

# Women Against Sexual Violence and State Repression

*Statement of women's organizations on increasing state violence on people's movements and sexual violence on women by police, paramilitary and army.*

**Bhopal, 24<sup>th</sup> and 25<sup>th</sup> October 2009**

We, the undersigned representatives of women's organizations and individuals, are deeply shocked and disturbed by the Indian government's plans to launch an armed offensive by paramilitary and army forces in the adivasi-dominant forest areas of Chhattisgarh, Jharkhand, Orissa, West Bengal, Andhra Pradesh and Maharashtra. This attack is ostensibly to "liberate" these areas from the influence of Maoist rebels, and to undertake "development" activities there. There are reports of massive deployment of troops in these parts in preparation for this exercise. For the past half century, the Indian government has used various pretexts of insurgency to stifle the democratic aspirations of the people by giving a free hand to military, para and other security forces and the police. As a consequence, life and liberty has become a distant dream for people in large areas of the country, particularly in the areas of North East and Kashmir.

In the recent times, in land acquisition, in privatization of natural resources and water, in clearing the country to suit national and multinational capital, new laws have been introduced to suppress any resistance, peaceful or otherwise. While this wreaks havoc and misery on the lives of lakhs of the most marginalized and destitute population of the country, as women's organizations we are enormously concerned about the implications of the presence of large number of paramilitary and military forces for the women of these regions. In all this, women are the worst sufferers. In the past 25 years, in all incidences of mass rape by Assam Rifles in Manipur in the early 80s to Kupwara in Jammu and Kashmir, no justice has been accorded to the women and no punishment to the perpetrators. The brutal torture, gang-rape and killing of Manorama in July 2004, by Assam Rifles personnel in Manipur, which has been under the armed forces for several decades now, and the courageous protest of the Manipuri women against their continuous sexual abuse by the armed forces, speaks volumes of the inhuman violence inflicted by the military and the police on women in the name of counter-insurgency operations. While the Manorama case got highlighted, incidents of sexual violence in the daily life of the women in states under the Armed Forces Special Powers Act largely go unreported. Recently in the case of gang rape and murder of two women in Shopian in Kashmir, ignoring the strong protests by the local community, the state agencies have blatantly tried to protect the accused. In a case where the atrocity is committed by a state agency, the accountability of the crime has to be broadened to encompass not just the rapist but all the other authorities as well as the state administration and the judiciary which is duty bound to protect the rights of women as citizens. This makes the functionaries of the administration and the whole state an accused and co-perpetrators in the crimes. And in situations where the state through assuming unlimited powers and limits people's democratic rights, the accountability and its burden of guilt become even stronger.

Presently, driven by aggressive corporatisation, sustained state violence in Chhattigarh, Jharkhand, Orissa, and West Bengal and other states has become the single mantra to evict people from their land

and livelihood. While this is also being done in the name of “development” or “maintaining law and order”, the real design is to appropriate resources and dispossess people of the area.

Tribal women in Bastar in Chhattisgarh have been subjected to the most extreme forms of violence since 2005, by Salwa Judum, a civil militia created and funded by the state, to counter the Maoists. Villagers here have reported to local activists and NGOs, of incidents of gang rapes, custodial rape, mutilation of private parts, murder and continuous sexual abuse in villages, police stations and the relief camps set up by the state government in the area. The extra-judicial murder in 2006 of a tribal for being a Maoist, and the subsequent gang-rape of his wife in front of her child for several days inside a police station in Sarguja by police personnel including the SP is one such documented case. We are shocked that there are not even official records and FIRs of the cases of sexual violence in Dantewada district. Despite more than 90 sworn affidavits filed in cases pending before the Supreme Court, statements made before the National Human Rights Commission, and letters to the Superintendent of Police, the police in Bastar refuse to register cases of rape by Salwa Judum goons. Finally when six women dared to file private complaints and make their statements before a Magistrate in Konta, there is inexplicable and inordinate delay of months together in registering the cases. In the meanwhile these women and their entire villages are being threatened and intimidated by the accused and other Salwa Judum leaders and SPOs that the entire village would be burnt down and the villagers implicated in Naxalite cases – a threat which they know is not an exaggeration.

Sexual violence comes handy to those in power to quell women's increasing participation in resistance movements and struggles. Rape and sexual violence are being systematically used as a repressive measure by the police in all forms of opposition and resistance to state policies. The security forces, a law unto themselves in many remote areas, operate with impunity, as if they have a “license” to rape women, especially those belonging to the tribal and dalit communities. It is also seen that if the police are not themselves inflicting violence, they are abetting in it, either by being mute spectators, or ignoring these incidents, or simply refusing to register the FIRs.

While this is the situation in areas where there are so-called “insurgency” movements, there is violence against women even in cases of non-violent mass movements. Since the neo-liberal turn of the 1990s there has been an increased onslaught by the state on the lives and livelihoods of large sections of the our population in the name of “development” projects such as mining and special economic zones, and large communities are being deprived of their lands, rivers, forests, and other common property resources. Pushed to desperation people are organizing in several ways to resist this large-scale displacement and dispossession. In several cases women have been at the forefront of these struggles. It has been seen that women are specifically targeted in such cases, and such political participation is being repressed by use of rape and other kinds of violence on women in mass movements.

We have no trust in police personnel and find police stations most unsafe for women. Growing incidences of custodial rape is evidence of the police attitude to women, especially when it pertains to dalit, adivasi and working class women, not even sparing the mentally challenged women. In June 2009, a tribal woman from Betul, MP was arrested along with her husband and son in a dowry case. Later she was gang-raped in police custody. This incident followed an earlier one, where a dalit woman along with several others had protested against continuous sexual harassment (“eve-teasing”) by private security guards of the MP Electricity Board, who resorted to firing in which one youth was killed.

It is a matter of great concern to see the state's attempts to label all forms of opposition and resistance to its policies as 'Maoist' and "Naxalite", and suppress any form of dissent. People's movements, protests by democratic rights and other activists, reporting by journalists, are all being labeled as Maoist and Maoist sympathizers, and being subjected to repression.

In the current context, we demand the Indian government to immediately take action against all actors including governance and judiciary, besides the actual perpetrators of sexual assaults, already registered in these Special Act zones.

We demand an immediate repeal of AFSPA .

We further demand an immediate withdrawal of its armed offensive against a largely tribal population. Instead, as expected of a democratic government, the government should move towards addressing politically the long-standing grievances of the tribal population, which have been explicitly pointed out by the government's own report. We strongly urge all other democratic minded women's groups and organizations to join us in this urgent appeal to the Indian government.

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