

2010

HINDUS IN SOUTH ASIA AND THE DIASPORA
A SURVEY OF HUMAN RIGHTS



Hindu American Foundation

Hindus in South Asia and the Diaspora: A Survey of Human Rights 2010



www.HAFsite.org

May 25, 2011

"All human beings are born free and equal in dignity and rights."

Universal Declaration of Human Rights, 1948, Article 1

"One should never do that to another which one regards as injurious to one's own self. This, in brief, is the rule of dharma. Yielding to desire and acting differently, one becomes guilty of adharma."

Mahabharata XII: 113, 8

"Thus, trampling on every privilege and everything in us that works for privilege, let us work for that knowledge which will bring the feeling of sameness towards all mankind."

Swami Vivekananda, "The Complete works of Swam Vivekananda, Vol 1, p. 429

"All men are brothers; no one is big, no one is small. All are equal."

Rig Veda, 5:60:5

Endorsements of Hindu American Foundation's Seventh Annual Report *Hindus in South Asia and the Diaspora: A Survey of Human Rights 2010*

"As Chairman of the Subcommittee on Terrorism and the co-chair of the Congressional Caucus on India and Indian Americans, I applaud the hard work of the Hindu American Foundation in producing their annual Human Rights Report. The first step in addressing the persecution of religious and ethnic minorities is shedding light on these abuses - and the report does just that."

U.S. Congressman Ed Royce (R-CA)

"As the founder and former co-chair of the Congressional Caucus on India and Indian Americans, I know that the work of the Hindu American Foundation is vital to chronicle the international human rights of Hindus every year. The 2010 report provides important information to members of Congress, and I look forward to continuing to working with HAF to improve the human rights of Hindus around the world."

U.S. Congressman Frank Pallone (D-NJ)

"I support the Hindu American Foundation's devoted efforts toward bringing attention to religious freedom across the globe. As a member of the United States House Committee on Foreign Affairs, I commend the work being done by this organization spreading awareness of this issue to the international community."

U.S. Congressman Joe Wilson (R-SC)

Hindu American Foundation

Board of Directors

Nikhil N. Joshi, Esq., M.B.A.
Mihir Meghani, M.D.
Aseem R. Shukla, M.D.
Swaminathan Venkataraman, M.B.A.

Managing Director and Legal Counsel

Suhag A. Shukla, Esq. (Co-editor)

Senior Director

Sheetal D. Shah (Co-editor)

Director

Samir Kalra, Esq.

Associate Director

Jay Kansara

Office Administrator

Zoila McDowell

Executive Council

Rishi Bhutada
Pawan Deshpande
Arvind Chandrakantan, M.D.
Pooja Deopura
Sachi Lamb
Padma Kuppa

Human Rights Coordinator

Ramesh N. Rao, Ph.D. (Author)

The **Hindu American Foundation (HAF)** is an advocacy and human rights group providing a progressive Hindu American voice. The Foundation interacts with and educates leaders in public policy, academia, media, and the public at large about Hinduism and global issues concerning Hindus, such as religious liberty, the portrayal of Hinduism, hate speech, hate crimes, and human rights. By promoting the Hindu and American ideals of understanding, tolerance, and pluralism, HAF stands strong against hate, discrimination, defamation, and terror.

The Hindu American Foundation is not affiliated with any religious or political organizations or entities. HAF seeks to serve Hindu Americans across all *sampradayas* (Hindu religious traditions) regardless of race, color, national origin, citizenship, caste, gender, sexual orientation, age, and/or disability.

Acknowledgements

This is the seventh HAF annual Hindu human rights report. Discrimination against groups and communities in nation states is usually presented in the context of some version of state-sponsored, state-abetted, or state-countenanced discrimination. While that still continues to be the main focus of this report, we also acknowledge that in many instances non-state actors create conditions in a country or region that cannot be controlled despite the best intentions of the state, as it seems in Afghanistan, where now there is merely a handful of Hindu families left to struggle in a hostile, violent state where the writ of the legitimate government is limited to the borders of Kabul.ⁱ

It is also difficult to ignore certain situations where race, ethnicity, and religion are intertwined. Attacks against a particular group because of its ethnicity, for example, may also be fueled by its religious identity or vice versa. Thus, the case of Sri Lanka presented a major dilemma. Was the LTTE terrorist group, which was defeated by the Sri Lankan national army after 33 years of conflict, a Tamil group or a Hindu group? Was the Sri Lankan response, which some allege included war crimes, against Hindus and Tamils or just a terrorist group?

Cognizant of these complexities, this report not only presents a detailed account of events and conditions in countries and regions where attacks against Hindus are of primary concern – Pakistan, Bangladesh, Malaysia, Bhutan, Sri Lanka, the Indian state of Jammu and Kashmir (J&K), Fiji, and Trinidad and Tobago – but also lists another group of countries and regions where there are significant number of Hindus and which have become hotspots of ethnic, racial, and other forms of discrimination. Saudi Arabia continues to be on the U. S. Commission on International Religious Freedom's (USCIRF) list of "countries of particular concern," and just as the USCIRF has expressed frustration at the lack of progress in that country, HAF too bemoans the lack of any kind of religious freedom in Saudi Arabia. USCIRF said in its 2009 report that "... the Saudi government persists in banning all forms of public religious expression other than that of the government's own interpretation of one school of Sunni Islam and even interferes with private religious practice."ⁱⁱ That this state of affairs is countenanced by the nations of the world, including the United States, underscores once again the inconsistencies in responses to human rights abuses.

As this report did last year, Afghanistan has been included, not in the main section of the report, but in the section titled "Hotspots."

As in the past, numerous grass-roots organizations were involved in collecting data about the violation of human rights of Hindu minorities, and HAF thanks them for sharing the information they have collected. Chief among these organizations are the Human Rights Congress for Bangladesh Minorities (HRCBM) and Bangladesh Hindu Buddhist Christian Unity Council USA (BHBCUC-USA) – organizations that have been at the forefront of publicizing the plight of Hindus in Bangladesh; “Odhikar” – a human rights organization in Bangladesh doing yeoman work on publicizing human rights abuses in the country; the Indo-American Kashmir Forum and the Kashmir Taskforce – which have worked to bring the attention of the United States government and media to the plight of Kashmiri Hindus; Panun Kashmir – working tirelessly to recover the lost properties and homes of Hindus forced to leave the Kashmir Valley; Hindu Rights Action Force (HINDRAF) – working for the human rights of Hindu minorities in Malaysia; Global Human Rights Defense (GHRD) – seeking to educate European media and government about the status of human rights worldwide; and Asian Centre for Human Rights (ACHR) – which keeps track of human rights abuses in Asia.

HAF acknowledges the work of global human rights organizations like Amnesty International, Freedom House, and Human Rights Watch in bringing to our attention the denial of human rights around the world. Also, important historical information and contemporary updates were obtained from the U.S. Department of State’s annual reports on religious freedom and human rights, and the USCIRF annual reports. Our thanks to the Hindu Vivek Kendra for the extensive media archives covering Bangladesh, Pakistan, and Sri Lanka that continue to provide us easy access to media reports and other archival data.

Ramesh Rao, Ph.D.

Hindus in South Asia and the Diaspora: A Survey of Human Rights – 2010

EXECUTIVE SUMMARY

The human rights of Hindu citizens are consistently violated in eight countries and one state in India where Hindus constitute a minority: Bangladesh, Bhutan, Fiji, the Indian state of Jammu and Kashmir, Malaysia, Pakistan, Sri Lanka, and Trinidad and Tobago. This report documents the ongoing violations of human rights in these countries.

HINDUS ACROSS THE DIASPORA

- Hindus, numbering nearly one billion, constitute the third largest religious group in the world.
- Hinduism is one of the oldest surviving religions with its origins tracing back to at least the third millennium BCE.
- Hindus are pluralistic in their beliefs and accept the myriad means of worship and prayer available to human beings seeking spiritual enlightenment.
- Hindus in South Asia, and many of the twenty million Hindus living outside of India, are subject to discrimination, terror, murder and other forms of violence, forced conversions, ethnic cleansing, temple destruction, socio-political ostracization, and disenfranchisement. In some countries, fundamentalists from other religions advance a discriminatory and non-inclusive agenda, and promote hatred of religious and ethnic minorities in league with politicians and other government officials.

PEOPLE'S REPUBLIC OF BANGLADESH

- In 1947, Hindus constituted nearly 30% of Bangladesh's population. By 1991, an estimated 20 million Hindus were "missing" from Bangladesh. Today, Hindus comprise less than 10% of the population.ⁱⁱⁱ
- Hindus of Bangladesh continue to be victims of ethnic cleansing waged by Islamic fundamentalists that include daily acts of murder, rape, kidnapping, temple

destruction, and physical intimidation.

- Human rights activists and journalists continue to be harassed and intimidated.
- Forty acts of murder, rape, kidnapping, temple destruction, and land grabs targeting Hindus have been recorded in this report. The reduction in the number of attacks against Hindus after Sheikh Hasina assumed power two years ago, compared to the numbers during the tenure of the Bangladesh Nationalist Party (BNP) government, is encouraging.
- Nearly 1.2 million, or 44% of the 2.7 million Hindu households in the country, were affected by the Enemy Property Act 1965 and its post-independence version, the Vested Property Act 1974.
- Bangladesh has given new and extensive powers to their Human Rights Commission^{iv}, but a Minorities Commission to monitor the human rights situation and to provide redress to minority grievances is still not on the anvil.
- The Hasina government set up a War Crimes Tribunal to bring to trial those accused in the rape, murder, and genocide during Bangladesh's struggle for independence in 1971.

HAF Recommendations:

- 1) The Awami League government, led by Sheikh Hasina, must continue to take substantial and verifiable measures to ensure that attacks on Hindus and their institutions cease, and bring to swift justice those political and radical religious elements that have led the assault on Hindus and other minorities.
- 2) Bangladesh must repeal the anti-minority and discriminatory laws, such as the Vested Property Act, and confiscated lands must be restored to the rightful, original owners.
- 3) Bangladesh must set up a Minorities Commission to redress minority grievances and repair systemic and structural deficiencies that have made minorities second class citizens in the country.

- 4) The United States and other donor nations must demand accountability from the Bangladesh Government, and all aid to Bangladesh should be contingent on the improvement of the human rights situation.

KINGDOM OF BHUTAN

- Bhutan is a multi-religious, multi-cultural, multi-ethnic, and multi-lingual society.
- Bhutan held its first National Assembly elections in 2008, transitioning to a Democratic Constitutional Monarchy.
- Bhutan presented its first human rights report to the Universal Periodic Report Review Committee of the UN Human Rights Council in Geneva on December 4, 2009. It sought to present itself as a guarantor of human rights. Bhutan's marginalized minorities protested in Geneva.
- Bhutan received 99 recommendations when it presented its report on the human rights situation in the country to the Human Rights Council. The government accepted a majority of the recommendations.
- Bhutan evicted over 100,000 Hindu minority and Nyingmapa Buddhists from southern and eastern Bhutan in the early 1990s.
- More than 100,000 Bhutanese citizens, nearly one sixth of the kingdom's total population of approximately 700,000, have been forced to leave or forcibly evicted from the country by the royal regime solely on the basis of their religio-ethnic identity.
- Over 100,000 Bhutanese refugees are living in refugee camps in Nepal managed by the United Nations High Commission for Refugees (UNHCR), while another 20,000 undocumented refugees are scattered outside the camps in Nepal and in several Indian states without any help or legal status. The United States agreed to accept 60,000 Hindu refugees, with the first group arriving in 2008.
- By September 2010, nearly 35,000 Bhutanese refugees had been resettled in other countries. The U.S. has accepted the largest number of refugees – nearly 30,000 – and the Bhutanese resettlement program is now the third-largest resettlement operation in the United States.

HAF Recommendations:

- 1) Bhutan must take practical and concrete steps to demonstrate its stated commitment to a just resolution of the longstanding refugee crisis.
- 2) Bhutan, Nepal, and the UNHCR should adopt a Memorandum of Understanding (MOU) for voluntary repatriation that includes a clear statement of rights and entitlements upon the refugees' return to Bhutan - including full citizenship rights and human rights protections.
- 3) Donors, UN agencies, and Bhutan's other partners should insist on measures to eliminate discrimination against the Hindu Lhotshampas and ensure the protection of their fundamental human rights and their rights to participate as full citizens of Bhutan.

REPUBLIC OF THE FIJI ISLANDS

- In Fiji, Hindus constitute approximately 34% of the Christian majority state.
- Fijian Hindus faced hate speech, and Hindu temples were targets of attack until 2008. Such attacks seemed to end in 2009. In 2010, Hindus continued to enjoy respite from religious/criminal attacks.
- The Methodist Church of Fiji has repeatedly called for the creation of a Christian State.
- It is encouraging that the interim government of Prime Minister Bainamirama has committed itself to the protection of minorities, especially the large Hindu minority.

HAF Recommendations:

- 1) The Fijian government must respect the rights of all citizens, and the inherent political bias against Hindus and ethnic Indians must be eradicated.
- 2) Fiji should repeal the "Truth and Reconciliation" (TRC) Bill and successfully prosecute and punish the criminals of the 2000 coup.
- 3) Fiji must continue to be vigilant in the protection of Hindus from violence and hate speech, and it must put permanent safeguards to protect Hindu temples from

attacks.

- 4) The Fijian government must distance itself from Christian fundamentalists promoting hatred against Hindus and Hinduism and avoid Christianization of its institutions.

INDIAN STATE OF JAMMU AND KASHMIR

- The Maharaja of Kashmir legally ceded his kingdom to India in 1947 when Pakistan invaded Kashmir in order to conquer the kingdom. Pakistan occupies about 35% of the region, India governs approximately half, and China occupies the remainder of the region, including a portion ceded to it by Pakistan.
- India and Pakistan have fought major wars over Kashmir.
- Since the mid to late 1980s, Islamist terrorists, supported and trained by Pakistan, have targeted Kashmir and are guilty of the large-scale ethnic cleansing of Hindus from India's Kashmir Valley.
- 300,000 Kashmiri Hindus are refugees in their own country, sheltered in temporary camps in Jammu and other parts of India.
- 2010 did not see any significant resolution to the plight of Hindu refugees from Kashmir. The few attempts to redress the situation by the Central Government seem desultory in nature, and Kashmiri Pandits continue to live in abject conditions in "refugee camps".

HAF Recommendations:

- Kashmiri Hindus must be allowed to return to their homes, have their property restored to them, and receive protection from the Indian government and the Kashmir state government.
- Pakistan must permanently end its sponsorship of terror via direct military aid to terror groups, sponsorship of terror camps in Pakistan, and covert support to terrorists by its Inter-Services Intelligence spy service.

MALAYSIA

- Malaysia is a self-declared Islamic Republic, and Islam is the official religion of the country, despite it being a multi-ethnic and multi-religious country in which Hindus, Christians, and Buddhists are significant minorities. Minorities struggle to maintain and practice their religions.
- The right to religious freedom has been progressively eroding in recent years. Ethnic Malays are required to be Muslims, as they are born into Islam and do not have the freedom to convert.
- The Hindu population faces discrimination and intimidation, including the destruction of its temples and places of worship. The government continues to treat pre-independence era Hindu temples differently than mosques from the same era, and gives preference to mosques in the allocation of public funds and lands.
- Hindu activists and leaders have been systematically persecuted by government officials, and public dissent has been brutally repressed through the use of draconian internal security laws.
- There have been several recent cases forcing Hindus and other minorities to deal with the Islamic Sharia courts where they face severe disadvantages.

HAF Recommendations:

- 1) Religious freedom should be allowed and encouraged for ethnic Malays and the minority religious populations in the country.
- 2) Religious minorities should not be forced to deal with the country's Islamic Sharia courts.
- 3) The United States, United Nations, the international community, and human rights groups should pressure the Malaysian government to protect Hindu temples from desecration and destruction. Hindu places of worship that existed prior to independence should be designated as temple property, and title to the land should be handed to the respective temple trustees/committees as has been done for pre-independence era mosques.

- 4) The Malaysian Government should be urged to not discriminate in the allocation of public funds and land for places of worship between Muslim and minority religious groups.
- 5) The Internal Security Act (ISA) must be repealed.

ISLAMIC REPUBLIC OF PAKISTAN

- In 1947, Hindus were approximately 25% of the population of Pakistan. Now, Hindus constitute less than 1.6% of the population.
- Pakistan officially and routinely discriminates against non-Muslims through a variety of discriminatory laws, such as blasphemy laws.
- On March 24, 2005, Pakistan restored the discriminatory practice of mandating the inclusion of religious identity of individuals in all new passports.
- School textbooks continue to promote Islam and hatred and intolerance towards non-Muslims, including Hindus.
- Islamists continue to extend their influence throughout the Federally Administered Tribal Areas (FATA), and other parts of the North West Frontier Province (NWFP). A senior Hindu religious leader was kidnapped in Balochistan province, and his whereabouts have not yet been traced.
- Recurring reports point to an alarming trend of Hindu girls being kidnapped, raped, held in *madrassas* (Islamic seminaries), and forcibly converted to Islam.
- Poor Hindus continue to be subjected to inhumane conditions through the bonded labor system.

HAF Recommendations:

- 1) Pakistan should remove all blasphemy laws. Those imprisoned under blasphemy laws should get their day in court within a period of two weeks. Long imprisonments without court appraisal constitute a human rights abuse.

- 2) Pakistan should reverse the 2005 decision mandating religious identification in passports.
- 3) Pakistan should set up a Human Rights Commission and a National Minorities Commission to monitor the human rights condition and to enable minorities to enjoy the rights provided to the majority population.
- 4) Pakistan should reform its education system in order to remove inaccuracies about other religions and promote tolerance and pluralism.
- 5) The United States should demand that Pakistan stop supporting and financing all Islamic militant groups operating in the subcontinent. The United States must reduce military assistance to Pakistan and monitor the end use of any such assistance provided.
- 6) The United States should continue dialogue with Pakistan on the issues of human rights and religious freedom and dispatch a fact-finding committee organized by the United States Commission on International Religious Freedom (USCIRF) to Pakistan.

DEMOCRATIC SOCIALIST REPUBLIC OF SRI LANKA

- Sri Lanka is a multi-ethnic, multi-religious nation that was plagued by years of ethnic conflict. The violent conflict between the Sinhala-majority Sri Lankan government and the Tamil groups was the result of a combination of religious, ethnic, and linguistic factors. Tensions between the Sinhalese majority and Tamil separatists in northern Sri Lanka erupted into war in 1983. The civil war came to an end in May 2009.
- Not all Tamils are Hindus and the LTTE, the primary Tamil-terrorist outfit, is not a Hindu organization.
- The prolonged conflict was detrimental to all Sri Lankans, especially the large Hindu minority population, which experienced an undue share of violence and displacement.
- The plight of innocent civilians continued to deteriorate as fighting between government forces and the Tamil Tigers intensified and came to a bitter end in 2009. Both sides are guilty of severe human rights violations.

HAF Recommendations:

- 1) HAF expresses grave concern that the Hindu institutions and Tamil culture in Sri Lanka were severely threatened over the past few decades, and this threat was exacerbated by the civil war. The government should hasten to protect Hindu institutions from harm.
- 2) The government must quickly release the remaining Tamil civilians still held in refugee camps and provide all support in the rehabilitation and resettlement of the displaced Tamil population.
- 3) President Rajapaksa, re-elected to a five year term in January 2010, should set up a war crimes tribunal, allow international journalists freedom to report from Sri Lanka, and begin serious talks with Tamil leaders and other minority groups to work out an equitable political and social dispensation in the country.

REPUBLIC OF TRINIDAD AND TOBAGO

- The country is a multi-ethnic, multi-religious island nation with Hindu Indo-Trinidadians and Afro-Trinidadians accounting for most of the population. Roman Catholics and Hindus make up the largest religious groups.
- The racial and religious animosity between Afro-Caribbean and Indo-Caribbeans has been exacerbated over the years. Hindus are frequently subjected to discrimination, hate speech, and acts of violence.
- Indo-Trinidadians have been systematically denied government benefits and employment in public sector jobs. Hindu institutions and festivals are subject to acts of violence and are denied equal access to public funds.
- A new government, headed by Kamla Persad Bissessar of Indian descent, took office in May 2010. It is expected that nearly six decades of discrimination against Indo-Caribbeans will come to an end.

HAF Recommendations:

- 1) The United States should encourage the current Trinidad government to abide by the country's Constitution and guarantee safety and security to Hindus and Indo-Trinidadians.
- 2) The Trinidadian government should practice parity and equality in government response to and support of various ethnic and religious groups.
- 3) Trinidad must do more to protect Hindus from violence, hate speech as well as racial and religious stereotyping. Furthermore, the government must safeguard Hindu temples from attacks.
- 4) The Trinidadian government must prosecute Christian fundamentalists who promote hatred against Hindus and Hinduism.

Table of Contents

Introduction.....	1
People’s Republic of Bangladesh	4
Introduction	4
History/Background.....	7
Status of Human Rights, 2010.....	9
Violations of Constitution and International Law	14
Conclusion and Recommendations	15
Kingdom of Bhutan	18
Introduction	18
History/Background.....	21
Status of Human Rights, 2010.....	22
Violation of Constitution and International Law	25
Conclusion and Recommendations	26
Republic of the Fiji Islands.....	28
Introduction	28
History/Background.....	29
Status of Human Rights, 2010.....	32
Violations of Constitution and International Law	34
Conclusion and Recommendations	35
Indian State of Jammu and Kashmir	36
Introduction	37
History/Background.....	39
Status of Human Rights, 2009.....	42
Violations of Constitution and International Law	47
Conclusion and Recommendations	49
Malaysia.....	50

Introduction	51
History/Background.....	52
Status of Human Rights, 2010.....	53
Violations of Constitution and International Law	61
Conclusion and Recommendations	62
Islamic Republic of Pakistan	63
Introduction	64
History/Background.....	66
Status of Human Rights, 2010.....	68
Violations of Constitution and International Law	87
Conclusion and Recommendations	89
Democratic Socialist Republic of Sri Lanka.....	91
Introduction	92
History/Background.....	95
Status of Human Rights, 2010.....	100
Violations of Constitution and International Law	102
Conclusion and Recommendations	102
Republic of Trinidad and Tobago	105
Introduction	105
History/Background.....	109
Status of Human Rights, 2010.....	111
Violations of Constitution and International Law	117
Conclusion and Recommendations	117
Hotspots -- Afghanistan, Australia, Saudi Arabia	118
Appendix A International Acts, Conventions, Covenants and Declarations	125
Bangladesh Enemy Property Act/Vested Property Act.....	125
Chittagong Hill Tracts (CHT) Peace Accord of 1997.....	125

United Nations International Convention on the Elimination of All Forms of Racial Discrimination	125
United Nations International Covenant on Civil and Political Rights	126
United Nations Universal Declaration of Human Rights	127
Appendix B: Attacks on Hindus in Bangladesh from January 1, 2010 to December 31, 2010	128
Appendix C: People’s Republic of Bangladesh	140
Appendix C: Islamic Republic of Pakistan	141

Introduction

The Government of India estimated in 2004 that the Indian Diaspora was nearly 20 million people strong.^v However, of the nearly one billion Hindus in the world today, some reports put the Hindu population living outside India at 55-60 million.^{vi} These two numbers are not incompatible because not all Hindus are part of the Indian Diaspora. For example, the population of Nepal is about 29 million, of whom 80% are Hindus. Similarly, the Hindu citizens of Bangladesh and Pakistan are not considered part of the Indian Diaspora.

Followers of Hindu traditions constitute the third largest religious group in the world, after Christians (about 2.1 billion) and Muslims (1.4 billion). The majority of Hindus live in the Indian sub-continent. They number nearly 827 million in India alone and constitute 80.5% of the population.^{vii} However, the Hindu Diaspora reaches beyond the Indian subcontinent to Europe, Africa, Southeast Asia, the Pacific Islands, and North America where it comprises a substantial minority. In Fiji and some Caribbean nations, Hindus make up a significant portion of the population, with representation at the highest levels of government.

In Africa, Hindus make up a very small 0.213%, with the majority of them residing in South Africa, Kenya, and Uganda. In Asia, the overwhelming majority of Hindus (99.266%) reside in South Asia (India, Bangladesh, Nepal, Sri Lanka, Pakistan, and Bhutan), with some identifiable presence in Southeast Asia (Malaysia, Singapore, Myanmar, and Indonesia). In Europe (0.214%), the majority of Hindus live in the United Kingdom, with some sizeable populations in the Netherlands and Germany. In the Americas (North, South, Central, and the Caribbean) Hindus total 0.263%, with the sizeable populations in the U.S., Canada, and the Caribbean nation of Trinidad and Tobago. In Oceania, Hindus make up 0.044% of the total, with Fiji having the largest percentage of them. The top 25 countries¹ of residence for Hindus in ranking order are: India, Nepal, Bangladesh, Indonesia, Sri Lanka, Pakistan, Malaysia, United States, United Arab Emirates, United Kingdom, Mauritius, South Africa, Kenya, Tanzania, Canada, Kuwait, Fiji, Singapore, Trinidad and Tobago, Myanmar, Guyana, Saudi Arabia, Yemen, Zimbabwe, and Australia.^{viii}

¹ Hindus have fled Afghanistan, and the estimated 2007 figures for the number of Hindus in Afghanistan are no longer valid. We have thus removed Afghanistan from the list of the top 25 countries of residence for Hindus.

While Hindus comprise the majority in India and Nepal, Hindus constitute an important minority in a number of countries around the world. These communities, especially in Pakistan and Bangladesh, have experienced a tumultuous history, and at various times, their human rights have been violated with impunity by the majority communities. Such human rights violations have persisted for many generations — with or without the connivance of the ruling governments — but have rarely attracted the sustained attention of human rights agencies. We have, over the past six years, brought these human rights violations to regular scrutiny. ***This seventh annual report covers human rights conditions in eight nations and regions across the world during 2010: Bangladesh, Bhutan, Fiji, the Indian state Jammu and Kashmir, Malaysia, Pakistan, Sri Lanka, and Trinidad and Tobago, and briefly summarizes the situation in three hot spots -- Afghanistan, Australia, and Saudi Arabia.***

As a “spiritual community” of related religious and cultural practices (the major religious groups within Hinduism are Vaishnava, Smartha, Shaiva and Shakta), Hindus do not adhere to a single scripture, owe allegiance to a single religious institution or authority, follow one religious leader, nor adhere to one set of worship, practices, and ritual. Though Buddhists, Jains, and Sikhs constitute distinct religious traditions themselves, they are included as a part of the broader Hindu family. This report excludes their particular concerns, though the fate of Buddhists in Tibet since 1950 is a matter of tragic historical significance that has been the subject of investigation by various international agencies.

While the issue of human rights is of global significance, this report focuses on ongoing human rights violations in the eight nations/regions listed above. This report does not investigate other human rights violations within India, such as religious conflict, abuse of women, or caste-based discrimination. The Hindu American Foundation (HAF) believes in the importance of addressing those problems² but they are beyond the scope of this report, which focuses on countries and regions where Hindus are a minority.

The Foundation’s first human rights report, published in 2005^{ix}, provided a brief summary of the history of the South Asian region. The departure of the British colonialists in 1947 left India divided into a Muslim majority Pakistan (made up of two regions – West and East Pakistan) and a Hindu majority India. India embraced secularism, proclaiming the State neutral between religions, but allowed minorities to retain their own sectarian practices in areas like personal law. India established the

² The Hindu American Foundation published its first report in December 2010 on caste-based discrimination in India. See: <http://www.hafsite.org/media/pr/hinduism-not-caste-caste-full-report>

largest and longest sustained democracy in the region. Pakistan labeled itself the Islamic Republic of Pakistan with the adoption of a Constitution based on Islamic jurisprudence.^x It curtailed the political rights of minorities, and Hindus, who constituted approximately 20-25% of the population in West Pakistan^{xi} and 30% in East Pakistan suffered the most. The Hindu population has dwindled to less than 2% in Pakistan (former West Pakistan), and to about 9.6% in Bangladesh (former East Pakistan). East Pakistan seceded from West Pakistan with Indian military assistance in 1971 following the genocide committed by the armed forces of Pakistan against its own citizens. The new country was named Bangladesh. Rapid Islamization of the Bangladesh polity over the last decade has led to a substantial rise in attacks against minority groups -- the largest minority constituency being Hindu.

The Indian State of Jammu and Kashmir is the focus of territorial claims by Pakistan, which has encouraged and abetted terrorism against India.^{xii} Terrorism in the Kashmir Valley has led to the expelling of the entire Hindu population of several hundred thousand from the Kashmir Valley through a campaign of murder, rape, and kidnapping. Pakistani military posturing and the threat of nuclear warfare between the two nations have diverted attention from the reality of atrocities against Hindus in Kashmir since 1989. Successive Indian governments have paid scant attention to the fate of the Hindu minority of Kashmir because they have concluded that attempting to address their legitimate concerns might constitute an avoidable distraction for the political resolution of the dispute over Kashmir. The media in India and abroad have taken the cue from this fateful governmental silence over the human rights violations of Kashmir's Hindus by largely ignoring them. World human rights organizations have also been muted in their response to the tragedy that has befallen Kashmir's Hindus.

HAF's consequent reports reaffirmed the ongoing human rights abuses in the three regions covered in the first report and also included the status of Hindus in Afghanistan and Fiji.^{xiii} This seventh annual report will once again demonstrate that Hindu citizens in South Asia and across the Diaspora are targeted victims of grievous violations of universally recognized human rights. The absence of this issue from the global dialogue on human rights, and the manifest absence of substantive documentation by prominent media sources and non-governmental human rights organizations of abuses against Hindus continue to prompt our investigations and reports. We provide context to our findings by examining the legal frameworks of individual countries and the UN Human Rights Declaration and various relevant conventions (see Appendix A).

People's Republic of Bangladesh



© CIA World Factbook

Area: 144,000 square kilometers

Population: 156,118,464 (July 2010 estimate)

Religions: Muslim 89.5%, Hindu 9.6%, other 0.9% (2004 estimate)

Ethnic groups: Bengali 98%, other 2% (includes tribal groups, non-Bengali Muslims) (1998)

Languages: Bangla (official, also known as Bengali), English

Location: Southern Asia, bordering the Bay of Bengal, between Burma and India^{xiv}

Introduction

After the seven years of majoritarian Islamist rule by the Bangladesh Nationalist Party (BNP), and the two years of political turmoil following the imposition of Emergency Rule in 2008, the Awami League swept back to power in the general election held on December 29, 2008. The League successfully captured or controlled 230 of the 299 parliamentary seats.^{xv}

Sheikh Hasina was sworn into office as Prime Minister on January 6, 2009.^{xvi} Hailed as a victory for secular forces and a defeat for the pro-Islamist BNP led by Khaleda Zia, the victory of Sheikh Hasina and her party was expected to bring about a change in the fate of minorities. This led the USCIRF to remove Bangladesh from its list of “Countries of Particular Concern” in May 2009. HAF notes with gratification the reduction in the number of incidents in 2010 of violence against minorities. However, HAF bemoans the lack of progress in legislative initiative to abolish the Vested Property Act (VPA), or the publication of a list containing details (name, address, amount of land, and other assets dispossessed by type and year of dispossession, and current status) of those affected by Enemy Property Act (EPA/VPA), as sought by HAF and other human rights organizations.

HAF notes that the Hasina government set up a War Crimes Tribunal to bring to trial those accused of rape, murder, and genocide during Bangladesh’s struggle for independence in 1971. High Court Division Judge Md. Nizamul Huq is the chairman of the tribunal, and its two other members are High Court Judge Fazle Kabir and retired District Judge Zahir Ahmed. The tribunal, set up in March 2010, has indicted four members of the country's main Islamist party, the Jamaat-e-Islami, on suspicion of committing mass atrocities in one of the bloodiest, but almost ignored, 20th century purges and genocides. Of the four indicted, authorities arrested Party president Maulana Motiur Rahman Nizami and his deputy Ali Ahsan Mohammad Mujahid.

Unfortunately, Western media still continues to downplay the extent and nature of the 1971 genocide. As recently as January 2011, the BBC,^{xvii} in a report on the war crimes tribunal, stated that “...thousands of people are believed to have died in the 1971 war, which culminated in the country's independence from Pakistan,” ignoring the fact that estimates by human rights groups peg the number of those killed as up to three million, the number of women raped at 200,000, and the number of refugees in the tens of millions.^{xviii} It is reported that 53 different types of crimes were committed in about 5,000 places. As crimes against humanity, war crimes, and genocide constitute grave crimes according to international law, some have argued for the inclusion of international judges in the tribunal to help the Bangladesh judges in careful and impartial hearings.^{xix}

Prime Minister Hasina included two Hindus out of 24 appointed Cabinet Ministers, and one Hindu as Minister of State among the 14. The Cabinet Ministers were Dilip Barua, heading the industries portfolio, and Ramesh Chandra Sen as Water Resources Minister. The Minister of State in the Cabinet was Dipankar Talukdar, heading the Chittagong Hill Tract Affairs portfolio.^{xx} In the 2008 elections, only 14 minority candidates were elected to the parliament. These included the following*:

1. Thakurgaon 1: Ramesh Chandra Sen of the Awami League (177,101) defeated Mirza Fakhrul Islam Alamgir of the BNP (120,411).
2. Dinajpur 1: Manaranjan Sheel Gopal of the Awami League (143,097) defeated Mohammad Hanif of the Bangladesh Jamaat-e-Islami (107,168).
3. Naogaon 1: Sadhan Chandra Majumder of the Awami League (177,251) defeated Md Salek Chowdhury of the BNP (111,089).
4. Jessore 4: Ranjit Kumar Roy of the Awami League (102,958) defeated TS Ayub of the BNP (97,520)
5. Magura 2: Biren Sikder of the Awami League (115,275) defeated Nitai Roy Chowdhury of the BNP (109,808).
6. Khulna 1: Nani Gopal Mandol of the Awami League (120,801) defeated Amir Ejaj Khan of the BNP (68,420).
7. Khulna 5: Narayan Chandra Chanda of the Awami League (144,600) defeated Mia Ghulam Parwar of the Bangladesh Jamaat-e-Islami (105,312).
8. Barguna 1: Dhirendra Chandra Debnath of the Awami League (131,933) defeated Delwar Hossain contesting the polls as an independent candidate (80,467).
9. Mymensingh 1: Pramod Mankin of the Awami League (142,981) defeated Afzal H. Khan of the BNP (91,345).
10. Munshiganj 1: Sukumar Ranjan Ghosh of the Awami League (144,159) defeated Shah Moazzem Hossain of the BNP (99,233).
11. Sunamganj 2: Suranjit Sengupta of the Awami League (95,593) defeated Md. Nasir Chowdhury of the BNP (77,889).
12. Khagrachari: Jyotindra Lal Tripura of the Awami League (122,750) defeated Samiran Dewan of the BNP (63,048).
13. Rangamati: Dipankar Talukder of the Awami League (114,965) defeated Maitri Chakma of the BNP (56,492).

14. Bandarban: Bir Bahadur of the Awami League (78,124) defeated Saching Prujerry of the BNP.

(*Note: #12, 13, 14 are Buddhist from Chittagong Hills. #9 is Garo Christian. These 14 represent 4.7% of seats in the Parliament, where 48 seats could have been filled by minority candidates. Of the 45 seats reserved for women only one was allocated to a Hindu -- Sadhana Haldar -- widow of Sudhanshu Haldar, a former MP and Awami League leader. The new government has appointed three minority members as ambassadors to smaller, less important nations.^{xxi})

History/Background

Bangladesh was created in 1971 from the eastern wing of Pakistan. Its predominantly Bengali population won independence from Pakistan after the India-Pakistan War of 1971. The conflict was preceded by the massacre of an estimated two million East Pakistani citizens and the ethnic cleansing of 10 million ethnic Bengalis (mainly Hindus) who fled to India. In the summary of his report on the events dated November 1, 1971, U.S. Senator Edward Kennedy (D - Massachusetts) wrote:

Field reports to the U.S. Government, countless eye-witness journalistic accounts, reports of International agencies such as World Bank and additional information available to the subcommittee document the reign of terror which grips East Bengal (East Pakistan). Hardest hit have been members of the Hindu community who have been robbed of their lands and shops, systematically slaughtered, and in some places, painted with yellow patches marked 'H'. All of this has been officially sanctioned, ordered and implemented under martial law from Islamabad.^{xxii}

Furthermore, according to then American Consul-General and senior U.S. diplomat in Dhaka, Archer Blood, the Pakistani military was engaged in the "mass killing of unarmed civilians, the systematic elimination of the intelligentsia and the annihilation of the Hindu population."^{xxiii} Quite remarkably, this genocide has been largely erased from public memory and the perpetrators have escaped unpunished, though identified in an official report. Recently, however, Amnesty International's Secretary General Irene Khan has called on Bangladesh to create a "truth commission" to investigate the war crimes committed during the 1971 war.^{xxiv}

After independence, Bangladesh initially adopted a constitution with its basic structure ensuring "Nationalism, Secularism, Socialism and Democracy." In April 23, 1977, however, Bangladesh renounced its commitment to secularism by amending the

Constitution to reflect a greater role for Islam in the national body politic. A new clause was appended to the Constitution, which affirmed, “The state shall endeavor to consolidate, preserve and strengthen fraternal relations among Muslim countries based on Islamic solidarity.” Furthermore, on June 9, 1988, the Constitution was amended again, making Islam the state religion and prescribing that the principle of absolute trust and faith in Allah would be the basis of all action.^{xxv} These actions began a steady and gradual move towards Islamization, resulting in increased discrimination and persecution of minorities, particularly Hindus.^{xxvi}

The process of Islamization rapidly expanded in 2001 with the election of the Bangladesh Nationalist Party (BNP), led by Khaleda Zia, and its Islamist allies. Following the elections, the BNP coalition and its supporters unleashed a large-scale campaign of violence targeting the Hindu community that lasted more than 150 days. During that period, there were reportedly more than 10,000 cases of human rights abuses committed against minorities.^{xxvii} According to Refugees International, “Scores of Hindu women and girls were raped. In some cases, they were gang raped in front of their male relatives. Hindus were also assaulted on the streets, in their homes and at their workplaces. Systematic attacks resulted in a mass migration of Hindus to India and, in particular, to the bordering state of Tripura. The government did little to prosecute or investigate the violence.”^{xxviii} Global Human Rights Defence estimates that approximately 500,000 Hindus sought refuge in India following the election violence.^{xxix} In May 2009, a Bangladesh high court ordered the government to institute a commission to inquire into this violence, and the Hasina government created a three-member commission to inquire into the attacks against minorities after the 2001 election victory of the BNP-led coalition.^{xxx}

During the five-year rule of the BNP-led coalition, Bangladesh witnessed the increased role of Islam in politics, and an explosion of *madrasas* (Islamic seminaries) teaching the same fundamentalist version of Islam that inspired the Taliban. The massive proliferation of *madrasas*, estimated at 64,000, was seen as an intentional effort to change “Bangladesh’s culture of religious tolerance.”^{xxxi} Moreover, activity by Muslim militants and radical organizations significantly increased during the Khaleda regime.

Decline of the Hindu Population

At the time of Partition in 1947, the Hindu population in what is now Bangladesh was approximately 31%.^{xxxii} By 1961, Hindus comprised 19% of the population, and by 1974, the Hindu community had further declined to 14%. According to Saleem Samad, a

journalist and human rights observer, in 1991, the Hindu population in Bangladesh should have been 32.5 million, considering normal rates of growth.^{xxxiii} The actual population was only 12.5 million. By this calculation, the number of Hindus missing from Bangladesh over the two decades ending in 1991 is 20 million. This figure includes both those persons killed or forced to flee the country. The number of Hindus who fled Bangladesh between 1964 and 1991 was estimated at “5.3 million people or 535 people per day.”^{xxxiv}

Bangladesh now has a total population of approximately 156 million people, only 9.6% of whom are Hindus (some estimates place the figure at 9%).^{xxxv} Consequently, the Hindu community in Bangladesh has dropped from 31% to less than 10% in the span of 60 years.

Status of Human Rights, 2010

In 2010, the human rights situation for minorities in Bangladesh continued to show the positive changes HAF noted in 2009. However, the gang rape of women and girls, murder, beatings, harassment, kidnappings, attacks on temples, looting of gold and jewelry, and illegal occupation of land continued. These attacks constitute the daily litany of human rights abuses suffered by Hindus, tribal people, and to a lesser extent, Christians and Buddhists.

The continued attacks against Hindus and other minorities demonstrate the systematic use of violence as a means to intimidate Hindus and force them to leave Bangladesh.^{xxxvi} Hindus still face significant economic and social disadvantages with continued underrepresentation in government and military jobs.^{xxxvii} A comprehensive list documenting the atrocities committed against Hindus in 2010 is included in Appendix B. Consequently, the remainder of this section provides an overview of the nature and extent of abuse faced by the Hindu community in Bangladesh.

Religious Freedom

Attacks on Temples/Religious Sites

Attacks on Hindu temples, festivals, and religious sites continued as in the recent past. The following examples illustrate the extent and scope of attacks on Hindu religious sites and symbols.

A “murti” of Goddess Saraswati was destroyed in the Bogra district, according to the *Dainik Janakantha* newspaper dated January 19, 2010. It was reported that seven

Saraswati deities, installed to celebrate the Saraswati puja, were destroyed by Muslims at Pal Para in Demajani village in the Sajahanpur area of Bogra district. Those who were working on building and decorating the deities noticed that the deities were missing, and later found seven of the 12 missing deities destroyed in a nearby forest.

In another incident, according to a February 18, 2010 report in the *Jugantor* and the *Amader Samoy* newspapers, during the Kali puja organized by Hindu communities at Purbakalma Das Para (Lohajang Upazila, Munshiganj district), local Muslim goons, including Alam Bhuiya (45) and Pavel Sheikh (25), demanded that a nearby Hindu cremation ground be moved. They threatened that if it was not moved, the cremation grounds would be blown up by explosives. This threat was made in presence of Zahangir Fakir, local president of the Awami League party. It is reported that later the Muslim goons demolished the Kali “murti” readied for the religious festival.

General Violence

Attacks on Minorities

The Hindu community continued to bear the brunt of acts of violence and persecution against minorities in 2010, though the numbers again have declined from the previous years, including 2009. The total number of incidents HAF reported for 2009 was 67, whereas for 2010 HAF has recorded 40. According to the 2010 human rights report (p. 48) by the NGO, Odhikar, there were a total of 309 acts of repression against minorities in 2010.^{xxxviii} HAF reported 306 incidents in 2008 (covering January to September), 270 incidents in 2007 (covering January to June), 461 incidents in 2006 (covering nine months), 480 incidents in 2005 (covering 11 months), and 399 incidents in 2004 (covering 11 months).

Islamic extremists and criminals frequently target members of the Hindu business community. For example, according to the newspaper *SojaSapta* (December 24, 2010), Ratan Saha (28), a Hindu, was abducted from Narayanganj on December 20, 2010. His whereabouts have not been traced, and the police initially refused to file a case or find the victim. It is alleged by Jatindra Saha, father of Ratan Saha, that he had an agreement with the man who abducted his son -- Mohammad Mustafa -- to rent his factory, involved in dyeing clothes, for an amount of Taka 700,000. Jatindra paid an initial amount of Taka 300,000 to Mustafa on November 3, 2010. But Mustafa sent his employee, Md. Jasim, on December 20, 2010 at approximately 4 p.m. to collect the remaining Taka 400,000 and that Ratan Saha accompany him. Jatindra sent Ratan to hand over the money. Md. Mustafa did not confirm the amount given to him on

November 3, 2010. There was a quarrel between Ratan and Mustafa, after which the cell phone of Ratan was switched off. Ratan Saha has not been traced since. A case has been filed with the police.

Violence Against Women

Violence against women is a common weapon used to intimidate and harass minority communities across the world. It has similarly been used in Bangladesh as a means to attack Hindus. For instance, in the period immediately following the 2001 elections, approximately 1,000 Hindu women and girls were raped.^{xxxix}

According to a recent report from Global Human Rights Defence: “In Bangladesh, gang rape has become a major tool of political terror, forcing minorities to flee and has proven more effective than murder. The victims have all been women belonging to either of the ethnic/religious minorities. Neither little girls nor pregnant women and the elderly are spared. The perpetrators are men belonging to various branches of Muslim extremist political parties, including direct branches to the ruling party BNP (e.g. various student wing’s of BNP like JCD [Jatiyatabadi Chhatra Dal], Jubo Dal).”^{xi} The report goes on to state that rape has been used to shame Hindu society and as a genocidal device to drive Hindus out of Bangladesh. In addition, government officials have failed to take adequate measures to prevent and prosecute such crimes.^{xli}

The systematic kidnapping, rape, and murder of minority women, particularly young Hindu girls, continued in 2010. Rapes and kidnappings of Hindus are often accompanied by forced conversion to Islam.

Overall, 556 incidents of rape were recorded in 2010, and that includes acts against women from the majority community. Among the victims 248 were women, and 308 were girls below the age of 18. Sixty-one of the 248 women were raped and killed, and 119 others were gang-raped, according to a report by the Odhikar organization. The report said that 326 women were sexually harassed, and seven of them were killed. At least 25 of the women and girls were unable to bear the harassment and committed suicide. At least 137 women and girls had acid thrown on them. Husbands or in-laws killed 243 women for dowry and injured 122. Odhikar also reported that there was a sharp rise in the incidents of clandestine killings and disappearances across the country in 2010.^{xlii}

The incidents of rape and abuse of women are heartrenching. Bangladesh Minority Watch (BDMW) Dhaka received an appeal from Gopal Chandra Sikdar (48) of Magura District seeking legal assistance in finding his missing daughter, Indrani Sikdar (18), who

was abducted on January 17, 2010 while she was on her way to Eden College in Dhaka. Gopal Sikdar complained to the Tejgaon police station on January 18, 2010. Sikdar was told the following day that his daughter was with Asif Shakil and was warned not to complain to the police. It was reported that on the same day Indrani Sikdar called her sister-in-law crying and asking to be rescued. She reported that she had been abducted by Asif Shakil (24) and others. Gopal Sikdar complained again to the police on January 22 and provided them the information his daughter had given. Police had still not traced the young woman as of February 9, 2010.

In another incident, Deepa Rani Kundu (23), the daughter of Uttam Kumar Kundu, was kidnapped by a group of Muslims on March 14, 2010 while going to the Youth Training Centre at Pal Para. Deepa was a student of English (Honors) at the Government Azizul Hoque College, Bogra district. Her father is a businessman, and her mother a nurse at a private medical center in Bogra. The girl's father requested the Officer-in-Charge (OC) of Bogra Sadar Police Station to rescue his daughter, but was advised to file a "General Diary" (number 881, March 14, 2010). When the OC did not follow up, Mr. Kundu filed a case on March 21, 2010 (#88P/2010, Nari-Shishu) with the Women and Children Repression Tribunal at Bogra. He named the perpetrators as -- Mohammad Zahangir Alam (25), son of Mohammad Mokshed Ali; Mohammad Selim (27), son of Mohammad Mokshed Ali; Mohammad Mokshed Ali (56), son of late Oshir Uddin; Halima Begum (50), wife of Md. Anwar Hossain; and Md. Anwar Hossain (58). So far, the victim has not been rescued, nor has anyone been arrested. Mr. Kundu reported that from March 26, 2010 onwards, the perpetrators were continuously demanding money to free Deepa and threatening to make her pregnant, but the police refused to record his complaint.

Social Persecution

Land Encroachment/Evictions

Land encroachment is another major issue faced by the Hindu minority in Bangladesh and includes the illegal occupation of land, homes, businesses, and temple property. The problem began when the former Pakistani government implemented the Enemy Property Act (EPA), following the 1965 Indo-Pakistan war. The Act officially designated Hindus as "enemies" and was used to confiscate land and property belonging to Hindus. Subsequently, after the independence of Bangladesh in 1971, the EPA remained in effect and was simply renamed in 1974 as the Vested Property Act. As a result, nearly 1.2 million Hindu families, or 44% of all Hindu households in Bangladesh, were affected by the EPA and its post-independence version, the Vested Property Act.^{xliii}

In an effort to return “vested” properties to their original Hindu owners, the Vested Property Return Bill (VPRB) was passed in 2001, and the Vested Property Act (VPA) was abolished. But the Bill, the language of which remains relatively the same as the VPA/EPA and maintains the same discriminatory effect, brought little relief to Hindus, who continued to be deprived of their property in large numbers. According to a study by Abul Barkat of Dhaka University, nearly 200,000 Hindu families have lost or been robbed of 122,000 bighas of land (one bigha equals 1333.33 sq.meters/1594.65 sq. yards/0.33 acres), including their homes, in the six years since the Vested Property Act was annulled. Overall, Hindus have been robbed of a combined 2.2 million acres of land. At the current market price, the value of those 2.2 million acres is Taka 2.52 billion (US \$36 million at a rate of \$1 = 70 Taka), which is more than half of the country’s gross domestic product.^{xliv}

Land-grabbing in Bangladesh operates through a system of force and deception, supported and patronized by influential politicians and political organizations. Between 2001 and 2006, “[f]orty-five percent of the land grabbers were affiliated with the BNP, 31% were Awami League members, 8% were affiliated with the Jamaat-e-Islami and 6% were with the Jatiya Party and other political organizations.”^{xlv}

An example of such incidents in 2010 will once again highlight the enormity of the problem faced by minorities in general, and Hindus in particular. According to the *Dainik Janakantha* (February 4, 2010), armed men in Bhola Sadar town attacked Hindu families in the Charnoabad area by breaking into their homes. It is reported that men, hired by the former town commissioner, had taken over the land and homes belonging to the Hindu community who were fearful of reporting these attacks to the police. The homes attacked included that of Shadhu Charan Talukdar. Rani Bala (70), wife of Talukdar, said that at around 2 a.m., the former town commissioner’s men occupied land belonging to a Hindu temple, and they tried to attack her and seven other people.

Islamic Extremism

Islamic extremism, which grew exponentially in the years that the BNP-led coalition government was in power, seems to be monitored with more diligence by the Hasina government. Islamists had actively advocated the creation of an Islamic state under Sharia law. Notable among them are the Jamaat-e-Islami (Jel), an Islamist political party involved in attacks on Hindus following the 2001 elections; Islami Chhatra Shibir (ICS), the youth wing of Jel involved in political and religious violence; and Harkat-ul-Jihad-al-Islami (HuJI), the largest militant Muslim organization in Bangladesh.^{xlvi}

For a list of Islamic groups in Bangladesh, see Appendix C.

