

Annex to Material for specialized media

Selection of articles on Minority Issues for Media

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“The Lebanese Example of Religious Minorities’ Sharing the Power of the State: Some introductory observations on an intricate relationship between religion and the state”

Nisrine Abiad, August 2008

Lebanon has been conceived as a multi-confessional (‘con-sociationalism’) state since its creation, and as a consequence, the Constitution adopts and maintains the same distance towards the different religions in the country. The constitution of the Lebanon does not assign a privileged status for Islam or any other religions. Although Lebanon is a member of the OIC, Islam does not enjoy a particular status in the political structure of the state. However the specificities of the Lebanese system have had significant repercussions on the power structure of the state. It is worth noting that 18 different religious sects are recognized in Lebanon and participate at the political and constitutional system of Lebanon. It is stated in Article 95 of the Constitution that the Chamber of Deputies will be elected on the basis of equality between Muslims and Christians; that in the formation of the Cabinet the religious groups are to be represented in a just and equitable manner; and that ‘grade one posts’ and their equivalent in the public system must be distributed equally between Christians and Muslims.¹ This is the consequence of the multi-confessionalism that is in force in Lebanon’s public law structure.

At the time of Lebanon's independence from France in 1943, the National Pact agreement consecrated this confessional formula upon which the President of the Republic was to be a Maronite Christian, the Prime Minister a Sunni Muslim, and the Speaker of Parliament a *shia* Muslim. Other lower political posts were also assigned according to this formula. Representation in parliament was set according to a ratio of 6:5 in favour of Christians. The Taif Agreement of 1989 which was followed by the amendment of the Lebanese Constitution in 1990, reasserted the confessional formula but changed parliamentary representation to a 50:50 Christian/Muslim ratio, as encapsulated in the constitutional provisions mentioned above. However, the amended constitution specifies that confessionalism is to be implemented only during a transitional phase, at the end of which political confessionalism would be abolished. Hence the preamble of the Constitution makes it clear that ‘the abolition of political confessionalism is a basic national goal and shall be achieved according to a gradual plan’. In the meantime however, the religious implications on the constitutional system results from the multi-confessional composition of the Lebanese people, also reflecting the fear of each sect of being politically evicted by another.

¹ Article 95 of the Lebanese Constitution provides the following:

‘(1) The first Chamber of Deputies which is elected on the basis of equality between Muslims and Christians takes the appropriate measures to realise the abolition of political confessionalism according to a transitional plan. A National Committee is to be formed, headed by the President of the Republic, including, in addition to the President of the Chamber of Deputies and the Prime Minister, leading political, intellectual, and social figures.

Another feature of the Lebanese system is the role of religious minority groups in the field of family matters. Indeed Lebanon's complicated sectarian structure gives total autonomy to the religious authorities to act as legislators in family matters. The State refuses to interfere in this sphere where 18 recognised sects act as legislators and they have their own established courts to enforce their sets of law. Hence the Lebanese government is incapable to commit the state at the international level in this field.

Lebanon's engagement with international conventions, notably international human rights conventions addressing issues related to family matters reflects the state's fragile internal and external sovereignty as well as its inherent structural incapacity, which manifests itself in among other things, the lack of a coherent legal system.

At first, the position of Lebanon appears to be quite confusing. On the one hand, consent is given to the implementation of Article 2 of Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) in order for the principle of equality to be embodied in the state's internal legal system 'in all its forms.' This includes the obligation to prohibit all discrimination against women; 'to take all appropriate measures to eliminate discriminations against women by any person, organization or enterprise;' and 'to take all appropriate measures to get rid of discrimination.' Yet, on the other hand, Lebanon refuses to observe Article 16 of the same Convention, which is an application of Article 2 in the field of family matters. Although Lebanon agrees to take all measures necessary to abolish discrimination, it has formulated a reservation on the provision that requires the state to make specific efforts to ensure equality between men and women in the field of family matters. The simple and straightforward question that arises from the Lebanese attitude is how the state could possibly envisage combating discrimination in all fields when it begins by making reservations on family relations. It would have been a more coherent approach to formulate a reservation to both Articles 2 and 16 as they are indivisible. A deeper analysis of the Lebanese legal system affords an explanation for this incongruity.

The problem is that although Lebanon officially ratifies international treaties with the view to implementing human rights standards in its internal legal system, it also gives total autonomy to the religious authorities to act as legislators in family matters and refuses to interfere in this field. This duplication of sovereignty puts Lebanon in a very delicate situation at the international level. For this reason, the Lebanese state entered a reservation on the specific field of family law because this section is completely beyond its control. However, the state maintained its full engagement with regards to a global set of norms that are under its sphere of competence.

Nevertheless, Article 2 of CEDAW, to which Lebanon has agreed to adhere, requires the state to take all appropriate measures to eliminate discrimination against women by 'any person, organization or enterprise', and to ensure that public authorities and institutions act in conformity with the obligation to refrain from engaging in any act or practice of discrimination against women. The religious authorities are public persons for the sake of this provision, established on the Lebanese territory. Therefore, monitoring the religious authorities' acts to make sure that they are not discriminatory against women falls within the scope of tasks to which the Lebanese state has agreed to concern itself. The control of the Lebanese Court of Cassation on the decisions of the religious courts is essential in this regard though not sufficient.

“Adivashi Mother Tongue at Stake in Bangladesh: An Overview”

Kamaluddin Ahmed, August 2008

“Festivals may be one way of reclaiming cultural heritage , but it is the language that is the ultimate vehicle of all cultures”

Here in Bangladesh , even the most organised and largest indigenous community - the *Chakma*, who have a script of their own , does not have schools in which to teach it to their children. UNICEF has 2220 pre-school centers across the three districts of the Chittagong Hill Tracts, but the introduction of bilingual text books remains at a standstill as the community leaders are divided over whether to opt for Roman or Bangla script.

