

**HINDUS IN SOUTH ASIA AND THE DIASPORA:**

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**A Survey of Human Rights** 2008



**HINDU AMERICAN FOUNDATION**

**Hindus in South Asia and the Diaspora:  
A Survey of Human Rights  
2008**



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***March 13, 2009***

***“All human beings are born free and equal in dignity and rights”***  
(Universal Declaration of Human Rights, 1948, Article 1)

***“Religious persecution may shield itself under  
the guise of a mistaken and over-zealous piety”***  
(Edmund Burke, February 17, 1788)

## **Endorsements of Hindu American Foundation's 4th Annual Report**

### **“Hindus in South Asia and the Diaspora: A Survey of Human Rights 2007”**

*All of us share common values: a respect for other people, their cultures and the beliefs that they hold. But as this report demonstrates, there are still too many instances where that respect is violated and people's rights are horribly abused. The Hindu American Foundation has done a great service by bringing these human rights abuses to light. Working together, I believe we can deliver the basic freedoms every person is due.*

**Senator Frank Lautenberg (D-NJ)**

*I commend the Hindu American Foundation on its report, "Hindus in South Asia and the Diaspora: A Survey of Human Rights 2007." This report importantly documents the plight of persecuted Hindus throughout South Asia. As the Ranking Member of the Subcommittee on Terrorism, I have seen how the growth of radical Islam impacts the well-being of the Hindu population. Reports like this are important in documenting these human rights abuses.*

**Rep. Ed Royce (R-CA)**

*As the world increasingly becomes a global village, it is important to monitor, acknowledge and work towards promoting freedom of speech and conscience for all. Even though the Hindus are one of the oldest and largest Religions of the World, the rights of Hindus in many countries have been systematically violated. It is essential that all of us work towards bringing attention to these incidents, ensuring that these rights are protected and we work towards promoting greater dialogue and harmony. It is incumbent upon each of us to work to ensure a world free from religious hatred and violence, for not only ourselves, but for the betterment of our future generations.*

**Bawa Jain  
Secretary General, World Council of Religious Leaders**

*In issuing its 4th Annual Hindu Human Rights Report, the Hindu American Foundation has again done a service for the community it represents – and for all of us who care about human rights. The portrait painted by the Report of continuing human rights violations directed at Hindus is an important resource in the battle for religious liberty and against religious persecution.*

**Richard T. Foltin  
Legislative Director and Counsel  
Office of Government and International Affairs  
American Jewish Committee**

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The **Hindu American Foundation (HAF)** is an advocacy group providing a progressive voice for over 2 million Hindu Americans. 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).

## Acknowledgements

This is the fifth of our annual Hindu human rights reports. As in the past, numerous grass-roots organizations were involved in collecting data about the violation of human rights of Hindu minorities, and we thank them for sharing the information they have collected. Chief among these organizations are the Bangladesh Hindu, Buddhist, Christian Unity Council (BHBCUC) – which provided us with critical data of the daily violence against the Hindu minority in Bangladesh; Human Rights Congress for Bangladesh Minorities (HRCBM) – an organization that has been at the forefront of publicizing the plight of Hindus in Bangladesh; Indo-American Kashmir Forum and the Kashmir Taskforce – both have worked to bring the attention of the United States government and media to the plight of Kashmiri Hindus; Panun Kashmir – working hard to recover the lost properties and homes of Hindus forced to leave the Kashmir Valley; Hindu Rights Action Force – 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.

We acknowledge the work of global human rights organizations – Amnesty International, Freedom House, Human Rights Watch and the Institute for Gulf Affairs – 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 United States Commission on International Religious Freedom’s (USCIRF) annual reports.

HAF is indebted to the volunteers who have given their time and talents to contribute to this report. These include Gayatri Arasaratnam, Arun Chandrakantan, Pooja Deopura, Deepa Patel and Shelvin Prasad.

# Hindus in South Asia and the Diaspora: A Survey of Human Rights – 2008

## 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, Saudi Arabia, Sri Lanka, and Trinidad and Tobago. This report documents the ongoing violations of human rights in these countries.*

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### 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.

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### 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.
- 258 acts of murder, rape, kidnappings, temple destruction and land grabs targeting Hindus have been recorded in this report for the nine months in 2008 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.

### *HAF Recommendations:*

- 1) The new 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. 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. 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 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 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. 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 to ensure the protection of their fundamental human rights and their right to participate as full citizens of Bhutan.

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**REPUBLIC OF THE FIJI ISLANDS**

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- 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 2008 compared to previous years. Also encouraging is the interim government's stated commitment to the protection of the 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 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**

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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.
- The year 2008 did not see any significant resolution to the plight of Hindu refugees from Kashmir. They continue to be neglected by the Indian government and the state of Jammu and Kashmir.

#### *HAF Recommendations:*

- 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.
- 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's 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 must be repealed and Hindu leaders prosecuted under the repressive Act should be immediately released.

### **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, 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 militants groups operating in the subcontinent. The United States must end all military assistance to Pakistan.
- 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.

### **THE KINGDOM OF SAUDI ARABIA**

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- Saudi Arabia is a monarchy, where the *Qu’ran* and *Shari’a* (Islamic law) serve as its constitution. Its legal 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.”
- 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 by the Mutawwa’in or Saudi religious police.
- 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 center of Islamic fundamentalism and has funded Islamic extremism around the world.

#### *HAF Recommendations:*

- 1) The United States government and the international community must continue to pressure Saudi Arabia to change its Islamic authoritarian character. 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 fundamentalist 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 about other religions. It should promote tolerance and pluralism.

### **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.
- 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.
- The plight of innocent civilians continued to deteriorate as fighting between government forces and the Tamil Tigers intensified in 2008. Both were sides are guilty of severe human rights violations.

#### *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 government must end its persecution of innocent Tamil civilians, and both sides must ensure the protection of innocent civilians
- 4) 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

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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, 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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# Introduction

Of the nearly one billion Hindus in the world today, about 20 million live outside of India. 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, Bangladesh and Afghanistan 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. It is our intention to subject these human rights violations to regular scrutiny, which the fate of these communities surely deserves. This fifth annual report covers human rights conditions in nine nations and regions across the world during 2008: Bangladesh, Bhutan, Fiji, the Indian state Jammu and Kashmir, Malaysia, Pakistan, Saudi Arabia, Sri Lanka and Trinidad and Tobago.

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 and, numbering nearly 827 million people, constitute 80.5% of the population of India<sup>1</sup>. However, the Hindu Diaspora reaches beyond the Indian subcontinent to Europe, Africa, Southeast Asia, the Pacific Islands and North America where they comprise substantial minorities. In Fiji and some Caribbean nations, Hindus comprise of a significant portion of the population, with representation at the highest levels of government. 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, follow one religious leader nor adhere to one set of worship, practices and ritual. Hindus regard Buddhists, Jains, and Sikhs as a part of their own wider family though they constitute distinct religious traditions themselves. 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 nations/regions listed above. This report does not investigate other human rights violations within India, such as religious conflict, abuse of women or caste discrimination. The Hindu American Foundation (HAF) believes in the importance of addressing those problems but they are beyond the scope of this report, which focuses on countries and regions where Hindus are a minority.

In the Foundation's first report, published in 2005<sup>ii</sup>, we 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 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<sup>iii</sup>. It curtailed the political rights of minorities, and Hindus, who constituted approximately 20-25% of the population in West Pakistan<sup>iv</sup> and 30% in East Pakistan, were the predominant victims under the Islamic dispensation. Over the sixty years of independence, the Hindu population has dwindled to less than 2% in Pakistan (former West Pakistan), and to about 9% 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. In turn, 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,<sup>v</sup> successfully expelling the entire Hindu population of several hundred thousand from the Kashmir Valley through a campaign of murder, rape and kidnappings. Pakistani military posturing and an alleged threat of nuclear warfare 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 Kashmiri Hindus by largely ignoring them. World human rights organizations have also been muted in their response to the tragedy that has befallen Kashmiri 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.<sup>vi</sup> This fifth annual report, much larger in scope, 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 of human rights abuse against Hindus by prominent media sources and non-governmental organizations dedicated to human rights issues continue to prompt our investigations and reports. We provide context to our findings by examining the legal frameworks of individual countries and the U. N. Human Rights Declaration and various relevant conventions (see Appendix A).

# People's Republic of Bangladesh



© CIA World Factbook

**Area:** 144,000 sq km

**Population:** 150,448,339 (July 2007 est.)

**Religions:** Muslim 88%, Hindu 10%, other 2% (2007)

**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<sup>vii</sup>

## Introduction

After two years of political turmoil and extensive human rights violations, 2008 witnessed the end of Emergency Rule in Bangladesh. Initially imposed in 2006, the Emergency was intended to deal with large-scale violence between rival political parties and lasted till the end of 2008. Under Emergency Rule, military and police personnel were authorized to arbitrarily arrest and detain citizens, use force to execute orders and strictly regulate the freedoms of expression and assembly.<sup>viii</sup> According to Human Rights Watch: “Tens of thousands of people – and perhaps as many as 200,000, according to

some reports – [were] arrested under the state of emergency without proper judicial oversight.”<sup>ix</sup>

Towards the end of 2008, however, several restrictions imposed during the Emergency were lifted, culminating in parliamentary elections in December. Prior to the elections, several human rights organizations had expressed their concern for the safety of minorities. In a media briefing, Amnesty International stated that:

*Fear of attacks against minorities, including Hindus, is a real concern given the electoral violence during and immediately after the parliamentary elections of October 2001. Sporadic attacks against minorities had frequently occurred during parliamentary elections in Bangladesh but the violence took an unprecedented turn during the last elections in 2001... There are legitimate fears within the human rights community and members of the Hindu minority that similar attacks against Hindus could occur during the forthcoming elections.*<sup>x</sup>

Although there were some reports of violence against minorities, the elections, which brought Sheikh Hasina and the Awami League back to power, were widely considered free and fair by international and domestic human rights organizations.<sup>xi</sup>

## **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.*<sup>xii</sup>

Furthermore, according to then American Consul-General and senior US 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.”<sup>xiii</sup> 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.<sup>xiv</sup>

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 that, "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.<sup>xv</sup> These actions began a steady and gradual move towards Islamization, resulting in the increased discrimination and persecution of minorities, particularly Hindus.<sup>xvi</sup>

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.<sup>xvii</sup> 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."<sup>xviii</sup> Global Human Rights Defence estimates that approximately 500,000 Hindus sought refuge in India following the election violence.<sup>xix</sup>

Alongside the increased role of Islam in politics, Bangladesh has also witnessed 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, is seen as an intentional effort to change "Bangladesh's culture of religious tolerance."<sup>xx</sup> Moreover, activity by Muslim militants and radical organizations has significantly increased in recent years. For instance, since 1999, bombings have left over 181 people dead and more than 1,700 injured.<sup>xxi</sup>

### ***Decline of the Hindu Population***

At the time of Partition in 1947, the Hindu population, in what is now Bangladesh, was approximately 31%.<sup>xxii</sup> 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.<sup>xxiii</sup> The actual

population, however, was only 12.5 million. By this calculation, the number of Hindus missing from Bangladesh over 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 that fled Bangladesh between 1964 and 1991 was estimated at, “5.3 million people or 535 people per day.”<sup>xxiv</sup>

Bangladesh now has a total population of approximately 150 million people, only 10% of whom are Hindus (some estimates place the figure at 9%).<sup>xxv</sup> Consequently, the Hindu community in Bangladesh has dropped from 31% to 10% in a span of 60 years.

## **Status of Human Rights, 2008**

In 2008, the human rights situation in Bangladesh continued to deteriorate as religious minorities were subjected to widespread violence and human rights abuses, often with the direct support of government forces and Islamist parties. The gang rape of women and girls, murder, beatings, harassment, kidnappings, attacks on temples, looting of gold and jewelry and illegal occupation of land constitute the daily litany of human rights abuses suffered by Hindus, tribal people and to a lesser extent Christians and Buddhists.

The large number of attacks demonstrates the systematic use of violence as a means to intimidate Hindus and force them to leave Bangladesh.<sup>xxvi</sup> Hindus also face significant economic and social disadvantages, with severe under-representation in government and military jobs.<sup>xxvii</sup> According to the US Commission on International Religious Freedom’s 2008 Report: “Hindus and other non-Muslims in Bangladesh face societal discrimination and are disadvantaged in access to jobs in the government, armed forces and police, as well as public services and the legal system. Religious minorities are also underrepresented in elected political offices, including the national parliament.”<sup>xxviii</sup>

A comprehensive list documenting the atrocities committed against Hindus in 2008 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.

*As in the past we have relied on Bangladesh-based human rights organizations for data on human rights abuses. The chief provider of information was the Bangladesh Hindu Bouddha Christian Oikiya Parishad - Bangladesh Hindu, Buddhist and Christian Unity Council (BHBCOP)*<sup>xxix</sup>

## **Religious Freedom**

### **Attacks on Temples/Religious Sites**

Attacks on Hindu temples, festivals and religious sites have become increasingly frequent in recent years. This alarming trend continued in 2008 with a number of



reported incidents. The following examples are meant to illustrate the extent and scope of attacks on Hindu religious sites and symbols.

In early February, 25 Hindu families were attacked and looted by approximately 200 Muslim fundamentalists at Radha Gobinda Sebashram (a religious site) in Bagerhat District, while participating in four days of religious programs. The incident left at least 30 people injured.<sup>xxx</sup> Moreover, in April, Islamic extremists destroyed images of several Hindu deities, including Kali, Sheetola, Radha and Krishna and Durga at a 200 yr-old temple in Barisal District.<sup>xxxi</sup> And during June, a group of unidentified men attacked and looted nine separate Hindu temples, dispersed throughout Chittagong District, over a span of 20 days. More than ten lakh taka (1,000,000 in Bangladeshi currency) worth of valuables, including gold ornaments, were stolen from the temples.<sup>xxxii</sup>

Temples and religious sites are especially vulnerable during Hindu religious festivals, particularly the widely celebrated Durga Puja (dedicated to the Mother Goddess Durga), which takes place every October. For instance, prior to Durga Puja in 2008, there were several reported attacks on temples and numerous images of the Goddess Durga created for the festival were desecrated or destroyed.<sup>xxxiii</sup>

## ***General Violence***

### **Attacks on Minorities**

The Hindu community in Bangladesh endured repeated acts of violence and persecution in 2008, leading to an environment of fear and insecurity.

In particular, members of the Hindu business community are the frequent targets of Islamic extremists and criminals.<sup>xxxiv</sup> A recent incident that illustrates the problem was an attack by a group of 40-45 armed men on the home of Sunil Chowdhury, a Hindu businessman, in Chattogram District. The attackers stole more than 30 lakhs taka (3,000,000 in Bangladeshi currency) worth of goods, including four lakhs (400,000) in cash and large amounts of gold. Two people were also stabbed during the incident.<sup>xxxv</sup>

Furthermore, in August, unidentified men broke into the home of Narayan Chandra Pal, a Hindu banker, stabbed him and stole 70,000 taka in cash and 50 grams of gold ornaments.<sup>xxxvi</sup>

The abduction of Hindus, often accompanied by ransom demands, is also a routine occurrence in Bangladesh. Tragically, many of the kidnapped victims turn up dead. For instance, in January, the dead body of Sushanta Saha, a Hindu college student, was recovered from a small pond near his home 52 days after first being abducted.<sup>xxxvii</sup>

## 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.<sup>xxxviii</sup>

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).”<sup>xxxix</sup> 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.<sup>xl</sup>

The systematic kidnapping, rape and murder of minority women, particularly young Hindu girls, continued unabated in 2008. While there were several reported incidents, only a few have been included in this report to illustrate the nature and brutality of the attacks. For example, in January, Chameli Tripura, a young Hindu girl, was abducted on her way home from the Sonai Agha Government Primary School in Khagrachari District, and later gang-raped and murdered.<sup>xli</sup> During another incident in Rangpur District, two Muslims raped Adori Rani, a Hindu student at Ranipukur High School. She was so scarred by the incident that she went home and committed suicide by strangling herself with her own scarf.<sup>xlii</sup>

Similarly, a 13 year-old Hindu girl, Mili Rani Malakar, was abducted and gang-raped by several men, including a local Muslim political leader, Abdul Latif. Following the attack, the perpetrators threatened and intimidated the girl and her family in order to force them to drop their police complaint. The victim later committed suicide by lighting herself on fire with gasoline.<sup>xliii</sup> And in a disturbing incident in May, a seven year-old indigenous girl was brutally raped by a Muslim man.<sup>xliv</sup>

Rapes and kidnappings of Hindus are often accompanied by forced conversions to Islam. According to an investigation by Global Human Rights Defence, a 19 year-old Hindu girl from Natore District was allegedly abducted, raped for a month, mentally and physically tortured and then forcibly converted to Islam.<sup>xlv</sup>

## ***Social Persecution***

### **Land Encroachment/Evictions**

Land encroachment is one of the major issues faced by the Hindu minority in Bangladesh and includes the illegal occupation of land, homes, businesses and temples. 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.<sup>xlvi</sup>

In an effort to return the “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.metres/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.<sup>xlvii</sup>

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.”<sup>xlviii</sup>

In the first nine months of 2008 alone, there were at least 63 reported incidents involving the illegal occupation or attempted occupation of Hindu owned properties. These incidents were invariably accompanied by violence, often resulting in serious injuries to the Hindu owners and their families.<sup>xlix</sup> For example, in May, Sumita Bala Dhar, a 70 yr-old Hindu woman, was slaughtered by a group of Muslims who were attempting to illegally occupy her land.<sup>i</sup>

In another incident, a group of Muslim fundamentalists forcibly occupied land owned by Sharat Chandra Biswas ten days after his death and evicted his family from the property. Subsequently, they tried to kill the family, who were attempting to recover their land.<sup>ii</sup>

And in June of 2007, more than 10,000 Hindus faced eviction from their land in Chakuli, Mirpur, outside of Dhaka. Although the Hindu community owned the land and was protected by a High Court injunction, the army cantonment board actively worked to evict the Hindu residents and illegally occupy their properties. Cantonment Board officials reached the area on June 6, 2007 to demolish the village homes and temple situated on the property, but had to postpone the operation due to rain. The large number of Hindus residing in the enclave remains in imminent danger of being evicted at any time.<sup>lii</sup>

### **Chittagong Hills Tract**

The Chittagong Hill Tracts (CHT) located in southeast Bangladesh is home to 13 separate indigenous tribes collectively known as the Jumma. The tribes belong to different religions, including Hinduism, Buddhism and Christianity. Although the region is replete with natural resources, it is economically underdeveloped and poorer than other parts of the country. Beginning in 1971, after Bangladesh's independence, there was an increase in tension between the tribal population of CHT and the central government resulting in armed conflict. Consequently, the government moved large numbers of armed forces into the region and supported a policy of settling Bengali Muslims from other parts of the country into CHT. Between 1964 and 1991, approximately 400,000 Bengali Muslims were resettled into the CHT by government officials.<sup>liii</sup>

In addition, Islamic groups have intensified and expanded their activities in CHT, leading to increased Islamization and resentment from the indigenous tribes. These radical groups have also incited Bengali Muslim settlers to attack the Jumma people.<sup>liv</sup>

Despite the Chittagong Hill Tracts Peace Accord signed by the government and indigenous tribes in 1997, massive human rights violations have continued in CHT, including encroachment of indigenous lands, forced migrations, violence, destruction of religious sites and the detention and torture of tribal activists. During Emergency Rule in 2007, several indigenous activists were arrested and detained by Bangladeshi security forces. Human rights groups assert that some of the detained persons were tortured and harassed while in police custody.<sup>lv</sup> Since the conflict began, more than 65,000 tribal people have fled to India, and far greater numbers have become internally displaced in other parts of Bangladesh.<sup>lvi</sup>

In 2008, there were several reported incidents targeting the Jumma tribes. For instance, in February, Tapan Chakma, a member of the Chittagong Hill Tracts' Janasanghati Samiti (a political party representing indigenous tribes), was shot to death. Opponents of the Chittagong Hill Tracts Peace Accord were suspected of being behind the murder.<sup>lvii</sup> And in another incident in April, a Muslim man forcibly occupied a crematorium used by more than 100 tribal families.<sup>lviii</sup>

Furthermore, the previous year, the military initiated the resettlement of 800 Bengali Muslim families in Sadhana Tila, an area encompassing 300 acres of land, thereby

evicting the indigenous tribal population. The land also housed a Buddhist temple, which was desecrated by some of the Bengali settlers.<sup>lix</sup>

The conflict between the tribes of the CHT and the central government remains unresolved as the Jumma people continue to suffer at the hands of government forces and Bengali Muslim settlers.

### **Islamic Extremism**

Islamic extremism has grown exponentially in recent years, with a number of fundamentalist organizations and political parties operating throughout Bangladesh. Islamists have been actively advocating for the creation of an Islamic state under Sharia law and continue to preach an intolerant form of Islam. Moreover, many extremist groups have been linked to terrorist violence and recent bombings and regularly intimidate, harass and attack minorities. Some of the more notable organizations include 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.<sup>lx</sup>

For a more complete list of Islamic groups in Bangladesh, please 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.”<sup>lxi</sup> 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.”<sup>lxii</sup>

Despite constitutional assurances of equal protection, however, minorities, human rights activists and journalists face unrestrained violence and persecution. Moreover, 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.”<sup>lxiii</sup> 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.<sup>lxiv</sup> 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."<sup>lxv</sup> 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."<sup>lxvi</sup> 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."<sup>lxvii</sup> As demonstrated throughout this report, far from being protected, the ethnic and religious minorities within Bangladesh are continuously harassed, pillaged, raped and driven from their homes with no corrective action by the government. Although Bangladesh agreed to this international covenant over eight years ago, its government has yet to enforce the rights protected under the CCPR.

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."<sup>lxviii</sup> Article 2 of the Convention states in part: "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."<sup>lxix</sup> 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. Again, no attempts have been made by the Bangladesh government to rectify this discrimination.

## **Conclusion and Recommendations**

Bangladesh was created after the India-Pakistan War of 1971 that 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 only 10% today. Recently, Hindus have become increasingly vulnerable with the ascendancy of Islamist parties and radical Muslim organizations.

The condition of Hindus and other minorities continued to worsen in 2008 as they were subjected to rampant violence and oppression. Emergency Rule, which was imposed in 2006 and remained in place till the end of 2008, resulted in widespread human rights violations. Under Emergency Rule, government forces acted with impunity, resulting in thousands of arbitrary arrests, torture, extrajudicial killings and suppression of the media and political activity. The State of Emergency finally came to an end in December 2008, when parliamentary elections were held.