Violations of Constitution and International Law

Constitution of Bangladesh

The Constitution of Bangladesh is designed to protect the human rights of all persons living in the country, regardless of race, religion, or sex. Article 11 of the Constitution explicitly states: “The Republic shall be a democracy in which fundamental human rights and freedoms and respect for the dignity and worth of the human person shall be guaranteed.”^{xlvii} Article 28 further provides that: “The State shall not discriminate against any citizen on grounds only of religion, race, caste, sex or place of birth,” while Article 31 declares that the protection of the law is “the inalienable right of every citizen, wherever he may be.”^{xlviii}

Despite constitutional assurances of equal protection, minorities, human rights activists, and journalists continue to face violence and persecution. Rape is used as a weapon to subjugate and terrorize Hindu and tribal women. The Constitution also provides freedom of religion to all of its citizens under Article 41 which states, “Every citizen has the right to profess, practice or propagate any religion [and] every religious community or denomination has the right to establish, maintain and manage its religious institutions.”^{xlix} The attacks on Hindu temples, the destruction of Hindu deities, and the disruption of Hindu festivals are in direct violation of this basic constitutional guarantee of religious freedom.

International Human Rights Law

In addition to Bangladesh’s constitutional human right guarantees, its accession to the United Nation’s International Covenant on Civil and Political Rights (ICCPR) occurred on September 6, 2000.¹ According to Article 2 of the ICCPR: “Each State Party to the present Covenant undertakes to respect and to ensure to all individuals within its territory and subject to its jurisdiction the rights recognized in the present Covenant, without distinction of any kind, such as race, color, sex, language, religion, political or other opinion, national or social origin, property, birth or other status.”^{li} Similar to Article 41 of Bangladesh’s Constitution, ICCPR Article 18 states, “Everyone shall have the right to freedom of thought, conscience and religion. This right shall include freedom to have or to adopt a religion or belief of his choice, and freedom, either individually or in community with others and in public or private, to manifest his religion or belief in worship, observance, practice and teaching.”^{lii} And most importantly, Article 27 maintains, “In those States in which ethnic, religious or linguistic minorities exist, persons belonging to such minorities shall not be denied the right, in community with

the other members of their group, to enjoy their own culture, to profess and practice their own religion, or to use their own language.”^{liii}

Far from being protected, the ethnic and religious minorities within Bangladesh continue to face harassment, rape, and pillage of and eviction from their lands and homes with little or no corrective action by the police and civil government. It is hoped that the Hasina government will work diligently to turn back the tide of violence and discrimination against minorities in Bangladesh.

Bangladesh has also agreed to the United Nation’s International Convention on the Elimination of All Forms of Racial Discrimination which defines “racial discrimination” as, “any distinction, exclusion, restriction or preference based on race, color, descent, or national or ethnic origin which has the purpose or effect of nullifying or impairing the recognition, enjoyment or exercise, on an equal footing, of human rights and fundamental freedoms in the political, economic, social, cultural or any other field of public life.”^{liv} Article 2 of the Convention states in part that, “Each State Party undertakes to engage in no act or practice of racial discrimination against persons, groups of persons or institutions and to ensure that all public authorities and public institutions, national and local, shall act in conformity with this obligation.”^{lv} The Vested Property Return Bill of 2001 remains in clear violation of Article 2 of the Convention as it is a form of racial discrimination which directly targets minority groups within Bangladesh, particularly Hindus. Till now, one year into assuming office, the Hasina government has not made attempts to rectify this discrimination.

Conclusion and Recommendations

Bangladesh was created after the India-Pakistan War of 1971, which was preceded by the massacre of an estimated two million East Pakistani citizens, and the ethnic cleansing of nearly 10 million Bengalis (mostly Hindus) who fled to India. The Hindu population in Bangladesh has steadily declined over the years, from 31% in 1947 to less than 10% today. During the reign of the BNP-led coalition government, Hindus became increasingly vulnerable with the ascendancy of Islamist parties and radical Muslim organizations.

As stated in earlier reports, the Bangladesh Government must implement the following recommendations in order to significantly improve the human rights situation in the country. Rabindra Ghose (aka Rabindra Ghosh), a Bangladesh human rights activist, has discussed the necessary steps to address the large scale encroachment of Hindu owned land. These steps are listed below:

- The Vested Property Act (VPA), as an encroachment on the law of inheritance, must be explicitly abolished;
- A list containing details (name, address, amount of land and other assets dispossessed by type and year of dispossession, and current status) of those affected by Enemy Property Act (EPA/VPA) must be published by the Government;
- All activities related to the identification and enlistment of any property as vested must be banned;
- All vested property under government custody must be returned to the original owners or their legal heirs who are permanent residents of Bangladesh;
- Property must not be seized from any non-Muslim in Bangladesh under the vested property administration if the owners of the property or their legal inheritors are in possession of that property;
- All 99 year leases of vested properties must be declared null and void, and the ownership rights of the original owners or their inheritors restored;
- All vested temple property and places of cremation must be un-vested and brought under public trust;
- The law of inheritance must be enforced with adequate provision for inheritance by female heirs.

HAF also supports the call by the International Bangladesh Foundation (IBF), a British group led by Lord Dholakia and Lord Avebury. IBF has urged the following initiatives:^{lvi}

- That the Government of Bangladesh establish an Inspectorate of Madrasas and close down those which are being used to incite the commission of criminal offences and communal hatred;
- That the Government of Bangladesh ensure the independence of the Judiciary and prevent and reverse party politicization of the police, administration, judiciary, and other important institutions;
- That the Government of Bangladesh repeal the 5th and 8th Amendments of the Constitution and the anti-minority and racist laws such as the vested property legislation;

- That the Chittagong Hill Tracts (CHT) Peace Accord of 1997 be implemented and the demographic transformation of the CHT under military occupation be ended;
- That the Government of Bangladesh, in accordance with the constitutional rights of the people, provide equal rights to all minorities;
- That the Government of Bangladesh establish a permanent and independent commission for the promotion of ethnic, gender, and religious equality;
- That an international civil society network be established to monitor the progress of Bangladesh towards compliance with international human rights standards, to make representations to governments, and the UN Human Rights Commission and to hold further meetings.

As noted in HAF's prior annual human rights reports, attacks against Hindus in Bangladesh constitute the most serious threat to the Hindu community anywhere in the world.^{lvii}

Kingdom of Bhutan



© CIA World Factbook

Area: 47,000 square kilometers

Population: 699,847 (July 2010 estimate)

Religion: Lamaistic Buddhist 75%, Indian- and Nepalese-influenced Hinduism 25%; Buddhism is the state religion; Hinduism is officially recognized but discouraged; Christianity was not recognized but the government was preparing, at the end of 2010 to be given official recognition.^{lviii}

Ethnicity: Sarchokpas (40% -- Buddhist), Lhotshampas (35% -- Hindus who speak Nepali and Hindi), Ngalongpa (20%), Brokpas, Doyas, Bumthangpas, Khengpa and Adivashis.^{lix}

National Language: Dzongkha (official), Bhotes speak various Tibetan dialects, Nepalese speak various Nepalese dialects.^{lx}

Location: Southern Asia, between China and India

Introduction

Bhutan achieved a political/diplomatic coup in 2010 as it hosted the 16th South Asian Association for Regional Cooperation (SAARC) summit in its capital, Thimpu. Marking the 25th anniversary of the setting up of SAARC, and the first meeting in Bhutan, the

member states paid glowing tributes to the Bhutanese leaders. There are eight member nations of SAARC – Afghanistan, Bangladesh, Bhutan, India, Maldives, Nepal, Pakistan, and Sri Lanka. By agreeing to meet in Thimpu, the seven other member states essentially chose to ignore the ongoing human rights violations as well as the massive refugee crisis in Bhutan. The opening statement by the Prime Minister of India, Dr. Manmohan Singh, failed to mention, even briefly, the hundreds of thousands refugees, mostly Hindu, caught in a no-man’s land between Nepal and Bhutan, and now being shipped for relocation to Western nations.^{lxi}

Bhutan received 99 recommendations when it presented its report on the human rights situation in the country to the Human Rights Commission (HRC) for its Universal Periodic Review (UPR) in December 2009. The government accepted a majority of the recommendations. HRC said the Bhutan government should enhance efforts to implement a durable solution for the people in camps, and that Bhutan needed to demonstrate “that its commitment to resolving the issue is not mere rhetoric and that it is not depending on other countries to take full responsibility through third country resettlement.” In response to recommendations to establish an independent human rights commission in the country, the government said the matter was under “active consideration.” Bhutan’s next UPR will be in 2013, where the government will report on its progress on the recommendations it has accepted.^{lxii}

Bhutan is a multi-religious, multi-cultural and multi-lingual society. However, according to its former King, “Pluralism [is] only practical for a larger country where a diversity of customs, traditions and culture enriches that nation. A small country like Bhutan cannot afford the luxury of such diversity which may impede the growth of social harmony and unity among its people.”^{lxiii} This attitude led to a series of policies aimed at ethnic and religious cohesion, which resulted in systematic persecution of the minority Hindu population.

In the name of national integration, the government implemented various ethnically, religiously, and linguistically discriminatory policies such as the “One Nation, One People” policy aimed at forced homogenization of a multi-ethnic society. This policy was designed to annihilate the culture, religion, and language of Lhotshampas and other minority ethnic, religious and linguistic groups. Under this policy, all other ethnic and minority groups are required to disregard their distinct social and cultural identities and conform to the socio-religious framework created by the politically and economically dominant Drukpa Kargyudpa, to which the royal family belongs. This dangerous ideology has already led to the expulsion and deprivation of rights of the Hindu Lhotshampas and other dissidents through intimidation and the use of force.

In addition, the State has used Buddhism as a political tool and in a manner that suits the interests of the ruling elite. Consequently, over the years, the Bhutanese polity has become increasingly communalized. Moreover, politics is practiced along ethnic lines and has been monopolized by members of Drukpa Kargyudpa.

According to the Centre for Protection of Minorities and Against Racism and Discrimination in Bhutan (CEMARD-Bhutan), the “human rights situation in Bhutan began to deteriorate from the early 1990s,” and the genesis of the present political crisis in Bhutan is the result of “fundamental weaknesses arising from the socio-political institutions and feudal attitudes.” CEMARD claims that these institutions and attitudes have worked towards creating a national identity based on the narrow Drukpa Kargyudpa tradition of Mahayana Buddhism, and the imposition of a Drukpa Kargyudpa culture and values on a multi-cultural and multi-ethnic society.^{lxiv}

Although the former monarchy is now transitioning to a democracy, many of the discriminatory policies favoring Buddhists and Buddhist culture remain in place. On December 4, 2009, Bhutan presented its first human rights report to the Universal Periodic Report Review Committee of the UN Human Rights Council in Geneva and interestingly enough, did not mention the issue and problem of its own refugees.^{lxv} In a new book on the plight of minorities in Bhutan, authors Adhikari and Thapa claim that the Bhutanese government has delayed repatriation of Bhutanese refugees, restricted voting rights to the nearly 80,000 Nepali-speaking people still living in the country, and failed to set up a human rights mechanism to monitor the condition of minorities, in particular, and the population in general. They say that there are no human rights organizations in Bhutan and that the state has denied education to thousands of children as parents failed to provide the all important “no objection certificate” (a difficult to obtain certificate that states that neither the applicant nor their relatives are involved in the democracy movement and other ‘anti-national’ activities).

The government discriminated against minorities by denying them security clearance that is vital in obtaining business licenses and other government facilities. Bhutan has till now not rectified the flaws in the system of birth registration of the children born after 1990 (Bhutan ratified Convention on the Rights of the Child [CRC] in 1991).^{lxvi} At the Geneva session, the refugee issue was raised by a number of European countries including Bhutan’s major donors -- The Netherlands, Denmark, and Norway. Bhutanese official delegates failed to effectively address the issue. The U.S. delegate too raised the issue of unsolved refugee crisis as well as the failure of Bhutan in implementing different acts and protocols, including the citizenship act.^{lxvii lxviii}

Refugees who continue to be resettled throughout the U.S. have faced challenges, but have also found support. About 400 Bhutanese refugees resettled in the Cleveland area were provided support by the local Hindu community.^{lxi} In Seattle, a number of them shared the horror stories of being forced out of Bhutan, not being wanted in Nepal, and waiting long years to be resettled elsewhere.^{lxx} Some of these newly resettled Bhutanese have complained that they are under tremendous pressure from local missionary groups to convert to Christianity. Many Christian groups, including Bhutanese Christians, in the guise of helping Bhutanese Hindus, have been active in compelling these Hindus to listen to the “story of Jesus,” and to be accepted and loved by “God”.^{lxxi}

History/Background

Bhutan has been ruled by an absolute monarchy since 1907. The fourth hereditary King Jigme Singye Wangchuck shifted power to his heir Crown Prince Jigme Khesar Namgyel Wangchuck on December 9, 2006. Prior to the Wangchuck dynasty coming to power, the country was under the administrative control of the Buddhist theocratic leader, Zhabdrung Ngawang Namgyel.

The former monarchy unveiled its first draft Constitution in 2005, which was subsequently accepted by the Parliament. According to the draft Constitution, Bhutan would be a “Democratic Constitutional Monarchy” indicating that power would remain with the King, thereby preventing the establishment of a true democracy.

On March 24, 2008, Bhutan held its first general elections for the National Assembly.^{lxxii} Two parties – the Druk Phuensum Tshogpa (DPT) and the People’s Democratic Party (PDP) – registered and contested the elections. The third political party, the Bhutan National Party (BNP), had its registration papers rejected.

Bhutan is home to a number of ethnic and religious groups, including Drukpa Buddhists and Hindu Lhotshampas. Although Drukpa Buddhists are politically and religiously dominant, Lhotshampas comprise a substantial minority. The Lhotshampas are descendents of Nepalese who moved to the southern lowlands of Bhutan in the nineteenth century. The Hindu Lhotshampas remained largely unintegrated with Bhutan’s Buddhist Druk majority. However, under Bhutan’s Nationality Law of 1958, they were allowed to hold government jobs and enjoy Bhutanese citizenship. By the 1980s, however, Bhutan’s king and the ruling Druk majority expressed concern over the rapidly growing Lhotshampa population. There was also concern about the influx of Nepali migrants into Bhutan and the higher birth rate of the Lhotshampas. The Druks

feared that this demographic population shift threatened their predominance in society and Buddhist culture.^{lxxiii}

During the 1980s, the Bhutanese authorities adopted a series of nationalist policies that sought to undermine the influence of the ethnic Nepalis. In 1985, the government established new eligibility requirements for Bhutanese citizenship that disenfranchized many ethnic Nepalis, depriving them of their citizenship and civil rights despite their longstanding residence in Bhutan. In addition, the government introduced measures to enforce rigidly the Drukpa dress code and forbid the use of Nepali in the educational curriculum.^{lxxiv}

The government pursued an increasingly violent pogrom of intimidation of the Lhotshampas in southern Bhutan. Their property was destroyed, and activists were arbitrarily detained and tortured. Individuals were forced to sign “voluntary migration certificates” before being expelled from the country. In December 1990, the authorities announced that Lhotshampas, who could not prove they were residents of the country before 1958, must leave the country. This made tens of thousands of Lhotshampas stateless, forcing them to flee to Nepal and the Indian state of West Bengal. It is estimated that more than 100,000 Bhutanese citizens, approximately one-sixth of the kingdom’s total population of around 700,000, have been forced to leave.^{lxxv}

Status of Human Rights, 2010

As reported in 2009, there continues to be a number of unresolved human rights issues facing Bhutanese minorities, including the lack of religious freedom, forced ethnic and religious assimilation, and Hindu refugees in camps in dire states. The following sections provide an overview of the human rights situation in Bhutan.

Religious Freedom

Although the Bhutanese government allows for freedom of religion, its policies actively discriminate against non-Buddhist minorities, particularly Hindu Lhotshampas. For instance, the Bhutanese government officially subsidizes Buddhist temples, monasteries, and institutions and provides financial aid to large numbers of the country’s Buddhist monks. In contrast, reports indicate that Hindus are routinely denied permission to build new temples and no longer receive financial assistance for temple renovation or construction. Hindu groups suggest that they have been unable to build new temples since the early 1990s.^{lxxvi} Hindus, who constitute around 22% of Bhutan’s less than 700,000 people, are represented by one legal entity, the Hindu Dharma

Samudaya (Hindu Religion Community) of Bhutan, which was registered with the Chhoedey Lhentshog authority along with Buddhist organizations in 2009.

Bhutanese law mandates the reservation of 10 seats in the 150-seat National Assembly and two seats in the 11-member Royal Advisory Council for Buddhist monks. Although non-Buddhists may work for the government, there are no statutory provisions reserving seats for Hindus or other minorities. Furthermore, according to the U.S. State Department, “NGO representatives living outside the country claimed that only Drukpa Kagyupa and Ningmapa Buddhist religious teaching was permitted in schools and that Buddhist prayer was compulsory in all government-run schools.” Local NGOs assert, however, that the prayers are nondenominational and are not required.^{lxxvii}

Christianity was not recognized, but the country was preparing, by the end of 2010, to provide official recognition. It is estimated that there are about 12,000 Bhutanese Christians,^{lxxviii} though other sources put their number between 3,000 and 6,000.^{lxxix} The government might be concerned that recognizing Christianity might lead to the funneling of money for proselytism and church-planting programs that now continues to pour into other parts of South Asia by Western Christian organizations. According to Dorji Tshering of the Bhutan government, “...conversion must not be forced, because it causes social tensions which Bhutan cannot afford to have. However, the constitution says that no one should be forced to believe in a religion, and that aspect will be taken care of. We will ensure that no one is forced to convert.”^{lxxx}

Social Persecution

Refugees/Third Country Resettlement

In the early 1990s, Bhutan forcibly evicted more than 100,000 ethnic Lhotshampa, the vast majority of who were Hindu, and comprising nearly one sixth of the kingdom's total population of approximately 700,000. Foreign governments have spent approximately \$20 million per year on assistance and protection programs. Children are provided with education to the secondary-school level, and the Lhotshampa leadership takes an active part in administering the camps. However, there is considerable frustration among the refugees over their prolonged exile. These frustrations are pronounced among young people who constitute the highest proportion of the refugee population and for whom there are few opportunities for further education, employment, and advancement.

Efforts toward arriving at a solution for the protracted refugee situation have been difficult despite attempts at negotiation between neutral third parties and the governments of Bhutan, Nepal, and India. The government of Nepal opposed local

integration and pushed towards the refugees' eventual repatriation to Bhutan. Offers of third-country resettlement from the international community created serious division and debate within the refugee communities. The majority of refugee leaders in Nepal, who view repatriation as the only durable solution, oppose the plan. International observers, particularly human rights organizations, say Bhutan's behavior towards the Lhotshampas is tantamount to ethnic cleansing given the Bhutanese government's refusal to pursue any resolution of this crisis.^{lxxxix}

By September 2010, nearly 35,000 Bhutanese refugees had been resettled in other countries since the beginning of the resettlement program in November 2007. The U.S. has accepted the largest number of refugees – nearly 30,000 – and the Bhutanese resettlement program is now the third-largest resettlement operation in the United States. Bhutanese refugees have been resettled in all 50 U.S. states and receive support from U.S. federal and state governments as well as non-governmental organizations.^{lxxxii} However, few Americans seem to be informed about the refugees from “Shangri-la”.^{lxxxiii} That still leaves about 65,000 Bhutanese stranded in Nepal as refugees under the care of the United Nations and dependent on food aid from around the world.

Institutional Discrimination

On January 6, 1989, the King issued a royal decree called *Driglam Namzha* as part of the promotion of a distinct national identity and the “One Nation, One People” policy. The policy deals with matters such as how to eat, how to sit, how to speak, how to dress and how to bow down before authorities in true, medieval, feudal style. The dress code, which came into enforcement on May 1, 1989, strictly banned both men and women from wearing any dresses other than the type worn by the royal elites: *Gho* for men and *Kira* for women (robe like dresses).^{lxxxiv}

The guidelines, set forth by the former King, imposed the Drukpa Kargyudpa traditions and customs on the multi-ethnic and multi-cultural society. The *Driglam Namzha* decree had its greatest impact on the minority Hindu Lhotshampas. For instance, the teaching of the Nepali language, spoken by the Lhotshampas, was removed from the school curriculum and the Dzongkha language, developed in the 1980s, made compulsory. Moreover, naturalization of citizens was based on the ability to speak and write Dzongkha.

According to CEMARD, “The feudalistic attitude of the royal regime has imposed and prescribed strict adherence to the set of Buddhist dogmas and beliefs among the Bhutanese population. Driglam Namzha designed within the traditional attire of Drukpa

Kargyudpa tradition directly attacks the custom and values of non-Drukpa Kargyudpa followers. The theocratic ideology of clerics profoundly influences the administration and poses a challenge to the creation of a modern secular nation-state. The regime's bogey of preserving traditions and culture through the newly drafted constitutional provisions seems to be a shield for protecting feudal and despotic rule."^{lxxxv}

Violation of Constitution and International Law

Constitution of Bhutan

According to Article 3 of the Bhutanese Constitution, "Buddhism is the spiritual heritage of Bhutan, which promotes the principles and values of peace, non-violence, compassion and tolerance," and that the King is the protector of all religions in Bhutan. By officially recognizing Buddhism in the Constitution, Hinduism and other religions are relegated to an inferior status and subject to discriminatory policies.

Article 7 guarantees all Bhutanese "the right to life, liberty and security of person," and "the right to freedom of speech, opinion and expression." Moreover, Article 7, section 4 guarantees Bhutanese citizens "the right to freedom of thought, conscience and religion," and assures that "no person shall be compelled to belong to another faith by means of coercion or inducement." Despite the assurances contained in Article 7, religious intolerance has forced nearly 100,000 Lhotshampas out of Bhutan.

Section 15 of the Constitution guarantees every citizen equality before the law without discrimination based on "race, sex, language, religion, politics or other status."^{lxxxvi} The government's support for the "One Nation, One People" policy, however, systematically violates the provisions guaranteed under Section 15.

International Human Rights Law

The Bhutanese government has signed and ratified the following six international human rights covenants, treaties and conventions:

- Convention on the Elimination of All Forms of Discrimination against Women (1979)
- Convention on the Rights of the Child (1989)
- Geneva Convention for the Amelioration of the Condition of the Wounded and Sick in Armed Forces in the Field (1949)

- Geneva Convention for the Amelioration of the Condition of Wounded, Sick and Shipwrecked Members of Armed Forces at Sea (1949)
- Geneva Convention relative to the Treatment of Prisoners of War (1949)
- Geneva Convention relative to the Protection of Civil Persons in Time of War (1949)

The government, however, has failed to sign a number of other significant human rights treaties protecting civil, political, and religious rights. Despite this, the government should be held accountable for providing fundamental human rights to all its citizens, as enshrined in the International Bill of Human Rights (1948).

Unfortunately, Bhutan's nationalist policies continue the religious discrimination and marginalization of the over 100,000 Lhotshampas, and these policies violate basic norms of international human rights law. Bhutan ratified the Convention on the Rights of the Child in 1989. But, Bhutan has committed several violations. For example, to acquire Bhutanese citizenship both parents must be of Bhutanese nationality, resulting in many children being stateless – a violation of Article 7 and 8 of the Convention. Since none of the refugees have been allowed to return until now, the separation of families caused by the forced expulsion is a violation of Article 10. The right to education (Article 28) is also not fulfilled as the Nepali language is still forbidden in schools and because ethnic Nepalis have difficulties in getting admission into schools.

Conclusion and Recommendations

Bhutanese refugees have spent 20 years living in squalid refugee camps. Resettlement in foreign nations is still the only offer on the table, and refugees are now being resettled in countries where they face huge challenges acclimatizing. HAF urges Bhutan to accept and resettle all those who are able to prove their nationality, while Nepal should make a similar offer to integrate some refugees. We support other human rights agencies' calls that "ultimately, each and every refugee should have the right to choose their own future."^{xxxvii}

According to the exiled Bhutan leader, Rongthong Kuenley Dorji (R.K. Dorji), New Delhi-based President of the Druk National Congress (DNC), "The real sense of human rights exists only on paper post 2008...The real sense of democracy is absent, so the real sense of human rights is also absent."^{xxxviii}

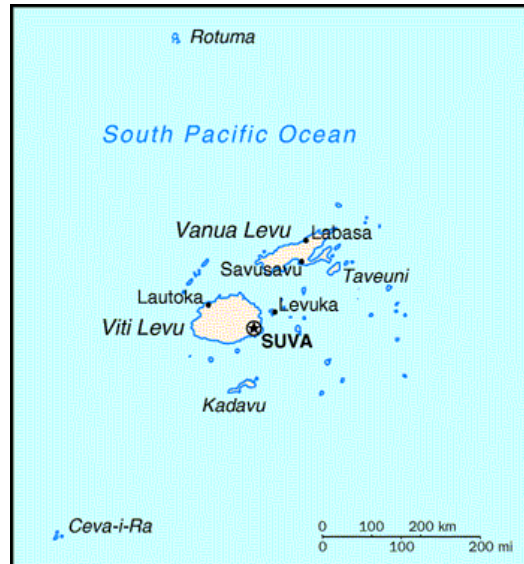
The Asian Centre for Human Rights (ACHR) claims that Bhutan has not provided a written commitment to take back the refugees who have proven their citizenship, and

joint verification was conducted only in one out of the seven refugee camps. Without a written commitment, there is no guarantee that Bhutan will take back its nationals.

HAF supports the recommendations made by ACHR and other human rights agencies like Human Rights Watch, and Amnesty International:^{lxxxix}

- “Bhutan must take practical and concrete steps to demonstrate its stated commitment to a just resolution of the longstanding refugee crisis.”
- “Bhutan, Nepal and UNHCR should adopt a Memorandum of Understanding (MOU) for voluntary repatriation that includes a clear statement of rights and entitlements upon the refugees’ return to Bhutan - including full citizenship rights and human rights protections.”
- “An accelerated and simplified verification exercise needs to be carried out in the six camps which have not yet been screened, based on two categories only: Bhutanese and non-Bhutanese.”
- “Donors, UN agencies and Bhutan's other partners should insist on measures to eliminate discrimination against Lhotshampas who have remained in Bhutan since the exodus of refugees, and to ensure the protection of their fundamental human rights and their right to participate as full citizens of Bhutan.”
- “Bhutan’s development partners should urge the [Government]...to regularize the nationality status of Lhotshampas who have no prospect of claiming any nationality other than Bhutanese...and [d]onors should provide increased support for new programs and projects in the south of Bhutan and the east of Nepal to create new economic and educational opportunities which do not discriminate in purpose or effect, including on the basis of race or ethnicity; and to facilitate voluntary repatriation and local integration.”

Republic of the Fiji Islands



© CIA World Factbook

Area: 18,270 square kilometers

Population: 875, 983 (July 2010 estimate)

Religions: Christian 64.5%, Hindu 27.9%, Muslim 6.3%, Sikh 0.3%, other or unspecified 1.0%

Languages: English (official), Fijian, Hindi

Ethnic groups: Fijian 57.3% (predominantly Melanesian with a Polynesian admixture), Indian 37.6%, Rotuman 1.2%, other 3.9% (European, other Pacific Islanders, Chinese) (2007 census)

Location: Oceania, island group in the South Pacific Ocean, about two-thirds of the way from Hawaii to New Zealand^{xc}

Introduction

The situation in Fiji in 2010 did not see any major changes in governance or in the breach of human rights. Fiji remained a military dictatorship, and freedoms of expression, press, assembly, and religion remained curtailed. There were arbitrary

arrests and detention of human rights defenders, journalists, and others perceived as critical of the administration.^{xci}

As noted in HAF's 2009 report, Commodore Bainimarama came to power following a military coup in 2006. He remained the country's interim Prime Minister. On April 10, 2009, President Ratu Josefa Iloilo announced that he had suspended the Constitution, dismissed all judges and constitutional appointees, and assumed all governance in the country after the Court of Appeal ruled that the government of Prime Minister Frank Bainimarama was illegal. Fiji was placed under a "Public Emergency Regulation," putting the country under emergency rule for 30 days. Announcing that Fiji would hold democratic elections in September 2014, the president reappointed Bainimarama as interim prime minister, and in turn he reappointed all the previous cabinet ministers to the positions they held before.^{xcii} Although the Bainimarama regime has been accused of human rights violations,^{xciii} the prime minister has pledged to end discrimination against the Indian minority and attacks on Hindu temples.

While HAF regrets the ongoing constitutional crisis, it also notes with satisfaction the reduced number of attacks against Hindus and Hindu temples in Fiji under the Bainimarama regime. Of concern is the Public Emergency Regulations, decreed on April 10, 2009 and extended every month thereafter, which empowers security forces "to prohibit processions and meetings, to use such force, including lethal force, as considered necessary, to enter and remain in any building where there is reason to believe three or more people are meeting, and to regulate the use of any public place." Under these regulations, Fiji's former prime minister and Labour Party leader, Mahendra Chaudhry, and five others were arrested in October 2010 for reportedly meeting with sugar cane farmers. Mr. Chaudhry was released on bail soon after.^{xciv}

As HAF reported last year, Hindus continue to face challenges in Fiji, and the Hindu population in Fiji is steadily declining, with heavy migration to the United States, Australia, and New Zealand.^{xcv} The combined impact of a majority Christian nation with an ethnic majority of Melanesians, the lack of skilled employment opportunities, and a government that prefers to hire ethnic Melanesians has led to a Hindu brain-drain from Fiji.^{xcvi}

History/Background

Fiji consists of over 300 islands, 100 of which are inhabited. Most of the population is concentrated on the main island of Viti Levu. The first inhabitants of Fiji reportedly arrived 3,000 years ago from Southeast Asia. The first European, Dutch explorer Abel

Tasman, arrived in Fiji in 1643, but it was not until the 19th Century that Europeans permanently settled on the islands. The islands came under British control as a colony in 1874 and gained independence in 1970.

Among the three major religions in Fiji, are 471,093 Christians, 344,260 Hindus, and 47,475 Muslims. The largest Christian denomination is the Methodists with 174,304 members. The Roman Catholic Church and Protestant denominations also have significant membership. The Methodist Church is supported by the majority of the country's chiefs and remains influential in the ethnic Fijian community, particularly in rural areas.

Religion runs largely along ethnic lines. The population is split primarily between two main ethnic groups: Indigenous Fijians constitute approximately 51%, and Indo-Fijians constitute 44%. Most Indo-Fijians practice Hinduism; most indigenous Fijians follow Christianity. The European community is predominantly Christian. Other ethnic communities include the Chinese, Rotumans, Europeans, and other Pacific Islanders.^{xcvii}

Hindus are the second largest religious community in Fiji, constituting approximately 34% of the total population and approximately 76% of the Indian community. Hindus were initially brought to Fiji in 1879 by the British colonists as part of the indentured labor system to work on sugar cane plantations.^{xcviii} This brutal practice, akin to slavery, was finally abolished in 1916, but discrimination against Hindus has continued, abetted by the state.

During colonial rule, the British pursued a policy of separate communal developments to prevent Indian laborers and indigenous Fijians from becoming a unified community. British Raj felt communal unity possessed the potential to undermine colonial rule. The British had benefited in communal divisions while ruling the Indian Subcontinent and vast territories in Africa. Hence, both communities, for over 70 years under British rule, grew separately. The differences were further reinforced by religious and linguistic differences. When the British left, the large Indian minority population was left at the political will of the majority native Fijians. Though Indians constituted 40% of the population, 87% of the land was given to the native Fijians under the colonial system. The political mantle was exclusively transferred to the Fijian political elite, which declared Christianity as the State religion and instituted a constitution that allowed only the native Fijians to hold political office. The progressive Prime Minister, Dr. Timoci Bavadra, temporarily abrogated this practice in 1987.

Since Fiji's independence in 1970, the country has experienced three coups. The first coup of May 1987 overthrew the cabinet of Prime Minister Ratu Sir Kamisese Mara. The coup, carried out by a disgruntled militarist, Lt. Colonel Rabuka, with military loyalists, justified their violent overthrow of Kamisese Mara's democratic regime by citing his friendliness with Indians and Hindus as undermining Fijian interests. Lt. Colonel Rabuka also issued an order for Indians to convert to Christianity during the coup. Many temples were destroyed in the 1987 unrest.

In 1990, a new constitution provided for native Melanesian control of Fiji and led to large numbers of Indians leaving the island nation. The significant population loss resulted in economic difficulties, but ensured that Melanesians became the majority. The 1990 Constitution, under Sitiveni Rabuka, effectively barred any Hindu from holding the office of the Prime Minister. However, continued international pressure and domestic unrest resulted in amendments to the Constitution in 1997, making it more equitable. The Constitutional review, led by Sir Paul Reeves, removed the discriminatory practices embedded in the Constitution, thereby paving the way for a new era in Fijian political history.

Elections in 1999 saw the emergence of the first Hindu Prime Minister, Mahendra Chaudhary, who was overthrown a year later by a Fijian fanatic and U.S.-educated failed businessman, George Speight. Since 2000, violence against Hindus has increased and threatened their fundamental right to practice their faith. As a recent Amnesty International report on Fiji notes, "Discrimination against ethnic minorities was evident in plans for an indigenous Trust Fund and in the appointment of indigenous Fijians to almost all chief executive posts in the public service."^{xcix}

Subsequent Parliamentary elections held in August 2001 provided Fiji with a democratically elected government and gave a mandate to the government of Prime Minister Laisenia Qarase. Re-elected in May 2006, Qarase was later ousted in a military coup led by Commodore Bainimarama, who initially appointed himself acting president and dissolved the Parliament, paving the way for the military to assume power. On January 4, 2007, the military announced that it was restoring executive power to President Iloilo, who in turn endorsed the actions of the military. The next day, Iloilo named Bainimarama interim Prime Minister.^c Commodore Frank Bainimarama, current Prime Minister of Fiji, justified the overthrow of the Qarase regime as an attempt to curb state sponsored racism against Indians and Hindus and general political corruption.

Status of Human Rights, 2010

Following the coup in 2006, conditions for Hindus in Fiji have generally improved. But the military dictatorship has curtailed human rights, and the Public Emergency Regulations, decreed on April 10, 2009 and extended every month thereafter, empowers security forces “to prohibit processions and meetings, to use such force-including lethal force-as considered necessary, to enter and remain in any building where there is reason to believe three or more people are meeting, and to regulate the use of any public place”. A march to celebrate World Human Rights Day, organized by the NGO Coalition on Human Rights (NGOCHR) and scheduled for December 10, 2010, was called off because at the last moment, the government cancelled the permission granted to hold the march.^{ci} The government has been accused of censorship, vindictive action against critics, and other human rights abuses.^{cii}

What has been deeply troubling were reports that the Bainamirama administration was seeking to cut ties with Australia and New Zealand, and shopping for international support, hopefully from China.^{ciii}

Religious Freedom

The right to freely worship without fear of attack is one of the basic and fundamental aspects of religious freedom. Prior to the abrogation of the constitution in April 2009, Fiji provided for freedom of religion, and the Bainamirama administration has supported free practice of religion.

Attacks and sacrilege against Hindu temples and places of worship have been features of the Fijian religious landscape, especially since 1987. As the Reverend Akuila Yabaki, Head of Fiji's Citizens' Constitutional Forum, said in an interview, “There is a general feeling amongst the indigenous people that they have a superior religion, and I think that tends to be at the root of sacrilege. In times of political instability, this sense of superiority comes to the fore, or when this is a standoff between Indo-Fijians and indigenous Fijians, the feelings of superiority are shown up in the burning of temples and mosques, desecration of holy books of Hinduism and Islam. And this has become common expression of religious intolerance since 1987.”^{civ}

Dewan Chand Maharaj, the National President of Sanatan Dharm Pratinidhi Sabha, an organization that represents a large majority of Fiji's Hindu community, claims that the tensions are mainly between Hindus themselves and not between different religions, ignoring the fact that in a country where the majority of Indo-Fijians are Hindu and

wealthy, and the majority of indigenous Fijians are Methodist Christian and poor, temples are seen as places where one can find both money and materials of value; thus, leading to a larger number of break-ins and vandalism of temples. Added to this mix is the fact the Christianity practiced in Fiji is proselytizing while Hinduism is not, and the twain between the Indo-Fijians and the indigenous Fijians is a difficult one to bind.^{cv}

According to the UNHCR, “In 2008 and 2009, under the direct leadership of the police commissioner, the Fiji Police Force partnered with Souls to Jesus (commonly known as the New Methodists), a Christian group led by the police commissioner's younger brother, to host evangelistic events at all police divisions and major police stations in the country in an effort to foster community policing and reduce crime. All officers and their families were effectively required to attend the rallies, regardless of religion.” The report says that Hindu and Muslim police officers joined the commissioner's church for fear of being denied promotions or losing their jobs. In response to complaints and criticism, in December 2009, the administration issued a directive calling for the public crusades to cease. “While the crusades have ceased, the Souls to Jesus congregations continued to use official police premises to hold their weekly services for police families, and all police stations and offices held weekly Christian services for one hour, during working hours,” UNHCR reports.^{cvi}

HAF commends the Bainamirama administration initiatives and actions to curb the aggressive attempts by the majority Methodist Church at making Fiji a Christian nation and the abuse and misuse by government and police officials to convert their agencies into Christian outfits. On January 12, 2010, the government announced a ban on the Methodist Church's annual conference until 2014. The government accused church ministers of being on the payroll of the ousted Soqosoqo Duavata ni Lewenivanua government (SDL) and spying on the military in the period prior to the 2006 coup. In February, the government announced a ban on the quarterly meetings of the church's 52 divisions.^{cvi}

In Fiji, the centerpiece of Hindu activities lies in the temples, which are found in major towns, cities, and rural areas throughout the country. In the past years, Hindus were singled out for violence and temple desecration by suspected Christian fundamentalists. The religious tension between Hindus and Christians is entwined in the historical racial differences between native Fijians and Indians, which dates back to the colonial era.

In February 2009, the police commissioner accused Indo-Fijian police of being liars and backstabbers. The commissioner told officers to support the Christian rallies or leave the police force.^{cvi} The Fiji police were also involved in a Christian crusade in June 2009.

The crusade was driven by the New Methodist Church, led by Atu Vualono, the brother of Fiji Police Commissioner, Esala Teleni. While some Hindu leaders claim that they have no problems with such official involvement in a religious crusade, others were not so sanguine.^{cix}

According to the U.S. State Department report on religious freedom in Fiji, “In August 2008, a private temple in Ba was reportedly destroyed by arsonists. Following a string of temple desecrations in October, Prime Minister Frank Bainimarama ordered a special investigation. Bainimarama stated that ending racism against Indo-Fijians was a priority for his administration.” The Shiu Hindu Temple, near Nadi, was burnt down on October 16, 2008, and Fiji Police confirmed that the fire was deliberately lit.^{cx}

Violations of Constitution and International Law

Constitution of Fiji

The Constitution of Fiji establishes the separation of religion and state, but as noted above, there were systematic attempts by some government officials as well as the head of the police to infuse Christianity into official business, including starting the day with Christian prayers.

Section 30 of the Constitution limits the right of freedom of expression to protect “the reputation, privacy, dignity, rights or freedoms of other persons, including the right to be free from hate speech, whether directed against individuals or groups” and to “prevent attacks on the dignity of individuals, groups or communities or respected offices or institutions in a manner likely to promote ill will between races or communities or the oppression of, or discrimination against, any person or persons.” Unfortunately, the Fijian government is not upholding this constitutional guarantee as Christian groups condemn Hindus as “idol worshippers” and promote anti-Hindu sentiment that clearly advances “ill will between communities.” Section 35, which is not supported by the Methodist Church states, “(1) Every person has the right to freedom of conscience, religion and belief; and (2) Every person has the right, either individually or in community with others, and both in public and in private, to manifest his or her religion or belief in worship, observance, practice or teaching.”^{cx}

International Human Rights Law

Although Fiji has not taken any action toward ratifying or signing the U.N. International Covenant on Civil and Political Rights (ICCPR), it has agreed to the International

Convention on the Elimination of All Forms of Racial Discrimination. As noted earlier, the condition of Hindus has improved in recent years, and credit for the improvement has been given to Interim Prime Minister Bainimarama's initiative in strict enforcement of laws and public guarantees of protecting Hindus.

Addressing the UN Human Rights Council in June 2010, Fiji's Ambassador Peceli Vocea said that Fiji was ready to accept 97 of the 103 recommendations and that "...Fiji deems it to be her obligation to ensure that it ratifies all core Human Rights convention to ensure the safeguarding of the Rights of its Citizens." Fiji rejected the call for elections to be held in 2010 and stuck to the road map of having elections in 2014.^{cxii}

Conclusion and Recommendations

The Fijian government should practice parity and equality in its response to and support of various ethnic and religious groups, deal more effectively with violent crimes against Hindus, and prosecute the criminals who led the 2000 coup. The government should uphold and protect human rights, cease extending the Public Emergency Regulations, and take specific steps to enhance human rights protection and return to democratic rule.

Indian State of Jammu and Kashmir



© Embassy of India, Washington DC^{cxiii}

Area: 85,807 square miles

Population: 11,414,000 (2009 estimate³)^{cxiv}. Muslims (66.97% in 2001), Hindus (29.63% in 2001), Sikhs (2.03% in 2001), Buddhist and others, including Christians (1.36% in 2001)

Religions: Islam, Hinduism, Sikhism, Buddhism, and Christianity; majority Muslim with a large Hindu minority and smaller Sikh and Buddhist communities; close to 400,000 Hindus and Sikhs currently live as refugees in other parts of India

Languages: Kashmiri, Urdu, Gojri, Dadri, Dogri, Pahari, Balti, Ladakhi, Punjabi

Location: Northern India, bordered by Pakistan on the west and China on the east

³ The estimated population is that of the Indian part of Jammu and Kashmir, and does not include the population of "Azad Kashmir" and "Gilgit and Baltistan," both of which are contested areas between Pakistan and India. "Azad Kashmir" has an estimated population of 4.6 million and "Gilgit and Baltistan" an estimated population of 1.8 million. The population figures presented above also do not include the population of "Aksai Chin," the eastern part of Jammu and Kashmir occupied by China. The population of "Aksai Chin" is considered minimal.

Introduction

The troubled Indian State of Jammu and Kashmir (J&K) saw little progress towards resolution of its status in 2010. The Government of India appointed a three-member team in October 2010 to “hold sustained dialogue” with all sections of the J&K population.^{cxv} This was after a series of riots in the state beginning in June 2010, after a teenager was killed by a tear gas canister fired by the police. More than 100 people died in three months of riots,^{cxvi} after which the government appointed the three-member commission to hold talks.

Rioting youth, allegedly paid to pelt stones and create havoc,^{cxvii, cxviii} gained the attention of both the national and international media. The South Asian Terrorism Portal (SATP) points out that “...the entire protracted stone-pelting campaign was directly backed by Pakistan and by Pakistan-based terrorist formations, in a strategy to offset declining capacities for terrorist action. Masarat Alam, chief of the Muslim League, a constituent of Geelani’s Tehrik-e-Hurriyat, who had engineered and enforced the ‘calendars’ of shut-downs and stone pelting...was arrested in Srinagar [on]...October 18, 2010...He admitted that he had received 4 million (Indian rupees) from Geelani through different channels to fuel the protests and incite the stone-pelters.” Masarat Alam was arrested in Srinagar in October.^{cxix}

According to the SATP, the three-member commission was weak and did not achieve much in the three months of work in 2010: “The interlocutors...failed to speak to a single prominent separatist leader till date, including ‘moderate’ factions of the Hurriyat, and their most significant achievement is that they have prevailed upon Chief Minister Omar Abdullah and some leaders of the opposition People’s Democratic Party (PDP), to speak to one another. Beyond this, they have regurgitated tired proposals for administrative relief and CBMs, including ‘demilitarization’ proposals that have led to the Home Ministry’s hasty announcement of troop withdrawal. They have also intervened to secure the release of 66 youth and the withdrawal of 22 cases under the Public Safety Act.”^{cxx}

Meanwhile, Hindus and other minorities continued to face economic discrimination, political marginalization, and extremist violence. The displacement of more than 300,000 Kashmiri Pandits remained unresolved. The Indian government refuses to label Kashmiri Hindus as internally displaced people (IDP) despite the fact that the UN considers them so. New Delhi does not want to give Kashmiri Hindus IDP-status because that would allow international aid agencies like the Red Cross, UNICEF, and others to visit the refugee camps, about eight of them in the Jammu/Udhampur area,

and about fourteen of them in the Delhi/New Delhi environs.^{4,cxxi} Not getting help from their own government, Kashmiri Pandits appealed to President Obama, who visited India, to take up their cause. They welcomed Senator Sherrod Brown's contention that the Kashmiri Pandit culture is on "the verge of extinction and can prosper only in its native land of Kashmir Valley."^{cxxii} Earlier in the year, they had met top Obama administration officials and legislators from both parties to plead their case.^{cxxiii}

As we reported in 2009, when people in Anantnag were casting their votes in April 2009, policemen beat up Kashmiri Pandits in the squalid refugee camps because the Pandits demanded their right to vote. In 1996, there were 147,000 voters among Kashmiri Hindus all over the country; in 2002, the number went down to 117,000; now there are only about 77,000 of them, but out of them, hardly 11,000 voted in the 2009 general (parliamentary) elections. It was this deletion from the electoral rolls that the refugees were protesting. Kashmiri Hindus must undergo a cumbersome process to get voter ID cards, reducing them to second-class citizens. About 40,000 voters applied for voting right by filling out the M-form. However, authorities said only 26,000 of them were eligible. Of them, 11,000 voted. Unlike other Indians, these Pandits have to fill Form "M" [Migrant Form], even though they are not migrants, but rather victims of ethnic cleansing.^{cxxiv} There are no Kashmiri Pandit representatives in the Jammu and Kashmir Assembly.^{cxxv}

The Organisation of Islamic Conference (OIC) named a special envoy for Kashmir seeking to make the status of Kashmir suspect and to internationalize the conflict between Pakistan and India. In a step believed to be influenced by Pakistan, the OIC appointed Saudi Arabian, Abdullah bin Abdul Rahman, as special envoy to Kashmir at their annual meeting in October 2009.^{cxxvi}

On a positive note, the long neglected Kashmiri Pandits formed their first political party, the Jammu Kashmir National United Front, and fielded 15 candidates during the 2008 Assembly elections to highlight the suffering of the displaced Hindus.^{cxxvii} The State Government, under the Chairmanship of Raman Bhalla, Minister of State for Revenue, constituted an "Apex Committee" comprising of 30-35 Kashmiri Pandits on September 15, 2009. A list of Common Minimum Demands (CMD's) was drafted with the primary focus on the following eight demands:

⁴ The camps in the Jammu/Udhampur area include Muthi Camp, Transport Nagar, Purkhoo Camp, Stadium Camp, Jhiri Camp, Nagrota Camp, Mishriwala Camp, and Battalbalian Camp; the camps in the Delhi area include those in Nandnagri, Sultanpuri/Kailash Colony, Maviya Nagar, South Extension, Palika Dham, Lajpat Nagar, Ali Ganj, Babu Dham, Amar Colony, Mangal Puri, Patel Nagar, Moti Nagar, and Begum Pura.

- The Apex Committee should be consulted on all government initiatives before either the Central or State government proposes any legislative bill, or approves any executive or administrative order related to the rehabilitation and return of Kashmiri Pandits to the Valley.
- The reservation of 6,000 jobs for Pandits and enhancement of cash relief to displaced families should take place within the next six months as a Confidence Building Measure (CBM) while long-term issues are being resolved.
- The financial and economic benefit package must extend to valley-based Pandits (so called "non-migrants") who have received marginal assistance from the State government and local civil society so far. The Pandit population in the valley continues to steadily decline, and reversing that trend should be one of the highest priorities.
- Political rights of the community, including representation in the State Cabinet, Legislative Assembly, and the Indian Parliament must be guaranteed through changes in appropriate State and Union laws.
- Kashmiri Pandits must receive equal consideration as full-fledged constituents in the political dialogue that the Central government plans to hold with various Kashmiri entities.
- The State Government must agree, in principle, to implement the recommendation of the National Commission for Minorities (NCM) regarding granting minority status to Pandits.
- The State government must secure legislative approval of the Kashmiri Hindu Shrines and Religious Places (Management and Regulation) Bill (2008) without further delay.
- The Central government must establish a Commission of Inquiry to examine what events led to the forced exodus of Pandits in 1989-1990 and implement appropriate recommendations to prevent a similar calamity in the future.^{cxxviii}

History/Background

Kashmir, once known for its idyllic beauty, has historically been inhabited by Hindus and Buddhists, and had a majority Hindu population until the 14th century when Islamic invaders entered the region. Ancient Kashmir was renowned as a center for Hindu and Buddhist learning and was ruled by Hindu kings until 1339. The Muslim period stretched from about 1561 to 1819, at which time Sikhs gained control over the region. Sikh rule spanned from 1819 to 1846, followed by the Hindu Dogra reign from 1846 to 1947. Modern Kashmir has been claimed by both Pakistan and India since partition of the subcontinent in 1947.^{cxxix}

The Princely State of Kashmir, which was ruled by the Dogra king Hari Singh at the time of partition, joined the Indian Union after Pakistan's armed forces orchestrated an invasion of Kashmir using Pashtun "tribesmen" and regular military personnel. Following the Pakistani offensive, Hari Singh signed the Instrument of Accession formalizing Kashmir's legal accession to India.^{CXXX} The Instrument of Accession was the standard legal mechanism used by the Princely States of British India to join either India or Pakistan at the time of independence in 1947.^{CXXXI} The accession was also approved by the largest and most popular Kashmiri political party, the All Jammu and Kashmir National Conference, led by the charismatic Muslim leader, Sheikh Mohammed Abdullah.

Once Kashmir legally joined India, Indian forces were deployed to stop the advancing Pakistani military, leading to an all out war between the two countries.^{CXXXII}

India then sought the intervention of the United Nations (UN), and the UN Commission for India and Pakistan (UNCIP) was established to examine the situation. In April 1948, the UN Security Council passed Resolution 47 which required (1) the demilitarization of the region, and (2) a plebiscite to decide the future of the princely state. The Resolution, however, clearly required that Pakistan must first withdraw all its military personnel and "tribesmen" from the state as a necessary pre-condition to holding a plebiscite.^{CXXXIII} According to the UNCIP's findings in August 1948, Pakistan not only failed to abide by the Resolution, but actually increased its military presence in Kashmir.^{CXXXIV} Despite Pakistan's military aggression and flagrant violation of Resolution 47, the Security Council failed to take appropriate action against the government of Pakistan.

