibition Act 1980 and its amendment in 1986 make dowry practice an offence punishable by fine and imprisonment.
- The Family Court Ordinance, 1985 provides for the exclusive jurisdiction of the court on matters relating to marriage, dowry, maintenance and guardianship, and custody of children.
- The government has also signed the South Asian Association for Regional Cooperation (SAARC) Convention on Preventing and Combating Trafficking in Women and Children, 2002.

A variety of High Court directives since 2009 also addressed gender discrimination, such as framing guidelines against sexual harassment in public places (2010), and directing verification of birth certificates and/or national identification documents (NIDs) for marriage registration to prevent early marriages.[18]

The National Children Policy adopted on 14 February 2011 draws on the principles of the Convention on the Rights of the Child (CRC). The Domestic Violence Act 2010, the Human Trafficking Act, 2011 and the National Child Labour Elimination Policy, 2010 provides various guidelines for child protection.

All forms for VAW fall under the jurisdiction of the Special Tribunals for Suppression against Violence of Women and Children established by Section 26 of the Suppression of Violence Against Women and Children Act, 2000 (as amended 2003). Following a High Court directive on 24 February 2008, the government has also set up such Tribunals in Rangamati, Khagrachari and Bandarban, nearly 8 years after being set up in other parts of Bangladesh.[19] All such courts and tribunals are under the general supervision and control of the Supreme Court.

As raised above, Bangladesh has established Family Courts under the Family Courts Ordinance, 1985 to deal with matrimonial matters, maintenance, guardianship and custody of children. Section 1(2) of the Family Court Ordinance excludes the three hill districts, Bandarban, Khagrachari and Rangamati from its mandate.[20] However, a BLAST study emphasised the need to establish Family Courts in the CHT considering a large number of non-indigenous people live in the region. The study also recommended that Family Courts should not replace the traditional system of justice of the Indigenous Peoples, but rather 'actively reaffirm and safeguard the traditional system by formally linking to it.'[21] There is public interest litigation pending in the Supreme Court seeking that they be established in the CHT.[22]

18 Human Rights Forum, April 2013, Bangladesh Report.

19 BLAST vs. Bangladesh and others ['CHT Courts' Case], Writ Petition No. 6060 of 2006. Judgment: 61 DLR (HCD) (2009) 109. Available at, http://www.blast.org.bd/issues/adivasi/198

20 See, http://bdlaws.minlaw.gov.bd/pdf_part.php?id=682.

21 Ahmad, Maimuna and Chakma, Muktasree Sathi, 2011, Family Courts in the CHT, p.4.

22 BLAST and ASK vs. Bangladesh and others ['Family Courts in CHT' Case], Writ Petition No. 2813 of 2009. Available at, http://www.blast.org.bd/issues/gender/199-2813of2009

Women's Rights and VAW in Bangladesh

In 1995, the United Nations highlighted that, to a greater or lesser degree, women are subjected to violence in all societies regardless of income, class, or culture. [23] Further, it identified that a woman's low social and economic status can be both a cause and a consequence of this violence. The UN Report, the World's Women 2010, emphasises the importance of developing comparative statistics on violence against women, which is a major prerequisite to accurately analysing this phenomenon across time and place, but also concedes that the numerous and varied roots of such violence make this type of monitoring challenging.[24]

Violence against women has long posed a threat to women and girls in Bangladesh. However, existing data measuring VAW are insufficient to provide an accurate picture of the full extent of the problem. Since 1995, the Police Headquarters has collected data from its Thana and district offices on certain incidents of violence against women, including dowry-related violence, acid attacks, abduction, rape, murder after rape, trafficking, murder, injury and other violence. These reports showed an increase in the number of cases reported from 12,958 in 2001 to 115,493 in 2008.[25] Incidents of dowry-related violence, rape and abduction formed a large proportion of the total.

Police records also show that for the whole of 2004, there were 2,901 reported cases of rape, while in contrast in 2012, there were already 2,868 rape cases filed by August that year (year-end figures not available). Police data indicates that 109,621 complaints of various forms of VAW were lodged during 2010-2012 (up to August). Of these, 18,484 complaints were formally investigated, but only 6,875 cases were deemed 'genuine' and fit for further proceedings.[26]

Bangladesh National Women Lawyers' Association (BNWLA) reported that of the 420 cases of rape reported in 2011, only 286 were presented in court.[27] Bangladesh Mahila Parishad in its 2011 report further noted that 1,450 women died in 2011 as against 1,377 in 2010 and 1,373 in 2009 resulting from various forms of violence, including dowry-related violence, rape and assault.[28] While data compiled by legal and human rights organisations indicates the extent of the problem it is not clear if the increase over the years is an actual increase of violence against women or an increase in reporting.

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23 Beijing Platform for Women, 1995, para 112. Available at, http://www.un.org/womenwatch/daw/beijing/pdf/BDPfA%20E.pdf

24 The United Nations Statistics Division, 2010, The World's Women 2010: Trends and Statistics.

25 Citizens' Initiatives on CEDAW-Bangladesh, 2010, Combined Sixth and Seventh UN CEDAW Alternative Report, p.48.

26 http://www.ipsnews.net/2012/10/violence-against-women-persists-in-bangladesh/

27 http://www.ipsnews.net/2012/10/violence-against-women-persists-in-bangladesh/

28 Bangladesh Mahila Parishad, 2011, Annual Report.



State terror against Adibashis in the CHT can be termed as a 'politics of demography' in which the Bangladeshi state at various points envisaged making the Indigenous Peoples a minority in their own land.

PHOTO: MITA NAHAR

Militarisation, Transmigration and Gendered (In)security

Massive militarisation by authoritarian and repressive states is often a response towards indigenous rights movements in various parts of the world. The rhetoric of nation-building and unity often result in the control of indigenous land and other resources for the purposes of the state. The Bangladeshi state has also used repressive strategies to control indigenous identity by deploying its security forces (the military, border guards, intelligence agencies, and the police) in the CHT to enforce silence on the issue of self-determination. The military is often also linked to the highest ranks of the civil administration, as is the case in Bangladesh. Members of the armed forces have also received counter-insurgency trainings in various parts of the world, and frequently participate in UN peacekeeping operations. At the moment, there are 8,826 Bangladesh soldiers and officers serving the UN in various conflict zones of the world.

Following the 1997 CHT Accord, signed between the Government of Bangladesh and the Parbatya Chattagram Jana Sanghati Samiti (PCJSS), the political organisation that controlled the insurgents (Shanti Bahini), [29] a large faction of the Shanti Bahini surrendered their arms.[30] However, there were no appropriate and strategic disarmament, demobilisation and reintegration responses to their specific concerns.

The Accord calls among others for dismantling of all temporary military camps in the CHT and resolving of the land disputes caused by this transmigration program. Today both of these commitments remain unimplemented. Although there have been many democratic and military-backed governments in the meantime, there has not been much change for the case of the CHT in terms of accord implementation. In the post-Accord CHT, where there is no more insurgency, the Bangladesh government has continued to maintain a heavy military and para-military presence. The 'Peace' Accord stipulates gradual dismantling and removal of all temporary military and para-military camps from the CHT and retention of six military cantonments. The result of the last 13 years of sustained campaigning for demilitarisation in the post-Accord CHT is that 42% of the makeshift security camps (235 makeshift security camps out of 556 camps) of the military, Bangladesh Defense Rifles, and Armed Police Battalion have been withdrawn.[31] Another source claims that less than 7% of the temporary military camps (35 out of 550 camps) have been dismantled, and a brigade of troops out of 5 brigades was withdrawn in 2009.[32] The six cantonments in three districts of the CHT, however, are excessive in comparison to the fourteen other cantonments in the rest of the 61 districts of Bangladesh. In another way, it can be said that six military cantonments in the 9% of the land of

29 For details on the Accord see, Roy, Devasish, 2007, 'The Discordant Accord'; Mohsin, Amena, 2003, The Chittagong Hill Tracts, Bangladesh: On the Difficult Road to Peace.

30 An estimated 1,947 members of the Shanti Bahini surrendered their weapons. The Daily Star, December 2. 2010, 'Hurt not Healed at Hills'.

31 The Daily Star, December 2, 2010,'Hurt not Healed at Hills'. For details see, Chakma, Kabita and D'Costa, Bina, 2012, 'Chittagong Hill Tracts: Diminishing Conflict or Violent Peace?', p. 142.

32 Ibid.



PHOTO: COURTESY

Members of Sajek Nari Samaj protest army presence in Baghaihat, Sajek after more than 500 homes of indigenous people were burned down by settlers in February 2010.

the country for less than 1% of the population in comparison to fourteen cantonments in the 91% landmass for over 99% of the population is highly disproportionate.[33]

State terror against Adibashis in the CHT[34] can be termed as a 'politics of demography' in which the Bangladeshi state at various points envisaged making the Indigenous Peoples a minority in their own land.[35] It secretly planned large-scale transmigration of Bengalis into the CHT, in conjunction with systematic measures to evict and force out the Indigenous Peoples from their homes and settlements.[36] It has been described as 'the manifestation of a deliberate, ruthless and cynical strategy of deploying state power to change the ethnic composition of the CHT and the distribution of its lands in favour of Bengali settlers with total disregard for the rights and interest of the Hill peoples.'[37]

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33 Ibid.

34 For an overview of the dynamics of the conflict see Arens, Jenneke and Chakma, Kirti Nishan, 2002, 'Bangladesh: Indigenous Struggle in the Chittagong Hill Tracts'.

35 Chakma, Bhumitra, 2010, 'The post-colonial state and minorities'; Also see, The Chittagong Hill Tracts Commission, 2000, 'Life is not Ours', update 4.

36 For details see Adnan, Shapan, 2004, Migration, Land Alienation and Ethnic Conflict, Chapter 4.

37 Ibid., p. 53.

The massive militarisation and the transmigration program that started on a large scale from 1976 onwards have created extreme vulnerability and poverty, and have deeply affected indigenous women and girls' safety and security in the CHT. Further, the Adibashi communities have long been marginalised from mainstream political and social processes of the Bangladeshi society. Numerous background reports and data published by international and national indigenous advocacy and human rights organisations contain long lists of beatings, of forcible relocation to cluster villages,[38] of detention without trial, torture, rape and unlawful killings by the Bangladeshi security forces over the last four decades.[39] They also contain information on arson, destruction of houses and villages, looting of property, curtailment of freedom of expression, reprisal attacks and combing operations by the security forces.[40]

The first 'Life is Not Ours' report of the CHT Commission published in 1991 stated that looting, arson, rape, gang-rape, torture to death and murder were used to evict Indigenous Peoples from their land. One of the women interviewed by the CHT Commission recalls 'About 50 army personnel came in the night and rounded up the whole village and gathered us in one place. In the morning all the men were arrested. I was tied up hands and legs, naked. They raped me. There were three women there. They raped me in front of my father-in-law. After that we were tied up together, naked, facing each other. Then they left. Three other girls were raped in front of me. This happened in the month of *Ashar* (June/July) of 1985.'[41]

The forced marriage of indigenous women to Bengalis was used as a strategy to change the demography of the CHT, and created anxieties about religious and ethnic identity.[42] Many women reported that they were forced to convert to Islam. The protracted and intense use of force by the Bangladeshi armed forces also produced a culture of violence in the region contributing to a range of violence against women in the CHT. There were some reports in the 1980s of a secret memo circulating among the army officers encouraging them to marry the indigenous women.[43] One woman told the Commission, 'I was kidnapped in 1986.... I had two children with this man. One day he sent me to his father's house and at a certain moment when I saw no one around I escaped. I went back to the *jouta khamar* (cluster village) where I had

38 The policy of establishing what were essentially collective farms began in 1964, to encourage Adibashis to settle on permanent land plots rather than continue jum (slash and burn) cultivation. However, similar to the Indian Army's policies in Mizoram in the late 1960s, but carried out more ruthlessly, President Zia-ur-Rehman's counter insurgency strategy's included the forcible movement of the Adibashi population from sensitive, Shanti Bahini dominated locations in the CHT from late 1977 to guchchya gram or cluster villages. The moving of villagers from their ancestral habitats in defensible locations was carried out with total disregard for indigenous economy, using the forced labour of Adibashis who were issued with identity cards. A food embargo was enforced and army checkpoints were set up to monitor and control the movement of people. Adibashis who were caught violating the restrictions were arrested, tortured, raped and imprisoned. For details on the CHT counterinsurgency strategies see, Bhaumik, Shubir, 1996 (2008), Insurgent Crossfire; Braithwaite, John and D'Costa, Bina, 2012, 'Cascades of Violence in the Chittagong Hill Tracts'.

39 For pre-Accord reports see, for example, Anti-Slavery Society, 1984, The Chittagong Hill Tracts; Survival International, 1984, 'Genocide in Bangladesh'; Amnesty International, 1986, Unlawful Killings and Torture in the Chittagong Hill Tracts; Chittagong Hill Tracts Commission, 1991, Life is Not Ours. For post-Accord see, for example, Amnesty International, 2013, Pushed to the Edge; Jumma Net, 2009, Chittagong Hill Tracts White Paper, available at, http://www.jummanet.org/webdata/chtdoc/090509CHTWhitepaperE2.pdf ; Various reports by Survival International, available at, http://www.survivalinternational.org/news/countries/bangladesh.

