

Hindus in South Asia and the Diaspora: A Survey of Human Rights – 2007

EXECUTIVE SUMMARY

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

HINDUS ACROSS THE DIASPORA

- Hindus, with a population of over one billion, are 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

- In 1947, Hindus constituted nearly 30% of Bangladesh's population. By 1991, twenty 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 frequently harassed and abused in Bangladesh.

- At least 270 acts of murder, rape, kidnappings, temple destruction, and land grab targeting Hindus are recorded in this report for the six months in 2007 for which data is available.
- 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. Individuals with direct ties to the Bangladesh National Party (BNP)-Islamist party alliance in power between 2001 and 2006 were beneficiaries of over 45% of lands confiscated from Hindus under the draconian Vested Property Act.

HAF Recommendations:

- 1) The interim Bangladesh government must continue to take substantial and verifiable measures to ensure that attacks on Hindus and their institutions cease, and bring to quick justice those political and radical religious elements who 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. Confiscated lands must be restored to the rightful, original owners.
- 3) Bangladesh should set up a Human Rights Commission and a Minorities Commission to monitor the human rights situation and to provide redress to minority grievances.
- 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 has been ruled by an absolute monarchy since 1907. The country has remained under the administrative control of the Buddhist theocratic leader Zhabdrung Ngawang Namgye.
- 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.
- These more than 100,000 Bhutanese citizens, comprise nearly one sixth of the kingdom's total population of approximately 700,000, and have been forced to leave or forcibly evicted from the country by the royal regime due to 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.

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 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.

REPUBLIC OF THE FIJI ISLANDS

- In Fiji, Hindus constitute approximately 34% of the Christian majority state.
- Fijian Hindus continue to face hate speech and Hindu temples continue to be targets of attack.
- The Methodist Church of Fiji has repeatedly called for the creation of a Christian State.
- It is encouraging that fewer attacks on Hindu temples and Hindus were recorded in 2007 compared to the previous years. Also encouraging is that after the installation of the new interim government on December 5, 2006 there has been a steady decline in attacks on Hindu temples.

HAF Recommendations:

- 1) The Fijian government must respect the rights of all citizens, and the inherent political bias against Hindus and ethnic Indians in that country 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 do more to protect Hindus from violence and hate speech. Furthermore, the government must safeguard 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 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 from Pakistan and Afghanistan have targeted Kashmir and are guilty of massive 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.
- The year 2007 was marked by several terrorist attacks directed against Hindus by Pakistan supported terror groups. There has not been any significant amelioration in the status of Hindu refugees from Kashmir. They continue to be neglected by the Indian government and the state of Jammu and Kashmir.

HAF Recommendations:

- 1) Kashmiri Hindus must be allowed to return to their homes, must have their property restored to them, and must receive protection from the Indian government and the Kashmir state government.
- 2) 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 ISI spy service.

MALAYSIA

- 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 eroding. 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 targeted by government officials and public protest has been put down through the use of draconian internal security laws.
- Several disturbing cases have come to light over Hindus not being allowed to cremate their dead in accordance with Hindu custom, and instead being forced to have an Islamic burial despite family members insisting that the individual was a Hindu.

HAF Recommendations:

- 1) Religious freedom should be allowed and encouraged for ethnic Malays and the minority religious populations in the country.
- 2) 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.
- 3) 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.
- 4) Hindu leaders currently detained under draconian laws for leading lawful protests should be immediately released.
- 5) The Malaysian government should respect the wishes of Hindu family members and permit them to carry out final rites for their deceased in accordance with Hindu custom.

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 discriminates against non-Muslims through a variety of 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.
- Hindus continue to be held disproportionately in conditions tantamount to slavery as bonded laborers despite the practice being officially banned.
- School textbooks continue to promote Islam, hatred of other religions including Hinduism and intolerance toward non-Muslims.
- Recurring reports point to an alarming trend of Hindu girls being kidnapped, raped, held in *madrassas* (Islamic seminaries) and forcibly converted to Islam.
- Hindus continue to be targeted in Balochistan, and more than 5,000 Hindus have been forced to flee.

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 aiding all groups who seek to resolve the Kashmir dispute through violent means. Any aid to Pakistan should be contingent on Pakistan's acceptance of a peaceful resolution of the Kashmir dispute.