After a ceasefire was agreed to in January 1949, Pakistan remained in control of approximately one-third of the state while the remaining two-thirds were incorporated into India under Article 370 of the Indian Constitution. The Indian Constitution, which came into effect on January 26, 1950, granted special status to Kashmir through Article 370. Article 370 is a special clause that made "Jammu and Kashmir a country within a country, with its own flag, emblem, constitution and Sadr-i-Riyasat (Prime Minister)."^{CXXXV} Moreover, it restricted the Indian Parliament's legislative power over J&K to defense, foreign affairs, and communications. Thus, in order for the Parliament to apply other laws to J&K, it required the State's concurrence. Perhaps, the worst consequence of Article 370 is its restriction on people moving from other parts of India to the state. Although there was considerable opposition to granting special status to the state, India's first Prime Minister Jawaharlal Nehru insisted on the inclusion of Article 370 to accommodate Kashmiri Muslims.^{CXXXVI}

Subsequently, local elections were held in Indian Kashmir in 1951 where Sheikh Abdullah's National Conference won a resounding victory. And in 1956, the Jammu and Kashmir Constituent Assembly voted to approve the merger of Kashmir with India.^{cxxxvii}

The former princely State of Jammu and Kashmir has a total area of 85,807 sq. miles, and is now divided between three countries.^{cxxxviii} Pakistan occupies approximately 28,160 sq. miles, known as Pakistan occupied Kashmir (PoK) or the supposed Azad (free) Jammu and Kashmir (AJK) and the Northern Areas. PoK comprises eight administrative districts (Muzaffarabad, Mirpur, Neelum, Kotli, Poonch, Sudhanoti, Bhimber, and Bagh), with an area of 5,134 sq. miles and an estimated population of 3.5 million.^{cxxxix} The people of PoK are mostly Sunni Muslims, speaking a mix of Punjabi, Pahari, and Pushto. ***There are virtually no Hindus left in PoK.*** The Northern Areas have a Shia Muslim majority population, with significant numbers of Ismailis and Nurbakshis (a Sufi sect). Shia-Sunni tensions have frequently run high here, and there have been periodic riots. In PoK, the Pakistani government has failed to provide basic rights and democratic representation to the Kashmiri people. Moreover, local Kashmiris are discriminated against, while Pakistanis are given preferential treatment.^{cxli}

China controls a total of 16,500 sq. miles, of which 2,000 sq. miles in the Shaksgam Valley was ceded to them by Pakistan in a 1963 boundary settlement (which India does not accept). The remaining 14,500 sq. miles, known as Aksai Chin was seized by China during the 1962 Indo-China war. Chinese occupied Kashmir is predominantly Buddhist.^{cxlii}

And finally, the remaining territory forms the Indian state of Jammu and Kashmir, which is divided into three main parts: Kashmir Valley, Jammu and Ladakh. The Kashmir Valley has six districts, with an area of 6,157 sq. miles and a population of just over four million. The main language is Kashmiri with Gojari being spoken to a lesser extent. Most Valley Muslims are Sunni with concentrations of Shias in certain areas. The Jammu region also includes six districts, with an area of 10,151 sq. miles. In Jammu, Hindus comprise 65.23% of the population, Muslims 30.69% and Sikhs 3.57%. Ladakh, which includes the districts of Leh and Kargil, has an area of 37,337 sq. miles. Buddhists enjoy a slight majority in Ladakh (45.87%), with a substantial Muslim population of 47% and Hindus, Sikhs and others at 6.2%.^{cxliii}

Starting in 1989, Islamic terrorism gripped the Kashmir Valley, and a brutal campaign of violence and ethnic cleansing was directed against the state's minority Hindu population. As a result, between 1989 and 1991, more than 300,000 Hindus were driven out of the Valley by Muslim extremists (some estimates put the figure at close

to 400,000), who engaged in brutal ethno-religious cleansing. These Hindus, known as Kashmiri Pandits, now live in refugee camps throughout Delhi and Jammu.^{cxliii} Although the violence initially targeted Kashmiri Pandits in the Valley, Islamic militants subsequently expanded their operations to attack Hindu civilians throughout the state.

The Islamic militants in Kashmir were recruited, trained, funded, and given refuge by Pakistan's military and powerful Inter-Services Intelligence (ISI) agency. According to former scholar and the current Pakistani ambassador to the U.S., Husain Haqqani, the violence in Kashmir was, "rooted in the ideology of Pakistani Islamists, carefully nurtured for decades by the Pakistani military."^{cxliv} In fact, the founder and former head of the outlawed Lashkar-e-Taiba affirmed that "killing Hindus" was the best solution to resolve the six-decades-old dispute between Pakistan and India over Kashmir.^{cxlv}

Kashmiri terrorists also have ties with Al-Qaeda operating in the Pakistan-Afghanistan border areas, which continue to be the center of Islamist terror networks, fundamentalism, drug trafficking, illicit trade in small arms, and international terrorism.^{cxlvi} For a complete list of Pakistani militant groups operating in J&K, please see Appendix C.

Considering the Pakistani military/government's obsession with jihad in Kashmir and the explosion of Islamic fundamentalism, the future of Hindus in Kashmir remains tenuous.

Status of Human Rights, 2010

A total of 375 people were killed in terrorism related violence in J&K in 2010. Of them 36 were civilians, 69 security force personnel, and 270 terrorists. This is a huge decrease from the fatalities a decade ago: in 2001 there were 1067 civilian fatalities, 590 security personnel fatalities, and 2850 terrorist fatalities.^{cxlvii} The terrorism-related figures for 2010 do not include the 112 killed in the unrest between June and October 2010. Nearly 4,000 police and CRPF personnel and 504 civilians were also injured in the violent clashes. The continued presence of security personnel in the state, and careful and sustained campaigns to stem the movement of terrorists into the state has led to a decrease in terrorism related fatalities.

Because of the June through September unrest in the state, there were calls by some to abrogate the Armed Forces Special Powers Act (AFPSA), depriving the security forces from effectively countering both cross-border terrorism as well internal attempts at destabilizing the state and country. Kashmiri Pandits opposed any move to curtail the AFPSA.^{cxlviii}

In 2010, Hindus continued to face multiple human rights issues including economic/political discrimination, lack of religious freedom, and violent attacks. The more than 300,000 displaced Kashmiri Pandits are still unable to safely return to their homeland in the Kashmir Valley, and many continue to live in deplorable conditions in refugee camps. The Pandits protested a visit of the so-called “all party delegation” that visited the state to look into the months-long orchestrated campaign by Muslims in the state that led to the deaths of more than 100 people. Police took into custody 35 members of displaced Kashmiri Pandits belonging to All Migrant Camps Coordination Committee (AMCC) at Domana, after they staged a protest for not being invited to meet the all-party delegation. The Pandits belonged to migrant camps of Purkhoo and Mishriwala.^{cxlix}

Human rights agencies have complained that Indian security forces have committed and continue to commit human rights abuses against Kashmiris.^{cl} The Human Rights Cell of the Western Command of the Indian Armed Forces presented a detailed report of all allegations of human rights violations against the Army in J&K during the last two decades. Its analysis shows that of the total 1,508 allegations of human rights violations received between 1990 and 2008, only 35 cases were found to be true, while the remaining 1,453 charges (97.70%) were “baseless and without an element of truth.” The report mentions that strict action was taken in all cases where Army personnel were found to be guilty of human rights violations.^{cli}

Religious Freedom

Hindu Pilgrimage Sites/Temples

The basic right to worship freely without fear of persecution or attack is essential to the idea of religious freedom. Equally important is the right to access basic accommodations and facilities for pilgrims and devotees. Unfortunately, Hindus in J&K have not enjoyed such religious freedom as they have frequently come under attack from Muslim fundamentalists, and many of their pilgrimage sites and temples continue to lack rudimentary facilities and accommodations.

Kashmir is home to numerous ancient Hindu pilgrimage sites and temples located throughout the state, which are visited by millions of devotees every year. The two most frequented sites are Vaishno Devi in Jammu and the Amarnath cave shrine in northern Kashmir.

In addition, Hindu temples have come under frequent attack by Islamic extremists. Over 170 temples have been destroyed or damaged since the start of violence in 1989.^{clii} Moreover, following the mass exodus of Hindus from the Kashmir Valley in 1989-1990, more than 100 religious sites have been illegally occupied by local Muslims. For instance, according to a fact-finding mission, the cremation site and temple land of Karihama-Gutingu in Kupwara district, Batpura, and Kapalmochan temples in Shopian district, and Shiv temple at Thejiwara have all been illegally seized.^{cliii} Following the Amarnath shrine fiasco in 2008, the state government set up a shrine board exclusively for administering, managing, and regulating Hindu shrines and other places of worship in the Valley. However, given the late date on which the legislative bill was introduced, the Kashmiri Pandit Sangharsh Samiti, an organization representing Valley Hindus, expressed disappointment and doubt about the move.^{cliv}

General Violence

Attacks on Civilians/Security Forces

There were 375 fatalities from terrorist related violence in 2010 with 36 civilians, 69 security personnel, and 270 militants dead.

According to the South Asia Terrorism Portal some of the significant incidents in 2010 included the following:^{clv}

- October 21: Security Forces shot dead three militants of the Jaish-e-Mohammad who were on a mission to target the 15 Corps' Army Headquarters at Badamibagh Cantonment and another camp at Haft Chinar in Srinagar.
- August 10: Militants attacked a police post guarding Mohammad Abdullah, a leader of the Democratic Party – Nationalist, in the Sopore town of Baramulla District, killing all three policemen on duty.
- March 16: Three civilians and three Security Forces personnel were killed, and eight others, including three Security Forces personnel, were injured by militants in the Srinagar and Baramulla Districts.
- January 6: Militants carried out an abortive *fidayeen* (suicide squad) attack on a Central Reserve Police Force (CRPF) camp at Lal Chowk in Srinagar, killing a policeman and injuring nine persons, including a CRPF trooper. The last such attack in Srinagar had occurred on October 11-12, 2007, when two suicide bombers were killed and three paramilitary personnel were wounded in a suicide attack on a CRPF camp near the Dal Lake.

Institutional Discrimination

Economic/Political Discrimination

Despite significant populations in the Jammu and Ladakh regions of the State, Hindus and Buddhists remain politically marginalized and severely underrepresented in government positions. Muslim politicians and political parties, particularly from the Kashmir Valley, have continuously dominated the state government, ignoring the economic and political interests of Jammu and Ladakh and Hindus and Buddhists, respectively. A bill was introduced in the J&K assembly in March 2009 by a Muslim member of the legislative assembly, Peerzada Manzoor Hussain, proposing to change the name of historic Anantnag town to Islamabad.^{clvi} It is reported that Muslim politicians are already referring to Anantnag as Islamabad in official communication.^{clvii}

The political disenfranchisement of Hindus and Buddhists can be traced back to the assembly elections of 1951 when Sheikh Adbullah allocated 43 seats in the 75 member Legislative Assembly for the Kashmir Valley, 30 for Jammu, and only two for Ladakh. This was in sharp contrast to the demographic realities of the state, wherein Jammu and Ladakh accounted for more than 50% of the population and 90% of the land. The allocation effectively placed political power in the hands of Muslims from the Valley. Similarly, in 2002, when the Legislative Assembly grew to 87 members, 46 seats were set aside for the Kashmir Valley, while only 37 seats were created for Jammu and four for Ladakh.^{clviii}

In addition, redistricting and the creation of new Muslim majority constituencies in Jammu and Ladakh have resulted in further dilution of Hindu and Buddhist votes. Buddhists have viewed these policies as attempts to alter the religious balance in Ladakh. For instance, in 2000, Lama Lobzang, an influential Buddhist leader in Ladakh, stated, “The NC (National Conference) Government is deliberately settling a large number of people from the Valley with a view to reducing the Buddhist majority in Ladakh into [a] minority.” Similarly, Hindus from Jammu have long complained of political and economic domination by Kashmiri Muslims.^{clix}

Furthermore, the few remaining Kashmiri Pandits remaining in the Kashmir Valley also suffer from severe economic and political discrimination. According to a study appearing in the *Journal of Immigrant and Refugee Studies*, “[t]he primary problems the KPs [Kashmiri Pandits] in the Valley face today are that of unemployment and inadequate rehabilitation. Approximately 125 Pandit families in Kashmir live below the poverty line. According to a survey taken by the Hindu Welfare Society Kashmir in 2003,

there were more than 500 educated youth who were unemployed and over 200 of these individuals were no longer eligible for government jobs due to their age...^{clx} The same study found that a number of Pandit families had been relocated by the state government to isolated locations in the state, without providing adequate rehabilitation or provisions. The families were presumably relocated for security concerns, but the government failed to take care of their basic living needs.^{clxi}

Social Persecution

Internal Displacement

Internally Displaced Persons (IDPs) are defined as “persons or groups of persons who have been forced or obliged to flee or to leave their homes or places of habitual residence, in particular as a result of or in order to avoid the effects of armed conflict, situations of generalized violence, violations of human rights or natural or human-made disasters, and who have not crossed an internally recognized state border.”^{clxii}

By far the greatest tragedy to befall Kashmiri Hindus was their forced displacement from Kashmir. Over 95% of the Hindu population in the Kashmir Valley (350,000 people) became internally displaced between 1989 and 1991, as they were forced to flee their historic homeland by Muslim extremists. There was an organized and systematic campaign to cleanse Hindus from Kashmir, including massacres, rape, threats, and intimidation. Public announcements were placed in newspapers, sermons made in mosques, and posters hung on houses ordering all Kashmiri Hindus to leave the Valley and threatening violence if they did not.^{clxiii} This was only the latest in a series of historical mass migrations by Hindus from Kashmir.

After their initial displacement between 1989 and 1991, 160 of the remaining 700 Hindu families in the Valley were also forced to leave after increased violence and attacks occurred between 2003 and 2004.^{clxiv}

In order to accommodate the large numbers of Hindus fleeing the Valley, the Indian government set up semi-permanent camps for the displaced in Jammu and New Delhi. These camps, however, are overcrowded and lack adequate facilities and basic necessities. For instance, there is no regular supply of drinking water, a shortage of medicines, and poor sanitation. Additionally, education and employment opportunities are severely lacking. As a result of the substandard conditions, the Kashmiri Pandits, after years of displacement, have faced serious health problems, including high incidence of disease, depression, stress-related problems, and a high death rate.^{clxv}

Although the Indian government and the local state governments in Kashmir have discussed plans to rehabilitate the displaced Pandits to the Valley, these plans have not yet been implemented. Furthermore, while Hindus are keen to return, Pandit leaders are skeptical of the government's rehabilitation plans and its ability to provide protection to Hindus upon return.^{clxvi}

Islamic militant groups have rejected the Pandits' right to return and have issued threats against Hindus if they return. For example, one extremist group publicly stated, "We impose a ban on the return of Kashmiri Pandit migrants to the Valley." This indicates that the security situation in the Valley remains tenuous and Hindus cannot yet safely return to their homes.^{clxvii}

Violations of Constitution and International Law

Indian Constitution

Despite India's secular Constitution, Hindus in Jammu and Kashmir have been constant targets of violent Islamist militants. Article 15 prohibits discrimination "against any citizen on grounds only of religion, race, caste, sex, place of birth or any of them." Life and personal liberty are protected by Article 21, which maintains that "No person shall be deprived of his life or personal liberty except according to procedure established by law."^{clxviii} The life and liberty of Hindus in the Kashmir Valley have not been protected or preserved by the Indian Government. As noted above, militants in the Valley have terrorized and ruthlessly murdered Hindus, and the continual threat of death hinders their return to their homeland. Article 38 states, "The State shall strive to promote the welfare of the people by securing and protecting as effectively as it may a social order in which justice, social, economic and political, shall inform all the institutions of the national life."^{clxix} Once again, the Indian Government has failed to secure the promise of Article 38. Neither have Hindus in Kashmir been protected nor have Hindus who fled the region been provided with adequate support or security. The approximately 350,000 individuals who fled the Kashmir Valley live in refugee settlements dispersed throughout India in abysmal conditions. These Kashmiri Hindus are living as refugees in their own country despite a constitutional promise to protect their welfare, rights, and liberties.

International Human Rights Law

Pakistan's direct support of militancy and proxy terrorism in Indian Kashmir is a violation of U.N. Covenants governing terrorism, such as the International Convention for the

Suppression of Terrorist Bombing and the International Convention for the Suppression of the Financing of Terrorism.^{clxx} A number of these Pakistan-based groups have been labeled as terrorist organizations by the United Kingdom and the United States. For instance, the UK has banned five militant organizations -- Harakat-ul-Jihad-ul-Islami (HUJI), Jundallah, Khuddam ul-Islam, Lashkar-e Jhangvi (LeJ), and Sipah-e Sahab Pakistan (SSP).^{clxxi} The United States has also designated LeJ, Harakat ul-Mujahidin (HuM), Jaish-e-Mohammed (JeM), and Lashkar-e-Taiba (LeT) as terrorist organizations.^{clxxii}

India's accession to the UN's International Covenant on Civil and Political Rights (ICCPR) occurred on July 10, 1979, and its ratification of the International Convention on the Elimination of All Forms of Racial Discrimination took place on March 2, 1967.^{clxxiii} Once again, the Indian government has failed to uphold either of these UN covenants. Most importantly, Article 27 of the ICCPR, which protects the rights of "ethnic, religious or linguistic minorities...to enjoy their own culture, to profess and practise (sic) their own religion [and] to use their own language," has been violated time and again in the Kashmir Valley as Hindus have been all but completely driven out of the region.^{clxxiv} The destruction of temples and frequent attacks on Hindu pilgrimage sites is another indication of the failure to protect Kashmiri Hindus under the ICCPR.

Finally, the UN Guiding Principles on Internal Displacement encompass the protections of international human rights law and humanitarian law, as applied to internally displaced persons. The legal protections afforded to IDPs, however, are substantially weaker than that for refugees who benefit from specialized international refugee law. Substantively, the Guiding Principles prohibit the arbitrary displacement of persons based on their religious and ethnic background, and affirm IDPs' basic rights to food, water, shelter, dignity, and safety. The principles also emphasize the "importance of voluntary and safe return, as well as the need to assist the displaced to recover their property and possessions."^{clxxv} The responsibility for preventing internal displacement and protecting the rights of the displaced persons lies with a country's "national authorities," according to the Guiding Principles. Consequently, the Indian government, as the responsible "national authority," has failed to protect the rights of the Kashmiri Pandits under this legal framework.^{clxxvi} Hindus living in displacement camps still face deplorable conditions and have not been safely rehabilitated to their homes in the Valley. In addition, the Indian government refuses to label them as IDPs, instead referring to them as "migrants." The term "migrant" is problematic as it implies that Hindus left Kashmir of their own volition and denies the fact that they were forced to flee.^{clxxvii}

Conclusion and Recommendations

The ethnic cleansing of Kashmiri Pandits from the Kashmir Valley is virtually complete with less than 7,000 Pandits remaining in the Valley. Hindus forced from the Valley continue to live in refugee camps throughout Northern India and the decrepit conditions of these communities remain a tragic abuse of fundamental rights to shelter and dignity.^{clxxviii}

The fate of up to 400,000 people continues to be in limbo as the Indian government strives to end the insurgency in J&K. The status of J&K as a “disputed area” will continue to affect the condition of Kashmiri Hindus. The fate of Hindus of this region remains in abeyance -- paralyzed by the inertia of the Government of India and a recalcitrant Pakistan unwilling to stop Islamic terrorists from carrying out attacks in the region. The inflammatory rhetoric of Islamist terrorists based in Pakistan only vitiates the atmosphere further and perpetuates a dangerous terrorism that continues to claim Muslim and Hindus lives in the region.

It is incumbent upon the Pakistani Government to cease moral and material support to all terrorists in the Kashmir Valley. India must create an atmosphere in the Kashmir Valley conducive to the return and safe resettlement of Hindus to their original homes throughout J&K, and further dialogue with Pakistan must be predicated on this return of original Hindu residents. Furthermore, the state government must end the economic and political marginalization of Hindus and Buddhists in the state and provide full protection and accommodation to Hindu pilgrims and pilgrimage sites. And finally, India must abrogate Article 370 of the Constitution, which has allowed the State's residents to live under a separate set of laws, benefiting its Muslim population, who enjoy political power at the detriment of Kashmir's religious minorities.

Malaysia



© CIA World Factbook

Area: 329, 750 square kilometers

Population: 28,274,729 (July 2010, estimate). Malaysia has a young population today with approximately 31.4% under the age of 15 years.^{clxxix}

Religions: Muslim 60.4%, Buddhist 19.2%, Christian 9.1%, Hindu 6.3%, Confucianism, Taoism, other traditional Chinese religions 2.6%, other or unknown 1.5%, none 0.8% (2000 census). Islam is the official religion of the country.

Ethnic groups: Malay (Bumiputra) 50.4%, Chinese 23.7%, indigenous 11%, Indian 7.1%, others 7.8% (2004 est.)

Languages: Bahasa Melayu (official), English, Chinese (Cantonese, Madarin, Hokkien, Hakka, Hainan, Foochow), Tamil, Telugu, Malayalam, Punjabi, Thai, several indigenous languages (Iban and Kadazan)

Location: Southeastern Asia, peninsula bordering Thailand and northern one-third of the island of Borneo, bordering Indonesia, Brunei and the South China Sea, south of Vietnam^{clxxx}

Introduction

In 2010, Malaysia's minorities continued to be under pressure to toe the government line and play second fiddle to a dominant Muslim majority. Malaysia's Hindu and ethnic Indian population faced widespread discrimination, and its leaders were persecuted and harassed. The Malaysian government refused to entertain the Hindu Rights Action Force (HINDRAF) leader Waytha Moorthy's petition to return to Malaysia from his asylum in London, England.^{clxxxi} The HINDRAF leader has argued that the special rights granted in the Constitution (Article 152) to Malays should be removed. Moorthy's passport was revoked in 2008, and he now travels using a passport issued by Britain, which granted him political asylum in 2009. Moorthy says the Malaysian government owes him an apology and holds Tan Sri Syed Hamid Albar, the former Home Minister, responsible for revoking his passport.

Moorthy's statement questioning the appropriateness of a statement made by the Sultan of Johor, in which the Sultan seemed to support the majoritarian claims by the Malay supremacist organization, Perkasa, has also been used by the Malaysian government to demonize Moorthy and HINDRAF.^{clxxxii}

In this context, it is useful to note that Hindus had remained largely silent until 2007, when they began to challenge the government's discriminatory practices. On November 25, 2007, nearly 10,000 Hindus, led by HINDRAF leaders, organized a peaceful rally to protest the religious apartheid policies pursued by the Malaysian government. The Malay authorities broke up the rally using tear gas and chemical-laced water under the pretext of maintaining national security. Following the event, the Malaysian government began to crack down on the Indian and Hindu communities, and hundreds of Hindus, including five HINDRAF leaders, were arbitrarily detained and arrested for asserting their basic democratic rights.^{clxxxiii} The arrested HINDRAF leaders included P Uthayakumar, M Manoharan, R Kenghadharan, V Ganabatirau, and T Vasantha Kumar. Immediately following the arrests, they were moved to the Kamunting detention center in Taiping, Perak, where, under the Internal Security Act (ISA), they were detained for 514 days. They were finally released on May 9, 2009.^{clxxxiv} Again, in this instance, it is useful to note the manipulative action of the Malaysian government. The maximum fine for sedition in Malaysia is 5,000 Malaysian ringgits, whereas bail was set at 50,000 Malaysian ringgits for the detained leaders. After Uthayakumar posted bail, he was immediately rearrested and brought to Pudu prison, where he languished for more than 500 days.^{clxxxv}

Uthayakumar and others have filed a 200 million RM (about \$65 million) suit for wrongful detention, and the Prime Minister and five others, who are the accused, have argued for dismissal of the case.^{clxxxvi}

In support of the HINDRAF leaders and Malaysian Hindus, rallies were held across the world, including in Kuala Lumpur, Los Angeles, New York, London, Dublin, Brussels, Melbourne, Auckland, New Delhi, Mumbai, Chennai, Singapore, and Jakarta on February 16, 2008. In the Malaysian capital of Kuala Lumpur, Hindus gathered at Jalan Raja Laut, in the city center, to protest the government's discriminatory policies against Hindus. The protestors carried roses to symbolize their peaceful struggle for equality. The police once again used tear gas and chemical-laced water to break up the rally. In addition, close to 200 HINDRAF supporters were arrested and nearly 5,000 temporarily detained, including women and children. Most of the arrested Hindus were eventually released. In attempting to prevent the rally, government authorities used racial profiling to prevent Malaysians of Indian origin from entering Kuala Lumpur; Indians were even removed from buses traveling to the city. Road blocks were also set up to stop Indians from reaching Parliament, where the rally was originally scheduled to be held.^{clxxxvii}

Political activism by Hindus and Indians along with disenchantment among the ethnic Chinese population led, in part, to the ruling National Front Coalition and Prime Minister Abdullah Ahmad Badawi losing the Parliamentary majority and control in five state assemblies in March 2008.^{clxxxviii} The government outlawed HINDRAF in October 2008, and that order has not been rescinded till date.

History/Background

The Indian and Chinese influence in the Malay-speaking world dates back to at least the third century BCE when traders from both regions arrived at the archipelago. Hinduism and Buddhism were both established in the region by the first century CE. Between the seventh and fourteenth centuries, the Indian Hindu culture reigned in the Malay world. During the tenth century, however, the arrival of Islam broke apart the Hindu empire and led to the conversion of most of the Malay-Indonesian world.

The sixteenth century saw the arrival of the European colonizers, beginning with the Portuguese, followed by the Dutch, and ultimately the British. In 1824, the Anglo-Dutch created a border between British Malaysia and the Dutch East Indies, which is now Indonesia. This phase of occupation was followed by the mass immigration of Chinese and Indians, who entered the country as workers in the colonial British economy. Between 1942 and 1945, the Japanese occupied the region, detracting power from the

British in East Asia. Although short-lived, this occupation triggered feelings of nationalism, ultimately leading to the establishment of an independent Federation of Malaya in 1957. Upon the acquisition of British territories in North Borneo and Singapore, Malaya became Malaysia in 1963.^{clxxxix}

Malaysia is a “federal constitutional elective monarchy,” and the head of state is the king, who is elected to a five-year term of office by and from among the nine hereditary rulers of the Malay states. Parliament consists of a lower and upper house, and the 222-member lower house is elected for a five-year term. The upper house has 70 senators, who are elected to a three-year term.^{cxc}

The Malaysian Constitution guarantees freedom of religion, but makes Islam the official religion. Article 160 of the Constitution designates all ethnic Malays as Muslims. The Shariah courts make decisions concerning religion and religious matters including marriage, divorce, inheritance, apostasy, and religious conversion. The Shariah courts discriminate against Hindus when there are intra-family conflicts about issues such as marriage, divorce, and conversion. Special privileges granted to the Malays, under Article 3, 152, and 153 of the Constitution have been controversial, and HINDRAF leaders have challenged the continuation of these privileges which were supposed to have been phased out.^{cxc}

The United Malays National Organisation is Malaysia’s largest political party and is a founding member of the Barisan Nasional coalition, which has played a leading role in Malaysian politics and governance since independence. Internal dynamics within the party and challenges by the Parti Islam Se-Malaysia (PAS), the Pan-Malaysian Islamic Party have led to some UMNO members making extremist statements about minorities.^{cxcii}

Status of Human Rights, 2010

Discrimination, both official and in the private domain, is rooted in religious tension with the Muslim majority continuing to flex its muscle with official sanction. In its 2009 report, HINDRAF highlighted the plight of the Malaysian Indian minority populations.^{cxciii}

The Government is now attempting to prosecute HINDRAF legal adviser P Uthayakumar on sedition charges. If convicted, he can be imprisoned for up to three years. Uthayakumar filed a motion in November 2010 to have the Sedition Act of 1948 declared void, and the charge of sedition against him suspended. He was charged under Section 4(1)(c) of the Sedition Act 1948 in the Sessions Court on Dec 11, 2007 for publishing a seditious letter on the "Police Watch Malaysia" website.^{cxciv}

The notorious Internal Security Act (ISA) remained in use in 2010 to suppress and silence political dissent. The ISA was enacted in 1960 to ensure internal security by detaining without trial suspected communist insurgents. According to the Malaysian Centre of Public Policy Studies, more than 10,000 citizens have been “deprived of their liberty and have been mentally and physically tortured under the ISA” since its enactment. Despite the disbanding of the Malayan Communist Party and Malaysia establishing diplomatic ties with China, the ISA remains on the books. Those detained now are “often Malaysian political activists, rather than military and para-military agents that threaten the nation,” according to a report. Journalists, academics, activists, religious leaders, students, and politicians have been detained for public protest or writing inimically of the government. The report says that the ISA has been “used to create an atmosphere of fear that curtails citizens’ participation in legitimate discussions on public issues.”^{CXCV}

The HINDRAF 2009 report lists the following 15 areas in which the effects of discrimination and denial of human rights are noticed in Malaysia:

- Education
- Land allocation for public purposes
- Birth certificates and national identity
- Poverty
- Housing
- Suicides
- Crime and extra-judicial killings of suspected Indian-origin criminals
- Federal government poverty eradication and social development programs
- Licenses and permits for trades and regulated occupations
- Government contracts and entrepreneur development programs
- Law, justice and the Federal Constitution
- Allocation of funds in the Federal Budget
- State sponsorship of racism
- Forced religious conversion
- Attacks against opposition political parties

Religious Freedom

Hindus, along with other minorities, face increasing religious discrimination as Malaysia becomes more Islamized. Malaysia has a parallel court system -- secular courts for non-Muslims and Sharia courts for Muslims. Hindus and other minorities have recently been

forced to deal with the Islamic courts where they have faced severe disadvantages. In fact, there have been several instances where non-Muslims suffered outright religious discrimination through the Islamic court system. In one case, a Hindu mother, Subashini Rajasingam, lost an appeal to prevent her husband, a recent Muslim convert, from changing their four year old son's religion to Islam. The highest court in Malaysia subsequently affirmed the ruling of a lower federal court, granting the Muslim husband a right to use the Islamic Sharia courts to seek a divorce, and also upheld his right to convert their child to Islam without the mother's consent.^{CXCVI}

Islam has also begun to increasingly permeate all aspects of Malaysian society and towards the end of 2008, the National Fatwa Council, Malaysia's top Islamic body, issued a fatwa (edict) banning the practice of yoga for Muslims. The Council ruled, "Yoga involves not just physical exercise but also includes Hindu spiritual elements, chanting and worship," effectively denying Muslims the freedom of religion.^{CXCVII}

Religious conversion is another contentious issue. Banggarma, a mother of two, whose Muslim name is Siti Hasnah Vangarama Abdullah, claims that she was converted to Islam by state religious authorities as a child at a welfare home in Kepala Batas, Penang. She said she discovered this when seeking to register her marriage in 2000. Banggarma had apparently fled from the welfare home when she was 16. "I was shocked when the NRD officers told me that I'm a Muslim convert by the name of Siti Hasnah. I was issued a MyKad with that name." Because of her Muslim name she could not register her marriage to Sockalingam, which was conducted according to Hindu rites. She was also unable to register her husband's name as the father on her children's birth certificates. She was converted to Islam in 1989, when she was seven years old. Due to the conversion, Banggarma had difficulties in registering the birth of her two children -- Kanagaraj, eight, and Hisyanthini, two -- until last year. "I finally managed to obtain birth certificates for my Hindu children through legal help. I also tried to change my name back to my original Hindu name in my MyKad twice. But my attempts were unsuccessful," she said. In Malaysia as an adult she cannot revert to the religion of choice, although this right is guaranteed for in Article 11 of the Federal Constitution.

On August 4, 2010, Judicial Commissioner Yaakob Sam pronounced that Banggarma is officially a "Muslim," despite her plea that she is a Hindu. According to the judge, the document showing that she was converted to Islam, albeit at the age of eight and while in an orphanage, was enough to prove that she is a Muslim.^{CXCVIII}

In another case, Shamala, a bank clerk and mother of two, lost her court battle regarding the conversion of her children to Islam by her husband. Shamala and

Jeyaganesh Mogarajah got married in 1998. He converted to Islam in 2002 and converted their two young children (then ages two and four) without her knowledge. In July 2004, the High Court granted Shamala "actual custody" of the children, but ordered her to share "legal custody" with her husband. Pending appeal, she fled the country with her children to settle in Australia. Her husband obtained an ex-parte application to cite Shamala for contempt for breaching a High Court order that had granted him visitation rights to their sons. The court decided not to hear her petition regarding constitutional issues about the validity of conversion of her children.^{cxcix}

Indira Gandhi, a Hindu woman, had her three children snatched away by her husband who had converted to Islam.^{cc} A High Court finally granted custody of her children, reversing the Shariah court order that had granted her husband custody over the children.^{cci} The Islamic authorities and the police refused to secure her baby and two other children from her estranged husband despite the High Court Order to do so.^{ccii}

In August, the Human Rights Party Malaysia (HRP) began a campaign to gather 100,000 signatures in support of seven women involved in conversion cases. The affected women are five from Perak -- M Indira Gandhi (35), S Banggarma (28), two sisters Laila (25) and Habeeba Sulaiman Mohd (23), and Siti Mariam Abidin (47); one each from Malacca -- Rani (aka Jamillah Abdul Kadir) (46), and Johor -- Regina Mohd Zaini (32).^{cciii}

Laila and Habeeba's Hindu mother, R Inthirani, had married their father, Sulaiman Mohd, a bus driver. He later abandoned the family. Both the sisters married Hindus and the elder sister Laila, who married K Kalimuthu, has four children ages two, four, six and seven. Laila managed to register the births of the first three children as Hindus but the registration department in Parit Buntar allegedly refused to register the birth of the last child. The registration department set conditions for registering Nitishwaran, the last child, arguing that either Laila converts herself into a Hindu or convert all the members of her family into Islam. Both Laila and Habeeba and their mother had remained as Hindus and did not practice the religion of Islam, although their father had given them Muslim names. Both the sisters now want a change from Muslim to Hindu names.

In the case of Siti Mariam, her Muslim mother, Ramlah Man, had married a Hindu who converted to Islam as Abidin Abdullah. After giving birth to Siti, Ramlah left the family. Abidin married a Hindu woman, and both he and Siti reverted to Hinduism. Siti married a Hindu, S Palani Muthu, and has three children (two daughters and a son) -- Ariata (17), Vanithan (18), and Vanitha (19). The two elder children were registered as Hindus on their identity cards. The problem arose with Ariata, whose birth certificate did not

include any information about the father, despite him being present. Ariata was registered as a Muslim on her identity card, and her father died in 2001. Now, Siti wants the registration authorities to recognize her and Ariata as Hindus.

In the case of Regina, it was reported that her father Mohd Zaini (previously Krishnan) earlier married a Malay woman, and then took Regina's Hindu mother as a second wife. They had three children - two daughters and a son. The elder daughter was able to change her status to Hindu, but Regina and her younger brother were unable to do so and are still classified as Muslims. Mohd died when Regina was four years old, and her mother died about five years ago. Regina had married a Hindu, and her problem began when she was unable to register the birth of her son Thinas with the registration department.

Finally, we have the case of Rani, the sixth of ten children. When she was 16 days old, her parents, who had financial difficulties, gave her away to their Hindu neighbor, Kandasamy. Her Muslim mother, Aminnah Ahmadu, had married her Muslim father, Abdul Kadir (previously a Hindu, Krishnan). When Rani was 16, she married her Hindu husband Muniandy, who was later forced to convert to Islam. They had four children -- two daughters and two sons. Their eldest daughter (who is 27 years old now) was named Aishah Mustapha Muniandy on her birth certificate, but the parents were able to change her name to Vijaya Letchumy Muniandy on her identity card. However, the other three children, Abdul (now 26), Hamzah (24), and Citra Devi (16), still carry their Muslim names on their identity cards. Rani has made sworn declarations before a commissioner of oaths that she wanted Abdul to be known by his Hindu name of Ganesan and Hamzah as Nagendran, but the registration department allegedly refused to make the changes. HRP's attempts to bring these cases to the notice of authorities have been thwarted.^{cciv}

Destruction of Temples and Acquisition of Land Belonging to Indian-Malaysians

In June 2010, Islamic extremists threatened to blow up the historic Sri Subramaniam Swamy Devasthanam temple at the Batu caves along with several other temples in Penang.^{ccv} In August 2010, a Hindu deity was beheaded and a temple destroyed by government authorities, as reported in a regional Malaysian Tamil newspaper.^{ccvi}

According to the 2009 HINDRAF report, there are continued attempts at demolishing temples, taking over burial grounds, and resettling poor Indian Malaysians by taking over their land and property for "public use." The demolition of scores of former Indian

plantation workers' houses at Bukit Jalil is just one example of such activities. The demolition of the Hindu cemetery at Ladang Batu Pekaka is yet another example.

In one of the worst incidents reported worldwide, in late August 2009, Malay Muslims protested against the relocation of a Hindu temple to their locality in Shah Alam by stepping and spitting on the severed head of a cow.^{ccvii} When HINDRAF leaders held a peaceful candle light vigil in protest, 16 of them, including their legal adviser P Uthayakumar, were arrested.^{ccviii} Almost a year later, a Malaysian court sentenced only one Muslim to one week in prison for the threat against Hindus and the desecration of a sacred Hindu symbol, and fined 11 others for the same.^{ccix} These light sentences highlight the discriminatory nature of Malaysian justice and the devaluation of Malaysia's ethnic and religious minorities' concerns.

There are 23,000 Hindu temples and shrines in Malaysia, but the government has refused to grant them land or record their land holdings as it has done for all the Islamic places of worship. The Kaliaman temple near Semambu had to be moved three times in a few years to avoid being demolished. According to HINDRAF documents, the following actions against Hindu temples were recently taken by the government.^{ccx}

- On October 22, 2010, Mathurai Veeran Temple in Jalan Glenmarie, Shah Alam was demolished by the Selangor state government. The temple was demolished by the Shah Alam City Council.
- On October 8, 2010, Selangor government officials ordered the demolition of a Muniswarar temple at Kampung Pendamar.
- On June 24, 2010, the 50-year-old Perianna Muneswarar Hindu temple in Air Panas, Setapak was razed by the Kuala Lumpur City Council workers.
- On April 27, 2010, the Arulmigu Karumariamman Temple in Kuala Lumpur was demolished by a property developer under the protection of police.
- On February 11, 2010, Cakra Guna (52) set himself on fire and died as a protest against the Selangor state government from demolishing the Srinivasa Perumal Temple.
- On September 3, 2009, an Indian heritage village, Kampung Buah Pala, where the villagers had lived for over 100 years, was razed to the ground by the Penang State government and private developers. The government acknowledged that the land was stolen from the villagers by the previous government, but they still evicted the villagers using inducements, threats, and force.

- The government failed to provide funding for places of worship for Hindus and other non-Muslims for 2010 – 2011, while it continued to grant land and privileges to Muslims for religious purposes.
- Notice was served to the trustees of the 100-year-old Sri Naga Kanni Maha Mariappan Temple in Teluk Intan to move/relocate the temple within two months.
- The government has approved a housing project on the land which now houses the Kulai Besar Hindu Temple. The Maha Mariamman Hindu Temple has to be moved out some two kilometers away where there are very few Hindus.

On a positive note, Malaysia issued a postage stamp depicting the country's oldest Hindu temple, the 137 year-old Sri Maha Mariamman Temple.^{ccxi}

Institutional Discrimination

The Indian Hindu minority suffers from economic, social, and educational discrimination, while the majority Malaysian Muslims (*bumiputras*) benefit from an affirmative-action policy that provides discounts on housing, quotas on educational institutions, preference for government jobs, selection of government run mutual funds available only for *bumiputra* purchase, and projects that require tenders to be *bumiputra* owned. Likewise, companies listed on the Kuala Lumpur Stock Exchange, including foreign companies, must have *bumiputras* with at least 30% minimum equity in order to satisfy listing requirements. This further leads to the unequal distribution of wealth, leaving the Hindu minority at an increased economic disadvantage. Malaysian Indians lack opportunities and face hurdles in acquiring tertiary education. Admission to public universities are through the extremely difficult Pre-University Program of STPM (Higher School Certificate) for non-Malays, compared to the much easier Pre-University program of Matriculation for Malays. An estimated 90% of deserving Indian students are denied admission to the 20 government run universities in Malaysia, and only 1% of the monies spent on higher education goes toward supporting citizens of Indian descent, according to the 2009 HINDRAF report.

There are anywhere between 150,000 to 200,000 Malaysians of Indian origin without birth certificates and/or identity documents. Darshini (11), for instance, was denied her birth certificate because her mother had not registered her birth within the required 42 days, as the father, a crane operator, was away working in Penang. It is reported that the Malaysian authorities rejected her application so many times that she stopped trying. HINDRAF has taken up the case of “stateless” Malaysian Hindus with the British immigration authorities, and has argued that in fact these are still British subjects. The

claim is based on declassified colonial and British government documents available at the National Archives in London.^{ccxii}

The estimated 200,000 third, fourth, and fifth generation Malaysian-born Indians have been denied Malaysian citizenship and are currently stateless. For example, an Indian family in Kulim Kedah is effectively stateless even though they have lived in Malaysia at least four generations. Mariappan is an odd job laborer and his wife works occasionally as a cleaner in a restaurant. He and his wife do not have state ID cards, making them ineligible for legitimate jobs, and their three children have no birth certificates. His marriage to his wife is not registered, again for the same reason. The government has neglected or willfully ignored the status of these people, as contrasted with the way Muslim immigrants are treated from neighboring Indonesia and the Philippines. Muslim immigrants are readily given citizenship papers, according to the 2009 HINDRAF report.

Suicide rates are highest in Malaysia in the Indian community, the HINDRAF reports points out – 600% higher than in the Malay Muslim community. It is argued that this is due to the fact that “the burden of life is heaviest on the Indians by virtue of their socio-economic position” (p. 30, HINDRAF report). Low income, illiteracy or lack of education, family disputes, indebtedness, alcoholism, alienation, and hopelessness are reasons cited to explain this high rate of suicides.^{ccxiii}

Legal Discrimination

The legal system in Malaysia promotes extensive discrimination against non-Muslims, as mentioned above. The Internal Security Act (ISA), however, is perhaps the most regressive and tyrannical aspect of the nation’s legal structure. The dreaded ISA has been used since 1960 as an instrument of oppression and a means to stifle free speech and political opposition to the government. Under the Act, persons suspected of threatening national security may be arrested and detained indefinitely without charges or trial. According to Human Rights Watch, the ISA provisions “violate fundamental international human rights standards, including prohibitions on arbitrary detention, guarantees of the right to due process, and the right to a prompt and impartial trial.”^{ccxiv} The ISA has been disproportionately used to target the Hindu/Indian community.

In 2008, the Malaysia government declared HINDRAF an illegal organization under the aforementioned ISA, stating that it would “continue to pose a threat to public order, the security and sovereignty of the country as well as the prevailing racial harmony.”^{ccxv}

A recent mission by Amnesty International to Malaysia severely criticized the Malaysian government for its use of the ISA to punish ethnic Indian human rights activists for political dissent.^{CCXVI}

Violations of Constitution and International Law

Constitution of Malaysia

Malaysia's Constitution upholds Islam as "the religion of the Federation,"^{CCXVII} but provides for the practice of other religions "in peace and harmony." Part II of the Constitution defines the fundamental liberties of people, which include the right to equality before the law; the right to freedom of speech and peaceful assembly; and the right to "prove and practice his religion." The Constitution also guarantees that every religious group may "manage its own religious affairs, establish and maintain institutions for religious or charitable purposes, and acquire and own property and hold and administer it in accordance with law." Furthermore, religious groups hold the right "to establish and maintain institutions for education of children in its own religion," although the Federation retains the right to "establish or maintain or assist in establishing or maintaining Islamic institutions." Additionally, the Constitution mandates that no individual is "required to receive instruction in or take part in any ceremony or act of worship of a religion other than his own." Clearly, state-sponsored temple destruction and infringements on personal religious freedom seen in Malaysia today are direct violations of the aforementioned guarantees enshrined in the nation's Constitution.

International Human Rights Law

Malaysia continues to violate basic human rights law enshrined in the Universal Declaration of Human Rights (1948). For instance, the government's suppression of HINDRAF's peaceful activities restricts the Freedom of Peaceful Assembly and Association, contrary to Article 20 of the Declaration. Other forms of discrimination and persecution, including the use of the ISA, the destruction of temples, and economic policies favoring the majority Malaysian Muslim community, all infringe on international human rights standards.

Unfortunately, Malaysia has not taken any action toward signing or ratifying the United Nation's International Covenant on Civil and Political Rights (ICCPR) or the International Convention on the Elimination of All Forms of Racial Discrimination. However, it must still respect the civil and political rights of all people under customary international law.

Conclusion and Recommendations

Over the past decade, the rights of minorities in Malaysia have eroded as the government shifts from its seemingly secular state to one that is rooted in conservative Islam. Religious freedom is not protected, and for ethnic Malays, does not exist at all. Three urgent concerns are the lack of freedom of religion, the ongoing destructions of temples, and the threat of arrest of HINDRAF and other human rights activists under the draconian ISA. The Malaysia Supreme Court should abide by Article 11 in the constitution and not force religion upon residents of Malaysia.

The U.S., United Nations, and various human rights groups should pressure the Malaysian government to protect Hindu temples – the primary institutions of the Hindu community in Malaysia – from desecration and destruction. Hindu places of worship, especially those that existed prior to independence, should be designated as temple property, and titles to the land should be handed to the respective temple trustees/committees as has been done for pre-independence era mosques. The Malaysian Government should be urged to not discriminate in the allocation of public funds and land for places of worship between Muslim and minority religious groups. In addition, the government should aid Tamil schools in Malaysia as it is required to do.

Furthermore, the U.S. must abandon any proposed Free-Trade Agreement (FTA) with Malaysia unless the Malaysian Government drops its ethno-religious affirmative action policy which favors the majority Muslim Malays. The FTA, as currently constituted, would require both foreign and domestic (non-manufacturing) investors to take on ethnic Malay partners (who would hold a minimum 30% of share capital). As a result, conclusion of the FTA with Malaysia would further the uneven distribution of wealth, thereby leaving the Indian Hindu minority at an increased economic disadvantage.^{ccxviii}

And finally, the U.S. should restrict any future appropriations, particularly military and economic assistance, to Malaysia unless the government protects the human rights of its ethnic and religious minorities, repeals the repressive Internal Security Act (ISA), and ends its affirmative action policies favoring the majority Muslim Malays (*bumiputras*). Alternatively, if humanitarian or economic assistance is given, it should be for the benefit of the marginalized and religiously persecuted Hindu minority and accountability for human rights should be a condition upon which aid is granted.

Islamic Republic of Pakistan



© Compare Info Base^{CCXIX}

Area: 803,940 square kilometers

Population: 184,404,791 (July 2010 estimate)

Religions: Muslim 95% (Sunni 75%, Shi'a 20%), other (includes Christian and Hindu) 5%

Ethnic groups: Punjabi, Sindhi, Pashtun (Pathan), Baloch, Muhajir (immigrants from India at the time of partition and their descendants)

Languages: Punjabi 48%, Sindhi 12%, Siraiki (a Punjabi variant) 10%, Pashtu 8%, Urdu (official) 8%, Balochi 3%, Hindko 2%, Brahui 1%, Other 8% (mainly English and Burushaski)

Location: Southern Asia, bordering the Arabian Sea, between India on the east and Iran and Afghanistan on the west and China in the north^{CCXX}

Introduction

The leak of diplomatic cables in 2010 by the Wikileaks website provides a peep into Pakistan that confirms the dangerously debilitating condition that has prevailed in that country for years. American and British diplomats expressed fear that fissile material could fall into the hands of terrorists, and they worry that Pakistan is increasing its nuclear stockpile to dangerous levels.^{ccxxi} The leaks expose the co-dependency nature of the American-Pakistani relationship, with both sides cooperating and at the same time undermining each other. Terrorist incidents, sectarian strife, increased civilian fatalities, a devastating flood, a weak government, a military establishment that is focused on India as the chief enemy, and the control of the border areas by the Taliban and Al Qaeda are all key factors that make Pakistan a tinderbox ready to explode at anytime. Civil institutions, including the judiciary, were tested, while the military establishment hovered in the background ready to take over governance and control in case of perceived or real turmoil. A January 2011 incident has put Pakistan-American relationship on the edge once again, and as of this writing the issue remains unresolved. It is claimed that Raymond Davis, who shot dead two Pakistanis and is now in Pakistan's custody, was the acting CIA chief in Pakistan. American officials have been seeking his release, and Pakistan is under the gun as its restive people demand that he be tried and convicted in a Pakistani court.^{ccxxii}

According to one of the Wikileaks cables, an American diplomat wrote, "Although we do not believe Pakistan is a failed state, we nonetheless recognize that the challenges it confronts are dire...The government is losing more and more territory every day to foreign and domestic militant groups; deteriorating law and order in turn is undermining economic recovery. The bureaucracy is settling into third-world mediocrity, as demonstrated by some corruption and a limited capacity to implement or articulate policy."^{ccxxiii}

The cables also revealed that individual leaders were deeply compromised. Sir Jock Stirrup, the then British Chief of Defence Staff told American diplomats that President Asif Ali Zardari was a "numbskull," while other British officials described Zardari as incompetent and "highly corrupt." Pakistan's Chief of Army Staff, General Ashfaq Kayani, is revealed to have plotted an "informal coup" against Zardari, and that the hundreds of millions of dollars of U.S. aid earmarked for fighting militants were instead being diverted to buy equipment to shore up the eastern fighting force against India. Anne Patterson, U.S. ambassador to Pakistan warned that no amount of U.S. aid would change the Pakistan army's covert support for four major terrorist formations, the

Afghan Taliban, the Haqqani group, Gulbuddin Hekmatyar's fighters, and the Lashkar-e-Toiba: "...there is no chance that Pakistan will view enhanced assistance... as sufficient compensation for abandoning support to these groups." Moreover, extremism was "no longer restricted to the border area," and fighters were increasingly being recruited from the Punjab province, even as "the phenomenon is spreading into northern Sindh as well." Another post notes, "The bad news is that the militants increasingly are setting the agenda."^{CCXXIV}

Salman Taseer, the progressive Governor of Punjab, was killed by his own bodyguard on January 4, 2011. Taseer, who had sought changes in Pakistan's blasphemy laws, was the target of extremists, one of whom happened to be his bodyguard. In November 2010, a Christian woman, Asia Bibi, was sentenced to death for allegedly insulting the Prophet Muhammad. She denies the charge. Salman Taseer angered hardline clerics by visiting her in jail and supporting the proposed reforms to the legislation.^{CCXXV}

While total fatalities in terrorist related violence declined from the high in 2009 (11,585), it was still a stark reminder of the extreme terrorist threat and activities in Pakistan: the number of civilians killed in 2010 in terrorist related violence was 1,796, and the number of security forces and terrorists killed was 469 and 5,170 respectively, adding to a total of 7,435 dead.^{CCXXVI} Balochistan "continued to witness overwhelming and relentless military repression, human rights violations and excesses by intelligence and security agencies, with fatalities rising from 277 to 347."^{CCXXVII} There was an increase in the number of civilians killed and included an increasing number of "unexplained disappearances" allegedly engineered by the intelligence agencies and Security Forces operating in Baluchistan. On December 22, 2010, Maharaja Luckmi Chand Garji (82), a Hindu spiritual leader of six-decades, was kidnapped with four companions – Sajan Das, Ram Chand, Babo Lal, and Venod Kumar. The kidnappers of Maharaja Garji demanded a ransom of thirty million rupees.