40 Ibid.

41 The Chittagong Hill Tracts Commission, 1991, 'Life is Not Ours', p. 86.

42 D'Costa, Bina, 2010, 'Gender, Displacement and Transitional Justice in South Asia'.

43 The Chittagong Hill Tracts Commission, 1991, Life is Not Ours, p. 88.



PHOTO: COURTESY

An indigenous girl speaks at a press conference in Dhaka after her house along with nearly 500 others' was burnt down and her mother killed in an attack by settlers in Baghaihat, Sajek in February 2010.

lived before, but when I arrived there, there were no tribals and it was occupied by Muslims. I arrived here in the camps in 1988.'[44]

Sexual torture against children, the most vulnerable and marginalised subjects has also been used during the conflict to generate terror and manipulate the indigenous population. The 'Life is Not Ours' report records one such event on December 28, 1990 when three Chakma girls aged between 12-18 were allegedly gang raped by eight VDP Personnel posted at number 10-sentry post. They were mutilated and killed along with a ten-year-old boy.[45] The public nature of the killing and the mutilation suggest that the incident was used to create terror by the state. The report cites interviews of refugee women taken in Tripura. Women recounted stories of rape, gang rape, assaults committed in front of children and forced marriages. No legal action was taken by the state to deal with these crimes. This culture of impunity still continues today.

Some Bengali women themselves are also part of the gendered conflict and incite violence against indigenous women. The Asian Indigenous and Tribal Peoples' Network reports one such incident involving Bengali settler women, 'In the morning of 3 April, 2005, a group of Bengali settler women came to the courtyard of Mr R. Marma and began clearing land for the purpose of erecting house structures. Upon being resisted by Marma's wife M. Marma (35) and her daughters, the settler women retreated but only to come back shortly with their male members. Initially, about 20 Bengali settler males remained guard while their women numbering 20-25 attacked 6-7 indigenous Jumma women. The Bengali settler women beat up R. Marma's wife and his two daughters and later kidnapped both his daughters. When M. Marma tried to rescue her two daughters, the settlers caught and beat her up.'[46]

The 'gender distortion' that happened during the armed conflict has continued in various ways, even after 'peace', through the everyday violence in the Hills. Indigenous men are subjected to daily systematic humiliation, verbal abuse and degradation techniques at various checkpoints, in public and in front of the families. These strategies are aimed at destroying an individual's dignity and also targeted towards the communities so that they lose their capacity for resistance.

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44 Ibid.

45 Ibid., p. 43.

46 Names withheld for confidentiality reasons. The Asian Indigenous and Tribal Peoples' Network, http://www.aitpn.org/UA/BD0206.htm



Through arrest and forced disappearance, abuse, forced marriages, sexual violence and rape as punishment for their own political activities, women have experienced various forms of torture and ill treatment.

PHOTO: COURTESY

The Culture of Impunity in the CHT

The biases of the administrative, political and judicial systems prevent access to equality and justice by Indigenous Peoples and minorities. [47] Impunity has been the single most crucial factor contributing to increasing incidents of SGBV. Part of the problem is the lack of accurate statistics and the sensitive nature of SGBV. There is also a lack of age appropriate reporting mechanisms and child and youth-focused services that could provide accurate data and follow-up reports. According to a recent study carried out by the Kapaeeng Foundation, based on in-depth interviews with stakeholders such as the victims of violence, their families, human rights activists, NGO staff, community leaders, lawyers, members of the police, medical officers and journalists. [48]

> The root causes of VAW in the CHT are: communal oppression, non-implementation of the Accord, impunity of perpetrators, prolonged and non-cooperative legal system, a weak traditional justice system and land grabbing.
>
> The gaps of access to justice in the CHT are: patriarchy, inadequate media coverage, data unavailability, less importance by medical doctors, and lack of systematic documentation of VAW. Major impediments in seeking legal remedies are: lack of awareness and complex court procedure, biased/corrupt administration, inadequate legal aid and support for the victims, lack of follow-up of cases, parallel legal systems, and unfriendly, corrupt and chauvinistic court environment.

Despite the constitutional and legal guarantees that promote and protect the rights of indigenous women and girls, successive governments' lack of political will, weak enforcement of existing national laws, corruption and patronage contribute to multiple forms of gender and ethnic identity-based discrimination within the justice systems. The formal justice system is also affected by structural weakness and deficiencies. As the case studies analysed in this report indicate, court cases are delayed, taking months or even years before trials, discouraging female victims and others from seeking justice in formal legal institutions.

State violence against indigenous political activists has a gender dimension. Through arrest and forced disappearance, abuse, forced marriages, sexual violence and rape as punishment for their own political activities, women have experienced various forms of torture and ill-treatment. In addition, during the armed conflict, indigenous women have been tortured for political activities of the male members of their families and punished to communicate messages of fear to their communities. Although the Accord briefly noted the importance of reconciliation and justice, CHT advocacy voices point out that these have not been adequately

47 See various reports on human rights abuses in the CHT, for example, Survival International and ACHR reports, available at, http://www.survivalinternational.org/news/1825; http://www.achrweb.org/Review/2008/215-08.html

48 Chakma, Bipasha, 2013, Justice Delayed, Justice Denied, p. 6.

taken up by the state. The Accord itself is deeply gendered[49] and included no explicit guarantee to bring the perpetrators of human rights abuses to justice. Sexual and gender based violence by the security personnel during the conflict was the single most motivating factor for forming the Hill Women's Federation in 1988.[50] Yet, till date, none of the alleged perpetrators of SGBV belonging to the security forces have been brought to justice.

Enforced Disappearance: Kalpana Chakma



PHOTO: ITTUKGULA CHAKMA

Kalpana Chakma was allegedly abducted by a military officer in June 1996. Her whereabouts are still unknown.

In June 1996, Kalpana, the Organising Secretary of the CHT Hill Women's Federation, was forcibly taken from her home in New Lallyaghona, Rangamati district along with her two brothers, Khudiram and Kalicharan, from in front of their terrified mother, Badhuni Chakma. They were blindfolded and their hands were tied. Ain O Shalish Kendra (ASK), Odhikar and Amnesty International among others documented that the brothers were shot at but they managed to escape. The alleged leader of the plainclothes security personnel Lt Ferdous, commander of Kojoichari Army Camp was later promoted as a Major and posted at the Karengatoli army camp, close to New Lallyaghona. Kalpana has never been found. Several investigations were carried out, including one by the Criminal Investigation Department (CID) and one by a judicial inquiry commission, set up by the Government, but all the investigations have so far failed to identify any named individual involved with the abduction. The three main suspects (as alleged by Kalpana's brothers) in the meantime have never been questioned as part of any of these investigations. While there is an on-going investigation being carried out by the police, there has been little progress. In fact, the court order for this recent investigation specifically asks the investigation officer (I/O) to interrogate all the three suspects and names each of them. Yet, the I/O has failed to follow up on this. It is clear that the state provides impunity to perpetrators of crimes and suspects who are part of the military outfit serving in the CHT.

49 Mohsin, Amena, 1997, The Politics of Nationalism; Guhathakurta, Meghna, 2004, 'The Chittagong Hill Tracts (CHT) Accord and After: Gendered Dimensions of Peace'; Dewan, Illra, 2012, 'Khomota Chorchai Pahari Narir Obosthan'.

50 Guhathakurta, Meghna, 2004, 'The Chittagong Hill Tracts (CHT) Accord and After', p.11

While no specific network exists in the CHT to protest enforced disappearances, kidnappings, and torture, political parties from the CHT, and both national and indigenous human rights and women's networks have become the most outspoken and visible of those voicing their grave concerns over these developments. For more than a decade now, cultural, political and religious events have commemorated Kalpana Chakma's disappearance and demand that the state takes action against the perpetrators.

Various women's organisations such as the Khagrapur Mahila Kalyan Samity (KMKS) in Khagrachari and Ananya Kallayan Sangathon (AKS) in Bandarban and networks such as BIWN through their advocacy work highlight that even after the signing of the 'Peace' Accord, human rights abuses, in particular SGBV by the law enforcement personnel and illegal Bengali settlers continue to take place regularly in the CHT with impunity.

In a disturbing trend, medical practitioners are also complicit in obstructing justice. This course of action is often justified on the basis of preventing further conflict between Bengali settlers and Indigenous Peoples. Samari Chakma, a lawyer from Khagrachari Hill District reflects.[51]

> Each of the rape incidents that takes place in the hills receives negative medical report: *Rape did not take place* (emphasis added). To investigate I spoke to an NGO worker. According to the NGO worker, on the assurance of anonymity a doctor has told them that doctors are instructed from the high corridors of administration (over the phone as well as via their representatives) not to produce positive medical reports, as soon as the news of a rape incident arrives. The relation between Bengalis and Indigenous people would deteriorate, they are told as a reason. Communal violence would commence. So in spite of the rapes, it is the doctor's job to produce negative medical reports: *found no evidence of rape* (emphasis added).

The lack of political representation and low level of participation of indigenous and minority women in the political institutions of the state and indigenous decision-making institutions limit their lobbying and advocacy opportunities and also effectively exclude them from law-making processes in Bangladesh. While some amendments to the Hill District Act were made after signing the Accord to include three female representatives (two indigenous and one non-indigenous) in the 34 member Hill District Councils (HDCs)[52] only one female representative currently serves in the Rangamati HDC. The CHT Regional Council (CHTRC) also reserves three (two indigenous and one non-indigenous)) out of 25 seats for women.[53] Women, do not have any significant influence on decision-making in either the CHTRC or the HDCs.[54] Further, in the absence of community-based quotas, women from smaller Adibashi communities have to compete with larger Marma, Tripura and Chakma groups for the reserved seats in the CHTRC and the HDCs,[55] placing them at a disadvantage.

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51 Chakma, Samari, 2014, Manikchoree thekey Baghaichoree. Translated by Chowdhury, Irfan, 2014, 'When Rapists are Bengali, When Rape is a State Weapon for Ethnic Cleansing'.

52 Braithwaite, John and D'Costa, Bina, 2012, 'Cascades of Violence in the Chittagong Hill Tracts'.

53 Ibid.

54 Chakma, Bipasha, 2013, Justice Delayed, Justice Denied, p.18.

55 Chakma, Mangal Kumar, 2009, The Status of Adivasi Hill Women in Light of the CHT Accord, p.20.

On a positive note, in the fourth Upazila Elections 2014, Moni Chakma, an indigenous female candidate won the election as a chairperson in Barkal Upazila, Rangamati district. Also, 17 other female indigenous candidates, 15 of whom were supported by indigenous political parties and two from the Awami League (AL) and the Bangladesh Nationalist Party (BNP) were elected as vice chairpersons. [56]

Despite these important developments, indigenous women are under-represented in the traditional and primarily hereditary institutions of circle chiefs (rajas), headmen and village chiefs (karbari). A two-tier system of indigenous courts of head people (usually referred to as headmen) and chiefs exercise judicial authority in the CHT, especially over personal or family law matters.[57] While the most serious criminal offences are not adjudicated through the indigenous courts, some of the common issues of dispute that are resolved concern for example, fathers seeking recovery of daughters (often minors) who have eloped, complaints of domestic violence or desertion by men, and women seeking divorce or child custody.[58] Based upon local customs and processes, the focus is often on reconciliation and mediation, rather than appropriating blame and fault or punishment. The major challenges include sensitisation of the traditional leaders to women's rights and child rights, obtaining state support for the traditional courts, and documentation of customary law (as opposed to formal codification).[59]

The following table illustrates some of the common norms of justice and the differences between the national and indigenous justice system in Bangladesh. Regardless of the formal status of the customary laws or legal systems concerned, there is a general perception that indigenous communities usually prefer to regulate their internal customary legal and social matters through their traditional systems that form an integral part of indigenous identities. However, a recent study by BLAST argues the weight given to the opinions of other family members, such as parents and husbands, disregarding the preference of the woman or girl involved, is a problem in customary law dispute resolution processes. [60]

This report suggests that relationships with law enforcement agencies are vitally important in resolving the culture of impunity in the CHT. Local authorities and police stations in the hills are often subject to more political influence due to corruption, money politics and illegal timber trade and other cross-border activities and have fewer resources than authorities and police stations in the plains, both factors that can be obstacles in addressing SGBV. Victims face many hurdles in seeking accountability. Intimidation and repressive actions by the police, the army and/or both Bengali settler and Pahari gangs involved in criminal activities, in many cases protecting the interests of the business sector, contribute to the culture of impunity.

Land grabs contribute to an increase in the rate of gender-based violence as dispossession of land from women leaves them dependent on male relatives and more vulnerable to violence

56 Kapaeeng Foundation news update, 7 April, 2014, 'Upazila Elections 2014' .

57 Roy, Devasish, 2005, Traditional Customary Laws and Indigenous Peoples in Asia.

58 Ibid., p.8.

59 Asia Indigenous Peoples' Pact (AIPP) Foundation, 2007, 'Indigenous Governance Systems in Asia', Submission by the AIPP to the study by the Expert Mechanism on the Rights of Indigenous Peoples.