The proposition to provide education to all the indigenous groups in their own language is almost impossible at present, as most do not have their own written script. Those who don't have alphabets of their own are also divided over whether to adopt the Roman or Bangla script when it comes to forging a written form of their own language

Tripuras of India have been successful in their effort to introduce their own language, even at the higher secondary level. *Khasias* living in the Indian state of Meghalaya are lucky to have *Khasia*, their mother tongue, as the medium of instruction up to high school level. The language script, initiated by Christian missionaries is Roman.

In Bangladesh the situation is totally different. Although there have been efforts in the past to adopt the *Chakma* language as the medium of instruction the absence of government patronisation limited its remit. In the 1970s there were cultural organisations involved in the proliferation of *Chakma* language. They made efforts to increase the use of the mother tongue in every stratum of life and patronised *Chakma* literature to this end. Since the 1980s the “Jhum Aesthetic Council” has been instrumental in bringing out books on *Chakma* stories, poems and dramas. The same organisation, in association with different NGOs, has promoted the cultural heritage of the indigenous people like *BITA* (*Bangladesh Institute of Theatre and Arts, Chittagong*) and arranged for *Chakma* dramas to be staged throughout the country. The Cultural Institute for the Adivasis even dared to take things a little further; it introduced primary education as well as a language course in *Chakma*. However, the efforts were not adequate and they failed to leave an impact on the society at large.

Other than *Chakmas* and *Marmas* , the rest of the Adivasis do not have any script or written form of their language. The Indian *Tripuras* have adopted the Bangla alphabet. *Tripuras* on the Bangladesh side refused to follow Bangla. As the community leaders are in favour of adopting Roman alphabets, which they believe will ready their children for higher education in English, the decision remains

stalled. In this regard the linguistic experts of the country have opined that a policy may be adopted on the basis of two things; one is the linguistic consideration and the other is the sentiment of the majority.

In the Chittagong Hill Tracts(CHT) districts the language of the Adivasis who are small in number is threatened. Most Adivasis are bilingual, some even multilingual. The *Khumi* or *Pankhos* are minorities among minorities. They were forced to become multilingual. They live next to the *Chakmas*, thus intermingling a must. And as *Chakmas* are dominant majority in the CHT it is the smaller groups of Adivasis like *Khumi* and *Pankhos* who learn *Chakma*. The same groups of Adivasis need to speak Bangla once they venture out to the city. Statistically, the smaller the Adivasis are in number, the more susceptible they are to the onslaught of state language Bangla and other majority adivasi languages. As many of their population show a gradual decline, the very existence of these Adivasis are being threatened. With that the languages face the threat of extinction.

Education in their own mother tongue , which may seem like an impossibility, must proliferate in order to keep languages from meeting their demise. It gets in the way of mental growth. What stands against the success of whatever little effort is there to bring them under various literary programmes is the formidable “dropout rate”. It can readily be linked to the fact that they receive education in a second language - which is Bangla.

UNESCO has been instrumental in forging a pilot programme that introduced education in *Sadri*, at present mother tongue of a number of Adivasis in the Northern part of Bangladesh. It is the *Oraon* population of that area that has been brought under the literacy programme. UNESCO is running the programme in that area through an NGO. In the last five years text books in *Sadri* were developed in two phases to give *Oraon* children education upto class two. Many Community Learning Centers(CLC) were established . The concerned NGO was asked to develop primers that are usually known as text books for students of class one and two. They are translations of the books in accordance with the syllabus of the non-formal education framework of the government.

Teaching, too, has been taken into consideration. Alongside the programme of primary education for children, UNESCO contemplated the development of pedagogic skills. A teacher’s guide has been developed by the NGO (Ashrai) as well as a book that encapsulates the fables of the *Oraon* population. Starting the project entailed a lot of work. For the CLCs, 20 *Oraons* with the minimum qualification of secondary school certificate(SSC) degree have been selected as teachers. They were given training to teach the *Oraon* children in *Sadri*. CLCs were set up in the lands donated by the community people. UNESCO provided with the building materials through the NGO. The learning paraphernalia - books, copies , pencils and other materials have been provided by the same NGO.

Bangladesh is among the nine countries that received the UNESCO Bangkok fund for the development of indigenous communities. What UNESCO aims is that through exemplary pilot projects it wants to take the matter to the advocacy level. But there is a feeling that all government efforts are directed to the Adivasis of the CHT. So the major Adivasi and the mainstream civil society of Bangladesh strongly advocate

for the flatland Adivasis who need support in their effort to become economically solvent and to continue with their traditional lifestyles.

Observing the success of the CLCs, the guardians of the *Oraon* children requested the NGO concerned to introduce education for adults. They were eager to get involved in the development process. The eagerness of the *Oraons* led to a scheme aimed at an adult population; UNESCO dubbed it Tribal Adolescent Development Programme, but it is actually aimed at the adult population. They have the chance to become literate, and receive training in earning skills as well as getting information about health, nutrition, and social evils like dowry, gender bias, child marriage etc.

Besides this “pilot programme” there are some NGOs(BITA, BRAC, Gonoshashtho, OXFAM) who have taken initiatives to establish schools that would teach in the mother tongue of the respective community. OXFAM has established more than 200 schools through their partner organisations that facilitate pre school education in *Santali* and *Sadri*. BRAC and BITA are running some schools in the CHT. There are bilingual text books for this purpose.

UNICEF has 2220 centers for pre-school children across the CHT. The medium of education is, as usual, Bangla. UNICEF has plans to introduce a book of fables, but that too is in a rudimentary stage. The fact that the communities of the CHT remain divided over whether to opt for Bangla or Roman as their script also stands against a quick decision to introduce books in the mother tongues of the 11 Adivasis living in the region.

There have been local initiatives to provide education in mother tongues but most of these efforts are strictly on the basis of religion. *Garos* have their churches and *Marma* their *kiangs*(buddhist monasteries) where children receive religious training in their own mother tongues. Unfortunately, the much talked about PRSP(Poverty Reduction Strategy Papers) that is being implemented through UNDP has failed to take into account of the development of the Adivasis of CHT. Not that this programme has done much for the Adivasis of the flatland.. In the Peace Accord that was signed in 1997 by the Government, it was stated that the means of education will be in mother tongues. But no steps have been taken yet by the Government to implement this. The Adivasis, mostly living in CHT and the northern part of Bangladesh, have been losing their property for generations through ‘false deed’ cases. Lands of such indigenous inhabitants are sometimes recorded in another persons (non Adivasis) name without knowledge of the real owners, allegedly with official help. All these are happening because of their lack of education. Moreover, the state has been supporting and patronising the majority who are dominating and suppressing the minority, including the ethnic groups.