Hindu community leaders said that kidnappings have become common and that "highwaymen and kidnappers" have been given a "free hand." They alleged that police and other law enforcement agencies were patronizing the kidnappers.^{CCXXVIII} The Hindu leader, Muki Raday Sham, said that many Hindu families had already migrated to other countries, and if the abductions were not checked, the remaining would also migrate.^{CCXXIX} The 1998 census reported there were about 30,000 Hindus in Balochistan, whereas the local people claim that their number is as high as 150,000. A 2003 report of the Minority Rights Commission noted that Baloch and Brahui tribes in some areas hire lower-caste Hindus to perform tasks that Muslims consider below their dignity.^{CCXXX}

Balochistan's Minister for Minority Affairs and Human Rights, Engineer Basant Lal Gulshan, said, "Baloch Hindus have lived here before the Muslims came and have always been protected by tribal leaders. Why, Nawab Akbar Bugti (killed during the Musharraf era) would say that Hindus are like the hair on your chest and very dear. Of course, the new generation of tribals is different."^{CCXXXI}

Hindus continued to face violence, including attacks on temples, and kidnappings for ransom. In July 2010, around 60 Hindus were attacked in Karachi and driven out following an incident when a Hindu youth drank from a water tap near a mosque.^{CCXXXII} Societal violence was due in part to bias against Indians and those perceived to be of Indian origin. The Hindu community living in Sindh Province reported they were increasingly the target of kidnappings for ransom; criminals targeted Hindu businessmen for abductions, particularly in Karachi, Sindh. An attack on the Mithi temple in Karachi drew the ire and frustration of Hindus, and they complained that such attacks have increased recently. "Hindus are being forced to convert to Islam, kidnapped for ransom or abducted under the garb of blasphemy," they said.^{CCXXXIII}

The events in 2010 show the results of the nurture and support that Pakistan has given to radical Islamic groups operating throughout the subcontinent and of the proclaimed goal of Pakistan's leaders, as well as its homegrown jihadist groups, to bleed India through a thousand cuts.^{CCXXXIV} The events in Pakistan reconfirm the extensive relationship between the Pakistani intelligence/military establishment and extremist Muslim groups.^{CCXXXV}

History/Background

Pakistan is bordered on the south by the Arabian Sea, India on the east, and Afghanistan and Iran on the west. It has a number of diverse ethnic groups, including Punjabis, Sindhis, Balochis, Pashtuns and Muhajirs. Punjabis comprise the largest group and dominate the ranks of the government and military. The pre-eminence and political power of the Punjabis has led to resentment from other ethnic groups, particularly Balochis and Sindhis, and at times, resulted in ethnic conflict. Pakistan has also been plagued by sectarian violence between the majority Sunni and minority Shi'a Muslim communities.^{CCXXXVI}

In addition, there has been a recent proliferation of Islamic schools, or *madrasas*, in the past fifty years. Current estimates show that there are over 10,000 *madrasas* in Pakistan, whereas in 1956, there were only 244. Many of these schools teach extreme and intolerant interpretations of Islam to children as young as five years old.^{CCXXXVII}

Pakistan has a long history of training, supporting, and using radical Islamic groups as a tool of official foreign policy, resulting in the deaths of thousands of innocent civilians in India and Afghanistan. These extremist groups have now turned their sights on Pakistan itself, including military/government and civilian targets, with their stated intent of turning the country into an Islamic state.

The modern Pakistani state was created by partitioning the subcontinent in 1947, following the British withdrawal from India. Partition and the accompanying violence forced millions of Hindus and Sikhs to flee Pakistan for the safety of India. As a result, the number of Hindus in Pakistan began to rapidly decline. For instance, at the time of Partition in 1947, the Hindu community in Pakistan was approximately 25% of the population. By 1998, it was only 1.6%.^{ccxxxviii} In the city of Karachi alone, the Hindu population decreased from 51% in 1947 to only 2% in 1951, while the Muslim population in the city went from 42% to 96% during that same period.^{ccxxxix} Notwithstanding its recent decline, Hindu civilization and culture flourished in Pakistan for thousands of years.

At independence, Pakistan proclaimed itself an Islamic Republic. Since then, Islam has become a central part of the country's national ideology and legal framework. Although the Constitution provides for freedom of religion, that freedom is severely limited and "subject to law, public order and morality." Consequently, actions or speech deemed derogatory to Islam or the Prophet Mohammed are not protected. Moreover, the Constitution requires that laws be consistent with Islam and imposes elements of Koranic law on both Muslims and non-Muslims alike.^{ccxi}

During the last several years, the rights of Pakistani minorities have deteriorated at an alarming rate. I.A. Rehman, Director of the Human Rights Commission of Pakistan (HRCP), associates this erosion with the continued Islamization of the country initiated by former President General Zia-ul-Haq in the 1980s. Consequently, minorities live in constant fear of threats to their lives and property, desecrations of their places of worship, and punishment under the Blasphemy Act.^{ccxli} Nuzzhat Shirin of the Aurat Foundation adds: "It's Muslims winning by intimidation. It's Muslims overcoming a culture by threatening it, by abducting young girls so that an entire community moves out or succumbs to the Muslim murderers."^{ccxlii} Pakistani Bishop T. Nasir renounced his Pakistani nationality to protest deteriorating human rights conditions. In an emotionally-charged plea to President Musharraf, he stated he experienced "extreme hate, religious discrimination, intolerance for the Christian community at every level of Islamic society of Pakistan."^{ccxliii} Noted human rights activist Suhas Chakma went even further by describing the current system in Pakistan as "religious apartheid."^{ccxliv}

Pakistan's genocidal regimes and acts have gone unpunished because of the quirks of history and international relations. For example, the 1981 UN Declaration of Universal Human Rights notes, "Among the genocides of human history, the highest number of people killed in the small span of time is in Bangladesh in 1971. An average of 6,000 to 12,000 people were killed every single day. This is the highest daily average in history." The majority of those killed, raped, and maimed were Hindus. A commission of inquiry appointed by the Pakistan government, the Hamoodur Rahman Commission,^{ccxlv} recorded testimonies of Pakistani army officers who quoted General Amir Abdullah Khan Niazi asking the question, "How many Hindus have you killed today?" as a matter of routine.^{ccxlv} This is Pakistan's legacy, but because of Pakistan's strategic location and opportunistic alignment with Western forces, the nature and culture of Pakistan's establishment has been forgotten and forgiven by international powers.

Interestingly, U.S. intelligence, defense, and diplomatic officials are now saying that "there's little hope of preventing nuclear-armed Pakistan from disintegrating into fiefdoms controlled by Islamist warlords and terrorists." An intelligence official said, "It's a disaster in the making on the scale of the Iranian revolution."^{ccxlvii} Evidence for such prognoses can be found in the number of terrorist plots emanating from Pakistan. It is reported that three out of four terrorist plots in Britain have their origins in Pakistan. It is also reported that 4,000 young British Muslims have been trained in terrorist camps in Pakistan, and nearly 400,000 British Muslim citizens visit Pakistan each year.^{ccxlviii}

American lawmakers, who delivered billions of dollars to Pakistan for its "support" in fighting the war in Afghanistan, have now come to realize the monies did not go where it was supposed to go. A report says that of the \$12 billion given to Pakistan in aid between 2002 and 2008, including \$6.6 billion in military assistance, only \$500 million reached the military to fight terror. The rest was diverted to strengthen the military, bolster terror against India, and subsidize President Musharraf's failing economy to make the dictator look good.^{ccxlix}

Status of Human Rights, 2010

There was little improvement in the status of religious minorities in 2010, and there were no legislative initiatives to deal with the growing fundamentalism and extremism in the country. Hindus continued to be the target of kidnappings, rape, and intimidation in Pakistan as in previous years. The bonded labor system, that mostly affects Hindus, was left unchecked. Government regulations and laws shaped by Islamic Sharia injunctions were unchanged. As noted in our 2009 report and as confirmed at a hearing

in the U.S. House of Representatives in October 2009, Islamic anti-blasphemy laws disproportionately affect Hindus, Christians, and Ahmadiyas.^{ccl}

In the aftermath of the devastating floods starting in late July 2010, Pakistani Hindus reported facing discrimination in securing the basics for survival and being turned away at government-run relief centers. Most of the affected lost all their possessions and were vulnerable to cold and disease from a quickly approaching winter.

An HAF delegation met with Dr. Muhammad Syrus Qazi, Counsellor and Liaison Officer for the House of Representatives, at the Pakistan embassy in Washington, D.C. in September 2010. The delegation conveyed sympathy over the plight of Pakistani people affected by the catastrophic floods. HAF offered to send a team of experienced Hindu American physicians to deliver emergency and surgical care and provide medical aid and supplies specifically to the people of the Sindh region. Hindu minority leaders in Sindh had contacted HAF and reported that they were severely affected by the floods and in acute need for aid. During their meeting with Dr. Qazi, the HAF delegation highlighted reports that in some relief camps beef was being distributed to Hindus. “The Pakistani Hindu Sindhi community requires unique dietary, psychological, and rehabilitative needs,” said Arvind Chandrakantan, MD, Executive Council member of HAF. “We sincerely believe that a medical team from the Hindu American Foundation with its combined expertise in a variety of medical sub-specialities can evaluate, provide medical care for, and help coordinate the future needs of this community.” HAF also listed four major concerns consistently raised in its annual report: the abduction and rape of young Hindu women/girls, who might then be forcibly converted or married to Muslim men; blasphemy laws targeting minority religion members; the inclusion of religious identity in the passports issued by Pakistan; and bonded labor in Sindh province that mostly affected poor Hindus.

According to the HRC, “Affiliation of a state to a religion has always led to [institutionalizing] discrimination against those who profess a different faith – and that is exactly what has happened in Pakistan. Discrimination by the state, duly enshrined in the constitution and the laws of the land, encourages additional social discrimination, virtually reducing religious minorities to second-class citizens whose rights and welfare are easily ignored and violated both by the majority community and the state.”^{ccli}

Religious Freedom

Hindus and other minorities are routinely denied the freedom to practice their religion through a series of discriminatory laws and attacks on their places of worship. Islam has become institutionalized in Pakistan and permeates the legal framework of the country. For instance, Article 2 of the Constitution proclaims that Islam is “the State religion of Pakistan,” and recognizes that the Koran and Sunnah as the highest sources of law, not to be contradicted by secular laws.^{cclii} Furthermore, Article 41(2) expressly provides that an individual must be Muslim in order to hold the office of President of Pakistan.^{ccliii}

The Constitution also provides that high office holders must take the oath of office by invoking an Islamic prayer, regardless of whether they are Muslim. On March 24, 2007, a Hindu judge, Rana Bhagwandas, was sworn in as acting Supreme Court Chief Justice, following the suspension of sitting Chief Justice Iftikhar Muhammad Chaudhry.^{ccliv} The Hindu judge was required to take the Islamic oath, “[i]n the name of Allah, the most Beneficent, the most Merciful,” and ended with “May Allah Almighty help and guide me, (A’meen).”^{cclv} The Constitution and other statutory laws favor Muslims and directly and indirectly discriminate against religious minorities, thereby making them second-class citizens.

In May 2010, the European Parliament passed a resolution urging religious freedom and change in Pakistan’s laws.^{cclvi}

Blasphemy Laws

The blasphemy laws, which are part of Pakistan's Penal Code, impose severe punishments for insults to the Prophet Mohammed or desecration of the Koran. Section 295-C of the Penal Code provides the harshest penalty, mandating the death penalty for the use of derogatory remarks about the Prophet Mohammed.^{cclvii} These archaic laws have harmed all sections of Pakistani society, but have had the greatest impact on religious minorities, particularly Hindus, Christians, and Ahmadiyas. There are currently dozens of blasphemy cases pending in the court system, while the accused languish in jail under oppressive conditions.^{cclviii} In March 2009, Pakistan presented a resolution to the United Nations Human Rights Council in Geneva calling upon countries to formulate laws against the defamation of religion in an insidious attempt at the universal sanctification of a medieval, feudal, and discriminatory blasphemy law. Unfortunately, the U.N. Human Rights Council passed the resolution.^{cclix}

There have been over 4,000 registered blasphemy cases since the laws’ inception in the 1980s, with the accused often being killed by Muslim mobs. According to Pakistani

analysts: “In most cases, the accused languish in prison until their cases are decided, but even behind bars, they live in fear of violence against them by other inmates. The fears of being set upon only increase after acquittal and release...In its 2008 annual report, the [Human Rights Commission of Pakistan] comments that a growing number of Muslims in Pakistan had begun to feel that the only true version of Islam is the one they practise and as the State had failed in its duty to protect the interests of the religion ‘that it is their religious duty to enforce it on all and sundry by deploying all possible means, including the use of force against those who do not fall in line.’”^{cclx}

Anyone who insults the prophet is to be put to death, the medieval schools of Sharia proclaim, and they differ only about how the blasphemer is put to death. “It is this unanimity which has led the federal shariat court to rule that the death penalty is mandatory and left the judges with little discretion in particular cases,” said one commentator.^{cclxi}

In 2010, in Sindh province alone, 32 cases of blasphemy were registered. According to HRCP, however, a total of 24 cases and convictions were recorded in 2010. Since 1986, at least three people were murdered after being charged under the blasphemy laws, according to data compiled by the HRCP. In May 2010, two Christian couples in Karachi were accused of blasphemy and went into hiding. According to the Asian Human Rights Commission, seven Hindus from the Bheemo Mal Megwar Para area in Mirpurkhas were arrested on blasphemy charges after Muslim residents attacked a Hindu settlement in the area on August 23.^{cclxii} According to the Ansar Burney Trust, ten non-Muslims have been murdered while still on blasphemy trial in Pakistan.^{cclxiii}

According to reports, parliamentarian Sherry Rehman, who was spearheading a move to reform the blasphemy laws, was practically confined to her home because of death threats. Fearing more violence, after the assassination of Punjab Governor Salman Taseer by his own bodyguard, the government asked Rehman to withdraw the bill proposing amendments to these laws fearing a public backlash.^{cclxiv}

Unfortunately, Pakistan’s Supreme Court rejected an appeal against a Federal Sharia Court ruling that had declared that death is the only allowable punishment for blasphemy under Islamic law, worrying both human rights organizations, minorities in Pakistan and people worldwide.^{cclxv} That the blasphemy laws remained in place because of a nexus between political parties and fundamentalist, radical Islamic clergy became evident in September 2009, when Chaudhry Shujaat Hussain, president of the PML-Q party, said that his party would protest any change to the existing blasphemy laws. He claimed that it was the duty of every Muslim to defend the blasphemy laws. Former

President Musharraf belongs to the PML-Q party.^{cclxvi} When others declared that the blasphemy law would be challenged, the head of the Jamiat Ulema-e-Pakistan (Assembly of Pakistani Clergy) party said, "We will not allow it."^{cclxvii} Pakistan's radical Islamists continue to preach hatred, and because of this nexus between the army, intelligence, politicians, and Islamists, any pressure on Pakistan to curb radical Islamism gets a lukewarm response.^{cclxviii}

The blasphemy laws have often been misused and employed as a means to target and harass non-Muslims. Furthermore, these laws inherently discriminate against minorities and severely restrict freedom of thought and religion. A timeline of incidents affecting Christians accused under the blasphemy law shows the continuing discrimination of minorities in Pakistan.^{cclxix}

Besides the existing blasphemy laws, an Apostasy Bill was introduced by a coalition of Islamist parties known as the Mutathida Majlis-e-Amal (MMA) in the National Assembly in May 2007. The Bill requires the death penalty for a Muslim man converting to another religion and a life sentence for a Muslim woman convicted of the same offense.^{cclxx} It seems that the Apostasy Bill has not found traction, though a similar bill passed in Iran.^{cclxxi}

Closing out 2010, a 24-hour strike was called by Sunni Muslim groups to protest any changes in the existing blasphemy laws. A Sunni cleric in Islamabad warned in his Friday sermon that any change to the blasphemy law would happen "over our dead bodies."^{cclxxii} Members of the judiciary themselves support the blasphemy law, making its repeal more difficult. It is reported that the Lahore High Court is biased in favor of the law rather than correcting the abuses that happen because of it. The Court stayed the president from granting pardon to the latest victim, and a retired judge of the High Court, Nazir Akhtar, stated his support of the law. Another sitting judge of the Lahore High Court reportedly used to tell people at social gatherings that they should kill the blasphemer instead of invoking the law against him.^{cclxxiii}

Religious Identification Laws

On March 24, 2005, Pakistan restored the discriminatory practice of mandating the identification of religion of individuals in all new passports. The Pakistan federal cabinet, with Prime Minister Shaukat Aziz in chair, directed the Ministry of Interior to reintroduce the rule after its repeal under the Zafarullah Khan Jamali government in 2004. The move was seen as a concession to the Muttahida Majlis-e-Amal (MMA), a coalition of hard-line religious parties that supported General Musharraf.^{cclxxiv} Religious Identification laws tend to promote discrimination against non-Muslims, as they

separately identify minorities from the majority Muslim population. This further establishes their inferior status and also leaves them vulnerable to religious persecution and harassment at the hands of government officials.

Temples/Pilgrimage Sites

Pakistan is home to several ancient Hindu temples and pilgrimage sites, but there has been a drastic decline in the number and condition of Hindu temples since the partition of the subcontinent in 1947. In the northwestern city of Peshawar, there are only two remaining Hindu temples. Many of the existing temples suffer from decay and neglect (from a lack of funds/government support) and are subject to attacks and illegal encroachments. "Hindus are left behind in every walk of life. They don't have possession of their sacred places and other properties. If Hindus were given the possession of their assets, their misery could be alleviated," said Haroon Sayab Diyal, chairman of the Pakistan Hindu Rights Movement.^{cclxxv}

According to a report, nearly 360 sacred Hindu sites are in Pakistan, including the Hanglaj Maata Mandir in Balochistan, the Sadho Beela Mandir in Sindh, the Hanuman Mandir in Kotri, the Kali Ma and Shiva Mandir in Punjab's Imanabad, the Ganga Khogi in Saidan Shah Punjab, the Kali Bari Mandir and Kala Sathi Kewal Raam in Dera Ismail Khan, the Raam Takht in Swat, and a Shiva Mandir in Mansehra. But the government is neither ready to protect and maintain these sites, nor is it willing to hand them back to the Hindu community, according to Hindu leaders.^{cclxxvi}

The continued demolition and encroachment of Hindu temples in Pakistan is often accomplished with the tacit support of government authorities and police. In many parts of the country, Hindus are prevented from building new temples and/or freely practicing their religion. For example, according to a report by Pastor Rafiq Bhatti of the Stephens Shaheed Foundation, an organization that works primarily with Christians, even in Hindu villages in rural Sindh Province, Hindus are refused permission to build places of worship.^{cclxxvii}

A report by the United States Commission on International Religious Freedom (USCIRF) points out that "Hindu temples have been the object of violence in the province of Baluchistan, where Hindus are the largest religious minority and where ethnic Baluchi insurgents have been waging a struggle against the central government for many years."^{cclxxviii}

In May 2008, the Evacuee Trust Property Board (ETPB) leased a 100-year old Hindu

temple to a Muslim man in Karachi, who converted the sacred site into an auto repair workshop. According to an article in the *Daily Times*, a Pakistani newspaper, “Rusted broken iron bars, scratched plasters, wrecked fences and cars parked outside for repairs are the sights at the century-old Ratan Talha Hindu temple, once known for its beautiful architecture.” Moreover, the Muslim owner of the workshop now uses the main prayer area as a storeroom and restricts local Hindu devotees from visiting the temple.^{cclxxix} The ETPB is responsible for managing a large number of Hindu properties, including temples, left behind by Hindus who fled for India at the time of partition in 1947. The Trust Board lacks adequate Hindu representation and has consistently failed to consult Hindu organizations, such as the Pakistan Hindu Council, before making decisions regarding Hindu properties and places of worship.^{cclxxx}

Another example is the Shri Varun Dev Mandir, a Hindu temple estimated to be over 1,000 years old. Due to a lack of funds and government support, the ancient temple, which faces the Arabian Sea in Manora Island, Karachi, is currently in a state of decay and disrepair. According to the temple’s caretaker, the temple has been unable to hold services or rituals since the 1950s and is regularly desecrated by local Muslims, who use its premises as bathrooms.^{cclxxxi}

The Katas Raj Temple, located in the Katas Valley near Chakwal in Punjab province, has been repeatedly looted for its ancient sculptures and relics, leaving only one remaining sculpture. The Punjab Archaeology Department, which is responsible for renovating and preserving the historic temple, has failed to provide adequate security at the temple complex. Pundit Javed Akram Kumar, chief of the Katas Raj Parbandh Committee, said that the “temple was one of the most ancient sites in the country.” He said that Katas valley was famous for its beauty, and centuries ago, there used to be a Sanskrit University in the valley which had produced many eminent scientists, including Alberuni, who wrote his book “Kitab Al Hind” at the university. Kumar added that there had been a Buddhist stupa at the site which had signs of an ancient [civilization] that lived in the area centuries ago.^{cclxxxii}

In 2006, an ancient 400 year-old Ashnan Ghat (sacred bathing site) in Lahore which holds great religious importance for both Hindus and Sikhs, was sought to be used to build a 12-storey shopping complex. EPTB Chairman Lt Gen (R) Zulfiqar Ali Khan said Hindus might have used the “ashnan ghat” for ceremonial ablutions at some time in the past, but “there had been no such ceremonies there since Partition”.^{cclxxxiii}

Pakistan also has a number of sacred pilgrimage sites, which are visited by thousands of

pilgrims every year, including the famous Mata Hinglaj Temple, located in a mountain cave on the banks of the River Hingol in Baluchistan province. Hindu pilgrims have previously come under attack by Muslim extremists, including an incident in 2006, where two pilgrims were killed and seven wounded after militants attacked a caravan carrying Hindu pilgrims in Sindh.^{cclxxxiv} There are very few concerted efforts at restoring and maintaining temples in Pakistan, though it is hoped that organizations like the Pakistan Hindu Council,^{cclxxxv} started in 2005, would begin to organize people and efforts to do so.

General Violence

Attacks on Minorities

Religious minorities in Pakistan continue to face regular attacks and live in constant fear for their safety. Of particular concern are the frequent abductions of Hindus, which have left the Hindu community in Pakistan in a continuous state of fear and insecurity and with little protection from law enforcement authorities. According to Mukesh Kumar, Pakistan People's Party Member of Provincial Assembly, at least one Hindu is kidnapped every month. A ten million rupee ransom was demanded by abductors of Robin Singh, a Hindu engineer, in February 2010. This came two days after two Sikhs were beheaded by extremists in the dangerous tribal belt of Northwestern Pakistan.^{cclxxxvi} Given the spate of attacks against Hindus in Balochistan province, 27 Hindu families appealed to the Indian High Commission in Islamabad for political asylum in India.^{cclxxxvii}

The failure of government authorities to protect Hindus has forced many to pay local gangs "protection money" to avoid being kidnapped for ransom. Often times, however, a family is unable to pay "protection money" and cannot afford the demanded ransom, resulting in the abducted victim being murdered.^{cclxxxviii} Because of these kidnappings and the threats of kidnapping, many Hindus have decided to migrate to India. As a Pakistani Hindu writer bemoaned, "The Hindu community is peaceful — so what is its biggest sin? It is a minority in a land where there is no rule of law. All that is needed is the political will to go after those involved in these kidnappings — the incidents will stop and our Hindu compatriots will stop fleeing to India."^{cclxxxix}

The violence in Swat Valley in 2009 forced the few remaining Hindus there to flee the region and head towards India. According to a news report, more than 6,000 Pakistani Hindus migrated to India in months prior to March 2009. They live on the margins of society in India, without legal documents, hoping to be accepted and rehabilitated in

India.^{CCXC} Hindu Singh Sodha, president of Seemant Lok Sangathan, a group working for the refugees in Rajasthan, India, said that there is no clear Indian policy on refugees even though people from Pakistan reach India in large numbers seeking refuge from extremism and violence.^{CCXCI} There are nearly 350,000 Pakistani Hindu migrants now in India, mostly living in Rajasthan and Gujarat. It is a tragedy that successive Indian governments have neither put in place a coherent policy to deal with these refugees nor shown concern for the plight of these “nowhere” people.^{CCXCII}

In July 2009, it was reported that Taliban militants in the North Western Frontier Province of Pakistan forced religious minorities to pay an extra tax known as *jizya* in return of their protection.^{CCXCIII} The head of the Karachi Hindu Panchayat said, “We are under more and more of a threat because of these extremists, but we ourselves feel if we take the wrong step, even to tell of the wrong things, then it will be death for us. We worry about the future of our families and our children here in Pakistan - all of us (minorities) do today because of these extremists.”^{CCXCIV}

Violence against Women

Violence against women is used as a weapon of intimidation and subjugation and is prevalent throughout Pakistan. Every year, thousands of Pakistani women are the victims of honor killing, rape, kidnapping, and domestic violence. Hindu women, along with other minorities, are particularly vulnerable to gender based violence and suffer disproportionately. A total of 4069 incidents of violence were registered from January to June 2010, of which 2690 cases were reported from Punjab, 940 from Sindh, 342 from Khyber Pakhtunkhwa, 56 from Balochistan, and 41 from Islamabad. According to the Aurat Foundation, this represents a slight decrease in the first six months of 2010 compared with the first six months of 2009, during which 4514 cases were reported throughout Pakistan.^{CCXCV} Nearly 1,200 women were killed in Pakistan in 2010, according to a report by the Madadgar Foundation. The report revealed that 321 were raped and 194 gang-raped, a total 1,091 were tortured, 126 were burnt, 383 were kidnapped, 316 were tortured by police, and 491 committed suicide. A total of 4,870 cases of violence against women were registered by the police. The total number of cases reported since 2000 was 79,909.^{CCXCVI}

A Hindu nurse, Bano, working in Karachi, was reported missing in August 2009. The Hindu community feared that she had been kidnapped, killed, or converted to Islam. A Hindu spokesperson told the media that Bano “had an altercation with the hospital administration” just before she disappeared.^{CCXCVII}

Hindu women have reportedly run into trouble when they apply for computerized national identification cards (CNIC), because Hindu marriages are not recorded in the same manner as Muslim marriages. For example, Pram Sri Mai, a married Hindu woman who applied for a CNIC, was not only turned down by the National Database and Registration Authority, but also charged with “having an illicit relationship with a man and bearing illegitimate children.”^{ccxcviii}

According to the U.S. State Department report on religious freedom, in April 2009, a minority minister in the Sindh Assembly claimed that 18 Hindu women had been abducted and forced to convert to Islam, and one of them was killed.^{ccxcix}

Violence against women is a serious problem throughout the world, but more so in Pakistan and particularly against Hindu women. This violence occurs primarily in the form of rape, honor killings, and domestic abuse. Although violence is disproportionately used against Hindu women as a weapon of subjugation and religious persecution, the crimes transcend religion, and Muslim women are frequent targets of Islamic extremists. For example, in August 2009, the Pakistani Taliban’s moral police executed two Muslim women for engaging in allegedly “immoral behavior.” A note left on their dead bodies threatened other women with similar consequences for such behavior. According to the Taliban and other Islamists, “immoral behavior” includes talking to men outside of their families.^{ccc}

In another horrific incident, five women were buried alive in Baluchistan province. According to the AHRC, the younger brother of Sadiq Umrani, a provincial minister in Baluchistan, was involved in the incident.^{ccci} Subsequently, three more women were buried alive after they protested the earlier incident.^{cccii}

Hudood Ordinance

The Hudood Ordinance in Pakistan, enacted in 1979 and replaced/revised by the “Women’s Protection Bill,” is a medieval law used to oppress and intimidate women. It has been used to imprison thousands of women who report rapes. Under the ordinance, in order to prove rape charges, a female rape victim is required to present the testimony of four male witnesses. If she is unable to do so, she herself may then be punished for committing adultery.^{ccciiii} This law effectively silences rape victims since they face the possibility of being charged with adultery, as the probability that a woman is able to produce four male eyewitnesses is miniscule.

The Women’s Rights Bill, introduced in November 2006, slightly amended the Hudood Ordinance by reducing the required male eyewitnesses for a rape conviction from four

to two. Although this was a positive step forward, the new Women's Rights Bill still presents substantial obstacles for rape victims to achieve justice. According to the U.S. State Department, women arrested under the Hudood Ordinance "on charges of fornication, adultery, and possession of liquor" are now having their cases heard under the Women's Protection Bill.^{ccciv} Unfortunately, other provisions of the Hudood Ordinance still remain intact.^{cccv} Despite repeated calls by women's rights and human rights group to repeal the ordinance, the Pakistani government has yet to take action.

In addition to the Hudood Ordinances, the *qisas* (retribution) and *diyat* (compensation) ordinances allow an honor killing to be forgiven by the victim's relatives in exchange for monetary compensation. Moreover, the compensation for an honor crime against a woman is only half that of a male victim.^{cccv}

Rape/Kidnapping/Forced Conversions

A worrisome trend in Pakistan, particularly in the Sindh province, is the abduction and forced conversion to Islam of Hindu girls. According to a report prepared by the ACHR: "It is a crime for the Hindus to have land and beautiful daughters. Kidnapping, rape and forcible marriage of Hindu girls is a common practice. In case of arrest, the accused can get away by producing a certificate issued by any Muslim seminary that the kidnapped girls have voluntarily adopted Islam and the accused have married the girls. The courts generally do not consider the fact that most of the girls are minor, and simply accept the certificate of conversion without any investigation. It has been reported that more than 15 families are forcibly converted from Hinduism to Islam in Sindh province every year. Often, young Hindu girls were kidnapped and forcibly married."^{cccvi}

In March 2010, Amarnath Motumal, an advocate and member of the Human Rights Commission of Pakistan (HRCP), said that as many as 20 to 25 girls from the Hindu community in Pakistan are abducted every month and converted forcibly to Islam. He said, "[I]n Karachi alone, a large number of Hindu girls are being kidnapped on a routine basis and converted to Islam." Bherulal Balani, another legislator, said, "Once the girls are converted, they are then sold to other people or are forced into illegal and immoral activities." In October 2010, a committee of the Pakistani Senate expressed concern over reports that Hindu girls in the Sindh province are being abducted for forced conversion to Islam.^{cccvi}

Hindu children are also the victims of kidnapping. A recent three-year study revealed that Hindus suffer the brunt of child kidnappings. Between January 2008 and December 2010 at least 23 children – some as young as three years old – were kidnapped for ransom. Of the 23, nine were Hindus, including four girls. The report says that the

number of kidnappings could be even higher because many of the cases go unreported due to the threats by the kidnappers to harm the children if the parents complain.^{cccix}

Several Islamic seminaries in Sindh incite their Muslim students to convert Hindu girls, telling them that it is the equivalent of *Haj-e-Akbari*, or the greatest religious duty for Muslims.^{cccix} Wasim Shahzad, the Minister of State for Interior, believes that kidnappings and forced conversions “are taking place to force the Hindus to leave Pakistan where they have been living for the past 5,000 years.”^{cccxi}

In addition to kidnappings and forced conversions, Hindu women are also vulnerable to rape and sexual assault. Below, we report some of the incidents:

- In December 2010, four year-old Roshini was kidnapped in Buxapur town, about two miles away from the Balochistan border.^{cccxi}
- In November 2010, a three and half year old Hindu girl was kidnapped outside a Hindu temple in Sindh.^{cccxi} It is reported that she was found and returned to her parents.
- In September 2010, Poonam, a 13 year-old Hindu girl, was kidnapped and forced to convert to Islam. Poonam was kidnapped from her home in Lyari Town. Neighbors told the parents that they had found the girl in a local madrassa. "She was very scared and under the influence of maulvis. She told us they will not let her go, so she will stay with them as a Muslim," said newspaper reports. When the parents complained to the police, they told them that it would not matter if they lodged a case because the courts would dismiss it.^{cccxi}
- According to a report in April 2010, 15 year-old Gajri, the daughter of Mengha Ram, was kidnapped and forcibly converted in the Punjab province back in December 2009. Gajri was abducted by a Muslim neighbor from her home at Katchi Mandi, Liaquatpur on December 21, 2009. Her parents later discovered that she was being held in a madrassa in Southern Punjab and that she had been married and converted to Islam. On December 26, 2009, the local police station in Gajri's hometown received a letter with an affidavit from the madrassa that said she had “embraced Islam and had married her neighbor Mohammad Salim.” In January 2010, the parents of Gajri tried to file a case of abduction against their neighbor and the madrassa, but their application was refused by district police chief Imtiaz Gul.^{cccxi}
- On January 24, 2010, a 17-year-old Hindu girl was kidnapped and raped by four men, according to the AHRC. A session court, ignoring the law, granted pre-arrest bail to the four men. Instead of giving justice to the victim's family, the

- police later arrested the victim's father on a false offense charge and have obstructed attempts by the family to file a case and obtain a medical report.^{cccxi}
- 12 year-old Nandini, kidnapped in December 2009, had still not been found as late as March 2010. According to the Roshni Research and Development Welfare Organisation (RRDWO), Nandini was allegedly abducted by an influential individual man, Younas.^{cccxvii}

Islamic Extremism

Pakistan continues to be at the center of global terrorism and violent Islamic extremism. There are a number of groups operating freely throughout the country which promote Islamic rule, violent *jihad* (holy war), and hatred towards non-Muslims. These groups, which enjoy the support of Pakistan's intelligence agencies, include Lashkar-e-Taiba, Tehreek-e-Taliban (Pakistani Taliban), Lashkar-e-Omar (a loose coalition of several militant groups), Tehreek-e-Nafaz-e-Shariat-e-Mohammadi, Muslim United Army (an umbrella organization consisting of several extremist groups), Hizb-ul-Mujahideen, and Jaish-e-Mohammed. According to Hafiz Muhammed Saeed, the founder of Lashkar-e-Taiba, "The purpose of Jihad is to carry out a sustained struggle for the dominance of Islam in the entire world..." In addition, there are several militant sectarian Sunni and Shia groups, such as Sipah-e-Sahaba, Lashkar-e-Jhanghvi, Sipah-e-Mohammed, and Tehreek-e-Jaferia Pakistan (for a detailed list of Islamic militant groups see Appendix C).^{cccxviii}

On a trip to Pakistan in October 2009, Secretary of State Hillary Rodham Clinton suggested that Pakistani officials knew where Al Qaeda leaders were hiding. In 2010, Gen. David Petraeus, the top military commander in Afghanistan, acknowledged the longstanding ties between Pakistan's ISI and the "bad guys." Documents leaked by Wikileaks show that the ISI worked with Taliban to organize Muslim militants to fight American soldiers in Afghanistan and hatch plots to assassinate Afghan leaders.^{cccxi} David Rohde, The New York Times reporter who was kidnapped by the Taliban and escaped, said in an interview following the leak of diplomatic cables by WikiLeaks, "These cables confirm what myself and other reporters have suspected for years, and what I saw firsthand on the ground, and that is that Pakistan is aiding the Haqqani network — a major and one of the most deadly Afghan Taliban factions. And it's sort of been an open secret. The positive side from an American perspective on these cables is that they show that the U.S. government is sort of on top of what's happening in Pakistan, and they do understand the dynamics at work there."^{cccxx}

Another report in November 2010 confirmed the same: “Over all, though, the cables portray deep skepticism that Pakistan will ever cooperate fully in fighting the full panoply of extremist groups. This is partly because Pakistan sees some of the strongest militant groups as insurance for the inevitable day that the United States military withdraws from Afghanistan — and Pakistan wants to exert maximum influence inside Afghanistan and against Indian intervention.”^{cccxxi}

The reach of extremists has now extended far beyond the tribal areas, with Islamists targeting civilian and military targets in major cities throughout the country. Non-Governmental Organizations (NGOs) working on development projects and women’s rights have been increasingly threatened by Islamic groups such as the Tehreek-e-Taliban.^{cccxxii}

Islamists have also increasingly started to impose Islamic law in areas under their control, particularly in the North West Frontier Province. According to reports from the region, “Taliban militants are beheading and burning their way through Pakistan’s picturesque Swat Valley and residents say the insurgents now control most of the mountainous region outside the lawless tribal areas where jihadists thrive.”^{cccxxiii} In addition, a fact-finding mission by the HRCP found that in Charsadda District “[s]everal video shops were bombed and even bank employees were warned to wear Islamic dresses and female workers [were ordered] to stop working in banks.”^{cccxxiv} Furthermore, the Pakistani Taliban destroyed approximately 150 schools in north western Pakistan and ordered all privately administered schools in the Swat Valley to close.^{cccxxv}

In 2010, nearly 50 suicide bombings inflicted 1,167 fatalities, compared with 76 such attacks in 2009, with a total of 949 fatalities. Figures compiled by Pakistan’s Federal Ministry of Interior show that 3,433 Pakistanis were killed in 215 incidents of suicide attacks across Pakistan between July 2007 and July 2010.^{cccxxvi}

Social Persecution

Bonded Labor

The bonded labor system in Pakistan systematically enslaves an estimated 1.7 million people, many of whom are young children. This modern day form of slavery primarily affects poor Hindus, who constitute the majority of bonded laborers, particularly in the rural Sindh province where they work for Muslim landowners. Although the system is found primarily in Sindh, it is also practiced in parts of Punjab province.^{cccxxvii} Agriculture, brick kiln, mining, and household are the major sectors that use bonded

labor.^{cccxxviii} According to the UNHCR, “Estimates of bonded labor victims, including men, women, and children, vary widely, but are likely well over one million. In extreme scenarios, when laborers speak publicly against abuse, landowners have kidnapped laborers and their family members. Boys and girls are also bought, sold, rented, or kidnapped to work in organized, illegal begging rings, domestic servitude, prostitution, and in agriculture in bonded labor. Illegal labor agents charge high fees to parents with false promises of decent work for their children, who are later exploited and subject to forced labor in domestic servitude, unskilled labor, small shops and other sectors.”^{cccxxix}

The U.S. Department of Labor maintains that the debt bondage system in Pakistan operates by “giving advances of *peshgi*” (bonded money) to a person. As long as all or part of the *peshgi* debt remains outstanding, the debtor/worker is bound to the creditor/employer. In case of sickness or death, the family of the individual is responsible for the debt, which often passes down from generation to generation. In the case of children, the *peshgi* is paid to a parent or guardian, who then provides the child to work off the debt.”^{cccxxx} The system is characterized by patterns of abuse, detention, and exploitation.^{cccxxxi} While describing their conditions, a group of released bonded laborers reported, “[T]hey were kept in illegal confinement by owners of brick kilns and worked there at gunpoint. They further told that owners of the brick kilns had also threatened to sell them in Quetta.”^{cccxxxii}

In 1992, Pakistan passed the Bonded Labor (Abolition) Act outlawing all forms of bonded labor and forgiving any outstanding debt owed by laborers to their employers.^{cccxxxiii} Despite this legislation, local government officials have been uncooperative in ending the practice and securing the release of bonded laborers. Moreover, the police are often unwilling to register complaints against abusive landowners. Although human rights groups, particularly the HRCF, have helped release thousands of debt laborers, the laborers are frequently recaptured by their landlords.^{cccxxxiv}

Police rescued 13 members of a single family from bonded labor in Sialkot, and while a case was registered against three brick-kiln owners, no arrests were made.^{cccxxxv} Notwithstanding these efforts by human rights organizations and the passage of the Bonded Labor (Abolition) Act, the practice of debt labor continues to thrive and plague poor Hindus and other marginalized segments of Pakistani society.

Institutional Discrimination

Economic/Political Discrimination

Hindus, along with other minorities, face systemic economic and political discrimination in Pakistan. The majority of Hindus in Pakistan are poor and economically marginalized, with large numbers enslaved in the bonded labor system. For example, during his visit with Hindu villagers, Pastor Rafique Bhatti of the Stephens Shaheed Foundation found that Hindus suffered from a lack of education and job opportunities. According to the villagers he met, the government failed to provide Hindu villages with basic facilities, including a regular water supply, electricity, medical treatment, and schools.^{cccxv}

Hindus are also severely underrepresented in government jobs. With the exception of former Supreme Court Justice Rana Bhagwandas, Hindus rarely hold top civilian or military positions.^{cccxvi} According to a census of federal civil servants taken in 2006, only 0.21% of available civil service positions were held by Hindus. This is well below their overall population, which is approximately 1.6%.^{cccxvii}

In addition to economic discrimination, religious minorities, including Hindus, are politically disenfranchised and lack genuine representation. An HRC report from 2007, for instance, found that significant numbers of minority voter names were left off voter lists in Sindh province.^{cccxviii}

A report of the Evacuee Trust Property Board (ETPB) revealed that 135,000 acres of land belonging to Hindu farmers was under ETPB control, of which 125,000 acres was fertile land suitable for cultivation. Sacred sites, commercial spaces and other properties are also in the possession of ETPB, which employs mostly Muslim workers.^{cccxix}

Until recently, Pakistani Hindus had not organized politically. Beginning in the 1990s, however, Hindus became more assertive and joined alliances with other religious minorities. In 2002, they joined Christians and other groups to form the All Pakistan Minorities Alliance (APMA). Moreover, organizations such as the Pakistan Hindu Welfare Association and coalitions of Hindu *panchayats* (local councils of elders) have led in political organizing.^{cccx}

Hindus and other minorities achieved a rare political victory in 2002 with the removal of separate electorates for Muslims and non-Muslims. The separate electorate system had marginalized non-Muslims by depriving them of adequate representation in the assemblies. The Pakistan Hindu Welfare Association was active by convening a national conference on the issue in December 2000. And in 2001, Hindus, Christians, and

Ahmadis successfully conducted a partial boycott of the elections, culminating in the abolishment of the separate electorate system in 2002. This allowed religious minorities to vote for mainstream seats in the National and Provincial assemblies, rather than being confined to voting for only minority seats.^{cccxlii} Despite the victory, however, Hindus still remain largely disenfranchised.

Educational Discrimination

Pakistan's education system, directly supported by millions of U.S. dollars, promotes hatred and intolerance towards all non-Muslims, particularly Indians and Hindus.^{cccxlili} A report in the *Christian Science Monitor* cites a study done by two British-Pakistanis, which found that social science and history textbooks contained "disturbing" themes such as "Pakistan is for Muslims alone," "The world is collectively scheming against Pakistan and Islam," and "Muslims are urged to fight Jihad against the infidels." Textbooks portrayed Hinduism as an inherently iniquitous religion: "There is no place for equality in Hinduism." Such bigotry is not merely the concoction of some poorly educated Islamist bureaucrats, but is also supported by academics. A professor at the Lahore University of Management Sciences, Rasul Baksh Rais, said that "every nation has the right to construct its own historical narrative as part of the legitimate process of nation-building."

A National Commission for Justice and Peace (NCJP) report found that: "Government-issued textbooks teach students that Hindus are backward and superstitious, and given a chance, they would assert their power over the weak, especially Muslims, depriving them of education by pouring molten lead in their ears..." The report added that students were taught that Islam brought peace, equality, and justice to the subcontinent, to check the sinister ways of Hindus. "In Pakistani textbooks Hindus rarely [appear] in a sentence without adjective[s] such as politically astute, sly or manipulative," the report said.^{cccxliv}

A report by the Sustainable Development Policy Institute (SDPI), Islamabad illustrates how the education system contributed to the "culture of sectarianism, religious intolerance and violence." SDPI found that the current curriculum and textbooks were "impregnating young and impressionable minds with seeds of hatred" to serve a self-styled ideological straitjacket. It also noted that there existed "substantial distortion of the nature and significance of actual events in Pakistan's history; insensitivity to the existing religious diversity of the nation; promotion of perspectives that encourage prejudice, bigotry and discrimination towards fellow citizens, especially women and religious minorities and other nations; a glorification of war and the use of force; and

incitement to militancy and violence, including encouragement of loaded concepts like jihad and martyrdom.”^{cccxliv}

Even basic reference to minorities and their culture were removed from school textbooks. A paragraph removed from a chapter about the festivals of Pakistan in an English language textbook said: “Minorities also have their festivals. The Hindus celebrate Divali, Doshera and Holi. They pray in temples and enjoy their festivities. The Christians celebrate Christmas on 25 December. It is the birthday of Jesus Christ. They decorate Christmas trees, churches and their homes. Special prayers are offered in churches, and after that there is a great deal of festivity.”^{cccxlv}

A November 2010 report stated that Pakistani school textbooks continued to peddle narrow-minded sectarianism and blotted out information regarding minorities. According to experts, class I to III textbooks in Punjab did not provide content sufficient to enable “a child to gain basic knowledge in any subject,” and the textbooks were “overloaded with religious and moralistic preaching and paid scanty attention to themes related to nation-building.” “Meri Kitab” (“My book”) for class I declares that Punjab, Frontier, Sindh, Balochistan, and Kashmir are parts of Pakistan, despite the fact that the majority of Kashmir remains a part of India, and Pakistan and India are still squabbling over it. Children read nothing about Pakistan’s non-Muslims in the primary classes. In the Urdu book for Class V, while describing “Our Punjab,” mentioned, “The majority of people living in Punjab are Muslim. The people order their lives according to Islamic teachings. Here, besides Muslims, the inhabitants also include non-Muslims.”^{cccxlvii}

A small sliver of encouraging news appeared in 2010. It was reported that schools in the Punjab province and Khyber-Pakhtunkhwa would only teach “peace and love” to students. Whether that will happen, or whether it is merely a pipe-dream only the future will tell.^{cccxlviii}

The following extracts (translated from Urdu to English) from government-sponsored textbooks approved by the National Curriculum Wing of the Federal Ministry of Education demonstrate the derogatory and inflammatory portrayal of Hinduism to the children of Pakistan:^{cccxlx}

- Grade IV: “The Muslims of Pakistan provided all facilities to the Hindus and the Sikhs who left for India. But the Hindus and the Sikhs looted the Muslims in India with both hands and they attacked their caravans, buses and railway trains. Therefore, about one million Muslims were martyred on their way to Pakistan... The Hindus treated the ancient population of the Indus Valley very badly. They

set fire to their houses and butchered them...The religion of Hindus did not teach them good things, [and the] Hindus did not respect women.”

- Grade V: “The Hindu has always been an enemy of Islam.”
- Grade VI: “Before the Arab conquest the people were fed up with the teachings of Buddhists and Hindus...The Hindus who had always been opportunists cooperated with the British...The Hindus used to please the goddess Kali by slaughtering people of other religions...The Hindu setup was based on injustice and cruelty.”
- Grade VII: “Hindus always desired to crush the Muslims as a nation [and] several attempts were made by the Hindus to erase Muslim culture and civilization...Some Jewish tribes also lived in Arabia. They lent money to workers and peasants on high rates of interest and usurped their earnings. They held the whole society in their tight grip because of the ever-increasing compound interest.”
- Grade VIII: “Before Islam people lived in untold misery all over the world.”
- Grade IX: “In connivance with the (British) government the Hindus started communal riots and caused loss of life and property. At the time of prayers the Hindus tortured the Muslims by playing music in front of the mosques.”
- Grade IX – X: “One of the reasons of the downfall of the Muslims in the sub-continent was the lack of the spirit of jihad.”
- Grade X: “Islam gives a message of peace and brotherhood...There is no such concept in Hinduism.”

In addition to these negative and inflammatory depictions of Hinduism, several government run schools, particularly in Sindh, force Hindu students to take Islamic studies classes. Hindu students and other minorities are denied the opportunity to take classes in their own religions and often struggle in the Islamiyat courses. These schools include N.A. Bechar Government Primary School, also known as Syed Mahmood Shah Gazi and Sindh Madrasatul Islam School, in Karachi. Although the education board has technically implemented an alternative ethics course, in reality the schools and teachers still force non-Muslim students to take the Islamiyat classes.^{cccl}

Violations of Constitution and International Law

Constitution of Pakistan

Articles 20, 21 and 22 of Pakistan's Constitution guarantee religious freedom and safeguards to its citizens.^{cccli} For example, Article 20 states, "Every citizen shall have the right to profess, practice and propagate his religion; and every religious denomination and every sect thereof shall have the right to establish, maintain and manage its religious institutions."^{ccclii} However, Article 19 of the Constitution asserts,, "Every citizen shall have the right to freedom of speech and expression, and there shall be freedom of the press, subject to any reasonable restrictions imposed by law in the interest of the glory of Islam or the integrity, security or defense of Pakistan," thus making religious freedom subordinate to the supremacy of Islam.^{cccliii} Despite the assurances provided in Articles 20-22, Article 19 establishes justification for the persecution of Hindus, Christians, and Ahmadiyyas, including the destruction and desecration of their places of worship and punishment under the blasphemy laws. Pakistan is a signatory to international agreements which prohibit cruel and degrading punishment. It is time for it to honor its commitments and to stand up to extremist purveyors of hate.

Article 25 of the Constitution maintains: "All citizens are equal before law and are entitled to equal protection of law...There shall be no discrimination on the basis of sex alone."^{cccliv} Despite the constitutional guarantee of equal protection, women regularly face rape, honor killings, and domestic abuse without adequate protection from Pakistani laws. Moreover, they continue to face a myriad of inequalities in the judicial system, and will continue to do so, as long as the Hudood Ordinance remains in effect.

Article 35 mandates, "The State shall protect the marriage, the family, the mother and the child."^{ccclv} Article 36 states, "The State shall safeguard the legitimate rights and interests of minorities, including their due representation in the Federal and Provincial services."^{ccclvi} In reality, however, neither the rights of families nor minorities are being protected by Pakistan; kidnappings and forced conversions of Hindu girls continue to recur.

International Human Rights Law

Curiously, Pakistan has taken no action toward signing or ratifying the UN's International Covenant on Civil and Political Rights (ICCPR), although it is still accountable for its provisions under customary international law. Several of the Articles encompassed in the ICCPR have been repeatedly violated by Pakistan. For instance, Article 18 protects

the basic “right to freedom of thought, conscience and religion.”^{ccclvii} The blasphemy laws and their application to minorities, clearly violate this article. Moreover, under Articles 26 and 27, religious minorities are guaranteed equality before the law and freedom of religion without discrimination.^{ccclviii} Contrary to Articles 26 and 27, however, the Constitutional preference for Islam, religious identification laws, and depiction of Hinduism in school textbooks, all promote discrimination against Hindus. Additionally, the forced marriage of kidnapped Hindu girls to Muslim boys clearly contravenes Article 23(2), which states, “No marriage shall be entered into without the free and full consent of the intending spouses.”^{ccclix}

Other international covenants and human rights treaties are also relevant to the situation in Pakistan. For instance, the Declaration on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion or Belief, applies to Pakistan's treatment of its religious minorities, particularly Hindus. The Declaration mandates that each person has the right to practice the religion of his/her choice and should not be subject to discrimination based on his belief system.^{ccclx} The institutionalization of Islam by the government, however, has led to the social, economic, and political discrimination of Hindus and other religious groups. Moreover, contrary to the Declaration, Hindus have been subjected to violence, conversions, and other acts of intolerance at the hands of Muslim extremists.

The “Convention on the Elimination of All Forms of Discrimination against Women” requires the equal treatment of men and women before the law and calls for an end to discrimination against women in all aspects of life.^{ccclxi} In addition, according to Article 4 of the Declaration on the Elimination of Violence against Women, “States should condemn violence against women and should not invoke any custom, tradition or religious consideration to avoid their obligations with respect to its elimination. States should pursue by all appropriate means and without delay a policy of eliminating violence against women.”^{ccclxii} The continued use of the Hudood Ordinance, abduction and conversion of Hindu girls and systematic oppression and violence against women are flagrant violations of these two conventions.

