

# The South Asia ollective

BULLETIN

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## Welcome to the inaugural edition of the South Asia Collective bulletin

The South Asia Collective (SAC) is made up of a group of human rights activists and organizations working together to document the condition of minorities across the region. Through this bulletin, we aim to provide regular updates concerning the status of minorities in countries across South Asia. The bulletin will offer regular country overviews, outlining political, policy, and legal developments that impact minorities; case studies and human interest stories related to minority rights; and resources, events, or reports of interest.

In this inaugural edition of the bulletin, we provide a short introduction of the SAC and its activities, followed by select country overviews which include links that can be referred to for further reading. From January 2020, the bulletin will be distributed two to three times per year. **To receive this bulletin in the future please sign up [here](#).**

Future editions of the bulletin will offer more expansive and in-depth coverage. Updates will be provided for the full range of South Asian countries and, drawing on both primary and secondary sources, the bulletins will offer more comprehensive reporting on areas ranging from incidents of hate speech and violence suffered by minorities, to the legal and socio-economic issues they encounter.

Forthcoming bulletins will also provide an overview of the research, advocacy and other initiatives being undertaken by the SAC and its members.

With this bulletin, we aim to build a definitive update on the situation of minorities and minority rights in South Asia. This is complemented with the SAC's annual comprehensive report, the South Asia State of Minorities Report.

Please visit the newly launched South Asia Collective [website](#) for more information about this initiative and its members. [Previous editions](#) of the State of Minorities Report can also be accessed on the website.

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## SAC ANNOUNCEMENTS

- The new SAC website has recently launched – visit us at <http://thesouthasiacollective.org/>
- As part of an effort to improve accountability for violations of freedom of religion or belief across South Asia, the SAC recently launched a small grants campaign. It will be supporting six targeted advocacy projects led by civil society organisations in Bangladesh, India, Pakistan, and Sri Lanka, launching in early November 2019.
- The SAC and 120 signatories signed onto a statement condemning the exclusion of 1.9 million people from Assam's National Register of Citizens in September 2019: <https://minorityrights.org/2019/09/09/statement-mass-disenfranchisement-assam/>
- The third South Asia State of Minorities Report will be launched in early 2020, and will focus on the theme of barriers to securing citizenship for minorities across South Asia. Previous editions of the report can be found [here](#).
- The SAC seeks to provide support to human rights defenders under threat. Please contact [sac@thesouthasiacollective.org](mailto:sac@thesouthasiacollective.org) for more information about our HRD support fund.



## AFGHANISTAN

Afghanistan is a hostile place for minorities. The US Commission for International Religious Freedom (USCIRF), in its 2019 [annual report](#), categorised the country as Tier 2 Country of Particular Concern, noting: “in 2018, religious freedom conditions in Afghanistan trended negatively”. Minority Rights Group International’s [Peoples Under Threat](#) project, in its 2019 rankings, placed Afghanistan as the 4<sup>th</sup> most dangerous in the world for minorities, up two places from 2018, with Hazaras being the community most under threat. With the intensification of military operations by government and armed groups in 2018, it has also been one of the [bloodiest years](#) for Afghanistan. While general population has been targeted by insurgents, religious minorities in particular continue to face enhanced threats. This is forcing religious minorities to continue to seek safe havens outside Afghanistan. Reportage on the condition of minorities in Afghanistan is scanty. Available data shows that the trend of the previous years has continued through much of 2019, with religious minorities continuing to be targeted, and

insecurity intensifying for them. In August 2019 an attack outside a wedding hall killed over [80](#) people and injured many more in neighbourhood home to many Hazara in Kabul. The country currently also faces renewed political uncertainty: in September 2019, US-Taliban peace talks were stalled, and amidst reports of technical issues the release of results from the recent presidential election in September has been [delayed](#) until November.

Shia Muslims face particular hostility, especially by the ISIS affiliate ISKP (Islamic State of Khorasan Province), as well as by Taliban. They are considered apostate by Sunni extremist groups, who also begrudge the community's recent socio-political ascendance in a post-Taliban Afghanistan. Hazaras, being both religious minority Shia and ethnic minority Hazara, have particularly been targeted by ISKP and other outfits, with [a series of deadly attacks](#) in the past year in Kabul, now extending to the provinces too. Government claims to have beefed up security around Shia concentrated pockets and offered weapons to individuals for self-protection. But Shia and Hazara leaders have blamed the government of not doing enough.