60 Ahmad, Maimuna and Chakma, Muktasree Sathi, 2011, Family Courts in the CHT.

Table 1: Types of Justice

Institutional Component	Indigenous Justice System	Formal Justice System
Goal	Justice for reconciliation and mediation; ending impunity is secondary	Justice to end impunity; reconciliation is secondary
Venue	Indigenous courts	District Courts and High Courts
Due Process	Primacy of truth telling	Primacy of rules and procedures; defendant's rights
Establishing Guilt	Confession; community consensus; Judgment	Judgment
Method of Proof	Testimony; accusations	Testimony; investigation
Compensation for victims	Depends on the nature of crime, eg. monetary compensation	Depends on the nature of crime, eg. monetary compensation
Judiciary	Traditional chiefs, karbari, headpeople and other respected community members (usually men)	Judicial Magistrates Session Courts
Punishment	Reintegration; settlement	Imprisonment /Fine
Process	Negotiations; trials	Trials

and sexual abuse.[61] Acres of indigenous land grabbed by the business sector, especially tobacco companies, the tourism industry and the security sector under the pretext of providing better services and improving the livelihood of communities have also contributed to women's increased marginalisation and vulnerability. SGBV has often been used to intimidate Indigenous Peoples to sell their land at bargain prices. In some cases, the land is resold to military personnel and their families who have accumulated vast wealth in the CHT and invested in the tourism industry contributing to the cycle of militarisation of the CHT. These 'land grabs' also affect women disproportionately as women are deprived of the livelihood they earn through small-scale agriculture.

Indigenous women continue to belong to the poorest and most marginalised sectors of the society. Disproportionately represented in low income and unreliable forms of employment, many women and their families are unable to afford the prohibitive costs of using the formal justice system and reliable legal representation. While, as a party to the CEDAW, Bangladesh is obliged to take measures to combat discrimination in all its forms, indigenous women are not particularly targeted in current efforts to promote gender equality.

61 For a comprehensive analysis of the land rights see Roy, Chandra, 2000, Land Rights of the Indigenous Peoples of the Chittagong Hill Tracts, Bangladesh.



The security and safety of indigenous minors and young adults is a serious concern in the CHT.

PHOTO: EMDAD BITU

Double Discrimination: Everyday Life of Adibashi Women and Girls

Indigenous women are often portrayed as *possessors* of wisdom, knowledge and the *bearers* of culture and tradition by their communities.[62] The arrival and impact of outsiders, first as colonial rulers (the British Raj), then as neo-colonial oppressors (Pakistan and later Bangladesh) and in most recent times as Bengali settlers severely undermined the status of indigenous women in Bangladesh.[63] As Indigenous Peoples, Adibashi women are subject to all the exploitation, human rights abuses and insecurity that their own communities suffer. Indigenous and minority women and girls in other parts of Bangladesh also face a similar situation.

62 Chandra K. Roy, 2004, 'Indigenous Women', p.3

63 Chakma, Kabita, 2011, 'The Lands of Kalindi Rani'.

While there has been some analysis on SGBV during the armed conflict in the CHT,[64] much less by comparison has been written on violence against women and girls in *peacetime* or outside the 'exceptional' conditions of armed conflict. In their everyday life, indigenous women and girls, in particular those who are marginalised due to poverty and live in remote areas, face social exploitation, as well as physical, psychological and economic violence.[65] Indigenous women and girls are highly vulnerable and do not enjoy human rights on an equal basis with indigenous men. Their access to resources such as education and employment is also limited. Some of the serious threats to their rights are forced marriages, domestic violence, rape, sexual discrimination and physical and psychological abuse.

However, disproportionately small numbers of actual incidents of violence against indigenous women and girls are reported in the media. With the rise of social media, indigenous activists, especially the younger generation of women's rights activists, have initiated several awareness campaigns focussing on SGBV.[66] These advocacy measures demonstrate an urgent need to

Table 2: VAW Cases in the CHT, 1 January 2010 - 31 December 2011[67]

	Information required	Bandarban	Khagrachari	Rangamati
1	Number of cases of VAW between January 1, 2010 and December-31, 2011	67	74	74
2	Any acid violence (under the *Acid Oporadh Domon Ain*, 2002, Section 4,5,6)	None	None	None
	Rape (*Nari O Shishu Nirjaton Domon Ain*, 2000, Section 9)	22	36	37
	Dowry related violence (The Dowry Prohibition Act 1980, Section 11)	6	19	None
	Sexual harassment (*Nari O Shishu Nirjaton Domon Ain*, 2000, Section 11)	14	10	8
	No. of cases related to trafficking	1	None	None
	Cases filed (under other sections)	24	9	14
	Dowry cases (under *Nari O Shishu Nirjaton Domon Ain*, 2000)	-	-	13
3	No of chargesheets served	54	58	54
4	Judgments	3	1	5
5	Convictions	None	None	None

64 Guhathakurta, Meghna, 2001 'Women's Narratives from the Chittagong Hill Tracts'; Nahar, Ainoon and Tripura, Prashanta, 2010, 'Violence Against Indigenous Women'; Ahmed, Hana Shams, 2011, 'Multiple Forms of Discrimination Experienced by Indigenous Women from Chittagong Hill Tracts Within Nationalist Framework'; Dewan, Ilira. 2011. Jum Paharer Odhikar;

65 Guhathakurta, Meghna. 2012. Safe Home, Safe Societies; Also see media reports on various campaigns such as the Kalpana Chakma campaign and recent demonstrations focussing on the Sabita Chakma case.

66 Chakma, Muktasree Sathi, The Dhaka Tribune, 25 January, 2014; http://chtnewsupdate.blogspot.ch/2011/06/bangladeshi-newspaper-new-ages-special.html; Also see, Chakma, Kabita, 'Sexual violence, indigenous Jumma women and CHT', The New Age, June 13, 2013, available at, http://www.newagebd.com/detail.php?date=2013-06-13&nid=52691#.UwxdoXlKpGM

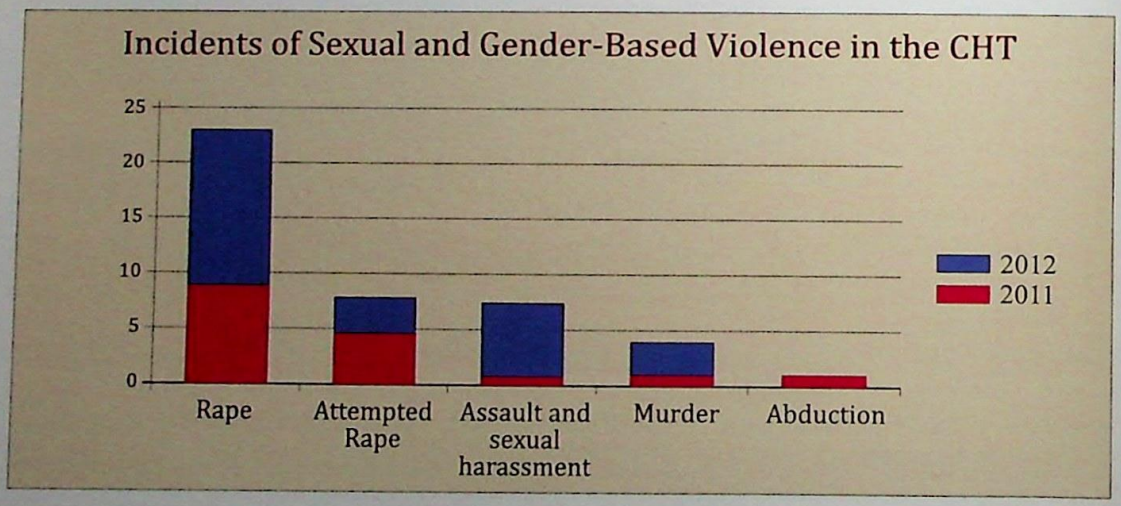
67 Ibid. Translated from Bengali by D'Costa, Bina.

engage in the dual tasks of undertaking a close scrutiny of both Bengali and indigenous patriarchal power structures and doing crucial primary work to recover lost and/or neglected women's experience and resistance.[68] In a patriarchal hegemony, an indigenous woman's sexuality is controlled and disciplined by confining her within the private and familial space as a mother/sister/wife/daughter. This status is created and perpetuated by the family, the educational system, the traditional and the religious institutions, and are endorsed by the state.

While national NGO reports often do not present any disaggregated data on violence against indigenous women and girls, Kapaeeng Foundation highlighted that between January 2007 and October 2012, there were 160 incidents of VAW against indigenous women and girls, 96% of these cases were of sexual violence. It recorded that in 2012, there were 75 reported cases of violence, 55 from the CHT and 20 from the plains, 30 of these cases involved children under 16, 17 were of rape and sexual violence and, 33 involved physical assault, harassment and molestation.[69] For none of these reported cases perpetrators were prosecuted through the formal justice system till date.[70]

As detailed in Table 2 overleaf, information from the Home Ministry on violence against women in the CHT for January 2010 to December 2011 provided to BLAST under the Right to Information (RTI) Act showed that judgments were delivered in only nine cases in the CHT. The perpetrators were not convicted and sentenced in any of these cases.[71]

Although this report has made reference to other sources, primary data has been collected from the cases and interviews carried out by the CHT Commission and the Bangladesh Indigenous Women's Network covering reported incidents from 2011 and 2012. These case



68 Most indigenous groups in the CHT are patrilineal.

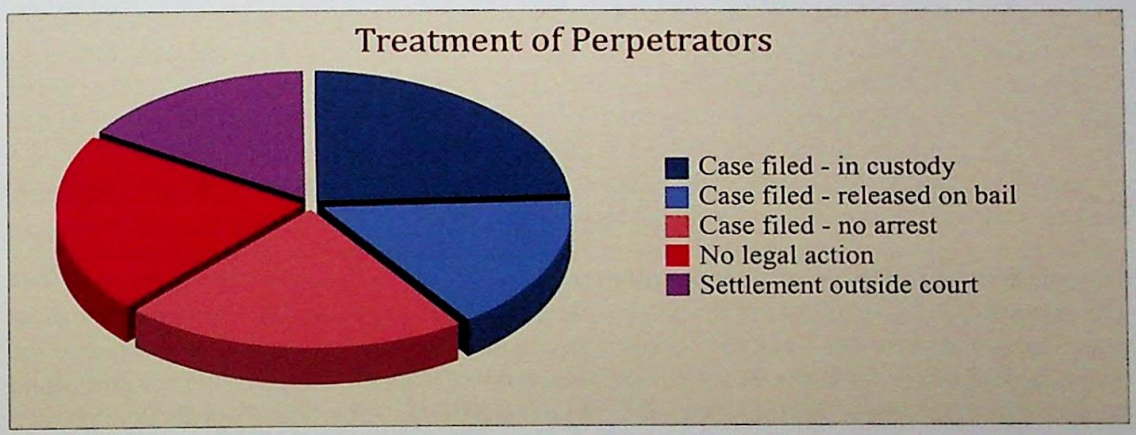
69 Kapaeeng Foundation, 2012, Human Rights Report 2012.

70 Ibid. Also see, 'A Joint Submission on indigenous rural women situation in Bangladesh' to the CEDAW Committee, 31 October, 2013, Para 13. Available at, http://www.ohchr.org/Documents/HRBodies/CEDAW/RuralWomen/KapaeengFoundationBangladesh.pdf

71 Letter provided to BLAST from the Home Ministry, under the RTI Act, 2009, Section 8(1), 22 April, 2012.

studies include 14 incidents of sexual assault and rape in Rangamati, 16 in Khagrachari and 10 in Bandarban. 97% of these cases involved women and girls in extreme poverty. Case studies of 2012 (for details see Annex 1) include 14 incidents of rape and gang-rape, three of attempt to rape, three of murder, seven of assault and sexual harassment, including 11 school children by their teacher, and five of abduction. Case studies of 2011 (for details see Annex 2) include nine cases of rape and gang-rape, seven of attempt to rape and murder, five of murder, one of sexual harassment and assault and one incident of abduction.

Except for two incidents, in all other cases the alleged perpetrators were either Bengalis, either settlers, school teachers or staff of the forestry department or members of the armed forces. In only nine of the total of 40 incidents recorded in this report (Annex 1 and 2), were the perpetrators arrested. Six of the cases were settled through mutual agreements, local *shalish*, involvement of the authorities including one where the victim's family was forced to settle following the local army commander's intervention (Case Study 14, 2012). In another case, that involved the army personnel, the army commander termed the incident baseless and subsequently no case was filed (Case Study 18, 2012). In two cases, the police officer responsible for investigation allegedly demanded bribes and in one case the medical staff allegedly refused to provide accurate report without bribes. Nine of the cases explicitly mention intimidation and harassment either by the perpetrator, released on bail, or the perpetrator's family.



In one case, a failure to reach any settlement resulted in the placement of a girl in a juvenile correction center, while the perpetrator remained free. In another case, an underage girl was married off to her alleged rapist and was subjected to forced conversion. Societal and cultural interpretations of gender roles adversely impact on girls and result in 'disproportionate suffering' of girls. In yet another case of attempted rape of a 70 years old woman, the case was not filed by the local police station. The Officer In Charge of the Police Station was quoted as having said that 'a woman aged 70 years cannot have an active sex drive. Therefore, this case will not be characterised as rape and the victim will be in danger' (Case Study 16, 2011).