The Slavery Convention of 1926 strove to bring about “the complete abolition of slavery in all its forms.”^{ccclxiii} Similarly, under the Abolition of Forced Labor Convention, countries are required to take all necessary steps to suppress and completely abolish the practice of debt bondage or any other type of “forced or compulsory labor.”^{ccclxiv} The Pakistani government has violated the tenets of both the Forced Labor Convention and the Slavery Convention of 1926 by failing to take adequate measures to end the bonded labor system. Although the practice was officially outlawed in 1992

through the Bonded Labor (Abolition) Act, government officials have refused to enforce it and are often complicit in allowing the practice to continue. Moreover, since debt bondage is the modern equivalent of slavery, Pakistan's actions have also violated the Slavery Convention.

Regardless of whether Pakistan has signed or ratified all of the above human rights treaties, it is still bound by their provisions under customary international law. Customary international law holds nations accountable for the protection of basic universal human rights.

Conclusion and Recommendations

HAF concurs with several other human rights organization in expressing serious concern over the Pakistani government's continued failure to protect minorities and its complicity in human rights violations. Pakistan must be pressured to rescind discriminatory laws, including the Blasphemy Act and the mandated identification of religious affiliation in passports. As the U.S. considers Pakistan an ally in the war against terrorism, it is critical that the U.S. require the Pakistani government to institute social and political reforms. Moreover, the government should set up an independent Human Rights Commission and a National Minorities Commission and end its support for cross-border terrorism in India.

Unfortunately, the long term U.S. support of Pakistan and the supply of billions of dollars of military hardware is a direct indication of the unintended, but real collusion of the U.S. with Pakistan in encouraging the military-militant nexus in Pakistan.^{ccclxv} The U.S. Senate passed the Kerry-Lugar Bill in September 2009, which as part of its Af-Pak strategy, will triple U.S. assistance to Pakistan to \$7.5 billion over the next five years, including \$1.5 billion in military aid. Not taken into account in passing this bill were the comments of Indian Prime Minister Manmohan Singh who said, "Our experience has shown that military aid has been used against us in the past."^{ccclxvi} The U.S. government has provided about \$18 billion in civilian and military aid to Pakistan since September 11, 2001. Of that, nearly \$5 billion was in civilian assistance, and that money was supposed to buy goodwill and help rebuild Pakistan's civil society, reform education, and provide relief to the poor, women, and the marginalized. However, Pakistanis remained suspicious of American motives. In a recent Pew poll, nearly six in 10 Pakistanis described the United States as an enemy; only one in 10 called it a partner.^{ccclxvii} Even Angelina Jolie's "chador-clad" presence, bringing aid during the devastating floods, seemed to have mattered little.

HAF further recommends that the U.S. engage in increased dialogue with Pakistan on the issues of human rights and religious freedom. Additionally, a fact-finding mission should be organized by the USCIRF to investigate the desperate status of Hindus and other minorities. International human rights organizations must also take a more active role in highlighting the plight and suffering of the Hindu community in Pakistan. It is disheartening to note that American legislators, while condemning human rights violations in Pakistan, fail to acknowledge the violations against Pakistani Hindus.

The U.S. must condition financial assistance to Pakistan and withhold any further aid until Pakistan takes genuine and concrete steps to dismantle the terror infrastructure it has created within its territory. While the Kerry-Lugar Bill aims to do that, it is doubtful how effective U.S. monitoring of Pakistan will be. During meetings with HAF representatives, Congressional aids have noted the difficulty and the near impossibility of monitoring the manner in which Pakistan uses U.S. aid. HAF's demand that any appropriations set aside for Pakistan must be strictly for non-military uses is ignored in the Kerry-Lugar Bill. When Congressman Ackerman attempted to recalibrate the U.S.-Pakistan relationship in fundamental way by saying, "If Pakistan doesn't want us as a partner, that's up to them,"^{ccclxviii} he ignored the historical relationship America has committed to Pakistan.

Finally, HAF calls directly on the government of Pakistan to take immediate steps for the protection of Hindus from rape, kidnapping, and forced conversions. School textbooks must be modified so that they do not promote blatant lies about Hinduism and hatred against Hindus and other minorities. Instead, they should promote tolerance and pluralism.

Democratic Socialist Republic of Sri Lanka



© CIA World Factbook

Area: 65,610 square kilometers

Population: 21,513,990 (Note: Since the outbreak of hostilities between the government and armed Tamil separatists in the mid-1980s several hundred thousand Tamil civilians fled the island and more than 200,000 Tamils have sought refuge in the West; July 2010 estimate)

Ethnic groups: Sinhalese 73.8%, Sri Lankan Moors 7.2%, Indian Tamil 4.6%, Sri Lankan Tamil 3.9%, other 0.5%, unspecified 10% (2001 census provisional data)

Religion: Buddhist 69.1%, Muslim 7.6%, Hindu 7.1%, Christian 6.2%, unspecified 10% (2001 census provisional data)

Languages: Sinhala (official/national language) 74%, Tamil (national language) 18%, other 8%. English is used in government and is spoken competently by about 10% of the population.

Location: Southern Asia, island in the Indian Ocean, south of India ^{ccclxix}

Introduction

On May 19, 2009, President Mahinda Rajapaksa declared that the civil war and insurgency in Sri Lanka had come to an end with the defeat of the Liberation Tigers of Tamil Eelam (LTTE) and the death of the LTTE leader, Velupillai Prabhakaran. Nearly 300,000 Tamils waited to be resettled after the end of the conflict.^{ccclxx} According to the South Asia Terrorism Portal (SATP), 15,565 people died in 2009 in the civil war. The majority -- 11,111 -- were civilians.^{ccclxxi} That was 2009.

In 2010, the major development in Sri Lanka was the presidential election on January 26, 2010. The two main contenders were Rajapaksa and his estranged military chief General Sarath Fonseka. The general was supported by major opposition parties. Rajapaksa won 57% of the vote, and Fonseka won 40%. The campaign was bitter, and following the election results, Fonseka was charged with a plot to assassinate Rajapaksa. On January 27, the Sri Lankan army surrounded the hotel where Fonseka and his advisers were staying. Fonseka was arrested on February 8, 2010,^{ccclxxii} and based on what seemed to be old, trumped up charges of "corrupt military supply deals," he was sentenced to three years in prison.^{ccclxxiii} On August 14, 2010, President Rajapaksa stripped Fonseka of all military ranks. A Court of Appeal is still dealing with his challenge to this alleged personal vendetta.

Election observers questioned the fairness of the political campaign, and Election Commissioner Dayananda Dissanayake, citing state misuse of the media and other abuse, sought permission to resign. The People's Action for Free and Fair Elections and the Center for Monitoring Election Violence stated that it was one of the most violent election campaigns, with 809 incidents of violence recorded between November 23, 2009, when the elections were announced, and January 25, 2010.^{ccclxxiv, ccclxxv}

The second and ongoing issue is that of the resettlement of nearly 280,000 Tamils who were put in camps in 2009, post civil war. Some 200,000 were released,^{ccclxxvi} most of them to go back to an area devastated and heavily mined. Nearly 60,000 remained in the camps in June 2010, more than a year after they were put there. However, nearly 200,000 of them had left the refugee camps by early 2010, and the future ethnic and religious engagement in Sri Lanka depended on the quick and effective rehabilitation of the Tamil refugees.^{ccclxxvii} By December 2, 2010, about 94% of the Tamils in these camps were released, with 21,000 still remaining in them.^{ccclxxviii} It was reported that the majority of those still in the camps are from the heavily mine-contaminated areas in Puthukudiyiruppu and Maritimpattu, where de-mining action operations are still

ongoing. According to the Internal Displacement Monitoring Center, “The fact that people have returned to their homes does not necessarily imply that they have reached a durable solution. In Sri Lanka, it appears that most returnees in the north had not reached a durable solution as of December 2010, but remained in need of assistance and protection. In the Eastern Province, more than 150,000 returnees remained vulnerable as of July 2010.”^{ccclxxxix} As noted elsewhere, the problem of resettlement has to do with the larger issue of a lack of clear and comprehensive policy on resettlement of all IDPs. Peace and reconciliation in Sri Lanka are dependent on fair and appropriate assistance to the displaced and affected population.^{ccclxxx} As of this writing, 5,000 LTTE combatants were still in internment camps, and approximately 18,000 remained in “welfare camps” because of land mines in their home areas/region.^{ccclxxxi}

The final issue is that of human rights abuses and war crimes perpetrated by the Sri Lankan army as well as the LTTE cadre. According to the Office of the High Commissioner of Human Rights, a Channel 4 (Britain) released videotape, which showed the summary execution of bound, blindfolded, and naked Tamils by Sri Lankan soldiers, was found authentic by three independent experts. The UN Special Rapporteur, Philip Alston, said, “Given these conclusions, and in light of the persistent flow of other allegations of extrajudicial executions by both sides during the closing phases of the war against the LTTE, I call for the establishment of an independent inquiry to carry out an impartial investigation into war crimes and other grave violations of international humanitarian and human rights law allegedly committed in Sri Lanka.” Alston was appointed Special Rapporteur in 2004 and reports to the UNHRC and the General Assembly.^{ccclxxxii}

According to the International Crisis Group, “[There are] reasonable grounds to believe the Sri Lankan security forces committed war crimes with top government and military leaders potentially responsible. There is evidence of war crimes committed by the LTTE and its leaders as well, but most of them were killed and will never face justice.” They called for an international inquiry into the intentional shelling of civilians, hospitals, and humanitarian operations by the Sri Lankan security forces. They also called for an international inquiry into the intentional shooting of civilians and the intentional infliction of suffering on civilians by the LTTE. The Crisis Group argues that the destruction of the LTTE came at the cost of “immense civilian suffering and an acute challenge to the laws of war.” Given what seems to be a consensus among the nations of the world regarding the dangers to national security by terrorist groups, the Crisis Group bemoaned that other countries may be considering “the Sri Lankan option” –

unrestrained military action, refusal to negotiate, and disregard for humanitarian issues – as a way to deal with insurgencies and other violent groups.^{ccclxxxiii}

In its May 2010 report, Human Rights Watch (HRW) listed new evidence for war crimes committed by Sri Lankan security forces. While President Rajapaksa had promised UN Secretary General Ban Ki-moon an enquiry into these crimes in April 2009, a year later nothing much had happened. The Sri Lankan government, in yet another attempt to assuage international concerns, set up yet another commission called “Lessons Learnt and Reconciliation Commission,” but HRW warned, “Sri Lanka has a long history of establishing ad hoc commissions to deflect international criticism over its poor human rights record and widespread impunity.”^{ccclxxxiv}

Three months later, in August 2010, the BBC reported that the “Lessons Learnt and Reconciliation Commission” had met for the first time, but that there was widespread skepticism both at the scope of the commission as well as the ability of the commission. While Sri Lanka has dismissed calls for an international inquiry, American legislators have demanded an independent inquiry into the allegations of war crimes and human rights abuses.^{ccclxxxv}

In November 2010, President Rajapaksa extended the Commission’s tenure by another six months, but Amnesty International, HRW, and the International Crisis Group refused to testify before the Commission, doubting its independence and its integrity. “Accountability for war crimes in Sri Lanka demands an independent international investigation,” the three groups demanded.^{ccclxxxvi}

Background

The violent conflict between the Sinhala-majority government and Tamil terrorist groups was not a religious conflict per se, but rather a deeply complex problem involving a combination of historical, geographical, ethnic linguistic, and religious factors. For example, the LTTE, the primary Tamil militant organization, did not identify itself as a religious-based organization.

Since 1983, the Sri Lankan civil war was between the majority Sinhala Sri Lankan government and the LTTE. The LTTE fought for an independent state (Tamil Eelam) in the north and east regions of the island. A cease-fire was declared by both parties in December 2001. Norwegian-brokered peace talks led to a ceasefire agreement between the government and Tamil rebels in late 2002, but both the government and Tamil rebels violated the truce. Renewed hostilities broke out again in late 2005 with

increasing intensity. Both sides claimed that they were willing to abide by the ceasefire agreement, eventually leading to a settlement. Throughout the years, both parties have committed extrajudicial killings, abductions, participated in communal violence, and intentionally attacked civilians.^{ccclxxxvii}

The Sri Lankan government ended its truce with the LTTE on January 2, 2008, causing great concern among international arbiters. The civil war took a heavy toll on this island nation, with 2007 estimates totaling 80,000 casualties since the war erupted in 1983. Thus, nearly 100,000 people died in the three-decade long civil war. Moreover, the fighting has left hundreds of thousands of civilians, primarily Tamils, displaced from their homes, while more than 100,000 were forced to flee in March 2007 alone.^{ccclxxxviii} The 300,000 refugees at the end of the final battle were put in military camps that some termed “internment camps,” while the Sri Lanka government claimed that these were refugee camps.^{ccclxxxix}

History

The Sinhalese arrived in Sri Lanka in the sixth century BCE, probably from northern India. Buddhism was introduced around the mid-third century BCE, and a great civilization developed at the cities of Anuradhapura (from circa 200 BCE to circa 1000 CE) and Polonnaruwa (from about 1070 to 1200 CE). In the 14th century, a south Indian dynasty seized power in the north and established a Tamil kingdom. Occupied by the Portuguese in the 16th century and by the Dutch in the 17th century, the island was ceded to the British in 1796, became a crown colony in 1802, and was united under British rule by 1815.

As Ceylon, it became independent in 1948; its name was changed to Sri Lanka in 1972. Tensions between the Sinhalese majority and Tamil separatists in northern Sri Lanka erupted into war in 1983. Tens of thousands have died in an ethnic conflict that continues to be unresolved. After two decades of fighting, the government and LTTE formalized a cease-fire in February 2002, with Norway brokering peace negotiations. Violence between the LTTE and government forces intensified in 2006, and now the Sri Lanka government has formally withdrawn from the cease-fire.

The original inhabitants of the island were believed to be the aboriginal Veddahs. The Sinhalese believe they are descendants of King Vijaya who came from eastern India with a small army, conquered the island, and settled there around the 6th century BCE.

Between 237 BCE to 1070 CE, Sri Lankan Buddhists and various Indian kings, mainly Tamils, fought for control of the nation, with Indian kings and Hinduism dominating the period. King Vijayabahu drove the Cholas, a south Indian Hindu dynasty, out of Sri Lanka and reestablished the preeminence of Buddhism on the island. Subsequently, it became mandatory for the Sinhalese king to be a Buddhist. Later the country was divided and ruled by separate kings until the Europeans conquered the island.^{cccxc}

The Portuguese arrived in 1505 and controlled most of the island by 1595. In 1658, the Dutch, assisted by the king of Kandy, forced Portugal out. The British expelled the Dutch in 1796 and conquered the entire island in 1815, after defeating the king of Kandy. The country was named Ceylon, with Colombo as the capital.

The Europeans established tea, coffee, sugar, cinnamon, rubber, and indigo plantations on the island, and the British brought nearly one million Tamil laborers from India to work in the tea plantations.

In the 1900s, the Ceylonese started a struggle for independence from the ruling British. The country won its independence on February 4, 1948. In 1970, the name was changed to Sri Lanka, and it became a republic in 1972.

Sinhala-Tamil Divide

The island's population is approximately 74% Sinhalese and about 8% Tamils. The south, west, and central regions of the island are primarily inhabited by the Sinhalese, while the Tamils reside in the north, east, and plantations in the central hills. The Tamil northeast covers an area of about 7,500 square miles. The Sinhalese majority are Buddhist, while most Tamils are Hindus, with Christian and Muslim minorities.

By 1948, there were more English-language schools in the Tamil-dominated Jaffna city than in the rest of the island. A disproportionate number of Tamils occupied positions of prominence in post-independence Sri Lanka, such as doctors and lawyers in the civil service. This led to Sinhalese resentment and a perception that the British gave preferential treatment to the Tamils.^{cccxc}

Sinhala Buddhist revivalism and nationalism had its origin in the late 19th and early 20th centuries. Even before Sri Lanka became independent, Buddhist activists and ideologues -- monks and laypersons, educators, and politicians -- accused the British of “betraying” Buddhism and spoke of a need to restore Buddhism to its rightful place in the life and governance of the country.^{cccxcii} Sinhala Buddhist revivalism and nationalism

was supported by and served the interests of a rising Sinhala Buddhist middle class and businessmen, some of whom were implicated in the anti-Muslim riots of 1915, which were directed against Muslim shopkeepers and businessmen.^{cccxciii}

The Jaffna Association (JA) was the only political organization of Jaffna Tamils. They wanted self-determination for Tamils in the north and east of the island. The JA was involved directly in much of Jaffna's social and economic development and Tamil political aspirations. In 1915, the British agreed to nominate a JA leader as the Tamil member of the Legislative Council. In 1919, the Ceylon National Congress (CNC) was formed for obtaining greater autonomy for the people.

Initially the JA wanted to negotiate separately with the British to protect minority rights. However, Sir P. Arunachalam, a good friend of JA leaders, persuaded Tamils to forge a united front with the Sinhalese to achieve more authority for the entire island. The Sinhalese assured the Tamils of an agreed number of conditions, including a separate Tamil nation, or Tamil Eelam, but ultimately, they refused to keep their promises. This led to a feeling of disillusionment and betrayal among the Tamil Leadership, and in 1921, the Tamils formed the Tamil Mahajana Sabham (TMS).

Ceylon won its independence from the British in 1948.^{cccxciv} When the British departed, power was transferred to the Sinhala majority, although Tamil leaders were in the forefront of the freedom movement. In 1949, the government of D.S. Senanayake passed legislation that stripped the citizenship of a sizable number of Tamil descendants of plantation laborers from India, leaving them stateless. This reduced the Tamil voting power in Parliament from 33% to 20%. Furthermore, in 1962 and again in 1965, several hundred thousands of Tamils who worked in the estates were expelled by the Sri Lankan government. Many of these Tamils were not granted full citizenship rights until 2003.^{cccxcv}

Successive governments pursued resettlement policies, bringing Sinhalese from the south and settling them into Tamil areas in the north and east. This became a further source of tension between Sinhalese, Tamil, and Muslim communities. The Trincomalee district was colonized by the Sinhalese with the help of the government in 1948, and again in the 1950s and 1960s. The Sinhalese population grew from 4.4% in 1946 to 29.1% in 1981. There was an official plan in the mid-1980s to settle 30,000 Sinhalese in the Northern Province, giving each settler land and funds to build a house. Each community was armed with rifles and machine guns for protection. And in the 1990s,

Tamils were driven out from Weli Oya, or Manal Aru, in the Northern Province, while the Sinhalese settled there under the protection the Special Task Force.^{cccxcvi}

The Sinhala majority government continued to pursue discriminatory policies, including the Sinhala Only Act of 1956 that replaced the official language from English to Sinhala and excluded Tamil. As a result, countless Tamils serving in government employment, who were well versed in English but not in Sinhalese, became unemployed. In practice, the business of government continues to be carried out in English, though the Sinhalese version is preferred.^{cccxcvii}

While the Sinhala Only Act passed in 1956, Prime Minister Bandaranaike worked with the Tamil Federal Party Chief Chelvanayakam to make Tamil the administrative language in the Tamil-speaking north and east regions through the Bandaranaike-Chelvanayakam Pact of 1957. However, Bandaranaike reneged under pressure from Sinhalese nationalists. The Federal Party politicians launched a peaceful protest against this decision and planned to hold a convention in Vavuniya. To disrupt the convention, on May 22, 1958, Sinhalese mobs attacked the convention participants traveling by trains.

In response to the attacks by Sinhalese extremists, Tamils rioted in the east and killed 56 Sinhalese fishermen. Moreover, in Jaffna, the Buddhist Naga Vihara temple was destroyed, and some Sinhalese owned businesses were burned. Overall, the 1958 riots led to between 150 and 200 Tamil deaths, with thousands more assaulted. The violence also resulted in the looting of Tamil owned properties and the displacement of more than 25,000 Tamil refugees, who were relocated to the north.^{cccxcviii}

In 1970, the government began to suppress Tamil culture by banning the importation of Tamil language films, books, magazines, and journals from India. Additionally, Tamil political organizations, such as the Dravida Munnetra Kazhagam (DMK) and the Tamil Youth League (TYL), were banned. Foreign exchange programs for Tamil students going to Indian universities were stopped and external degree programs, including those of London University, were abolished.^{cccxcix} The official name of the country was also changed from Ceylon to Sri Lanka, which had Sinhalese origins. All of these steps alienated large segments of the Tamil population.

The idea of a separate nation -- Tamil Eelam -- emerged in 1972 with the formation of the Tamil United Liberation Front (TULF). TULF, however, was prohibited from contesting parliamentary elections.

Tamils continued to be targeted by Sinhalese extremists, and between May 31 and June 2, 1981, a Sinhalese mob went on a rampage, burning the market area of Jaffna, the office of a Tamil newspaper, the home of the Member of Parliament for Jaffna, and the Jaffna Public Library, and killing four people. The destruction of the Jaffna Public Library was the incident that appeared to cause the most distress to the people of Jaffna, as it was South Asia's largest library at the time. The 95,000 volumes in the Public Library destroyed by the fire included numerous culturally important and irreplaceable manuscripts. In 1991, the then president of Sri Lanka publicly admitted that his party members, Lalith Athulathmudali and Gamini Dissanayake, were directly involved in the burning of the library.^{cd}

The next significant event was the “Black July” riots, which began after the failure of 25 years of negotiations for autonomy for Tamil speaking areas under a federal framework. Starting on July 23, 1983, the riots led to the killing of between 1,000 and 3,000 Tamils. More than 18,000 homes and numerous commercial establishments were destroyed and hundreds of thousands of Tamils fled the country to India, Europe, Australia, and Canada. The widespread violence led thousands of Tamil youths to join various Tamil militant groups, including the LTTE.

Many young Tamils favored using violent means to achieve their ends and, in 1972, the Tamil New Tigers (TNT) was founded, led by Velupillai Prabhakaran. The TNT was responsible for several high profile assassinations in 1975, including Alfred Duraipah, the Mayor of Jaffna, and some police officials. They committed bank robberies to fund their activities. In 1976, TNT joined the Subramaniam group to form the Liberation Tigers of Tamil Eelam (LTTE), also known as the Tamil Tigers, which was later joined by Anton Balasingham. On July 23, 1983, LTTE ambushed and killed 13 government soldiers in Jaffna. Two days later, on July 25, the 13 soldiers were to be buried in Colombo. Sinhalese civilians, who had gathered at the cemetery, started killing Tamils and looting and burning property. The violence, directed against Tamils in Colombo, soon spread throughout the country. Initially, 20,000 Tamils in Colombo became displaced and the figure gradually rose to 50,000.^{cdi}

Over the next 25 years, there would be many more casualties, ceasefires, undermined ceasefires, one failed peacekeeping mission during the Rajiv Gandhi-led Government of India, and the introduction of suicide bombings as a lethal weapon for the first time in modern history. A suicide mission allegedly by an LTTE sympathizer took the life of Indian Prime Minister Rajiv Gandhi in 1985. The violence escalated in 2009 with the final military offensive by the Sri Lankan military, leading to the death of the LTTE

leader, the final capitulation and decimation of the LTTE and the internment of nearly 300,000 Tamils in “refugee camps” awaiting resettlement.

Status of Human Rights, 2010

Religious Freedom

The Constitution accords Buddhism the “foremost place” and commits the Government to protecting it, but does not recognize it as the state religion. The Constitution also provides for the right of members of other religious groups to practice freely their religious beliefs. Most members of the majority Sinhala community are Theravada Buddhists. Most Tamils, the largest ethnic minority, are Hindus. Almost all Muslims are Sunnis; there is a small minority of Shi'a, including members of the Bohra community. Almost 80% of Christians are Roman Catholics, with Anglican and other mainstream Protestant churches also present in cities. Evangelical Christian groups have grown in recent years. The Ministry of Religious Affairs has four departments that deal specifically with Buddhist, Hindu, Muslim, and Christian affairs.^{cdii}

Religious freedom in Sri Lanka has long been an issue of contention. Past statistics have shown that by 1992, over 1,700 Hindu temples had been destroyed.^{cdiii} Since that time, many more have met the same fate. According to reports, in the final days of fighting in April and May 2009, the LTTE located artillery pieces next to religious facilities, and the army fired heavy weapons at the same sites, often while they were in use as shelters for civilians. There were a number of allegations of attacks against churches and evangelists in 2009, and the Sri Lanka government pursued an anti-conversion legislation, first introduced in Parliament in 2004.

General Violence

In 2009, Amnesty International reported that the human rights situation in Sri Lanka had become dire and listed a number of abuses committed both by the Sri Lankan armed forces as well as the LTTE.^{cdiv}

The recruitment of young child soldiers, some as young as 12, was a common practice employed by government forces, pro-government militias, and Tamil rebel groups. Often, the children, both girls and boys, were abducted from their parents and forced into fighting.^{cdv} A recent report by UNICEF detailed 1,430 outstanding cases of child recruitment by the LTTE, with at least 196 children under the age of 18 fighting with the Tamil group. During a two-week period in January 2007, 37 under age children were

abducted by the LTTE in the areas of Arippe, Karanadi, and Madukkarai.^{cdvi} Besides the Tamil Tigers, pro-government militias also systematically abducted and recruited children as soldiers. These militias were allowed to operate freely in areas controlled by government forces, and the Sri Lankan army often actively assisted them in kidnapping young boys.^{cdvii}

On October 3, 2008, President George W. Bush signed a law allowing members, of military forces and armed groups who recruit child soldiers, to be arrested and prosecuted. The Child Soldiers Accountability Act made it a federal crime to recruit any person under the age of 15 and allowed the government to take action against violators who are on U.S. soil, even if the violations occurred outside of the United States.^{cdviii} In late 2008, the Sri Lankan government, United Nations Children's Education Fund, and Tamil Makkal Viduthalai Puligal (TMVP), a splinter group that defected from the LTTE, entered into an agreement that forced the TMVP to cease recruiting child soldiers. The agreement set forth a timetable to enable the release of all children who were training as soldiers with the TMVP.^{cdix} According to the BBC, the TMVP had 133 identifiable children among its forces as of October 2008.^{cdx}

In addition to recruitment of child soldiers, forced abductions and disappearances at the hands of security forces and pro-government militias are one of the major human rights abuses prevalent in Sri Lanka. According to international law, "An enforced disappearance occurs when state authorities detain a person and then refuse to acknowledge the deprivation of liberty or the person's whereabouts, placing the person outside the protection of the law."^{cdxi} Between 1988 and 1990 alone, there were reportedly more than 27,200 cases of disappearances. Moreover, 16,305 cases of past abductions are still being investigated by the Human Rights Commission of Sri Lanka (HRCSL).^{cdxii} The vast majority of victims are young Tamil men suspected of having ties to the Tamil Tigers.^{cdxiii}

Other incidents of general violence in Sri Lanka also point to a diminishing importance on human rights. In the increased violence at the culmination of the civil war thousands of people were killed or displaced.^{cdxiv}

The Sinhalese dominated government has for years pursued discriminatory policies targeting its Tamil minorities. For instance, since 2003, the government has required all Tamil civilians living in Colombo or other parts of the western province to register with the police.^{cdxv} Tamil civilians lived in constant fear of being abducted or arrested and were routinely detained on suspicion of being insurgents.^{cdxvi}

Violations of Constitution and International Law

Constitution of Sri Lanka

The Constitution of Sri Lanka^{cdxvii} declares it to be a “democratic socialist republic” which provides Buddhism “the foremost place” but still assures “all religions the rights granted by Articles 10 and 14 (1)(e).” Article 10 provides “freedom of thought, conscience and religion” to every individual and Article 14 (1)(e) provides every citizen the freedom “to manifest his religion or belief in worship, observance, practice or teaching.” Additionally, Article 14 entitles citizens to freedom of speech, peaceful assembly and association, as well as the freedom “to enjoy and promote his own culture and to use his own language.” The Constitution further guarantees equality before the law and bars discrimination based on race, religion, caste, or language.

International Human Rights Law

Sri Lanka has not upheld its responsibilities under human rights law, although it is a party to the UN’s International Covenant on Civil and Political Rights (ICCPR) and the UN’s International Convention on the Elimination of All Forms of Racial Discrimination. The government’s systematic persecution of its Tamil and Hindu minority specifically violates Article 18 of ICCPR, which protects the basic “right to freedom of thought, conscience and religion,” and Articles 26 and 27 where religious minorities are guaranteed equality before the law and freedom of religion without discrimination.

Furthermore, the conduct of the government and rebel groups during the ongoing civil war where large numbers of civilians and primarily Tamils/Hindus have been killed or displaced, violate all basic standards of human rights law.

Conclusion and Recommendations

It is important to reiterate that the conflict between the Sri Lankan government and the LTTE was not a religious dispute, but rather a highly complex and multi-dimensional issue, requiring international intervention and mediation to resolve.

Both the government and the LTTE were responsible for widespread human rights abuses and did little to alleviate the plight of ordinary civilians. Consequently, HAF calls on the Sri Lankan government to make serious efforts to protect the rights of its minorities, particularly Hindu Tamils, who now have to be resettled. Religious persecution and ethnic discrimination has to stop. Furthermore, it is incumbent upon

the government to allow aid workers and international agencies in the work of rehabilitating and resettling displaced Tamils. A war crimes tribunal should be set up to inquire into the abuses committed by the Sri Lankan armed forces.

Now that the LTTE has been defeated and the civil war has come to an end, the Sri Lanka government should immediately begin setting up mechanisms that will decide on the formation of autonomously governed regional states within a larger federal framework, lest there is a resurgence of violence. Without adequate powersharing and a full reckoning of Tamil grievances, experts warn that a military victory won't bring lasting peace.^{cdxviii}

It is also important, indeed necessary, that the Tamil Diaspora play a constructive role in the rehabilitation of Tamils in Sri Lanka, the welfare of the Tamil minority in particular, and the Sri Lankan state in general. Without such a commitment, there will be a tendency to continue the old battles and undermine peace efforts. The Diaspora had a major role in fundraising for the Tamil Tigers, including extortion and blackmail of donors.^{cdxix} Such activities must end, and serious efforts have to be made to engage constructively in the political and civic life of Sri Lanka.

HAF concurs with the call of the International Crisis Group that urges Sri Lanka to do the following:

1. "Cooperate fully with international efforts to investigate alleged war crimes, including a UN-mandated international inquiry, guaranteeing free access to the conflict area and effective protection of witnesses."
2. "Try LTTE cadres suspected of war crimes in open court, allowing them and witnesses against them full protections required by international law and permitting international oversight, or release them if there is insufficient evidence."
3. "Invite the UN special rapporteurs on extrajudicial executions, torture, violence against women, the right to food, the right to health, the protection of human rights while countering terrorism, and the situation of human rights defenders, and the special representatives on the human rights of internally displaced persons (IDPs) and on children and armed conflict, to visit Sri Lanka to investigate the conduct of the last year of hostilities."
4. "Compile, with the assistance of the ICRC and/or the UN High Commissioner for Human Rights, a full and public register of those killed, wounded and missing from the final months of the war, including the circumstances of their death,

injury or disappearance; and issue death certificates and provide financial compensation for civilians killed or wounded and for property destroyed or damaged.”

5. “Provide ICRC with full access to all places of detention, including where LTTE suspects or surrendees are being held, and allow detained individuals full protections under international law.”^{cdxx}

Republic of Trinidad and Tobago



© CIA World Factbook

Area: 5,128 square kilometers

Population: 1,228,691 (July 2010 estimate)

Religions: Roman Catholic 26%, Hindu 22.5%, Anglican 7.8%, Baptist 7.2%, Pentecostal 6.8%, Muslim 5.8%, Seventh Day Adventist 4%, other Christian 5.8%, other 10.8%, unspecified 1.4%, none 1.9% (2000 census). Almost all Hindus are of Indian descent.

Ethnic groups: Indian (South Asian) 40%, African 37.5%, mixed 20.5%, other 1.2%, unspecified 0.8% (2000 census)

Languages: English (official), Caribbean Hindustani (a dialect of Hindi), French, Spanish, Chinese

Location: Caribbean, islands between the Caribbean Sea and the North Atlantic Ocean, northeast of Venezuela^{cdxxi}

Introduction

Trinidad and Tobago got its first female Prime Minister in 2010. She is Kamla Persad-Bissessar, 59, who is of Indian and Hindu descent. She heads a five-party coalition called

the People's Partnership that came to power in May 2010 ousting Patrick Manning, whose People's National Movement (PNM) had ruled the country for five decades, backed by citizens of African descent. The new Prime Minister said she would make the country a successful multicultural society. Citizens of Indian descent, who had been marginalized, browbeaten, and sometimes terrorized by criminal gangs, now look forward to their rightful place in this multi-ethnic and multi-religious society. In a symbolic and substantial decision, the new leadership gave TT \$1 million for the celebration of the Hindu festival, Diwali, whereas the previous government, the previous year had given just TT \$10,000. The biggest Hindu/Indian celebration, which costs nearly TT \$15 million, thus got a major boost. As the new Attorney General Anand Ramlogan said, "People think of Trinidad as a predominantly African country... We want to rectify this mis-perception. The majority is of Indian descent." Previously there was "discrimination manifest in subtle ways," he said, one of which was the allocation of state funding.^{cdxxii}

Legally, the Constitution of Trinidad and Tobago guarantees the right to equality of treatment and freedom of religious belief and observance. Furthermore, the government limits the number of foreign missionaries allowed in the country to 30 per denomination at any given time. In response to wariness of a repeated colonial experience, missionaries must meet strict entry standards and cannot remain in the country for more than three years per visit. There are no reports of forced religious conversion. The Government supports the activities of the Inter-Religious Organization (IRO), an interfaith coordinating committee for public outreach, governmental and media relations, and policy implementation. It also provides the prayer leader for several official events, such as the opening of Parliament and the annual court term.

Ministers, Members of Parliament, and public figures represent every religious group and denomination and the broad spectrum of religious beliefs in the country. Religious groups possess the same rights and obligations as most legal entities, can own land, and hire employees.

The Government subsidizes both public and religiously affiliated schools. It permits religious instruction in public schools, setting aside a time each week when any religious organization with an adherent in the school can provide an instructor. Attendance at these classes is voluntary and the religious groups represented are diverse. Parents may enroll their children in private schools for religious reasons. As a result, there are thriving Hindu, Muslim, and Christian schools. The Government established public holidays for every religious group with a large following. The Government also grants

financial and technical assistance to various organizations to support religious festivals and celebrations, including Indian Arrival Day.

This report differentiates between religious and racial discrimination. Discrimination against Hindus and racial tension between Indians and Afro-Caribbean are evident. However, it is difficult to distinguish specific religious persecution given that 90% of citizens of Indian descent are Hindu. To honor accuracy in documentation, this report attempts to resist conflation.

Despite legal protections and the value of religious pluralism, Hindus (as Indians) in Trinidad and Tobago experienced discrimination in political representation, resource distribution, and employment opportunities. Social persecution and a lack of religious freedom were also issues faced by Hindus, and Hindus have been disproportionately targeted for physical violence and harassment.^{cdxxiii} With Kamla Persad-Bissessar heading the new government, it is expected that the socio-cultural-political dynamic will see positive changes in the country.

Dr. Eric Williams, the country's first Prime Minister referred to Indians as the "recalcitrant minority." The racial and religious animosity between black (Christian and Muslim) and brown (Hindu, Indian) was exacerbated over the years and manifested particularly in the media and government. Prominent Hindu leader and Secretary General of the Hindu Maha Sabha, Satnarayan Maharaj, said in 2006: "This year marks 50 years since Trinidad and Tobago attained the right to internal self-government (1956-2006). Out of this 50-year period an Indian-based political party held power for six years. The People's National Movement (PNM) ruled for 30 consecutive years without appointing a single Hindu as a government minister. The cry of rural neglect, alienation, marginalization and discrimination affected the political psychology of Indians as they lost hope of ever winning a general election." In the book, "The Indian Struggle for Justice and Equality against Black Racism in Trinidad and Tobago (1956-1962)," the author H.P. Singh wrote, "The 1956 election was won by the PNM headed by Eric Williams on the institution of a resurgent Negro nationalism. Since then, Indians in Trinidad have been subjected to all sorts of humiliations, degradation and ignominy by PNM racialism."^{cdxxiv}

In August 2008, High Court judge Herbert Volney is reported to have remarked, "You must be from the Christian right and must be seen to be involved whether as Chancellor, pastor, singer of all the psalms in the incantations of religious fervour." He claimed that for a judge to climb to the Court of Appeal, "you must know your

benediction and must be known for your piety.” In a nation where Hindus constitute 22.5% of the population, such statements provide evidence for the Christian-supremacist administration and governance in the country in the past six decades.^{cdxxv}

In July 2009, opposition MP Tim Gopeesingh charged that the government was carrying out a policy of political discrimination that was targeting one particular ethnic grouping, meaning Indo-Trinidadians.^{cdxxvi} In August, in an editorial, an Afro-Trinidadian, Selwyn Ryan wrote a scathing article condemning Gopeesingh’s statement.^{cdxxvii} Ryan lamented the imbalance in the medical profession and concluded that the lack of trust and discomfort of the Afro-Trinidadian community was a “very good reason why, in a society such as this, it was inadvisable to have a health system in which 80-plus per cent of the doctors are of one ethnicity.” Indo-Trinidadians form the bulk of the doctors in Trinidad and Tobago. Devant Maharaj, chairman of the Indo-Trinbago Equality Council (ITEC), responded that the Ryan editorial was selective and did not answer the systematic discrimination against Indo-Trinidadians in the areas of nursing, state housing, military, police, public service, and elsewhere. He argued that the number of Indo-Trinidadian doctors had neither to do with discrimination or design, but because they were there based on merit and education.^{cdxxviii} What led to this exchange was the overt discrimination in the awarding of the position of consultant urologist. Dr. Fuad Khan, an Indo-Trinidadian, said he was bypassed for a senior consultancy position last year for “a less experienced Nigerian doctor” who was working under a senior urologist. He said that senior urologist and another East Indian doctor “were forced out of the hospital.”^{cdxxix}

Trinidad and Tobago is described as a “plural society” since the islands’ population consists of two major ethnic groups: Africans make up approximately 39.6% of the country’s population, and South Asians (East Indians) make up roughly 40.3% of the population. On October 22, 1970 the *Trinidad Express* newspaper reported a recent study which stated, “[O]f the 100 employees of the Central Bank of Trinidad and Tobago, 84 were Afro-Trinidadians, 10 were Indo-Trinidadians, 3 were of Chinese descent, 2 were of Portuguese descent, and 1 was white.” This unequal employment situation was still in evidence in 1989, when the *Trinidad Express* published statistics on June 25 showing that of the total number of persons employed in all government organizations, 29% were Indo-Trinidadians. In the police force, Regiment of the Defense Force, Coast Guard, and Port Authority, respectively, the percentage of Indo-Trinidadians was 25%, 5%, 16%, and 6%. It is also important to note that according to Census data, Indo-Trinidadians at the time made up 40.3% of the country’s population, while Afro-Trinidadians made 39.6%.^{cdxxx} The same report pointed out that so far as

professional positions were concerned, Indo-Trinidadians reached and surpassed the equity ratio in the areas of medicine and finance, “but that the criteria for employment and advancement in these two areas was clearly technical skill,” supporting Devant Maharaj’s argument above.

In October 2009, Maharaj filed a constitution motion against the State challenging the failure and/or refusal to appoint a new Integrity Commission. The motion was filed in the San Fernando Supreme Court. In his affidavit, Maharaj referred to several letters ITEC had written the President complaining about the unsatisfactory state of affairs and suggesting prominent persons who should be approached to serve on the Commission. Maharaj was concerned that the President maybe perceived as part of a political conspiracy to protect the ruling PNM from further investigation into allegations of corruption and other matters.^{cdxxxix}

History/Background^{cdxxxii}

The Republic of Trinidad and Tobago is an archipelagic state in the southern Caribbean. The country consists of two main islands, Trinidad and Tobago, and 21 smaller islands. Trinidad is the larger and more populous of the main islands; Tobago is much smaller, comprising about 6% of the total area and 4% of the population.

Originally settled by Amerindians of South American origin at least 7,000 years ago, Trinidad and Tobago was occupied by Arawakan-speaking and Cariban-speaking peoples at the time of European contact in 1498. A history of slavery and indentureship has left the country with a population of African, Indian, mixed-race, European, Middle Eastern, and Chinese descent. All these groups have left a significant impact on the country’s national culture.

Britain consolidated its hold on both islands during the Napoleonic Wars and combined them into the colony of Trinidad and Tobago in 1899. As a result of these colonial struggles, Amerindian, Spanish, French, and English place names are all common in the country. African slaves and Chinese, Portuguese, Indian, and free African indentured laborers arrived to supply labor in the 19th and early 20th centuries. Emigration from Barbados and Lesser Antilles, Venezuela, Syria, and Lebanon also affected the ethnic makeup of the country. Trinidad and Tobago elected for independence in 1962. In 1976, the country severed its links with the British monarchy and became a republic within the Commonwealth.

Trinidad and Tobago is a democratic republic. The Head of State is the President, and the Head of Government is the Prime Minister. The President is elected by an electoral college consisting of the full membership of both houses of Parliament. The Prime Minister is appointed by the President.

Political parties are generally divided along ethnic lines, with the People's National Movement (PNM) supported primarily by Africans and the United National Congress (UNC) drawing its constituency largely from Indians. In the recent past, there have been three elections in three years contested by these two ethnic-based parties. The party lines are not completely polarized along racial lines. In most recent elections, the PNM fielded Indian candidates for election, while the main financial backer of the UNC is an Afro-Trinidadian.

In 2002, the PNM won with 51% of the vote thereby, replacing Panday with Manning as Trinidadian Prime Minister. Recent elections in November 2007 were also won by the PNM under Manning. PNM continues to play racial politics. In one editorial, Satnarayan Maharaj said that the Ministry of Culture spent some \$4.4 million on "Emancipation Day Dinner" while only spending some \$800,000 on Indian Arrival Day – with "Emancipation" acknowledging the arrival and slavery of people of African descent. He also pointed out that despite the PNM being in political office since 1956, Afro-Trinidadians continued to agitate for affirmative action and preferential treatment. "From secret scholarships to changes in admissions criteria at the university, the affirmative action programme continues," he accused. Worse yet, the PNM continues to play the race card in creating fear among Afro-Trinidadians. Prof. Cudjoe, who spoke at the Emancipation Day dinner, warned of "turbulent times" for people of African origin "because they are now a minority in this country...If ethnic trends in voting continue, it is likely that in the next ten years we might see that same pattern that has emerged in Guyana in which the dominant group will hold power in perpetuity." The same Cudjoe, in 2006, said, "So that all the turmoil that we see in our society today not only represents a relentless struggle on the part of the East Indians to dominate the society; it also suggests that the agents of their group are prepared to utilise any means—be they legal, political, academic or religious—to achieve ethnic dominance."^{cdxxxiii}

In the 2010 elections, the People's Partnership won 29 seats and the PNM 12. The election was called two years ahead of time. During the PNM regime Trinidad and Tobago experienced high rates of crime and public corruption.^{cdxxxiv}

Status of Human Rights, 2010

In the past, Hindus in Trinidad and Tobago faced a multitude of human rights issues, including physical attacks, temple desecration, economic/political discrimination, and the inequitable distribution of government funds. The country continued to experience a high rate of crime. As many as 485 murders and four kidnappings were recorded in 2010. In January 2010, there were 44 murders. Government was blamed for lack of purpose and attention in controlling this high rate of crime.^{cdxxxv}

Religious Freedom

Temples/Festivals

There are over 300 Hindu temples in Trinidad and Tobago. There have been recent incidents of vandalism and desecration of Hindu temples. The following includes recent examples of discrimination towards Hindu festivals, religious practices and places of worship.

According to a UNHCR report, in May 2009, students of a nondenominational public school in south Trinidad participated in a Hindu prayer service. The students planted symbolic flags on the school grounds appealing for success in their examinations. The Ministry of Education ordered school authorities to remove the flags. The decision of the Ministry offended some students and teachers, who declared that they would boycott classes and stand guard around the symbolic prayer flags. The school principal eventually removed the flags. More than half of the 1,500 student body is Hindu.^{cdxxxvi}

Although there are several Hindu temples in Trinidad, Hindu temples were non-existent on the small island of Tobago. Until recently, the Tobago House of Assembly refused to allow the Maha Sabha to construct a *mandir* (temple) on land bought on the island. Churches were funded and the Assembly promoted a gospel concert on the island while refusing to fund a *kirtan* (Hindu religious concert).^{cdxxxvii} Letters to Editors complaining about the overt discrimination against Hindus had little impact on the racist and bigoted assemblymen.^{cdxxxviii} After a five-year struggle, the first Hindu *mandir* in Tobago finally began construction in the summer of 2007, with a \$250,000 grant from the National Commission for Self Help Limited (NCSH).^{cdxxxix}

Hindus have also faced challenges with religious festivals, including yearly Diwali celebrations and *Ramleela* (religious performance in honor of revered Lord Rama). The largest Diwali celebrations are held each year at the Diwali Nagar, Chaguanas, in Trinidad. This event has grown from a modest affair to an international fixture in the

Hindu calendar, attracting Hindus from around the world. Each night, over a 14-day period, thousands of Hindus and non-Hindus congregate at this famous location to enjoy and participate in *pujas* (sacred rituals), concerts, art, craft and social activities. In 2006 and 2007, however, the police refused to provide additional security unless they were paid. During the first few nights when the police stayed away, several vehicles were stolen and vandalized. It was only after protests by Hindus that security was increased.

Furthermore, during the past few years, *Ramleela* festivities have been the targets of violence. For example, in 2005, vandals desecrated religious items and destroyed tents, props and fences used in *Ramleela* celebrations, as well as the sacred *jhandi* (flag to mark the completion of *puja* or worship ceremony) at McBean Village, Couva. Consequently, many Hindus were afraid of attending the celebrations at McBean.^{cdxli}

In several parts of country, Hindus have even been prevented from holding Diwali and *Ramleela* celebrations. Recently, the head of the Sugarcane Feeds Centre refused permission for workers to hold their annual Diwali celebrations. And in another instance, Hindu police officers were prohibited from celebrating Diwali at their workplaces in South Trinidad.

Hindus complained of the reduction in state funding of the celebration of Holi. The state reduced funding from approximately \$12,500 (TT\$75,000) in 2007, to \$10,000 (TT\$60,000) in 2008 and finally to \$800 (TT\$5,000) in 2009. The group returned the 2009 grant in protest.^{cdxlii}

General Violence

Violence directed against Indians and Hindus is also not uncommon. Indians and Hindus are verbally and physically assaulted by mobs of non-Indians from neighboring villages and from the northern urban areas of Trinidad where the population is predominantly African. For example, the Hindus of Felicity were recently attacked by Afro-Trinidadians from the adjacent village of Boot Hill. The Hindu residents of Felicity were unable to commute to work and schools after Afro-Trinidadians from Boot Hill blocked the main road with piles of burning debris and broken bottles.^{cdxlili}

Social Persecution

Societal discrimination against Hindus is also prevalent in several areas, including the portrayal of Hindus in the media. Hindus fear a systematized attempt to degrade

Hindus in the media and exclude them from areas of influence.^{cdxliii} For instance, photographs in tourism brochures depict Trinidad and Tobago as a nation whose population is predominantly of African descent. Indians are rarely represented in advertisements in radio, television, or print media.

The Ministry of Foreign Affairs, which annually publishes a list of employees for service awards, routinely discriminates against citizens of Hindu and Indian descent. Moreover, the process itself for award granting is prejudiced. The highest award for public service in Trinidad is entitled the “Trinity Cross.” In a June 2006 comment, Attorney Anand Ramlogan said, “The Trinity Cross was perceived as a manifestation or symptom of what was, in substance if not form, a Christian state that tolerated non-Christians. It was a powerful psychological reminder of the fact that we were merely ‘tolerated.’ The objection was not purely religious; it had a political and psychological dimension. It had to do with the sense of belonging and being able to identify with the newly adopted motherland far away from India.”

The Maha Saba, a Hindu organization, along with a Muslim group, instituted legal action against the State regarding the use of the title “Trinity Cross.” In reference to the case, Justice Peter Jamadar, stated: “This general prohibition against non-discrimination thus prohibits laws that differentiate between people on the basis of their inherent personal characteristics and attributes. Such discrimination undermines the dignity of persons, severely fractures peace and erodes freedom. Courts will not readily allow laws to stand, which have the effect of discriminating on the basis of the stated personal characteristics.”^{cdxliv} Unfortunately, no action has yet been taken on the removal of the title “Trinity Cross.”

In October 2009, the ITEC drew the attention the Minister of National Security and the Chairman of the Equal Opportunity Commission regarding the denial by the police to allow the annual Jahajee Massacre Walk that was scheduled for October 25, 2009. The Jahajee Walk, held over the past five years without incident, commemorates the Jahajee massacre of October 30, 1884. The massacre, also known as the Hosay Riots, took place during the annual Hosay procession in San Fernando. The British colonial authorities fired on a large procession of indentured laborers who had been previously barred from entering the town. Some 22 Indo-Trinidadians people were killed and over 100 were injured in the attack by British police.^{cdxlv}

Institutional Discrimination

Institutional discrimination against Hindus and Indians in Trinidad and Tobago is rampant and includes economic/political discrimination, inequitable distribution of government funds, and prejudice in the education system.

The courts stepped in regarding the discrimination against two Hindu-Indian teachers. High Court judge Maureen Rajnauth Lee found that the Education Ministry had discriminated against two teachers, Vijesh Mahadeo and Vashti Maharaj. They had applied for teaching posts, but were turned down on the basis that they were not suitably qualified. Mahadeo discovered that two persons with the same level of qualifications were hired instead. In Maharaj's case, she failed an assessment for a higher teaching rank, but a colleague of hers was successful even though the person was less academically qualified. The Education Ministry did not even come to court to challenge the case against them.^{cdxlv}

Hindus have also faced discrimination in their attempts to obtain a broadcast license for a Hindu radio station. The Sanatan Dharma Maha Sabha of Trinidad and Tobago (SDMS) was finally granted the license to broadcast as Radio Jaagriti on 102.7FM after a seven-year long legal battle. SDMS initiated their application in 1999, and it languished for seven years while the government awarded another group a radio frequency for its station. On July 4, 2006, SDMS was victorious in its appeal to the Privy Council based on the government's consistent refusal to award the organization a radio license. In a landmark 19-page judgment, Lord Justice Mance said, "In light of the exceptional circumstances" of the discrimination, the Privy Council would order Trinidad and Tobago Attorney General John Jeremie to do all that is necessary to ensure that a license is issued forthwith to the Hindu organization. The State was also ordered to pay SDMS's legal costs in all the courts.^{cdxlvii} In September 2009, the decade old discrimination case ended with an award to the Sanatan Dharma Maha Sabha of almost \$3 million. The compensation was ordered in a September 22 order by Justice Ronnie Boodoosingh, who said, "What this case showed was discrimination, plain and simple."^{cdxlviii}

Economic/Political Discrimination

Despite comprising approximately 40% of the population, Indians are severely underrepresented in government sectors jobs, including the Protective Services, the Civil Service, State Companies, Statutory Boards and Commission, the High Commissions and Diplomatic Missions, the Central Bank and Board, and executive membership at decision-making levels of the State. This began to slowly change following 2002.