Sikhs and Hindus face similar levels of targeting. Due to persistent attacks, loss of property through land grab, and socio-economic exclusion, only 3000 - 7000 Sikhs and Hindus [remain](#) in Afghanistan, from a pre-Taliban estimate of 200,000. Insecurity for Sikhs and Hindus worsened in 2018 when in an ISKP attack, 19 persons, including a prominent Sikh politician and candidate for parliamentary elections (Oct 2018) were killed. Hindus and Sikhs complain of poor provision of security by government, and of limited access to employment and services. As to Baha'is, they have lived in anonymity since 2007, when the General Directorate of Fatwas and Accounts of the Afghanistan Supreme Court proclaimed the community as blasphemous. And extremist groups have continued to target women and girls, and honour killings have continued. Police and prosecutors have continued to jail girls and women for 'moral crimes'. Entrenched impunity for perpetrators of violence against women – mean girls and women still rarely see justice in courts.

The Constitution continues to test poorly on religious non-discrimination. It recognises Islam as the official religion of the state decreeing that all laws must be in conformity with Islamic principles. Since 2004, a vaguely worded media law criminalised 'anti-Islamic content'. And the constitutional rules for judiciary require use of Hanafi shariat jurisprudence in the absence of a jurisprudence or constitutional provision governing the case. This has impacted criminalising of blasphemy, which is not listed in Afghanistan's penal code, but is punishable by death for Muslims under Hanafi law.

[Human rights defenders](#) in Afghanistan also face high levels of insecurity. On 4 September 2019 the Afghanistan Independent Human Rights Commission's acting director in Ghor province,

[Abdul Samad Amiri](#) – who belonged to the Hazara community – was kidnapped by the Taliban and subsequently killed.

## BANGLADESH

Bangladesh has a progressive Constitution, at least on paper, which guarantees the equal rights of all citizens irrespective of sex, caste, creed or race. Articles 27, 28, 29, and 31 seek to establish equality and non-discrimination on the basis of religion and ethnicity, while Article 41 states religious freedom for all. The Constitution also states ‘special provision for backward sections’ although without clarification of what this entails. However, despite constitutional guarantees, the violation of minority rights is common, including physical and emotional violence, destruction of houses and wealth and forced eviction etc.

In 2019, Bangladesh witnessed scattered incidents of violence against minorities, across the country. In February, Ahmadiyyas in Panchgarh district came under [attack](#) by radical Islamists while arranging a Jalsha’ (annual conference of Ahmadiyya Muslim Jamat). Supporters of three Islamist organizations Sammilito Khatme Nabuwat Shangrakkhan Parishad, Iman Akida Rokkha Committee and Touhidi Janata had urged the government to prohibit the conference, in addition to declaring them as non-Muslims. Around 500 people from the Islamist group attacked Ahmednagar village of Panchagarh Sadar Upazila, vandalised houses and looted the wealth of the Ahmadiyyas. At least 50 people were injured.

In October, Bangladesh saw large scale protests and [communal violence](#) against the Hindu community, in Bhola district. The catalyst for the violence was the posting of allegedly blasphemous messages from a Facebook account belonging to a Hindu man. The man, Biplob Chandra Baidya Shuvo, had reported to local police that his account was compromised, following which he was taken into protective custody. As the post went viral, thousands of supporters of the Muslim Oikya Parishad had poured out on the streets demanding immediate action, including the death penalty for Shuvo. In the clashes that followed, four Muslim protesters were killed and over a hundred people were injured. The deaths sparked further protests, during which a Hindu temple and over a dozen Hindu houses were vandalised or [burned down](#). Large-scale communal violence over allegedly blasphemous online posts is not a new phenomenon in Bangladesh. Similar incidents had happened in Ramu, Cox’s Bazar in 2012, in Nasirnagar, Brahminbaria in 2016, and in Nabinagar, Brahminbaria in 2018.