While not expressed clearly in all the interviews, 95% of respondents also highlighted the fear of stigmatisation and rejection of the communities. As the case studies articulate, more than

60% of the women and their families reported not pursuing legal avenues to prevent further embarrassment. Many prefer to suffer in silence, in addition to their personal pain and humiliation, rather than going through a formal justice process to avoid a second traumatisation. Finally, these cases demonstrate long-term socio-economic implications for the women, the girls and the indigenous communities. Girls are prevented from going to school and married off early, and women's mobility becomes severely restricted.

Domestic Violence

The absence of formally recorded cases of domestic violence in the CHT is notable. Although the state has obligations to prevent systematic abuse suffered by indigenous women and girls in the domestic arena, that is within the family, it still places less emphasis on addressing such human rights abuses. Indigenous communities have a preference in maintaining the customary law and traditional justice system[72] and in the past, incidents of domestic violence were usually resolved by headmen and karbaries. Families usually did not prefer to take these matters further than the jurisdiction of the traditional leaders of their communities. However, indigenous women's rights activists argue that there is an urgent need to reform the traditional justice system due to the varied capacity and gender sensitivity of headmen and karbaries and a lack of adequate and effective accountability measures.[73]

Minors and young adults

The security and safety of minors and young adults is a serious concern as indicated by 26 of these cases affecting girls between 3-18 years. One of the respondents explicitly mentions shame and trauma following her ordeal of sexual harassment and another respondent notes severe abdominal pain after rape and brutal sexual assault. Rape and sexual violence have devastating impacts on the general and reproductive health of girls. They suffer from an increased risk of HIV/AIDs and STDs, serious injury to their reproductive systems, and high maternal and infant mortality rates due to lack of appropriate healthcare.

Schools and work places as sites of violence

The case studies also highlight that sexual violence including harassment frequently occurs in places assumed to be safe, such as schools. Perpetrators include both teachers and peers. For example, as the case studies indicate, three teachers were allegedly involved in rape and sexual harassment cases and in another incident a 16 year old Bengali boy was allegedly involved in a sexual assault of a girl class mate. In one reported incident, a male school teacher sexually assaulted more than 12 girls during one year.

Indigenous women and girls play a major role in food production, particularly agriculture including shifting (jum) cultivation, horticulture and wet rice cultivation.[74] However, they have

72 Ahmad, Maimuna and Chakma, Muktasree Sathi, 2011, Family Courts in the CHT, p. 12.

73 Ibid., p. 13-16.

74 ILO Report, 2012, 'Indigenous Women Workers'; Also see, International Council for the Indigenous Peoples of CHT, 31 October, 2013, 'A submission on Jumma indigenous rural women of the Chittagong Hill Tracts (CHT), Bangladesh, regarding General Discussion on Rural Women, under Article 14 of CEDAW, to the United Nations Committee on the Elimination of Discrimination against Women'.



PHOTO: COURTESY

Kapaeeng Foundation highlighted that between January 2007 and October 2012, there were 160 incidents of violence against indigenous women and girls, 96% of these cases were of sexual violence.

no protection or safety in their work places. Women and girls are even more vulnerable in isolated and remote locations. In rural areas women are rapidly losing their freedom of movement due to SGBV during daily activities.[75]

Women with disabilities as victims of violence

Another concern is the safety of women and girls with disabilities; three incidents of rape and violence documented in the case studies involved victims or parents with disabilities. None of these incidents resulted in cases being filed with the court and in all circumstances the local community mediation processes facilitated monetary settlements. The danger in focusing on financial compensation, or hurrying any arrangement is that the underlying purpose, that is an assurance to operate on the 'best interest' approach for the victim, is compromised.

75 Guhathakurta, Meghna, 2012, Safe Home, Safe Societies.

Women victims of political violence

Violent deaths of women and attacks on girls during political violence were explicitly raised in five cases. These indicate that land disputes and inter-communal resentment, frequently fuelled by national political parties, are two major causes of violence against women and girls. All the respondents noted threats and intimidation as tactics to prevent their pursuits of justice.

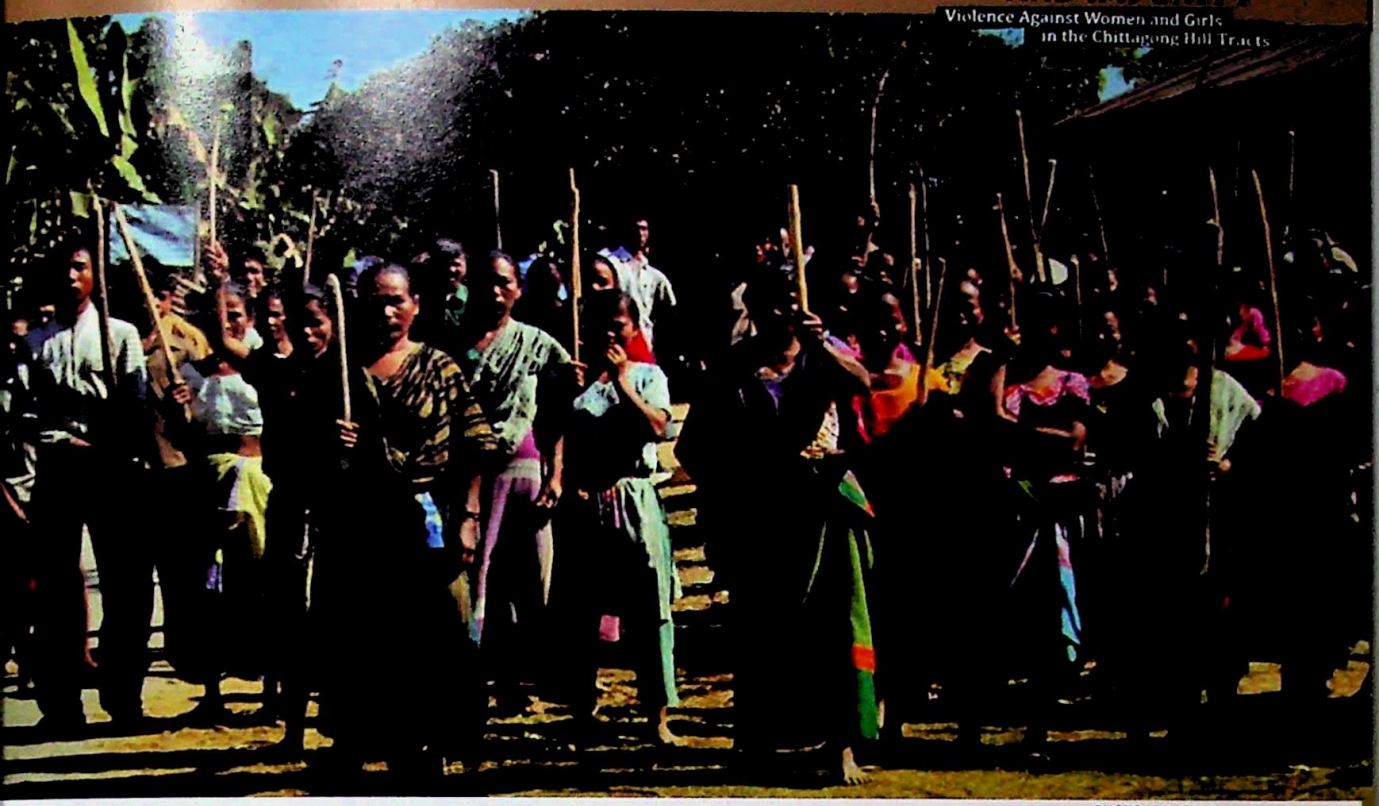
Women symbolise family and community honour in most patriarchal world-views including those in the CHT. Exclusive control of women's sexuality by 'the legitimate owner'—the patriarchal authority (ie, the state or the traditional societies)—is the practical consequence. Therefore, when family and community honour is put to the test through assaults on women's bodies, an 'ideal' woman is expected to remain silent. As the case studies indicate (details in Annex 1 and Annex 2), while some women and girls choose to remain silent, their silence is not the only reason resulting in restricted or no access to justice; for crucial to maintaining the silence is the active collusion of the state in providing impunity to perpetrators, sometimes under the guise of protective laws, sometimes under the guise of national integrity and security. Backed by culture, and strengthened by the state, and often with the active collusion of non-state actors, the circumstances of impunity then remains largely unchallenged.

Despite entrenched problems of SGBV in the CHT, there have been some positive developments in the justice sector. First, within the current support framework of the Police Reform programs available to victims of SGBV, the government has initiated some collaborative projects between the Police and a variety of service provider NGOs. One of the initiatives has included the establishment of Bangladesh's second Victim Support Centre (VSC) in Rangamati under the Bangladesh Police that was inaugurated on March 1, 2012. The aim of the VSC was to develop leadership among female police officers and to improve victim support services for the people of Rangamati Hill District.[76] The partnership of the Police with five of Bangladesh's leading civil society organisations working in Rangamati (BLAST, Bangladesh Mohila Parishad, Green Hill, Marie Stopes, Family Development Services and Research) has provided legal services, shelter counselling, health care and rehabilitation services.

Second, as discussed earlier in this report, civil society collaboration, in particular those formed between national human rights and women's rights (for example, ASK, BLAST, Nijera Kori, Naripokkho) and indigenous organisations (for example, Kapaeeng Foundation, Bangladesh Indigenous Peoples Forum, BIWN, Adivashi Nari Parishad) have involved indigenous women, who in the past, especially during the armed conflict in the CHT have found it difficult to engage in national advocacy and decision-making processes. These networks and partnerships include both senior and younger generation of women's rights advocates, those taking the lead in ensuring that the voices of indigenous women, especially of indigenous young women are heard. The goals of these collaborative efforts bring together both indigenous and Bengali women's rights organisations and individuals from across Bangladesh to share information, identify issues that affect them, and identify solutions; and engage actively with the government of Bangladesh on policy issues as part of a better, more informed and representative dialogue between women and government.

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76 Bangladesh Police Reform Program, http://www.prp.org.bd.



Indigenous women stand up against militarisation and settler attacks in the CHT. PHOTO: COURTESY

Key Principles

The end of an armed conflict does not necessarily herald a return to peace and security. Accords, agreements, and elections, important as they are, do not necessarily guarantee tangible improvements in the safety and security-both real and perceived - of communities. Violence against women and girls will persist if land disputes are not resolved, and illegal settlements of Bengalis, mass attacks to evict Indigenous Peoples, and the culture of impunity continue. In this context, the CHT VAW study is based on the following principles:

- A strong political will to bring peace and stability in the CHT must begin with the demilitarisation of the region as stipulated in the 1997 CHT Accord. Demilitarisation of the CHT, a complete cessation in Bengali in-migration to the CHT, and good governance are preconditions to achieving peace in the CHT.
- Voluntary resettlement of Bengalis who have illegally occupied land that belongs to the Indigenous Peoples must be carried out systematically by the state authorities.
- Sustainable gender-sensitive and gender-responsive development projects combating the poverty and inequality of indigenous communities must be endorsed.
- All stakeholders must recognise that the end to impunity is fundamental and urgent, and that without strict enforcement of relevant laws, violence against indigenous women and girls cannot be mitigated.



Recommendations to the Government

This report makes the following recommendations to the government of Bangladesh.

- Appoint an Indigenous and Minority Women and Girls' Rights Ombudsperson within the National Human Rights Commission to ensure inclusion of gender sensitive concerns of minorities in framing policies and legislation.
- Set up a National Commission of Inquiry into the overwhelmingly high number of cases of violence against minority women and girls in Bangladesh.
- Set up a committee to monitor VAW in the CHT with a view to reducing incidents and limiting impunity.
- Widely publicise the establishment of the VSC in Rangamati and set up dedicated police stations in each of the three hill districts with specialised procedures and female indigenous police officers for dealing with VAW.
- Raise awareness among the judiciary, the police and the army in the CHT about the need to end impunity for VAW in the CHT.
- Provide support for the families to ensure witness and eye-witness protection procedures.
- Issue exemplary verdicts to end impunity.
- Set up a One-Stop Crisis medical centre at a major hospital in each of the three hill districts.
- Sensitise medical officials so that they can provide adequate support to victims, especially those with disabilities and minors.
- Provide safe and secure travel options (such as women's only buses) to education and work places for women and girls.
- Ensure the participation of indigenous women and youth leaders in the formulation of national women's development policies and also a plan of action on VAW.



Recommendations to Civil Society Groups

This report makes the following recommendations to civil society groups including national and Indigenous Peoples' organisations and networks.