One report found that Indians were “heavily under-represented, except in areas where merit and technical criteria must prevail, as in the judicial and professional sectors, where Indians were more than adequately represented.” For instance, prior data from the Service Commissions Department indicated that there are only 18 Indians serving as department heads in the nation, compared to 87 non-Indians, and there are no Indians on the executive of the police service or army.^{cdxlix}

According to one observer, the “Indo-Trinidadian community is witnessing a ‘shock and awe’ programme with this state-sanctioned policy that directs significant state resources to one ethnic group at the exclusion of other groups. The lowering of qualifications for state employment, house padding, the establishment of the University of Trinidad and Tobago, the elevation of criminal elements to community leaders...are all examples of the programme conceived to push the Indian out of the space that is shared in Trinidad and Tobago.”^{cdl}

Inequitable Distribution of Government Funds

For several years, the Sanatan Dharma Maha Sabha (SDMS) has sought to secure lands from the Tobago House of Assembly (THA) and the Ministry of Planning, Housing and the Environment for construction of a temple without success. The Maha Sabha has lands in the Carnbee area, but the THA declared that temple construction is prohibited in residential areas. SDMS pointed out that there is a Christian Church about 150 feet away from the land it possesses. They also pointed out that in other residential areas such as Bethany and Four Roads Bon Accord churches have been built recently.^{cdli}

The Trinidad and Tobago government frequently discriminates against particular ethnic and religious groups in the distribution of public funds. In a recent Joint Select Committee of Parliament meeting, chaired by Independent Senator Parvatee Anmolsingh-Mahabir, the National Social Development Programme (NSDP), a State agency, was exposed for its blatant discrimination against Hindus, Muslims, Catholics, and Anglicans, while favoring predominantly Afro-Trinidadian Christian denominations. The Indo-Trinbago Equality Council (ITEC) also alleged discrimination in the distribution of land to Hindu religious groups. According to the Indo-Trinbago Equality Council (ITEC), the Tobago House of Assembly allocated land to the Baptist Church in order to build a place of worship and gave \$9 million to fund the Gospel Fest, while the Hindu community in Tobago continued to be marginalized.^{cdlii}

In addition, millions of taxpayers’ dollars have been spent on St Peter’s Baptist Church,

the Jesus Elam Ministries, Febeau Open Bible, Revival Time Assembly, Gospelfest, and other small politically affiliated churches, while Hindu celebrations, such as *Ramleela*, have been denied adequate funding.^{cdliii}

Indo-Trinidadians believe that there is an ethnic agenda in the Government's distribution of the largesse of the State, including the allocation of public housing under the National Housing Authority (Home Development Corporation) and the disbursement of compensation following natural disasters, disproportionately benefiting Afro-Trinidadians. For example, \$36 million was provided to flood victims from Port City and Toco, who received immediate help, while nothing was provided for south or central farmers – almost 100% of them Hindus -- who lost millions in flood damage.^{cdliv}

Educational Discrimination

Discrimination against Hindus is also present in the educational system. Although Hinduism is the second largest religion in Trinidad and Tobago, there are no sixth-form Hindu secondary schools to prepare students for university, while there are eighteen Christian and two Muslim sixth-form facilities. Moreover, "certain denominational schools are forcing all students to study the religion of the school, without introducing the appropriate religious instruction for students of other religions...The Ministry of Education needs to correct these discriminatory practices, especially in the denominational school," said David Singh, a community leader, in a letter to the Trinidad Guardian Newspaper."^{cdlv}

In many primary and secondary schools and colleges, Hindu children are prevented from practicing their religion and debarred from wearing Hindu clothing, *rakshas* (protective amulet), and other symbols. For instance, in March 2008, Hindu high school students were prevented from wearing the *raksha*, "a Hindu religious symbol consisting of a colored string worn on the wrist during the performance of sacred rituals and removed within seven days after the prayers," and were forced to remove them by school security guards. The Ministry of Education later apologized to the students.^{cdlvi}

And in October 2006, an Anglican School in Fyzabad, South Trinidad withdrew permission previously granted to students for celebrating Diwali despite it being a national holiday. Students were also banned from wearing *rakshas*.^{cdlvii}

Violations of Constitution and International Law

Constitution of Trinidad and Tobago

Trinidad is a democratic state that “acknowledge[s] the supremacy of God [and] faith in fundamental human rights and freedoms.” Chapter 1 of the Constitution recognizes an individual’s right to “equality before the law” and freedom of religion, thought, and expression. It also guarantees the “freedom of the press,” although it does not expand upon what this freedom entails. Furthermore, the Constitution states that Parliament may not “deprive a person of the right to a fair hearing,” nor deprive a person of the right “to be presumed innocent until proved guilty according to law.”^{cdlviii} Despite these protections, Hindus continue to experience attacks on their places of worship, government sanctioned discrimination and societal abuse.

Violations of International Human Rights Law

Trinidad and Tobago signed the UN’s International Convention on the Elimination of All Forms of Racial Discrimination on June 7, 1967 and ratified it on October 4, 1973. Its accession to the UN’s International Covenant on Civil and Political Rights took place on December 21, 1978. The Trinidadian government has repeatedly violated these UN Covenants, however, by failing to protect its Hindu and Indian citizens and discriminating against them on ethnic and religious grounds.

Conclusion and Recommendations

Trinidad’s Constitution provides for “equality before the law” and freedom of religion. However, Indians and Hindus have faced systematic discrimination and harassment/abuse. With the change in government in 2010 and an Indian/Hindu heading the new government, it is expected that pressure will ease on the Indian/Hindu population. However, it is incumbent upon the government to pay attention to enforcing civil and criminal laws and to protect all citizens.

Trinidadian leaders should discourage racial and religious stereotypes and hate speech; recognize Hindus and Indians as equal partners in the rule and governance of the nation; and distance themselves from Christian fundamentalists promoting Christianization of the government and hatred against Hindus and Hinduism.

HOTSPOTS OF TROUBLE

ISLAMIC REPUBLIC OF AFGHANISTAN



© CIA World Factbook

Afghanistan continues to garner the attention of the world. President Obama announced that the U.S. would begin withdrawing troops from the country in July 2011, but the gains made by the coalition forces are considered fragile, and the removal of all foreign troops by 2014 could depend on how the situation unravels in Afghanistan.^{cdlix} The United States continued to kill leaders of Al Qaeda in the North Waziristan region of Pakistan and the border between Pakistan and Afghanistan, so that they could diminish Al Qaeda's capacity to carry out terrorist attacks. The U.S. claimed that it had halted or reversed inroads by the Taliban in Afghanistan and strengthened the ability of Afghan forces to secure their country.

The estimated population of Afghanistan in 2010 was 29,121,286 of which 99% was Muslim (Sunni 80% and Shia 19%). Of the 200,000 Hindus who lived and made Afghanistan their home in the 1970s, only 3,000 or so Hindus and Sikhs still remain there, and the rest have made their way to India, Europe, and the United States seeking refugee status. There is no clear estimate of the number of Hindus, the oldest inhabitants of Afghanistan, still living in that country. According to *The Vedic People*,^{cdlx} Afghanistan is one of the oldest Hindu centres of the world.

President Karzai appointed some Hindu representatives as senators in the traditional "jarga," but Hindus have had no luck in reclaiming the lands robbed from them, and seem to have no power to stop more of their land and property from being taken away. In the September 2010 elections, Hamid Karzai cast one of his votes for a female, Hindu

candidate. Just two Hindu candidates were on the list of about 600 vying for parliamentary seats. It was reported that Karzai's choice could annoy supporters in deeply conservative, Muslim Afghanistan.^{cdlxi}

In February 2001, during the Taliban's reign, Hindus were forced to wear a distinguishing yellow stripe on their arm, similar to the Jews during Hitler's reign. Abdurrah Rasul Sayyaf, a Member of Parliament, expressed this sentiment on television: "The Sikhs and Hindus of Afghanistan are considered part of the dhimmi in line with sharia law. The government has an obligation to protect them, but they are required to pay a poll tax. They can hold civilian occupations, such as doctors, but they cannot be in charge of a governmental body or office. Upon meeting a Muslim, a Hindu is required to greet the Muslim first. If a Muslim is standing and there is a chair, the Hindu is not allowed to sit down on the chair."^{cdlxii}

Although Afghanistan's Constitution grants equal rights to all to practice their religious ceremonies, Hindus still face many problems, even in cremating dead bodies. Charan Singh, the Hindu representative in the Afghan parliament, said Hindu and Sikh homes had been seized by a Muslim woman in Khost province. In a major case, the Afghanistan Independent Human Rights Commission (AIHRC) studied the seizure and occupation of lands belonging to Hindus, and said that even in Kabul, in the city's Kart-e-Parwan area, Hindu land and homes had been seized and/or occupied. "There were even cases that after the final decision of the High Court, Hindus have not re-owned their lands," said Shamsullah Ahmadzai, regional head of AIHRC.^{cdlxiii}

Sikhs and Hindus have problems in cremating dead bodies. They used to cremate their dead in an area called "Hindu Suzan," meaning Hindu crematory site. However, some people who have recently built houses near the area are creating problems by preventing them from cremating dead bodies there. AIHRC says Kabul municipality has identified an area in Kabul for the cremation of the Hindu dead, but the commission still does not know if the land in the area has been handed over to the Hindus and Sikhs.

It is doubtful that the Hindu and Sikh miniscule minority will survive any longer in Afghanistan. This is ironic because to this day, Indian movies and music are popular in the country. Also, India is the sixth largest foreign aid donor to Afghanistan, with an aid budget of \$1.3 billion, and Indian companies are rebuilding roads and schools in Afghanistan despite the constant security threats.^{cdlxiv}

The fate of minorities in Islamic Republics and Muslim majority nations is dire, and Afghanistan is the most devastating example of religious bigotry, Islamic

fundamentalism, and Muslim majoritarianism. That it is almost a lawless state does not explain or rationalize the fate of Hindus there.

AUSTRALIA



© CIA World Factbook

As we reported last year, between 2004 and 2009, the number of Indians studying in Australia rose from 30,000 to 97,000. Nearly 45,000 lived in Melbourne. As of early January 2010, there were about 70,000 Indian students studying in the country.^{cdlxv} We can hypothesize that the majority of Indian students in Australia are Hindus. Thirty-three Indians died in violent attacks in Australia between 2004 and 2009, and six died in 2009. The year 2010 began inauspiciously as a 22 year-old student, Nitin Garg, was murdered in the western suburbs of Melbourne.^{cdlxvi} The incident prompted Australia to hold a “Vindaloo against Violence” campaign to assure the Indian students, as well as the Indian government, that such attacks would be quickly probed and the culprits brought to justice. However, it took nearly a year to find and prosecute the two Melbourne teenagers who carried out the attack. In another incident, three men faced charges of racism after they assaulted and racially abused another 22-year-old Indian student, Rajan Kumar Katkam. In a third incident, Bharat Thapar was attacked by a group of six or seven youths attacked in a suburb of Melbourne on the night of July 19. He was beaten mercilessly after he got involved in a brawl to save another student who was being attacked by the group.^{cdlxvii}

The Victoria Police Commission reported that there were 1,083 cases of robbery and assault against Indians in 2007-08, and the attacks increased to 1,447 over the same period in 2009, with many directed against students.^{cdlxviii} Some argued that the cost of living in Australian cities forced many of these students to live in cheaper and more distant suburbs where there was an increased risk of encountering violent crime. Others blamed it on alcoholism and a violent media culture.^{cdlxix}

Given the fact that international students contribute \$13 billion to the Australian economy every year, and Australia stood to lose nearly \$70 million because of the attacks against and flight of Indian students, the Indian government and the Australian government sought to repair the damage with ministers traveling to and fro to learn the facts and establish goodwill. The number of Indian students applying for student visas dropped 46% between July and October 2009 compared to the same period in 2008. Indian students make up 18% of Australia's total overseas student population, the second-largest group of students after the Chinese.^{cdlxx} Melbourne University vice-chancellor Glyn Davis warned that Indian student enrollment at Australian universities would plunge by at least 80% in the 2011 academic year.^{cdlxxi}

While Victoria's police chief said, in 2009, that the police had known about the attacks for the previous two years and that there was an element of racism involved,^{cdlxxii} other accounts seemed to suggest that there has been no serious study, either by the Australian media or by scholars to discover why Indian students have been targeted. Causing concern, however, was the discovery of racist emails circulating among the Victorian police force in 2010. India summoned the Australian ambassador to express concern.^{cdlxxiii} A report submitted in early 2010 to the Indian Parliament by the Overseas Indian Ministry said that of the 152 attacks that the Indian Consulate was aware of 23 had "racial overtones," and the majority were found to be either thefts, robberies, or results of verbal disputes.^{cdlxxiv}

THE KINGDOM OF SAUDI ARABIA



© CIA World Factbook

Saudi Arabia continues to be one of the most authoritarian and religious fundamentalist nations in the world. It is an Islamic monarchy, and the Koran and the Shari'a serve as the state's constitution. The law mandates all citizens to be Muslims. There is no constitutional protection for freedom of religion. Proselytizing by non-Muslims is illegal. According to the Saudi Ministry of Information, because Saudi Arabia is an Islamic state, "it is...inevitable that the Ulema should play a key role within the Kingdom. They play an influential part in [a number of] fields of government."^{cdlxxv} Public practice of other religions is prohibited. Visitors to the country complain that the police and customs authorities regularly confiscate private religious material including books and symbols on entry. Religious vigilantes harass, assault, and batter non-Muslims. Intolerance of other religions is embedded in the kingdom's educational institutions. Schools teach Islamic law.^{cdlxxvi}

Saudi Arabia was established in 1932 by King Abd-al-Aziz, who took over Hijaz from the Hashemite family and united the country under his family's rule.

Islamic law characterizes Hindus as polytheists, thereby putting Hindus in the same category as those who practice "black magic" or "sorcery". Every human rights group, along with the USCIRF, has accused Saudi Arabia of human rights violations. Since 2000, USCIRF has continuously branded Saudi Arabia as a "country of particular concern."^{cdlxxvii} However, very little has changed on the ground as the oil rich country has thumbed its nose at the international community.

One of the most egregious cases of human rights abuse in Saudi Arabia in 2010 involved a Hindu female doctor, Shalini Chawla, 36, who was falsely accused of murdering her husband, Ashish Chawla, and jailed for ten months before being released. Her story is emblematic of the Muslim-extremist police state that is the country.^{cdlxxviii} Shalini was put in prison, even though she was caring for her newborn baby. Ashish died in his sleep, but his Muslim colleagues claimed that he had converted to Islam, and therefore, his wife had poisoned him. Shalini said that her husband never discussed his intention to embrace Islam. Three autopsies were ordered of her husband to determine that he was not poisoned. Meanwhile, she was forced to nurse her 34 day-old baby in prison as the Indian Consulate navigated the labyrinthine mechanisms of the Islamic state to finally have Shalini released from prison and sent back to India. Not only did Shalini suffer the pain and anguish of losing her husband, but she was forced through a series of humiliations because her husband's Muslim colleagues, including a Pakistani, displayed their anti-Hindu bigotry.^{cdlxxix}

The irony is that India continues to pump hundreds of millions of dollars to Saudi Arabia as it prepares and sends thousands of Indian Muslims to the annual Haj pilgrimage.^{cdlxxx} Between 2006 and 2008, the Indian government spent \$332 million to send hundreds of thousands of Indian Muslims on the Haj pilgrimage, even while half the country lived below the poverty line.

Hindus in Saudi Arabia are estimated anywhere between 165,000 to 303,000.^{cdlxxxi} Poor Indian workers, many of whom are Hindu, are treated inhumanely in the country, and according to a new report, treated as "cattle."^{cdlxxxii} Nearly 70% of Indian workers in Saudi Arabia are semi-skilled or unskilled workers and are the victims of a variety of human rights abuses.

With the second largest oil reserves in the world,^{cdlxxxiii} Saudi rulers and people continue to thumb their extremist-Islam noses at the whole world.

Appendix A

International Acts, Conventions, Covenants, and Declarations

Bangladesh Enemy Property Act/Vested Property Act

In 1965, after the Indo-Pakistan War, the then Pakistan Government introduced the Enemy Property (Custody and Registration) Order II of 1965. The Defence of Pakistan Rules identified the minority Hindus as enemies and dispossessed them of their properties. After independence from Pakistan, the President of Bangladesh, in Order No. 29 of 1972, changed the nomenclature of the law from the Enemy Properties Act (EPA) to the Vested Property Act (VPA). Clause 2 of the Order further stated: “Nothing contained in this Order shall be called in [to] question in any court.” The Order of the President was subsequently not subject to judicial review.

According to the Association for Land Reform and Development (ALRD), an NGO based in Dhaka, the estimated total Hindu households affected has been 1,048,390, and the estimated area of dispossessed land has totaled 1.05 million acres. About 30% -- 10 out of every 34 -- of the Hindu households (including those that are categorized as missing households) have been the victims of EPA\VPA. These estimates, although based on some debatable assumptions, should be considered as sufficiently indicative of the gravity of the law’s impact.^{cdlxxxiv}

Chittagong Hill Tracts (CHT) Peace Accord of 1997

Chittagong Hills Tract is in southeast Bangladesh and is the homeland to the Jumma peoples, 14 tribes of Sino-Tibetan origin. As their language, religion, social system, and economic practices differed from those of the majority of Bangladesh’s population, the Jumma peoples became victims of ethnic discrimination, forced relocation, land eviction, rape, torture, and judicial executions. The CHT peace accord was an effort to ease the struggle between the Jumma peoples and the government of Bangladesh.^{cdlxxxv}

United Nations International Convention on the Elimination of All Forms of Racial Discrimination

On December 21, 1965, the United Nations adopted the International Convention on the Elimination of All Forms of Racial Discrimination. The fundamental of the Convention are as follows:

Part I

- Defines racial discrimination as, “any distinction, exclusion, restriction or preference based on race, color, descent, or national or ethnic origin”
- Condemns racial discrimination and segregation
- Promotes the right to equal justice and protection by the law, marriage and choice of spouse, own property, education and freedom of religion, opinion, and thought

Part II

- Establish a Committee on Elimination of Racial Discrimination
- Report annually to the General Assembly on its activities and provide recommendations

Part III

- Open for signature by any State Member of the UN

The full text of the Convention can be found at:

http://www.unhchr.ch/html/menu3/b/d_icerd.htm

United Nations International Covenant on Civil and Political Rights

On December 16, 1966, the United Nations adopted the International Covenant on Civil and Political Rights. The fundamentals of the Covenant are as follows:

- Every human being has the right to life that shall be protected by law
- No one shall be subjected to torture or inhuman treatment
- Slavery and slave trade shall be prohibited
- Everyone has the right to liberty and security
- Everyone shall be free to leave any country, including his own
- Everyone will be equal in front of the law
- Everyone shall have the right to freedom of thought, conscience and religion
- No marriage shall be entered into without the free and full consent of the intending spouses
- There shall be an established Human Rights Committee

The full text of the Covenant can be found at:
http://www.unhchr.ch/html/menu3/b/a_ccpr.htm

United Nations Universal Declaration of Human Rights

On December 10, 1948, the United Nations adopted the Universal Declaration of Human Rights. The fundamentals of the Declaration are as follows:

- All humans are born free and equal in dignity and rights and have the right to life, liberty and security
- Slavery and slave trade shall be prohibited
- All humans are equal before the law and entitled to equal protection by the law
- Everyone has the right to own property
- Everyone has the right to freedom of religion, including the right to change religions
- Everyone has the right to work and the right to equal pay for work
- Everyone has the right to education

Following this act, the UN called upon all Member countries to publicize the text of the Declaration and “to cause it to be disseminated, displayed, read and expounded principally in schools and other educational institutions, without distinction based on the political status of countries or territories.”

The full text of the Declaration can be found at:
<http://www.un.org/Overview/rights.html>

Appendix B

Attacks on Hindus in Bangladesh from January 1, 2010 to December 31, 2010

January 2010

1. A “murti” of Goddess Saraswati was destroyed in Bogra district, according to the *Dainik Janakantha* newspaper dated January 19, 2010. It was reported that seven Saraswati deities installed for the purposes of celebrating the Saraswati Puja were destroyed by Muslims at Pal Para in Demajani village in the Sajahanpur area of Bogra district. Those who were working on building and decorating the deities found the deities missing. They later found seven of the 12 missing deities destroyed in a nearby forest.
2. According to Rabindra Ghosh, lawyer and human rights observer, Hindu men and women in Tanchangya village were beaten by soldiers of the Bangladesh Rifles at Tamprue in Naikhyongchari upazila on January 19, 2010. It is reported that the villagers had gathered forest products for repairing and re-constructing their homes. The BDR personnel charged villagers with smuggling of forest products. They beat up male villagers and then tortured women who protested against the false charges and the beating of male villagers.
3. According to Rabindra Ghosh, lawyer and human rights observer, on January 19, 2010, a 13 year-old girl was allegedly raped by Assistant Sub-Inspector (ASI), Abdur Rahim, from Vedvedi Outpost under Rangamati police station, and by the manager of Hotel Palace, Mohammed Masud. It is reported that ASI Abdur Rahim had introduced himself to the girl and invited her for a cup of coffee at Hotel Palace on January 19. The girl went to the hotel around 4 p.m. that day. Relatives of the victim alleged that she was first raped by Abdur Rahman and then by the hotel manager.

On receiving the report, women’s rights activists led by Sushmita Chakma rushed to the hotel and found the victim in the hotel room which was locked from the outside. The rights activists went to the police station to lodge a complaint, but

the Officer-in-Charge of Kotwali police station, Babul Uddin Sardar, initially refused to accept the complaint. Later, under pressure, a case was registered.

4. According to *The Daily Star* dated January 23, 2010, eight tribal people of Ratkaba village (Baghaichhari upazila) were injured when security personnel allegedly beat them up at Shaheed Ladumoni Chakma Bazar following a dispute over land. The people who were injured were Gayanamoy Karbari, Gayanandu Chakma, Bindu Chakma, Shanti Bimal Chakma, Anadi Ranjan Chakma, and Lojo Mukhi Chakma. It is reported that the incident took place when the tribal people of Ratkaba scolded two of their women as they came to the local bazar to sell goods despite a ban by the villagers. The villagers had been avoiding the market as part of a demand for returning them the lands allegedly grabbed by Muslim settlers. Security personnel from the Baghaihat zone picked up two tribal youths, Karnajoy Chakma and Kalabija Chakma, and beat them up. Tribal women, under the banner of Sachetan Nari Committee, led by its convener Lojo Mukhi Chakma, protested the army action and rescued the youths. Following the incident, the security personnel went to the bazar again and beat up the tribal people, leaving eight people injured.

February 2010

5. The organizing secretary of Human Rights Congress for Bangladesh Minorities (HRCBM) and a correspondent of *The Daily Star* reported the abduction and conversion of 15 year-old Hindu girl at Tamai Paschimpar. They reported that on January 19, 2010 the victim, Rupa Rani Halder, was kidnapped from her home. Witnesses said that the girl was kidnapped and a marriage was solemnized between the girl and Shah Alam, son of Ashraf Ali of Tamai Paschimpar, Sirajganj District.

Ratan Chandra Halder, father of the girl, produced a birth certificate showing that Rupa Rani was born on December 1, 1994. He lodged a complaint at Belkuchi police station. *The Daily Star*, dated February 1, 2010, reported that a rally was held in front of the Deputy Commissioner's office on January 31 to demand the rescue of the abducted schoolgirl and arrest of the culprits. Several hundred people, including teachers, lawyers, politicians, journalists, and socio-cultural activists, joined the rally organized by the HRCBM.

The police arrested Shah Alam on February 1, 2010.

6. According to the *Dainik Janakantha*, dated Feb 4, 2010, armed men in Bhola Sadar town attacked Hindu families in the Charnoabad area by breaking into their homes. It is reported that men hired by the former town commissioner had taken over the land and houses belonging to the Hindu community, which feared reporting these attacks to the police. The homes attacked included that of Shadhu Charan Talukdar. Rani Bala (70), wife of Talukdar, said that at approximately 2 a.m. the former town commissioner's men occupied land belonging to a Hindu temple, and they tried to attack her and about seven other people.
7. The *Sangbad* and *Samakal* newspaper, dated February 7, 2010, reported that following an incident of sexual harassment of a Hindu girl, some Muslim men attacked and destroyed Hindu deities on February 5, 2010 in Mograpara in Narayanganj district. It was reported that the attackers destroyed six Hindu deities in homes that belonged to the Hindu community. Homes that were attacked included those of Naresh, Netai, Polly, Govinda, and Sentu. Some Hindu youths were also attacked and beaten. Those who were involved in the attack included Rakibul, Sujan, Sabbir, Mohan, Sagar, and Ripon.

It is alleged that a Hindu girl was harassed on February 4 in Ashrabdi village on the second day of the seven-day Hindu festival. Hindus protested and as a result there was a scuffle. At one stage, 20-25 people armed with sticks attacked the Hindu deities being readied for the ritual and damaged six deities. Four people were reported injured. The chairman of the local sub-district, Md. Mosharaf Hossain informed the media that the matter has been resolved.

8. Bangladesh Minority Watch (BDMW) Dhaka received an appeal from Gopal Chandra Sikdar (48) of Magura District seeking legal assistance in finding his missing daughter, Indrani Sikdar (18), who was abducted on January 17, 2010, while she was on her way to Eden College in Dhaka. Gopal Sikdar complained to the Tejgaon police station on January 18, 2010. Sikdar was told on January 19 that his daughter was with Asif Shakil and warned not to complain to the police. It was reported that on the same day, Indrani Sikdar called her sister-in-law crying and asking to be rescued. She reported that she had been abducted by Asif Shakil (24) and others. Gopal Sikdar complained again to the police on January 22, providing them the information his daughter had given. Police had not traced the young woman as of February 9, 2010.

9. According to the *Jugantor* and the *Amader Samoy* newspapers, dated February 18, 2010, during the Kali puja organized by Hindu communities at Purbakalma Das Para (Lohajang Upazila, Munshiganj district) local Muslim goons, including Alam Bhuiya (45) and Pavel Sheikh (25), demanded that the cremation ground for Hindus be moved. They threatened that if that was not done, the cremation grounds would be blown up by explosives. This threat was made in presence of Zahangir Fakir, local president of the Awami League party. It is reported that later the Muslim goons demolished the Kali “murti.” About 500 Hindu devotees protested this attack and staged a demonstration. In this connection a complaint was lodged at the Lohaganj police station. Ajoy Chakravorty, president of the Puja Ujjapan Parishad and Govinda Chandra Das, president of Lohaganj Puja Ujjapan Parishad, visited the place where the attack took place. Global Human Rights Defense, Dhaka contacted the local administration and sought arrangements for bringing peace to the community.
10. A police constable, Shahabuddin (Constable Number 23240), sexually assaulted a Hindu woman, Shika Rani Das, 35, wife of a Dalit watchman on February 16, 2010. He was caught by locals. Shahabuddin entered the home when her husband was away and raped her. But the police said no case was lodged as the victim was not interested in lodging a complaint (*Dainik Manabjameen*, February 18, 2010).
11. A 15-year old tribal girl was abducted outside of her home on February 26, 2010, and gang-raped by five locals at Bandra village in Moddhonagar police station in Sunamgong district. The girl was found unconscious later. The family tried to lodge a complaint against the perpetrators on February 27, but the officers at Moddhonagar police station refused to file it. Later, with the help of a community leader, the family managed to file a complaint and a case was registered against the five perpetrators. No one has been arrested to date, and the girl and her family are being pressured by influential persons to withdraw the case.
12. Popy Rani Sarkar (16), daughter of Tola Ram Sarkar, was kidnapped on the way to Tolaram College at Joypurhat on February 28, 2010 by four men: Md. Shahee Noor (20), son of Md. Abdul Karim; Md. Ariful Islam (23), son of Md. Nantu; Abdul Karim (45), (all residents of village Rashidpur, Panch Bibi, Joypurhat); and Md. Enamul Hoque (32), son of Mozammel Hoque. After being rescued the

victim said she was abducted by Md. Shahee Noor (*Dainik Janata*, March 4, 2010).

March 2010

13. Anju Rani Das (16), a student of class IX, was kidnapped on her way to a relative's house at Boga Union, West Kaina, and gang-raped on March 19, 2010. The perpetrators were named as Hanif Howlader (38), Bashir Mollah (30), Forkan Howlader (25), Mohammad Masum alias Commander Masud (28), Jamal Khan (35), Mohammad Liton (25), Abdul Mannan (30), and Md. Abul Kalam (32). The victim lodged a complaint at Boufol police station (Case #20, March 20, 2010, registered under section 9(3)30 of Women and Children Repression Ordinance, 2003 and 341/379 of Bangladesh penal code) against the perpetrators. Two of the eight perpetrators have been arrested (*Amader Shomoy*, March 21, 2010).
14. Arporna Rani, 16, a student of Birampur Government Girls High School, was returning from school on March 14, 2010 at approximately 2 p.m. when, at village Chandipur Moupukur, she was kidnapped by four men: Md. Sekandar Ali (20), of Devipur; Mohammad Selim Mondal (24), of Devipur; Sree Kartik Chandra Sarkar (20), of Moupukur; and Mohammad Ariful Islam (19). On being informed by witnesses, the family of the victim approached the families of the perpetrators, who promised to rescue the girl, but did not, according to the *Dainik Janata*, dated April 1, 2010.
15. Deepa Rani Kundu, 23, daughter of Uttam Kumar Kundu, was kidnapped by a group of Muslims on March 14, 2010, while going to the Youth Training Centre at Pal Para. Deepa is a student of English (Honors), final year, at the Government Azizul Hoque College, Bogra district. Her father is a businessman, and her mother is a nurse at a private medical center in Bogra. The girl's father requested the Officer-in-Charge of Bogra Sadar Police Station to rescue his daughter, but was advised to file a "General Diary" (number 881, March 14, 2010). When the OC did not follow up, Mr. Kundu filed a case on March 21, 2010 (#88P/2010, Nari-Shishu) with the Women and Children Repression Tribunal at Bogra. He named the perpetrators as Mohammad Zahangir Alam (25), son of Mohammad Mokshed Ali; Mohammad Selim (27), son of Mohammad Mokshed Ali; Mohammad Mokshed Ali (56), son of late Oshir Uddin; Halima Begum (50), wife of Md. Anwar Hossain; and Md. Anwar Hossain (58). So far, the victim has not been rescued, nor anybody arrested. Mr. Kundu reported that from March 26,

2010 onwards, the perpetrators were continuously demanding money to free Deepa and threatening to make her pregnant, but the police had refused to record his complaint.

According to an advocate of the Kurigram Bar Association, Rafiqul Islam Raju, the victim and perpetrator, Mohammad Zahangir Alam, had filed an affidavit stating that they were married according to *Sharia* law and that Deepa had accepted Islam and changed her name to Zinna-tul- Ferdous. (Case no.010-GHRD-HRCFBD-009-006; Case number: AIR - Court case No.44-P/2010, Nari-Shishu, at Bogra Tribunal).

16. A 16-year-old girl was imprisoned after being gang raped by eight members of the youth wing of the Bangladesh Nationalist Party on March 19, in the Patuakhali district when the girl and her cousin were on their way home on a rented motorbike driven by one of the suspects. At around 7 p.m., they reached the road of Lohalia, under Bauphal police station, where four identified and armed members of the Muslim Jubo Dal cadre, in collaboration with the motorbike driver, forced the girl and her cousin off the road, and brutally beat the cousin. The girl was abducted and taken to a nearby field of Joynal Choukider where she was brutally raped by at least eight men; her mouth was covered with cloth to prevent her seeking help. The perpetrators threatened to kill her if she told anyone about the incident. Two of the accused have been arrested. But the accused are putting pressure on the family to withdraw the case, and the police are not providing adequate protection and support to the victim and her family. Instead, the police are trying to protect some of the accused by refusing to file charges against them.
17. Sumitra Dutta, 14, a student of class IX, was abducted on March 16, 2010, on her way to school. When police failed to trace her, the local people demonstrated before the local administration at Serajgonj to demand immediate recovery of the girl. She was finally rescued on April 2, 2010 (*Ajkaler Khabar*, April 1, 2010).
18. Five year old Beauty Biswas, daughter of Bidhan Biswas (alias Dulu Biswas), was raped at night on March 12, 2010 by Badsa Mollah, 27. She bled profusely and as she cried out Badsha Mollah tried to strangle her. When people heard the noise they rushed to save her. The incident took place at village GachBaria, Lohagora, Narail. BDMW, Dhaka, investigated the incident on April 3, 2010 and recorded statements of witnesses, the victim, and her guardians.

April 2010

19. Susoma Rani Mondal, 17, a student of class X, was kidnapped on the way to the house of a classmate, Hena Khatun, on April 6, 2010 at 11 a.m. The kidnapping was witnessed by Bishnupada Mondal, Netai Pada Mondal, and Ashim Kumar Mondal of the same locality and a case registered (Shymnagar P.S. case No. 16 dated April 12, 2010). The alleged culprits were named as Mohammad Rezwani Gazi (22), son of Habibur Rahman Gazi; Khalil Gazi (40), son of Ahmed Ali Gazi; Amjad Hossain (32), son of late Surat Ali Gazi; and Mujibar Gazi (46), son of Ahmed Ali Gazi.

May 2010

20. According to the *Daily Star*, a 24 year-old rape victim was fighting for her life at Khagrachhari Adhunik Sadar Hospital. She was gang-raped by unknown youths at home at Rangapanichhara village under Mohalchhari upazila on May 14, after a gang tied up her husband with a rope. Locals arrived on hearing the cries of her 3-year-old child, Jewel. They took the unconscious victim to the hospital.
<http://www.thedailystar.net/newdesign/news-details.php?Nid=139087>
21. According to the *Daily Star*, dated May 18, 2010, criminals murdered a tribal woman, Bito Rani Tripura (35), wife of Karka Ranjan Tripura, and her 3-year-old daughter Monjuri Tripura, at Rohindra Para village, Panchhari upazila, district Khagrachhari. Police said the criminals stabbed the mother and child with sharp weapons on finding them alone at home. Neighbors rushed to the spot when Bito Rani's elder son, Donojjoy Tripura, returned from school and raised an alarm on seeing the blood and the bodies. No arrests have been made.
<http://www.thedailystar.net/newdesign/news-details.php?Nid=139087>
22. Golapi Bala (8), daughter of poor daily-wage earners, was raped on May 20, 2010. The incident was reported in the national daily newspapers. Police have not identified the rapists. Her parents filed a complaint on May 24. They said that they and some relatives had gone to the village fair at Amgram. On the way back, a young man aged about 20-22 kidnapped the child and raped her, covering her mouth so she could not call for help. The victim said she could recognize him, if he was brought before her. The case was investigated by BDMW and GHRD at village Pakulla, Rajoir, Madaripur.

23. A rape victim was imprisoned in the name of “safe custody” for a week. The alleged perpetrator, member of the Jubo League, the youth wing of the Awami League party, on April 13, 2010 proposed marriage to the victim. He then went to her residence on May 9, 2010 around 3 p.m. and abducted her. She was repeatedly raped and kept at different places in Kurigram and Rangpur. On May 22, the victim was admitted to Upazila Health Complex Kaunia, after she became seriously ill. She was released on May 28, and again abducted and raped by the suspect. He left her while they were on their way to Khopatiunder village around 9 p.m. on May 29. On May 31, the victim lodged a complaint against the alleged perpetrator at Kaunia Police Station. Police sent her to the department of Forensic Medicine of Rangpur Medical College Hospital on June 1, for medical examination, and to the Senior Judicial Magistrate Court in Rangpur to record her statement. Thereafter, an order was issued to send her to “safe custody,” and she was taken to Rangpur Central Jail where she remained from June 1 until June 8. While in “safe custody,” she was denied psychological counseling, and on June 8, she was taken from the Rangpur Central Jail to a safe home run by the Rangpur-Dinajpur Rehabilitation Service (RDRS), where she underwent two sessions of counseling. On June 9, she was once again taken to court where she was released from safe custody. The alleged perpetrator, together with the Jubo League leader of the local Upazila unit, was later arrested.

June 2010

24. Two Awami League leaders allegedly harassed a Hindu school teacher at the Child Academy of Moralganj Upazila and drove her to commit suicide. They were allegedly demanding money. The husband of the teacher filed a complaint at Moralganj police station on June 9, but no one has been arrested so far (*Bhorer Dak*, June 13, 2010).

25. On June 18, 2010, a dispute arose between two communities regarding the participation of Muslim men in a Hindu ceremony at a Hindu Dalit temple. In the evening, about 10-15 Muslim men armed with weapons attacked the house and temple. Several women were attacked, requiring hospital treatment, including one whose clothes were torn with the alleged intention of sexual assault. A number of Hindu Dalits, including children, were injured in the attack and were treated at Monirampur Health Complex. Jibon Kumar Das filed a complaint on behalf of the Hindu Dalit community at Monirampur police station on June 18, 2010. The suspects were granted bail, and proceeded to threaten the Hindu Dalit community. Requests for protection were ignored by the police. On June

21, 2010, the victims wrote to their local Member of Parliament for assistance in the matter, but no action was taken against the alleged culprits and no protective measures were put in place.

26. Tithi Rani Sarkar, 19, was raped by the Vice Principal of Shahid Abul Kashem College at Lalmonirhat district. The culprit, ABM Faruk Siddique, son of Abu Bakkar Siddique, is reportedly an activist of the Bangladesh Nationalist Party (BNP). As the victim disclosed the name of the perpetrator, he along with 10 to 12 hoodlums attacked her house, dragged her out, and abducted her on June 24, 2010 for forceful conversion. But she managed to escape with serious injuries. Two criminal cases have been filed, according to the *Daily Star*, June 26, 2010; *Sangbad*, June 26, 2010; *Manab Jameen*, July 2, 2010; and the weekly *Rangpur Chitra*, June 26, 2010.

July 2010

27. According to BDMW, Jui Talukdar (14), of Baraiunda, was kidnapped on July 17, 2010, on her way to Kalmakanda Pilot High School. Her father filed a complaint, and a case was registered against Khairul Khan, Md. Asadul Islam, Golam Sarwar, Mahabub Alam, Sahed Khan, Bacchu Khan and Mahatab Khan on July 18, 2010.
28. Pratima Rani (34), a tribal woman, was raped on July 13, 2010, by Mohammad Zahurul Islam (28), who unlawfully entered her house in North Sadishpur village, Badalgachi Upazila, Nowgaon district. Her husband, Budhu (40), was away at the time. When Pratima Rani raised a hue and cry, a neighbor came out and witnessed the assault. The victim felt humiliated, and she consumed poison. Taken to the nearest hospital at Joypurhat, she passed away on July 14, 2010. Police registered a case of murder against those responsible for the rape (*Dainik Janata*, July 19, 2010).

August 2010

29. Anjana (34), a housewife, was tortured to death by Md. Zafar Pramanik (28), and Mosharaf Ali (30), of Sadullahpur, Gaibandha, on August 19, 2010. Anjana, working for an NGO, had gone to Dhapurhat for collecting loan dues on behalf of ASHA, and did not return. A “General Diary” was filed on August 20, 2010 (No. 697) by Tarani Kanti Mondal, her sister-in-law. The same day, Anjana’s body was found in a ditch under a culvert by local people. Her husband, Madhusudhan Sarkar lodged a complaint against two suspects (Case No. 31 on August 20, 2010

under section 341/302/201/379/34 of Bangladesh Penal code). Police arrested Zafar Pramanik, who confessed to the murder (BDMW).

30. Purnima Samaddar (14), schoolgirl of class VIII, was killed after being gang-raped on August 4, 2010, at village Ghoshial, Sreepur Upazila, Magura district. Police said when Purnima was returning home from school, about six to seven men kidnapped her and took her to a jute field, raped and strangled her, and left her dead in the field. Police arrested Zillur (25), son of Rostom Ali Zoardar; Yousuf Zoardar (26), son of Abul Zoardar; Akkas Hossain Sheikh (25), son of Mohammad Ali Sheikh of Ghosial (*Bangladesh Somoy*, August 5, 2010).

September 2010

No incidents were reported.

October 2010

31. Shresta Dey (16), a schoolgirl, was kidnapped by Muslim men on October 10, 2010, in the morning at gunpoint while on her way to Bidyamoyee Girls School, Mymensingh district. The perpetrators intercepted the private van in which she was travelling and took her to an unknown destination. Police rescued the victim on October 13 and arrested two suspects, Jewel and Rokon (*Daily Bangladesh Somoy*).
32. Shila Mullick went to the office of the Superintendent of Police, Madaripur, to seek justice in connection with a case she had filed against some criminals (Rajoir P.S. case No. 08 dated August 20, 2010 under section 148/323/379/307/326/386/114 of the Penal Code). She was allowed to enter the chamber of Sardar Tomizuddin Ahmed, SP, after being made to wait an hour, and then taken to a solitary room for interrogation during which she was tortured and pressured to withdraw her case. Shila refused (reported in the *Jugantor*, October 18, 2010; *Janakantha*, October 18, 2010; and *Janata*, October 20, 2010).
33. Bulbuli Rani (14), a student of class VI, was gang raped at Sadullahpur Upazila, Gaibandha district, on October 1, 2010, by Mohammad Azahar (35), and Md. Mitu Meah (30). A case was registered the same day under section 9(1)/30 of Women and Children Repression Act, but no arrests have yet been made (BDMW).

34. Shika Rani Roy (15) a Hindu schoolgirl of Durgapur, Palashbari Upazila, Gaibandha district, was kidnapped on October 25, 2010. A complaint was filed at Palashbari police station (case No.39 dated October 29, 2010 under section 7/30 of Women and Children Repression Act, 2003) against Mohammad Azam Meah, Mohammad Abdur Rahim Meah, Mohammad Abdul Mannan, and four or five unknown perpetrators (BDMW).
35. Soumita Sarkar (13), a student of grade VII, was regularly harassed by Zahangir, son of Sattar, of village Kashimari, Shynagar Upazila, Satkhira district, on the way to school. As a result, she stopped going to school. On the night of October 27, 2010, Zahangir went to kidnap Soumita, but her mother Anima Rani woke up in time. Zahangir then physically assaulted Soumita and Anima and fled. The mother and daughter were admitted to Shynagar Health Complex. A case (#02/2010) was registered against the perpetrator, but no arrests were made (*Aparadhkantha*, November 5, 2010).
36. Moni Mala Biswas (30), wife of Prakash Biswas, was kidnapped by Mohammad Zamal Gazi (39), of Sonali, P.S. Tala, district Satkhira, with the help of others. A case was filed at Tala P.S. (#25 dated April 21, 2010 under section 7/30 of Women and Children Repression Act, 2003). The abductors forcibly converted Moni Mala to Islam on June 9, 2010, and renamed her Fatema Begum. She was forced to marry the perpetrator, even though he had another wife. Police neither traced Moni Mala nor arrested the culprits till her murder. Mohammad Zamal Gazi put immense mental and physical pressure on Moni Mala to withdraw the abduction case, and when she did not relent, she was murdered. A case was filed under section 11(ka)/30 of Women and Children Repression Act, 2003 (Case #15 dated October 28, 2010), but no arrests were made. Moni Mala (Fatema Begum) was buried as per Muslim custom, according to *Taitha*, October 29, 2010; *Spandan*, October 30, 2010; *Purbanchal*, October 29, 2010, and *Gramer Kagoj*, October 29, 2010.
37. Rina Rani (32), of village Debottar Ramnathpur, district Gaibandha, was cooking food in her home on October 14, 2010, when around 7 p.m. Mohammad Sabuj Meah rushed in and poured acid over her head and body and fled. No arrests were made.

November 2010

No incidents were reported.

December 2010

38. Nipa Banarjee (17), a Hindu schoolgirl, was kidnapped on December 1, 2010 in broad daylight from Fulbari Upazila, Dinajpur district, by Mohammad Sumon (26), Mohammad Shafiqul Islam Bakul (40), Mohammad Selim (27), and Md. Siddique Gaznabi. An FIR was filed at Fulbari police station, Dinajpur (case #5, December 6, 2010), but so far there has been no recovery and no arrest (BDMW).
39. Rubi Rani Sarkar (15), a speech-handicapped Hindu girl of Netrokona Dariya Nayapara, was gang raped by Muslim men on December 3, 2010, while returning from a religious event. The men abducted her and raped her repeatedly over two days. A case has been registered, but police have not arrested anyone (*Amar Desh*, December 7, 2010).
40. According to the newspaper, *SojaSapta*, December 24, 2010, Ratan Saha (28), a Hindu, was abducted from Narayanganj on December 20, 2010. He has not been traced and the police refused to file a case or find the victim. It is alleged by Jatindra Saha, father of Ratan Saha, that he had an agreement with the man who abducted his son -- Mohammad Mustafa -- to rent his factory, involved in dyeing clothes, for an amount of Taka 700,000. Jatindra had paid an initial amount of Taka 300,000 to Mustafa on November 03, 2010. But Mustafa sent his employee, Md. Jasim on December 20, 2010 at about 4 p.m. to collect the remaining Taka 400,000 and that Ratan Saha accompany him. Jatindra sent Ratan to hand over the money. Md. Mustafa did not confirm about the amount given to him November 3, 2010. There was a quarrel between Ratan and Mustafa, after which the cell phone of Ratan was switched off and Ratan Saha has not been traced since then. A case has been filed with the police

Appendix C

Islamic Extremist Groups in South Asia^{cdlxxxvi}

People's Republic of Bangladesh^{cdlxxxvii}

Militant Organization	Description
Jamaat-e-Islami (Jel)	Islamist political party that was part of the Bangladesh Nationalist Party (BNP) coalition that came to power in the 2001 election, and was involved in violent attacks on Hindu supporters of the opposition Awami party; Its ultimate goal is to create an Islamic state in Bangladesh.
Islami Chhatra Shibir (ICS)	Youth wing associated with Jel, and has contact with Muslim youth extremist groups around the world. ICS has been involved in political and religious violence, and has been implicated in a number of bomb blasts throughout Bangladesh; Islami also controls a number of <i>madrasas</i> across the country.
Islami Oikyo Jote (IOJ)	Small Islamist party, and was also part of the BNP coalition government; Has supported violence against Hindus.
Jama'atul Mujahideen Bangladesh (JMB)	JMB has been implicated in a number of suicide bomb blasts across Bangladesh; A number of its leaders were previously affiliated with Jel and ICS.
Harkat-ul-Jihad-al-Islami (HuJI-B)	Largest militant Muslim organization operating in Bangladesh, and has an estimated 15,000 members, recruited primarily from <i>madrasas</i> ; Involved in a number of attacks.

Islamic Republic of Pakistan^{cdlxxxviii}

Militant Organization	Description
Harakat-ul-Jihad-ul-Islami (HuJI)	Islamic extremist group trying to establish Islamic rule in Pakistan through violence; Accession of the Indian state of Jammu and Kashmir to Pakistan; Spread terror throughout India; Has affiliate in Bangladesh (HuJI-B)
Jundallah	Rejects democracy of even the most Islamic-oriented style; Establish Sharia law; Accession of the Indian state of Jammu and Kashmir to Pakistan
Khuddam ul-Islam	Accession of Indian state of Jammu and Kashmir to Pakistan; Radical Islamist state in Pakistan; “Destroy” India and the U.S.
Lashkar-e Jhangvi (LeJ)	Violently transform Pakistan into a Sunni state under the complete control of Sharia law; Declare all Shia as <i>kafirs</i> (infidels), and responsible for several attacks on Shias; Destruction of other religions, notably Hinduism, Judaism, and Christianity; Its leader is Muhammad Ajmal, alias Akram Lahori; The group has links to SSP, Taliban, HuM, JeM, Al Qaeda
Sipah-e Sahab Pakistan (SSP)	Violently transform Pakistan into a Sunni state under the complete control of Sharia law; Declare all Shia as <i>kafirs</i> (infidels), and responsible for several terrorist attacks on Shia civilians; Destruction of other religions, notably Hinduism, Judaism, and Christianity; SSP has links to LeJ, HuM, Taliban, JeM,

	Jel, and Jul; Its leader is Maulana Mujibur Rehman Inqilabi
Harkat ul-Mujahidin (HuM) Previously known as Harkat-ul-Ansar	Targets Indian troops, civilians in the Indian state of Jammu and Kashmir, and Western interests; Masterminded the Kandahar hijacking of an Indian airlines in December 1999 Stated goal is the accession of the Indian state of Jammu and Kashmir with Pakistan and to take control of the Babri Masjid in Ayodhya, Amritsar and Delhi; Targets include Indian government/political leaders, and civilians; Has links to HuM, Pakistan's Inter-Services Intelligence, Taliban, Al Qaeda and several Sunni groups like SSP and LeJ; Its leader: Maulana Masood Azhar
Jaish-e-Mohammed (JeM) (Army of Mohammed)	
Lashkar-e-Taiba (LeT) (Army of the Righteous)	Stated goal is to restore Islamic rule over India, take control of Kashmir, and unionize the Muslim regions in countries that surround Pakistan; Considers India, Israel and the U.S. prime enemies; Attacks primarily in J&K and other parts of India, including the recent terror attacks in Mumbai; Operates under the charity of Jamaat-ul-Dawa; Has links to Inter-Services Intelligence, Taliban, Al Qaeda, Al Muhajiraun, International Sikh Youth Federation and various international Islamist terrorist groups; Its leader is Hafiz Muhammad Saeed
Lashkar-e-Omar (LeO) (Army of Omar)	A loose coalition of terrorist organizations: LeT, JeM, and LeJ; Believes in Islamic fundamentalism and fascism, hatred towards the West; Carried out attacks against Western targets and non-Muslims
Tehreek-e-Jaferia Pakistan (TJP)	Shia extremist group whose goal is to create a society based on "pure Islam" and protect the social, political and religious rights of Shiites; Also claims to fight against imperialism, and obtain Islamic egalitarianism and social justice; Has links to

	Pakistani Parliament and Iranian clergy; Its leader is Allama Syed Sajid Ali Naqvi
Tehreek-e-Nafaz-e-Shariat-e-Mohammadi	An extremist group whose goal is the militant enforcement of Islamic law (totalitarianism view), and transform Pakistan into a “Taliban style” country; It operates most of Swat Valley and neighboring districts, and has links to the Taliban; Its leader is Maulana Fazalullah
Nadeem Commando	Small terrorist group whose members are Mohajirs (Muslims who left India in 1947); Its stated goal is to protect the rights of Mohajirs, and operates primarily in Karachi and Hyderabad; Terror tactics include random shootings of selected targets and staging violent incidents during political strikes; It has links to Muttahida Quami Movement Altaf (MQM-A)
Sipah-e-Muhammad Pakistan (SMP) “Army of Muhammad”	Shia extremist group, whose goal is to protect the Shiite community from Sunni extremist groups; Has links with Shia regime in Iran; Its leader is Ghulam Raza Naqvi and it is a rival of LeJ
Popular Front for Armed Resistance	Its goal is to advocate the secession of all Baluch regions from Pakistan; also involved in drug trafficking; Has links to Taliban
Muslim United Army	An umbrella group consisting of, “all the rightwing organizations including LeJ.” Its stated goal is to organize groups against America and to launch a war against anti-Islam forces and non-Muslims; Its leader is Sheikh Ahmed

ⁱ Green, Dan (2010). "Confronting Karzai," *Armed Forces Journal*,
<http://www.armedforcesjournal.com/2010/11/4935512>

ⁱⁱ Annual Report: U.S. Commission on International Religious Freedom (May, 2009), p. 4.,
<http://www.uscirf.gov/images/AR2009/saudi%20arabia.pdf>

ⁱⁱⁱ CIA Factbook, "Bangladesh", <https://www.cia.gov/library/publications/the-world-factbook/geos/bg.html>

^{iv} Scanlon, Oliver (July 10, 2009). "Bangladesh Human Rights Agency Given Extensive Powers,"
http://www.opendemocracy.net/india/news_digests/100709

^v Government of India, <http://www.indiandiaspora.nic.in/diasporapdf/part1-exe.pdf>

^{vi} "Hinduism by country," Wikipedia, http://en.wikipedia.org/wiki/Hinduism_by_country

^{vii} Das, Subhamoy. "Hindu Population in India," About.com,
<http://hinduism.about.com/library/weekly/extra/bl-population1.htm>

^{viii} Ibid.

