

Rape and Torture of an Adibashi 'Patro' Woman in Sylhet

ASK Investigation Report

Date of the Incident	4 April 2014
Place of the Incident	Kulauti village of Khadimpara Union District: Sylhet
Date of the Fact Finding	18 April 2014
Fact Finding Team	Mahbub Alam, Nahid Shams and Mehjabin Rabbani

Background

Kulauti is a quiet and solitary village nearby to the Sylhet Jalalabad Cantonment. The Adibashi [Indigenous] community called 'Patro' lives in this village.

According to the local seniors, the 'Patro' Community lived in Sylhet since ancient times. At various phases due to hardship, a significant number of the Patros left for India; families also spread across the country in search of improved livelihood.

The remaining community members, who are at the risk of being ethnically cleansed, live in the village of Kulauti and in its surrounding areas.

Incident

Mita Patro along with her son Gopal Patro set off from home towards the field carrying lunch for her husband. Mita Patro informed that, after covering some distance, her son Gopal Patro ran to her husband (Nirmol Patro) with the food leaving her behind. When she reached the Putichora Garden, a man (offender- MD Ajirul Haque, Lance Corporal) came out from the jungle, and before she could understand anything, he threw her to the ground by seizing and throttling her by the throat.

At one point, while she was grappling to come out of his grasps, he punched her in the breast, kicked her in the lower abdomen, and raped her forcibly. She failed to stop him because the man was physically stronger than her. When she shouted, people came forward to rescue her.

All that she could say is that the rapist had short hair, but was unknown to her; she never saw him before. Mita Patro's husband Nirmol Patro said that, he was preparing the ground for sowing the Kochumukhi plant in his own field in the morning. His son Gopal Patro was also working with him in the field. He had sent his son home to bring lunch for him. After a while, his wife Mita Patro and his son Gopal Patro started off from home with lunch towards the field. His son Gopal Patro reached him before his mother and told him that his mother was following with the jug of water. At that time hearing scream and sound from the Putichora garden, he, along with his son quickly ran there. He saw that a person was running away towards the putichora tea garden.

Meanwhile many tribal people rushed to the place of incident. The local people and tea garden labourers surrounded that person. With the help of local people, he first took his injured wife to their house, then he admitted her to the nearby Upazilla Health Clinic, and at last into the One Step Crisis Centre (O.C.C) of Sylhet MOG Medical College Hospital. After completing the necessary tests and treatment, she was brought back home. Though Mita is out of danger now, it will take time for her to come round completely.

During the fact finding, ASK team interviewed several witnesses and victims of the violence.

Witness Statements

Laxmikant Sinha, the Executive Director of Ethnic Community Development Organization (ECDO) informed that among the many ethnic tribes of Sylhet, the Patro Community is standing on the verge of vanishing. At present, most of them earn their livelihood by working as farmers or day-laborers. Their work as day laborers, include work such as cleaning forest areas, chopping wood, working at other people's field, building clay houses etc.

On 4th April, after hearing about the incident Mr. Sinha immediately went to inspect the spot and helped the victim's family admit her to the local hospital. In order to take the incident under the official legal process, he contacted Sylhet Metropolitan Police Commissioner and discussed the matter with the OC (Officer in Charge) of Shah poran Police Station.

He commented, at ***the beginning the administration was non-cooperative about the matter***, when it came to the knowledge of the progressive groups and the civil society of Sylhet, on 6 April, it became possible to file a case at the Shah Poran Police Station by the husband of the victim accompanied by some lawyers.

The victim's neighbour Dhonai Patro informed that, on the day of the incident when the locals caught the rapist on spot, he disclosed that he works in the army. Interrogated, he admitted his fault, requested not to beat him, but to inform the Army. To confirm his identity, he took out the ID card from

his pocket, and showed it to them. It was on the ID card that he was from the Para Commando Battalion, Sylhet Jalalabad Cantonment. Locals informed the nearby cantonment, after that the army officers came by a car and took him away.

Another neighbor of Mita Patro and an activist working for the development of the adibashi women, **Shoumela Patro** expressed the locals of this area are subject to ***constant and continuous repression***.

They are left far behind from development and excluded from opportunities to take up social positions and professions. She met Mita Patro many times after the incident. She is mentally depressed.

“Mita could recover much better if psychiatric assistance could be provided to her along with the physical treatment she is getting”

Medical Evidence

It was prima facie established that rape was committed on the basis of the collected evidence, information and testimony. The confirmation of rape was found in the medical report of Sylhet M.O.G. Medical College Hospital.

Legal Action Taken

Despite the victim being advised by members of the army not to file a case, the tribal forum and civil society members of the locality (ECDO, BLAST, BNWLA, PASKPO and other civil society organizations are actively working together to ensure justice for the victim) filed a case at Shah poran police station on this matter.

The investigation officer of this case S.I. Humayun Kabir informed the ASK Investigation team that the accused had been sent to jail after being arrested on **10th April 2014**.

The O.C. (officer in charge) of the police station, MD. Sakhawat Hossain, reassured proper and unbiased investigation of this case.

Role of Local Administration

After speaking to witnesses, it has been documented the Civil Administration were initially reluctant to act immediately.

Role of Army

- Immediately after the incident, members of the army paid regular visits to the victim Mita Patro to **convince her that she would not get back her honour by filing a case**. Technically, they were trying to prevent her from filing a case.
- Locals complained after the incident that they were pressurized by unidentified people at different times not to file a case but to reach some kind of settlement.

Role of the Media

A point of concern which is observed in the nature of media reports on rape of indigenous women, this particular incident was reported in a local newspaper of Sylhet as a small incident without any follow up.

ASK Observations

We want to be assured that the accused will never be absolved from this case because of his professional links. We also expect that, the administration will take necessary steps to punish the guilty without being influenced by any group or community.

Research and News Reports

It is known from the report of “Kapaeeng Foundation” (a human rights organization who document and monitor human rights violations in the hill tracts area) that the rate of oppression against the adibashi is on the increase (which was published in the Daily Ittefaq on 12th January, 2013).

- In 2011, 10 adibashi women became victims of rape. In 2012, around 51 incidents of violence against women took place, whereas the number was 31 in 2011.
- It was known from the news published in ‘The Daily Songbad’ that, a girl named Tuma Ching Marma; who was a student of class eight residing in Kalampat Union, Kaukhali Upazila, Rangamati district; has been raped and brutally killed by some identified terrorists while bringing cattle home from a few hundred yards away from her residence.
- A national daily took long nine days to write an editorial on Tuma Ching Marma’s rape.
- The news of Mita Patra’s rape too came out only in a local newspaper of Sylhet as just a small incident.

The Investigation Case is Ongoing