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, a Bangladesh human rights activist, has discussed the necessary steps to address the large scale encroachment of Hindu owned land, which 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, a British group led by Lord Dholakia and Lord Avebury. The Foundation has urged the following initiatives.<sup>lxx</sup>

- 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 prevents and reverses 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 donors, including the World Bank, USAID, the European Union and others, ask the Bangladesh government to concentrate on good governance and, in particular, on the maintenance of stable democracy in Bangladesh based on respect for human rights, the rule of law and the independence of the judiciary; and
- 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.<sup>lxxi</sup>



**Documented Attacks on Hindus  
Between January 1, 2008 and September 30, 2008<sup>lxxii</sup>**

Rape	15
Land-Grab/Attempted Land-Grab	63
Temple Attacks	47
Kidnappings	22
Murder	39
Attacks/Looting/Intimidation/Harassment	115
Other	5

(Please see Appendix B for complete Details)

The data provided above is courtesy of BHBCOP, and covers the first nine months of 2008. Unfortunately, many incidents of human rights abuse against minorities are either unreported or not comprehensively and effectively documented by the media and human rights observers. The work of human rights groups is severely limited due to the strain and pressure they face from vigilante groups and police authorities. Thus, the exact number of violations is difficult to obtain.

# Kingdom of Bhutan



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**Area:** 47,000 sq km

**Population:** 2,327,849. Note: other estimates range as low as 810,000 (July 2007 est.)

**Religion:** Lamaistic Buddhist 75%, Indian- and Nepalese-influenced Hinduism 25%; Buddhism is the state religion; Hinduism is officially recognized but discouraged; Christianity is not recognized.<sup>lxxiii</sup>

**Ethnicity:** Sarchokpas (40% -- Buddhist), Lhotshampas (35% -- Hindus who speak Nepali and Hindi), Ngalungs/Ngalongpa (20%), Brokpas, Doyas, Bumthangpas, Khengpa and Adivashis.<sup>lxxiv</sup>

**National Language:** Dzongkha (official), Bhotes speak various Tibetan dialects, Nepalese speak various Nepalese dialects.<sup>lxxv</sup>

**Location:** Southern Asia, between China and India

## Introduction

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.”<sup>lxxvi</sup> 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 racist and 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 one ethnic group, the 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 that 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.<sup>lxxvii</sup>

Although the former monarchy is now transitioning to a democracy, many of the discriminatory policies favoring Buddhists and Buddhist culture remain in place.

## **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 will be a “Democratic Constitutional Monarchy” indicating that power will 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.<sup>lxxviii</sup> 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 the 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.<sup>lxxix</sup>

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 disenfranchised 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.<sup>lxxx</sup>

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.<sup>lxxxi</sup>

## **Status of Human Rights, 2008**

There are a number of human rights issues facing Bhutanese minorities, including a lack of religious freedom, forced ethnic and religious assimilation and the status of Hindu refugees. 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 Hindu 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.<sup>lxxxii</sup>

In addition, Bhutanese law mandates the reservation of ten 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, no similar statutory provisions exist reserving seats for Hindus or other minorities. Furthermore, according to the 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.<sup>lxxxiii</sup>

## ***Social Persecution***

### **Refugees/Third Country Resettlement**

In the early 1990s, Bhutan forcibly evicted more than 100,000 ethnic Lhotshampa Hindus, nearly one sixth of the kingdom's total population of approximately 700,000. As of December 2006, there were between 106,000 and 108,000 Bhutanese refugees living in seven refugee camps in eastern Nepal managed by the United Nations High Commission for Refugees (UNHCR). Moreover, an additional 15,000 to 20,000 undocumented refugees were scattered outside the camps in Nepal and several Indian states without any assistance or legal status.<sup>lxxxiv</sup>

Foreign governments have spent approximately 20 million dollars 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.

In addition, in recent years the living conditions in the refugee camps have been deteriorating, particularly after the UNHCR started decreasing the supply of relief items and phasing out a number of its humanitarian programs, which it had agreed to provide when the UNHCR signed the Memorandum of Understanding (MoU) with the government of Nepal in 1991.

In March 2008, many of the refugees were traumatized when a fire destroyed the Goldhap camp in southeastern Nepal leaving 10,000 refugees homeless. Aid agencies and the Nepal government rushed in emergency food and water and made provisions for temporary shelter.<sup>lxxxv</sup>

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 have 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.<sup>lxxxvi</sup>

The United States has recently agreed to accept 60,000 of these refugees and the first round of refugees has started arriving in the United States and will be scattered throughout the country in large cities. Norway, Denmark, Switzerland, New Zealand, Austria and Canada have also shown willingness to accept the Bhutanese refugees.

### ***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, feudalist style. The dress code, which came into enforcement from 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).<sup>lxxxvii</sup>

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 Dzonkha 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.”<sup>lxxxviii</sup>

## **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 Hindu 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.”<sup>lxxxix</sup> 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, continued religious discrimination and ethnic cleansing of over 100,000 Hindu Lhotshampas have violated all basic norms of international human rights law.

## **Conclusion and Recommendations**

Bhutanese refugees have spent 17 years living in refugee camps. To date, the only offer on the table is that of resettlement. The Hindu American Foundation urges Bhutan to repatriate all its nationals who are able to prove their nationality, while Nepal should come forward with 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."<sup>xc</sup>

"We encourage the governments of Bhutan and Nepal to continue to work together with the United Nations High Commissioner for Refugees (UNHCR) to fulfill their commitment to find a comprehensive and lasting solution to the situation," stated Honourable Peter MacKay, Minister of Foreign Affairs and Minister of the Atlantic Canada Opportunities Agency.

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

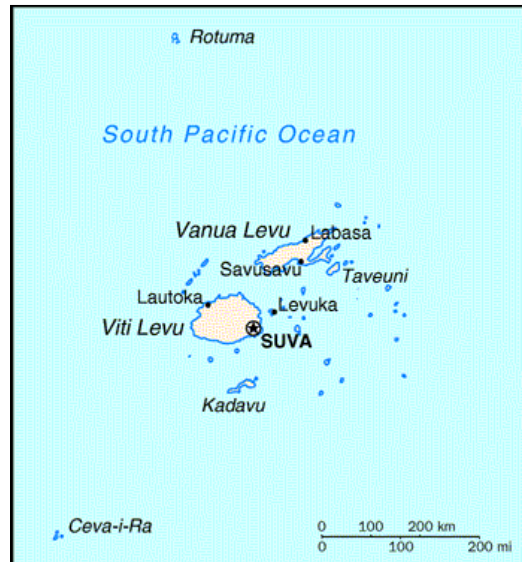


verification was conducted only in one out of the seven refugee camps. Without a written commitment, there is no guarantee that Bhutan will take back its nationals.

HAF supports the recommendations made by ACHR and other human rights agencies like HRW and Amnesty International:<sup>xci</sup>

- “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 finally: “[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 sq. km.

**Population:** 918,675 (July 2007 est.)

**Religions:** Christian 53% (Methodist 34.5%, Roman Catholic 7.2%, Assembly of God 3.8%, Seventh Day Adventist 2.6%, other 4.9%), Hindu 34% (Santa 25%, Arya Samaj 1.2%, other 7.8%), Muslim 7% (Sunni 4.2%, other 2.8%), other or unspecified 5.6%, none 0.3% (1996 census)

**Languages:** English (official), Fijian, Hindi

**Ethnic groups:** Fijian 54.8% (predominantly Melanesian with a Polynesian admixture), Indian 37.4%, other 7.9% (European, other Pacific Islanders, Chinese) (2005 estimate)

**Location:** Oceania, island group in the South Pacific Ocean, about two-thirds of the way from Hawaii to New Zealand<sup>xci</sup>

## Introduction

Comodore Bainimaram, who came to power following a military coup in 2006, still remains the country's interim Prime Minister. Although his current regime has been

accused of human rights violations, he has openly pledged to end discrimination against the Indian minority and attacks on Hindu temples.

The interim Prime Minister met with HAF leaders when he visited San Francisco in October 2007. HAF leaders also met with Mason Smith, the Deputy Permanent Representative of the Permanent Mission of Fiji to the United Nations on January 30, 2008. The meeting enabled HAF to initiate an in-depth discussion of religious tolerance and pluralism. "The Permanent Mission of Fiji to the United Nations was pleased to meet with the Hindu American Foundation (HAF) and supports HAF's human rights work in promoting pluralism and tolerance amongst the world's religions," said Smith.

While Hindus continue to face challenges, and there were reported attacks on Hindu religious sites, conditions are in fact improving. Despite some positive developments, however, the Hindu population in Fiji is steadily declining, with heavy migration to the United States, Australia and New Zealand.

## **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 19<sup>th</sup> 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, there 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 followings. 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.<sup>xciii</sup>

Religion runs largely along ethnic lines. The population is split largely 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.<sup>xciv</sup>

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 the sugar cane plantations.<sup>xcv</sup> 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 the Indians constituted 40 percent of the population, 87 percent 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 of 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."<sup>xvii</sup>

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 as the interim Prime Minister.<sup>xcvii</sup> 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, 2008**

Following the coup in 2006, although conditions for Hindus in Fiji have generally improved, Human Rights Watch has continued to document violations of human rights in other areas. For example, in a letter to the Fijian President, Human Rights Watch demanded, “an independent investigation into the death of a person in military custody and allegations of arbitrary detentions, beatings and harassment of more than a dozen individuals by the military...”<sup>xcviii</sup>

### ***Religious Freedom***

The right to freely worship without fear of attack is one of the basic and fundamental aspects of religious freedom. And in Fiji, the centerpiece of Hindu activities lies in their temples, which are found in major towns, cities and rural areas throughout the country. In recent years Hindus have been 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. The majority of the Indians, approximately 76%, are Hindus and 99% of native Fijians are Christians.

According to the Arya Pratinidhi Sabha’s president Kamlesh Arya, there were more than 50 cases of temple sacrilege between January and September 2007.<sup>xcix</sup> The trend continued in 2008, with several reported incidents, as documented below.

### **Attacks on Temples**

During the month of May, Hindus were shocked after one of their largest temples in the city of Lautoka was burned and looted. Devotees of the Field 40 Gangaiyamman Kovil Temple, in Lautoka, could not hold back their tears as they went through the charred remains of the temple, built more than 60 years ago. The financial damage was estimated at over U.S. \$65,000 at the temple, which is home to more than 3,000 worshippers. Temples in Fiji do not receive state assistance and rely heavily on the support of individual devotees.<sup>c</sup>

In another incident in August, a private temple in rural Ba was completely destroyed after a late night arson attack. The attacked compelled the traumatized family to move

to the city. And in September, the Delainavesi Hindu temple in Lami was broken into, but according to police nothing was stolen.<sup>ci</sup>

Subsequently, there were a string of attacks in October, particularly during the weekend of October 6<sup>th</sup>, when several Hindu temples were desecrated through vandalism and arson. Following the incidents, Commodore Frank Bainimarama ordered a special investigation into the matter. Later that month, on October 16<sup>th</sup>, the Kendrit Shiri Sanatan Dharam Shiv Temple in Narewa, Nadi was attacked. The 97 year- old temple was one of the oldest existing Hindu temples in Fiji and was built by indentured laborers. The temple provided a source of support and faith for thousands of Hindus who were brought from India to work as indentured laborers. The Hindu community was shocked by the incident.<sup>cii</sup>

## **Violations of Constitution and International Law**

### ***Constitution of Fiji***

Although the Constitution of Fiji establishes the separation of religion and state, the U.S. State Department mentioned in its 2006 Report on Human Rights Practices of Fiji that, “the majority of citizens (52 percent) are Christian, and government-sponsored meetings and events often begin with a Christian prayer.” It also noted that, “Racial polarization was reflected in religious differences, which were largely along ethnic lines; this contributed to political problems. Most ethnic Fijians were Christians and most Indo- Fijians were Hindu.... The dominant Methodist Church has closely allied itself with the interests of the pro-indigenous Fijian movement,” and, “break-ins, vandalism and arson directed at houses of worship, predominantly Hindu temples, were common. The attacks were broadly viewed as reflections of inter-communal strife....”<sup>ciii</sup>

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. (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.”<sup>civ</sup>

## ***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. The government is not upholding the convention as Hindus and Muslims continue to be targets of Fijian Christian nationalists. 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.

## **Conclusion and Recommendations**

Despite constitutional guarantees and government assurances, Hindu temples continue to be desecrated by people suspected to belong to Fijian Christian groups. The Fijian government should practice parity and equality in its response to and support of various ethnic and religious groups, more effectively deal with violent crimes against Hindus and prosecute the criminals who led the 2000 coup.

# Indian State of Jammu and Kashmir



© Embassy of India, Washington D.C.<sup>cv</sup>

**Area:** 85,807 square miles

**Population:** 7,718,700.<sup>cvi</sup> The overall population in the Indian state of Jammu and Kashmir was estimated in 1981 at 7.7 million with Muslims (64.3%), Hindus (32.1%), Sikhs (2.16%), Buddhist (1.17%) and others, including Christians (0.26%).

**Religions:** Exact figures unavailable; 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, Gojari, Dogri

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

## Introduction

The Indian State of Jammu and Kashmir was plagued by political controversy and Islamic violence in 2008. Hindus and other minorities faced a multitude of issues, including economic discrimination, political repression, extremist violence and the continued displacement of more than 300,000 Kashmiri Pandits. Although violence was down from previous years, Islamic militants, supported by Pakistan, continued to target innocent civilians. The year, however, was dominated by events surrounding the legal



transfer of land by the State Government to the Amarnath Shrine Board meant to accommodate Hindu pilgrims traveling to the Amarnath Cave Shrine.

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.<sup>cvii</sup>

## History/Background

Kashmir, 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.<sup>cviii</sup>

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.<sup>cxix</sup> 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.<sup>cx</sup> 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.<sup>cxix</sup>

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.<sup>cxii</sup> 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.<sup>cxiii</sup> 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 was 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)."<sup>cxiv</sup> Moreover, it restricted the Indian Parliament's legislative power over Jammu and Kashmir to defense, foreign affairs and communications. Thus, in order for the Parliament to apply other laws to Jammu and Kashmir, 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.<sup>cxv</sup>

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.<sup>cxvi</sup>

The former princely State of Jammu and Kashmir has a total area of 85,807 sq. miles, and is now divided between three countries.<sup>cxvii</sup> 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.<sup>cxviii</sup> 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 Pakistan Occupied Kashmir, 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.<sup>cxix</sup>

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.<sup>cxx</sup>

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. According to estimates, the state's population is 7.7 million, with Muslims (64.3%), Hindus (32.1%), Sikhs (2.16%), Buddhist (1.17%) and others, including Christians (0.26%).<sup>cxxi</sup>

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 and a population of 3.6 million. In Jammu, Hindus comprise 66.3% of the population, Muslims 29.6% and Sikhs 3.68%. Ladakh, which includes the districts of Leh and Kargil, has an area of 37,337 sq. miles and a population of 171,000. Buddhists enjoy a slight majority in Ladakh (51%), with a substantial Muslim population of 46%, and Hindus, Sikhs and others at 3%.<sup>cxxii</sup>

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.<sup>cxxiii</sup> 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."<sup>cxxiv</sup> 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.<sup>cxxv</sup> Kashmiri terrorists also have ties with Al-Qaeda operating in the Pakistan-Afghanistan border areas, which continues to be the center of Islamist terror networks, fundamentalism, drug trafficking, illicit trade in small arms and international terrorism.<sup>cxxvi</sup> For a complete list of Pakistani militant groups operating in Jammu and Kashmir, please see Appendix 2.

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, 2008**

In 2008, Hindus in the Indian State of Jammu and Kashmir continued to face multiple human rights issues, including economic/political discrimination, lack of religious freedom and violent attacks. Furthermore, more than 300,000 displaced Kashmiri Pandits remain unable to safely return to their homeland in the Kashmir Valley and many continue to live in deplorable conditions in refugee camps.

## ***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 Jammu and Kashmir 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.

During 2008, a dispute arose surrounding a decision by the Jammu and Kashmir State Government to allot 100 acres of uninhabitable land to the Shri Amarnath Shrine Board (the body responsible for overseeing the pilgrimage) to accommodate pilgrims visiting the Amarnath cave shrine with basic facilities. Following riots by Muslim separatist groups and political parties, however, the transfer was rescinded by the State Government. There are several indications that Pakistan may have played a role in orchestrating the protests in order to communalize the issue to its own advantage.<sup>cxxvii</sup>

In response to the revocation order, Hindus in the Jammu region of the State came out to protest but were brutally repressed by State authorities, leading to the innocent loss of life. The protests in Jammu were not only a response to the revocation order, but also an expression of frustration with the longstanding economic and political marginalization at the hands of Muslims from the Kashmir Valley. Hindus also received support from Buddhist leaders in Ladakh. The dispute was eventually resolved by allotting the land exclusively for use by the Amarnath Shrine Board, but only lasting the duration of the Yatra (pilgrimage).<sup>cxxviii</sup>

Allegations made by Kashmiri separatists implying that the land transfer was an attempt to create Hindu settlements in Kashmir and change the religious demography were baseless and unfounded. The religious demography in the state was already altered in 1989-1990 when more than 350,000 Kashmiri Hindus, the original inhabitants of the Kashmir Valley, were ethnically cleansed from their ancestral homeland. These Hindus have not yet been able to return to their homes in Kashmir out of fear for their safety. The assertion that Hindus are trying to alter the religious balance in the State, given the fear for safety of Kashmiri Hindus the very recent history of ethnic cleansing in the Valley, then seems preposterous.

According to Paul Beersman, President of the Belgian Association for Solidarity with Jammu and Kashmir (BASJAK):

*Syed Ali Shah Geelani started agitation against the land transfer to the Amarnath Shrine Board because he feared Hindus would settle permanently and thus change the demographic composition of the population. This fear is completely without ground as it is impossible to settle permanently in that area: more than six months of the year this area is covered with snow, there are blizzards and it is so cold that nobody can survive there. On the other hand, it is surprising that the same concern regarding the demographic composition of the population was not there in 1990. In that year, the Kashmiri Pandits were hounded out of the Valley by militancy in 1990. The Kashmiri Pandits are the original Kashmiri speaking inhabitants of the Valley. Some 500.000 of them fled from the Valley to safer places. This exodus changed drastically the demographic composition of the population in the Valley. At that time, nobody cared about this: no agitation, no demonstrations, no harthals, no bandhs, no strikes, nothing. After more than eighteen years, the return of the Kashmiri Pandits is more and more blurred. Nevertheless, they have their emotional attachment with their birth ground, their roots. They only can return when peace is there and when the rule of law, not the rule of majority is re-installed.*<sup>cxxix</sup>

In addition, Hindu temples have come under frequent attack by Islamic extremists, as over 200 temples have been destroyed or damaged since the start of violence in 1989. 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.<sup>cxxx</sup>

## **General Violence**

### **Attacks on Civilians**

Pakistan's support for militants operating in Kashmir continued unabated in 2008. Intelligence reports indicate a continuation of infiltration of militants from Pakistan Occupied Kashmir, as well as incursions across the Line of Control by Pakistani troops.<sup>cxxxi</sup> For example, in 2008, Indian police arrested a regular Pakistani soldier, identified as Ghulam Farid (who provided his army service number) in a hotel room in Jammu, along with Islamic militants from Jaish-e-Mohammed, where they were found planning a suicide attack.<sup>cxxxii</sup>

Although violence has precipitously declined in recent years, there were 530 fatalities from terrorist related violence in 2008, with 67 civilian deaths, 87 security personnel

and 376 militants. Militancy in the state has led to more than 42,000 deaths since 1988.<sup>cxxxiii</sup>

The following three incidents represent the nature of violence directed towards innocent civilians in the state during 2008:

- “May 11: Four civilians, two soldiers and two militants of the LeT were killed in an encounter in the Samba town of Jammu. Among the slain civilians were chief photographer of Daily Excelsior Ashok Sodhi, a prominent leader from Samba[,] Hoshiar Singh and his wife, and another woman. 16 SF personnel and two women were injured in the day long gun-battle. Official sources said that two militants wearing Army uniform intruded into the house of Hoshiar Singh, general secretary of Indian National Democratic Party, in Samba town at 5.58am (IST) by scaling the boundary wall. After killing Hoshiar Singh and his wife on the spot, the militants subsequently moved towards the Kaili Mandi area and took hostage three women and two children. In the consequent encounter, two soldiers, Aziz Ahmed and Atul Negi, and a woman were killed.”<sup>cxxxiv</sup>
- In July, 5 poor migrant laborers from the state of Bihar were killed, and 18 others injured while they were waiting at a bus stand in Srinagar. The victims included a mother and her four young children.<sup>cxxxv</sup>
- In another disturbing incident in August, Islamic militants took eleven hostages, including women and children, when they entered the home of a Hindu family in Jammu region, resulting in an 18-hour standoff with Indian army personnel. During the incident, five Hindu civilians were killed and three were injured.<sup>cxxxvi</sup>

## ***Institutional Discrimination***

### **Economic/Political Discrimination**

Despite significant populations in the Jammu and Ladakh regions of the State, Hindus and Buddhists in the state 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. 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 2 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. Th 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 4 for Ladakh.<sup>cxxxvii</sup>

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 that: “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.<sup>cxxxviii</sup>

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...”<sup>cxxxix</sup> 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.<sup>cxl</sup>

## ***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.”<sup>cxli</sup>

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, rapes, 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.<sup>cxlii</sup> 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.<sup>cxliii</sup>

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, lack adequate facilities and basic necessities. For instance, there is no regular supply of drinking water, a shortage of medicines and poor sanitation. Additionally, the 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.<sup>cxliv</sup>

Although the Indian government, as well as the local state government in Kashmir, has 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.<sup>cxlv</sup>

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 that, "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.<sup>cxlvi</sup>

## **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."<sup>cxlvii</sup> The life and liberty of the 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."<sup>cxlviii</sup> Once again, the Indian Government has failed to secure the promise of Article 38. Neither have the Hindus in Kashmir been protected nor have the 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/or 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.<sup>cxlix</sup> 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).<sup>cl</sup> The United States has also designated LeJ, Harakat ul-Mujahidin (HuM), Jaish-e-Mohammed (JeM) and Lashkar-e-Tayyiba (LT) as terrorist organizations.<sup>cli</sup>

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.<sup>clii</sup> 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.<sup>cliii</sup> 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."<sup>cliv</sup> 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.<sup>clv</sup> 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.<sup>clvi</sup>

## **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.<sup>clvii</sup>

The fate of up to 400,000 people continues to be in limbo as the Indian government strives to end the insurgency in Jammu and Kashmir. The status of Jammu and Kashmir 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 Jammu and Kashmir 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



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**Area:** 329, 750 sq km

**Population:** 25,274,132 (July 2008, estimate). Malaysia has a young population today with approximately 31.8% under the age of 15 years. <sup>clviii</sup>

**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 <sup>clix</sup>

## Introduction

In recent years, minorities have come under increasing pressure from repressive government policies and increasing Islamicization. In particular, the country's Hindu and ethnic Indian population have faced widespread persecution and human rights abuses.