^{ix} "Hindu American Foundation Releases First-Ever Annual Survey of Hindu Human Rights," *Hindu American Foundation*, July 13, 2005.
http://www.hinduamericanfoundation.org/media_press_release_hhr_2004.htm

^x "Pakistan." Wikipedia, the Free Encyclopedia, <http://en.wikipedia.org/wiki/Pakistan>

^{xi} "Hinduism in Pakistan." Wikipedia, the Free Encyclopedia,
http://en.wikipedia.org/wiki/Hinduism_in_Pakistan

^{xii} "Pakistan Supports Terrorists Rebels in Kashmir," Hon. Bill McCollum of Florida in the House of Representatives, June 22, 1994, http://www.kashmir-information.com/Miscellaneous/Pak_terrorism.html; Anderson, John W. "Pakistan Aiding Rebels in Kashmir," *Washington Post*, May 16, 1994.

^{xiii} "Second Annual Hindu Human Rights Report Released on Capitol Hill," Hindu American Foundation,
http://hafsite.org/media_press_release_hhr2005_release.htm

^{xiv} "Bangladesh." CIA World Factbook, Central Intelligence Agency,
<https://www.cia.gov/library/publications/the-world-factbook/geos/bg.html>

^{xv} H. Habib (December 31, 2008). "Historic triumph for Hasina," *The Hindu*,
<http://www.hinduonnet.com/thehindu/2008/12/31/stories/2008123157100100.htm>

^{xvi} H. Habib (January 07, 2009). "Hasina sworn in premier," *The Hindu*,
<http://www.hindu.com/2009/01/07/stories/2009010754181700.htm>

-
- ^{xvii} BBC (January 13, 2011). "US offers to help Bangladesh pursue war crimes trial," <http://www.bbc.co.uk/news/world-south-asia-12183361>
- ^{xviii} Raveendra, Bhavani (April 20, 2010). "Bangladesh war crimes tribunal in the works," Center for Human Rights and Humanitarian Law, <http://hrbrief.org/2010/04/bangladeshiwartribunal/>
- ^{xix} Ashraf Hussain, Md. (April 11, 2010). "Upcoming War Crimes Trial: A Burning Issue of Bangladesh," <http://www.internationalpeaceandconflict.org/profiles/blogs/war-crimes-trial-in-bangladesh>
- ^{xx} http://www.bdgateway.org/gov_list_of_ministers.php
- ^{xxi} R. Trivedi, Bangladesh Minority Watch, Dhaka
- ^{xxii} "Crisis in South Asia," Report by Senator Edward Kennedy to the Subcommittee Investigating the Problem of Refugees and Their Settlement; Submitted to U.S. Senate Judiciary Committee, November 1, 1971. U.S. Government Press, pp. 6-7.
- ^{xxiii} Rabindranath Trivedi. "The Legacy of the Plight of Hindus in Bangladesh," The Asian Tribune, <http://www.asiantribune.com/index.php?q=node/6663>
- ^{xxiv} "Amnesty Calls for Bangladesh 'Truth Commission,'" Amnesty International, January 10, 2008. <http://afp.google.com/article/ALEqM5gHGjAp7AJxxfqwv2ZRXR7RCgToOw>
- ^{xxv} "Bangladesh Parliament Votes to make Islam State Religion," The New York Times, June 8, 1988, <http://query.nytimes.com/gst/fullpage.html?res=940DE5D71530F93BA35755C0A96E948260>
- ^{xxvi} "Bangladesh: Discrimination and Displacement of Religious Minorities," Refugees International, August 8, 2003, <http://www.refugeesinternational.org/content/article/detail/891/>; "Bangladesh: Minorities Increasingly at Risk of Displacement," Internal Displacement Monitoring Centre, March 28, 2006, <http://www.internal-displacement.org/>
- ^{xxvii} Nazrul Islam (October 12, 2005), "10,000 incidents of minority repression in Bangladesh since 2001." NewKerala.com, <http://www.newkerala.com/newsdaily.php?action=fullnews&id=34363>; "Over 10,000 Communal Tortures in Govt's 4yr," The Daily Star, October 11, 2007, <http://www.thedailystar.net/2005/10/11/d51011011310.htm>
- ^{xxviii} "Bangladesh: Discrimination and Displacement of Religious Minorities," Refugees International, August 8, 2003, <http://www.refugeesinternational.org/content/article/detail/891/>
- ^{xxix} Bangladesh Human Rights Report 2008, Global Human Rights Defence, <http://www.ghrd.org/FilesPage/3343/GHRDReport2008ver5.pdf>
- ^{xxx} "Govt. forms judicial enquiry commission on 2001 post-poll violence," UNB, <http://www.unbconnect.com/component/news/task-show/id-12185>
- ^{xxxi} C. Tannock (July 21, 2005). "Bangladesh's drift into chaos," Daily Times, http://www.dailytimes.com.pk/default.asp?page=story_21-7-2005_pg3_5

^{xxxii} "Assessment for Hindus in Bangladesh," Center for International Development and Conflict Management, December 31, 2000, <http://www.cidcm.umd.edu/inscr/mar/assessment.asp?groupId=77102>

^{xxxiii} Saleem Samad, an Ashoka Fellow (USA), is a journalist, press watchdog, and correspondent of Paris-based Reporters Sans Frontières (RSF), Paris, Special Correspondent of *Bangladesh Observer* and *Daily Times* (Lahore).

^{xxxiv} "Bangladesh: Minorities Increasingly at Risk of Displacement," Internal Displacement Monitoring Centre, March 28, 2006, <http://www.internal-displacement.org/>

^{xxxv} S.K. Datta, "The Recent Plight of Minorities in Bangladesh: A Post-election Perspective." Paper presented by the former Director, Central Bureau of Investigation, India at an international seminar organized by the Centre for Research in Indo-Bangladesh Relations, Kolkata, January 28, 2002; "Bangladesh: International Religious Freedom Report 2007," Bureau of Democracy, Human Rights, and Labor, Department of State, <http://www.state.gov/g/drl/rls/irf/2007/90226.htm>

^{xxxvi} "Communal Attack and Repression on Minority," Bangladesh Hindu Bouddha Christian Oikya Parishad January – June 2007, <http://www.bhbcop.org/bulletin>

^{xxxvii} "Bangladesh: Minorities Increasingly at Risk of Displacement," Internal Displacement Monitoring Centre, March 28, 2006, <http://www.internal-displacement.org/>

^{xxxviii} "Human Rights Report (2010)," Odhikar, http://www.odhikar.org/documents/2010/English_Reports/Annual_Human_Rights_Report_2010_Odhikar.pdf

^{xxxix} Lundstrom, Jenny. "With Intent to Destroy? Rape as Genocide Under International Criminal Law," Lund University, http://www.hrtribune.com/report/Thesis_Jenny3.pdf

^{xl} Ibid.

^{xli} Ibid.

^{xlii} Odhikar, http://odhikar.org/documents/2010/English_Reports/Annual_Human_Rights_Report_2010_Odhikar.pdf

^{xliii} Haroon Habib (May 5, 2007). "Repeal of Act Brings No Relief to Hindu Families." The Hindu, <http://www.hindu.com/2007/05/27/stories/2007052702291100.htm>

^{xliv} Ibid.

^{xlv} Ibid.

^{xlvi} Lintner, Bertil. "Bangladesh Extremist Islamist Consolidation," South Asia Terrorism Portal, <http://www.satp.org/satporgtp/publication/faultlines/volume14/Article1.htm>

^{xlvi} "The Constitution of The People's Republic Of Bangladesh," Article 11,
http://bdlaws.minlaw.gov.bd/pdf_part.php?id=367

^{xlvi} Ibid., Article 28,31.

^{xlvi} Ibid., Article 41.

ⁱ "Ratification of International Human Rights Treaties – Bangladesh," University of Minnesota Human Rights Library, <http://www1.umn.edu/humanrts/research/ratification-bangladesh.html>

ⁱⁱ "International Covenant on Civil and Political Rights," G.A. res. 2200A (XXI), 21 U.N. GAOR Supplement (No. 16) at 52, U.N. Doc. A/6316 (1966), 999 U.N.T.S. 171, *entered into force* March 23, 1976, University of Minnesota Human Rights Library, <http://www1.umn.edu/humanrts/instate/b3ccpr.htm>

ⁱⁱⁱ Ibid., Article 18.

ⁱⁱⁱ Ibid., Article 27.

^{iv} "Selected International and Regional Human Rights Treaties," Amnesty International Report 2008, <http://archive.amnesty.org/air2008/eng/human-rights-treaties.html>; "International Convention on the Elimination of All Forms of Racial Discrimination," G.A. res. 2106 (XX), Annex, 20 U.N. GAOR Supplement (No. 14) at 47, U.N. Doc. A/6014 (1966), 660 U.N.T.S. 195, *entered into force* January 4, 1969, University of Minnesota Human Rights Library, <http://www1.umn.edu/humanrts/instate/d1cerd.htm>

^v Ibid., Article 2.

^{vi} "MPs condemn Religious Extremism in Bangladesh," OneWorldUK, <http://uk.oneworld.net/article/view/122831/1/5354>

^{vii} "Hindus in Bangladesh, Pakistan and Kashmir: a Survey of Human Rights, 2004," Hindu American Foundation, Tampa, 2004. <http://hinduamericanfoundation.org/HHR2004.pdf>; Second Annual Hindu Human Rights Report Released on Capitol Hill, June 27, 2006, http://hafs.org/media_press_release_hhr2005_release.htm

^{viii} "Legal status foreseen for Christianity in Buddhist Bhutan," (November 8, 2010), APFA News.com, <http://www.apfanews.com/human-rights-monitor/legal-status-foreseen-for-christianity-in-buddhist-bhutan/>

^{ix} Andrea Matles Savada (ed.), "Bhutan: A Country Study," Washington: GPO for the Library of Congress, 1991, <http://countrystudies.us/bhutan/19.htm>

^x "Bhutan," Supra Note i.

^{xi} Opening statement by the Prime Minister of India, SAARC (April 28, 2010), <http://www.saarc-sec.org/userfiles/IndianPM1.pdf>

^{xii} Dorji, Gyalsten (March 23, 2010). "Most suggestions accepted," APFA News, <http://www.apfanews.com/human-rights-monitor/most-suggestions-accepted/>

-
- ^{lxiii} "Refugees and Bhutan's Security," (January 05, 2001). Kathmandu Post, http://www.geocities.com/articlesonbhutan/foreign_pages/refugeeandbhutan.htm
- ^{lxiv} Center for Protection of Minorities and Against Racism and Discrimination in Bhutan, <http://janee.cwsurf.de/cemardbhutan/>; "Bhutanese Refugees: One Nation, One People," <http://www.photovoice.org/bhutan/index.php?id=26>
- ^{lxv} "Bhutanese refugees demonstrate in Geneva," Nepalnews.com, December 04, 2009, <http://www.nepalnews.com/main/index.php/news-archive/2-political/2736-bhutanese-refugees-demonstrate-in-geneva.html>
- ^{lxvi} Ibid.
- ^{lxvii} Gautam, R., and Rayanka, T. (December 05, 2009). "Bhutan faces tough questions in UPR session," AFPA News.com, <http://www.apfanews.com/stories/bhutan-faces-tough-questions-in-upr-session/>
- ^{lxviii} Biron, C.L. (January 2010). "Bhutanese mists: 'Within the Realm of Happiness' by Kinley Dorji and 'Becoming a Journalist in Exile' by T.P. Mishra," HIMAL/South Asian, http://www.himalmag.com/Bhutanese-mists-Within-the-REALM-of-Happiness-by-Kinley-Dorji-and-Becoming-a-Journalist-in-Exile-by-T.P.-Mishra_nw3962.html
- ^{lxix} Sterpka, M (September 122, 2009). "Bhutanese refugees get fresh start here by using Old World farming skills at farmers markets," Cleveland.com, http://blog.cleveland.com/metro/2009/09/bhutanese_refugees_get_fresh_s.html
- ^{lxx} Sears, K. (November 11, 2009). "English professor invites Bhutanese refugees to share story of exile," Seattle University Spectator, <http://www.su-spectator.com/news/english-professor-invites-bhutanese-refugees-to-share-story-of-exile-1.895732>
- ^{lxxi} Matt O'Brien (January 9, 2011). "As refugees adapt to American life, competing faiths tug for their attention," The Oakland Tribune, http://www.insidebayarea.com/ci_17020602?IADID=Search-www.insidebayarea.com-www.insidebayarea.com
- ^{lxxii} Subir Bhaumik, "Main Bhutan Election Date is Set," BBC, January 17, 2008, http://news.bbc.co.uk/2/hi/south_asia/7193818.stm
- ^{lxxiii} UN High Commissioner for Human Rights Annual Report, 2006, Chapter 5, Box 5.2, <http://www.ohchr.org/Documents/AboutUs/annualreport2006.pdf>
- ^{lxxiv} UN High Commissioner for Human Rights Annual Report 2006, Chapter 5, Box 5.2, 116, <http://www.ohchr.org/Documents/AboutUs/annualreport2006.pdf>
- ^{lxxv} Amnesty International Press Release on Bhutan, March 17, 2008, <http://www.amnesty.org.au/refugees/comments/10628/>

-
- ^{lxxvi} Bhutan, International Religious Freedom Report 2008, Bureau of Democracy, Human Rights, and Labor, State Department, September 19, 2008, <http://2001-2009.state.gov/g/drl/rls/irf/2008/108499.htm>
- ^{lxxvii} Ibid.
- ^{lxxviii} "Christianity in Bhutan," Wikipedia, http://en.wikipedia.org/wiki/Christianity_in_Bhutan
- ^{lxxix} "Despite democracy, Bhutan Christians remain underground," (January 27, 2010). CBN.Com, <http://www.cbn.com/cbnnews/shows/cwn/2010/January/Despite-Democracy-Christians-in-Bhutan-Remain-Underground/>
- ^{lxxx} "Legal status foreseen for Christianity in Buddhist Bhutan," (November 8, 2010), APFA News.com, <http://www.apfanews.com/human-rights-monitor/legal-status-foreseen-for-christianity-in-buddhist-bhutan/>
- ^{lxxxi} "U.S. resettlement offer divides Bhutanese refugees," International Herald Tribune, May 17, 2007, <http://www.ihf.com/articles/ap/2007/05/17/asia/AS-GEN-Nepal-Bhutanese-Refugees.php>; UN High Commissioner for Human Rights Annual Report 2006, Chapter 5, Box 5.2, 117, <http://www.ohchr.org/Documents/AboutUs/annualreport2006.pdf>
- ^{lxxxii} Voice of America (September 24, 2010). "U.S. welcomes Bhutan's refugees," <http://www.voanews.com/policy/editorials/US-Welcomes-Bhutans-Refugees-103742544.html>
- ^{lxxxiii} Aseem Shukla (July 22, 2010). "Bhutanese refugees' American dream," The Washington Post, http://newsweek.washingtonpost.com/onfaith/panelists/aseem_shukla/2010/07/nightmare_in_shangri-la_bhutanese_refugees_american_dream.html
- ^{lxxxiv} "Bhutanese Refugees: One Nation, One People," <http://www.photovoice.org/bhutan/index.php?id=26>
- ^{lxxxv} Center for Protection of Minorities and Against Racism and Discrimination in Bhutan, <http://janee.cwsurf.de/cemardbhutan/>
- ^{lxxxvi} The Constitution of Bhutan, <http://www.constitution.bt/index.htm>
- ^{lxxxvii} "U.S. Clarifications on the Bhutanese refugees," Asian Centre for Human Rights, May 23, 2007, <http://www.achrweb.org/Review/2007/168-07.htm>
- ^{lxxxviii} Mishra, T.P. (December 9, 2010). "Real sense of human rights is absent," Bhutan News Service, <http://www.bhutannewsservice.com/interview/real-sense-of-human-rights-is-absent-dorji/>
- ^{lxxxix} "Nepal/Bhutan: Donors Called on to Resolve Protracted Refugee Problem," Human Rights Watch, February 9, 2006, http://www.hrw.org/legacy/english/docs/2006/02/09/bhutan12647_txt.htm
- ^{xc} "Fiji," CIA World Factbook, Central Intelligence Agency, <https://www.cia.gov/library/publications/the-world-factbook/geos/fj.html>

-
- ^{xci} “Australia: Gillard should promote rights at home and abroad,” (December 8, 2010). Human Rights Watch, <http://www.hrw.org/en/news/2010/12/07/letter-australian-prime-minister-julia-gillard-regarding-australias-human-rights-obl>
- ^{xcii} Cooney, C., and Dorney, S. (April 13, 2009). “Fiji’s political crisis,” ABC Radio Australia, <http://www.radioaustralianews.net.au/stories/200904/2540531.htm>
- ^{xciii} Amnesty International, “Fiji: Paradise Lost,” <http://www.amnesty.org/en/library/asset/ASA18/002/2009/en/5da2ce7b-de57-4778-af80-03632b33a322/asa180022009en.html#2.1.%20Introduction%20and%20Summary%20outline>
- ^{xciv} “Fiji’s ex-PM Mahendra Chaudhry released on bail,” (October 4, 2010). BBC News, <http://www.bbc.co.uk/news/world-asia-pacific-11460749>
- ^{xcv} “Human development report 2009: Fiji,” UNDP, http://hdrstats.undp.org/en/countries/country_fact_sheets/cty_fs_FJI.html
- ^{xcvi} Dewan, Veenoo (March 12, 2010). “Fiji Indian brain—drain: Unstoppable,” The Fijian Herald, http://thefijianherald.org/wp-content/uploads/2010/10/Issue_12March1.pdf
- ^{xcvii} “International Religious Freedom Report 2006,” U.S. Department of State, <http://www.state.gov/g/drl/rls/irf/2006/73065.htm>
- ^{xcviii} “Hinduism in Fiji,” Wikipedia, http://en.wikipedia.org/wiki/Hinduism_in_Fiji
- ^{xcix} Ibid.
- ^c “Fiji,” CIA World Factbook, Central Intelligence Agency, <https://www.cia.gov/library/publications/the-world-factbook/geos/fj.html>
- ^{ci} “Fiji: Human Rights Day march cancellation,” (December 9, 2010). Scoop World: Independent News, <http://www.scoop.co.nz/stories/WO1012/S00299/fiji-human-rights-day-march-cancellation.htm>
- ^{cii} Evans, Jessica (February 11, 2010). “UN needs to confront Fiji’s abuse of basic human rights,” The Sydney Morning Herald, <http://www.smh.com.au/opinion/society-and-culture/un-needs-to-confront-fijis-abuse-of-basic-human-rights-20100210-nsaw.html>
- ^{ciii} Sanders, Sir Ronald (August 15, 2010). “Fiji’s human rights not for sale,” <http://discombobulatedbubu.blogspot.com/2010/08/fijis-human-rights-not-for-sale.html>
- ^{civ} “A look at the issue of sacrilege in Fiji,” (January 27, 2011). ABC Radio Australia, <http://www.radioaustralia.net.au/pacbeat/stories/201101/s3123417.htm>
- ^{cv} Ibid.
- ^{cvi} “2010 Report on International Religious Freedom – Fiji,” Refworld, UNHCR, <http://www.unhcr.org/refworld/country,,,FJI,,4cf2d09c59,0.html>

^{cvii} Ibid.

^{cviii} United States Department of State, *2009 Report on International Religious Freedom - Fiji*, 26 October 2009, <http://www.state.gov/g/drl/rls/irf/2009/127270.htm>

^{cix} “Fiji’s Hindus divided over Christianity promotion,” Raw Fiji News, June 25, 2009, <http://rawfijinews.wordpress.com/2009/06/25/fijis-hindus-divided-over-christianity-promotion/>

^{cx} “Another arson attack on Fiji’s Hindu temples,” October 17, 2008, Australian Broadcasting Corporation, <http://www.radioaustralia.net.au/programguide/stories/200810/s2394420.htm>

^{cx} Constitution of the Sovereign Democratic Republic of Fiji, UNHCR, <http://www.unhcr.org/cgi-bin/texis/vtx/refworld/rwmain?docid=3ae6b57d8>

^{cxii} “Statement by Ambassador Peceli Vocea – 14th Session of the Human Rights Council,” (June 11, 2010). Fiji Government Online Portal, http://www.fiji.gov.fj/index.php?option=com_content&view=article&id=1688:statement-by-ambassador-peceli-vocea-14th-session-of-the-human-rights-council&catid=50:speeches&Itemid=168

^{cxiii} Embassy of India, Washington D.C., Map of Jammu and Kashmir showing Kargil, http://www.indianembassy.org/new/Kargil/J&K_Map.html

^{cxiv} Census of India, http://censusindia.gov.in/Census_Data_2001/Projected_Population/Projected_Population.pdf

^{cxv} Kumar, Vinay (October 13, 2010). “Three interlocutors chosen for J & K,” *The Hindu*, <http://www.thehindu.com/news/national/article828269.ece>

^{cxvi} “Curfew in Kashmir town, toll rises to 102,” Rediff.Com, <http://news.rediff.com/report/2010/sep/19/curfew-in-kashmir-towns-toll-rises-to-102.htm>

^{cxvii} “In Kashmir, pelting stones for a price” (February 8, 2010). Rediff.Com, <http://news.rediff.com/slide-show/2010/feb/08/slide-show-1-kashmir-pelting-stones-for-a-price.htm>

^{cxviii} “Jammu and Kashmir Assessment – Year 2011,” South Asian Terrorism Portal, <http://www.satp.org/satporgtp/countries/india/states/jandk/index.html>

^{cxix} “Kashmir’s most wanted separatist leader arrested,” (October 18, 2010). *The Hindustan Times*, <http://www.hindustantimes.com/Kashmir-most-wanted-separatist-leader-arrested/Article1-614722.aspx>

^{cx} “Jammu and Kashmir Assessment – Year 2011,” South Asian Terrorism Portal, <http://www.satp.org/satporgtp/countries/india/states/jandk/index.html>

^{cxxi} “Genocide of Kashmir Pandits,” http://www.thecsf.org/pdfs/presentation_on_kashmiris.pdf

^{cxii} “Kashmiri Pandits seek Obama’s help to raise their plight,” (November 06, 2010). Rediff.com, <http://www.rediff.com/news/report/obama-visit-kashmiri-pandits-seek-recognition/20101106.htm>

^{cxixiii} “The Panun Kashmir homeland concept is something we have to push for,” (February 10, 2010). Rediff.com, <http://news.rediff.com/report/2010/feb/10/kashmiri-pandits-meet-us-top-officials.htm>

^{cxixiv} Kher, R. (May 06, 2009). “Invisible exiles: Kashmiri Pandits,” Vijayavaani.com, <http://www.vijayvaani.com/FrmPublicDisplayArticle.aspx?id=552>

^{cxixv} “No Kashmiri Pandits in J&K Legislative Assembly,” Rediff.Com, January 1, 2009, <http://www.rediff.com///news/2009/jan/01no-kashmiri-pandit-mla-in-jammu-kashmir-assembly.htm>

^{cxixvi} “India rejects OIC move to appoint Kashmir envoy,” October 3, 2009, MSN.Com, <http://news.in.msn.com/national/article.aspx?cp-documentid=3270179&=&ucpg=2>

^{cxixvii} “Kashmiri Pandits Throw Their Hat in The Election Ring,” South Asia News, November 19, 2008, <http://www.southasianews.com/318638/Kashmiri-Pandits-throw-their-hat-in-the-election-ring-.htm>

^{cxixviii} IAKF Statement on Indian Prime Minister Manmohan Singh's Visit to the U.S. (November 24, 2009), <http://www.iakf.org/main/index.php?module=article&view=364>

^{cxixix} Subhash Kak, “The Poplar and the Chinar: Kashmir in a Historical Outline,” International Journal of Indian Studies, Vol 3, 1993, pp. 33-61, reproduced at Kashmir News Network, <http://www.ikashmir.net/subhashkak/poplar.html>

^{cxixxx} Husain Haqqani, “Pakistan's Endgame in Kashmir,” Carnegie Endowment for International Peace, July 2003, <http://www.carnegieendowment.org/publications/index.cfm?fa=view&id=1427>

^{cxixxxi} Narendra Singh Sarila, (2006). “The Shadow of the Great Game: The Untold Story of India's Partition”, p. 314, Carroll and Graf Publishers.

^{cxixxxii} Husain Haqqani, “Pakistan's Endgame in Kashmir,” Carnegie Endowment for International Peace, July 2003, <http://www.carnegieendowment.org/publications/index.cfm?fa=view&id=1427>

^{cxixxxiii} Sumathi Subbiah, “Security Council Mediation and the Kashmir Dispute: Reflections on its Failures and Possibilities for Renewal,” Boston College International and Comparative Law Review, Winter 2004.

^{cxixxxiv} Ibid.

^{cxixxxv} Sunil Fotedar, Subodh Atal, and Lalit Koul, “Living under the shadow of Article 370,” Kashmir Herald, Volume 1, No. 8, January 2002, <http://kashmirherald.com/featuredarticle/article370.html>

^{cxixxxvi} “Article 370: Law and politics,” Frontline, September 16, 2000, <http://www.hinduonnet.com/fline/fl1719/-17190890.htm>

^{cxixxxvii} Rajat Ganguly, “India, Pakistan, and the Kashmir Dispute,” Asian Studies Institute and Centre for Strategic Studies, <http://www.victoria.ac.nz/slc/asi/publications/01-other-india-pakistan-kashmir-dispute.pdf>

^{cxixxxviii} M. V. Kamath, “Will division of Kashmir solve the lingering dispute?” Free Press Journal, May 25, 2000.

^{cxix} Prime Minister Secretariat of “Azad Government of the State of Jammu and Kashmir,”
<http://www.pmajk.gov.pk/history.asp>

^{cxl} Beersman, Paul, “The Kashmir-Issue: European Perspectives.” Belgian Association for Solidarity with Jammu and Kashmir, <http://www.basjak.org/doc/jkind081warikoo.pdf>

^{cxli} Paul Beersmans, “Jammu and Kashmir: A Smouldering Conflict and a Forgotten Mission of the United Nations,” Belgian Association for Solidarity with Jammu and Kashmir, January 2002,
<http://www.basjak.org/doc/jkNutshell.pdf>

^{cxlii} “Jammu and Kashmir,” Wikipedia, http://en.wikipedia.org/wiki/Jammu_and_Kashmir#Demographics

^{cxliii} “Panun Kashmir: A Homeland for Kashmiri Pandits,” Panun Kashmir, December 28, 1991,
<http://www.panunkashmir.org/margdarshan.html>

^{cxliv} Husain Haqqani, “Pakistan: Between Mosque and Military”, p. 235, 2005, Carnegie Endowment for International Peace

^{cxlv} “Killing Hindus better than talks: Hafiz Saeed,” Daily Times, April 4, 2003,
http://www.dailytimes.com.pk/default.asp?page=story_4-4-2003_pg8_4

^{cxlvi} David Rohde, “Concern rises in Pakistan of a War without End,” The New York Times, November 1, 2004, <http://www.nytimes.com/2004/11/01/international/asia/01pakistan.html>; Haqqani, “Pakistan: Between Mosque and Military,” 2005,
<http://www.carnegieendowment.org/publications/index.cfm?fa=view&id=16651>

^{cxlvii} “Jammu and Kashmir Assessment – Year 2011,” South Asian Terrorism Portal,
<http://www.satp.org/satporgtp/countries/india/states/jandk/index.html>

^{cxlviii} “Kashmiri Pandits meet Antony, oppose AFPSA withdrawal,” (September 15, 2010). Rediff.Com,
<http://news.rediff.com/report/2010/sep/15/kashmiri-pandits-against-afspa-withdrawal.htm>

^{cxlix} “Kashmir Pandits protest delegation visit, 114 held,” (September 21, 2010). Rediff.com,
<http://news.rediff.com/report/2010/sep/21/kashmiri-pandits-protest-delegation-visit.htm>

^{cl} Human Rights Watch (February 9, 2009), “India: Hold abusers in Kashmir accountable,”
<http://www.hrw.org/en/news/2009/02/09/india-hold-abusers-kashmir-accountable>

^{cli} Khosla, S. (August 9, 2009). “In J&K fanatics and Rights Industry spreading lies”, Organiser,
<http://www.organiser.org/dynamic/modules.php?name=Content&pa=showpage&pid=303&page=33>

^{clii} Naseem, I. (March 23, 2009), “170 Kashmir temples hit by militancy: Report,” Kashmirlive.com,
<http://www.kashmirlive.com/printer/story-437922.html>

^{cliii} “We are Losing Our Property in Kashmir: Pandits,” Rediff India Abroad, May 30, 2007, <http://www.rediff.com/news/2007/may/30kashmir.htm>; “Temples Destroyed in Kashmir by Islamic Militancy to be Reconstructed,” Hindu Press International, July 25, 2006,
<http://www.hinduismtoday.com/blogs-news/0,0,5.html>

-
- ^{cliv} Jameel, Y. (March 12, 2009). "Pandits angry over delay in Bill," The Indian Express, <http://www.hvk.org/articles/0309/99.html>
- ^{clv} "Jammu and Kashmir Assessment – Year 2011," South Asian Terrorism Portal, <http://www.satp.org/satporgtp/countries/india/states/jandk/index.html>
- ^{clvi} Koul, R. (March 17, 2009). "Anantnag to be renamed as Islamabad: What our Media failed to Highlight," Haindava Keralam, <http://www.haindavakeralam.com/HKPage.aspx?PageID=8384&SKIN=B>
- ^{clvii} Vijay, T. (March 23, 2009). "The people of Indus," Times of India, <http://timesofindia.indiatimes.com/home/opinion/tarun-vijay/the-right-view/The-People-of-Indus/articleshow/4302358.cms>
- ^{clviii} R. Upadhayay, "J & K Trifurcation," The Kashmir Telegraph, June 2002, <http://host.kashmirtelegraph.com/trifur.htm>
- ^{clix} Ibid.
- ^{clx} Trisal, Nishita, "Those Who Remain – The Survival and Continued Struggle of the Kashmiri Pandit 'Non-Migrants'," The Journal of Immigrant and Refugee Studies. 2007 Aug;5(3), <http://www.informaworld.com/smpp/content~db=all~content=a904296831~frm=abslink>
- ^{clxi} Ibid.
- ^{clxii} "The Definition of an Internally Displaced Person," Internal Displacement Monitoring Centre, [http://www.internal-displacement.org/8025708F004D404D/\(httpPages\)/CC32D8C34EF93C88802570F800517610?OpenDocument](http://www.internal-displacement.org/8025708F004D404D/(httpPages)/CC32D8C34EF93C88802570F800517610?OpenDocument)
- ^{clxiii} K.P.S Gill, "The Kashmiri Pandits: An Ethnic Cleansing the World Forgot," South Asia Terrorism Portal, <http://www.satp.org/satporgtp/kpsgill/2003/chapter9.htm>; "India: Large Numbers of IDPs are Unassisted and in Need of Protection," Internal Displacement Monitoring Centre, <http://www2.ohchr.org/english/bodies/cescr/docs/info-ngos/IDMC2India40.pdf>; Kanchan Gupta, "19/01/90: When Kashmiri Pandits Fled Islamic Terror," Rediff India Abroad, January 19, 2005, <http://in.rediff.com/news/2005/jan/19kanch.htm>
- ^{clxiv} "India: Large Numbers of IDPs are Unassisted and in Need of Protection," Internal Displacement Monitoring Centre, <http://www2.ohchr.org/english/bodies/cescr/docs/info-ngos/IDMC2India40.pdf>
- ^{clxv} "Kashmiri Pandits face serious health problems after many years of displacement (2001-2003)," Internal Displacement Monitoring Centre, [http://www.internal-displacement.org/8025708F004BE3B1/\(httpInfoFiles\)/DBD443789A5769BF802570B5004734C6/\\$file/India+-October+2003.pdf](http://www.internal-displacement.org/8025708F004BE3B1/(httpInfoFiles)/DBD443789A5769BF802570B5004734C6/$file/India+-October+2003.pdf)
- ^{clxvi} "Displaced Kashmiri Pandits Cry Government Apathy," Yahoo News India, August 16, 2007, <http://in.news.yahoo.com/070816/139/6jien.html>

-
- clxvii "India: Large Numbers of IDPs are Unassisted and in Need of Protection," <http://www2.ohchr.org/english/bodies/cescr/docs/info-ngos/IDMC2India40.pdf>
- clxviii "The Constitution of India," Article 15, 21, <http://www.constitution.org/cons/india/const.html>
- clxix Ibid., See Article 38.
- clxx "International Convention for the Suppression of Terrorist Bombing," G.A. Res. 164, U.N. 1998, University of Minnesota Human Rights Library, <http://www1.umn.edu/humanrts/instree/terroristbombing.html>; "International Convention for the Suppression of the Financing of Terrorism," G.A. Res. 109, U.N. 1999, University of Minnesota Human Rights Library, <http://www1.umn.edu/humanrts/instree/financingterrorism.html>
- clxxi "Five Pak-based militant outfits banned in the UK," Rediff India Abroad, October 14, 2005, <http://www.rediff.com/news/2005/oct/14terror.htm?q=np&file=.htm>
- clxxii "U.S.—Designated Foreign Terrorist Organizations," Center for Defense Information, U.S. Department of State, Office of Counterterrorism, <http://www.infoplease.com/ipa/A0908746.html>
- clxxiii "Status of Ratifications of the Principal International Human Rights Treaties," Office of the United Nations High Commissioner for Human Rights, <http://www2.ohchr.org/english/bodies/docs/status.pdf>
- clxxiv "International Covenant on Civil and Political Rights," G.A. res. 2200A, 21 U.N. 1966, University of Minnesota Human Rights Library, <http://www1.umn.edu/humanrts/instree/b3ccpr.htm>
- clxxv "Guiding Principles on Internal Displacement," Internal Displacement Monitoring Centre, [http://www.internal-displacement.org/8025708F004D404D/\(httpPages\)/168DF53B7A5D0A8C802570F800518B64?OpenDocument](http://www.internal-displacement.org/8025708F004D404D/(httpPages)/168DF53B7A5D0A8C802570F800518B64?OpenDocument)
- clxxvi Ibid.
- clxxvii "Panun Kashmir: A Homeland for Kashmiri Pandits," Panun Kashmir, <http://www.panunkashmir.org/>
- clxxviii Ananya Sengupta, "Pandit Plight, in Pictures," The Telegraph, September 25, 2006, http://www.telegraphindia.com/1060925/asp/nation/story_6789636.asp
- clxxix Department of Statistics: Malaysia, http://www.statistics.gov.my/english/frameset_census.php?file=pressdemo
- clxxx "Malaysia." CIA World Factbook, Central Intelligence Agency, <https://www.cia.gov/library/publications/the-world-factbook/geos/my.html>
- clxxxi Jayathas, S (March 18, 2010). "Doors are closed on Waythamoorthy," Human Rights Party, Malaysia, <http://www.humanrightspartymalaysia.com/2010/03/18/doors-are-closed-on-waythamoorthy-the-malay-mail/>

clxxxii "JB UMNO youth protests HINDRAF leader's statement," (October 10, 2010). Malaysia Digest.com, <http://www.malaysiandigest.com/news/9788-jb-umno-youth-protests-hindraf-leaders-statement.html>

clxxxiii "Ethnic Indian Leader Arrested in Malaysia," The Times of India, November 29, 2007, http://timesofindia.indiatimes.com/Indians_Abroad/Ethnic_Indian_leader_arrested_in_Malaysia/articleshow/2580992.cms; "Scores Charged Over Hindu Rally," BBC News, November 28, 2007, <http://news.bbc.co.uk/2/hi/asia-pacific/7117251.stm>; "26 Indians charged with attempted murder in the wake of banned rally in Malaysia," International Herald Tribune, December 4, 2007, http://www.ihf.com/articles/ap/2007/12/04/asia/AS-GEN-Malaysia-Indian-Unrest.php#end_main "Malaysia Arrests Ethnic Indians," BBC News, December 13, 2007, <http://news.bbc.co.uk/2/hi/asia-pacific/7142506.stm>

clxxxiv Leen, C.L. (May 9, 2009). "Hindraf trio and 10 others released from ISA," The Star, <http://thestar.com.my/news/story.asp?file=/2009/5/9/nation/20090509131331&sec=nation>

clxxxv "Uthayakumar nabbed, freed on bail, nabbed again," (December 11, 2007). The Star Online, <http://thestar.com.my/news/story.asp?file=/2007/12/11/nation/20071211210630&sec=nation>

clxxxvi "Court to hear Najib's bid to strike out RM200 mln suit by ex-ISA detainees," (February 22, 2011), New Straits Times, http://www.nst.com.my/nst/articles/CourttohearNajib_sbdtostrikeoutRM200mlnsuitbyex-ISA detainees/Article/

clxxxvii "Malaysian Police Break Up Rally," BBC News, February 16, 2008, <http://news.bbc.co.uk/2/hi/asia-pacific/7248183.stm>; "Rose Protest: All But 9 Released," Malaysiakini, February 16, 2008, <http://www.malaysiakini.com/news/78137>; Sources of information are also based on reports from Hindraf contacts on the ground in Malaysia.

clxxxviii "Timeline: Malaysia," BBC News, October 22, 2008, http://news.bbc.co.uk/2/hi/asia-pacific/country_profiles/1304598.stm

clxxxix Malaysia," Wikipedia, http://en.wikipedia.org/wiki/History_of_Malaysia

cx "Background note: Malaysia," (January 28, 2011). U.S. Department of State, <http://www.state.gov/r/pa/ei/bgn/2777.htm>

cxci Shankar, Athi (March 27, 2010). "HINDRAF accuses UMNO of abusing Article 153," Free Malaysia Today, <http://hindraf4you.blogspot.com/2010/03/hindraf-accuses-umno-of-abusing-article.html>

cxcii Gatsiounis, Ioannis (November 23, 2006). "The racial divide widens in Malaysia," Asia Times Online, http://www.atimes.com/atimes/Southeast_Asia/HK23Ae01.html

cxci "Malaysian Indian Minority and Human Rights Violations Annual Report 2009," http://www.sangam.org/2010/01/Malaysia_Report.php?uid=3800

-
- ^{cxciiv} “Uthayakumar seeks to have Sedition Act declared void,” (November 24, 2010). Malaysia Today, <http://www.malaysia-today.net/mtcolumns/newscommentaries/36179-uthayakumar-seeks-to-have-sedition-act-declared-void>
- ^{cxciiv} Ansuri, S., and Lopez, G. (August 27, 2009). “The Internal Security Act in Malaysia: abolish, not reform it,” East Asia Forum, <http://www.eastasiaforum.org/2009/08/27/the-internal-security-act-in-malaysia-abolish-not-reform-it/>
- ^{cxciiv} “Malaysia Court Rejects Hindu Bid,” BBC News, December 27, 2007, <http://news.bbc.co.uk/2/hi/asia-pacific/7161177.stm>; “Malaysia: Hindu Loses Bid to Block Son’s Conversion, The New York Times, December 28, 2007, http://www.nytimes.com/2007/12/28/world/asia/28briefs-hindu.html?_r=2&ref=asia&oref=slogin&oref=slogin; “Hindu Woman’s Divorce Hopes Dashed,” The Times of India, December 28, 2007, http://timesofindia.indiatimes.com/Indians_Abroad/Hindu_womans_divorce_hopes_dashed/articleshow/2656998.cms
- ^{cxciiv} “Top Islamic Body: Yoga is not for Muslims,” CNN News, November 22, 2008, <http://www.cnn.com/2008/WORLD/asiapcf/11/22/malaysia.yoga.banned.ap/index.html>
- ^{cxciiv} Shankar, Athi (August 4, 2010). “Banggarma is a Muslim, declares High Court,” Malaysia Today, <http://www.malaysia-today.net/mtcolumns/newscommentaries/33590-banggarma-is-a-muslim-declares-high-court->
- ^{cxciiv} “Hindu mum loses case,” (November 13, 2010). The Star Online, <http://thestar.com.my/news/story.asp?file=/2010/11/13/courts/7424135&sec=courts>
- ^{cc} Chooi, C. (April 24, 2009). “Conversion case: Indira Gandhi gets custody of her 3 children,” The Star, <http://thestar.com.my/news/story.asp?file=/2009/4/24/nation/20090424190846&sec=nation>
- ^{cci} “Malaysian High Court allows Hindu mother to keep her children,” (April 02, 2010). ThaiIndian News, http://www.thaindian.com/newsportal/world-news/malaysian-high-court-allows-hindu-mother-to-keep-her-children_100342529.html
- ^{ccii} “Malaysian Indian woman faces new hurdle to get child from husband,” (April 29, 2009). Thaindian news, http://www.thaindian.com/newsportal/world-news/malaysian-indian-woman-faces-new-hurdle-to-get-child-from-husband_100185891.html
- ^{cciii} Kabir, Humayun (August 12, 2010). “Signature campaign to highlight conversion cases,” Malaysia Kini, <http://www.malaysiakini.com/news/139914>
- ^{cciv} Kabir, Humayun (August 30, 2010). “HRP petition to palace on women converts ‘thwarted’,” Malaysia Kini, <http://www.malaysiakini.com/news/141475>
- ^{ccv} “Temples to step up their security,” (June 18, 2010). The Star Online, <http://thestar.com.my/news/story.asp?file=/2010/6/18/nation/6497963&sec=nation>

-
- ^{ccvi} “Hindu deity beheaded, Hindu temple demolished...,” (August 11, 2010). Human Rights Party, Malaysia, <http://www.humanrightspartymalaysia.com/2010/08/11/hindu-deity-beheaded-hindu-temple-demolished-by-pkr-selangor-state-government-port-klang-11-mp-and-13-adun-pkr-dap-and-pas-indian-mandores-are-powerless/>
- ^{ccvii} Ng, E. (September 9, 2009). “Malaysia charges 12 Muslims for Anti-Hindu Protest,” ABC News, <http://abcnews.go.com/International/wireStory?id=8522169>
- ^{ccviii} “Sixteen arrested at HINDRAF candlelight march in KL,” (September 05, 2009), National Express, http://national-express-malaysia.blogspot.com/2009_09_05_archive.html
- ^{ccix} Ahmad, Razak (July 27, 2010). “Malaysia fines Muslims for Hindu temple protest,” Reuters, <http://in.reuters.com/article/2010/07/27/idINIndia-50423620100727>
- ^{ccx} “Malaysian Indian Minority & Human Rights Violations: Annual Report 2010,” HINDRAF, <http://www.negarakita.com/Post-158326-Malaysian+Indian+Minority+%26amp;+Human+Rights+Violations+Annual+Report+2010+in+daily+segments+No.+26+>
- ^{ccxi} “Malaysia’s oldest Hindu temple on a postage stamp,” (August 26, 2010). Rediff.com, <http://news.rediff.com/report/2010/aug/26/malaysias-oldest-hindu-temple-on-postage-stamp.htm>
- ^{ccxii} Fernandez, Joe (August 15, 2010). “Thousands ‘stateless’ in M’sia still British: HINDRAF,” Malaysiakini, <http://www.malaysiakini.com/news/140125>
- ^{ccxiii} “Suicide rate high among ethnic Indians in Malaysia,” (July 23, 2006), DNA India, http://www.dnaindia.com/world/report_suicide-rate-high-among-ethnic-indians-in-malaysia_1043361
- ^{ccxiv} “Detained Without Trial: Abuse of Internal Security Act Detainees in Malaysia,” Human Rights Watch, <http://www.hrw.org/reports/2005/malaysia0905/index.htm>
- ^{ccxv} “Hindraf Declared Illegal,” The Star Online, October 15, 2008, <http://www.thestar.com.my/news/story.asp?file=/2008/10/15/nation/20081015184431&sec=nation>
- ^{ccxvi} “Internal Security Act Used to Punish Human Rights Activists,” Amnesty International Press Release, September 15, 2008. http://www.aimalaysia.org/index.php?option=com_content&task=view&id=291&Itemid=46
- ^{ccxvii} Joseph Fernando (June 2006). “The position of Islam in the Constitution of Malaysia,” Journal of Southeast Asian Studies, <http://www.highbeam.com/doc/1G1-148005638.html>
- ^{ccxviii} “2007 Investment Climate Statement – Malaysia,” U.S. Department of State, <http://www.state.gov/e/eeb/ifd/2007/82336.htm>
- ^{ccxix} Pakistan Outline Map, <http://www.mapsofworld.com/pakistan/pakistan-outline-map.html>

^{CCXX} “Pakistan,” CIA World Factbook, Central Intelligence Agency,

<https://www.cia.gov/library/publications/the-world-factbook/geos/pk.html>

^{CCXXI} Leigh, David (November 30, 2010). “Wikileaks cables expose Pakistan nuclear fears,” Guardian,

<http://www.guardian.co.uk/world/2010/nov/30/wikileaks-cables-pakistan-nuclear-fears>

^{CCXXII} Crilly, Rob (February 22, 2011). “Raymond Davis ‘was acting head of CIA in Pakistan’,” The Telegraph,

<http://www.telegraph.co.uk/news/worldnews/asia/pakistan/8340999/Raymond-Davis-was-acting-head-of-CIA-in-Pakistan.html>

^{CCXXIII} “Wikileaks US diplomatic cables: Key Pakistan issues,” (December 1, 2010). BBC News,

<http://www.bbc.co.uk/news/world-south-asia-11886512>

^{CCXXIV} Ibid.

^{CCXXV} “Pope urges Pakistan to repeal blasphemy law,” (January 10, 2011). BBC News,

<http://www.bbc.co.uk/news/world-south-asia-12156825>

^{CCXXVI} “Pakistan assessment 2011,” South Asia Terrorism Portal,

<http://www.satp.org/satporgtp/countries/pakistan/>

^{CCXXVII} Ibid.

^{CCXXVIII} Press Trust of India (December 26, 2010). “Hindu spiritual leader kidnapped; protests across

Balochistan,” Deccan Herald, <http://www.deccanherald.com/content/123065/hindu-spiritual-leader-kidnapped-protests.html>

^{CCXXIX} Baloch, Shehzad (January 8, 2011). “Minorities being targeted: baloch Hindus threaten to migrate

from Pakistan,” The Express Tribune, <http://tribune.com.pk/story/100713/minorities-being-targeted-baloch-hindus-threaten-to-migrate-from-pakistan/>

^{CCXXX} “Gradual exodus of Hindus from Balochistan,” (February 5, 2011). OneWorld South Asia,

<http://southasia.oneworld.net/todaysh headlines/gradual-exodus-of-hindus-from-balochistan>

^{CCXXXI} Ibid.

^{CCXXXII} Press Trust of India (July 12, 2010). “Hindus attacked, evicted from their homes in Pak’s sindh,” The

Hindu, <http://www.thehindu.com/news/international/article512346.ece>

^{CCXXXIII} Saleem, Samia (June 10, 2010). “Hindus demand inquiry into attack on temple in Mithi,” The Express

Tribune, <http://tribune.com.pk/story/20101/hindus-demand-inquiry-into-attack-on-temple-in-mithi/>

^{CCXXXIV} Chellaney, B. (May 05, 2006). “Death by a thousand cuts,” The Wall Street Journal,

http://online.wsj.com/article/SB114677778818844140.html?mod=opinion_main_europe_asia

^{CCXXXV} Bajoria, J. (October 26, 2009). “Pakistan’s new generation of terrorists,” Council on Foreign

Relations, <http://www.cfr.org/publication/15422/>

-
- ^{ccxxxvi} Husain Haqqani (2005). "Pakistan: Between Mosque and Military," Carnegie Endowment for International Peace, <http://www.commentarymagazine.com/viewarticle.cfm/pakistan--between-mosque-and-military-by-husain-haqqani-10005>
- ^{ccxxxvii} Husain Haqqani, "Islam's Medieval Outposts," Foreign Policy, November/December 2002, <http://www.husainhaqqani.com/reforming/journal%20articles/1/1.htm>
- ^{ccxxxviii} "Census of Pakistan," Government of Pakistan, http://www.statpak.gov.pk/depts/pco/statistics/other_tables/pop_by_religion.pdf
- ^{ccxxxix} A. Hasan, A. Zaidi, M. Younus. "Understanding Karachi: Planning and Reform for the Future," City Press, 1999
- ^{ccxl} "Pakistan," International Religious Freedom Report, U.S. Department of State, 2004, <http://www.state.gov/g/drl/rls/hrrpt/2004/41743.htm>
- ^{ccxli} Mariana Baabar & Amir Mir (January 23, 2006). "Many Hindus are Leaving Pakistan," Outlook India, <http://www.outlookindia.com/fullprint.asp?choice=2&fodname=20060123&fname=Cover+Story&sid=1>
- ^{ccxlii} J. Grant Swank Jr. "Kidnap Hindu Girl, Force Marriage to Muslim: Pakistan," The American Daily, <http://www.americandaily.com/article/10362>; Mariana Baabar. "Sindh's stolen brides," (January 23, 2006). Outlook India, <http://www.outlookindia.com/article.aspx?229886>
- ^{ccxliii} "Pakistani Bishop, "Nasir surrenders his Pakistani Nationality as a protest against extreme hate and discrimination," Pakistani Christian Post, August 7, 2006, <http://www.pakistanchristianpost.com/newsdetails.php?newsid=869>
- ^{ccxliv} "Pakistan: The Land of Religious Apartheid and Jackboot Justice." A Report to the UN Committee Against Racial Discrimination, August 2007, Asian Centre for Human Rights, <http://www.achrweb.org/reports/cerd/Pakistan-CERD2007.pdf>; Roopa Bakshi, "Bonded Labour," The-South-Asian.com, November 2002, http://www.the-south-asian.com/Nov2002/Bonded_labour.htm
- ^{ccxlv} Hamoodur Rahman Commission Report, <http://www.bangla2000.com/Bangladesh/Independence-War/Report-Hamoodur-Rahman/default.shtm>
- ^{ccxlvi} Athale, A. (February 19, 2009). "Barbarians at the gate: Are we ready?" <http://www.rediff.com/news/2009/feb/19barbarians-at-the-gate-are-we-ready.htm>
- ^{ccxlvii} Landay, J. (April 17, 2009). "U.S. experts: Pakistan on course to become Islamist state," McClatchy Newspapers, <http://www.mcclatchydc.com/227/v-print/story/66368.html>
- ^{ccxlviii} Nelson, D. (April 10, 2009). "Pakistan: origin of three-quarters of all terror plots," The Telegraph, <http://www.telegraph.co.uk/news/worldnews/asia/pakistan/5135394/Pakistan-origin-of-three-quarters-of-all-terror-plots.html>
- ^{ccxlxi} Verghese, B. G. (October 29, 2009). "Taming Pakistan's Army," The New Indian Express, <http://www.expressbuzz.com/edition/story.aspx?title=Taming+Pakistan+Army&artid=T9k8aIATL94=>

^{ccl} Shea, N. (October 8, 2009). "Testimony of Nina Shea, Hudson Institute's Center for Religious Freedom before the Tom Lantos Human Rights Commission of the Committee on Foreign Affairs of the U.S. House of Representatives," <http://www.hudson.org/files/documents/SheaPakistan108.pdf>

^{ccli} Freedom of Religion 2007, Human Rights Commission of Pakistan, <http://www.hrcp-web.org/pdf/Archives%20Reports/AR2007.pdf>

^{cclii} "Pakistan: The Land of Religious Apartheid and Jackboot Justice," A Report to the UN Committee Against Racial Discrimination, August 2007, Asian Centre for Human Rights, <http://www.achrweb.org/reports/cerd/Pakistan-CERD2007.pdf>

^{ccliii} Ibid.