The major challenges being faced by the Adivasis are two-fold; on the one hand they are threatened by Bangla and on the other by the rapid process of globalisation. Being small in number and having languages that are mostly written forms portend a bleak future for the Adivasis. In the age of the invasion of the internet and satellite culture they stand to be dominated by major mainstream languages and cultures. Bangla speakers are most reluctant to show any respect to the minorities and their

languages. There has been a slow and silent migration by many Adivasis to the neighboring countries.

But how does one go about preserving the languages of the Adivasis who are scattered across Bangladesh? The establishment of an Adivasi Cultural Academy alone cannot prevent the decline of their languages; there must be people who speak the languages. Loss of language means loss of heritage and culture. Absence of a language policy has aggravated the situation. After all these years there has not been any national language commission that will formulate a language policy. In a more globalised world most languages are bound to fall prey to the languages of economic giants. Yet it is the Adivasis who stand to lose their mother tongue faster than the linguistic groups with national status. As their very existence is in jeopardy, in absence of a coordinated effort it would not be an easy task to save the languages of the minorities. In this regard Bangladesh Indigenous Peoples Forum demand that the government implement their five points, including steps for constitutional recognition and development of mother tongues of the Adivasis. Other demands are: establishment of a central institute with branches in different parts of the country for protection of language and culture of Adivasis, arranging for primary education in the mother tongue for Adivasi children, arranging for broadcasting and displaying Adivasi language based cultural functions in mass media with the participation of concerned artists and personalities and steps to include topics related to language and culture of Adivasis in university courses. The university teachers, journalists, human rights activists have come forward with an open mind to materialise their dreams.

“Roma Housing in Bulgaria”

Lucia Ilieva, August 2008

Housing is a major concern for every individual. For Bulgaria, improvement in living conditions of the housing poor is a crucial element for strengthening democracy and the ongoing reform process. Without decent housing, access to infrastructure facilities and public services becomes problematic. Housing has a bearing on people’s moral and psychological well-being: it enables them to be safely “at home” and is a factor in the realization of certain human rights, such as the right of privacy. Housing is a decisive factor in social cohesion and citizenship: having an address is a condition for access to social services, employment assistance, etc. The lack of housing policy in Bulgaria during the period of transition, as well as the reduced and very depreciated share of public housing, inherited from the communist regime, shapes the existing situation of the housing poor, including nearly 700,000 housing poor Roma people all over the country.

Housing is recognized as an essential instrument in the fight against social exclusion and marginalization. The reduction of living standards coincides with the collapse in the construction of new public-sector dwellings. Local authorities are legally obliged to maintain and update waiting-lists for social housing according to specific government related criteria.

Housing poor is always related to general individual poverty. The dimensions of poverty include material, human and social categories. The components of the material category are the income, the infrastructure and the housing. In other words, for finding out who the housing poor are, one has to define first who the poor people in the country are.

Bulgaria has two large ethnic minorities, the Turks and the Roma, as well as a small group of Bulgarian-speaking Muslims, often referred to as Pomaks. According to 2001 census data, ethnic Bulgarians number 6.85 million and make up just over 85 % of the population. Ethnic Turks (745 000) account for 9.3 %, and Roma (370 000) - 4.6%. Minority groups face far higher poverty rates than ethnic Bulgarians. The Roma are the most disadvantaged, with unemployment reaching 80-90 % among men and 100 % among women. While many legal rights (for example, to publish Roma newspapers, to form associations, and to speak Romany) were restored to the Roma in 1990, their living conditions continue to be extremely difficult and participants in this study report rising discrimination on many fronts.

The estimates of the size of the Roma population differ widely across sources. Census data is intensely disputed, as many Roma people do not identify as Roma in the questionnaires. By most estimates, the share of Roma has grown to between 6% and 9% of the population. The *European Commission Report* on 1999 has indicated that the Roma share of the Bulgarian population was 5%, and the Council of Europe in 1998 noted the Roma share to be 7%. Nowadays specialists estimate there is about 800,000 Roma people community all over the country. The housing conditions of the Roma shape one of the gravest social problems in Bulgaria. The government

recognizes that the living conditions of Roma are below the average for the country and that these conditions are among the main factors for the relatively worse state of health of the Roma population. The main characteristics of Roma housing are:

- Overcrowding of flats and houses;
- Bad hygiene, no toilets and bathrooms, no running water;
- Decay of technical infrastructure (pipes, water and electricity supply, lack of insulation);
- Neglect of public space in and around buildings, piles of waste, mud and sewage water running on non-paved narrow streets;
- Lack of means of communication;
- Lack of public utilities: health establishments (polyclinics, pharmacies), schools, kindergartens, commercial facilities, posts, etc.

In addition to the health and environmental hazards that inevitably accompany poor living conditions, large number of Roma face additional insecurity of living in illegally built housing. As the government has acknowledged in the *Framework Program*, this exposes them to abuses of different kinds and degrees, including extortion by municipal and other organs as well as by private individuals.

There is no national legislation in Bulgaria expressly prohibiting discrimination in access to housing and/or other public goods and services. As a result, many Roma are effectively compelled to live in illegally-constructed houses generally have limited access to public services. Because their settlements are illegal, they have no right to services and no resource when they are denied. Regulations limit the payment of social welfare benefits to the unemployed of working age to a maximum of three years. These regulations have a disproportionate effect on Bulgarian Roma, many of whom are among the long-term unemployed, and thus ineligible to receive social assistance.