Despite being second class citizens, Hindus remained largely silent until 2007, when they began to politically organize and challenge the government's discriminatory practices. For example, on November 25, 2007, approximately 10,000 Hindus, led by the Hindu Rights Action Force (HINDRAF), organized a peaceful rally to protest the religious apartheid policies pursued by the Malaysian government. The Malay authorities, however, brutally suppressed the rally, using tear gas, chemical laced water cannons and police batons. Following the event, the Malaysian government began to crack down on the Indian and Hindu community and hundreds of Hindus were arbitrarily detained and arrested for asserting their basic democratic rights, including five Hindraf leaders.<sup>clx</sup> The arrested HINDRAF leaders included P Uthayakumar, M Manoharan, R Kenghadharan, V Ganabathirau 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 can be detained for two years without any investigation or trial. Malaysian human rights groups, lawyers and opposition leader Lim Kit Siang condemned the arrests and strongly criticized the targeting and repression Hindu/Indian leaders and activists.<sup>clxi</sup> Unfortunately, the HINDRAF leaders continue to be detained indefinitely.

Furthermore, on February 16, 2008, multinational 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. 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, however, once again used tear gas, chemical laced water cannons and physical force 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, but at least nine people still remain in police custody. In attempting to prevent the rally, government authorities used "racial profiling" and other repressive tactics. For instance, Malaysians of Indian origin were prevented 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.<sup>clxii</sup>

This 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 its Parliamentary majority, and control in five state assemblies.<sup>clxiii</sup>

## **History/Background**

The Indian and Chinese influence in the Malay-speaking world dates back to at least 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.<sup>clxiv</sup>

## **Status of Human Rights, 2008**

During 2008, the status of human rights in Malaysia suffered a precipitous decline. Most of the problems in Malaysia seem to be rooted in religious tension within the country. In its report on the plight of the Malaysian Indian minority populations, Waytha Moorthy, the president of the Hindu Rights Action Force (HINDRAF), exposed the rampant human rights violations in Malaysia. In particular, he mentions the frequent demolition of Hindu temples, as well as the abuse of women and children. In fact, according to the report, in recent years, an average of one temple a week has been demolished in Malaysia.<sup>clxv</sup>

2008 also witnessed the continued use of the notorious Internal Security Act (ISA) to suppress criticism of the government and silence political dissent. For instance, in September 2008, the ISA was used to arrest and detain Malaysia's most prominent internet blogger Raja Petra Kamarudin, editor of the news portal Malaysia Today, for allegedly, "threatening national security and potentially 'caus[ing] tension among the country's multi-racial and multi-religious society.'"<sup>clxvi</sup>

## **Religious Freedom**

Hindus, along with other minorities face increasing religious discrimination, as Islamicization has grown in recent years. Although 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 recent years, there have been several instances where

non-Muslims suffered 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.<sup>clxvii</sup>

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 that: "yoga involves not just physical exercise but also includes Hindu spiritual elements, chanting and worship," effectively denying Muslims the freedom of religion.<sup>clxviii</sup>

### **Destruction of Temples**

In a continuing trend from 2007, the biggest concern of Malaysian Hindus was the destruction of their temples. Hindu temples continued to be destroyed by government authorities throughout the country in 2008. For example, in September, a 19-year old temple built on forest-land was demolished in Ampang, Selangor in September.<sup>clxix</sup>

And in December, at least two temples were destroyed, including the Taman Desa Temple, in Seputeh, which was destroyed by the Kuala Lumpur City Hall (DBKL) authorities. The temple was demolished despite an order from the Territories Ministry banning the destruction of any temple without first providing an alternate site for the temple.<sup>clxx</sup>

Moreover, the Sri Muthu Mariamman temple at Skudia in Johor in southern Malaysia was also destroyed.<sup>clxxi</sup> These incidents are only a few examples of the widespread and systematic destruction of temples by the Malaysian government.

### ***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.

## Legal Discrimination

The legal system in Malaysia promotes extensive discrimination against non-Muslims, as mentioned above. The 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's, "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." Due its vague language, the Act has been employed to arrest and detain thousands of Malaysian citizens since 1960. Furthermore, persons held in custody under the ISA have frequently been subjected to physical and mental abuse.<sup>clxxii</sup> 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."<sup>clxxiii</sup> Moreover, the five HINDRAF leaders originally arrested in 2007 still remain in illegal detention under the ISA. A six year old Hindu girl along with her mother and other Hindu activists were arrested while submitting a letter to the Prime Minister's office asking for the release of the detained HINDRAF leaders. The six year old girl spent a night at the police station with her mother.<sup>clxxiv</sup>

On May 14, 2008, the Malaysian federal court, comprised of members of the majority Islamic population, upheld the detention as lawful. They also reinforced the right of the prime minister to detain people in such a manner.<sup>clxxv</sup> In response to this law, 14 members of the Malaysian Hindu community went on a hunger strike that resulted in the hospitalization of one person.<sup>clxxvi</sup> Subsequently, in September, the Malaysian High Court rejected a Habeas Corpus application of the HINDRAF leaders, which challenged their detention under the ISA. The ruling allows the Advisory Board of the Kamunting Detention Center (where the detainees are currently being held) to hold secret proceedings without the presence of the detainees or their legal counsel.<sup>clxxvii</sup>

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. Amnesty International further demanded the immediate release of the five detained HINDRAF leaders.<sup>clxxviii</sup>

Malaysia has also recently established an immigration policy that significantly impacts Hindus coming in from India. Specifically, a new visa policy was instituted, placing severe restrictions on foreign born Indians applying for visas to work in Malaysia. According to some reports, the Malaysian government has placed a complete ban on the issuance of

new visas for Indian workers. The visa restrictions are seen by some as linked to the earlier protests held by Malaysian Hindus demanding equal rights.<sup>clxxxix</sup>

## **Violations of Constitution and International Law**

### ***Constitution of Malaysia***

Malaysia's Constitution upholds Islam as, "the religion of the Federation,"<sup>clxxx</sup> 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. Despite this, however, it must still respect the civil and political rights of all its 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 continuing detention of five HINDRAF leaders. 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 from desecration and destruction — the primary institutions of the Hindu community in Malaysia. 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. 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 they are 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.<sup>clxxxii</sup>

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



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**Area:** 803,940 sq km

**Population:** 164,741,924 (July 2007 estimate)

**Religions:** Muslim 97% (Sunni 77%, Shi'a 20%), other (includes Christian and Hindu) 3%

**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<sup>clxxxii</sup>

## Introduction

Parliamentary elections in February 2008 brought to power a new coalition government under the Pakistan People's Party (PPP) and the former Prime Minister Nawaz Sharif's Pakistan Muslim League (PML). Despite the change in government, however, civil

institutions, including the judiciary, remain weak, while the military establishment continues to wield tremendous power and influence.

The nation also experienced an unprecedented explosion in Islamic violence and Talibanization. Large parts of the Federally Administered Tribal Areas (FATA), on the border with Afghanistan, came under the control of the Pakistani Taliban, who imposed a strict version of Islamic law. Islamists also extended their influence outside of the tribal areas and into the settled cities of North West Frontier Province. In addition to civilians and military/government targets, radical militants attacked foreigners. For example, in August, militants attempted to assassinate a U.S. diplomat, and in November, an American aid worker was killed along with his driver in Peshawar.<sup>clxxxiii</sup>

Although Islamic extremists now pose a serious threat to the stability of Pakistan itself, members in the government, military and intelligence services continue to support and protect them.<sup>clxxxiv</sup>

For years, Pakistan has nurtured and supported radical Islamic groups operating throughout the subcontinent. Recent events in South Asia have highlighted the extensive relationship between the Pakistani intelligence/military establishment and extremist Muslim groups, such as Lashkar-e-Toiba. For instance, western intelligence agencies, including the Central Intelligence Agency (CIA), concluded that Pakistan's notorious spy agency, the Inter-Services Intelligence (ISI), was responsible for the July 7th bombing of the Indian Embassy in Kabul and the upsurge in Taliban violence in Afghanistan.<sup>clxxxv</sup> Moreover, the recent terrorist attacks in Mumbai further exposed the ISI's role in fomenting terrorism in India.

## History/Background

Pakistan is bordered on the south by the Arabian Sea, India on the east and Afghanistan and Iran in 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.<sup>clxxxvi</sup>

In addition, there has been a recent proliferation of Islamic schools, known as *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.<sup>clxxxvii</sup>

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 sites 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%, and in 1998, it was down to only 1.6%.<sup>clxxxviii</sup> In the city of Karachi alone, the Hindu population decreased from 51% in 1947, to only 2% in 1951, while Muslim population in the city went from 42% to 96% during that same period.<sup>clxxxix</sup> Notwithstanding its recent decline, Hindu civilization and culture has 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 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.<sup>cx</sup>

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.<sup>cxci</sup> 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."<sup>cxcii</sup> 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."<sup>cxci</sup> Noted human rights activist Suhas Chakma went even further by describing the current system in Pakistan as "religious apartheid."<sup>cxci</sup>

## **Status of Human Rights, 2008**

The desperate human rights plight of religious minorities persisted in 2008, without significant improvement. In particular, Hindus were the target of kidnappings, rape and intimidation in Pakistan. There are also reports of desecration and destruction of Hindu

temples and lands, theft/looting of Hindu property, discrimination, abuse and abduction of Hindu females. Additionally, many Pakistani Hindus suffer under the cruel and inhumane bonded labor system. Furthermore, government regulations and laws shaped by Islamic Sharia injunctions persecute Hindus and other religious minorities. For instance, Islamic anti-blasphemy laws disproportionately affect Hindus, Christians and Ahmadiyas.<sup>CXCV</sup>

According to the Human Rights Commission of Pakistan (HRCP): “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.”<sup>CXCVI</sup>

A recently published International Religious Freedom Report adds that: “Discriminatory legislation and the government's failure to take action against societal forces hostile to those who practice a different religious belief fostered religious intolerance, acts of violence and intimidation against religious minorities.”<sup>CXCVII</sup>

## ***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.

### **Discriminatory Laws**

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.<sup>CXCVIII</sup> Furthermore, Article 41(2) expressly provides that an individual must be Muslim in order to hold the office of President of Pakistan.<sup>CXCIX</sup>

The Constitution also provides that high office holders must take the oath of office by invoking an Islamic prayer, whether or not 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.<sup>CC</sup> 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).”<sup>CCI</sup> The Constitution and other statutory laws favor Muslims and directly and indirectly discriminate against religious minorities, thereby making them second-class citizens.

## *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 by mandating the death penalty for the use of derogatory remarks about the Prophet Mohammed.<sup>ccii</sup> 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.<sup>cciii</sup>

There have been over 4,000 registered blasphemy cases since the laws' inception in the 1980's, 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.'"<sup>cciv</sup>

The blasphemy laws have often been misused and employed as a means to target and harass non-Muslims. For instance, from January 1 to June 1 2007, out of 25 alleged blasphemy cases, 16 involved Christians. On January 26, 2007 criminal cases were registered against five Ahmadi children, some as young as eight years old.<sup>ccv</sup> In 2006, 44% of the registered blasphemy cases involved non-Muslims, and in 2005, 33% of the accused were non-Muslims, of which 6% were Hindu. Considering that Hindus, Christians and Ahmadiyas collectively account for only 4% of the population, they have been disproportionately targeted.<sup>ccvi</sup> Furthermore, these laws inherently discriminate against minorities and severely restrict freedom of thought and religion.

In addition to formal legal cases, Muslim fundamentalists have used the blasphemy laws to justify physical attacks on minorities. A disturbing example from 2008 was the lynching of 27 year-old Jagdesh Kumar, a factory worker from Marwari Mohalla, Lyari, in Sindh province. According to the Asian Human Rights Commission (AHRC), Jagdesh was murdered by his Muslim coworkers, who accused him of committing blasphemy against Islam. Some reports, however, indicate that his relationship with a female Muslim coworker angered other Muslims in the factory and was the real reason he was killed. Jagdesh was beaten to death and screwdrivers were driven into his eyes, while more than two dozen policemen and factory management witnessed the incident without intervening to stop the attack. Following the incident, extremists groups threatened the local Hindu community and warned them of further attacks if they reported the murder

to the police or the media. Moreover, the police and the factory's management pressured Mr. Kumar's family against filing a case.<sup>ccvii</sup>

In another recent case, a Hindu child was reportedly stripped of his clothes, beaten up and paraded naked by a group of Muslim protestors, after rumors circulated that he had burnt a copy of the Koran. Apparently the protestors also put pressure on the police to take action against the young child. The boy, who worked for a grocery store in a small town in Sindh, accidentally wrapped a customer's goods in a piece of paper that contained a verse from the Koran. The child's father later apologized and explained that his son was unaware of what was written on the paper.<sup>ccviii</sup>

Ahmadiyyas were also recently targeted under the blasphemy laws, as they were prohibited from openly celebrating a religious festival after receiving complaints from local Islamic clerics who claimed celebration of the event, "hurt the sentiments of Muslims." The objections from the Islamic clerics and the subsequent police action were justified under Sections 298-B and C of the Pakistan Penal Code, which comprise part of the blasphemy laws. The complaint registered with the police specifically stated: "The accused persons were lighting their places and distributing sweets which means they were preaching their religion that 'hurt' the sentiments of Muslims. So, police should take action according to the law."<sup>ccix</sup>

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.<sup>ccx</sup>

### *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 support General Musharraf.<sup>ccxi</sup> 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. For instance, in the north-western city of Peshawar, there are only two remaining Hindu temples. Moreover, 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. 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.<sup>ccxii</sup>

Furthermore, according to a recent report by the United States Commission on International Religious Freedom (USCIRF), “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.”<sup>ccxiii</sup>

In May 2008, the Pakistan Evacuee Trust Property Board (PETPB) 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, “[r]usted 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.<sup>ccxiv</sup> The PETPB 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.<sup>ccxv</sup>

Another example is the Shri Varun Dev Mandir, a Hindu temple estimated to be more than 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.<sup>ccxvi</sup>

Moreover, 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 continuously failed to provide adequate security at the temple complex. Pundit Javed Akram Kumar, chief of the Katas Raj Parbandh Committee, explained that the, “temple was one of the most ancient sites in the country. He said the Katas valley had been 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 had written 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.<sup>ccxvii</sup>

And in July 2007, an ancient 400 yr-old Ashnan Ghat (sacred bathing site) in Lahore, which holds great religious importance for both Hindus and Sikhs, was transferred to the Fatima Jinnah Medical College in order to build a hostel on the site. The Hindu and Sikh communities have demanded revocation of the transfer.<sup>ccxviii</sup>

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.<sup>ccxix</sup>

## ***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 has left the Hindu community in Pakistan in a continuous state of fear and insecurity, with little protection from law enforcement or government authorities. According to Mukesh Kumar, Pakistan People's Party Member of Provincial Assembly, at least one Hindu is kidnapped every month.

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.<sup>ccxx</sup>

In the beginning of 2008, three Hindus, Dr. Kundan, Parkash Kumar and Dilip Kumar, were kidnapped near Dera Allah Yar in Baluchistan province, while traveling on their way to Jacobabad in Sindh province.<sup>ccxxi</sup> In August, a Hindu boy named Omraj, was kidnapped by the Tehreek-e-Taliban (Pakistani Taliban), and kept in captivity in the Mohmand Agency in North-western Pakistan, while they demanded a ransom for his release.<sup>ccxxii</sup> And in November, three additional Hindus were abducted from Godki, in Sindh province, and held hostage for a ransom of 25 lakh rupees.<sup>ccxxiii</sup>

During July, three unidentified men held more than 200 Hindu women hostage at gunpoint, while they robbed them of hundreds of thousands of rupees in cash, and jewelry worth millions of rupees. The incident took place at a Hindu temple in Jacobabad, Sindh, while the women were gathered for their regular prayers. Two women, Kanta Bai and Shrimati Gunni, were injured while trying to resist the attack. Enraged by the event, hundreds of members of the local Hindu community, led by Babu

Mahesh Lakhani, former president of the Hindu Panchayat, Jacobabad, held a rally to protest the attack. According to a Pakistani media source: “Babu Mahesh, while addressing the rally, said the Hindu community was being harassed under a deep-rooted conspiracy. ‘Even our honour is at stake now,’ the Hindu community leader said. He said that it was the responsibility of the government to protect their honour, property and life. ‘But nobody is there to help us. Now we are being looted even at our temples and houses,’ he added.”<sup>CCXXIV</sup>

In another incident in September, Dewan Mourang Mal, a Hindu businessman, was held hostage at gunpoint in his home, and robbed of cash, gold and other valuables.<sup>CCXXV</sup> And in the previous year, five fifteen year-old Hindu boys from the Meghwar community were subjected to torture while spending 5 days in police custody. They were initially arrested on dubious charges filed by Dr. Mehak Ali Mari, of the Phuladiyoon Rural Health Center, alleging that they stole wheat crops.<sup>CCXXVI</sup>

Other religious minorities, including Christians and Ahmadiyyas have also been subjected to widespread violence. For instance, in 2008, three Christians from Karachi were abducted near the Afghan-Pakistan border region, when they were crossing into Pakistan. The three worked for a construction company in Afghanistan and were returning home when they went missing.<sup>CCXXVII</sup>

### **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.

Violence against women is a serious problem throughout the world, but more so in Pakistan, particularly against Hindu women. This violence occurs primarily in the form of rape, honor killings and domestic abuse. In Pakistan, a woman is raped every two hours on average, a gang-rape occurs every 8 hours and about 1,000 women die annually from honor killings. The AHRC estimates that, “From 2000 to 2006, roughly 9379 women were killed throughout Pakistan in different disputes including 117 from rape. There were another 3116 cases of reported rape, 1260 gang rapes, 4572 honor killings, while 1503 women were burned to death.”<sup>CCXXVIII</sup> These statistics only account for those crimes that were actually reported and the numbers for unreported incidents are much higher.

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, 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 similar

consequences for similar behavior. According to the Taliban and other Islamists, “immoral behavior” includes talking to men outside of their families.<sup>CCXXIX</sup>

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.<sup>CCXXX</sup> Subsequently, three more women were buried alive after they protested the earlier incident.<sup>CCXXXI</sup>

### *Hudood Ordinance*

The Hudood Ordinance in Pakistan is a medieval law used to oppress and intimidate women and 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 may then be punished for committing adultery.<sup>CCXXXII</sup> This law effectively silences rape victims since they face the possibility of being charged with adultery, as it is highly unrealistic to expect a woman to produce four male eye-witnesses to the crime.

The Women’s Rights Bill, introduced in November 2006, slightly amended the Hudood Ordinance by reducing the required male eye-witnesses 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. Unfortunately, other provisions of the Hudood Ordinance still remain intact.<sup>CCXXXIII</sup> 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.<sup>CCXXXIV</sup>

### *Rape/Kidnapping/Forced Conversions*

A worrisome trend in Pakistan, particularly in 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.”<sup>CCXXXV</sup>

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.<sup>ccxxxvi</sup> 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."<sup>ccxxxvii</sup>

In 2007 HAF reported a case that vividly illustrated the problems faced by Hindu girls of abduction and forced conversion. Seventeen year-old Hindu girl, Deepa, in Tharparkar district of Sindh province was receiving private tutoring from a Muslim teacher, Ashraf Kashkheli, and was kidnapped by Kashkheli on the night of December 31, 2006. After kidnapping Deepa, Kashkheli reportedly took her to an Islamic school, forcibly converted her to Islam and then married her. The owner of the *madrassa (Islamic seminary)*, Ayube Jan Sarhandi, gave Kashkheli safe passage out of the area and provided a certificate stating that Deepa had voluntarily accepted Islam. Deepa's parents and the Hindu community, however, allege that she was forced to convert and marry Kashkheli.<sup>ccxxxviii</sup> Additionally, Deepa was still a minor, so the marriage was illegal under Pakistani law. When Deepa's parents tried to file a criminal complaint, the local police declined to register the case. Moreover, since Sarhandi, the owner of the madrassa, was politically connected, the provincial chief minister's advisors also pressured the family not to register a police complaint. Deepa's whereabouts are still unknown.<sup>ccxxxix</sup> The Human Rights Commission of Pakistan (HRCP) confirms that such kidnappings and forced conversions are typical in Sindh.<sup>ccxl</sup>

In addition to kidnappings and forced conversions, Hindu women are also vulnerable to rape and sexual assault. A disturbing example was the gang rape of three Hindu women in the village of Ghulam Ali Khwar in Larkana district of Sindh in late February 2007. During the incident, eight armed men attacked a Hindu residence, held the family at gunpoint and raped the three women before leaving with stolen property.<sup>ccxli</sup> Former Prime Minister, the late Benazir Bhutto condemned the episode and criticized the government for its inaction in bringing the culprits to justice.<sup>ccxlii</sup> This horrific event followed similar incidents earlier in the month in Ghotki, where two women, Nasima Labano and Nasima Girgej, were also raped.<sup>ccxlili</sup>

Similarly, Christian girls are also subjected to kidnappings and forced conversions. For example, earlier this year two young sisters, aged 10 and 13, were on their way to visit their uncle when they were kidnapped by a Muslim man at gunpoint and forcibly converted to Islam. The girls were then sold to another man, who forced the older girl to marry his son, while receiving a fatwa from a Muslim religious leader justifying the act. The issue went to the local court in Muzaffargarh district in Punjab province, where the judge ordered that the girls could not return to their Christian parents because they were now "converted" to Islam. Subsequently, the case was appealed to the Lahore High Court where the judge sent the girls into a government shelter for protection while the case was being decided.<sup>ccxliv</sup>

### *Islamic Extremism*

According to the HRCP: “A growing number of Muslims have begun to feel that the only true version of Islam is the one they [practice], and 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. They contend that the state has failed to serve Islam, which it was bound to do, and it is, therefore, their bounden duty to spread their version of the true faith at all cost.”<sup>ccxlv</sup>

Pakistan is now at the center of global terrorism and violent Islamic extremism. There are a number of groups operating freely throughout the country, who promote Islamic rule, violent *jihad* (holy war) and hatred towards non-Muslims. These groups, who 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, which was recently linked to the terrorist attacks in Mumbai: “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 please see Appendix C).<sup>ccxvi</sup>

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.<sup>ccxvii</sup>

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.”<sup>ccxlviii</sup> In addition, a recent 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.”<sup>ccxlix</sup> Furthermore, the Pakistani Taliban destroyed approximately 150 schools in North-western Pakistan and ordered all privately administered schools in the Swat Valley to close.<sup>cc</sup>

## ***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 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.<sup>ccli</sup>

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.”<sup>cclii</sup> The system is characterized by patterns of abuse, detention and exploitation.<sup>ccliii</sup> While describing their conditions, a group of released bonded laborers reported that, “... they 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.”<sup>ccliv</sup>

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.<sup>cclv</sup> 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 HRCP, have helped release thousands of debt laborers, the laborers are frequently recaptured by their landlords.<sup>cclvi</sup>

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 with, the government failed to provide Hindu villages with basic

facilities, including a regular water supply, electricity, medical treatment and schools.<sup>cclvii</sup> 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.<sup>cclviii</sup> 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%.<sup>cclix</sup>

In addition to economic discrimination, religious minorities, including Hindus, are politically disenfranchised and lack genuine representation. An HRCP report from 2007, for instance, found that significant numbers of minority voter names were left off voter lists in Sindh province.<sup>cclx</sup>

Until recently, Pakistani Hindus had not organized politically. Starting 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.<sup>cclxi</sup>

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.<sup>cclxii</sup> 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 Hindus.

