

# Hindus in South Asia and the Diaspora: A Survey of Human Rights – 2009

## 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

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- Hindus, with a population of over one billion, constitute the third largest religious group in the world.
- Hinduism is one of the oldest surviving religions and its origins can be traced 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

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- In 1947, Hindus constituted nearly 30% of Bangladesh’s population. By 1991, 20 million Hindus were “missing” from Bangladesh. Today, Hindus comprise less than 10% of the population.
- Hindus of Bangladesh continue to be victims of ethnic cleansing waged by Islamic fundamentalists that include daily acts of murder, rape, kidnappings, temple destruction and physical intimidation.
- Human rights activists and journalists are continuously harassed and abused in Bangladesh.
- Sixty-seven acts of murder, rape, kidnappings, temple destruction and land grabs targeting Hindus have been recorded in this report for which data is available. The reduction in the number of attacks against Hindus should be noted, with the caveat that reporting agencies on whom we rely have not collated data as in the past.
- 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<sup>i</sup> but a Minorities Commission to monitor the human rights situation and to provide redress to minority grievances is still not on the anvil.

### *HAF Recommendations:*

- 1) The Awami League government, led by Sheikh Hasina, must take substantial and verifiable measures to ensure that attacks on Hindus and their institutions immediately 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 racist 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. Alternatively, U.S. and international aid should be allocated for the economic development of the country's minorities.

### **KINGDOM OF BHUTAN**

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- 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 is a multi-religious, multi-cultural, multi-ethnic and multi-lingual society.
- 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 on the sole 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 20,000 other 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.

*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**

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- 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 seem to have come to an end in 2009.
- 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 they 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**

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- 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.
- 2009 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**

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- Malaysia is a self-declared Islamic Republic, and Islam is the official religion of the country despite Malaysia 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 increased discrimination and intimidation, including the destruction of their 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

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- 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)
- 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 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 end all military assistance to Pakistan.
- 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**

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- Sri Lanka is a multi-ethnic, multi-religious nation that has been plagued by years of ethnic conflict. The violent conflict between the Sinhala-majority Sri Lankan government and the Tamil groups is 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 were 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**

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- The country is a multi-ethnic, multi-religious island nation with mostly 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.

*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 and recognize Hindus and Indians as equal partners in the rule and governance of the nation.
- 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 distance itself from Christian fundamentalists promoting hatred against Hindus and Hinduism and avoid Christianization of its institutions.

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<sup>i</sup> Scanlon, Oliver (July 10, 2009). "Bangladesh Human Rights Agency Given Extensive Powers," [http://www.opendemocracy.net/india/news\\_digests/100709](http://www.opendemocracy.net/india/news_digests/100709)