The *Framework Program*, prepared in continuous dialogue with representatives of the Roma community and approved by the Council of Ministers in 1999, contains the basic principles of a complete state strategy for implementation of real equality of Roma population in Bulgaria. It emphasizes the Roma people represents the lowest social status in public life in the country. In social and economic aspects the status of Roma in general is drastically lower than the average status of people in the country. One of the eight main spheres of work, according to the Framework program, is the territorial planning of Roma residential districts. The government has agreed to fulfil a number of proposals for achieving equality for Roma over a ten-year period, including urban planning of Roma neighborhoods.

Eight years after adopting the *Framework Program*, which called for immediate measures to legalize Roma houses, very few municipalities have done so. Among those that have are the municipalities of Pazardzhik and Stara Zagora, which have initiated plans to regularize the status of their Roma neighborhoods, integrating them into the municipality and supplying them with municipal services. Some municipalities have started joint programs with Roma NGOs using a matching funds approach that combines resources of the local and national government, NGOs and external donors. However, not all municipalities seem to have the political will to identify the minority problem as a priority and to improve the situation of Roma. A regular complaint from local and national authorities concerns scarce resources. The EU is generally expected to help financially.

Several basic types of projects emerge as most relevant from the findings of the survey conducted:

- Infrastructure projects
- Building new housing
- Repairs and construction finishing work on existing housing.

The main question is how to insure efficiency of the projects? The need to improve the Project management of the housing programs is evident. Further projects should be elaborated and coordinated within the framework of the *National Strategy*. The financial calculations and timing should be carefully elaborated and respected. It is recommended to implement only projects presenting reasonable prices and time-schedules of the tasks and outcomes. A marketing research and forecast should precede each project and the bidders' choice should be made following the current market conditions.

The activities for strengthening the living conditions in Roma neighborhoods should be spread at similar levels in all 30 Municipalities with major Roma population. It is not efficient to implement several projects in the same municipality using the justification it has already some experience in housing projects. This practice will increase the stratification among the Roma communities, an unexpected migration could arise to the settlements with better living conditions thus overloading them and as a result - spoiling the housing initiatives' results. It is recommended to exercise joint control of the projects' finances by the Municipality and the leaders of the Roma organizations so as to prevent problems in the allocation and spending of the funds. It is necessary to introduce some preferences on state/municipal level targeted to facilitate the process of Roma housing, such as:

- Providing technical services free of charge if they are building for urgent needs.
- Changing tax laws in order to free from tax materials for building homes for urgent needs and when the buildings are constructed for charity.
- Place Roma representatives with full mandate on commissions for urgent housing needs in local municipalities.

In order to insure effectiveness of housing initiatives, it is necessary to take into account the traditions and specific social and cultural preferences of the Roma population. The financing organization, together with the local organizations, should set the criteria for deciding which families will be assisted and included in the project. It was suggested, for instance, to give precedence to the families that have been living in the respective community for a longer period of time or hold deeds to the property they live on, all while taking into account the size of the families and their social and financial situation. Each Municipality keeps a register of those in need of housing, ranked by the urgency of their needs. This register could serve as the basis for determining the families that will be assisted. The opinion predominated that it was not appropriate to provide direct financial credit to the individual Roma families included in the project. Instead of giving cash, some form of construction voucher could be adapted.

In small towns and rural regions it is recommended to use for satisfying urgent housing needs the uninhabited housing stock (former military houses and rest stations, unused schools and other public buildings). The Municipalities with major

Roma population should study the possibility to grant agricultural lots to Roma families thus providing for them livelihood and resources for maintaining their houses. In the city regions special projects could be launched for repair and adaptation of uninhabited houses for housing the poor.

“A just voice: a right to be born”

Navita Mahajan, August 2008

The voices are age old and are still heard everywhere in the country and perhaps also echoed the well in which number of unborn females foetuses were found two years ago at Patran, in Patiala, Panjab, India. As the papers and news channels filled the prime space and time, I found myself flipping the page and changing the channels...female foeticide? In Punjab? Well, it's normal, said my very educated, modern, up to date and sensitized brain...skip it, you don't need to really read or see it, it's been happening for years and the way things are it will keep happening for times to come. No one is really bothered or cares...its just girls that are being killed and in a culture like ours the birth of a 'son' is always preferred than the arrival of a daughter...oops I mean a 'girl child'! Forget it.

Forgotten

And forgotten is what the girl child really is. For centuries. She is perhaps one of those sections of the society, which is and has been neglected from the time it is in the womb since times immemorial. Centuries of tradition demand that young couples produce at least one male child to carry on the family name, to be 'there' in the old age and ofcourse to carry the funeral rites so the dead may attain heaven! Let not killing a couple of unborn female foetus come in the way. This male child preference and its manifestation lead to female infanticide at the turn of the century, prior to the invention of pre natal diagnostic techniques, and since the invention its female foeticide which is just another form of denying a right to be born!

Promises of Difference

Prime Minister Man Mohan Singh's appeal on the 59th Independence Day came four days after the macabre discovery of female foetuses from Punjab, which needless to say has the country's lowest sex ratio due to widespread female foeticide. "We must end the crime of female foeticide. We must eliminate gender disparity," Prime Minister said (like many preceding him) in his address to the nation. "We have a dream of an India in which every woman can feel safe, secure and empowered. Where our mothers, sisters and daughters are assured a life of dignity and personal security." He added. "It should be ensured that every young woman is educated, skilled and capable of guiding a new generation," he said. But would someone please tell me how come we haven't been able to do any one of the above in 59 years? Why doesn't anyone tell how can it be actually done? How can these big fanciful words and beautiful promises be realized? Fulfilled?

Sensible Indians

Reasons for this are not difficult to find. A boy baby is generally favored over a girl for reasons both social and cultural. A girl child is usually looked upon as a burden that never really belongs to her parents; considered as she is as 'Paraya Dhan'. She is also lovingly called '*kamjat*' and '*churel*'. More often than not, an investment on her in terms of education, health care, proper nutrition is considered to be a

financial burden as the returns are minimal. The customs of giving dowry at the time of her marriage makes girls even more of a liability for their parents. This just doesn't make sense to the sensible Indians. Imagine an arrangement where there is an abundant investment but no return, no profit, the 'parta hai' doesn't happen at all! Now tell me which reasonable Indian would even consider an arrangement like this?