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 says."<sup>cclxiii</sup>

Furthermore, a report by the Sustainable Development Policy Institute (SDPI), Islamabad, “illustrates, through examples, how the education system is contributing to the culture of sectarianism, religious intolerance and violence. Some of the important findings of the SDPI are: the current curriculum and textbooks are ‘impregnating young and impressionable minds with seeds of hatred’ to serve a self-styled ideological straitjacket; 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.”<sup>cclxiv</sup>

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:<sup>cclxv</sup>

- 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.<sup>cclxvi</sup>

## **Violations of Constitution and International Law**

### ***Constitution of Pakistan***

Pakistan’s Constitution (Articles 20, 21 and 22) guarantees religious freedom and safeguards to its citizens.<sup>cclxvii</sup> For example, Article 20 states that, “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.”<sup>cclxviii</sup> However, Article 19 of the Constitution asserts that, “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.<sup>cclxix</sup> Despite the assurances provided in Articles 20-22, Article 19 establishes justification for the persecution of Hindus, Christians, and Ahmadiyyas, including destruction and desecration of their places of worship and punishment under the blasphemy laws.

Article 25 of the Constitution maintains that: “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.”<sup>cclxx</sup> 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 that: “The State shall protect the marriage, the family, the mother and the child.”<sup>cclxxi</sup> Article 36 states: “The State shall safeguard the legitimate rights and interests of minorities, including their due representation in the Federal and Provincial services.”<sup>cclxxii</sup> In reality, however, neither the rights of families nor minorities are being protected by Pakistan as kidnappings and forced conversions of Hindu girls continue to occur.

### ***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.”<sup>cclxxiii</sup> 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.<sup>cclxxiv</sup> 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.”<sup>cclxxv</sup>

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 every person has the right to practice the religion of his/her choice and should not be subject to discrimination based on his belief system.<sup>cclxxvi</sup> 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.<sup>cclxxvii</sup> 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....”<sup>cclxxviii</sup> 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.”<sup>cclxxix</sup> 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”<sup>cclxxx</sup> 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 restore democracy and its complicity in human rights violations against minorities. According to internationally recognized criteria, Pakistan is not a free country today. Freedom House recently rated the political rights enjoyed by Pakistan’s citizens at six (one above the lowest grade of seven) and civil liberties enjoyed at five (two above the lowest grade of seven).<sup>cclxxxi</sup> 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. urges 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.

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.

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. Moreover, any appropriations that are set aside for Pakistan must be strictly for non-military uses. They must be used for educational and development projects, for minority populations and for social and political reforms.

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 lies about Hinduism and hatred against Hindus and other minorities, and instead promote tolerance and pluralism.

# The Kingdom of Saudi Arabia



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**Area:** 2,149,690 sq. km

**Population:** 27,601,038 (July 2007 est.)

**Religion:** Exact numbers are unavailable. Saudi government claims all citizens are Muslim, of these 85 percent are Sunni and 15 percent are Shiite. Non-Muslim migrant workers within the state unofficially practice mainly Hinduism or Christianity.<sup>cclxxxii</sup>

**Ethnicity:** 90 percent are ethnically Arab, 10 percent are Afro-Asian. This does not include the 7 million migrant workers who are predominantly South Asian in descent.

**Languages:** Arabic

**Location:** Middle East, bordering the Persian Gulf and the Red Sea, north of Yemen.<sup>cclxxxiii</sup>

## Introduction

Saudi Arabia is the world's largest absolute monarchy and has been referred to as, "The Kingdom of Hatred." It is one of the most repressive and intolerant countries in the world. Through a set of laws, government policies and religious and social practices, citizens and, especially minorities, are systematically denied basic human rights, and prohibited from freely practicing their religious beliefs. This not only includes non-

Muslims, such as Hindus, Christians, and Jews, but also Shia Muslims and Muslims who do not subscribe to the government's austere interpretation of Sunni Islam.<sup>cclxxxiv</sup>

Islam is the official state religion and the government follows the Wahhabi branch of the Hanbali Sunni school of Islam. The Government does, in theory, allow some Shia Muslims to adopt their own version of Sharia in matters of marriage and inheritance. However, there are only two Shia judges in the entire state and Sunni courts can overrule their judgments at any time.<sup>cclxxxv</sup>

The Ministry of Islamic Affairs is the administrative authority of all Saudi mosques and imams. The ministry pays imams and mosque workers. The Commission to Promote Virtue and Prevent Vice was established to insure public morality and reports to the Royal Diwan.<sup>cclxxxvi</sup> In addition, the Government also forbids non-Muslim clergy from entering the country with the intent of conducting religious services.<sup>cclxxxvii</sup>

Public practice of non-Muslim religions is prohibited. In principle, the Kingdom allows the right to private worship and to use personal religious materials for all citizens, including non-Muslims. Upon entering the state, the Government is required to inform guest workers of their ability to worship privately. In practice, however, the right to worship privately is also severely restricted and minorities have little means to redress their grievances. Visitors to Saudi Arabia regularly report the confiscation of private religious material including books and symbols and raids on private religious services.<sup>cclxxxviii</sup>

## History/Background

In the late eighteenth century, Saudi tribal ruler Muhammad bin Saud, and Wahhabi cleric Muhammad Abd Al-Wahhab, merged to form a new political union on the Arabian Peninsula.<sup>cclxxxix</sup> Over the course of the next century, the Saud family struggled to maintain power against Egypt, the Ottoman Empire and other tribal bodies. In 1902, King Abdul Aziz Al-Saud engaged in a successful military campaign to retake Riyadh and other prominent cities. His nascent state was founded and recognized by the United Kingdom in 1927 with the Treaty of Jeddah. The three regions of Al-Hasa, the Nejd and Hejaz officially became the Kingdom of Saudi Arabia in 1932.<sup>ccxc</sup>

Vast reserves of oil were discovered in March 1938. This triggered development programs in the late 1940s bankrolled by Western states, particularly the United States. Today, Saudi Arabia is the leading petroleum producer and exporter. Oil constitutes 75% of government revenues and 90% of all exports.<sup>ccxci</sup>

King Abdullah has led the country after the death of his half brother Fahd in August 2005. The monarch is the head of all the branches of the government. He appoints the two legislative bodies, including the Council of Ministers and the *Majlis-al-Shura* (Consultative Council) and the judicial branch as well. The king also appoints *emirs* to

administer the state's regions. Political parties are forbidden and traditionally neither men nor women possess the right to vote.<sup>ccxcii</sup> In October 2003, the government allowed elections for half of the members of the powerless municipal councils, but elections were not held until 2005.<sup>ccxciii</sup> Only male citizens over the age of 21, with the exclusion of military personnel, were allowed to participate.

Saudi Arabia is an Islamic monarchy, as established by the 1992 Basic Law of Government. The Qu'ran and Shari'a (Islamic law) serve as the state's constitution.<sup>ccxcvi</sup> 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. Crimes such as drunkenness or those "against public morality" can also be punished.<sup>ccxcvii</sup>

The demographic composition of Saudi Arabia has transformed dramatically in the past twenty years. Though ninety percent of Saudis are ethnically Arab, globalization has created an increasingly pluralistic society. When King Saud abolished slavery in 1962, a large demand for workers was created, leading to the steady influx of migrant workers from poor and developing countries. Currently, there are an estimated 7 million migrant workers, including 1.5 million Indians, 1.5 million Bangladeshis, 1.2 million Filipinos, 1 million Pakistanis, 1 million Egyptians, 600,000 Indonesians, 400,000 Sri Lankans, 350,000 Nepalese, 250,000 Palestinians, 150,000 Lebanese and 100,000 Eritreans.<sup>ccxcviii</sup> There are approximately 100,000 American and European workers in Saudi Arabia as well. Foreigners comprise 67% of the workforce and hold 90 to 95% of private-sector jobs.<sup>ccxcix</sup>

## **Status of Human Rights, 2008**

In 2008, Saudi Arabia failed to institute any major human rights reforms as rampant human rights abuses continued to plague the country. Violations included discrimination against minority religious communities, restrictions on freedom of expression and the press and an absence of due process rights. Women remained among the most vulnerable and persecuted groups.

Human Rights Watch found that: "The government continues to treat women as legal minors, denying them a host of fundamental human rights. The government requires women to obtain permission from a male guardian to work, study, marry, travel and even receive a national identification card... Strictly enforced sex segregation hinders a Saudi woman's ability to participate fully in public life." For example, a businesswoman was recently arrested for "illegally mingling" while accompanied by a male co-worker at a Starbucks in Riyadh.<sup>ccc</sup>

## **Religious Freedom**

In Saudi Arabia, all public expression of religion is strictly regulated and restricted unless it conforms to the government's approved version of Sunni Islam. As a result, the rights of the country's sizeable Shia minority, the estimated two to three million non-Muslim foreign workers, including Hindus and Christians, and other Muslims are systematically violated. Non-Muslims are forbidden from celebrating religious, cultural and national holidays and festivals. Although the Saudi government, in theory, allows for the freedom of private worship and possession of religious materials, in practice, private religious conduct is also regulated. The government's policies leave minorities susceptible to widespread discrimination and persecution. The Saudi regime enforces its religious writ through the Commission to Promote Virtue and Prevent Vice (CPVPV), and its enforcement arm, the *mutawwa'in*, or moral police, "... whose members harass, detain, whip, beat and otherwise mete out extrajudicial punishments to individuals deemed to have strayed from 'appropriate' dress or behavior."<sup>ccci</sup>

## **Discriminatory Laws**

There are a number of laws and government policies in place that directly and indirectly discriminate against non-Muslims, Shias and Muslims who do not follow the government's interpretation of Islam.

Saudi Arabia is governed by Islamic law and there are no protections for freedom of religion. Proselytizing by non-Muslims is illegal and criticism of Islam is strictly prohibited. In addition, blasphemy or conversion out of Islam is punished by death.<sup>cccii</sup>

The Saudi government mandates that all non-citizens carry residence identity cards, which designate whether they are Muslim or non-Muslim, leaving non-Muslims vulnerable to discrimination and harassment. Moreover, Article 12.4 and 14.1 of the Naturalization Law require applicants for citizenship to certify their religion and obtain a certificate sanctioned by a local imam, effectively excluding non-Muslims from acquiring Saudi citizenship.<sup>ccciii</sup>

Saudi laws also provide for disparate judicial rules, favoring Muslim males and discriminating against non-Muslims and women. For example, a Jewish or Christian plaintiff can only recover half the compensation a Muslim male would in a favorable court judgment, while certain other religious groups, such as Hindus, Buddhists and Sikhs are only allowed to recover 1/16 the amount a Muslim male is entitled to. In addition, judges may reject the testimony of non-Muslims during court proceedings.<sup>ccciv</sup> Furthermore, children of all male citizens are considered Muslims, regardless of the religious tradition in which they are raised or born into.



And finally, customs regulations, found on the state-owned Saudi Arabian Airlines web site, prohibit visitors to Saudi Arabia from carrying articles of non-Muslim religions, which would include Hindus, Buddhists, Sikhs, Christians and Jews.<sup>cccv</sup>

### **The Commission to Promote Virtue and Prevent Vice (CPVPV)**

The Commission to Promote Virtue and Prevent Vice (CPVPV) was created in 1927 to enforce the government's interpretation of Islamic Shari'a law and has the authority to monitor a range of activities including: "mixing of the two sexes; men's advances toward women; practicing or displaying non-Muslim faiths or disrespecting Islam; displaying or selling media contrary to Islam, including pornography; producing, distributing, or consuming alcohol; venerating places or celebrating events inconsistent with Islamic practices; practicing magic for profit; and committing or facilitating of lewdness, including adultery, homosexuality and gambling." (ft note)<sup>cccvi</sup>

The CPVPV's mandate is enforced through the religious police, known as the *mutawwa'in*. According to the CPVPV President, the organization currently has 5,000 staff members, of which there are 3,227 *mutawwa'in* spread throughout the country. In 2007, the CPVPV reportedly made 406,000 arrests.<sup>cccvii</sup> Additionally, there have been several reports of *mutawwa'in* raids on private residences and deportations of non-Muslim foreign workers. Some of those convicted received lashes prior to deportation.<sup>cccviii</sup>

### **Islamic Extremism**

Although Islamic extremism is a global phenomenon, Saudi Arabia often provides the monetary and ideological foundation for its continued growth. The Institute for Gulf Affairs asserts that: "[t]he religious policies of the Saudi government have contributed to the rise of extremism and terror groups worldwide, including Al-Qaeda and others. Saudis are leading contributors of money and support to international terrorist groups and make up the highest numbers of suicide bombers around the world, which often occurs with either the direct support or the tacit approval of Saudi authorities."<sup>cccix</sup> Moreover, the United States Commission on International Religious Freedom (USCIS) has repeatedly expressed its concerns regarding the role of the Saudi regime in supporting the widespread dissemination of a narrow and intolerant form of Islam that has resulted in human rights violations and extremist violence.<sup>cccx</sup>

## ***Social Persecution***

### **Discrimination Against Foreign Workers**

Saudi Arabia is a destination country for workers from South and Southeast Asia, many of whom are Indians, working primarily in unskilled and blue-collar jobs. Such workers are subjected to the *kafala* (sponsorship) system, which gives employers control over their residency permits and often creates cruel and inhuman conditions. In particular,

foreign workers routinely face physical and sexual abuse, labor exploitation, restriction of movement and punitive immigration laws.<sup>cccxi</sup>

In addition, domestic workers are systematically denied religious freedom by the Saudi government.<sup>cccxi</sup> According to the USCIS:

*There is a general attitude and policy of the government of curtailing universal rights for non-Saudi visitors to the country and inhibiting the enjoyment of human rights on an equal basis for expatriate workers, particularly for the two – three million non-Muslim workers, including Christians, Hindus, Buddhists and others, who have come to Saudi Arabia for temporary employment. Provisions often included in labor contracts require expatriate workers to conform to Saudi religious customs and traditions, in the process forcing them to waive their inalienable human rights and submitting them to the limits of, and rights abuses by, Saudi employers...*<sup>cccxiii</sup>

Moreover, the government actively supports the conversion of non-Muslim foreign workers. The Ministry of Islamic Affairs and Center for Islamic Education Foundation sponsors “Call and Guidance” centers employing 500 persons to convert foreign workers to Islam. The state media reported in 2006 that over 4,200 expatriates of various nationalities converted to Islam in the past ten years.<sup>cccxiv</sup> There are also reports of several non-Muslims who experienced significant pressure to convert by work colleagues.

There have been several incidents of CPVPV members raiding private homes, where non-Muslims were worshipping. One recent example was the arrest of 15 Indian Christians in Qassim Province, for holding private religious services. The CPVPV conducted the raid on May 23, 2008, during which they confiscated Christian religious material and slapped the group’s pastor. After being taken to jail, the workers were released later that night.<sup>cccxv</sup>

In addition, reports indicate that *mutaawa’in* have been compelling employers to stop renewing the residency cards of non-Muslim workers, if they were found to be involved, or suspected of involvement, in private religious services. The *mutawwa’in* have further tried to force employers and sponsors to make agreements with non-Muslims that they would abstain from taking part in private worship services.<sup>cccxvi</sup>

## ***Institutional Discrimination***

### **Education System**

Intolerance of other religions is embedded in the kingdom’s educational institutions and curriculum. Schools teach Islamic law and the mandated curriculum with textbooks for

grades 1 through 12 relies heavily upon the teachings of *Ibn 'Abd ul Wahhab*. Teachers are obligated to instruct students on the tenets of Islam, and all who are not Wahhabis are treated as outsiders.

First grade materials teach that Islam is the only true religion and fourth grade textbooks forbid Muslims to befriend non-Muslims. Textbooks in tenth grade promote Zionist conspiracy theories and anti-Semitism.<sup>cccxvii</sup> In March 2004, a schoolteacher was convicted of blasphemy and sentenced to three years of imprisonment and 300 lashes after teaching students about tolerance. In November 2005, another teacher was sentenced for a similar crime. In response to international criticism, both teachers were subsequently pardoned by the King.<sup>cccxviii</sup> Moreover, private religious schools are not permitted for non-Muslims or for Muslims adhering to unofficial interpretations of Islam.

Furthermore, according to the Institute for Gulf Studies, “[t]he Saudi educational system provides an ideological foundation for violence and future jihadists. The textbooks currently used in Saudi schools, including those in the U.S. and Europe, preach hatred toward other Christians, Jews, other religions and even most Muslims.” The Gulf Institute also found that textbooks portrayed Christians and Jews as the enemy of Islam, blames Jews for all the misfortune of Muslims and world and indirectly promote slavery of non-believers.<sup>cccix</sup>

Saudi officials have hosted summits on education, purportedly to reform the system. For instance, the Sixth National Dialogue Forum, entitled “Education: Reality and Promises” included a “road map” for educational reform, including textbook revision and teaching curriculum. And in February 2007, the government launched the King Abdullah Project for the Development of Public Education, a \$2.4 billion, six-year program to improve public education. Included in this transformation is a goal to revise textbooks and make materials more inclusive. Moreover, in March 2007, the civil service announced it would dismiss teachers who espoused extremist view in the classroom, and in April 2007, King Abdullah announced that the Government would allocate more freedom to private school development. These moves and statements have proved largely cosmetic, however, as discrimination and hatred of others remains prevalent in the education system. The U.S. State Department’s recent International Religious Freedom Report claimed that: “Despite governmental claims that elementary and secondary education textbooks had been revised, they still retained language that was intolerant of other religious traditions, especially Jewish, Christian, and Shi’a beliefs...”<sup>cccxx</sup>

### **Criminal Justice System**

Due process rights are largely nonexistent in the kingdom, where people are arbitrarily arrested and detained, tortured and routinely denied fair trials. In addition, no laws exist protecting children from being tried as adults.<sup>cccxxi</sup>

Capital punishment is a significant aspect of the criminal justice system in Saudi Arabia, where on average more than two people are executed every week. In 2008, through the middle of November, 88 people were executed, including those convicted of non-violent offenses. The process is arbitrary and gives judges extensive discretion to impose the death penalty, which is typically carried out by public beheading.<sup>cccxxii</sup>

Approximately half of the executions every year involve poor migrant workers, many of whom have no legal assistance and are unable to understand court proceedings in Arabic. According to Amnesty International, “[s]ome migrant workers have even been unaware that they had been sentenced to death until the very morning of their execution.”<sup>cccxxiii</sup>

## **Violations of Constitution and International Law**

### ***Constitution of Saudi Arabia***

Saudi Arabia’s Constitution proclaims the kingdom to be, “a sovereign Arab Islamic state with Islam as its religion” and, “God’s Book and the Sunnah of His Prophet,” to be its “constitution.” It further declares Arabic to be the national language of the nation. Article 7 states that the government, “derives power from the Holy Koran,” while Article 8 declares the basis of the government to be, “in accordance with the Islamic Shari’ah.” Furthermore, the Constitution states that education should instill, “the Islamic faith in the younger generation” and that, “the state protects Islam.” Human rights are protected by Article 26 but only in accordance with Shari’ah law.<sup>cccxxiv</sup>

Discrimination against minorities is entrenched in the Constitution, and consequently provides a legal basis to persecute non-Muslims or those that do not adhere to the government’s version of Islam. Although Article 26 purportedly protects human rights, it is still subject to Shari’ah law, which makes it largely irrelevant for minorities and provides little protection for freedom of religion.

### ***International Human Rights Law***

Saudi Arabia consistently ranks at the bottom international human rights lists. According to Freedom House’s latest rankings, Saudi Arabia received the lowest possible rating in both political rights and civil liberties.<sup>cccxxv</sup> Similarly, in 2005 it ranked 72 out of 111 on the Economist’s Worldwide Quality-of-Life Index.<sup>cccxxvi</sup> Furthermore, Transparency International Corruption Perceptions index ranked it 70 out of 163, and the United Nations Human Development Index ranked Saudi Arabia 76 out of 177.<sup>cccxxvii</sup>

Saudi Arabia’s laws, policies and treatment of minorities and women violate every conceivable standard of human rights law. Not surprisingly, Saudi Arabia has not signed or ratified the UN’s International Covenant on Civil and Political Rights but its accession to the UN’s International Convention on the Elimination of All Forms of Racial

Discrimination took place on September 23, 1997. Regardless of whether Saudi Arabia is actually a party to specific UN Covenants, it should be held accountable under basic international human rights norms.

## Conclusion and Recommendations

The 2003 terrorist attacks in Riyadh triggered a government action against religious extremism. The Government instituted a national dialogue initiative to introduce debate regarding terrorism and extremism. In 2005, the King opened another forum to discuss the growing pluralism of Saudi society: "We and the Other: A National Vision for Dealing with World Cultures." This was followed in December by a ministerial summit calling for a ten-year-plan of the Muslim world that includes pluralism and moderation. The government established several human rights bodies it controls to alleviate international pressure. In March 2004, the government established the National Society for Human Rights (NSHR) - the first organized human rights GO to operate within the country. The group documented 5,000 cases between March 2004 and February 2006. In response, the government created its Human Rights Commission (HRC) in September 2005. Two HRC board members appointed during this reporting period were Shi'a and Sulaimani Ismaili Shi'a, respectively. The HRC reported that it received more than 8,000 human rights complaints, including infractions by *mutawwa'in*. The king mandated that ministries respond to a HRC complaint within three weeks after it is filed.<sup>cccxxviii</sup> The HRC reportedly advised the CPVPV leadership in May 2007 not to interfere with non-Saudi nationals' private religious activities. The power and independence of the HRC, however, is limited, and may not be effective in bringing out genuine reform.