Earlier in 2019, Priya Saha, a Hindu human rights activist, alleged that her home was burned down and her land occupied by radical Islamists. Saha came under [heavy criticism](#) by both the Bangladeshi government and by civil society, after she was seen deploring the persecution of minorities in the country at a public meeting with US President Donald Trump. Sedition charges were filed against her, but later withdrawn.

## INDIA

In 2019, after a heated, [communally charged](#) national election campaign, India [re-elected](#) to power the Hindu nationalist Bharatiya Janata Party (BJP) government led by Narendra Modi. Immediately after assuming power, a slew of legislations were passed that have the potential to fundamentally alter India's liberal-secular polity and further embolden the targeting of its religious minorities: the [Unlawful Activities \(Prevention\) Amendment \(UAPA\) Act](#), a tool of naked state control that makes it possible for individuals to be declared as terrorists before they have ever been convicted of a crime; the [Muslim Women \(Protection of Rights on Marriage\) Act](#), which has made 'triple talaq' or instant divorce a punishable criminal offense, leaving it ripe for abuse by the government to harass Muslim men; and the [Jammu & Kashmir Reorganisation Act](#), which has stripped the last vestiges of autonomy from India's only Muslim-majority state and brought the unwilling population of Kashmir directly under the control of the central government in New Delhi.

Opposition to the revocation of Kashmir's autonomy has been ruthlessly crushed. In the midst of a near-total [communications blackout](#), thousands of local Kashmiri Muslims - activists, journalists, political leaders, indeed anyone with the power to mobilise any sort of resistance - have been [arbitrarily detained](#), over the [protestations](#) of the international human rights community. Those who have dared to protest have been greeted with pellet guns and tear gas. [News reports](#) that have trickled out of the region have also revealed stories of intimidation campaigns, night-time raids and widespread torture by the armed forces.

In the state of Assam, the publication of the final National Register of Citizens (NRC) list has left [1.9 million people](#) one perilous step closer to being stripped of their citizenship, in a move that has been [condemned](#) by the UN High Commissioner for Refugees (UNHCR) as an "enormous blow to global efforts to eradicate statelessness", and led Genocide Watch to [renew its genocide alert](#) for the state. The Indian government has [announced](#) its intentions to extend the NRC

exercise to the rest of the country, and has already begun the construction of massive detention centres in anticipation.

Elsewhere in India, there has been a steep rise in the incidence of hate crimes against minorities, with Amnesty International recording [181 cases](#) and at least 37 deaths in just the first six months of the year. A closer look at the incidents - which have been reported from across India, from the rural hinterlands of [Uttar Pradesh](#), [Jharkhand](#) and [Tamil Nadu](#) to the urban sprawls of [New Delhi](#), [Mumbai](#) and [Kolkata](#) - suggests that there are a few discernible trends: the victims are usually Muslims, often the poorest and most vulnerable among them. Stories of helpless Muslims being assaulted and forced to chant Hindu religious slogans are almost too many to count. [Dalits](#), [tribals](#) and [Christians](#) are not spared either. The perpetrators are usually radical Hindus, often affiliated directly to the [Sangh Parivar machinery](#). In many cases, they operate with impunity, sometimes aided by the [local police and bureaucracy](#). In some cases, criminal proceedings are initiated against the [victims](#) while the perpetrators roam [scot-free](#).



## PAKISTAN

In Pakistan, a country with significant poverty, it is the minority communities that suffer the worst. Christians, Hindus, Ahmadis, Baloch, Pashtun are the ones particularly under attack, by both state and non-state actors. Even though Pakistan has [ratified](#) the International Covenant on Economic, Social and Cultural Rights (1966), there is a significant gap in implementation as these laws, which cover fundamental rights such as the right to work, the right to standard of living, the right to health, and the right to education, are barely operationalized, or integrated into the domestic legislation.

Additionally, lack of data prevents a more thorough analysis of the situation, hence there is a lack of planning for action against discrimination against minorities. The intersection between economic marginalisation, gender discrimination and religious exclusion results in excessive inequality, weighted against religious minorities in particular. Further, the country's vaguely formulated blasphemy law, in which a conviction followed is by a mandatory death sentence, targets [religious minorities](#) disproportionately and is in many instances used to settle personal scores.