Emerging India

This century has been ushered in as an age of technology with the belief that technology is the hallmark of civilization, progress and development. With this knowledge and expertise India will emerge as a super power to take the world in its stride. Unfortunately the same technology is being used as an instrument to destroy the civilization. The census, the statistics tell us otherwise. In an environment of visible affluence, the destitution of female status makes the myth of development.

Method in Madness of Numbers

India's unfavorable sex ratio of 933 is claimant to women's detrimental status. The figures of Census 2001 show that the sex ratio in the age group 0 - 6 has declined sharply from 945 females per 1000 males in 1991 to 927 females today.

Even 927: 1000 ratio does not tell the whole truth. For the sex ratio is actually worse than the National average for the 0 - 6 age group in Himachal Pradesh, Punjab, Chandigarh, Uttaranchal, Haryana, Delhi, Rajasthan, Uttar Pradesh, Gujarat, Maharashtra and Daman and Diu. The overall sex ratio lower than the National average of 933 females per 1000 males has been recorded in Jammu & Kashmir, Punjab, Chandigarh, Haryana, Delhi, Rajasthan, Uttar Pradesh, Bihar, Sikkim, Arunachal Pradesh, Madhya Pradesh, Gujarat, Daman and Diu, Dadra and Nagar Haveli and Andaman and Nicobar Islands. The decline in Sex ratio is common to all states and Union territories except in Kerala, Lakshadweep, Tripura, Mizoram and Sikkim. Apart from Tripura, all others are high literacy pockets in the country. Conversely, the sex ratio decline is the most prominent in the high per capita income areas of Punjab, Haryana, Himachal Pradesh and Delhi.

Technology as the Culprit?

Can it be surmised then that developed societies with ready access to technology cause a decline in the sex ratio? Or is it the social practices of patriarchy that appropriates technology to reinforce itself. Technology is the guise of pre natal diagnostic tests and its ready accessibility in the developed states, particularly in the case of Punjab. If technology alone is targeted then the premise is that the method is the cause of the alarming poor sex ratio. Male child preference is culturally rooted. The understanding that it is not the technology but the misuse of it is the culprit has to be understood.

'Sada Wasda' Punjab

The adverse sex ratio in Punjab is not recent, in fact from the time census figures are available. In 1901, Punjab has had the distinction of being an Indian State with the most negative sex ratio until 1971.

Sex ratio in India and Punjab

Year	India	Punjab
1901	972	832
1911	984	780
1921	956	799
1931	952	815
1941	947	836
1951	948	844
1961	943	854
1971	931	865
1981	934	879
1991	927	882
2001	933	874

The historical adverse sex ratio testifies to the persistent unfavorable conditions of women in Punjab. At the turn of the century, female infanticide was widely practiced in Punjab. Given the adverse sex ratio in Punjab, increasing atrocities and continuing male - female disparities modern technology is being held responsible for the imbalance of male female numbers.

The Powerless Law

Approximately eight years ago, the Supreme Court playing a pro-active role ordered all state governments to enforce the Pre-Natal Diagnostic Technologies (PNDT) Act (Act no. 57 of 1994) and set up task forces to monitor use of sex determination devices. In the eight years since the PNDT Act only one person in Haryana has been convicted. The PNDT Act provides that no genetic counseling center, laboratory or clinic shall employ pre-natal diagnostic techniques, including ultra-sonography, for the purpose of determining the sex of the foetus. Violations of the PNDT Act carry a five-year jail term and a fine. Laws are made. They are implemented. Some offenders are caught, and a few doctors are put behind bars ... for a day or two and then it is back to business...of killing the unborn girls.

Just to Be

And as I stepped out in the glaring summer sun, walking past a children's park; I stopped to see a young woman selling flowers holding a small girl in her arms squeezing herself through the broken fence to get in. As she stepped in the park, she put down her bucket of flowers, picked up her daughter and made her sit on the swing. As she pushed her daughter higher and higher, the park filled up with the little child's laughter. The look of contentment and happiness on that flower woman's face is not something I will forget soon.

I stood mesmerized in the glaring daylight by what I had seen and experienced - the right to be born, a right just too just be and a right to be fully human.

“Bordering the Edges: Minorities within Minorities in Post Partition Punjab”

Navita Majahan, August 2008

Among all the states of India, Punjab has the highest Scheduled caste (the untouchables) population. Given the fact that the scheduled castes in Punjab are less urbanized than their counterpart non Scheduled caste population, there are many villages in the state of Punjab where they constitute a majority of the population.¹ Sociologically, the significance of Punjab also lies in the fact that it is one of the few states of India where the Hindus, who constitute more than 80 percent of India’s population, are a minority. Despite being non Hindus, the low caste Sikhs of the state have the distinction of being included in the list of Scheduled Castes, a status that was not granted to their counterparts in other minority communities, i.e. Muslims and Christians.²

The Slanted Line

Caste has remained an important parameter of social inequality in the region of Punjab. Apart from the reformist movements of the Hindus and Sikhs, colonial Punjab also witnessed the emergence of an important autonomous Dalit³ movement. The famous Ad Dharam movement initiated by Mangoo Ram during the 1920s has been among the most successful of Dalit mobilizations in the history of modern India. The Ad Dharam⁴ movement not only successfully mobilized a large majority of the *Chamars*⁵ from the Doaba⁶ region; it also played an important role in transforming the social identity of Dalits in the region⁷. Dalits are found in almost all the popular religions in Punjab. Their presence in Hinduism, Sikhism, Islam and Christianity not only proves the presence of the institution of caste in all these religions, but also weaken the chances of solidarity among them.

¹ Indera.P. Singh, “A Sikh Village”, *The Journal of American Folklore, Traditional India : Structure and Change*, V71, 1958

² S.S. Jodhka, ‘Prejudice’ without ‘Pollution’? Schedule Castes in Contemporary Punjab ; *Journal of Indian School of Political Economy*, V 12, 3 & 4, 2000

³ In the caste system, a Dalit formerly known as untouchable or achuta – is a person outside of the four Varnas, and considered below of all and polluting. Dalits include people as leather-workers, scavengers, tanners, flayers, cobblers, agricultural labourers, municipal cleaners, gymnasts, drum beaters, folk musicians and street handicraft persons. Like upper castes, Dalit are also divided into various sub-castes or jatis.