More recently, the government reiterated its policy to combat extremism within the country and abroad and committed to reviewing educational materials to remove degrading references to other faith traditions. Further, it is monitoring sermons at government sponsored mosques and states intent to dismiss imams whose preaching promotes extremism. The Saudi school books, however, have not changed substantially since September 2001.

The Saudi Government has appointed more Shi'a judges to the *Ja'afari* courts in the Eastern Province and one Shi'a and one Sulaimani Ismaili Shi'a to the board of the Government's Human Rights Commission (HRC). According to the U.S. State Department Report on International Religious Freedom 2007, there were fewer reports of confiscation of religious materials at the airports in Jeddah and Dhahran, and fewer *mutawwa'in* raids of religious gatherings in the Western Hijaz region and in the Eastern Province. Although the number of these incidents has gone down, non-Muslims continue to be targeted. Additionally, larger public and private celebrations of Shi'a holidays were permitted in the Eastern Province.

The establishment of the above mentioned procedural mechanisms to address human rights in Saudi Arabia is welcome and the inclusion of both public and non-governmental

sectors is a step forward. However, the nature of the Saudi state and the religious dynamic in the region that is funded, supported and encouraged by the government are the real, serious impediments to establishing religious pluralism and the treatment of non-Muslims as co-equals of Muslims.

The U.S. government must insist on greater accountability and a significantly improved human rights record. Senior U.S. officials have begun such a dialogue with Saudi leaders on key policies regarding religious practice and tolerance. The U.S. -Saudi Strategic Dialogue includes among its working groups, the promotion of religious freedom. However, more must be done. The political and religious dynamic in the region can only change when Saudi Arabia is pressured to change its Islamist agenda. Saudi Arabia must end its support for terrorism and fundamentalist Islam, promote basic civil and religious rights for its citizens and guest workers and reform its education system in order to remove inaccuracies and hatred about other religions. It should instead promote tolerance and pluralism.

# Democratic Socialist Republic of Sri Lanka



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**Area:** 65,610 sq km

**Population:** 21,128,772 (Note: Since the outbreak of hostilities between the government and armed Tamil separatists in the mid-1980s, several hundred thousand Tamil civilians have fled the island and more than 200,000 Tamils have sought refuge in the West)

**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 <sup>cccxxix</sup>

## Introduction

The human rights situation in Sri Lanka came to a crucial point in 2008, as the Sri Lankan military slowly captured key Liberation Tigers of Tamil Eelam (LTTE) strongholds after a devastating civil war that has raged in the country for over two decades. As we have previously noted, the violent conflict between the Sinhala-majority government and Tamil terrorists groups is not a religious conflict, 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, does not identify itself as a religious-based organization.

The Sri Lankan civil war is an ongoing conflict that has been taking place since 1983 between the majority Sinhala Sri Lankan government and the LTTE. The LTTE is fighting 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. <sup>cccxxx</sup>

The Sri Lankan government ended its truce with the LTTE on January 2, 2008, causing great concern among international arbiters. The civil war has taken a heavy toll on this island nation, killing nearly 5,000 people since early 2006 and a total of 70,000 deaths since the war erupted in 1983. 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. <sup>cccxxxi</sup> On November 16, 2008, news agencies across the world reported that the Sri Lankan military had captured a major LTTE defense line in northern Sri Lanka, thereby crippling their resources and gaining control over the LTTE across the western coast. Subsequent reports indicate that the Sri Lankan military has secured the majority of rebel held territory, causing disastrous consequences for civilians caught in the crossfire.



## History/Background

The Sinhalese arrived in Sri Lanka in the sixth century BCE, probably from Northern India. Buddhism was introduced around 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 and conquered the island and settled there around the sixth<sup>th</sup> 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 re-established the pre-eminence 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.<sup>cccxxxii</sup>

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 as 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. On February 4, 1948 the country won its independence. 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 75% Sinhalese and 7-8% Tamils. The south, west and central regions of the island are primarily inhabited by the Sinhalese, while the Tamils reside in the north and the east and on the 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.<sup>cccxxxiii</sup>

Sinhala Buddhist revivalism and nationalism had its origin in the late 19<sup>th</sup> and early 20<sup>th</sup> 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.<sup>cccxxxiv</sup> 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.<sup>cccxxxv</sup>

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 Tamil Eelam, but 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.<sup>cccxxxvi</sup> When the British departed, power was transferred to the Sinhala majority, although Tamil leaders were in the forefront of the freedom movement. Following independence, the government of D. S. Senanayake passed legislation in 1949, stripping 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.<sup>cccxxxvii</sup>

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 Welis Oya or Manal Aru in the Northern Province, while the Sinhalese settled there under the protection of the Special Task Force.<sup>cccxxxviii</sup>

The Sinhala majority government continued to pursue discriminatory policies, including the Sinhala Only Act of 1956, which replaced English as the official language with 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.<sup>cccxxxix</sup>

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.<sup>cccxl</sup>

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.<sup>cccxli</sup> 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, 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. Later, 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.<sup>cccxl</sup>

The next significant event was the “Black July” riots, which began after 25 years of negotiations for autonomy for Tamil speaking areas under a federal framework failed. Started 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, including Alfred Duraiappah, the Mayor of Jaffna in 1975 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, later joined by Anton Balasingham. On July 23, 1983, LTTE ambushed and killed 13 government soldiers in Jaffna. 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.<sup>cccxl</sup>

Over the next 25 years, there would be many more casualties, ceasefires, undermined ceasefires, a 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 2008 with a military offensive by the Sri Lankan military capturing large areas of rebel held territory.

## **Status of Human Rights, 2008**

According to a report by the Asian Human Rights Commission (AHRC) released on the 60<sup>th</sup> anniversary of the Universal Declaration of Human Rights, the situation in Sri Lanka is worse than it was 60 years ago.<sup>cccxliv</sup> In 2008, Sri Lanka witnessed an escalating civil war that has torn the country apart. In addition to the already dismal state of human rights in Sri Lanka, the war has led to a rapid rise in death and destruction for Hindus across the country.

### ***Religious Freedom***

Religious freedom in Sri Lanka has long been an issue of contention. Past statistics have shown that by 1992, over 1700 Hindu temples had been destroyed.<sup>cccxlv</sup> Since that time, many more have met the same fate. In the past year, many examples of violence against Hindus and temples have arisen within the country. On September 5, 2008, a Buddhist monk desecrated a Hindu temple in Colombo and smashed several sacred deities.<sup>cccxlvii</sup> On November 27, 2008, members of the LTTE killed the head priest of a Hindu temple in Eastern Sri Lanka.<sup>cccxlviii</sup>

Towards the end of 2008, there have been several reports that the Sri Lankan military was bombing civilian areas, including temples and churches, where Hindus and Christians were taking refuge. For instance, there have been indications that artillery shells exploded inside the Athisaya Vinnayakar temple in Visuvamadu. The attacks prompted Jaffna Bishop Rt. Rev. Thomas Saundaranayaga to write to Sri Lanka's President and military leaders to refrain from attacking civilian areas.<sup>cccxlix</sup> These are but some examples of the religious persecution that Hindus face in the nation.

### ***General Violence***

In 2008, Human Rights Watch (HRW) reported that the human rights situation in Sri Lanka has deteriorated.<sup>ccccli</sup> In the first six weeks of 2008, 180 civilians had died during fighting between government forces and rebel groups. And according to HRW, at least 60 people were killed or kidnapped just in September and October alone.<sup>cccclii</sup> Of those kidnapped many were children who were then sent to fight among the ranks of groups such as the LTTE.

The recruitment of young child soldiers, some as young as 12, is a common practice employed by government forces, pro-government militias and Tamil rebel groups. Often, the children, both girls and boys, are abducted from their parents and forced into fighting.<sup>ccccliii</sup> 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 still 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 Arippu, Karanadi and Madukkarai.<sup>ccclii</sup> Besides the Tamil Tigers, pro-government militias also systematically abduct and recruit children as soldiers. These militias are allowed to operate freely in areas controlled by government forces and the Sri Lankan army often actively assists them in kidnapping young boys.<sup>cccliii</sup> On October 3, 2008, President George W. Bush signed a law that states that members of military forces and armed groups who recruit child soldiers may be arrested and prosecuted. The Child Soldiers Accountability Act makes it a federal crime to recruit any person under the age of 15 and allows the government to take action against violators who are on U.S. soil, even if the violations occurred outside of the United States.<sup>cccliv</sup> 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 will force the TMVP to cease recruiting child soldiers. The agreement set forth a timetable that will enable the release of all children who are currently training as soldiers with the TMVP.<sup>ccclv</sup> According to the BBC, the TMVP had 133 identifiable children among its forces as of October 2008.<sup>ccclvi</sup> 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."<sup>ccclvii</sup> 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).<sup>ccclviii</sup> The vast majority of victims are young Tamil men suspected of having ties to the Tamil Tigers.<sup>ccclix</sup>

Other incidents of general violence in Sri Lanka also point to a diminishing importance on human rights. In the beginning of 2009, Lasantha Wickramatunga, a prominent newspaper editor, was shot dead by unidentified assailants. Mr. Wickramatunga was a well known critic of the government's war with the Tamil Tigers and had received numerous death threats and been detained several times.<sup>ccclx</sup> On December 1, 2008, a Sri Lankan student was fatally assaulted by gangsters who were targeting Indians in the country.<sup>ccclxi</sup> On January 1, 2008, a former Sri Lanka Cabinet Minister was assassinated while paying homage at a Hindu shrine in Kotahena.<sup>ccclxii</sup> And towards the end of 2007, a Tamil woman was abducted and raped by military men near her home in Vadamaradchi.<sup>ccclxiii</sup> These are but a few examples of the ongoing violence against Hindus in Sri Lanka that have gone unchecked by the government.

### ***Social Persecution***

Due to the ongoing civil war, one of the bloodiest in the history of the country, thousands of people have been killed or displaced.<sup>ccclxiv</sup> According to Amnesty

International, over 300,000 people have been displaced from the northern part of the country.<sup>ccclxv</sup> The situation has brought aid workers from across the world into Sri Lanka. However, in September 2008, the Sri Lankan government ordered aid workers to leave the country. Since then, Sri Lanka has carried the burden of caring for the displaced citizens but has not been able to provide adequate care for them.<sup>ccclxvi</sup>

The crisis exploded in 2008, when large numbers of Tamil civilians became displaced from their homes. The International Committee of the Red Cross (ICRC), one of the only relief agencies allowed to operate in rebel-held territory, expressed its grave concerns over the growing humanitarian catastrophe. The ICRC pointed to large numbers of displaced civilians being forced to seek refuge in small areas with poor living conditions and little physical safety from the ongoing violence.<sup>ccclxvii</sup>

### ***Institutional Discrimination***

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.<sup>ccclxviii</sup> Moreover, Tamil civilians live in constant fear of being abducted or arrested and are routinely detained on suspicion of being insurgents.<sup>ccclxix</sup>

A report by Human Rights Watch also found that: “[t]he Sri Lankan government has established a policy of detaining civilians fleeing LTTE-controlled areas in search of safety. Most of the families and individuals stopped while crossing into government-controlled areas have been detained indefinitely in military-run camps. Virtually all Vanni [northern LTTE stronghold] residents are ethnic Tamils who have relatives—by choice or compulsion—in the LTTE.”<sup>ccclxx</sup>

In recent years, the government of Sri Lanka has also strengthened its grip on people who speak out against injustices carried out in the country. On March 7, 2008, government officials arrested J S Tissainayagam, a journalist who criticized the current regime.<sup>ccclxxi</sup> Human Rights Watch, along with governments and organizations around the world, have criticized the Sri Lankan leadership for the arrest. HRW has also cited the arrest of publisher N. Jasiharan and his wife, who were taken into custody in March. According to HRW, none of these prisoners have been given access to basic rights such as having an attorney present.<sup>ccclxxii</sup>

## **Violations of Constitution and International Law**

### ***Constitution of Sri Lanka***

The Constitution of Sri Lanka<sup>ccclxxiii</sup> 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 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 Covenant on Civil and Political Rights, 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, 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 is 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 are responsible for widespread human rights abuses, and have done 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 face violence, forced displacement, discrimination and religious persecution. Furthermore, it is incumbent upon the government and the armed forces to refrain from targeting innocent civilians and allow aid workers to enter conflict zones. Similarly, the LTTE must end its use of violence and avoid placing civilians in harms way.

Ultimately, some form of autonomously governed regional states within a larger federal framework may be part of a solution that benefits all parties to the conflict.



# Republic of Trinidad and Tobago



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**Area:** 5,128 sq km

**Population:** 1,056,608 (July 2007 est.)

**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.<sup>ccclxxiv</sup>

## Introduction

Trinidad and Tobago is a multiethnic and multi-religious society, where religious tolerance is instilled very early in life. 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 for K-12. 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.

In this report, it is essential to differentiate between religious and racial discrimination. Discrimination towards Indians and racial tension between Hindus and Afro-Caribbean is evident. However, it is difficult to distinguish specific religious persecution given that 90% of Indians 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 experience discrimination in terms of political representation, resource distribution and employment opportunities. Social persecution and a lack of religious freedom are also pressing issues faced by Hindus. And lastly, Hindus have been disproportionately targeted for physical violence and harassment.<sup>ccclxxv</sup>

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) has been exacerbated over the years and is manifest in the media and the government sector.

Prominent Hindu leader and Secretary General of the Hindu Maha Sabha, Sat Maharaj, exclaimed in 2006 that: "This year marks 50 years since Trinidad and Tobago attained

the right to internal self-government (1956-1986). 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."

## **History/Background**<sup>ccclxxvi</sup>

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 they were combined 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 nineteenth and early twentieth century. Emigration from Barbados and Lesser Antilles, Venezuela, Syria and Lebanon also affected the ethnic make-up of the country.

Trinidad and Tobago is a democratic republic. The Head of State of Trinidad and Tobago 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. 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.

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 the two main ethnic-based parties, UNC and the PNM. Indians largely support the UNC led by Basdeo Panday, while Africans mainly support the PNM headed by Patrick Manning. The party lines are not completely polarized along racial lines. In most recent elections, the PNM fielded Indian candidates for election. The main financial backer of the UNC is an Afro-Trinidadian.

In 2002, the PNM won with 51% of the vote. This allowed Manning to replace Panday as Trinidadian Prime Minister. Recent elections in November 2007 were also won by the PNM under Manning.

## **Status of Human Rights, 2008**

Hindus in Trinidad and Tobago face a multitude of human rights issues, including physical attacks, temple desecration, economic/political discrimination and the inequitable distribution of government funds.

### ***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.

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).<sup>ccclxxvii</sup> Letters to Editors complaining about the overt discrimination against Hindus had little impact on the racist and bigoted assemblymen.<sup>ccclxxviii</sup> 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).<sup>ccclxxix</sup>

In August 2008, the Kolahal Shiva Temple, Chaguanas, in Central Trinidad, was vandalized by Muslim extremists, who destroyed several *murtis*, or *the representations of Hindu deities*, including those of Lord Shiva, Lord Krishna and Goddess Durga. The incident caused widespread anger amongst the local Hindu community but was seen as an attempt to disrupt the communal harmony between Hindus and Muslims in the country.<sup>ccclxxx</sup>

The attack bore resemblance to an attack the previous year at the landmark Siewdass Sadhu Shiva Mandir, also known as the Temple-in-the-Sea for its dramatic location just off the coast. The Hindu temple is internationally renowned and recognized as the spiritual center for the Hindus that comprise nearly a quarter of the island's population. The temple administrators reported that the vandals had toppled and smashed *murtis* — Lord Ganesha, Lord Krishna, Goddess Durga and Lord Hanuman — using rocks to smash the glass window-panes of the temple. They had also attempted

to burn down the structure by setting fire next to the southern wall inside the temple.<sup>ccclxxxi</sup>

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 in 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.

In addition, this major Hindu event was granted a meager \$TT 200,000 (approximately U.S. \$33,000) by the Government, compared to significantly larger funds given to Christian celebrations. Similarly, *Ramleela* celebrations have been discriminated against in allocation of funds, in contrast to the other religious groups.

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 because of the attacks.<sup>ccclxxxii</sup>

In several parts of country, Hindus have been prevented from even 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.

## ***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. As a result, 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.<sup>ccclxxxiii</sup>

## ***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.<sup>ccclxxxiv</sup> 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 the print media.

The Ministry of Foreign Affairs, which annually publishes a list of employees for service awards, routinely discriminates against Hindu and Indian citizens. 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.”<sup>ccclxxxv</sup> Unfortunately, no action has yet been taken on the removal of the title “Trinity Cross.”

## ***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.

There have been several recent cases of Hindus and Indians being fired or denied well-deserved promotions in government sector jobs. For instance, National Lotteries Control Board (NLCB) marketing manager Devant Maharaj, successfully took the Statutory Authorities Service Commission (SASC) along with the Prime Minister to court after he was bypassed for a promotion to the NLCB deputy director.<sup>ccclxxxvi</sup>

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, which 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.<sup>ccclxxxvii</sup>

### **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.<sup>ccclxxxviii</sup>

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..."<sup>ccclxxxix</sup>

### **Inequitable Distribution of Government Funds**

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 continues to be marginalized.<sup>cccxc</sup>

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.<sup>cccxi</sup>

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 dollars 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% Hindus -- who lost millions in flood damage.<sup>cccxi</sup>

### **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.<sup>cccxciii</sup>

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" on their wrists, and were forced to remove them by school security guards. The Ministry of Education later apologized to the students.<sup>cccxciv</sup>

And in October 2006, an Anglican School in Fyzabad, South Trinidad withdrew permission previously granted to students for celebrating Diwali. Students were also banned from wearing *rakshas*, despite Diwali being a national holiday.<sup>cccxcv</sup>



## **Violations of Constitution and International Law**

### ***Constitution of Trinidad and Tobago***

Trinidad is a democratic state that “acknowledges[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.”<sup>cccxcvi</sup> 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**

Although Trinidad’s Constitution provides for “equality before the law” and freedom of religion, Indians and Hindus face systematic discrimination, harassment/abuse and religious persecution. Pressure from the international community should be brought to bear upon the government to enforce civil and criminal laws and to protect the Indian/Hindu minority, in addition to all citizens.

Moreover, 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.

## **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.<sup>cccxcvii</sup>

#### **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.<sup>cccxcviii</sup>

#### **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](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](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, 2008 to September 30, 2008. <sup>cccxcix</sup>

	Incident Location	January Human Rights Abuse	Source
1.	Narayanpur District - Sherpur	Land-Grab/Intimidation: Subrata Kumar Dey Bhanu's life was threatened by a Muslim businessman, who wanted Kumar's land. Kumar, Awami League Organizing Secretary from Sherpur district, was forced to sell his ancestral land.	Samakal 1/3/08 BHBCOP
2.	Village - Charia Upazilla - Fulpur District - Mymensingh	Attack/Looting: Six Hindu homes, including the house of Rupendra Mondol, Senior Warrant Officer of the Rapid Action Battalion (RAB) were attacked and looted.	Sangbad 1/6/08 BHBCOP
3.	Village - Khaliapara Upazilla - Ullapara District - Serajganj	Attack/Looting: Dulal Sarkar's home was attacked and looted of gold and money.	Sangbad 1/6/08 BHBCOP
4.	Mahmoodkathi Upazilla - Paikgacha District - Khulna	Murder/Looting/Temple Attack: Anu Rani Biswas, a Sevayet of Goddess Kali, was killed in the temple. The attacker also stole gold ornaments from the temple.	Jugantar 1/6/08 BHBCOP
5.	Kalibazar District - Meherpur	Temple Attack/Looting: Two images of Radhakrishna and a large amount of money were stolen from the Kalibazar Shiva Temple.	Janakantha 1/8/08
6.	Sachibuniajalma Upazilla - Batiaghata District - Khulna	Land-Grab: A group of Muslims are trying to occupy a 300 year-old Cremation Grounds by using false documents	Sangbad 1/7/08 BHBCOP
7.	District - Barishal	Looting: A group of men are stealing the iron rods and grills from the Barishal Cremation Grounds. The local administration has failed to take any action.	Samakal 1/7/08 BHBCOP
8.	Nathpara Upazilla - Chakaria District - Cox's Bazar	Temple Attack: All the images in the Jagadhatri Temple were demolished.	Prathomalo 1/9/08
9.	Village - Muraripur Upazilla - Sujanagar District - Pabna	Attack/Looting: The home of Jiten Saha, a local businessman, was attacked and several valuables were looted, including gold ornaments. Three persons were injured in the attack.	Janakantha 1/9/08 BHBCOP
10.	Village - Kalaiya Upazilla - Baufal District - Patuakahli	Attack: A group of Muslim men attacked and beat up Chapala Rani Shill (who was unclothed), and destroyed her family's farmland. She was seriously injured and admitted to the hospital.	Janakantha 1/11/08 BHBCOP

11.	Village - Bakehar Upazilla - Sadar District - Faridpur	Murder/Kidnapping: The dead body of Sushanta Saha, a student at Government Rajendra College was recovered from a small pool of water near his house after being kidnapped and missing for 52 days.	Janakantha 1/11/08 BHBCOP
12.	Village - Jato Chandrapara Upazilla - Ramgarh District – Khagrachari	Murder/Gang-Rape/Kidnapping: Chameli Tripura, a Class 3 student at Sonai Agha Government Primary School, was kidnapped by a group of Muslim men while she was on her way home from school, and later gangraped and murdered.	Janakantha 1/11/08 BHBCOP
13.	Village - Debsayee Upazilla - Dhamrai District – Dhaka	Looting: An image of Lord Vishnu made of Blackstone and worth Taka one crore was stolen (and later recovered).	Samakal 1/11/08 BHBCOP
14.	Village - Nagra Upazilla - Sadar District - Netrokona	Attack/Looting: The house of Debabrata Saha, a businessman was attacked and valuables worth Taka 4 lakhs were looted.	Sangbad 1/11/08 BHBCOP
15.	Police Station - Shyampur Dhaka	Land-Grab/Temple Attack: Three Muslim men are trying to forcibly occupy the 400 year-old Shri Shri Ramkrishna Akhra and Temple.	Bhorerkago j 1/12/08 BHBCOP
16.	Village - Gokulnagar Upazilla - Bhairab District - Kishoregonj	Murder: Suman Chancre Debnath, a 16 year-old Hindu boy was killed by three Muslim men.	Jugantar 1/13/08
17.	Village - Habibullapur Upazilla - Sadullapur District – Gaibandha	Attack/Looting: The home of Prabhat Chandra Adhikari, Deputy Assistant Officer of the Agriculture Department, was attacked and looted.	Janakantha 1/14/08 BHBCOP
18.	Village - Bamoi Upazilla - Lakhai District – Habiganj	Temple Attack/Looting: Dayananda Amrita Ashram was attacked and looted.	Jugantar 1/14/08 BHBCOP
19.	Dharampasha District – Sunamgonj	Temple Attack/Looting: Two images of Radhakrishna (Hindu Deities) were stolen from Sree Sree Radhagobinda Akhra.	Prathomalo 1/15/08
20.	Village - West Dulal Upazilla - Sundarganj District – Gaibandha	Temple Attack/Land-Grab: An image of Goddess Kali from a temple at Shilpara was destroyed by a group of Muslims, who are trying to illegally occupy the temple property.	Janakantha 1/16/08
21.	Biyani Bazar District - Sylhet	Temple Attack/Looting: The image of Bashudeb (Vasudeva) of the Bashudeb Temple was destroyed by a Muslim man, who also looted several gold ornaments. He attacked the temple in the evening while Uma Rani Chakraborty, Sevayet of this temple was engaged in religious rituals.	Ittafaq 1/18/08 BHBCOP
22.	District – Bajbari	Attack: Abhijit Shome, a Hindu student at Rajbari Government College, was attacked by his classmates and seriously injured.	Samakal 1/18/08 BHBCOP
23.	Village - Kapashtia Upazilla - Durgapur District - Netrokona	Temple Attack: The image of Goddess Kali at Sarbajanin Kali Temple was destroyed by a group of Muslim men.	Prothomalo 1/22/08