- Strengthen the existing women's human rights networks to take up targeted advocacy programs with stakeholders focusing on the impact of VAW in the CHT, access to justice and equal access of indigenous women to state resources.
- Organise a month-long nationwide awareness campaign prior to International Women's Day with a specific focus on violence against indigenous women and girls and institute a regular annual awareness week on VAW, as is the case in many other countries of the world.
- Provide technical and financial support to enhance the capacity of local indigenous women's groups and networks in creating strong social awareness programs targeting the stigma of sexual and gender-based violence.
- Recognise the importance of avoiding a one-size-fits all approach to gender sensitive responses and service delivery and identify particular needs of indigenous women and girls.
- Include initiatives that are led by the indigenous women's organisations or taken in conjunction with them.
- Provide support to indigenous women's groups in setting up shelters with a separate section for women and a separate section for girls.
- Deliver targeted basic information and training sessions on legal processes and access to justice in schools and in women's work places.
- Investigate the possibilities of providing special protection for girls and women living in remote areas.

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Annex 1

Case Studies 2011

All names have been changed for confidentiality reasons.

Case 1

Name of victim	Kismoti Tripura (22)
Address	Naikhayangchhari, Bandarban
Nature of crime	Rape and attempt to murder
Date of incident	February 9, 2011
Official action:	Case filed

Kismoti Tripura's family owned part of a rice field and a farm house where they went everyday for work. On February 8, 2011 at about 3 p.m., Dulal Hossain and four other Bengali persons (accused) were felling trees on a hill just above the Tripura family's land. The accused were throwing the trees on the land causing damage to the harvest. When the Tripuras protested, the matter escalated into a quarrel but no untoward incident took place. The following day, Kismoti's husband, Haradhan Tripura, went into the forest to collect firewood. Kismoti was on the farm with her three-year-old daughter and eight year old brother-in-law Baburam. A quarrel started again when the accused started throwing trees on the Tripura's land like the day before. Eventually, Dulal Hossain came to attack Kismoti with one of his companions. They forcibly took her inside the farm house and allegedly raped her. During this time the three other accused detained Kismoti's daughter and her brother-in-law outside the room. The alleged rapists then came outside and started discussing the next move with the other accused. One of the accused suggested that she should be killed. Dulal took an axe from one of the other accused and tried to hit Kismoti on the head. She managed to dodge the attack but the axe hit her hand, severely injuring it. On hearing Kismoti's cries, Abdul Mia, Sabuz Ali and a few others working in a tobacco field came to the place. On seeing them, the accused ran away. Haradhan took his wounded wife to the health complex.

Official Action:

Habirum filed a case against five persons including Dulal Hossain at the local police station under section 9 (3) of the Suppression of Violence Against Women and Children Act, 2000 (as amended 2003).

Case 2

Name of victim	Hla Ching Nue Marma (15)
Nature of crime	Rape
Address	Chittagong
Date of incident	February 16, 2011
Official action:	Case filed

On February 16, 2011, Hla Ching Nue Marma was allegedly raped by Ansar Ali, owner of Diamond Hotel and Md. Kamal, manager of the hotel in Chittagong.

Hla Ching Nue Marma was a student of class IX at the Vocational Textile Institute in Bandarban town. On February 16, 2011 she went to visit Chittagong with a Buddhist monk who had been assisting her with her education. The visit was meant to be undertaken with a group of school students from other upazillas but they failed to turn up because of transportation problems.

They were woken up at 2 a.m. and two men claiming to be hotel authorities entered the room and started beating the monk and demanded Taka 50,000. They ransacked their belongings and took away three mobile phones, Tk. 4400 cash, a pair of gold earrings and a gold chain. They then locked the monk in an adjacent room and dragged Hla Ching Nue to another room. The hotel owner forced Hla Ching Nue to ingest a Yaba pill [a drug] and brutally raped her. The hotel manager also raped her. Hla Ching Nue eventually managed to escape to the monk's room. The monk then sent her home in a bus.

Hla Ching Nue's father filed a case at the Bandarban police station. According to Dolly Pru, a women's rights leader, a man from Bandarban tried to broker a deal on behalf of the accused to settle the matter by negotiation. However, the case was filed, and the victim was admitted to Bandarban Hospital.

Official Action:

The Bandarban police station registered the case on February 17, 2011. As the alleged place of occurrence of the crime was in Chittagong city, the case was sent to Chandgaon police station in Chittagong. Two cases of rape and hijacking were filed at the Chandgaon thana and the accused were arrested.

Present Situation:

The victim and her family are very apprehensive about their security and are wary of the attempts of the accused to get bail as they are fearful of their security. The victim is physically injured and mentally distressed and scared of social stigma.

Case 3

Name of victim	Numaching Marma (28)
Nature of crime	Rape and murder
Address	Manikchhari, Khagrachhari Hill District
Date of incident	March 25, 2011
Official action:	Case filed

Numaching Marma was raped and murdered at her residence on March 25, 2011. After the incident, Mong Prue Marma, the victim's husband filed a case accusing six Bengali settlers. The police arrested three of them. According to the information received from locals and victim Numaching's neighbour, Numaching's husband is a day labourer and often stays away from home for work. He was not present at home when the incident took place. The victim's daughter was heard crying on the night the incident.

One of the neighbours went inside Numaching's house the next day and found her body on the floor wrapped in a cloth. The body had bite marks all over. Numaching's daughter was sleeping and later mentioned the names of three persons who raped and murdered her mother the previous night. The neighbours informed the village headman about the incident who informed the local police station. The police sent Numaching's body to Khagrachhari district town for an autopsy.

Mong Prue stated that a week before the incident, the victim and her sister-in-law, Apruma Marma, went to a forest. At that time one of the accused, Saleh Uddin, stopped them but they managed to escape from him. Two days later one of the other accused, Farid, tried to rape Apruma at her house but ran away when her mother raised an alarm.

The village headman expressed his concern over land disputes and security of women in the area. He alleged that the Bangali settlers threatened him as he informed the local administration about these incidents of violence and that they were also creating pressure to settle matters through mediation.

Official Action:

The officer-in-charge of the local police station said that the three accused persons have been arrested and sent to the court of the Chief Judicial Magistrate (CJM). He also stated that the autopsy report confirmed that the deceased had been raped.

Case4

Name of victim	Minu Prue Marma (13)
Nature of crime	Attempt to murder
Address	Manikchhari, Khagrachhari
Date of incident	April 17, 2011
Official action:	No case filed

Minu Prue had been working as a domestic helper at the house of Hemol Chakma in Khagrachhari. Minu Prue came to her village on April 13, 2011 for Boishabi (New Year festival). She and some of her friends went to a Boishabi fair. While she was at the fair, Minu Prue's mother and uncle heard that there had been unrest. Her uncle Apure Marma and his wife with their baby went to look for Minu Prue. After finding her they got on to a bus to return home. When the bus reached the unrest area, some Bengalis settlers attacked them. Everyone except Minu Prue managed to escape. The Bengalis hit Minu Prue from behind on her head and several parts of her body and she lost consciousness. Apure Marma had run to save his own life and his wife Uma Marma said that she could not run fast enough because she was carrying her baby and took refuge with a Bengali family. The woman of the house gave her a *burqa* and helped her to escape to an indigenous people's village nearby.

Minu Prue was admitted to local hospital on April 17, 2011 after an unknown Bengali rescued her. She was discharged from the hospital on April 19, 2011.

Official Action:

Apure Marma said that they could not file a case with the police as they were being pressured by local politicians and the army against seeking legal redress. Hemol Chakma also gave a similar account. He was also fearful of discussing the incident with anyone or disclosing his identity.

Present Situation:

Minu Prue is currently recuperating in the care of her employer, Hemol Chakma.

Case 5

Name of victim	Anamika Chakma
Nature of crime	Rape and murder
Address	Dighinala Sadar, Khagrachhari
Date of incident	May 13, 2011
Official action:	Case filed

According to Anamika's mother Karuna Chakma, Anamika had been staying in her house for two or three days after her summer vacation. On May 13, 2011 she sent Anamika to buy cigarettes from a nearby shop at about 8 p.m. When Anamika did not return for a long time Karuna went to look for her daughter. She looked for her with the help of others in the locality. The next morning a Bengali girl found Anamika's dead body about 20 or 25 meters away from the victim's house. The spot was only 4 or 5 meters away from their neighbour Ali Masud's house. People informed Karuna of the news and she rushed to the spot and identified her daughter's dead body. One of her legs and neck was broken. Her mouth was filled with dirt and there were scratches and bites in several places on her body. There was a lot of blood in her genital area.

Official Action:

Officers from the upazilla office, police and army visited the spot. The Police took Karuna's statement and sent the dead body along with other evidence for post mortem to Khagrachari Sadar Hospital. In the statement given to the police, Karuna accused Md. Kamal, son of Ali Mansur, from the next village of the murder. Karuna stated that Md. Kamal had previously tried to rape Anamika on the night of the last New Year festival. Subsequent to that a local informal shalish was arranged where he allegedly confessed his guilt. A case has been filed under section 9(3) and 34 of the Suppression of Violence Against Women and Children Act, 2000 (as amended 2003) with the local Police Station by Karuna Chakma.

Case 6

Name of victim	Nukraching Marma (18)
Address	Kaukhali, Rangamati Hill District
Nature of crime	Attempt to rape
Date of incident	July 25, 2011
Official action:	Case filed

Nukraching Marma is a second year student of a college in Rangamati. On July 25, 2011, a Bengali settler allegedly attempted to rape her.

According to Nukraching, she and her friend Machaching went to college on the day of the incident. Their college is situated in the upazilla town. Her friend decided to stay back in town that night so Nukraching had to go home alone. She couldn't get a bus to go home and decided to walk. After walking for half an hour, she reached a sugarcane field. The place was very quiet and secluded. All of a sudden Zamir Ali came and grabbed her from behind. Two school

students, Thoyaiching Marma and Paiprue Marma, heard her cries and went to the spot. The accused ran away on seeing the students; however, they chased and caught him. They also informed the village head and local leaders.

Official Action:

The police brought the accused to the station. Nukraching's father filed a case the same day. The police interrogated the accused and sent him to court. The case is under investigation.

Present Situation:

Nukraching and her family are in great fear of their security. Even though the accused has been arrested, some people have been pressuring them to settle the matter through mediation. However, her father is determined to pursue the case.

Case 7

Name of victim	Kakoli Chakma
Nature of crime	Rape
Address	Longadu, Rangamati Hill District
Date of incident	July 27, 2011
Official action:	Case filed

Kakoli Chakma and Pallab Chakma are cousins. A student of Class IX at Tulaban High School, Karuna used to live in Pallab's house. Pallab was a teacher atherschool. Md. Abul Kalam, a share cropper on Pallab's father's land, used to visit Pallab's house quite often. On the day of the incident, Kakoli was alone at home. According to her she was getting ready to go to school when Abul Kalam came in looking for her uncle and aunt. When she told him that both of them had gone to the market, he offered her a fifty taka note to have sex with him. When she refused to take the money, he forced himself into her room. He held her mouth and raped her. She informed her parents about this attack the following day. A case was filed and the accused was arrested on July 29, 2011. Following the arrest, the local Bengali settlers surrounded the residence of the upazilla (sub-district) and the Chairman demanded that the accused be released. However, the administration refused to release the accused.

Official Action:

The complainant, Pallab Chakma, filed a case under Section 9 of the Suppression of Violence Against Women and Children Act, 2000 (as amended 2003). The accused was arrested and sent to jail on July 29, 2011. The victim was also sent to the district hospital for medical check-up. The medical report stated that the victim had been raped.

The complainant then approached the Bangladesh Legal Aid and Services Trust (BLAST) to seek legal support to get the victim back in his custody from the court. On July 30, 2011, the complainant obtained custody of the victim. The Baghaichhari Shikkha Samiti, a local social organization, organized a human chain protesting the rape on July 28, 2011 and demanded exemplary punishment for the accused.

Case 8

Name of victim	Sui Sau Marma (70), Maymaching Marma (35) Kelang Marma (5)
Address	Lama, Bandarban Hill District
Nature of crime	Murder
Date of incident	July 30, 2011
Official action:	Case filed

Three members of a family, Sui Sau Marma, Maymaching Marma and Kelang Marma, were brutally killed, allegedly by a Bengali settler named Md. Masud. The sole survivor of the incident was Hla Ching Marma, granddaughter of Sui Sau Marma, and daughter of Maymaching Marma and sister of Kelang Marma.

According to Hla Ching, the accused, Md. Masud, entered their house while she and her mother were busy with household chores. Her grandfather was resting at a distance from the house under a tree. The accused first asked her mother for drinking water and then for an axe to fell a tree. Hla Ching's mother asked him for his name and gave him the axe which he then proceeded to sharpen on a stone. In the meantime, Hla Ching, her mother and her brother fell asleep. Hla Ching woke upon hearing her younger brother, Mowling. She then saw the accused attack her mother with the axe. When she attempted to get up, the accused got on top of her, placed the axe on her throat and threatened to kill her if she shouted.

Hla Ching told the accused that she needed to use the toilet and tried to get out of the house. She managed to get out of the house and to escape. She found her maternal grandfather, Kongjury Marma, and reported this incident. Later, the three dead bodies were discovered by Kongjury Marma and other members of the community who also informed the local Member and Chairman of the incident. The local Member, Md. Rahman, alerted the villagers about the incident and the accused. The accused was allegedly seen by locals washing blood-stained clothing and later trying to board a bus and suspected that he was the murdered. The accused was thereafter handed over to the police.