⁴ A section of the Chamars in the Doaba region of Punjab began to call themselves Ad Dharmis under the influence of the Ad Dharam movement during the 1920’s. Though they claimed to be a separate religious community, after independence, they were listed as a separate caste of the Hindus in Punjab.

⁵ Chamar’s (also known as Jatia Chamars, Rehgars, Ramdasis and Ravidas): Chamars are the second biggest group in the list of Scheduled Castes in Punjab. Traditionally they used to be leather tanners and weavers, but many have them now moved to agricultural labor and small cultivation.

⁶ Doaba is a region in Punjab surrounded by river Beas and Sutlej.

⁷ Mark Juergensmeyer , *Religious Rebels in the Punjab: The Social Vision of Untouchables*. Ajanta Publications, Delhi.1988

The Shifting Mirrors

Though the Sikh gurus came from the trading caste of *Khatris*, it is among the peasant caste of *Jats* and the other rural castes that Sikhism found much of its followings.⁸ The teachings of Sikh gurus, the religious institutions of *langar*, *sangat* and *sewa* all these were together aimed at creating a caste free religion, inspiring the 'untouchables' in the *varnashram* to convert to Sikhism, for a want of a better life and inclusion in main stream society, turning them into a powerful community within Sikhism. However, despite the crusade of the Sikh gurus against the idea of ritual hierarchy, the institution of caste did not disappear from the region. Even among the followers of the guru, the practice of caste based distinctions has continued. In a sense, even the idea of 'pollution' continued to be practiced, though not as strongly as in other parts of the subcontinent⁹.

Living on the Margins

One of the ironies of most religions is that they address themselves to be religious and yet, there is a strong element of exclusionism within them that separates them from the other. Sikhism is perhaps also undergoing this dilemma. Within the Dalits and other marginalized people of Punjab, a thought has begun to emerge against the exclusionist and reactionary tendencies within the mainstream Sikhism.¹⁰ Dalits in Punjab constitute the largest proportion of the Scheduled Castes (SC) population in the country (29 percent [2001 census]). Interestingly enough, Punjab has also been the only state in India where the share of the Dalits in the agricultural land is the lowest (2.34 percent).

Balancing in Motion

In present day Punjab, the caste and religion underscore the existence of various '*deras*' in the state which are but a manifestation of existing caste divisions. The changing history of class relations and assertion of equal rights by the Dalits is reflected vide the incident in Talhan village of Punjab and now the recent violence between Akali groups and the Dera Sacha Sauda in Punjab underscores the existence of a number of '*deras*' in various parts of the state. Which are but a manifestation of prevailing caste divisions and tensions. Dalits and other marginalized groups adhere to such '*deras*' for it promises them an alternative to mainstream, and in many respects, exclusionary Sikhism. Yet *deras*, especially in recent decades, have acquired strategic political overtones.¹¹

In spite of the casteless character of Sikh religion, the majority in Punjab, caste based discrimination within the Sikh community exists in Punjab which unlike rest of the country is 'landlessness' based rather than that of 'purity - pollution'. The minority within a national minority still borders on the edges of Sikhism.

⁸ See W.H. Mcleod, *The Evolution of the Sikh Community : Five Essays*, Oxford University Press, Delhi, 1996 & R. Kaur, 'Jat Sikhs : Questions of Identity', *Contribution to Indian Sociology*, V 20 , 1986

⁹ This aspect was widely discussed in many writings. See: H. Singh , 'Caste Ranking in Two Sikh Villages', in H. Singh (ed.) , *Caste Among Non-Hindus in India*. National Publishing House, New Delhi 1977 ; S.S. Jodhka , 'Prejudice Without Pollution? Scheduled Castes in Contemporary Punjab', *Journal of Indian School of Political Economy*, 12(3-4), 2000.

¹⁰ During my travels in rural Punjab, I have come across many Gurdwaras in a single village identified by their caste tag like a Ramgarhia Gurdwara or a Mazahbi Gurdwara.

¹¹ Lochan, Rajiv & Meeta , 'Caste and Religion in Punjab", *Economic and Political Weekly*, May 26, 2007

“International community and Sri Lanka in the struggle of Human Rights”

Prabakaran Yoganathan, August 2008

Many Human Rights activists and defenders have visited Sri Lanka in the past in order to evaluate and analyse the prevailing human rights conditions. Recent visitors have included the United Nations High Commissioner for Human Rights, Louise Arbour who conducted research and investigations, ending with concluding remarks, but the concern is whether any of this has actually changed the condition.

Notably, in the final press conference, Louise Arbour lamented the dreadful state of human rights in the Island, condemning all the sites responsible for human rights violations and called for a peaceful, Independent Island. On the same occasion, she did not forget to emphasise the importance of admitting external international human rights monitoring commissions to Sri Lanka, but Sri Lanka’s Human Rights minister, Mahinda Samarasinghe who was sitting next to her, immediately rejected her recommendation. Nonetheless, in spite of all cross arguments, question remained by the observers “What is it like”.

What is the relevance to the plight of victims and rights of their predecessors, if no solution can be agreed on, even when the United Nations Commissioner for Human Rights visits? Her exhaustive remarks, coupled with the utter silence of international community, may lead us to question the relevance of her visit, and whether it actually brought any solution to the victims and the prevention of future human rights violations.

The abuse of minorities in Sri Lanka cannot stop, as the International community, and Human Rights defenders argue, without the consent of Sri Lankan government. The government must allow a procedure for external rights monitoring as otherwise a solution to the abuse is difficult to achieve. Arbour insists that in order to protect the rights of minorities or individuals, international monitors must be welcomed or else the way is paved for continuous abductions disappearance and extra judicial killings. Sri Lanka can no longer ignore its responsibility to protect and promote the rights of minorities whose human rights can no longer be ignored. However, although the Sinhala nationalists and the government may have opinions concerning the entrance of international Human rights monitors, this is a matter that will override the sovereignty of any country.