24.	Chalnali Upazilla - Gurudaspur District – Natore	Murder/Kidnapping: Gupal Das abducted and beaten to death by a group of Muslims. His dead body was found near his house.	Samakal 1/22/08 BHBCOP
25.	Village - Nagar Upazilla - Agailjhara District – Barishal	Attack/Land-Grab: Balaram and his wife were attacked by a Muslim man, who was trying to illegally occupy their land.	Sangbad 1/22/08 BHBCOP
26.	Village - Dhopadi Upazilla - Avoyanagar District – Jessore	Murder: Kabita Mondol, a Hindu woman was killed by at her house in Dhopapara.	Samakal 1/28/08
27.	Palpara District - Pirojpur	Attack on Religious Symbols: 34 images of Hindu Deities being made for Saraswati and Kali Puja (Hindu festival) were destroyed by Muslim fundamentalists. The incident caused widespread fear amongst the local Hindu community.	Janakantha 1/29/08 BHBCOP
28.	District – Jhalakathi	Kidnapping: Biswajit Das Bishu, a Hindu businessman was abducted.	BHBCOP Date Unknown
29.	District - Sylhet	Arson: The house of Tapan Mitra, a local Hindu leader of the Awami League (political party) was set on fire.	Janakantha 1/24/08
30.	Shamsernagar Upazilla - Kamalganj District - Moulabibazar	Attack: Anil Pal, a Hindu teacher at AATM High School was beaten by a Muslim man.	Sangbad 1/29/08 BHBCOP
31.	Banaripara District – Barishal	Land-Grab: A Muslim police officer occupied Hindu vested property (under the Enemy Property Act).	Inquilab 1/30/08
32.	Village - Rajargaon Upazilla - Sadar District – Sylhet	Land-Grab: 4 Muslim men forcibly occupied the land of a Hindu man, Dilip Dey.	Sangbad 1/30/08 BHBCOP
33.	Village - Harhar Upazilla - Gournadi District – Barishal	Attack/Land-Grab: Golam Hossain Sikder, President of Batajor Union Bangladesh National Party (BNP) is trying to forcibly evict Manik Malakar, from his land. Sikder tried to abduct and kill Manik.	BHBCOP 1/5/08
34.	Village - Bapta Upazilla - Sadar District - Bhola	A number of influential Muslims are trying to build graveyards and mosques in a Hindu locality with several temples and religious institutions, causing fear amongst the Hindu residents.	BHBCOP 1/13/08

	<b>Incident Location</b>	<b>February Human Rights Abuse</b>	<b>Source</b>
1.	Panamnagar Upazilla - Sonargaon District - Narayangang	Land-Grab: Attempts to illegally occupy the property of a 300 year- old Durga and Kali temple. Bijoya Dashami Mela takes place here every year.	Ittefaq 2/1/08 BHBCOP
2.	Nayabari Upazilla - Savar District - Dhaka	Murder/Attack/Looting: Shanto Datta, a gold trader, was strangled to death by a group of men who attacked and looted his gold shop. The attackers stole 5 lakh takas worth of gold.	Janakantho 2/4/08 BHBCOP
3.	Upazilla - Dhamrai District - Dhaka	Looting: Three smugglers stole an image of a Hindu Deity made of touchstone worth 20 lakh taka.	Jugantor 2/5/08 BHBCOP
4.	Village - Alampur Upazilla - Kshetlal District -Jaipurhat	Rape: An adolescent daughter of Bhabesh Gopal Burman, a trader in fried rice, was raped by two men.	Samokal 2/6/08 BHBCOP
5.	Cllege Gate District – Gazipur	Attack/Looting: A gang of men attacked and looted the house and shop of Dilip Roy.	Jugantor 2/8/08 BHBCOP
6.	Upazilla - Mirzapur District – Tangail	Attack/Land-Grab: A group of fundamentalists are trying to illegally occup the property of Niranjan Pal, Mirzapur correspondent for the Daily Janakantho (news publication).	Janakantho 2/9/08 BHBCOP
7.	Kalampur Bazar Upazilla - Dhamrai District - Dhaka	Temple Attack/Looting: A group of men looted a temple located on a crematorium grounds. A nearby Hindu owned pharmacy was also looted.	Inquilab 2/9/08 BHBCOP
8.	District - Gazipur	Looting: A gang of men attacked and looted the house and gold shop of Dilip Sarker, and stole taka 5 lakhs in cash, 30 bhoi gold ornaments and other valuables.	Ittefaq 2/9/08 BHBCOP
9.	Village - Sachna Upazilla - Jamalgang District - Sunamgang	Attack/Looting: Miscreants have attacked and looted the house of Bappa Ghose Chowdhury, a journalist.	Jugantor 2/9/08
10.	Kaukhali District - Rangamati	Kidnapping/Intimidation: Mr. Hemanta Kumar Chakma, manager of the Kaukhali branch of BRAC was kidnapped, and ransom in the amount of 3 lakhs taka has been demanded for his release.	Sangbad 2/10/08
11.	Village - Jhaljhali Upazilla - Atowari District - Panchagarh	Land-Grab/Intimidation: Kazi Farms Group, a large poultry farm, is forcing Hindu villagers to sell their land by filing false police cases against them.	Samokal 2/12/08
12.	Village - Atoshkhali Upazilla - Bauphal District - Patuakhali	Attack/Looting: A group of men attacked a looted the home of Ratneshwar Dhupi. They stole case, gold ornaments, and the land deed documents. The police have failed to register a case against the suspects.	Janakantho 2/14/08 BHBCOP
13.	Village -Parashurampur	Attack/Looting: 25 Hindu families were attacked and looted by	Banglabazar



	Upazilla - Fakirhat District - Bagerhat	about 200 Muslim fundamentalists during 4 days of religious programs at Radha Gobinda Sebashram. About 30 people were injured in the incident.	2/13/08 BHBCOP
14.	Upazilla - Patharghata District - Barguna	Attack: The President of the School Managing Committee attacked a Hindu girl, Lipi Rani from Golbunia Primary School, after she protested irregularities in the distribution of relief materials.	Prathom Alo 2/16/08
15.	Lal Bazar District - Natore	Attack/Land-Grab: Land owned by Deepankar Lahiri, a Hindu journalist and news editor of the Amader Samoy, was illegally occupied, and his mother was physically assaulted while trying to resist.	Sangbad 2/17/08 BHBCOP
16.	Upazilla - Potia District - Chittagong	Murder: Sunil Dey, a Hindu boy was murdered, and his mutilated body was later recovered.	Bhorer Kagoj 2/21/08 BHBCOP
17.	Village - Jhaljhali Upazilla - Atowari District - Panchagarh	Attack/Looting: A gang of men attacked and looted the house of Shyamal Saha, a Hindu trader. They stole 50,000 taka in cash and 20 bhoris of gold ornaments.	Jugantor 2/21/08 BHBCOP
18.	District - Kishoregang	Kidnapping: Pallab, a six-year old child kidnapped from Norsingdi for ransom, was rescued by RAB from Kishoregang. 1.5 lac taka ransom money was demanded after Pallab, the only son of a small trader, was kidnapped.	Ittefaq 2/21/08 BHBCOP
19.	Baribindughat Marishya, Baghaichhari District - Rangamati	Murder: Tapan Chakma, a member of Chittagong Hill Tracts Janasanghati Samity, was shot to death. Opponents of the Chittagong Hill Tracts Peace Accord with tribals are suspected of being behind the murder.	Pratham Alo 2/23/08
20.	Village - Banshia Upazilla - Gafargaon District - Mymensing	Attack/Extortion: Nirmal Chandra Datta, a Hindu assistant teacher of Banshia High School, was attacked and beaten up. The attackers demanded 45,000 taka from him.	Sangbad 2/24/08
21.	Mokampunji Upazilla - Jainta District - Sylhet	Attack/Attempted Rape: A group of men tortured a Hindu girl, Lakman Manar, after attempting to rape her. She was hospitalized as a result of the incident.	Jugantor 2/25/08 BHBCOP
22.	Mokampunji Upazilla - Jainta District - Sylhet	Land-Grab: Land owned by Benoy Tudu, an indigenous tribal, was illegally occupied in collusion with officers from the local district administration.	Jugantor 2/24/08 BHBCOP
23.	District - Dhaka	Murder: Pallab Sengupta, a Hindu laboratory technician at Shaheed Suhrawardy Hospital, was brutally murdered in his home. His attackers hung his dead body from a ceiling fan.	Sangbad 2/14/08
24.	Village - Bamni Upazilla - Raypur District - Laxmipur	Land-Grab: A group of neighboring Muslims are conspiring to evict the family of Prabodh Das (who recently died) and illegally occupy their land.	Bhorer Kagoj 2/26/08 BHBCOP
25.	Chanchkair Gurudashpur	Temple Attack: A local Muslim trader destroyed a 100 yr-old	Jugantor

	District - Natore	temple.	2/27/08
26.	Village - Jhaljhali Upazilla - Atowari District - Panchagarh	Kidnapping: Shilpi Rani, a 13 yr-old Hindu girl was kidnapped by 2 Muslims while she was on her way home.	Inquilab 2/28/08 BHBCOP
27.	Pallabi Dhaka City	Murder: Priti Rani, a young Hindu girl from Chakal village in Cantonment area was strangled to death, and her dead body was found near a Muslim neighbor's home.	Samokal 2/28/08

	Incident Location	March Human Rights Abuse	Source
1.	Village - Hatimara Upazilla - Kaptai District - Rangamati	Rape/Kidnapping: A young tribal girl was abducted and raped by a group of Muslims.	Janakantho 3/1/08 BHBCOP
2.	Ganjapara Upazilla - Sadar District -Khagrachhari	Land-Grab: Muslim fundamentalists forcibly occupied 20 acres of land.	The Daily Star 3/2/08
3.	Village - Jabra Upazilla - Gheor District - Manikgang	Looting: An armed gang of 5-6 Muslim men looted several Hindu homes, causing widespread fear among the local Hindu community.	Samokal 3/6/08
4.	Village -Chandrakhola Upazilla - Nababgang District – Dhaka	Attack/Looting: A gang of 20-22 Muslims attacked and looted the house of Milon Sarker. 9 Hindus were seriously injured in the incident.	Jugantor 3/6/08 BHBCOP
5.	Village -Shailakhola Upazilla - Goainghat District - Sylhet	Land-Grab: The land of a Hindu family was forcibly occupied.	Prathom Alo 3/6/08 BHBCOP
6.	Village -Chandrakhola Upazilla - Nababgang District - Dhaka	Attack/Looting: A group of men attacked a Hindu jewelry shop, Pankaj Jewelers, in Upazilla Sadar bazaar.	Jugantor 3/7/08
7.	Village -Chandrakhola Upazilla - Nababgang District – Dhaka	Attack: A group of men attacked and damaged a Hindu crematorium.	Jugantor 3/9/08
8.	Upazilla - Bhangra District - Faridpur	Looting: A gang of 10-12 dacoits entered a Hindu home disguised as police officers and looted the home.	Janakantho 3/9/08 BHBCOP
9.	Upazilla - Gouranadi District – Barisal	Looting: A group of men looted a home disguised as members of the Rapid Action Battalion (RAB).	Janakantho 3/9/08
10.	Upazilla - Sadar	Attack: Barun Kanti Biswas, a Hindu fish farmer, suffered taka 10	Sangbad

	District - Gopalgang	lakhs of damage after fish in 3 of his fish farms were poisoned.	3/6/08 BHBCOP
11.	Upazilla - Sadar District - Sylhet	Temple Attack/Looting: Nimbarka Ashram, the biggest akhra of the local Hindu community, was attacked and looted.	Jugantor 3/12/08
12.	Village - Titar Kandi Upazilla - Uttor Matlob District - Chandpur	Murder: A Hindu farmer, Jitu Sutradhor was murdered after being tied up by a group of Muslims.	Jugantor 3/12/08 BHBCOP
13.	Upazilla - Jagannathpur District – Sunamgang	Attack: A group of 5-6 Muslim fundamentalists attacked a Hindu girl, Nishi Das, in the home of Rakhesh Das, seriously injuring her.	Jugantor 3/12/08 BHBCOP
14.	Village - Kokhadi Upazilla - Shibaloy District - Manikgang	Attack: A Hindu man was attacked and tortured.	Jugantor 3/6/08
15.	Uttar Tetabhumi Upazilla - Brahmanpara District – Comilla	Looting: A gang of Muslims looted the home of Khokan Shil.	Samokal 3/15/08
16.	Upazilla - Manirampur District – Jessore	Murder: Sanjoy Kumar Halder, a Hindu lecturer in Sociology of Mashihati College of Manirampur Upazilla, was murdered after a bomb was thrown at him.	Sangbad 3/16/08 BHBCOP
17.	Village - Arial Upazilla - Tongibari District - Munshigang	Attack: Sushil Banerjee, a 60 yr-old Hindu, and former teacher at the local Arial High School, was attacked.	Janakantho 3/18/08 BHBCOP
18.	Village -Shekhornagar Upazilla - Serajdikhan District - Munshigang	Religious Attack: Muslim fundamentalists damaged images of Hindu Deities during a puja (religious ritual), and demanded money.	Janakantho 3/20/08
19.	Uttar Chhayabithi Sadak, Sadar District – Gazipur	Murder: Fundamentalists killed a Hindu man named Sudeep Chakroborty.	Janakantho 3/23/08 BHBCOP
20.	Upazilla - Sadar District - Nilphamari	Land-Grab/Temple Attack: Land housing a 100 yr-old crematorium was illegally occupied a number of Muslims, who built shops on the property. Some of the temples located on the crematorium grounds were destroyed.	Samokal 3/29/08

	<b>Incident Location</b>	<b>April</b> <b>Human Rights Abuse</b>	<b>Source</b>
1.	Village - Sarol Upazilla - Paikgachha District - Munshigang	Murder: Milon Mandol, a Hindu man from Harinagram in Manirampur Upazilla was murdered.	Prathom Alo 4/1/08
2.	Upazilla - Sadar District - Joypurhat	Attack: An armed gang of men attacked and injured Biman Chandra Basak, the Hindu Vice-president of Joypurhat District Lawyers' Association.	Jugantor 4/4/08 BHBCOP
3.	Village - Kakiladaho Upazilla - Mirpur District – Kusthia	Land-Grab: 100 acres of land owned by the deceased Justice Radha Binode Pal were forcibly occupied.	Ittefaq 4/5/08
4.	Upazilla - Atrai District - Naogaon	Land-Grab: 2 Muslim men, including the Chairman of the Monijabi Union, forcibly occupied the land of a temple dedicated to the memory of Rabindranath Tagore.	Janakantho 4/5/08
5.	Joutha Khamar Elaka Upazilla - Sadar District - Bandarban	Land-Grab: A Muslim man forcibly occupied a crematorium used by more than 100 tribal families.	Bhorer Kagoj 4/8/08
6.	Village - Dhankora Upazilla - Saturia District – Manikganj	Kidnapping: Shilpi Rani Sarker, a Hindu student at Government Women's College of Manikganj, was abducted by a Muslim man.	Samokal 4/8/08
7.	Village - Ujirabhita Upazilla - Lohagara District - Chittagong	Rape: A young Hindu girl, and daughter of a deaf man, was raped.	Bhorer Kagoj 04/9/08
8.	Chhota Dhamai Upazilla - Sadar District - Moulvibazar	Looting: A gang of armed men looted the home of Arobinda Sengupta, the Upazilla Social Service Officer.	Sangbad 4/1/08
9.	Village - Gopinathpur Upazilla - Sadar District - Gopalganj	Attack: A gang of Muslims attacked Ashoke Biswas, a Hindu trader, and cut off his hands and feet.	Janakantho 4/1/08
10.	Village - Chhotagachha Upazilla - Tala District - Satkhira	Murder: Mahadev Sarker, a Hindu trader involved in shrimp farming, was killed by a bomb thrown by Muslim fundamentalists.	Janakantho 4/12/08 BHBCOP
11.	Ward no. 2 Bauphal Municipality District - Patuakhali	Temple Attack: A gang of men damaged 15 tombs at the Shibannanda Ashram in Sahapara.	Janakantho 4/1/08
12.	Harikhali Katherpul Area, Sadar District - Bagerhat	Temple Attack: Muslim extremists attacked the Basanti Puja Temple, and damaged an image of the Deity.	Sangbad 4/14/08 BHBCOP
13.	Village - Chakbhabani Upazilla - Patnitola District - Naogaon	Looting: A group of Muslims attacked the Shiv Thakur property in Chakbhabani village, and looted a number of trees from the land. They also looted a number of Hindu homes in the area.	Sangbad 4/16/08 BHBCOP

14.	Village - Rupasdi Banchhampur Brahmanbaria	Attack/Looting/Arson: Muslim fundamentalists attacked and looted 25 Hindu homes, damaging religious images and setting the homes on fire.	Janakantho 4/19/08
15.	Paisarhat Upazilla - Gouranadi District - Barisal	Murder: A Hindu man, Suman Das, was bound up into a sack and thrown into a river, where he later died.	Janakantho 4/19/08
16.	Village - Satkauphala Upazilla - Gouranadi District - Barisal	Temple Attack: Muslim fundamentalists destroyed images of Kali, Sheetola, Radha and Krishna, and Durga in a 200 yr-old temple.	Jugantor 4/19/08 BHBCOP
17.	Village - Bolihar Upazilla - Bagha District - Rajshahi	Looting: A group of men chopped down a number of fruit trees owned by 3 Hindu men.	Prathom Alo 4/20/08 BHBCOP
18.	Village -Shekhornagar Upazilla - Serajdikhan District - Munshigang	Murder/Kidnapping: A group of Muslim men abducted and murdered Joni Baroi, a 25 yr-old Hindu.	Samokal 4/23/08 BHBCOP
19.	Village -Shekhornagar Upazilla - Serajdikhan District - Munshigang	Kidnapping: A gang of 5-6 armed men abducted Shrabonti Modak, a Hindu girl.	Inquilab 4/24/08
20.	Village -Shekhornagar Upazilla - Serajdikhan District - Munshigang	Temple Attack/Arson: Muslim extremists set fire to the Kali Temple in the Muchirhat crematorium and damaged images of Deities in the temple.	Sangbad 4/26/08
21.	Village -Shekhornagar Upazilla - Serajdikhan District - Munshigang	Attack/Temple Destruction: Muslim fundamentalists from the BNP attacked Itakumari village, and destroyed several Hindu homes and temples. 20 people, including women and children, were injured in the incident.	Prathom Alo 4/1/08 BHBCOP
22.	Kacharipara Upazilla - Sadar District - Kishoregang	Temple Attack: Muslim extremists destroyed the famous Shiva Temple of Chandraboti.	Prathom Alo 4/27/08
23.	Village - Ramnagar Upazilla - Shibaloy District - Manikgang	Land-Grab: A number of powerful Muslims illegally occupied the land of a 50 yr-old Kali Temple.	Oikyo Parishad Date Unknown
24.	Village - Kulipasha Upazilla - Manirampur District - Jessore	Attack/Intimidation: A group of men tortured and harassed Santosh Das and members of his family.	Oikyo Parishad Date Unknown
25.	Upazilla - Khoksa District - Kusthia	A slaughterhouse was built at the Khoksa Mahakali Temple-area, which is densely populated by Hindus.	Oikyo Parishad Date Unknown
26.	Sutrapur Dhaka	Land-Grab: A group of Muslims used fake documents to try and seize the property of Sree Sree Madan Mohan Goura Nitai Bigraha.	Oikyo Parishad

			Date Unknown
27.	57, Sher-E-Bangla Road Upazilla - Sonadanga District – Khulna	Land-Grab: Hindu property was illegally leased out to a Muslim under the Enemy Vested Property Act.	Oikyo Parishad Date Unknown
28.	Village - Kulipasha Upazilla - Manirampur District - Jessore	Land-Grab: A group of Muslims are trying to illegally occupy Hindu owned land, and chopped down a number of trees on the property.	Oikyo Parishad Date Unknown

	Incident Location	May Human Rights Abuse	Source
1.	Village - Peerpur Upazilla - Nachol District – Chanpai - Nababgang	Rape: A 7 yr-old tribal girl was raped by a Muslim man, and was later hospitalized.	Bhorer Kagoj 5/3/08
2.	Village - Sardarpara Upazilla - Madhukhali District - Faridpur	Murder/Rape: A newlywed tribal woman was raped and brutally killed by a group of unidentified men. The incident caused widespread fear and insecurity in the local tribal community.	Sangbad 5/6/08 BHBCOP
3.	Dakshin Bhadartti Upazilla - Kaligang District – Gazipur	Murder/Gang-Rape: A number of Muslim men gang-raped a Christian woman and her daughter at gunpoint in their home. The daughter was later strangled to death.	Pratham Alo 5/10/08
4.	Village - Kayetpara Upazilla - Roopgang District -Narayangang	Land-Grab: 10-12 armed men attacked the home of Laxman Sarker and looted several valuables, destroyed property, committed arson and harassed the women living there. Several people were seriously injured in the incident.	Janakantho 5/10/08 BHBCOP
5.	Upazilla - Gouripur District - Mymensing	Temple Attack/Looting: A group of Muslims broke the locks of the Gobinda Jeu Temple and the Laxmi Narayan Temple of Madhya Bazar, and stole six images of Radha and Krishna made of silver and brass, as well as other valuables from the temples.	Jugantor 5/10/08 BHBCOP
6.	Village - Panchgharia Upazilla - Sadar District - Munshigang	Attack/Land-Grab: A gang of Muslim men attacked the house of Dharmaboti Bhakto, a 65 yr-old Hindu man, and looted several valuables, destroyed property, and molested some of the women living there. Dharmaboti Bhakto and Beauty Bhakto, his daughter-in-law, were severely injured and hospitalized in critical condition. The attack was an attempt to evict them from their land.	Sangbad 5/31/08 BHBCOP
7.	Upazilla - Shibchar District - Madaripur	Rape: A young 20 yr-old mother was raped.	Sangbad 5/31/08 BHBCOP