When asked about his opinion regarding the motive for the murder, Remrachai Marma, a local inhabitant, stated that the accused may have committed the murder at the behest of his uncle, Nadim Islam. Nadim Islam has some rice fields beside the victims' land and he allegedly wanted to grab the victims' land.

According to information received from other locals, Md. Iqbal, son of Nadim Islam and a cousin of the accused, had been enquiring about whether the victims' family were still staying at that place or not. The victims' family had also been under pressure from the accused to settle the case unconditionally and warned of dire consequences if they failed to do so.

Meanwhile, there have been protests against the murder in different parts of the country, including protest rallies and meetings organized by the *Pahari Chhatra Parishad* (Hill Students Council) Rangamati and *Mahila Samity* (Women's Association) calling for exemplary punishment for the accused.

Official action:

A case was filed at the Lama Police Station in connection with this incident.

Case 9

Name of victim	Minu ching Marma
Nature of crime	Attempt to rape
Address	Thanchi, Bandarban
Date of incident	September 12, 2011
Official action:	Case filed

Usha Marma is the mother of the victim and a teacher of a Government Primary School. Usha used to take her three and a half year old daughter with her to school. On September 12, 2011 at around 3:30 p.m. the girl was playing in the school veranda. Md. Shahajalal allegedly took the girl into the under construction building and tried to rape her. Hearing her cries, some teachers from the school and other people rushed to the spot and saved the girl. Shahjalalwas beaten up by the people present. Usha filed a case after the incident and also informed the Chairman of the Union Council, Mongtu Mro. The Chairman suggested that a meeting be held with the accused and his guardian. At the meeting, the girl identified the accused. There Usha also found that the accused and his guardian had been trying to file a false case against her and other witnesses of the incident. She and her husband filed a case and caught the accused with the help of locals and handed him over to the police.

Official Action:

Case filed and alleged perpetrator arrested.

Case10

Name of victim	Zarina Tripura (22)
Nature of crime	Rape
Address	Panchhari, Khagrachhari
Date of incident	September 24, 2011
Official action:	Case filed

On September 24, 2011, Zarina Tripura was raped by Md. Salam, inhabitant of the same union. The victim was alone with her baby at her *jum* (shifting cultivation) house at the time of the attack. She was putting her baby to sleep. The accused, Md. Salam, came to her asking for a glass of water and asked her where her husband was. When she told him that her husband was not at home he held a knife to her throat and threatened to kill her if she shouted and went ahead and raped her. When she started screaming Mohammad Karim escaped but he was spotted by others in nearby jhum homes running away with the knife in his hand.

Official Action:

A case was filed under section 9(1) of the Suppression of Violence Against Women and Children Act, 2000 (as amended 2003) in Panchhari Thana. The accused had not been arrested as of the filing of the report.

Case 11

Name of victim	Promila Chakma (56)
Nature of crime	Murder
Address	Khagrachhari Sadar, khagrachhari
Date of incident	October 1, 2011
Official action:	Case filed

Pranati Chakma had gone to work on the family's rice field which is about two kilometers away from his house. His wife Promila went to the paddy land with lunch for him. After spending some time with him she left to go home. Pranati Chakma returned home at about 4 p.m. and saw that Promila still hadn't returned. Other family members thought that she has been working with her husband so they had not looked for her earlier. After a thorough search Promila's dead body was found under a bridge near their house in the evening. She had been beheaded and her ears had also been cut off. Her gold necklace and earrings were also taken away. Evidence suggested that she had been raped before she was killed.

Official Action:

The day after the murder, Pranati Chakma filed a case with the Khagrachhari Sadar police station under Section 302 of the Penal Code. The Police arrested Md. Ramjaan from the local army camp and sent him to court. The case is under investigation now.

Case 12

Name of victim	Sonabi Marma (18)
Address	Kaukhali, Rangamati Hill District
Nature of crime	Abduction and gang rape
Date of incident	November 8, 2011
Official action:	Case filed

According to the victim, Sonabi, she was introduced to Md. Karim Uddin alias Sumon (the accused), five to six months before the incident took place. Sumon used to visit Sonabi's home periodically. He had friendly relations with Sonabi and her parents and they all treated him like a family member. One day Sumon told Sonabi that he would arrange a good job for her as her family was not well-off. He also convinced her not to tell her parents about the job before taking it up. Sonabi took up this offer and went to a local area on November 8, 2011 at about 5 p.m. to meet Sumon. Sumon told her that they would go to Chittagong to find her a job and assured her that there would be no problem as one of his sisters lived there. Sumon and Sonabi reached Chittagong at 8 p.m. that night.

Sumon then took Sonabi to a house in Chittagong and allegedly raped her. Two of his friends, Md. Rafiq and Tarun Das, also allegedly raped her. Over the next two days, several other persons also came in and raped her. On November 10, 2011 another woman who was trapped there like Sonabi, gave her a mobile phone. Sonabi used the phone to call Chathui Mong but couldn't finish the call. However, Chathui Mong realised that Sonabi was in trouble and told her father, Ranpruchai Marma, about the call.

Ranpruchai Marma filed a General Diary at local police station on November 11, 2011 and on November 12, 2011 Sonabi was rescued by her father with assistance from the Rapid Action Battalion (RAB) and the police. They also arrested four of the accused from the house.

Official Action:

The victim Sonabi was rescued by RAB and police on November 12, 2011. After being rescued Sonabi filed a case under Sections 7, 9 (3) and 30 of the Suppression of Violence Against Women and Children Act, 2000 (as amended 2003). The main accused escaped from police custody but was arrested again. The police filed another case under Sections 333 and 224 of the Penal Code against him. The case is currently under investigation.

Annex 2

Case Studies 2012

All names have been changed for confidentiality reasons.

Case 1

Name of victim	Chitra Tripura (12)
Address	Guimara, Khagrachhari Hill district
Nature of crime	Rape
Date of incident	January 30, 2012
Official action:	Case filed

On January 30, 2012, Chitra Tripura (12), a student of class 5, was on her way home to lunch when a man, Md. Habib, allegedly dragged her to the nearby jungle and raped her. Neighbours of the victims found her unconscious in the jungle and took her home.

Her family have been unable to send her to school since then because of the social stigma she faced. Many people and organizations protested the incident. Human chains were staged by Tripura Students Forum, Tripura Sangsad at the union level demanding arrest and punishment of the accused. This led to an investigation by police.

Local people claim that instead of taking steps against the accused, local government institutions and the administration are helping him as he is a Bengali. A proposal was made from the accused person's family to settle the matter. They wanted to give Taka 30,000 to the victim to settle the matter. But the victim's family refused to take money. The victim's family is very poor. They are incapable of bearing the expenditure of the case.

Official Action:

A case was filed but the accused is yet to be arrested. However, people think that he was granted bail before being arrested.

Case 2

Name of victim	Deepika Chakma (16)
Address	Laxmichhari, Khagrachhari Hill District
Nature of crime	Abduction followed by gang rape
Date of incident	February 1, 2012
Official action:	No case filed

On February 1, 2012 at around noon, Deepika Chakma (16) was gang-raped by a group of Bengali settlers at Laxmichari upazilla of Khagrachari Hill District, while going to other place with one of her relatives on a motorbike. At that area their motorbike was stopped by a group of settlers, and they were forcibly taken to a place three kilometers away from the main road. They tied Bipom Chakma, the victim's cousin, to a log but he managed to escape and inform his relatives. The seven men took the victim to the jungle nearby and raped her repeatedly until she lost consciousness. They stole the victim's gold jewellery as well.

Some Bengali women who had gone to the jungle for work heard the victim's screams. They rescued the victim and informed the local police station. Officials of the local administration visited the spot and brought the victim to Sadar upazilla headquarters. Then she was taken to the local hospital and given first aid and was referred to a district hospital in Khagrachhari. The

victim was taken to the district hospital on 2 February. Three days after the incident, the doctor found no sign of rape. Then the victim was sent back home. To protest the incident, local indigenous peoples from all walks of life came to the streets demanding immediate arrest and exemplary punishment to the perpetrators.

Official Action:

Initially the Officer-in-Charge refused to file a rape case and suggested that the complainant file a case of attempt-to-rape case instead. The officer-in-charge said that he had received orders from 'higher authorities' not to register this case as a rape case. Finding no other alternative the victim's brother filed a case against seven unknown persons although the identities of the suspects were known and it was also known that they were from a cluster village (villages which were set up under the patronage of the military during the insurgency in the late 1970s and 1980s) and activists of Bangladesh Chattra League, the student wing of ruling Bangladesh Awami League. After a few days the Officer-In-Charge informed the victim's family that one accused had been arrested. The victim's family members went to the police station and saw that they had arrested the wrong person. Despite that, Khoka Mia was sent to the district jail in Khagrachhari. The victim's relatives protested this arrest but the police did not pay any heed to it. The main accused persons have allegedly been seen moving about in the area. The victim's family members' have also alleged that the medical report was fabricated and that the doctor in fact never examined her.

Case 3

Name of victim	Paipru Marma (12)
Address	Manikchhari, Khagrachhari Hill District
Nature of crime	Rape
Date of incident	March 23, 2012
Official action:	Case filed

On March 23, 2012 an indigenous Marma girl (12) was raped by Bengali settlers. Early that morning the victim was going to the local bazaar to sell coal along with two other children. While crossing a local area two Bengali settlers dragged her forcefully to a nearby jungle and raped her until she lost consciousness. The two other children managed to flee. The victim was later rescued by locals.

On March 24, 2012, Guimara unit of *Pahari Chattra Parishad* (the students' wing of an indigenous political party) brought out a procession at around 5 p.m. to protest this incident. Another protest demonstration was held in the premises of the local High School. The indigenous students' leaders demanded exemplary punishment for the culprits and urged the local administration to take necessary steps so that such incidents can be averted in future.

Official Action:

A case was filed under section 9(3) of Suppression of Violence Against Women and Children Act 2000 (as amended 2003). Police arrested one of the accused.

Case 4

Name of victim	Machaching Marma
Address	Manikchhari, Khagrachhari Hilll District
Nature of crime	Tortured by Army personnel
Date of The Incident	March 28, 2012
Official action:	No case filed

On March 28, 2012 at around 3 pm, Machaching Marma, an indigenous woman was allegedly harassed by military officers in a remote village of Manikchari Upazilla under Khagrachari district. On the day of the incident, a group of soldiers of local Army Zone went on an operation to the village with two pickup trucks. At one stage of the operation in the village, the troops encircled the house of Toilapru Marma (57), and ransacked his household articles in the name of searching for firearms and terrorists. The house owner's daughter, Machaching Marma (25) was in the house during the search. The officers interrogated Machaching Marma and asked questions about the whereabouts of terrorists, and about arms and ammunitions which they believed were kept in the house. They threatened her with dire consequences if she failed to answer the questions correctly. When Machaching repeatedly gave the same answer, that she did not know anything about any activists of UPDF and JSS, the soldiers beat her mercilessly and left the scene with Machaching seriously injured.

Official Action:

Neither the victim's family nor any of the villagers lodged a complaint with the local police station.

Case 5

Name of victim	Minuching Marma (13)
Address	Kaukhali, Rangamati Hill District
Nature of crime	Abduction
Date of incident	April 17, 2012
Official action	Case filed

On April 17, 2012 Minuching Marma was on her way back home from the Boishabi water festival when she was allegedly abducted by Md. Saleh Ahmed, a local Bengali settler and was taken to an upazilla under Chittagong District and handed over to Md. Abu Zafar who took her to an unknown destination on his motorbike. The victim used to stay with her uncle who was also attending the festival. He returned home at 8:00 p.m. and found that she had still not returned. He started to look for her and afterwards came to know about the incident.

Official Action:

A case was filed under section 7(30) of the Suppression of Violence against Women and Children Act, 2000 (amended in 2003) at Kaokhali police station. Police arrested the first accused Mohammad Samad (25). The charge sheet has been submitted to the court.

Present Situation:

The first accused was released on bail. The victim was initially placed in a prison under safe custody but was later taken to Hathazari youth correction facility.

Case 6

Name of victim	Kanonbala Tripura (44)
Address	Matiranga, Khagrachhari Hill District
Nature of crime	Rape of a disabled indigenous woman
Date of incident	April 25, 2012
Official action:	No case filed

On April 25, 2012, Kanonbala Tripura (44), a disabled indigenous woman was raped by two Bengali settlers. On the day of the incident, she was visiting her uncle at around 9 p.m. when many of the villagers were away to attend a funeral. Two Bengali settler youths, finding the victim alone, forcefully entered the house and took her into a nearby jungle and raped her repeatedly. The children of Khokonbala Tripura tried to resist them but failed.

They eventually cried out for help. Neighbours rushed to the spot, and captured two Bengali settlers, Abed Ahmed alias Abedya (38) and Tazul (35).

Official Action:

No case has been filed. Police and the members of BGB (Border Guard Bangladesh) came to the victim's house and suggested that a case be filed.

After the incident however, some influential Bengali settlers allegedly started intimidating the victim's relatives to settle the issue. When asked, the victim's brother said that he was concerned that since the victim could not speak they would only be wasting time and money by filing a case. He also said that what his sister lost could not be brought back hence it was his decision not to file any case.

