

Penan woman gives birth following alleged rape
Malaysiakini.com
July 14, 2010

A Penan woman from Long Item, Baram, Sarawak, given the pseudonym 'Bibi' by last September's damning National Task Force Report by the Women's Development Ministry, has given birth to another baby in February this year. The father was her alleged rapist, an Interhill logging camp worker known as 'Johnny' or Ah Hing.

Bibi had made a police report of rape in Bukit Aman in 2008, and had been given refuge by the Women's Aid Organisation (WAO), a participant in the National Task Force. However, she later returned to Long Item to see her family, and fell back under Ah Hing's control.

Ah Hing told the police and the Borneo Post, a local daily owned by a logging company, that he was Bibi's husband and not her rapist. However, the Penan Support Group has documentary evidence that Ah Hing is registered with the government as the father of two sets of children born to two different mothers aside from Bibi: a Chinese woman and another Penan woman.

NONE Bibi had told Bukit Aman police and the national task force that Ah Hing had raped her in 2005 after she had rejected his demand that she become his "wife". She said she had refused him (Ah Hing) because villagers had said he already had two wives and two families.

Section 375(c) of the Penal Code states that obtaining a sexual relationship by pretending to "marry" a woman when the perpetrator is already married, amounts to "misconception of fact" and is in fact, rape.

Ah Hing claimed Bibi as his latest wife, and made her bear three children - in 2006, 2008 and 2010. Bibi appears unable to free herself from Ah Hing, despite her plea for help from Bukit Aman and the ministerial national task force.

The police did not arrest Ah Hing. Instead, Ah Hing took Bibi to police stations in Long Lama and Marudi last September to lodge new police reports denying she had been raped. Local newspapers trumpeted this "retraction" as front-page news, implying exoneration of logging companies. The PSG has said Ah Hing had coerced Bibi into making the new reports.

Even worse, villagers in middle Baram told the recent independent PSG mission that Ah Hing had accompanied police to another village in middle Baram to pressure another Penan girl, 18, to withdraw her report. She and her family courageously refused.

"The police and the newspapers did not bother to verify the facts, that Ah Hing was never Bibi's husband," a member of the PSG mission told Malaysiakini.

"NGOs do not have a duty to investigate these crimes - the police have a statutory responsibility to protect these rural people from the logging companies. Even so, we easily found out from the National Registration Department that Ah Hing already had two families before Bibi's.

"As for Ah Hing's employer, does its corporate social responsibility include employing someone who obviously has no respect for society's norms?"

Cops interviewed loggers, not rape survivors

The police closed their investigations following Bibi's retraction. Interhill also found no evidence of sexual misconduct in an internal investigation. Ah Hing remains free to claim Bibi as his "wife", although bigamy is a serious crime for non-Muslims in Malaysia.

As recently as last week, Sarawak police chief Mohmad Salleh angrily denied that the police were shielding rapists from the politically-connected logging companies. "When I am asked about this, I become emotional. The police don't hide facts. We have tried everything we could but the victims refuse to cooperate," he claimed.

"So, where are the so-called victims? Tell me, where are their reports and when was it lodged? Please, if you're a victim of a crime, come to the police, not the Parliament."

According to Borneo Post, Mohmad declared the police had visited nine logging camps and had interviewed 72 witnesses, in the course of three visits to the "jungle" to investigate the findings of the national taskforce report. However, the police chief did not explain why the police had interviewed only loggers. The Penan communities say none of the survivors of alleged sexual violence have been visited by the police.

"The real problem lies with the victims themselves. They are not giving proper cooperation to the police," Mohmad was quoted as saying.

The PSG has pointed out that two survivors of sexual abuse had travelled to the alien environment of Kuala Lumpur to make reports, and others had offered full cooperation to the police.

However, the police went back on a commitment made by the inspector-general of police in January 2009 to conduct a joint visit with the PSG to the affected communities. The police proposed to use logging camps as a base – bringing survivors of alleged rape to the same camps where some Penan girls had said they been abducted by loggers – and logging vehicles for transport.

However, in the end, the police withdrew, claiming they had no funds for the visit.

"The absence of positive support from state authorities in investigating and finding solutions to grievances has undermined the trust of communities like the Penans in the authorities, and has left them even more defenceless and vulnerable," the PSG stated in its mission's report on the free rein given to politically-linked logging companies in rural Baram, released on July 6.

On July 8, in response to the PSG mission's findings, deputy Sarawak chief minister Alfred Jabu parroted the police chief's demands for the Penan survivors to lodge further reports.

"We are open. Give us the proof... we will investigate," he said.

Copyright © 1999-2007 Mkini Dotcom Sdn. Bhd.
Source : <http://www.malaysiakini.com/news/137258>