Suspicious raised by local human rights activities and testimony of the victims, is that international monitors can only visit on the grace of admission from the government. Anticipation for Ms Arbour’s visit amongst stakeholders and the local and international communities was high, with hopes for a landmark in the protection and promotion of Human Rights.

As with the EU, some international donors postponed the resolution against Sri Lanka at the UN Human Rights Council pending the outcome of Ms Arbour’s visit, but this

was ultimately quashed due to Sri Lanka's decision not to engage further with Ms Arbour, or with the United Nations.

Prior to her visit, various human rights groups issued calls for monitoring, arguing and debating, rather than firm action against Colombo, as key to stopping violations. The Sri Lankan government, on the other hand, publicly said that it would never welcome the UN. The government of Sri Lanka might be under suspicion, if the UN is present, for the way that it conducts war against terrorists and perpetrates human right violations by security forces and other para-military groups. This, in turn, will become formally visible to the international community.

No-one expects Sri Lanka to voluntarily accept international monitors. For Sri Lanka, this would have been treated an admission of incompetence and a surrender of sovereignty that no state could reasonably have been expected to make. Moreover, Sri Lanka has always been vocal in its implacable opposition to external interference of any kind... except, of course, the UNP government which was banking on the international safety net to destroy the LTTE and consequently curb the long waited aspirations of Tamils, It was also prepared to accept external oversights on any aspects of governance that its international bankers deemed necessary.

It is difficult to think what the present international silence is for, other than a means to respect the sovereignty of Sri Lanka which in other cases, has been routinely breached by other powerful states. For the international community, Sri Lankan sovereignty is not a cardinal principle to be respected. The international community wants the War that it is financially, politically and militarily supporting in Sri Lanka to conclude successfully, preferring the government regime to fight more cleanly. The robust international support for the \$500 m bond that Sri Lanka recently launched is a case in point, as the bond is meant primarily to support the War effort. While there has been much talk of cutting international aid, in reality funding has simply been temporarily been put on hold until the Rajapaksa government completes its military project. Nonetheless, from what we have evidenced, not much development can be possible when a War is also being fought.

Reconstructing SAARC towards the model of European Human Rights

Prabakaran Yoganathan, August 2008

International Conventions such as the European Convention for the Protection of Human Rights and Fundamental Freedoms, originated through political and civil development of the region and individual society. This regional mechanism on Human Rights could be used to address the problem of so-called terrorism in those countries, by seeking out and preventing the root causes of unrest and violence.

The 15th summit of the South Asian Association for Regional Co-operation (SAARC) took place in Colombo from 27th July to 3rd August 2008, the region in which 40% of the worlds poor and more than 1/5 of the world population live.

Some of the world's worst autocratic regimes are members of this group. Sri Lanka, where the last summit took place, is widely criticised for its human rights record , coming under heavy condemnation from the world community and human rights watchdogs.

It is to be noted, three Nobel peace winners, Former US president Carter, South African Bishop Desmond tutu, and Latin American Adolfo Perez Esquire voiced that Sri Lanka should not be elected to the UN human rights council on the eve of the membership election.

The Asian Human Rights Commission does not have embedded substantive and procedural mechanisms to control human rights violations in those countries, as the European Convention on Human Rights, the Inter American commission on Human and peoples rights have. The Asian Human Rights Commission is similar to an NGO in that it has no binding power.

The eight member countries of the SAARC, India, Pakistan, Afghanistan, Nepal, Sri Lanka, Maldives, Bhutan. Bangladesh all state that they have had success in forming national human rights commission is successful, although it seems that these have not yet been completed. It should be noted, first of all, that some countries within SAARC do not have an elected government or democratic rights, where peoples freedoms are routinely violated. Former heads of state have faced the trial for corruption and have been kept in custody while intelligence services have been condemned many times by human rights activists to be brutal.

The Maldives, which is criticised for its brutal politics and intolerance, has a life president, in spite of its proclaimed democracy. This raises questions by the Democratic Movement, as to what extent the practices of the Maldives are democratic.

Nepal was under the Monarchy and consequential anarchy until recently. When a democratically elected government was elected to power by the people, the country

was represented at the SAARC summit by a caretaker Prime Minister admits opposition from the Maoists.

Armies of 40 countries combined to fight an elusive enemy in Afghanistan, so needless to say the country has become an international stage for human rights concerns.

We may further add, the Human Rights commission in Pakistan is an NGO and thus not elected according to the Paris principles. Furthermore, the president of Pakistan was, up until now, not democratically elected and participation of the people in politics and forming government is still under suspicion as dictatorial Army generals ruled over Pakistan since Independence in 1947.

The national Human Rights commission of Sri Lanka is also not formed on the Paris principles and it seems to be illegal by the nature its compositions, as its members were not appointed by constitutional council as per 17th amendment to the constitution. It is notable that the President and the members of the Human Rights commission were appointed by the executive or president, who has been in many occasions been criticised by international and regional human rights watchdogs on the issue of human rights violations.

This is not according to the basic document or the supreme law of the country, or the extra-ordinary military power of the intelligence services of two 'Big Brothers' in the region, ISI of Pakistan and Raw of India, which in decimate democratic principles and the peaceful life of civilians through, for example, extra judicial judgement and killings organised by them. The former Pakistan ambassador in Sri Lanka accused Raw of master minding the attempt of his life recently in Colombo, Sri Lanka. India and Afghanistan are holding ISI of Pakistan responsible for the recent bomb blast near the Indian embassy in Kabul. This raises the issue as to why these two brothers of the same continent have to target each other and kill their own people. Moreover, it is still unknown whether they will compromise on their narrow differences and make attempt to ensure that basic rights and a peaceful life for ordinary citizens are upheld.