Case 7

Name of victim	Arpita Chakma (45)
Address	Longadu, Rangamati Hill District
Nature of crime	Rape followed by attempt to murder
Date of incident	April 28, 2012
Official action:	Case filed

On April 28, 2012 at around 1:30 p.m. an indigenous woman, Arpita Chakma alias Kajoli (45), was allegedly assaulted, looted and raped by Bengali settlers. The victim was seriously injured and admitted to the local Hospital.

On the day of the incident at around 1:00 p.m., the victim, Arpita Chakma, left home for nearby a local Bazaar. Two Bengali settlers allegedly stopped her on her way and began to assault her physically with sharp metal weapons causing severe injuries all over her body. Besides, the

accused persons also looted a gold necklace, nose-ring, and Tk. 5300 from her. Hearing the victim's shouts, Jumma villagers came to her aid and took her to the local Hospital. The victim also stated that she had been raped and that she was able to identify one of the culprits.

Official Action:

A case has been filed. In order to collect evidence, the investigation officer has visited the crime scene and taken testimony of the victim. The members of Border Guard Bangladesh (BGB), had reportedly extended their patrol after the incident. However, the police did not arrest the accused persons. The complainant sought legal support from the Bangladesh Legal Aid and Services Trust (BLAST) to file the case.

Case 8

Name of victim	Nirmala Chakma (10)
Address	Longadu, Rangamati Hill District
Nature of crime	Rape followed by murder
Date of incident	May 9, 2012
Official action:	Case filed

On May 9, 2012 at around 1:00 p.m, Nirmala Chakma (10), an indigenous girl, was murdered after being raped, allegedly by Md. Masud (30) alias Sree Kank Kumar Biswas. On the day of the incident, Nirmala, along with a six-year-old child went to graze her cows about half a kilometer away from her village. According to the child witness, a bearded Bengali settler appeared before them, and grabbed Nirmala's hands to take her away to a nearby jungle. Seeing this, the child ran to their village and informed the villagers about the incident. The villagers went out to rescue Nirmala but found her dead body there. Injury marks from a sharp weapon were found on her neck.

Earlier on June 15, 2011, the accused, Md. Masud had also allegedly raped Nirmala's cousin, Bithika Chakma. A case was filed against him with local police station. After that the accused, Md. Masud, was identified and arrested. He had been released on bail a month before committing the rape and murder of Nirmala Chakma. Local people think that the accused may have committed the crime to take revenge on Nirmala's family members.

Official Action:

Biplob Chakma, the victim's brother, filed a case. Accused Md. Masud was arrested and produced before the court. The court sent him to prison. The victim's dead body was sent district Hospital for autopsy.

Case 9

Name of victim	Loly Chakma
Address	Khagrachhari Sadar, Khagrachhari Hill District
Nature of crime	Attempt to rape
Date of incident	May 11, 2012
Official action:	No case filed

On May 11, 2012 morning, a teacher of the victim asked her over the phone to come to his residence under the excuse of tutoring her. Seeing his wife arrive home unexpectedly, the accused took the victim to a nearby deserted shop at a local market in the district headquarters and attempted to rape her. Hearing her cries, some local youths rushed to the spot and caught the accused in the act.

Official Action:

Following the incident, the guardians of the girl lodged a complaint with Khagrachari Municipality Mayor, who later called for mediation in the presence of victim's parents, 70/80 guardians of the students of the school and a number of elderly people. As an outcome of the meeting, an investigation committee of seven members, including the school's executive committee member, Sadhon Bikash Chakma, as the head of the committee was formed. The executive committee members of the school decided to suspend the accused teacher in an emergency meeting held on May 16.

Present Situation:

This decision of suspension was not implemented even after two months of the incident. The local people then gave a memorandum to the Education Minister. Following this, the victim filed a case against the accused. The victim and her family were threatened after this. They are living in fear and the victim has not been able to leave her house.

Case 10

Name of victim	Sonabi Chakma (16)
Address	Kaukhali, Rangamati Hill District
Nature of crime	Attempt to rape
Date of incident	June 5, 2012
Official action:	No case filed

On June 5, 2012, at around 11 a.m., Sonabi Chakma (16) boarded an auto-rickshaw on her way back home from college. The vehicle was carrying two other Bengali passengers and after a while another Bengali passenger forced his way into the backseat. At that point the two other passengers dragged her by her hair and held her mouth closed. While crossing a popular market place where her father was waiting for her, she tried to draw the attention of the patrol police, but failed to do so. The auto-rickshaw crossed Manikchari and stopped at Munsi Abdur Rob Monument beside the Rangamati-Chitttagong highway. The three Bengali youths dragged her out of the auto-rickshaw, took her to the forest

near a restaurant and attempted to rape her. They started beating her up until a group of indigenous youths heard the screams and came forward to help her. Seeing them approach, the three Bengali youths fled the scene. The indigenous youths rescued the victim, provided her with first aid and informed her family.

Official Action:

Although the indigenous student organisation advised Sonabi's father to file a case and promised to provide him with adequate cooperation, he did not take any legal action as he thought it would only increase their suffering and further stigmatize his daughter. He was also afraid that filing a case would lead to nothing since the perpetrators were unknown.

Case 11

Name of victim	Sumita Chakma (22)
Address	Barkal, Rangamati Hill District
Nature of crime	Attempt to rape
Date of incident	June 12, 2012
Official action:	Case filed

On June 12, 2012 at around 8 a.m., Sumita Chakma (22), a student, was on her way to her computer class. On the way Md. Hanif (22), a stranger to the victim, allegedly sexually assaulted her and tried to drag her to a nearby jungle. Local people heard her screams for help and rushed to rescue her. They beat up the accused and handed him over to the police.

Initially the police were not willing to register the case as some influential people made recommendations in favour of the accused. Some people went to Bibhas Chakma, the victim's husband, and proposed that he settle the matter by accepting financial compensation. Bibhas rejected the proposal. According to Bibhas, a few years ago the accused had raped another girl named Nodi Chakma. However, he couldn't be brought to justice due to lack of evidence.

Official Action:

A case was filed under Section 10 of Suppression of Violence against Women and Children Act, 2000 (amended in 2003). The accused was arrested but got bail afterwards.

Present Situation:

The accused is out on bail and allegedly threatening the victim's family. The victim's family is living in constant fear as the accused lives near their residence.

Case 12

Name of victim	Mamata Chakma (26), Binoy Kumar Chakma (68) and Shaya Debi Chakma (65)
Address	Barkal, Rangamati Hill District
Nature of crime	Causing grievous bodily harm
Date of incident	June 30, 2012
Official action:	No case filed

On June 30, 2012 at around 7:30 a.m. Mamata Chakma, her father-in-law, Binoy Kumar Chakma, and Shaya Debi Chakma were severely injured when a group of Bengali settlers attacked them over a land conflict. Binoy Kumar Chakma reportedly had customary ownership over the piece of land for a long time, until the Bengali settlers started building their house about five to six years ago. However, the Bengalis reportedly also planned to take possession of their recorded hill lands as the fringe low-lying lands possessed by the Bengalis gets submerged during floods every year.

Official Action:

Local UP member Sabita Chakma and Union Chairman Sona Ratan Chakma were informed of the incident. Sabita Chakma visited the place of the incident and helped the victim's family get first-aid at the local health complex. She also took the victim's family to the local police station to file a case. However, the Officer-in-Charge advised them to settle the case through mutual understanding. He also entrusted S.I. Md. Salam with the responsibility of investigating the case. S.I. Salam went to the place of the incident and advised both parties to settle the dispute through mutual understanding and warned that he would otherwise file a criminal case against the alleged land grabbers. The alleged culprits then agreed not to make any more attempts at the victim's land again.

Present Situation:

No case has been filed and the dispute has been settled. Md. Ali has stopped building a house on Binoy Kumar Chakma's land.

Case 13

Name of victim	Mini Chakma (9) and 10 other indigenous girls
Address	Baghaichhari, Rangamati Hill District
Nature of crime	Sexual harassment of children
Date of incident	June 30, 2012
Official action	Case filed

Mohammad Reazul Islam (28), a school teacher of a Government Primary School, was alleged to have been sexually harassing his female students for a long time. On July 4, 2012 guardians of the students staged a human chain demanding proper investigation into the matter.

Following formal allegations from students' guardians, the local authority concerned formed an investigation committee, and then found evidence behind the allegations against Reaz Mohammed, who was later suspended and arrested on July 7, 2012.

Official Action:

A case has been filed under Section 10 of the Suppression of Violence Against Women and Children Act, 2000 (as amended 2003). A charge sheet has been submitted to the court.

Present Situation:

The accused is still in custody. His bail petition has been refused several times.

Case 14

Name of victim	Dhana mala Chakma
Address	Barkal, Rangamati Hill District
Nature of crime	Murder
Date of incident	July 7, 2012
Official action:	Case filed

On July 7, 2012 at around 1:30 p.m. Dhana Mala Chakma went to a nearby spring to fetch water. When she did not return for a long time, her relatives went out to the spring and found her naked dead body there. The police went to the spot at around 4 p.m. and took the dead body to Sadar district hospital for post mortem. A grand-daughter of the complainant had gone to look for Dhana Mala and was led to her dead-body by following blood marks on the ground near the spring. Later when she was watching the people gathering around the body from a distance she saw a Bengali man run away from the scene of the crime. The complainant filed a case against three persons who had been seen around the area many times before.

Official Action:

A case was filed at Kotwali police station. The police arrested one of the accused Md. Sohel and produced him before the Court on July 10, 2012.

Present Situation:

After this incident the plaintiff's family left their house and took a small house in Rangamati town in fear of threats from the accused. They have requested the local unit of the Bangladesh Legal Aid and Services Trust (BLAST) for legal support.

Case 15

Name of victim	Apruma Marma (12)
Address	Manikchhari, Khagrachhari Hill District
Nature of crime	Attempt to rape
Date of incident	August 1, 2012
Official action:	Case dealt with in village court

On August 1, 2012 Apruma Marma (12) was going to the market with two of her siblings when a Bengali settler stopped them and attempted to rape her. The man ran away when the victim started to cry. The victim, a student of class four, has not been able to attend school since the news became publicly known. According to one of her relatives, she was emotionally traumatised after the incident and was too frightened to attend an exam the following day. Local councillor and influential Bengalis settled the matter after the perpetrator confessed to his guilt and a local shalish (arbitration) fined him Tk. 35,000 for his act.

Case 16

Name of victim	Moha Devi Tripura (85)
Address	Matiranga, Khagrachhari Hill District
Nature of crime	Murder
Date of incident	August 22, 2012
Official action:	No case filed

On 22 August 2012 an 85-year-old indigenous woman, Moha Devi Tripura was killed. On the day of the incident, the victim went fishing at a nearby stream. When she had not returned home for a long time, relatives of the victim searched for her and found her lying in a field. She was taken to her house from there. She said that some Bengalis had beaten her up but she could not identify anyone. A Bengali settlers' locality, is near to where she was beaten up. Local Jumma villagers believe that she might have been killed by Bengali settlers. Deep cut marks were found on her body.

Official Action:

No case was filed.

Case 17

Name of victim	Khaleda Khatun (16)
Address	Naikhangchhari, Bandarban Hill District
Nature of crime	Rape
Date of incident	September 2, 2012
Official action:	Case filed.

On September 2, 2012 at around 12 p.m., while returning home from a field nearby, Khaleda Khatun (16) was forcibly taken to a hillside by Md. Hanif (27) and Monu Mia where Md. Hanif allegedly raped her. Shaheda Begum heard the victim screaming, rushed to the spot and witnessed the rape. The two accused fled the scene when they saw Shaheda Begum.

Official Action:

On September 3, Khaleda Khatun went to the police station and filed a case against the accused. S.I. Md. Kamal Hossain was entrusted with the investigation. After visiting the place of the incident, interrogating the witnesses, arranging medical test including a DNA test for the victim, he submitted a final report, concluding the accusation to be false and intended to cause harassment in connection with some earlier land dispute between the two families.

The victim's uncle Md. Ibrahim, claims that the investigation officer demanded a bribe from the family which they could not afford, while the accused, being from a very influential family, were able to influence the investigation report.

Present Situation:

The first accused Md. Hanif has been released on bail while the second accused Monu Mia is still absconding. The I/O of the case filed a case against the victim saying that she had filed a false case against the alleged rapist. Legal action has been taken against the complainant under Section 17 of the Suppression of Violence Against Women and Children Act, 2000 (amended 2003).

Case 18

Name of victim	Chamapru Marma (17)
Address	Bilaichhari, Rangamati Hill District
Nature of crime	Attempt to rape
Date of incident	September 8, 2012
Official action:	Case filed

On September 9, 2012 at around 1:30 a.m. Md. Yunus, an army personnel, allegedly entered victim Chamapru Marma's room, where she used to live with two other fellow students, by cutting a portion of the wall made of bamboos and attempted to rape her. Failing to do so, he tried to drag her out of the room and injured her. The local people heard her shouts and rescued the victim but could not catch the accused. Local leaders are allegedly putting pressure on the victim's family and upon the indigenous leaders to withdraw the case.