^{ccliv} Ibid., at 15

^{cclv} The Constitution of the Islamic Republic of Pakistan, <http://www.pakistani.org/pakistan/constitution/>

^{cclvi} "European Parliament resolution on religious freedom in Pakistan," (May 18, 2010). European Parliament, <http://www.europarl.europa.eu/sides/getDoc.do?type=MOTION&reference=B7-2010-0276&language=EN>

^{cclvii} "Pakistan: The Land of Religious Apartheid and Jackboot Justice," p. 15-20, A Report to the UN Committee Against Racial Discrimination August 2007, Asian Centre for Human Rights, <http://www.achrweb.org/reports/cerd/Pakistan-CERD2007.pdf>

^{cclviii} Ibid.

^{cclix} "U.N. rights council passes religious defamation resolution," (March 26, 2009) JTA, <http://jta.org/news/article/2009/03/26/1004038/human-rights-body-passes-religious-defamation-resolution>

^{cclx} Nirupama Subramanian, "A Killing That has Sparked Debate on Blasphemy Laws in Pakistan," The Hindu, May 3, 2008, <http://www.hindu.com/2008/05/03/stories/2008050352561100.htm>

^{cclxi} Nazir-Ali, Michael (November 13, 2010). "Repeal Pakistan's blasphemy law," Guardian, <http://www.guardian.co.uk/commentisfree/belief/2010/nov/13/pakistan-blasphemy-law-asia-bibi>

^{cclxii} Imtiaz, Saba (December 13, 2010). "In the name of religion: 32 cases of blasphemy in Sindh," The Express Tribune, <http://tribune.com.pk/story/89374/in-the-name-of-religion-32-blasphemy-cases-in-sindh/>

^{cclxiii} "Ansar Burney requests superior courts to save life of a Christian lady facing death sentence in blasphemy case," (November 12, 2010). OnePakistan News, <http://www.onepakistan.com/news/local/lahore/73539-ansar-burney-requests-superior-courts-to-save-life-of-a-christian-lady-facing-death-sentence-in-blasphemy-case.html>

^{cclxiv} Mehmood, Rabia (February 22, 2011). "Pakistan blasphemy laws retake centerstage," PBS, <http://www.pbs.org/wnet/need-to-know/security/pakistan-blasphemy-laws-retake-center-stage/7546/>

-
- cclxv Iqbal, N. (April 21, 2009). "Death only punishment for blasphemy," Dawn, <http://www.dawn.com/wps/wcm/connect/dawn-content-library/dawn/news/pakistan/death+only+punishment+for+blasphemy--szh>
- cclxvi "PML-Q will protest changes in blasphemy laws: Shujaat," (September 20, 2009), Daily Times, http://www.dailytimes.com.pk/default.asp?page=2009%5C09%5C20%5Cstory_20-9-2009_pg7_18
- cclxvii "Demand for repealing blasphemy laws echoes in National Assembly," (October 7, 2009), Daily Times, http://www.dailytimes.com.pk/default.asp?page=2009%5C10%5C07%5Cstory_7-10-2009_pg1_2
- cclxviii Rupert, J. (January 28, 2009). "Pakistan's Partial Crackdown Lets Imams Preach Jihad," Bloomberg News, <http://www.bloomberg.com/apps/news?pid=20601087&sid=aF44YOpTilJk&refer=home>
- cclxix Morgan, A. (October 9, 2009). "Pakistan's blasphemy laws: A timeline," <http://waltjr.wordpress.com/2009/10/09/pakistans-blasphemy-laws-a-timeline/>
- cclxx "Pakistan: USCIRF Decries Abuse of Blasphemy Laws, Apostasy Bill," U.S. Commission for International Religious Freedom, June 11, 2007, <http://www.uscifr.gov/mediaroom/press/2007/june/20070611Pakistan.html>
- cclxxi Hardy, R. (February 26, 2008). "EU attacks Iran's new penal code," BBC News, http://news.bbc.co.uk/2/hi/middle_east/7264810.stm
- cclxxii "Pakistan on strike against bill to amend blasphemy law," (December 31, 2010). BBC News, <http://www.bbc.co.uk/news/world-south-asia-12097687>
- cclxxiii "Blasphemy law and lack of moral courage," (December 20, 2010). The Express Tribune, <http://tribune.com.pk/story/92337/blasphemy-law-and-lack-of-moral-courage/>
- cclxxiv "Religion column in MRPs restored: Rashid," Pak Tribune, March 22, 2005, <http://www.paktribune.com/news/index.shtml?98755>
- cclxxv Ali, Tahir (February 24, 2011). "Pak's Hindu temples turned into picnic spots, hotels," Rediff.com, <http://www.rediff.com/news/slide-show/slide-show-1-paks-hindu-temples-turned-into-picnic-spots-hotels/20110224.htm>
- cclxxvi Ibid.
- cclxxvii Fact Finding Report by Pastor Rafique Bhatti, Stephens Shaheed Foundation.
- cclxxviii 2008 Annual Report of U.S. Commission on International Religious Freedom Other Countries on the Commission's CPC List: Pakistan, <http://www.uscifr.gov/images/AR2008/pakistan.pdf>
- cclxxix "Hindu Temple Converted into Auto Workshop," Daily Times, May 3, 2008. http://www.dailytimes.com.pk/default.asp?page=2008\05\03\story_3-5-2008_pg12_14; Rana, Yudhvair, "100-Yr-old Temple in Pak Being Used as Auto Workshop," Times of India, May 7, 2008, <http://www1.timesofindia.indiatimes.com/100-yr-old-temple-in-pak-being-used-as-auto-workshop/articleshow/3016680.cms>

-
- cclxxx Rana, Yudhvir, "100-Yr-old Temple in Pak Being Used as Auto Workshop," Times of India, May 7, 2008, <http://www1.timesofindia.indiatimes.com/100-yr-old-temple-in-Pak-being-used-as-auto-workshop/articleshow/3016680.cms>
- cclxxxii Jillani, Shahzad Shah, "Monara Mandir Being Used as Toilet: Caretaker," Daily Times, May 13, 2008, http://www.dailytimes.com.pk/default.asp?page=2008\05\13\story_13-5-2008_pg12_10
- cclxxxiii Khan, Afnan, "Only One Hindu Relic Left at Katas Raj Temple," Daily Times, June 27, 2008, http://www.dailytimes.com.pk/default.asp?page=2008\06\27\story_27-6-2008_pg13_7
- cclxxxiiii "Holy Hindu pond to make way for mall in Lahore," (October 19, 2006). The Times of India, <http://timesofindia.indiatimes.com/world/pakistan/Holy-Hindu-pond-to-make-way-for-mall-in-Lahore/articleshow/2201274.cms>
- cclxxxv "Two Hindu pilgrims killed in Pakistani attack," Reuters, May 29, 2006, <http://timesofindia.indiatimes.com/articleshow/159072.6>; "Biggest Pilgrimage for Pak Hindus 'Mata Hinglaj' Begins in Karachi," The Cheers News Agency, April 21, 2008, http://newsagency.thecheers.org/World-news/news_21172_Biggest-pilgrimage-for-Pak-Hindus-%22Mata-Hinglaj%22-begins-in-Karachi.html
- cclxxxvi Pakistan Hindu Council, <http://www.pakistanhinducouncil.org/default.asp>
- cclxxxvii "Rs. 10m ransom demand for Hindu man abducted in Pak," (February 24, 2010). Times of India, <http://timesofindia.indiatimes.com/india/Rs-10m-ransom-demand-for-Hindu-man-abducted-in-Pak-/articleshow/5609737.cms>
- cclxxxviii Khan, Omer Farooq (December 27, 2010). "Kidnapping, killing force Pak Hindus to seek political asylum in India," The Times of India, <http://timesofindia.indiatimes.com/india/Kidnapping-killing-force-Pak-Hindus-to-seek-political-asylum-in-India/articleshow/7172923.cms>
- cclxxxix "Pakistan: The Land of Religious Apartheid and Jackboot Justice," A Report to the UN Committee Against Racial Discrimination, August 2007, Asian Centre for Human Rights, <http://www.achrweb.org/reports/cerd/Pakistan-CERD2007.pdf>
- cclxxxix Memon, Marvi (October 20, 2010). The Express Tribune, <http://tribune.com.pk/story/64802/being-a-hindu-in-pakistan/>
- ccxc Divya, A. (March 16, 2009). "Insecure in Pakistan," The Times of India, <http://timesofindia.indiatimes.com/Insecure-in-Pakistan/rssarticleshow/4265740.cms>
- ccxi Bhatia, V. (September 10, 2009). "Fearing Taliban, Pak Hindus take Thar Express to India," The Times of India, <http://timesofindia.indiatimes.com/Fearing-Taliban-Pak-Hindus-take-Thar-Express-to-India/articleshow/4992774.cms>
- cccii Mahurkar, U. (September 24, 2009). "The nowhere people," India Today, <http://indiatoday.intoday.in/site/story?sld=63470&secid=21>

-
- ^{ccxciii} "Advani airs concern at jizya on Hindus, Sikhs in Pakistan," The Daily Pioneer, (July 1, 2009), <http://www.dailypioneer.com/186316/Advani-airs-concern-at-jizya-on-Hindus-Sikhs-in-Pakistan.html>
- ^{ccxciv} Gannon, K. (May 13, 2009). "Pakistan's religious minorities report violence," Google News, <http://www.google.com/hostednews/ap/article/ALeqM5jx2yAB-WbF1MQznIZBMf78W6kadQD985HQU00>
- ^{ccxcv} "Incidents of violence against women in Pakistan reported during January to June 2010," Aurat Foundation, Press Release, <http://www.af.org.pk/PDF/VAW%20Reports%20AND%20PR/PR/6-Montly%20VAW%20PR%20Eng%20Jan%20to%20Jun%202010.pdf>
- ^{ccxcvi} "Nearly 1,200 women killed in Pakistan in 2010: Report," (November 26, 2010). The Times of India, <http://timesofindia.indiatimes.com/world/pakistan/Nearly-1200-women-killed-in-Pakistan-in-2010-Report-/articleshow/6993319.cms>
- ^{ccxcvii} "Angry Hindus in Karachi demand safe return of missing nurse," (September 9, 2009), Thaindian News, http://www.thaindian.com/newsportal/south-asia/angry-hindus-in-karachi-demand-safe-return-of-missing-nurse_100244775.html
- ^{ccxcviii} "Hindu women's CNIC woes," (November 25, 2009), The Dawn, <http://www.dawn.com/wps/wcm/connect/dawn-content-library/dawn/news/pakistan/12-hindu+women+cnic+woes--bi-03>
- ^{ccxcix} "International Religious Freedom Report, 2009: Pakistan," (October 26, 2009), U.S. Department of State, <http://www.state.gov/g/drl/rls/irf/2009/127370.htm>
- ^{ccc} Jahangir, Asma (August 21, 2008). "Women's Execution in Peshawar Worries HRC," Human Rights Commission of Pakistan, <http://hrcpblog.wordpress.com/2008/08/22/women%E2%80%99s-execution-in-peshawar-worries-hrcp/>
- ^{ccci} "Pakistan: Five Women Buried Alive, Allegedly by the Brother of a Minister," Asian Human Rights Commission, August 11, 2008, <http://www.ahrchk.net/ua/mainfile.php/2008/2969/>
- ^{cccii} "Pakistan: Three More Women Allegedly Buried in Same Way as Five Women Buried in Balochistan," Asian Human Rights Commission, September 26, 2008, <http://www.ahrchk.net/ua/mainfile.php/2008/3015/>
- ^{ccciiii} "Pakistan: The Human Rights Situation in 2006," Asian Human Rights Commission, <http://material.ahrchk.net/hrreport/2006/Pakistan2006.pdf>
- ^{ccciv} "International Religious Freedom Report, 2009: Pakistan," (October 26, 2009). U.S. Department of State, <http://www.state.gov/g/drl/rls/irf/2009/127370.htm>
- ^{cccv} Ibid.
- ^{cccvii} "Barriers to Justice: Stop Violence Against Women in Pakistan Campaign," Human Rights Watch, <http://hrw.org/campaigns/pakistan/justice.htm>

-
- ^{cccvi} “Pakistan: The Land of Religious Apartheid and Jackboot Justice,” A Report to the UN Committee Against Racial Discrimination, August 2007, Asian Centre for Human Rights, <http://www.achrweb.org/reports/cerd/Pakistan-CERD2007.pdf>
- ^{cccviii} “Pakistani lawmaker Marvi Memon slams anti-Hindu violence in Pakistan, says ‘This is the biggest failure of the so-called Islamic Republic of Pakistan – that its minorities don’t feel safe on their own soil,” Memri.org, <http://m.memri.org/14499/show/c7a38dc922cfbf62b02ee8c86759dcbd&t=db4ff04527ecca192ee412df89701250>
- ^{cccix} Guriro, Amar (January 24, 2011). “Hindus suffering brunt of child kidnappings,” Pakistan Today, <http://www.pakistantoday.com.pk/pakistan-news/Regional/Karachi/14-Jan-2011/Hindus-suffering-brunt-of-child-kidnappings>
- ^{cccix} “Pakistan: Another Hindu Girl Forcibly Converted to Islam After Being Abducted,” Asian Human Rights Commission, January 9, 2007, <http://www.ahrchk.net/ua/mainfile.php/2007/2158/>
- ^{cccxi} “Abduction of Hindus Rise in Sindh,” Deccan Chronicle on the Web, September 22, 2005, <http://www.deccan.com/Neighbours/>
- ^{cccxi} Ahmed, Zeeshan (December 15, 2010). “Sukkur: Another Hindu girl kidnapped,” Pakistan Criminal Records, <http://pakistancriminalrecords.com/2010/12/15/sukkur-another-hindu-girl-kidnapped/>
- ^{cccxi} IANS (November 30, 2010). “Hindu girl kidnapped in Pakistan,” Deccan Chronicle, <http://www.deccanchronicle.com/national/hindu-girl-kidnapped-pakistan-965>
- ^{cccxiv} Press Trust of India (September 11, 2010). “Dalit girl forced to convert to Islam in Pakistan: Report,” The Times of India, <http://timesofindia.indiatimes.com/world/pakistan/Dalit-girl-forced-to-convert-to-Islam-in-Pakistan-Report/articleshow/6536246.cms>
- ^{cccxv} “Hindu girl forced to convert to Islam,” (April 23, 2010). Express India, <http://www.expressindia.com/latest-news/Hindu-girl-forced-to-convert-to-Islam/610492/>
- ^{cccxi} Ibid.
- ^{cccxi} “Lamentable attitude of law enforcers: No trace of 12-year-old Hindu girl abducted in December,” (March 26, 2010). Daily Times, http://www.dailytimes.com.pk/default.asp?page=2010\03\26\story_26-3-2010_pg12_8
- ^{cccxi} South Asia Terrorism Portal, <http://www.satp.org/satporgtp/countries/pakistan/terroristoutfits/index.html>
- ^{cccxi} “Pakistan’s double game,” (July 26, 2010). The New York Times, <http://www.nytimes.com/2010/07/27/opinion/27tue1.html>
- ^{cccxi} Public Radio International (December 1, 2010). “Wikileaks reveals Pakistan’s support for Taliban,” <http://www.theworld.org/2010/12/pakistan-funds-taliban/>

-
- ^{cccxxi} Jane Perlez, David Sanger, & Eric Schmitt (November 30, 2010). "Nuclear fuel memos expose wary dance with Pakistan," The New York Times, <http://www.nytimes.com/2010/12/01/world/asia/01wikileaks-pakistan.html>
- ^{cccxxii} "HRCP Alarmed at threats to Peshawar NGOs," Human Rights Commission of Pakistan, November 17, 2008, <http://hrpcblogger.wordpress.com/2008/11/18/hrpc-alarmed-at-threats-to-peshawar-ngos/>
- ^{cccxxiii} Toosi, Nahal, "Scenic Pakistani Valley Falls to Taliban Militants," Yahoo News, December 29, 2008. http://news.yahoo.com/s/ap/20081230/ap_on_re_as/as_pakistan_valley_of_fear
- ^{cccxxiv} "Fact-finding into forced conversion of Christian by means of threatening letters," Human Rights Commission of Pakistan, May 28, 2007.
- ^{cccxxv} M Ilyas Khan, "Threatened Pakistan Schools Close," BBC News, January 16, 2009, http://news.bbc.co.uk/2/hi/south_asia/7832715.stm
- ^{cccxxvi} "Pakistan assessment 2011," South Asia Terrorism Portal, <http://www.satp.org/satporgtp/countries/pakistan/index.htm>
- ^{cccxxvii} Roopa Bakshi, "Bonded Labour," The-South-Asian.com, November 2002; "Bonded Labour in Pakistan," Report Prepared for UN Economic and Social Council, June 23-July 9, 1999, Anti-Slavery International, <http://www.antislavery.org/archive/submission/submission1999-08Pakistan.htm>
- ^{cccxxviii} "Bonded labor: More needs to be done than passing a law against it," (October 6, 2010). Development Pakistan, <http://developmentpakistan.blogspot.com/2010/10/bonded-labor-more-needs-to-be-done-than.html>
- ^{cccxxix} "Trafficking in persons report 2010 – Pakistan," (June 14, 2010). UNHCR, <http://www.unhcr.org/refworld/country,,USDOS,,PAK,,4c1883d1c,0.html>
- ^{cccxxx} "Report on Pakistan," U.S. Department of Labor, Bureau of International Labor Affairs, <http://www.dol.gov/ilab/media/reports/iclp/sweat/pakistan.htm>
- ^{cccxxxi} "Bonded Labour in Pakistan," Report Prepared for UN Economic and Social Council, June 23-July 9, 1999, Anti-Slavery International, http://www.antislavery.org/english/resources/reports/download_antislavery_publications/bonded_labour_reports.aspx
- ^{cccxxxii} "Chronology of Events Related to Bonded Labour in 2008," Human Rights Commission of Pakistan. http://www.hrcp-web.org/hrpcDetail_cs.cfm?catId=209
- ^{cccxxxiii} "Report on Pakistan," U.S. Department of Labor, Bureau of International Labor Affairs, <http://www.dol.gov/ilab/media/reports/iclp/sweat/pakistan.htm>
- ^{cccxxxiv} "Bonded Labour in Pakistan," Report Prepared for UN Economic and Social Council, June 23-July 9, 1999, Anti-Slavery International, <http://www.antislavery.org/archive/submission/submission1999-08Pakistan.htm>

^{cccxv} “Thirteen rescued from bonded labour,” (June 10, 2010). Dawn,
<http://archives.dawn.com/archives/44378>

^{cccxvi} Fact Finding Report by Pastor Rafique Bhatti, Stephens Shaheed Foundation.

^{cccxvii} “Justice Rana Bhagwandas appointed Acting Chief Justice of Pakistan,” March 22, 2007, Associated Press of Pakistan.
http://www.app.com.pk/en/index.php?option=com_content&task=view&id=6457&Itemid=2

^{cccxviii} “Pakistan: The Land of Religious Apartheid and Jackboot Justice,” A Report to the UN Committee Against Racial Discrimination, August 2007, Asian Centre for Human Rights,
<http://www.achrweb.org/reports/cerd/Pakistan-CERD2007.pdf>

^{cccxix} Political Participation 2007, Human Rights Commission of Pakistan, <http://www.hrcp-web.org/pdf/Archives%20Reports/AR2007.pdf>

^{cccx} Ali, Tahir (February 24, 2011). “Pak’s Hindu temples turned into picnic spots, hotels,” Rediff.com,
<http://www.rediff.com/news/slide-show/slide-show-1-paks-hindu-temples-turned-into-picnic-spots-hotels/20110224.htm>

^{cccxli} “Assessment for Hindus in Pakistan,” Minorities at Risk, University of Maryland,
<http://www.cidcm.umd.edu/mar/assessment.asp?groupId=77004>

^{cccxlii} Ibid.

^{cccxliii} Ahmed, I. (January 21, 2009). “Pakistan: Do school texts fuel bias?” Christian Science Monitor,
<http://www.csmonitor.com/2009/0121/p04s03-wosc.html>

^{cccxliv} Wagar, Ali, “Hate Mongering Worries Minorities,” Daily Times, April 25, 2006,
http://www.dailytimes.com.pk/default.asp?page=2006%5C04%5C25%5Cstory_25-4-2006_pg7_26

^{cccxlv} Mir, Amir, “Primers of Hate,” Outlook India, October 10, 2005,
<http://www.outlookindia.com/fullprint.asp?choice=2&fodname=20051010&fname=Pakistan+%28F%29&sid=1>

^{cccxlvi} Khan, Afnan (May 18, 2009). “The threat of Pakistan’s revisionist texts,” Guardian,
<http://www.guardian.co.uk/commentisfree/belief/2009/may/18/pakistan-textbooks-religious-extremism>

^{cccxlvii} I.A. Rehman (November 10, 2010). “Is this education?,” Dawn,
<http://www.dawn.com/2010/11/11/is-this-education-by-i-a-rehman.html>

^{cccxlviii} Ali, Rasheed (October 13, 2010). “Pakistani schools will teach only love, peace now,” States Times,
<http://www.statestimes.com/2010/2010/10/13/pakistani-schools-will-teach-only-love-peace-now.html>

^{cccxlix} “Hindu, Enemy of Islam,” Outlook India, October 10, 2005,
<http://www.outlookindia.com/fullprint.asp?choice=2&fodname=20051010&fname=Pakistan+%28F%29&sid=1>

-
- cccl “Minorities Students Struggle with Arabic in State-Run Schools,” Daily Times, April 30, 2007, http://www.dailytimes.com.pk/default.asp?page=2007%5C04%5C30%5Cstory_30-4-2007_pg12_3
- cccli “The Constitution of Pakistan and Fundamental Rights,” Sustainable Development Policy Institute, http://www.sdpi.org/know_your_rights/know%20you%20rights/The%20Constitution%20of%20Pakistan.htm
- ccclii The Constitution of the Islamic Republic of Pakistan, <http://www.pakistani.org/pakistan/constitution/>
- cccliii Ibid.
- cccliv Ibid.
- ccclv Ibid.
- ccclvi Ibid.
- ccclvii “International Covenant on Civil and Political Rights,” G.A. res. 2200A (XXI), 21 U.N. GAOR Supp. (No. 16) at 52, U.N. Doc. A/6316 (1966), 999 U.N.T.S. 171, University of Minnesota Human Rights Library, <http://www1.umn.edu/humanrts/instree/b3ccpr.htm>
- ccclviii Ibid., Article 26 and 27.
- ccclix Ibid., Article 32(2).
- ccclx “Declaration on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion or Belief,” G.A. res. 36/55, 36 U.N. GAOR Supplement (No. 51) at 171, U.N. Doc. A/36/684 (1981), University of Minnesota Human Rights Library, <http://www1.umn.edu/humanrts/instree/d4deidrb.htm>
- ccclxi “Convention on the Elimination of All Forms of Discrimination against Women,” G.A. res. 34/180, 34 U.N. GAOR Supplement, (No. 46) at 193, U.N. Doc. A/34/46. 1981, University of Minnesota Human Rights Library, <http://www1.umn.edu/humanrts/instree/e1cedaw.htm>
- ccclxii “Declaration on the Elimination of Violence against Women,” G.A. res. 48/104, 48 U.N. GAOR Supplement (No. 49) at 217, U.N. Doc. A/48/49 (1993), University of Minnesota Human Rights Library, <http://www1.umn.edu/humanrts/instree/e4devw.htm>
- ccclxiii “Slavery, Servitude, Forced Labour and Similar Institutions and Practices Convention of 1926,” (Slavery Convention of 1926), 60 L.N.T.S. 253, University of Minnesota Human Rights Library, <http://www1.umn.edu/humanrts/instree/f1sc.htm>
- ccclxiv “Abolition of Forced Labour Convention,” (ILO No. 105), 320 U.N.T.S. 291. 1959, University of Minnesota Human Rights Library, <http://www1.umn.edu/humanrts/instree/n2ilo105.htm>
- ccclxv Unnithan, S. (May 18, 2009). “The spoils of war,” India Today, http://indiatoday.intoday.in/index.php?option=com_content&Itemid=1&task=view&id=40769§ionid=40&issueid=105&latn=2

-
- ccclxvi "US Senate passes Kerry Lugar Bill to triple aid to Pakistan," The Indian Express, <http://www.indianexpress.com/news/us-senate-passes-kerry-lugar-bill-to-triple/521480/>
- ccclxvii Witte, Griff (August 24, 2010). "Billions of aid dollars buy U.S. little goodwill in Pakistan," The Washington Post, <http://www.washingtonpost.com/wp-dyn/content/article/2010/08/23/AR2010082305476.html?sid=ST2010102203540>
- ccclxviii "Pak should realise our aids are not gifts: US lawmaker," (October 8, 2009), The New Indian Express, <http://www.expressindia.com/latest-news/Pak-should-realise-our-aids-are-not-gifts-US-lawmaker/526581/>
- ccclxix "Sri Lanka." CIA World Factbook." Central Intelligence Agency, <https://www.cia.gov/library/publications/the-world-factbook/geos/ce.html>
- ccclxx Ward, O. (May 30, 2009). "Tallying Sri Lanka's war dead," The Toronto Star, <http://www.thestar.com/news/world/article/642970>
- ccclxxi South Asia Terrorism Portal, http://satp.org/satporgtp/countries/shrilanka/database/annual_casualties.htm
- ccclxxii Perera, Amantha (February 8, 2010). "Sri Lankan opposition leader arrested," TIME, <http://www.time.com/time/world/article/0,8599,1962012,00.html>
- ccclxxiii Athas, Iqbal (September 30, 2010). "Former Sri Lankan army chief sentenced to prison," CNN.com, http://articles.cnn.com/2010-09-30/world/sri.lanka.general.sentenced_1_sarath-fonseka-army-commander-president-mahinda-rajapaksa?s=PM:WORLD
- ccclxxiv "Presidential Election 2010," <http://www.paffrel.lk/pdf/Presidential%20Election%20-2010%20Incidents.pdf>
- ccclxxv "Presidential Election 2010," Center for Monitoring Election Violence, http://cmev.files.wordpress.com/2010/01/cmev-interim-report_25_01_2010_final_full.pdf
- ccclxxvi Burke, Jason (April 5, 2010). "Sri Lanka's Tamils freed – but future bleak for those who backed Tigers," Guardian, <http://www.guardian.co.uk/world/2010/apr/05/tamils-sri-lanka-freed-tigers>
- ccclxxvii Montlake, S. (February 2, 2010). "As Tamil refugees resettle, their well-being could determine Sri Lanka's," The Christian Science Monitor, <http://www.csmonitor.com/World/2010/0202/As-Tamil-refugees-resettle-their-well-being-could-determine-Sri-Lanka's>
- ccclxxviii Joint Humanitarian Update, Report #29, http://www.humanitarianinfo.org/srilanka_hpsl/Files/Situation%20Reports/Joint%20Humanitarian%20Update/LKRN048_2010%20October-November%20JHU%20final.pdf
- ccclxxix "Number of IDPs in Sri Lanka," Internal Displacement Monitoring Center, [http://www.internal-displacement.org/idmc/website/countries.nsf/\(httpEnvelopes\)/D19BC2605A15FBF2C1257816004B8C9D?OpenDocument#45.2.1](http://www.internal-displacement.org/idmc/website/countries.nsf/(httpEnvelopes)/D19BC2605A15FBF2C1257816004B8C9D?OpenDocument#45.2.1)

-
- ^{ccclxxx} Raheem, Mirak (August 11, 2010). "The end of displacement?" Daily Mirror, <http://print.dailymirror.lk/opinion1/18138.html>
- ^{ccclxxxi} "Sri Lanka: 5,000 still in camps," (February 18, 2011). The New York Times, <http://www.nytimes.com/2011/02/19/world/asia/19briefs-Srilanka.html?emc=eta1>
- ^{ccclxxxii} "UN expert concludes that Sri Lankan video is authentic, calls for an independent war crimes investigation," (January 7, 2010). UNHR, <http://www.ohchr.org/en/NewsEvents/Pages/DisplayNews.aspx?NewsID=9706&LangID=E>
- ^{ccclxxxiii} "War Crimes in Sri Lanka," (May 17, 2010). International Crisis Group. <http://www.crisisgroup.org/en/regions/asia/south-asia/sri-lanka/191-war-crimes-in-sri-lanka.aspx>
- ^{ccclxxxiv} "Sri Lanka: New evidence of wartime abuses," (May 20, 2010), Human Rights Watch, <http://www.hrw.org/en/news/2010/05/20/sri-lanka-new-evidence-wartime-abuses>
- ^{ccclxxxv} "Sri Lankan war inquiry commission opens amid criticism," (August 11, 2010). BBC, <http://www.bbc.co.uk/news/world-south-asia-10934663>
- ^{ccclxxxvi} Fernando, Santhush (November 7, 2010). "Sri Lanka's Lessons Learnt and Reconciliation Commission (LLRC) tenure extended," Asian Tribune, <http://www.asiantribune.com/news/2010/11/07/sri-lanka%E2%80%99s-lessons-learnt-and-reconciliation-commission-llrc-tenure-extended>
- ^{ccclxxxvii} "Sri Lanka: Events of 2006," Human Rights Watch, <http://hrw.org/englishwr2k7/docs/2007/01/11/slanka14837.htm>
- ^{ccclxxxviii} "S Lanka truce end worries Norway," BBC, January 3, 2008, http://news.bbc.co.uk/2/hi/south_asia/7169145.stm; "Recurring Nightmare: State Responsibility for 'Disappearances' and Abductions in Sri Lanka," Human Rights Watch, March 2008, <http://www.reliefweb.int/rw/RWB.NSF/db900SID/MMAH-7CG97W?OpenDocument>; "Sri Lanka: Testimony Before the European Parliament Committee on Development," Human Rights Watch, June 5, 2007, <http://www.hrw.org/en/news/2007/06/04/sri-lanka-testimony-european-parliament-committee-development>
- ^{ccclxxxix} "Sri Lanka defends internment camps," Al Jazeera, <http://english.aljazeera.net/news/asia/2009/10/2009101215511819527.html>
- ^{cccxc} "Hinduism in Sri Lanka," Wikipedia, http://en.wikipedia.org/wiki/Hinduism_in_Sri_Lanka
- ^{cccxc i} "Sri Lanka," Wikipedia, http://en.wikipedia.org/wiki/Sri_Lanka; "Country Study: Sri Lanka," The Library of Congress, <http://lcweb2.loc.gov/frd/cs/lktoc.html>
- ^{cccxcii} S. J. Tambiah, "Buddhism Betrayed: Religion, Politics, and Violence in Sri Lanka (A Monograph of the World Institute for Development Economics Research), University of Chicago Press, 1992.
- ^{cccxciii} "Riots and pogroms in Sri Lanka," Wikipedia, http://en.wikipedia.org/wiki/Riots_and_pogroms_in_Sri_Lanka

-
- ^{cccxciv} “Riots and pogroms in Sri Lanka,” Wikipedia,
http://en.wikipedia.org/wiki/Riots_and_pogroms_in_Sri_Lanka
- ^{cccxcv} Wikipedia, http://en.wikipedia.org/wiki/History_of_Sri_Lanka#Independence
- ^{cccxcvi} “Thondaman’s bold gamble,” Frontline, <http://www.hinduonnet.com/fline/fl1611/16110550.htm>
- ^{cccxcvii} “Sri Lankan state sponsored colonisation schemes,” Wikipedia,
http://en.wikipedia.org/wiki/Sri_Lankan_state_sponsored_colonisation_schemes; “Colonisation and Demographic Changes in the Trincomalee District and its Effects on the Tamil Speaking People,” University Teachers for Human Rights – Sri Lanka, <http://www.uthr.org/Reports/Report11/appendix2.htm>; “Sri Lanka Tamil Alienation,” Encyclopedia of the Nations, <http://www.country-data.com/cgi-bin/query/r-13257.html>; “The War - One Year on: 11th June 1990-August 1991,” University Teachers for Human Rights – Sri Lanka, <http://www.uthr.org/Reports/Report8/chapter1.htm>
- ^{cccxcviii} “Official Language policy: Sinhala only Act,” Wikipedia,
http://en.wikipedia.org/wiki/Sinhala_Only_Act
- ^{cccxcix} “Sri Lankan riots of 1958,” Wikipedia, http://en.wikipedia.org/wiki/Sri_Lankan_riots_of_1958
- ^{cd} “Banning of Tamil Language,” Wikipedia,
http://en.wikipedia.org/wiki/Banning_of_Tamil_language_media_importation
- ^{cdi} “Burning of Jaffna Library,” Wikipedia, http://en.wikipedia.org/wiki/Burning_of_Jaffna_library
- ^{cdii} “2009 Report on International Religious Freedom -- Sri Lanka,” UNHCR,
<http://www.unhcr.org/refworld/topic,464db4f52,46b86dfb2,4ae8610869,0.html>
- ^{cdiii} “Hindu Conference condemns Sri Lankan forces,” TamilNet, June 29, 1998,
<http://www.tamilnet.com/art.html?catid=13&artid=1691>
- ^{cdiv} “Human rights in the Democratic Socialist Republic of Sri Lanka: 2009,” Amnesty International,
<http://www.amnesty.org/en/region/sri-lanka/report-2009>
- ^{cdv} “Analysis: Sri Lanka’s Child Soldiers,” BBC News, January 31, 2003,
http://news.bbc.co.uk/2/hi/south_asia/2713035.stm
- ^{cdvi} “UN: Sanction LTTE, Karuna Group for Child Soldiers,” Human Rights Watch, February 21, 2008,
<http://www.hrw.org/en/news/2008/02/20/un-sanction-ltte-karuna-group-child-soldiers>; Sri Lanka Timeline – Year 2007, South Asia Terrorism Portal,
<http://satp.org/satporgtp/countries/shrilanka/timeline/2007.htm>
- ^{cdvii} “Outrage over child soldiers in Sri Lanka,” The Christian Science Monitor, November 29, 2006,
<http://www.csmonitor.com/2006/1129/p07s02-wosc.html>; “Sri Lanka: Karuna Group Abducts Children for Combat,” Human Rights Watch, January 24, 2007,
<http://hrw.org/english/docs/2007/01/24/slanka15141.htm>

-
- cdviii "United States: Bush Signs Law on Child Soldiers: Measure to Prosecute Recruiters Abroad Puts Commanders on Notice," Human Rights Watch, March 2008, <http://www.hrw.org/en/news/2008/10/08/united-states-bush-signs-law-child-soldiers>
- cdix "Sri Lanka Child Recruitment Deal," BBC, December 2008, http://news.bbc.co.uk/2/hi/south_asia/7765476.stm
- cdx Ibid.
- cdxi "Recurring Nightmare: State Responsibility for 'Disappearances' and Abductions in Sri Lanka," Human Rights Watch, March 2008, <http://www.reliefweb.int/rw/RWB.NSF/db900SID/MMAH-7CG97W?OpenDocument>
- cdxii "Sri Lanka: Spectre of Abductions by the Security Forces Officially Admitted," Asian Centre for Human Rights, March 7, 2007, <http://www.achrweb.org/Review/2007/157-07.htm>
- cdxiii "Recurring Nightmare: State Responsibility for 'Disappearances' and Abductions in Sri Lanka," Human Rights Watch, March 2008, <http://www.reliefweb.int/rw/RWB.NSF/db900SID/MMAH-7CG97W?OpenDocument>
- cdxiv "Human rights in the Democratic Socialist Republic of Sri Lanka: 2009," Amnesty International, <http://www.amnesty.org/en/region/sri-lanka/report-2009>
- cdxv "106 Civilians Detained in Colombo," Tamil Net, January 7, 2009, <http://www.tamilnet.com/art.html?catid=13&artid=27937>
- cdxvi Sengupta, Somini, "Ethnic Divide Worsens as Sri Lanka Conflict Escalates," New York Times, March 8, 2008, <http://www.nytimes.com/2008/03/08/world/asia/08lanka.html>
- cdxvii "The Constitution," Official Website of the Government of Sri Lanka, <http://www.priu.gov.lk/Cons/1978Constitution/CONTENTS.html>
- cdxviii Montlake, S. (June 5, 2009), "The fate of Sri Lanka's Tamils after the Tigers," The Christian Science Monitor, <http://www.csmonitor.com/World/Asia-Pacific/2009/0605/p12s01-woap.html>
- cdxix Ibid.
- cdxx "War Crimes in Sri Lanka," (May 17, 2010). International Crisis Group, <http://www.crisisgroup.org/en/regions/asia/south-asia/sri-lanka/191-war-crimes-in-sri-lanka.aspx>
- cdxxi "Trinidad and Tobago," CIA World Factbook, <https://www.cia.gov/library/publications/the-world-factbook/geos/td.html>
- cdxxii Kaufman, J.E. (November 17, 2010). "In Trinidad, an ascendant Hindu culture celebrates Diwali," ArtInfo, <http://blogs.artinfo.com/inview/2010/11/17/in-trinidad-an-ascendant-hindu-culture-celebrates-diwali/>
- cdxxiii <http://jahajeedesi.com/>

-
- cdxxiv Maharaj, Sat (March 30, 2005). "The success of Indians," The Trinidad Guardian, <http://legacy.guardian.co.tt/archives/2005-04-03/sat.html>
- cdxxv Maharaj, D. (August 4, 2008). Letter addressed to Prof. John La Guerre, Chairman, Equal Opportunity Commission, Trinidad and Tobago.
- cdxxvi "Indians being discriminated against in T & T," (July 20, 2009), Stabroek News, <http://www.stabroeknews.com/2009/stories/07/20/indians-being-discriminated-against-in-tt/>
- cdxxvii Ryan, S. (August 16, 2009). "A gaseous mixture of racial hyperconsciousness," Trinidad and Tobago Express, <http://www.trinidadexpress.com/index.pl/print?id=161518096>
- cdxxviii Maharaj, D. (August 24, 2009). "The Selwyns: Doctors in denial? Doctors Ignoramus?" TRIN, http://trin.typepad.com/main/indotrnbago_equality_council_itec/
- cdxxix Rambally, R. K. (July 19, 2009). "Khan: I am a victim of discrimination," Guardian, <http://guardian.co.tt/news/general/2009/07/19/khan-i-am-victim-discrimination>
- cdxxx Bissessar, A. M. (Spring 2009). "Challenges facing senior public servants in a plural society," Entrepreneur, <http://www.entrepreneur.com/tradejournals/article/198412913.html>
- cdxxxi Maharaj, D. (October 7, 2009). "ITEC President sues AG over Integrity Commission."
- cdxxxii "Trinidad and Tobago," Wikipedia, http://en.wikipedia.org/wiki/Trinidad_and_Tobago
- cdxxxiii Maharaj, S. (August 13, 2009). "Twisting the truth," Trinidad and Tobago Guardian, <http://www.caribdaily.com/article/191713/twisting-the-truth/>
- cdxxxiv Hutchinson-Jafar, Linda (May 22, 2010). "Election gamble may backfire on Trinidad's Manning," Reuters, <http://www.reuters.com/article/2010/05/22/us-trinidad-elections-preview-idUSTRE64L1J620100522>
- cdxxxv "Murder with impunity," (February 1, 2010). Trinidad and Tobago Guardian, <http://test.guardian.co.tt/?q=commentary/editorial/2010/02/01/murder-impunity>
- cdxxxvi UNHCR, "2009 Report on International Religious Freedom -- Trinidad and Tobago," <http://www.unhcr.org/refworld/country,,,TTO,4562d94e2,4ae860ff67,0.html>
- cdxxxvii Sat Maharaj, "Ethnic Agenda in Caroni," The Trinidad Guardian, November 30, 2006, <http://www.guardian.co.tt/archives/2006-11-30/sat.html>
- cdxxxviii "Letters to the Editor," (July 21, 2006). The Trinidad Guardian, <http://www.guardian.co.tt/archives/2006-07-21/letters.html>
- cdxxxix Cupid, Karl E. (April 19, 2007), "Tobago to Get Its First Hindu Mandir," Trinidad and Tobago Newsday, <http://www.newspday.co.tt/news/0,55704.html>

-
- cdxli "Trinidad Hindus win battle to broadcast FM radio station," NRI Online, February 08, 2007, <http://www.nriol.com/content/snippets/snippet1104.asp>
- cdxlii UNHCR, "2009 Report on International Religious Freedom - Trinidad and Tobago," <http://www.unhcr.org/refworld/country,,,TTO,4562d94e2,4ae860ff67,0.html>
- cdxliii <http://jahajeedesi.blogspot.com/>
- cdxliv Sat Maharaj, Trinidad Guardian, August 2006
- cdxlv Answers.com., The Trinity Cross Judgment, <http://www.answers.com/topic/peter-jamadar>
- cdxlv Julian, J. (October 25, 2009). "Jahajee walk deemed illegal by police," Trinidad and Tobago Express, <http://www.seiell.com/wordpress/2009/11/jahajee-walk-deemed-illegal-by-police/>
- cdxlvi "Discrimination against teachers Vijesh Mahadeo and Vashti Maharaj," (May 3, 2009), <http://trinidad-tobago.blogspot.com/2009/05/discrimination-against-teachers-vijesh.html>
- cdxlvii "Trinidad Hindus win battle to broadcast FM radio station," NRI Online, February 08, 2007, <http://www.nriol.com/content/snippets/snippet1104.asp>
- cdxlviii Charan, R. (October 4, 2009). "Big bucks for Mahasabha," Trinidad News, http://www.trinidadexpress.com/index.pl/article_news?id=161540088
- cdxlxi <http://jahajeedesi.blogspot.com/>
- cdl Sat Maharaj, Trinidad Guardian, June 8, 2006
- cdli Maharaj, D. (December 5, 2008). Letter addressed to Prof. John La Guerre, Chairman, Equal Opportunity Commission, Trinidad and Tobago.
- cdlii Ramjeet, Oscar, "Trinidad Equality Council Alleges Discrimination in Land Distribution," Caribbean Net News, December 3, 2008, http://www.caribbeannetnews.com/trinidad/trinidad.php?news_id=12621&start=40&category_id=17
- cdliii Minutes of the Senate, Trinidad and Tobago, March 08, 2005, <http://www.ttparliament.org/hansard/senate/2005/hs20050308.pdf>
- cdliv Sat Maharaj, "Ethnic Agenda in Caroni," The Trinidad Guardian, November 30, 2006, <http://www.guardian.co.tt/archives/2006-11-30/sat.html>
- cdlv David Singh, St. Augustine, Trinidad, in a letter to the Trinidad Guardian newspaper
- cdlvi "Raksha Ban at School," Trinidad Express, March 11, 2008. http://www.trinidadexpress.com/index.pl/article_news?id=161291478; State Department International Religious Freedom Report on Trinidad and Tobago, 2008, <http://www.state.gov/g/drl/rls/irf/2008/108541.htm>

-
- cdlvii "Letters to the Editor," The Trinidad Guardian, November 2, 2006,
<http://www.guardian.co.tt/archives/2006-11-02/letters.html>
- cdlviii The Constitution of the Republic of Trinidad and Tobago,
<http://www.constitution.org/cons/trinidad.htm>
- cdlix Cooper, Helen & Sanger, David (December 16, 2010). "Obama cites Afghan gains as report says exit is on track," The New York Times, <http://www.nytimes.com/2010/12/17/world/asia/17afghan.html>
- cdlx Kochhar, R. (2000). "The Vedic People," Orient Longman.
- cdlxi Salahuddin, Sayed. (September 18, 2010). "Karzai votes for female Hindu candidate: sources," Reuters, <http://www.reuters.com/article/2010/09/18/us-afghanistan-election-karzai-idUSTRE68H1UN20100918>
- cdlxii Mohammadi, R. (August 2, 2009). "Afghanistan's marginalized Hindus," The Guardian, <http://www.guardian.co.uk/commentisfree/belief/2009/aug/02/afghanistan-hindus#history-byline>
- cdlxiii Shamal, Parwiz (August 9, 2010). "Afghan Hindus, the most deprived in Afghanistan," Tolo News, <http://www.tolonews.com/6:30-report/255-afghan-hindu-the-most-deprived-in-afghanistan>
- cdlxiv Press Trust of India (July 25, 2010). "Bollywood popular in Afghanistan," Afghan Hindus and Sikhs, <http://afghanhindu.wordpress.com/2010/07/25/bollywood-popular-in-afghanistan/>
- cdlxv Biswas, Soutik (January 12, 2010). "Why are Indian students being attacked in Australia?" BBC News, http://www.bbc.co.uk/blogs/thereporters/soutikbiswas/2010/01/why_are_indian_students_being_attacked_in_australi.html
- cdlxvi Press Trust of India (December 27, 2010). "Attack issue dominates Indo-Aus ties in 2010," IBN Live 5, <http://ibnlive.in.com/news/attack-issue-dominates-indoaus-ties-in-2010/138686-3.html>
- cdlxvii Anbalagan, Job. (July 20, 2010). "Racial attacks continue against Indian students in Australia," All Voices, <http://www.allvoices.com/contributed-news/6357499-racial-attacks-against-indian-students-continue-in-australia>
- cdlxviii Callinan, R. (June 6, 2009). "Racial Attacks Trouble Indian Students in Australia," TIME, <http://www.time.com/time/world/article/0,8599,1903038,00.html>
- cdlxix Biswas, Soutik (January 12, 2010). "Why are Indian students being attacked in Australia?" BBC News, http://www.bbc.co.uk/blogs/thereporters/soutikbiswas/2010/01/why_are_indian_students_being_attacked_in_australi.html
- cdlxx Borah, Rupakjyoti. (March 8, 2010). "Australia still high on India's radar," The Sydney Morning Herald, <http://www.smh.com.au/opinion/society-and-culture/australia-still-high-on-indias-radar-20100308-ps24.html>

-
- cdlxxi “Number of Indian students studying in Australia dropping,” (October 18, 2010). Herald Sun, <http://www.heraldsun.com.au/news/national/number-of-indian-students-studying-in-australia-dropping/story-e6frf7l6-1225940343346>
- cdlxxii Chaku, N. (January 20, 2010). “Racist attacks on Indians on for 2 years: Victoria police,” Outlook India, <http://news.outlookindia.com/item.aspx?673151>
- cdlxxiii Press Trust of India (December 27, 2010). “Attack issue dominates Indo-Aus ties in 2010,” IBN Live 5, <http://ibnlive.in.com/news/attack-issue-dominates-indoaus-ties-in-2010/138686-3.html>
- cdlxxiv Express News Service. (February 25, 2010). “Only 23 of 152 Oz attacks racist, Ministry tells LS,” The Indian Express, <http://www.indianexpress.com/news/only-23-of-152-oz-attacks-racist-ministry-tells-ls/584247/>
- cdlxxv Wikipedia, “Saudi Arabia,” http://en.wikipedia.org/wiki/Saudi_Arabia
- cdlxxvi USCIRF (2010), “Countries of Particular Concern: Saudi Arabia,” <http://www.uscifr.gov/images/annual%20report%202010.pdf>
- cdlxxvii Annual Report of the USCIRF (May 2009). <http://www.uscifr.gov/images/AR2009/saudi%20arabia.pdf>
- cdlxxviii Jha, Durgesh Nandan, (December 24, 2010). “Falsely accused of killing spouse, doc jailed in Saudi,” Times of India, <http://timesofindia.indiatimes.com/india/Falsely-accused-of-killing-spouse-doc-jailed-in-Saudi/articleshow/7154236.cms>
- cdlxxix “Indian lady doctor cleared of murder of husband, returns home,” (December 22, 2010). The Indian Express, <http://www.indianexpress.com/news/indian-lady-doctor-cleared-of-murder-of-husb/728071/>
- cdlxxx Jacob, Jayanth (April 10, 2010). “Governments wants to end rising Haj subsidy,” Hindustan Times, <http://www.hindustantimes.com/Government-wants-to-end-rising-Haj-subsidy/Article1-529422.aspx>
- cdlxxxi http://en.wikipedia.org/wiki/Hindu_diaspora
- cdlxxxii Singh, R. (January 4, 2010). “Indian workers sold like cattle in Saudi Arabia: Stowaway,” Times of India, <http://timesofindia.indiatimes.com/india/Indian-workers-sold-like-cattle-in-Saudi-Arabia-Stowaway/articleshow/5408084.cms>
- cdlxxxiii Wikipedia, “Oil reserves in Saudi Arabia,” http://en.wikipedia.org/wiki/Oil_reserves_in_Saudi_Arabia
- cdlxxxiv “Bangladesh - The Vested Properties Return Act, 2001,” Voice of the Asia-Pacific Human Rights Network, <http://www.hrdc.net/sahrdc/hrfeatures/HRF35.htm>
- cdlxxxv “Peace Process in Chittagong Hill Tracts,” South Asia Forum for Human Rights, http://www.safhr.org/pdf/E_new2.pdf

cdlxxxvi This list is not inclusive of all extremist groups in the subcontinent, but rather represents some of the more significant and dangerous organizations operating in the region.

cdlxxxvii Bertil Lintner, "Bangladesh Extremist Islamist Consolidation," South Asia Terrorism Portal, <http://www.satp.org/satporgtp/publication/faultlines/volume14/Article1.htm>

cdlxxxviii South Asia Terrorism Portal, http://www.satp.org/satporgtp/countries/pakistan/terroristoutfits/group_list.htm