- 6) The United States should 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.

RUSSIAN FEDERATION

- Russia is a multi-ethnic, multi-religious country.
- The Russian Federation has a weak multiparty political system with a strong presidency, a government headed by a prime minister, and a bicameral legislature.
- The law provides for an independent judiciary. The judiciary, however, did not consistently act as an effective counterweight to other branches of the government.
- The law provides for freedom of speech and of the press; however, government pressure on the media persisted, resulting in numerous infringements of these rights.
- The law provides for freedom of assembly. The International Society for Krishna Consciousness (ISKCON) has been harassed restricting this right.
- The law provides for freedom of association, and the government increasingly harassed several organizations.
- The constitution provides for freedom of religion; however, authorities imposed restrictions on certain groups. Although the constitution provides for the equality of all religions before the law and the separation of church and state, the government did not always respect these provisions in practice.

HAF Recommendations:

- 1) Russia should stand by its constitutional guarantees to ethnic and religious minorities.
- 2) Russian authorities should hold accountable regional administrators who with impunity discriminate against minority institutions and places of worship.

THE KINGDOM OF SAUDI ARABIA

- Saudi Arabia is an absolute monarchy and the *Qu'ran* and *Shari'a* (Islamic law) serve as its constitution. Its law code is founded upon the conservative form of Sunni Islam, known as Wahhabism. This permits judges to use capital or corporal punishment for crimes, including murder, theft, sexual abuse, homosexuality and adultery.

- Non-citizens are required to carry identity cards, which identify cardholders as “Muslim” or “non-Muslim.” This is enforced by the *mutawwa’in* or Saudi religious police.
- There is no constitutional protection for the freedom of religion. Citizens are not allowed to choose or change their religion.
- Non-Muslims cannot exhibit any outward religious clothing, text, or symbol, and cannot worship in public. Even private worship is prohibited and punished.
- Intolerance of other religions is embedded in the kingdom’s educational institutions.
- Islamic law characterizes Hindus as polytheists. This puts Hindus in the same category as those who practice “black magic” or “sorcery.”
- The U.S. Commission on International Religious Freedom has branded Saudi Arabia as a “country of particular concern,” but U.S. military, oil, and other economic interests in the region has diminished its ability to influence change. Saudi Arabia is the centre of Islamic fundamentalism and it has funded Islamic fundamentalist institutions around the world.

HAF Recommendations:

- 1) The United States government and the world community must continue to pressure Saudi Arabia to change its Islamic nationalist/authoritarian nature. Unless the United States changes its policy towards Saudi Arabia, minorities will continue to face severe and overwhelming discrimination.
- 2) Saudi Arabia must end its support for terrorism and state support for an intolerant, fundamentalist brand of Islam. It must promote basic civil and religious rights for its citizens and guest workers, and reform its education system in order to remove inaccuracies and hate speech directed against other religions. It should promote tolerance and pluralism.

DEMOCRATIC SOCIALIST REPUBLIC OF SRI LANKA

- Sri Lanka is a multi-ethnic, multi-religious nation that has been severely hobbled by 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 conflict. Tensions between the Sinhalese majority and Tamil separatists in northern Sri Lanka erupted into war in 1983.
- Not all Tamils are Hindus, and the LTTE, the primary Tamil-terrorist outfit, is not a Hindu organization.

- The prolonged conflict is detrimental to all Sri Lankans, especially the large Hindu minority population, which experiences an undue share of violence and displacement.

HAF Recommendations:

- 1) There can be no military solution to ethnic conflicts. Both the LTTE and the Sri Lankan government should pursue a course of peace in order to end the conflict.
- 2) HAF expresses grave concern that the Hindu institutions and Tamil culture in Sri Lanka are severely threatened by the ongoing civil war and encourages all sides in the conflict to protect Hindu institutions from harm.
- 3) The United States, Norway and the United Nations must continue to pressure all parties involved to find an equitable, just and realistic resolution of the crisis.

REPUBLIC OF TRINIDAD AND TOBAGO

- 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 now major targets of violence, hate speech and discrimination.
- Indo-Trinidadians have been systematically denied government benefits and employment in government service. The police have too often ignored attacks on Hindu-Trinidadians.

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, 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.