

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



www.HAFsite.org

May 1, 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

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.ⁱ
- 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 Commissionⁱⁱ, 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.

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

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