8.	Village - Dakshin Debatra Upazilla - Mathbaria District – Pirojpur	Temple Attack/Arson: A gang of 5-7 unidentified men destroyed the 100 yr-old Harisabha temple by setting fire to it.	Jugantor 5/29/08
9.	Upazilla - Islampur District - Jamalpur	Intimidation: A local Muslim political leader threatened to murder Bhabatosh Chakraborty Manik, the Hindu President of Jamalpur Reporters' Unity and local correspondent for Daily Ajker Jamalpur, for publishing reports about his corruption.	Samokal 5/28/08
10.	Village -Ghoradia Upazilla - Sadar District - Narsingdi	Murder: A Hindu man was murdered, and his dead body found in the Hareedoa river.	Samokal 5/28/08 BHBCOP
11.	Village - Manipur Upazilla - Sadar District – Gazipur	Attack/Looting: A gang of 15-20 dacoits entered into the house of Subhash Chandra Burman, stole several valuables, and injured 3 people.	Bhorer Kagoj 5/28/08
12.	Village - Betkandi Upazilla - Shahjadpur District - Serajgang	Intimidation/Looting: Hindus suffered a series of incidents, including theft, hijacking, extortion and intimidation perpetrated by a gang of Muslims.	Sangbad 5/27/08 BHBCOP
13.	Village -Momishepara Upazilla - Amtoli District - Barguna	Attack/Looting/Land-Grab: A group of Muslims attempted to illegally occupy the land of Machan Chini, and looted their house and seriously injured 4 peopl. The same group previously forcibly occupied neighboring land.	Sangbad 5/22/08
14.	Village - Sardarpara Upazilla - Madhukhali District - Faridpur	Murder/Land-Grab: Sumita Bala Dhar, a 70 yr-old Hindu woman, was slaughtered by a gang of Muslims, who were attempting to illegally occupy her house and land.	Janakantho 5/19/08 BHBCOP
15.	Village - Sardarpara Upazilla - Madhukhali District - Faridpur	Murder/Attack: A Hindu man and his wife, Moti Rani, were attacked by a group of unidentified men. Moti Rani was killed , while her husband Subhash managed to escape, but suffered serious injuries.	Sangbad 5/21/08 BHBCOP
16.	Village - Sardarpara Upazilla - Madhukhali District - Faridpur	Kidnapping: A newlywed Hindu woman was kidnapped at gunpoint by 3 Muslim men. The woman was later rescued by the police.	Janakantho 5/20/08
17.	Village - Madanpur Upazilla - Beergang District -Dinajpur	Attack/Land-Grab: A gang of 20 Muslims led by a local B.N.P. leader damaged the house and place of worship of a Hindu family, while attempting to illegally occupy their house.	Janakantho 5/18/08 BHBCOP
18.	Village -Mandardanga Upazilla - Keshobpur District – Jessore	Murder/Attack: A 20 yr-old Hindu female servant was tortured and murdered by the Muslim owners of the house she worked in.	Samokal 5/19/08 BHBCOP
19.	Village - Thikrabad Upazilla - Batiaghata District – Khulna	Attack/Looting: A gang of 20-25 armed men attacked the house of Tulsi Mistri and Swapan Mistri, and took them hostage while they stole 15,000 taka in cash and four bhoris of gold ornaments. Several people were injured in the attack.	Prathom Alo 5/17/08
20.	Village - Birampur Upazilla - Mohangang District - Netrakona	Attack: Manmohan Talukdar was attacked by a group of Muslims with axes, and is now hospitalized.	Samokal 5/17/08

21.	Village - Dakhin Shahabajpur Upazilla - Barolekha District - Moulvibazar	Land-Grab: 10 tribal families lost their land after being deceived by the authorities of the Rahamania Tea Garden.	Prathom Alo 5/18/08 BHBCOP
22.	Bania Gundail Upazilla - Sherpur District - Bogra	Kidnapping: Gupo Rani, a Hindu woman, and her son Pabitra Kumar, were were kidnapped by a gang of Muslims. Although Pabitra was rescued after three days, Gupo Rani still remains missing.	Prathom Alo 5/1/08 BHBCOP
23.	Rangamati	Kidnapping: Santu Tripura, a 13 yr-old tribal boy was kidnapped on his way home.	Prathom Alo 5/1/08 BHBCOP
24.	Village -Kabirpur Upazilla - Shoilakupa District -Jhenaidaha	Attack/Looting: A gang of men attacked the house of Jagannath Das Saha, a retired Hindu schoolteacher, and looted several valuables, including cash and ornaments worth more than 1 lakh taka.	Bhorer Kagoj 5/5/08
25.	Upazilla - Kulaura District -Moulvibazar	Murder: Petition Sangma (55), a security guard of Merina Tea Garden, was murdered by a group of unidentified men. This cause widespread fear amongst the local minority community.	Jugantor 5/9/08 BHBCOP
26.	Sadar Road Upazilla - Sadar District –Barisal	Attack/Looting: A gang of dacoits attacked the house of Geeta Roy Chowdhury, and stole valuables including 40,000 taka in cash and 15 bhoris of gold ornaments.	Janakantho 5/9/08
27.	Village -Sardarpara Upazilla -Madhukhali District -Faridpur	Attack: A group of Muslims poured poison into two ponds owned Purna Chandra, thereby killing fish worth taka 22 lakhs.	Prathom Alo 5/4/08 BHBCOP
28.	Village - Goal Bathan Upazilla - Kaliakoir District –Gazipur	Attack/Looting: A gang of armed robbers broke looted a Christian family's home at gun-point and stole taka 4 lakhs worth of items.	Sangbad 5/9/08
29.	Village -Bhabanipur Upazilla - Hathajari District -Chattogram	Attack/Looting: A gang of 40-45 armed men attacked the house of Sunil Chowdhury, a Hindu businessman. The dacoits looted goods worth 30 lakhs taka, including 4 lakhs of cash and 80 bhoris of gold ornaments. Two people were stabbed during the incident.	Jugantor 5/6/08 BHBCOP
30.	Village -Ujirpur Upazilla - Ujirpur District –Barisal	Land-Grab/Intimidation: A group of Muslim extremists threatened to kill and illegally occupy the property of Sree Debotosh Chanda.	Oikyo Parishad Date Unknown
31.	Banchhampur Upazilla - Sadar District -Laxmipur	Land-Grab/Intimidation: A Muslim man, in violation of a High Court injunction, is building a structure on land owned by Sree Balai Chandra Das, while threatening and harassing his family.	Oikyo Parishad Date Unknown
32.	Village -Batajore Upazilla - Gouranadi	Attack/Land-Grab/Intimidation: Golam Hossain Sikder, President of the Batajore Union Jubodal, evicted Manik Malakar from his land	Oikyo Parishad



	District – Barisal	through threats, harassment and violence.	Date Unknown
33.	Upazilla - Kulaura District - Moulvibazar	Land-Grab: The land of Sreepur Gourango Mahaprabhu was forcibly occupied.	Oikyo Parishad Date Unknown

	Incident Location	June Human Rights Abuse	Source
1.	Upazilla -Panchhari District -Khagrachhari	Temple Attack/Looting: A group of Muslims attacked the Debaloy Temple and destroyed seven images. Taka 30,000 in cash and two bhoris of gold ornaments were also stolen from the Temple.	Bhorer Kagoj 6/7/08
2.	Village - Singlab Upazilla - Sonargaon District -Narayangan	Land-Grab/Attack/Looting/Extortion: A group of 15-20 men attacked the homes of Niranjan Biswas and his nephew, Sudeb Chandra Biswas, as they refused to pay Taka 10 lakhs in extortion. Several valuables were stolen from their homes, including 4 bhoris of gold ornaments and 7,000 taka in cash. The attackers were attempting to illegally occupy their land.	Bhorer Kagoj 6/7/08
3.	Village - Guabaria Upazilla - Hizla District – Barisal	Attack/Land-Grab: A gang of unidentified men attacked Kalachan Saha and threw acid on his face and other parts of his body. He was admitted into Dhaka Medical College Hospital in critical injured condition. The attackers were attempting to intimidate him, so they could illegally occupy his land.	BhorerKagoj 6/9/08 BHBCOP
4.	Upazilla - Banskhali District - Chittagong	Temple Attack/Looting: A group of men attacked and looted 9 temples at Kalipur, Boilchhari, Banigram and Kalibari during a period of 20 days. The attackers stole more than taka 10 lakhs worth of valuables, including 8 bhoris of gold ornaments.	Bhorer Kagoj 6/8/08 BHBCOP
5.	District - Naogaon	Land-Grab: A gang of Muslims forged documents and illegally occupied the properties of several tribals including Atul Sarder Kuju, Sreemati Buddhimaoni Urao, Sreekush Urao, Ratan Pahan, and Radha Pahan. In spite of having favorable court verdicts, the dispossessed tribals were not able to regain possession of their land.	Sangbad 6/6/08 BHBCOP
6.	Madhyam Kakaldi Upazilla - Sirajdikhan District - Munshigan	Kidnapping: Oishi Rani Mandal, a young Hindu girl and student at Malkhanpur High School, was kidnapped by 2 Muslim men on her way to school. The incident created widespread fear in the local Hindu community.	Jugantor 6/7/08
7.	Village - Birampur Upazilla - Mohangan District - Netrakona	Murder: A group of unidentified men stabbed Manmohan Talukder (55), in his home. He died 1 month later in the hospital from his stab wounds.	Sangbad 6/10/08 BHBCOP

8.	Upazilla - Nababgang District - Dinajpur	Murder/Kidnapping/Land-Grab: A group of powerful Muslims, with direct help from the local administration, kidnapped two tribals— Sarker Tudu and Shome Hasda, and murdered them. The attackers illegally occupied 70 bighas of land from Tudu and Hasda.	Inquilab 6/17/08 BHBCOP
9.	Majhipara Upazilla - Singair District - Manikgang	Rape: A Muslim dentist raped a young Hindu girl in his office. The girl was hospitalized following the incident.	Bhorer Kagoj 6/16/08
10.	Village - Gabtoli Upazilla - Taltoli District - Barguna	Land-Grab/Intimidation: A group of Muslims occupied 21 acres of land from Chittaranjan and Sukharanjan, and threatened to kill them if they didn't leave the country.	Janakantho 6/17/08
11.	Upazilla - Golachipa District - Patuakhali	Intimidation: Unidentified men have been threatening to kill Shankar Lal Das, a Hindu correspondent for the Daily Janakantho and President of the Press Club in Golachipa.	Sangbad 6/28/08 BHBCOP
12.	Village - Naorshera Upazilla - Bagatipara District – Natore	Land-Grab: 2 Muslims forcibly evicted Uday Mandol, a 102 yr-old tribal, from his home. Uday is now homeless and living on the street as a beggar.	Sangbad 6/31/08 BHBCOP
13.	Village - Moshipara Upazilla - Dhamrai District – Dhaka	Attack/Looting/Arson: A gang of 20-25 Muslims attacked the house of Haripada Halder, beat up several people, damaged property, set fire to the house and looted ornaments and money. 7 people, including Haripada Halder (70) and his blind wife, Rani Halder (62) were seriously injured.	Samakal 6/23/08 BHBCOP
14.	Village - Berbari Upazilla - Sakhipur District – Tangail	Attack: A group of Muslim men attacked the house of Mandrila Malo, a tribal man. 9 people were injured and hospitalized.	Samokal 6/22/08 BHBCOP
15.	Upazilla - Sadar District - Brahmanbaria	Temple Attack/Looting: A group of men attacked and looted the Joykali Mata Temple. The incident caused widespread anger and fear amongst the local Hindu community.	Prathom Alo 6/21/08
16.	Village - Durgapur Upazilla - Doarabazar District - Sunamgang	Murder/Attack/Looting: A group of men entered the house of Shishir Roy and killed his wife, Anima Roy, by strangling her to death. Another person, Dipti Roy, was injured in the incident. The attackers also stole several valuables from the house.	Inquilab 6/21/08 BHBCOP
17.	Modhyo Akalia Upazilla - Titas District –Comilla	Murder: Unidentified men killed Katic Das, a Hindu village policeman.	Samakal 6/21/08
18.	Upazilla - Putia District - Rajshahi	Rape: A Muslim school teacher, raped a tribal girl after confining her in a room. She was later admitted to the hospital.	Samokal 6/24/08 BHBCOP
19.	Village - Kamargram	Land-Grab/Attack: A group of Muslims led by the local President of	Janakantho

	Upazilla - Mollarhat District - Bagerhat	Community Policing and with the assistance of the local administration, forcefully occupied 31 decimals of land owned by Bimal Bala. While trying to resist, Bimal Bala, his elderly mother, wife, and daughter were injured in the incident.	6/21/08 BHBCOP
20.	Hugolbaria Upazilla - Sadar District – Natore	Rape/Attack: A 5 yr-old Hindu girl was raped by a Muslim man. The girl's neighbor, Dr. Satyendra Nath Sarker, was assaulted and injured by the rapist after protesting the incident.	Bhorer Kagoj 6/19/08 BHBCOP
21.	Village - Golabaria Upazilla - Sadar District - Gopalganj	Rape/Kidnapping: A young girl was abducted and raped by a Muslims man.	BhorerKagoj 6/9/08 BHBCOP
22.	Bhanugachh Bazar Upazilla - Kamalgang District - Moulvibazar	Attack/Looting: A gang of 7-8 men attacked and robbed Gnayendra Sharma, Manager of Shamun Traders. His unconscious body was taken to the hospital.	Sangbad 6/8/08
23.	Village - Gadakhola Upazilla - Baliakandi District – Rajbari	Attack/Looting: A gang of 10-12 men entered the house of Mantu Goswami and Uttom Goswami, and kept them hostage while they stole goods worth more than 2 lakhs taka, including 20,000 taka in cash and 4 bhoris of gold ornaments.	Prathom Alo 6/9/08
24.	Village - Jatrabari Upazilla - Sadarpur District - Faridpur	Attack/Looting: A gang of 20-25 armed men entered into the house of Khokan Pal, a Hindu gold trader, and stole goods worth more than 20 lakhs taka, including three lakhs taka in cash and 40 bhoris of gold ornaments. Khokan Pal's two sons were injured while trying to resist.	Janakanthoj 6/10/08 BHBCOP
25.	Dakshin Khanpur Upazilla - Sadar District - Bagerhat	Attack/Looting: A gang of armed men entered the house of Sanjoy Pal, and robbed the house at gunpoint. More than 2 lakhs taka were stolen, including 14,000 taka in cash, and gold ornaments. Two people were injured in the incident.	Bhorer Kagoj 6/10/08 BHBCOP
26.	Chandpur Thakurbari Upazilla - Mithapukur District - Rangpur	Attack: A group of officials from the Narcotics Control Department attacked a tribal village, and beat up several people, including women and children. 4 tribals were seriously injured in the attack.	Sangbad 6/12/08 BHBCOP
27.	Village - Machhladpur Upazilla - Madhukhali District - Faridpur	Kidnapping: A gang of Muslims abducted Beauty Biswas.	Sangbad 6/13/08 BHBCOP

	<b>Incident Location</b>	<b>July – August</b>	<b>Source</b>
		<b>Human Rights Abuse</b>	
1.	Upazilla - Sadar	Murder: Unidentified men brutally murdered Lenard Lakra. His	<i>Bhorer</i>

	District - Tankurgaon	maimed body was recovered from a pond.	<i>Kagoj</i> 8/4/08 <i>BHBCOP</i>
2.	Uttar Tarabunia Upazilla - Rajapur District - Jhalokathi	Temple Attack: Unidentified men entered stole valuables worth 20,000 taka from a 120 yr-old Durga-temple.	<i>Inquilab</i> 8/4/08 <i>BHBCOP</i>
3.	District - Faridpur	Temple Encroachment: The authorities of the Government Regional Co-operative Institute are trying to construct a boundary wall encircling the Choudhurybari Durga-temple. The local Hindu community fears that the wall will hinder their worship and religious activities. The Temple Committee is attempting to halt the construction of the wall in the courts.	<i>Janokantha</i> 8/4/08 <i>BHBCOP</i>
4.	Village - Komarpur Upazilla - Badalgachhi District - Naogaon	Land-Grab/Intimidation: A group of 12-13 Muslim men are trying to illegally occupy 87 decimals of land owned by Ananda Kumar Sil. Since Ananda is a member of the local Hindu community, they are also trying to intimidate and harass him.	<i>Bhorer</i> <i>Kagoj</i> 8/2/08
5.	Village - Laharpur Upazilla - Sreemangal District -Moulavibazar	Land Encroachment: A group of men are trying to forcefully construct a road across the land of the Debostholi Raghunathji akhra. They've already broken a part of the boundary wall, causing widespread resentment amongst the local Hindu community.	<i>Prathom</i> <i>Alo</i> 8/2/08 <i>BHBCOP</i>
6.	Village - Guabaria Upazilla - Phulbari District - Patuakhali	Land-Grab: An influential family is trying to forcibly evict Paresh Chandra Mistri and his family from their land.	<i>Bhorer</i> <i>Kagoj</i> 7/1/08 <i>BHBCOP</i>
7.	Kutichandrakhana Upazilla - Phulbari District - Kurigram	Rape: A Muslim man harassed and attempted to rape Kakoli Rani, a Hindu girl.	<i>Sangbad</i> 8/5/08 <i>BHBCOP</i>
8.	Bhadrokhali Upazilla - Akkelpur District - Joipurhat	Looting/Attack: A gang of dacoits stole more than sixty thousand taka worth of goods and 14 grams of gold ornaments from several Hindu homes, including Bhupendranath Mandol, Girendranath Mandol, Pradip Mandol, Nireen Mandol and Ujjal Mandol. Girendranath Mandol and his wife, Shukrana Mandol were severely injured in the incident.	<i>Janokantha</i> 8/5/08 <i>BHBCOP</i>
9.	Village - Latabunia Upazilla - Dumuria District – Khulna	Murder: Unidentified men killed Sushanto Kumar Roy, a Hindu employee of a shrimp farm, by strangling him to death.	<i>Janokantha</i> 8/5/08
10.	Upazilla - Roopganj District -Narayanganj	Attack: Swadesh Roy and his family were attacked and their home looted by a group of Muslims, who were trying to force them to leave the country. Several people were seriously injured in the attack, including an elderly woman.	<i>Janokantha</i> 8/7/08 <i>BHBCOP</i>
11.	Village - Chougram Upazilla - Singra District – Natore	Attack/Extortion: Rafikur Islam, leader of Rafik Bahini, along with a group of Muslims are demanding 1 lakh taka from Ujjal Debnath, a Hindu trader. They have already attacked him and continue to	<i>Janokantha</i> 8/8/08 <i>BHBCOP</i>

		threaten him.	
12.	Upazilla - Sadar District - Comilla	Temple Attack: A group of men broke into the Alishwar Buddhitola Bouddhabihar, and stole two images of Buddha, money, and other valuables.	<i>Sangbad</i> 8/9/08
13.	Upazilla - Balaganj District - Sylhet	Land-Grab: A group of land-grabbers is trying to illegally occupy 23 acres of land owned by 48 families through intimidation and forged documents.	<i>Jugantor</i> 8/9/08 <i>BHBCOP</i>
14.	Village - Sonapur Upazilla - Sadar District - Feni	Attack/Extortion: A gang of 8-9 Muslims destroyed the homes of two minorities, after they failed to pay 1 lakh taka in extortion money.	<i>Jugantor</i> 8/11/08 <i>BHBCOP</i>
15.	Upazilla - Sadar District - Jessore	Murder: Akhil Banik, a Hindu trader, was brutally murdered by a group of unidentified men. The police later recovered Akhil's mutilated body.	<i>Bhorer</i> <i>Kagoj</i> 8/31/08 <i>BHBCOP</i>
16.	Village - Jotgopal Upazilla - Godagari District - Rajshahi	Land-Grab: A group of influential Muslims are trying to forcibly evict (through forged papers) 37 tribal families from land their ancestors have been living on for 150 years.	<i>Bhorer</i> <i>Kagoj</i> 8/31/08 <i>BHBCOP</i>
17.	Upazilla - Kaliganj District - Jheneidaha	Attack/Looting: A gang of 12-14 armed robbers attacked the house of Manoj Sarker Man, a journalist, and held the residents hostage, while they stole 4 lakh taka worth of valuables, including cash and gold ornaments.	<i>Sangbad</i> 7/30/08
18.	Village - Dadrajonti Upazilla - Sadar District - Joypurhat	Attack/Looting: A gang of 10-12 men attacked Pratul Mandol, a retired teacher, in his home and stole several valuables, including 60,000 taka in cash and 6 grams of gold ornaments. Subsequently, they attacked Swajon Mandol, Ujjwal Mandol and Utpal Mandol, who lived nearby and stole several valuables.	<i>Bhorer</i> <i>Kagoj</i> 8/29/08 <i>BHBCOP</i>
19.	Upazilla - Mithapukur District - Rangpur	Rape: 2 Muslims raped Adori Rani, a young Hindu student at Ranipukur High School. After the incident she went home and committed suicide by strangling herself with her own scarf.	<i>Prathom</i> <i>Alo</i> 7/24/08
20.	Nannar Bazar Upazilla - Dhamrai District - Dhaka	Temple Encroachment: Members of the BNP illegally occupied land (worth 20 crores taka) owned by the Kalibari Temple. As a result, religious activities at the temple have been obstructed.	<i>Samokal</i> 8/27/08 <i>BHBCOP</i>
21.	Upazilla - Agoiljhara District - Barisal	Temple Attack: Two Muslim men entered into the local Kali Temple in Baroipara and destroyed images of Kali and Shitola.	<i>Samokal</i> 8/27/08 <i>BHBCOP</i>
22.	Village - Kagmara Upazilla - Sadar District - Tangail	Attack: A group of Muslims destroyed a tin shed connected to the house of Suman Kumar Roy, and beat up his mother, Sunita Roy, when she tried to resist.	<i>Jugantor</i> 8/27/08
23.	Village -Mirwarishpur Upazilla -Begumgang District - Noakhali	Land-Grab: A group of Muslims illegally occupied land owned by Jyoti Bhat, and built a structure on the property.	<i>Sangbad</i> 7/25/08

