

Bangladesh Indigenous Women's Network (BIWN)

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## Access to justice and freedom from violence Human Rights Situation of Indigenous Women and Girls in Bangladesh

Bangladesh is a country of cultural and ethnic diversity, with over 54 indigenous peoples, along with the majority Bengali population. According to the 2011 Census, the country's indigenous population is 1,586,141, which represents 1.8% of the total population of the country. However, indigenous peoples claim that their population is over three million. Bangladesh constitution refers indigenous peoples as tribes, minor races, ethnic sects and communities.

Systemic poverty exacerbates inequality, especially for indigenous women and girls who are particularly affected by the lack of access to justice and culture of impunity in our country. Violence against Indigenous Women is one the biggest issues in Bangladesh and perpetrators enjoy the absolute impunity due to lack of access to justice.

Non-sustainable development, extractive industries' practices, policies originating from colonial and patriarchal systems and doctrines, which include, among others, environmental, sexual and physical violence, have particularly negative impacts on indigenous women and girls. Additionally, indigenous women suffer from triple discrimination - discrimination as women, for being indigenous origin, and for being the face of poverty.

Although the Constitution of Bangladesh guarantees equality for all citizens and equal rights of women with men in all spheres of the state and public life, the indigenous women and girls in the country confront severe discrimination and inequalities. The National Women's Development Policy 2011 is a small exception in this regard, which refers to indigenous women from 'backward and small ethnic groups'. It refers to special measures to ensure the development of indigenous women and preservation of their culture and tradition. The policy, however, does not address the critical issues of access to social protection, public services and infrastructure, and political participation, decision-making roles and violence and discrimination faced by indigenous women and girls.

Despite remarkable progress of Bangladesh in fulfilling key goals and targets of the Millennium Development Goals (MDGs), indigenous peoples are still lagging far behind in the areas of poverty alleviation, primary school enrolment, gender parity in primary and secondary level education, lowering of the infant and under-five mortality rate and maternal mortality ratio, improving immunization coverage and reducing the incidence of communicable diseases – which has also been acknowledged in the 7th Five Year Plan of Bangladesh. Bangladesh is committed to leading by example in the case of the Sustainable Development Goals (SDGs), as it did in the case of the MDGs.

Although one of the main goals of the SDGs is to leave no one behind, the Voluntary National Review (VNR) report of Bangladesh submitted in July 2017 at UN headquarters reveals that the government did not adhere to its aim to "Leave No One Behind", as the report failed to incorporate the major issues faced by indigenous peoples. Indigenous peoples including women and girls were practically absent in the process in Bangladesh, and hence invisible in the report. Coupled with these issues is the serious lack of studies and segregated data on indigenous peoples which hide the extent of deprivation and discrimination faced by indigenous women, whereas disaggregated data is utmost necessary in order to achieve an accurate understanding of poverty and well-being from the indigenous perspective. However, it is widely accepted that indigenous women in Bangladesh are overrepresented among those who remain excluded.

Violence against women and girls is considered to be a weapon used widely to evict indigenous peoples from their ancestral lands. Although the Bangladesh government's pledge to follow a zero tolerance for violence against women and girls, but there has not been significant progress in the ground realities. For instance, sexual violence against two Marma sisters allegedly by security personnel in Bilaichari on 22 January 2018 and rape of two Tripura girls allegedly by two border guard personnel in Lama on 22 August 2018 are an example in regard to culture of impunity towards perpetrators. Instead of ensuring punishment of perpetrators, the victims in both incidents were confined by the administration to compel them silence. A culture of impunity, along with patriarchy, hegemonic masculinities and gender disparities towards indigenous women, continue to bar or limit access to social protection, public services, infrastructure and justice.