The last year has seen increasing instances of attacks against religious minorities. A Hindu [veterinary](#)'s clinic as well as nearby Hindu shops were burned down due to blasphemy

accusations, and a violent attack towards a Hindu [school](#) took place because of blasphemy accusations towards its principal. This year the [National Assembly](#) rejected a bill allowing non-Muslims to serve as president and prime minister, which prolongs the subordinate status of religious minorities. Private buildings [display signs](#) that say “selling or renting any apartment in this building to non-Muslims is prohibited”; shopkeepers [forbid services](#) to Ahmedis and Shi’as. 14-year-old Christian Pakistani [Samra Bibi](#) was abducted, forced to convert to Islam and marry, one of many cases in a similar pattern where Christian minors are targeted due to their vulnerable situation. The phenomenon of religious minority women being fraudulently married to Chinese men and forced into prostitution or slavery has been on the rise, and while the government works with anti-trafficking efforts, it brushes off testimonies of sexual exploitation during the trafficking as [“rumors and fabricated facts”](#). Where Christian persecution is concerned, the government claims them as [false](#) and with “Western interests”, going further to state that individual incidents do not indicate a structural issue. Authorities have reached out to social media platforms such as [Facebook](#) and Twitter for help in tracking blasphemy, in order to “track down those who spread such material”, both within the country and abroad, but many fear this is simply another tool for widespread censorship.

The discrimination comes, as shown above, from both citizen vigilantism as well as the government actions. The country’s poor resolve to address minority concerns does not hold a promising future.



## SRI LANKA

On 21 April 2019, Easter Sunday, seven co-ordinated [bombings](#) targeted Christian churches and high end hotels in the areas of Negombo, Colombo, and Batticaloa in Sri Lanka. This was the most deadly violence the country has seen since the end of the war: 250 people were killed and hundreds more were injured during the attacks, claimed by an offshoot of a Sri Lankan militant group, Nation Tawhid Jamaat. Most victims of the attacks were part of Sri Lanka’s Christian community who were attending Easter Sunday services.

In response, the Government announced a state of [emergency](#) which granted security forces significant powers to arrest and detain suspects for extended periods, and blocked most forms of social and other media. The aftermath of the attacks nevertheless saw mobs take to the streets targeting [refugees](#) and [asylum seekers](#), primarily from Afghanistan, Pakistan, and Iran – and many from minority communities in their countries of origin, including Ahmadis and



Christians from Pakistan, and Hazara Shi'a from Afghanistan. Faced with threats, violence, and insecurity, over a thousand refugees and asylum seekers left their homes, initially seeking sanctuary at a police station and community centres in nearby parts of the country.

Sri Lankan Muslims also faced a [heavy-handed response](#) following the Easter attacks, both from the state and non-state actors. According to [reports](#), over 1,800 Sri Lankan Muslims were arrested in relation to the bombings and related events. In addition, the state of emergency imposed restrictions on religious dress, specifically banning face-covering in public places. While the majority of those arrested were eventually released and restrictions on religious dress have been reversed since late August, these measures have stoked suspicion of Muslims. Along with the fanning of fears by traditional and social media – including instances of online hate speech – this contributed to the significant violence faced by Muslims in the aftermath of the bombings, including the harassment of Muslim women. On 5 May, confrontations amongst Muslims and Catholics near [Negombo](#) resulted in the damaging of numerous Muslim shops and homes. A week later, Sinhala Buddhist militant groups led [severe attacks](#) on Muslim homes, businesses, and mosques in the districts of [Gampaha](#), [Kurunagala](#), and [Puttalam](#).

Ultimately, politicians failed to take meaningful responsibility for this situation, and numerous lapses by the Government have been outlined in a recently released [report](#) by the Parliamentary Select Committee tasked with probing the Easter attacks. Notably, on 23 May President Maithripala Sirisena granted presidential [pardon](#) to Gnanasara Thero, general secretary of the notorious Sinhalese Buddhist national organisation, Bodu Bala Sena. Soon after his release Gnanasara Thero contributed to the already tense environment by delivering [inflammatory speeches](#), including calling for the arrest of Muslim politicians. As [reflected](#) by the current UN Special Rapporteur on Freedom of Religion or Belief, Ahmed Shaheed, following his 12-day mission to the country in August 2019, the aftermath of these attacks has contributed to a “serious deficit of trust among ethno-religious communities in Sri Lanka”.