24.	Agoiljhara Barisal	Temple Attack/Looting: A group of unidentified men broke into a 100 yr-old Kali temple, stole an image of Radha-Krishna made of brass and decorated with gold ornaments, and damaged the images of Kali and Manosa. The incident created widespread resentment in the local Hindu community.	<i>Janokantha</i> 8/25/08 <i>BHBCOP</i>
25.	Village - Kukrarai Upazilla - Bazitpur District - Kishoreganj	Murder/Attack: Rakesh Das, a fisherman, and three of his companions were brutally attacked while going out to fish. Rakesh died in the hospital from his injuries.	<i>Jugantor</i> 8/25/08
26.	Sher-e- Bangla Road Sadar, Khulna	Murder: Unknown men stabbed and killed Gobinda Saha, a Hindu businessman.	<i>Jugantor</i> 8/23/08 <i>BHBCOP</i>
27.	Upazilla - Panchbibi District - Joypurhat	Murder: Unknown men brutally murdered Sujan Hasda, a 12 yr-old tribal boy.	<i>Bhorer</i> <i>Kagoj</i> 8/23/08
28.	Baghaihati Upazilla -Baghaichhari District - Rangamati	Murder/Attack: A group of Muslim men dragged Ladumoni Chakma out of his house and killed him. Ladumoni's wife was also injured in the attack.	<i>Prathom</i> <i>Alo</i> 8/21/08 <i>BHBCOP</i>
29.	Village - Nekri Upazilla -Shyamnagar District - Satkhira	Attack: A group of men are attacking and intimidating 100 Hindu families in the area.	<i>Sangbad</i> 7/18/08
30.	District - Barisal	Looting: Unknown men forced their way into Ripon Biswas' house, kept his brother and sister hostage at gunpoint, while they stole 4 lakhs taka.	<i>Sangbad</i> 8/21/08 <i>BHBCOP</i>
31.	Village - Deogaon Upazilla - Savar District - Dhaka	Land-Grab/Intimidation: A group of men are threatening Joseph Rozario, a Christian, and his family, while trying to forcibly occupy his land.	<i>Bhorer</i> <i>Kagoj</i> 8/19/08 <i>BHBCOP</i>
32.	Village - Kaizerkundu Upazilla - Sitakundu District - Dhaka	Attack/Intimidation: A group of Muslims attacked Haripada Malo and his son, Bhanjan Malo. The attackers threatened and intimidated the family, causing them to leave their home.	<i>Bhorer</i> <i>Kagoj</i> 8/15/08 <i>BHBCOP</i>
33.	Nitaiganj Upazilla - Sadar District -Narayanganj	Attack/Looting: Unidentified men broke into the house of Narayan Chandra Pal, a Hindu banker, stabbed Narayan and stole 70,000 taka and 50 grams of gold ornaments.	<i>Sangbad</i> 8/15/08 <i>BHBCOP</i>
34.	Barobkundu Kathgarh Upazilla - Sitakundu District – Chittagong	Land-Grab/Intimidation: A Muslim man illegally occupied the land of Nepal Das and Fenju Das, and continues to threaten them.	<i>Bhorer</i> <i>Kagoj</i> 8/13/08 <i>BHBCOP</i>
35.	Village - Lakurtola Upazilla - Sadar District - Barguna	Temple Attack/Arson: Unidentified men set fire to the local Kali Temple, burning the temple along with several images of Deities.	<i>Bhorer</i> <i>Kagoj</i> 8/13/08
36.	Village - Dumnighat	Attack: 10-15 Muslims attacked local tribals, seriously injuring 4	<i>Sangbad</i>

	Upazilla - Bhaluka District - Mymensing	people.	8/12/08
37.	Village - Bhannara Upazilla - Kaliakoir District - Gazipur	Attack/Looting: A gang of unidentified men attacked the home of Rajani Kanta Burman, a former member of the Bangladesh football (soccer) team, and stole goods worth 3 lakhs taka, including cash and gold ornaments. 4 people were injured in the incident.	<i>Prathom Alo</i> 8/12/08 <i>BHBCOP</i>
38.	Upazilla - Aditmari District - Lalmonirhat	Intimidation: Mohammad Ali, Chairman of the Bhelabari Union Council in Aditmari Upazilla, has been harassing and intimidating Subal Chandra Burman and Dhanabar Burman.	<i>BHBCOP</i> <i>Date</i> <i>Unknown</i>
39.	Village - Lakurtola Upazilla - Sadar District - Barguna	Land-Grab: More than 100 decimals of land (out of a total of 123 decimals) of the Sree Sree Radha Gobinda Math and Ramakrishna Ashram Temple have been forcibly occupied.	<i>BHBCOP</i> <i>Date</i> <i>Unknown</i>
40.	Upazilla - Baralekha District - Moulavi bazaar	Land-Grab: The land of the Tuka Sree Sree Mahaprabhur Ashram has been illegally occupied by a local Muslim official.	<i>BHBCOP</i> <i>Date</i> <i>Unknown</i>
41.	Upazilla - Kutubdia District - Cox's Bazar	Land-Grab: A group of Muslim men are illegally occupying land owned by Gangaram Das, Tapan Kumar Das and Mangal Chandra Das.	<i>BHBCOP</i> <i>Date</i> <i>Unknown</i>
42.	Upazilla - Kutubdia District - Cox's Bazar	Land-Grab/Intimidation: A group of Muslims illegally occupied land owned by Bishwanath Chandra Das and Ranajit Jaladas, and are now threatening to kill them.	<i>BHBCOP</i> <i>Date</i> <i>Unknown</i>
43.	Village - Batajore Upazilla - Gouranadi District - Barisal	Attack/Intimidation: A number of influential local Muslims are are harassing and threatening Manik Malakar, and trying to force him to leave the country.	<i>BHBCOP</i> <i>Date</i> <i>Unknown</i>
44.	Village - Dashuria Upazilla - Ishwardi District - Pabna	Kidnapping: A Muslim boy abducted Soma Rani Sarker from the same college.	<i>BHBCOP</i> <i>Date</i> <i>Unknown</i>
45.	Village - Chaocha Upazilla - Muksudpur District - Barguna	Land-Grab/Intimidation: A group of men have illegally occupied land owned by Balai Chandra Mandal, through fraudulent litigation, and are now threatening to kill him.	<i>BHBCOP</i> <i>Date</i> <i>Unknown</i>
46.	Dakshin Pahartoli Upazilla - Hathajari District - Chittagong	Land-Grab/Intimidation: A group of Muslims are threatening and harassing Pradip Kumar Mohar and his family in an attempt to forcibly occupy their land.	<i>BHBCOP</i> <i>Date</i> <i>Unknown</i>
47.	Village - Mohendradi Upazilla - Rajoir District - Madaripur	Land-Grab/Intimidation: Several Muslim men are harassing and threatening Uttam Kumar Banerjee, in an attempt to illegally occupy his land.	<i>BHBCOP</i> <i>Date</i> <i>Unknown</i>
48.	Upazilla - Fakirhat, Mollarhat District - Bagerhat	Land-Grab: A number of Muslim men are forcibly occupying land owned by several Hindus, and converting the land into fish farms.	<i>BHBCOP</i> <i>Date</i> <i>Unknown</i>
49.	Village - Karachpur Upazilla - Mohangang District - Netrakona	Land-Grab: A Muslim man is trying to illegally occupy the property of Subal Bishwabarma by forging false property deeds, and has already removed trees worth more than 1 lakh taka.	<i>BHBCOP</i> <i>Date</i> <i>Unknown</i>

50	Village - Charhogla Upazilla - Faridgang District - Chandpur	Land-Grab/Intimidation: A group of Muslims are trying to force Amar Krishna Roy and his family to leave Bangladesh, and are trying to forcibly occupy his land.	<i>BHBCOP</i> <i>Date</i> <i>Unknown</i>
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	Incident Location	September Human Rights Abuse	Source
1.	Upazilla - Mithapukur District - Rangpur	Rape: 2 Muslim boys raped Adori Rani, a young Hindu girl. at Ranipukur High School with the assistance of two school nurses. Adori Rani later committed suicide.	<i>Samokal</i> 9/2/08 <i>BHBCOP</i>
2.	Village - Narandia Upazilla - Kalihati District – Tangail	Murder/Looting: A gang of unidentified men entered the house of Shyamal Kumar Modak, a Hindu trader, and strangled his 70-year old mother, Jyotsna Rani Modak, to death while she was sleeping. They then stole gold ornaments worth 30, 000 taka.	<i>Janokantho</i> 9/2/08 <i>BHBCOP</i>
3.	Upazilla - Sreemangal District -Moulavibazar	Property Damage: A group of Muslims caused 3.5 lakh taka worth of damage to fish ponds owend by Biswajit Choudhury, a local Hindu correspondent of <i>Prathom Alo</i> (a news publication)	<i>Prathom</i> <i>Alo</i> 9/2/08 <i>BHBCOP</i>
4.	Upazilla - Sadar District – Jessore	Murder: Unidentified attackers murdered Akhil Banik, a prominent Hindu trader, by stabbing him to death.	<i>Sangbad</i> 9/3/08 <i>BHBCOP</i>
5.	Village - Temer Upazilla - Agoiljhara District - Barisal	Temple Attack/Looting: Some unidentified men damaged three images of Deities at the <i>Sarbojaneen Sitola</i> and <i>Kali</i> temple located next to the house of Gopal Baroi. A few days earlier, in a separate incident, a group of men entered the temple in the home of another Hindu man, Mr. Das, destroyed stone images of Goddess Kali, and stole several items from the temple, including gold ornaments.	<i>Sangbad</i> 9/2/08 <i>BHBCOP</i>
6.	Village - Bargaowala Upazilla - Mollarhat District - Bagerhat	Land-Grab/Attack: A group of Muslim fundamentalists illegally occupied land owned by Sharat Chandra Biswas 10 days after his death, and evicted his family from the property. The fundamentalists tried to kill the family when they attempted to recover their property.	<i>Bhorer</i> <i>Kagoj</i> 7/1/08 <i>BHBCOP</i>
7.	Village - Paschim Bagdha Upazilla - Agoiljhara District - Barisal	Land-Grab: Despite a court order, a group of Muslims are trying to illegally occupy land owned by Mr. Manik Lal Samadder, Special Assistant of the Chief Advisor of Bangladesh Government.	<i>Prathom</i> <i>Alo</i> 9/3/08 <i>BHBCOP</i>
8.	Village - Sahebabad Upazilla - Kaliakoir District - Gazipur	Attack/Looting: A gang of 15-20 men attacked the home of Paritosh Chandra Sarker, damaged images of Deities, and stole more than 10,000 taka worth of goods. After leaving Paritosh’s house, the men then attacked the homes of Taruni Chandra Sarker and Maran Chandra Sarker.	<i>Jugantor</i> 9/3/08 <i>BHBCOP</i>
9.	Village - Dadrajonti	Murder/Attack/Looting: A group of 20-25 men broke into the home	<i>Sangbad</i>



	Upazilla - Sadar District - Joipurhat	of Putul Mandal and started attacking his son, Palash. When he tried to intervene and protect his son, the attackers killed him, and stole more than one lakh taka worth of valuables, including cash and gold ornaments. Palash was admitted into the hospital in critically injured condition.	9/4/08 <i>BHBCOP</i>
10.	Raibahadurpara District - Noakhali	Temple Attack: A group of unidentified men attacked a 100 yr-old Kali Temple and destroyed images of Kali and other Deities. Five people were injured in the attack when they tried to resist. The same men also attacked the temple a few days earlier while a religious program was taking place.	<i>Jugantor</i> 9/5/08 <i>BHBCOP</i>
11.	Upazilla - Sonargaon District -Narayangang	Temple Attack/Looting: A group of Muslim extremists attacked a number of devotees at the Sree Sree Lokenath Brahmacharee Ashram. Fifteen people were injured in the attack, including Popi Rani Saha, Rony Saha, and Mridul Saha. The attackers also stole three gold chains, 10,000 taka in cash and 4 mobile phone sets. These types of attacks have been common at the ashram, which attracts devotees from all over the country.	<i>Janokantha</i> 9/5/08 <i>BHBCOP</i>
12.	Village - Tikary Upazilla - Sadar District - Jheneidah	Sexual Assault: Krishna Rani, a young Hindu girl, was sexually molested by a group of fundamentalists. The girl later committed suicide. The incident has caused widespread anger in the local Hindu community.	<i>Inquilab</i> 9/6/08 <i>BHBCOP</i>
13.	Upazilla - Sadar District - Pabna	Murder: A group of unidentified extremists brutally murdered Bimal Kumar Sarker, a Hindu teacher of Kuchiamora Government Primary School. Police later recovered his dead body from a pond. The murder has caused fear amongst minorities in the area.	<i>Bhorer</i> <i>Kagoj</i> 8/9/08 <i>BHBCOP</i>
14.	Village - Lokhapur Upazilla - Fakirhat District - Bagerhat	Temple Attack: Muslim extremists attacked the Lakahapur Durga Temple and threw away six images of Deities, including that of Goddess Durga. Several devotees were physically assaulted, and some women were molested.	<i>Samokal</i> 9/8/08 <i>BHBCOP</i>
15.	Village - Chhllachhara Upazilla - Kulaura District -Moulavibazar	Property Damage: A group of men cut the roots of 3000 betel leaf plants on land owned by 250 tribal families, affecting their sole source of income.	<i>Prathom</i> <i>Alo</i> 9/12/08 <i>BHBCOP</i>
16.	Village - Khalishkhali Upazilla -Patkelghata District - Satkhira	Attack/Looting: A gang of 20-30 armed men entered into the homes of Ranajit Aich, Amores Aich and Gopal Aich, physically assaulted the residents, and stole (at gunpoint) 50,000 taka in cash, 13 grams of gold ornaments, and other valuables. They also damaged the homes before leaving. A few days earlier, a similar incident took place at the home of Bejoy Aich in the same area. The victims were specifically targeted because they were Hindus.	<i>Bhorer</i> <i>Kagoj</i> 9/12/08 <i>BHBCOP</i>
17.	Upazilla - Barolekha District -Moulavibazar	Sexual Assault/Attack: A Muslim boy tried to rape a 15 yr old tribal girl in her home, while her family was away. The girl resisted and hit her attacker on the head, leading the Muslim boy's father and relatives to attack the girl's home.	<i>Bhorer</i> <i>Kagoj</i> 9/14/08

18.	Village - Madla Upazilla - Sajahanpur District - Bogra	Land-Grab/Attack/Intimidation: A Muslim fundamentalist (and leader of Jamat) has forcibly occupied 15.5 decimals of land owned by Swapan Kumar Kundu. Swapan's family is also being intimidated and harassed.	<i>Janokantho</i> 9/14/08 <i>BHCOP</i>
19.	Kirttoniapara Upazilla - Boalmari District - Faridpur	Temple Attack/Looting: A group of unidentified men damaged five images of Deities in the <i>sarbojaneen</i> Radha-Gobinda Temple and stole several valuables from the temple.	<i>Janokantho</i> 9/15/08 <i>BHCOP</i>
20.	Nannar Bazar Upazilla - Dhamrai District - Dhaka	Attack/Looting: A group of men attacked the local tribal community, damaging their homes, assaulting several people, and stealing their valuables. 20 people were seriously injured in the attack.	<i>Janokantho</i> 9/16/08 <i>BHCOP</i>
21.	Upazilla - Tongi District - Gazipur	Kidnapping: A group of Muslim fundamentalists abducted a 12 yr old Hindu boy, Swadesh Kumar Nath, and demanded of 3 lakh taka for his release.	<i>Janokantho</i> 9/16/08 <i>BHCOP</i>
22.	Upazilla - Sadar District - Sunamganj	Attack/Looting: A group of Muslims attacked a saloon owned by Titu Ghosh after he refused to pay 10,000 taka. The attackers damaged the saloon extensively, beat up its employees, and stole more than 40,000 taka worth of goods.	<i>Sangbad</i> 9/16/08
23.	Village - Mannar Upazilla - Dhamrai District - Dhaka	Land-Grab/Intimidation: A group of men threatened to kill Dulal Pal, after he tried to recover his illegally occupied property.	<i>Jugantor</i> 9/18/08 <i>BHCOP</i>
24.	Kathmara Bazar Upazilla - Paikgachha District - Khulna	Temple Attack: A group of Muslim fundamentalists attacked images being built for the Durga Festival at the sarbojaneen temple. The incident caused widespread resentment amongst the local Hindu community.	<i>Jugantor</i> 9/20/08 <i>BHCOP</i>
25.	Village - Shobharampur Upazilla - Sadar District - Faridpur	Temple Attack/Looting: A group of unidentified men stole four images of Deities made of <i>astodhatu</i> from the local Radha-Gobinda temple. The images Deities were decorated with gold ornaments, and were worth 50,000 taka.	<i>Samokal</i> 9/20/08 <i>BHCOP</i>
26.	Upazilla -Sreemangal District - Moulvibazar	Land-Grab: A Muslim man and his brothers illegally occupied 6 acres of land owned by 11 tribals through forged documents (with the assistance of employees of the land settlement office.	<i>Janokantho</i> 9/20/08 <i>BHCOP</i>
27.	Upazilla - Singair District - Manikganj	Temple Attack: A group of unidentified men attacked a temple in the house of Nitai Talukder, and damaged the image of Viswakarma. Four people were seriously injured in the incident.	<i>Janokantho</i> 8/20/08 <i>BHCOP</i>
28.	Arabpur Upazilla - Sadar District - Jessore	Temple Attack: A group of fundamentalists attacked the local Kali Temple of the Rhishi community in Mathpara, and damaged the image of Kali.	<i>Samokal</i> 9/22/08
29.	Mograbazar Upazilla - Akhaura District -Brahmanbaria	Temple Attack: Unidentified men broke into the Sree Sree Trinath Temple and damaged the image of Trinath.	<i>Pratom Alo</i> 9/24/08 <i>BHCOP</i>
30.	District - Chittagong	Kidnapping: A group of fundamentalists abducted Shibu Seal and demanded a ransom of 50 lakh taka for his release.	<i>Ittefaque</i> 9/25/08 <i>BHCOP</i>

31.	Village - Nagshosha Upazilla - Lalpur District - Natore	Kidnapping/Intimidation: A Muslim college professor along with another man abducted Sunita Rani Mandal, a Hindu college student. When her father, Shyamal Kumar Mandal, registered a police case, he began receiving death threats from the abductors.	<i>Jugantor</i> 9/25/08 <i>BHBCOP</i>
32.	Baddinathola Upazilla - Kotchandpur District - Jheneidaha	Temple Attack: A group of Muslim extremists damaged several images of Durga, at the Baddinathola Temple, being created for Durgotsob (a Hindu religious festival).	<i>Sangbad</i> 9/25/08 <i>BHBCOP</i>
33.	Village - Kachugora Upazilla -Kolmakanda District - Netrokona	Attack/Looting: A gang of unidentified men entered into the home of Narayan Chandra Pal, a Hindu banker, and attacked a servant with sharp weapons. They also stole 70,000 taka and 50 grams of gold ornaments.	<i>Sangbad</i> 9/28/08 <i>BHBCOP</i>
34.	Sahapara Upazilla - Sadar District - Gopalganj	Temple Attack: A group of fundamentalists damaged several images of Durga at the Sahapara Sarbojaneen Temple being created for Durgotsob (Hindu religious festival).	<i>Samokal</i> 9/28/08 <i>BHBCOP</i>
35.	Village - Behala Upazilla - Amtoli District - Barguna	Attack/Intimidation: Two hundred Hindu families in a Hindu village are being continuously terrorized by the Sohrab <i>Bahini</i> (a militia).	<i>Prathom</i> <i>Alo</i> 9/28/08
36.	Upazilla - Sadar District - Narsingdi	Temple Attack: Unidentified men attacked the Naopara Sarbojaneen Temple of Madhabdi and damaged several images of Durga being created for <i>Durgotsob</i> . The attackers then attacked the adjoining Shitola Temple of Sentu Mitra and damaged images of Goddess Shitola.	<i>Samokal</i> 9/29/08
37.	Village - Ettampur Upazilla - Kumarkhali District - Kushtia	Temple Attack: Unidentified men attacked the Thakurbari Durga Temple and damaged several images of Durga being created for <i>Durgotsob</i> .	<i>Prathom</i> <i>Alo</i> 9/29/08 <i>BHBCOP</i>
38.	Village - Pollghat Upazilla - Sadra District - Bagerhat	Temple Attack: Unidentified men attacked the Pollghat Sarbojaneen Temple and damaged two images of Deities.	<i>Prathom</i> <i>Alo</i> 9/29/08
39.	Kauria Para Upazilla - Sadar District - Narsingdi	Attack/Looting: A gang of 10-12 armed men broke into the homes of several Hindus, including Suresh Sutradhar, Chitra Baul, Pradip Baul and Shanti Baul, and stole several valuables worth more than three lakhs taka. Three people were severely injured in the incident. Seven days earlier, similar incidents occurred in four homes of the same village.	<i>Sangbad</i> 9/29/08

*The above data was provided by BHBCOP.*

# Appendix C

## Islamic Extremist Groups in South Asia<sup>cdi</sup>

### People's Republic of Bangladesh<sup>cdii</sup>

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<sup>cdiii</sup>

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)	Targets Indian troops, civilians in the Indian state of Jammu and Kashmir, and Western interests; Masterminded the Kandahar hijacking of an Indian

Previously known as Harkat-ul-Ansar

airlines in Dec. 1999

Jaish-e-Mohammed (JeM)  
(Army of Mohammed)

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 & Delhi; Targets include Indian government/political leaders, and civilians; Has links to HuM, Pakistan's Inter-Services Intelligence, Taliban, Al Qaeda & several Sunni groups like SSP & LeJ; Its leader: Maulana Masood Azhar

Lashkar-e-Tayyiba (LT)  
(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 & 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 & 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 & religious rights of Shiites; Also claims to fight against imperialism, and obtain Islamic egalitarianism & social justice; Has links to Pakistani Parliament & 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 & 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 & staging violent incidents during political strikes; It has links to Muttahida Quami Movement Altaf (MQM-A)
Sipah-e-Muhammad Pakistan (SMP)	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
"Army of Muhammad"	Its goal is to advocate the secession of all Baluch regions from Pakistan; also involved in drug trafficking; Has links to Taliban
Popular Front for Armed Resistance	
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 & non-Muslims; Its leader is Sheikh Ahmed

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