Official Action:

The victim filed a case on the same day under section 9 (4-kha) of the Suppression of Violence Against Women and Children Act, 2000 (amended 2003). Police arrested the accused within a few hours of this incident and later handed him over to the authority of the Bangladesh Army, Kaptai Zone, saying that the accused was beyond their jurisdiction as he was from the military.

Case 19

Name of victim	Pravati Rani Dey
Address	Alikadam Sadar, Bandarban Hill District
Nature of crime	Rape
Date of incident	11 September 2012
Official action:	Case filed

On September 11, 2012 at around 11 p.m., Pravati Rani Dey, a student of standard 8, was sleeping in her room when Md. Sabbir (20) broke the door to their house and entered her room. He held her mouth shut and allegedly raped her. Her family members woke up when they heard her screaming and rushed to her room but Md. Sabbir managed to escape. Pravati Rani Dey's family informed Md. Sabbir's parents who denied the fact and threatened them with death if they took any action against Md. Sabbir. Though the police station initially refused to file the case, they finally registered the case. Md. Habibur Rahman, Md. Sabbir's father, claims this incident to be a misunderstanding between the two families. According to Md. Abdul Gafur, a community leader, Pravati and Md. Sabbir were in a relationship for a long time. He also claimed that the allegation of breaking the door was false. According to Md. Makbul Islam, Imam of the local mosque, the two families knew about the relationship but did not accept it because they belonged to two different religions.

Official Action:

A case was filed on September 12, 2012, however the two families settled the case through mutual understanding. Sabbir married Pravati Rani according to Muslim Law on October 10, 2012 after she converted to Islam and renamed herself as Hosne Ara Begum through swearing an affidavit. However, on October 17, 2012, the police arrested Sabbir. He was produced before the court which sent him to prison.

Present Situation:

The court rejected three bail petitions submitted by the accused. Hosne Ara herself then applied for bail. Sabbir's mother, Saleha Begum, claimed that police had asked for ten thousand taka for bail. However, Alikodom police station denied this claim.

Case 20

Name of victim	Promila Chakma alias Madhabi (22)
Address	Dighinala, Khagrachhari Hill District
Nature of crime	Rape
Date of incident	September 18, 2012
Official action:	Case filed

On September 18, 2012 at around 2:30 p.m., Promila Chakma, an indigenous housewife, aged 25, was allegedly raped by a Bengali settler in Dighinala upazilla under Khagrachari hill district. According to the FIR, on the day of the incident, the victim went to a hillock nearby to bring her cattle back home. The accused grabbed her from behind and raped her leaving her unconscious with severe injuries. She was later rescued by Chijimoni Chakma, her husband.

The victim was first taken to local hospital and later shifted to district Sadar hospital as her condition was deteriorating fast. Her husband filed a case at local police station in this connection.

Official Action:

A case was filed under Section 9 (1) of Suppression of Violence Against Women and Children Act, 2000 (as amended 2003) on the same day. The victim was taken to the district hospital for medical check-up three days after the incident. The charge sheet is yet to be submitted.

Present Situation:

The complainant alleges that the family of the accused is preparing to file a case against the victim and the complainant. They have also been asked to settle the case by negotiation and are also being threatened.

Case 21

Name of victim	Dolly Das
Address	Lama, Bandarban Hill District
Nature of crime	Rape
Date of incident	September 30, 2012
Official action:	Case filed

Mujubul Islam used to harass Dolly Das by frequently proposing to marry her. Dolly Das didn't respond positively to his proposal due to their religious differences. On March 1, 2012 at around 7 p.m. Mujubul Islam went to her house and allegedly had sexual intercourse with her, with a promise to marry her soon. However, when Dolly asked him to marry her, Mujubul Islam kept making various excuses to delay the marriage. She cut off all contact with him.

On June 13, 2012 at around 10 a.m. Mujubul Islam stopped her at a bus station and they ended up having an argument. Feeling harassed, Dolly rented a new house for herself. Mujubul Islam tracked her down and on September 30, at around 8 p.m. he found the door to her house open,

entered her room and raped her. Hearing her screams the neighbours came to help her. They caught him red-handed and locked him up in the room. Later, they took him to the police station. The victim wanted to file a case but the police didn't register it as the OC said that the place of occurrence did not fall in their territorial jurisdiction. However, according to the victim, the police didn't file the case as Mujubul Islam is a very politically influential person.

The Upazilla Chairman, along with other people of the community, went to the police station. Mujubul Islam confessed his guilt and signed a stamp paper saying he would marry Dolly shortly. Soon however, Mujubul Islam started threatening Dolly. Finally, Dolly filed a case in court.

Official Action:

A case has been filed by the victim in the Suppression of Violence Against Women and Children Tribunal on October 4, 2012 under section 9(1) and section 10. The accused was arrested but soon got out on bail.

Present Situation:

Mujubul Islam continues to threaten Dolly asking her to withdraw the case.

Case 22

Name of victim	Mithila Tanchangya (14)
Address	Rajasthali, Rangamati Hill District
Nature of crime	Attempt to rape
Date of incident	October 2, 2012
Official action:	Case filed

On October 2, 2012, Mithila Tanchangya (14,) went to her school at 7:00 a.m. Feeling ill she decided to skip her classes and rest in another room till her next class began. At around 9:30 a.m. Mohammad Saiful Islam (16), one of her fellow classmates, found her alone in the classroom and allegedly tried to rape her. He attempted to drag her to a jungle nearby but failed and then finally left her in the classroom and went upstairs. When the news spread, Saiful fled from the school.

The victim's father, Samar Bikash Tanchangya, filed an FIR. Then the accused person's family arranged a meeting to apologise for the act. However, the victim's father was not ready to let the accused go unpunished. According to Sujala Marma, local woman Commissioner, the father of the accused is very influential.

On October 6, 2012, four days after the incident, the accuser's father himself handed over the accused to the local police. At the same time, rumour spread throughout the indigenous villages that the Bengalis may attack them out of revenge. Most of the villagers went into hiding in the jungle. That night the army, including the local zone commander, patrolled the village several times, apparently in order to reduce panic among the indigenous people. This was followed by tense situation in both Bengali and indigenous people's villages.

Official Action:

A case was filed under section 10 of the Suppression of Violence Against Women and Children Act, 2000 (as amended 2003) on the day of incident. The accused was arrested and was produced before the court. The court sent the accused to jail.

Present Situation:

Several meetings were held to convince the victim's father to withdraw the case. Repru Chai Marma, Chairman of the local Union Parishad allegedly warned him to arrive at a compromise which the victim's father eventually conceded to, settling on an amount of Tk. 15,000. The accused was then released on bail.

Case 23

Name of victim	Hla Ching Marma (20)
Address	Roangchari, Bandarban Hill District
Nature of crime	Rape
Date of incident	October 3, 2012
Official action:	No case filed

Hla Ching Marma (20), a disabled indigenous woman, lost her father four years ago and was living with her mother. On October 3, 2012 at around 4 p.m., she was home alone as her mother had gone to the Buddhist temple. At that time Moslem, the accused, who was working at a nearby road, entered her house and raped her. A local person witnessed this crime. The accused was trying to escape but people caught him and took him to the village headman where they tied him with a rope. Local people took him to the Union Parishad Chairman and finally handed him over to police.

A meeting was held at the police station where the police and local people decided to settle the case by payment of compensation of Tk. 40,000. The victim's mother acknowledged receiving the money.

Official Action:

No official action was taken. The case was settled through payment a compensation of 40,000 taka.

Case 24

Name of victim	Nalini Chakma (14)
Address	Mahalchari, Khagrachhari Hill District
Nature of crime	Attempt to rape by Army personnel
Date of incident	October 14, 2012
Official action:	No case filed

On October 14, 2012, at around 9 a.m. Nalini Chakma (14), along with a friend, was on her way to school. While crossing the Army Camp their path was obstructed by an army personnel who was doing construction work. The army personnel then allegedly started molesting one of the girls while her friend managed to flee. The victim did not disclose the incident for the first few days in fear. On October 17, Samar Bijoy Chakma, the Upazilla Chairman, and Kabita Chakma, Upazilla Vice-chairperson, paid a visit to the army camp. The army commander arranged a meeting at the camp where the victim, her guardians and friends, and teachers of local High School, and many elderly indigenous persons from the surrounding villages were present. The army commander refused to acknowledge the incident, and even reportedly termed the incident baseless. According to him it was not possible to molest a girl in the presence of two other girls. Local indigenous students' groups brought out protest rallies at Mahalchari upazilla headquarters to protest the incident the same day.

Official Action:

According to the local sources no administrative action was taken against the accused army personnel

Case 25

Name of victim	Birabala Tripura and other inhabitants of Tripura Para
Address	Matiranga, Khagrachhari Hill District
Nature of crime	Bengali settlers attack Indigenous peoples houses in Matiranga
Date of incident	October 15, 2012
Official action:	No case filed

On October 15, 2012, an indigenous woman was injured and several houses including a Hindu temple damaged and looted when a group of Bengali settlers allegedly attacked in Baranal Union in Matiranga upazilla. The attack, which took place at around 9 p.m., forced the Jummas to flee their homes. According to sources, a group of Bengali settlers and its adjacent areas carried out the attack after accusing the Jummas of 'being involved in extortion and terrorist activities'. At least six houses and a Shiva temple of the Hindu community were attacked according to a resident of Rajdhar Karbaripara, home to 28 families belonging to the ethnic Tripura community.

According to him, the settlers looted taka 50 thousand and 20 kgs of husked rice from Liton Tripura, taka 15 thousand from Sankar Kumar Tripura, taka 2 thousand from Monimoy Tripura, a multi-media mobile phone set from Kanak Tripura and a mobile phone set from Promesh Tripura. The attackers also ransacked their houses and beat up 80-year old Birabala

Tripura, wife of Jatin Lal Tripura in the village. She is now undergoing treatment at her home. Beside this, most of the other houses including that of the village headman Hiru Kumar Tripura were attacked with brickbats, creating panic among the villagers, who took shelter in the jungle. Later, at around 10 p.m., members of the Border Guards Bangladesh from nearby camp were deployed. The Adibashi villagers allege that the attack was led by Md. Ali chairman; Dulal Mia an UP Member; Mohon, a local Awami League leader; Akbor Ali, a former Union Council member, and Sabur Mia, a Bengali settler. There is still panic and fear among the villagers and many of those who fled their homes did not come back till the filing of this case study. A similar attack on 4 August in the Tabalchari area had forced Jumma villagers to cross the border into India. They returned home only after a flag meeting between the BGB and the Indian BSF forces had taken place.

Case 26

Name of victim	Swapna Chakma (12) and Champa Chakma (12)
Address	Jurachari, Rangamati Hill District
Nature of crime	Abduction followed by rape
Date of incident	November 15, 2012
Official action:	Case filed

On November 15, 2012 at around 7:00 p.m. Swapna Chakma (12) and her cousin Champa Chakma (12) went to the Bihar (Budhhist temple) to attend Kothin Cheebor Daan (a local, indigenous festival). At around 10:35 p.m. six indigenous youths along with three or four more unknown persons forcefully took the two girls to a forest nearby. There, Arun Chakma allegedly raped Swapna Chakma and Prabir Chakma raped Champa Chakma. After sometime, people at the festival started looking for them. Realizing the situation, the accused fled the scene, leaving the victims in the forest. The victims were finally returned home at around midnight. Swapna Chakma's father Shantimoy Chakma filed a case.

Official Action:

A case has been filed under section 7, 9(1), and 30 of the Suppression of Violence Against Women and Children Act, 2000 (as amended 2003). Investigation officer S.I. Md. Rana visited the crime scene and collected statements from the victims and witnesses. Medical examination of the victim has been conducted as well. However, the charge sheet is yet to be submitted. Victims have applied to the Bangladesh Legal Aid and Services Trust (BLAST) for legal aid.

Present Situation:

The case is still under investigation. Neither of the accused has been arrested yet. According to some locals, the accused have fled to India.

Case 27

Name of victim	Priya Chakma
Address	Baghaichhari, Rangamati Hill District
Nature of crime	Abduction and rape
Date of incident	November 21, 2012 and November 22, 2012
Official action:	Case filed

On November 21, 2012, Priya Chakma, along with her two cousins, went to district town to attend the Kothin Cheebor Daan, an annual Buddhist religious festival. They rented a room at a residential Hotel in the town's area to spend the night. Rohit Tripura, the accused, was staying in the room next to theirs in the same hotel.

On November 22, at night, the accused asked the victim to open their door pretending to be a persecuted activist. When Priya and her male cousins opened the door, he locked Priya's brothers up and forcibly took her to his room and tried to rape her. Next morning, at 4:00 a.m. he forcibly took her to another hotel nearby, where he allegedly repeatedly raped her until he finally released her at around 11 a.m. Didar, the hotel manager, confirms that he saw Rohit leaving the hotel with a girl at 4:00 a.m. Police arrested the accused the same day. Mongal Chakma, the victim's father, suspects the hotel was an accomplice of the accused.

Official Action:

A case was filed under section 7 and 9(1) of the Suppression of Violence Against Women and Children Act, 2000 (as amended 2003). The accused was arrested and is in custody now. The investigation is still going on. A charge-sheet is expected to be submitted soon.



Dr Bina D'Costa

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