Indeed, this has built on and reinvigorated a long-standing anti-Muslim campaign which emerged following the end of the civil war. Advanced by Sinhala nationalists such as Gnanasara Thero and Bodu Bala Sena, this has culminated in anti-Muslim violence in [Aluthgama](#) in 2014 and more recent attacks in [Kandy](#) and elsewhere in 2018, which have been accompanied by similar forms of [online and offline hate speech](#), and a propaganda campaign promoting unfounded accusations against Muslims. Beyond these large-scale incidents, religious minorities, primarily [Muslims and Christians](#), are regularly subject to other forms of [violence and discrimination](#), as well as restrictions on their ability to practice their faith. The [absence of accountability](#) following such incidents – and in some cases, alleged complicity on the part of law enforcement – has also contributed to mistrust in the government amongst Sri Lanka's minority populations. The

Easter attacks have escalated this sentiment, which has been further exacerbated in the context of [political instability](#) in the country.

Prospects for reform that accompanied the election of President Maithripala Sirisena in 2015 – who won significant electoral support from Sri Lanka’s minorities – have since faded. Although ultimately unsuccessful in his attempt to oust Prime Minister Ranil Wickremesinghe and replace him with former President Mahinda Rajapaksa in late 2018, the corresponding [Constitutional crisis](#) eroded the already fragile coalition between Sirisena’s Sri Lanka Freedom Party (SLFP) and the United National Party (UNP). One year on, political instability persists in the lead up to Presidential elections on 16 November 2019.

The current frontrunners in the Presidential race are Gotabaya Rajapaksa of the Sri Lanka Podujana Peramuna (SLPP) and Sajith Premadasa (UNP). The former is the brother of the country’s previous President, Mahinda Rajapaksa. Gota served as Defence Secretary during the civil war and is mired in allegations of killings and enforced disappearances. This situation is particularly concerning for war-affected Tamil populations in the North and East of Sri Lanka – including those who continue to [campaign in search of disappeared family members](#), and whose concerns Gotabaya Rajapaksa has denied and dismissed. The potential for his election as President has also heightened [fears](#) amongst other minority populations, including Muslims: evoking his role as Defence Secretary, Gotabaya Rajapaksa capitalised on insecurity following the Easter attacks to announce his candidacy, while members of his party have been actively involved with stoking anti-Muslim sentiment.

In August 2019, Lieutenant General Shavendra Silva was [appointed](#) Commander of the Sri Lankan Army. This move has been [condemned](#), including by civil society groups and the UN’s High Commissioner for Human Rights, Michelle Bachelet, on account of “serious allegations of gross violations of international human rights and humanitarian law against [Shavendra Silva] and his troops during the war”. However, this has been accompanied by assurances – including by both Presidential frontrunners – that ‘war heroes’ will be [protected](#), while local activists who call their legacies into question have faced [threats and intimidation](#).

Meanwhile, long-standing issues persist in Sri Lanka, including political, social, and economic legacies of the conflict which have a disproportionate impact on war-affected minority populations in the North and East of the country, including Tamil women. Despite some measures introduced since 2015, including the establishment of the [Office of Missing Persons](#), efforts to promote transitional justice and accountability have been inadequate. State architecture which contributes to human rights violations, including the Prevention of Terrorism

Act also remain in place. The majority of measures in the [Human Rights Council Resolution 30/1](#) co-sponsored by Sri Lanka in 2015 [lack implementation](#).

As a recent [report](#) by the Institute on Statelessness and Inclusion and Verité research highlights, despite the granting of formal citizenship to Hill Country Tamils, they face ongoing structural discrimination. The legacy statelessness has meant that in 2019 – over 15 years since the enactment of the Grant of Citizenship to Persons of Indian Origin Act, N. 35 – Hill Country Tamils remain the ‘furthest behind’ according to many development indicators.