The SAARC summit took place, from 27th July to 3rd August 2008. The cost of this summit was extremely high, especially as the inflation rate in Sri Lanka is 30%, due to intensified civil war and corrupted political administration. 2800 million rupees was spent overall, out of which 56 million rupees was spent on a gala musical entertainment in a beach resort in the South. When juxtaposed to the difficulties faced by ordinary Sri Lankan citizens in feeding himself and his family daily, this sum appears even more vast. Furthermore, the plight of the people living in the North and East of the country where millions have become like refugees due to air raid and artillery attacks carried out go against to the guiding principles of UN, and other international treaties.

Meanwhile, the Sri Lankan President on the eve of summit, called for the launch of a Southern Fund for combined anti-terrorism effort-amongst the SAARC countries. However, the Asian Center for Human Rights (ACHR), a New Delhi-based human rights watchdog, in a rights report covering the South Asian Association for regional co-operation (SAARC) released on 1st of August, 2008, stated that Sri Lanka ranks as

South Asians No 1 human rights violator. They added that Sri Lanka's human rights indicators must be considered within a context of very high levels of impunity tending to suggest a worsening of the human rights picture in the long term. We recommend to the president of Sri Lanka, first and foremost, that he should propose a South Asian charter for corruption free and good governance. The SAARC member countries first of all, should think about whether and how to establish a National (Regional?) Human Rights Commission based on the Paris principles, since the root causes for so called terrorism is said to be the party politics based on religious fundamentalism, corruption and fraud. Leaders of the SAARC nations should learn the philosophical and ethical background of European convention on Human Rights and use it as an international treaty for the protection of fundamental civil and political rights in democracies committed to the rule of Law. Further, as part of the process of reconstructing Western Europe in the aftermath of 2nd World War, it has now extended to 46 countries in total, Iceland to Vladivostock and a combined population of nearly 800 million. The European convention on Human Rights is unique in providing the most effective trans-national judicial process for complaints brought by individuals and organisations, notably against their own governments but also accusations of violation made by member states against each other.

Further, we might recommend, which is imperative, that SAARC countries adopt a set of guidelines or accords to protect Human rights activities, journalists, nongovernmental Organisation. Countries like Pakistan and India, the two 'big brothers' of the region, should, profoundly think about the real causes of violence in the region, their roles in abetting the War in Sri Lanka that kills its own citizens. These relate vitally to the aspirations and the grievances of minorities which cannot be set aside by human rights violations and state autocracy.

“National Level Protection for Dalits: An emerging issue in the Nepalese politics”

Som Prasad Niroula, August 2008

The seven party alliance and Nepal Communist Party, Maoists (CPN-M) signed a 12-point accord in New Delhi to end the decade long conflict in Nepal on November 2005. This agreement led the conflicting parties to launch a mass movement in April 2006. The mass movement ended the fate of the monarchy in Nepal. During the ten years of conflict in Nepal about 13,902¹ people lost their lives. The fatalities figure includes civilians, security forces and Maoists.

In the Comprehensive Peace Accord, CPA, (2006) between the seven party alliance and Maoists, it was agreed to end all forms of social and cultural practices that undermine the human rights of Dalits. The agreement also decided to ensure participation of Dalits in all segments of the government institution i.e. recruitment of Dalits in government services, participation in the Constituent Assembly (CA) and local government.

The literal meaning of Dalit is a person who is suppressed. In the context of South Asia, Dalit is a common term used to address the culturally, economically and socially marginalized people or community. In Nepal, Dalit means a community or a person who suffers from caste discrimination. Despite the legal abolition of the caste based discrimination, it still exists in moderate to extreme forms. The Interim Constitution (IC) of Nepal (2063 B.S or 2006 A.D) guarantees right to equality and it prohibits discriminations on the basis of caste, creed, religion, race and political faith. This constitutional provision needs to be translated into action so that all segments of the society enjoy justice. Social discriminations and alienation are the source of conflicts and unrest. The discriminations to Dalits should therefore not continue.

In the National Census of 2001, the total population of Dalits was 13.33 percent of the total population. The educational status of Dalits is poor. The overall literacy rate of Dalits was 22.8% in the 1991 census compared to national average of 39.6 percent. Male literacy was 33.9 % compared to only 12.0% female literacy rate among the Dalits. From the recent finding, literacy status of the Dalit population (35%) is very low compare to national average (54%)².

The Dalit community in Nepal has been leading a marginal life in general. More than one-third (35.44%)³ of the Dalits did not acquire citizenship certificate. Dalits are not only economically marginalized but also discriminated against by the high caste and Janajati groups in many areas of social, cultural and political life. They also face intra-Dalit discrimination as well. The caste-based discrimination is observed in everyday life of people as well as in government offices, corporations, private office and NGOs. They do not feel socially equal with these groups of people.

¹ Community Study and Welfare Centre (CSWC) (2006) A decade of disaster: Human and Physical of Nepal conflict 1996-2005. Author. Kathmadu, Nepal

² See. NDC Baseline Survey Report, 2004

³ See. NDC Baseline Survey Report, 2004

The Human Development Index (HDI) clearly shows the worst situation of Dalit groups as compared to other caste / ethnic groups. Average life expectancy of the Dalits was just 42 years that was 13 years (24%) less than that of national average. Similarly, per capita income of Dalit was 36 percent less than that of national average⁴.

Likewise, infant mortality is much higher (116.5 per 1000 live births) compared to the national average of only 79. Nutritional status of both the male and female is poor and many women are suffering from a number of diseases, including the sexually transmitted diseases. The Human Development Index of Dalit populations is the lowest (0.239) compared to the national average (0.325)⁵.

A number of studies shown that disadvantaged groups, particularly Dalits, have comparatively lower access to government institutions and organization involved in development (e.g. agriculture and livestock development, forestry, health and education). They face excessive economic suppression and social exclusion that hinder them in accessing resources equitably and living a normal human life. As a result, Dalits are the most marginalized caste groups. Due to continuing practices of untouchability, most of Dalits are deprived of access to and control over economic and other resources. Displacement from traditional occupation and lack of employment in both agriculture and non-agriculture sectors are common problems of Dalit. It is estimated that about 68 percent of Dalits live below the absolute poverty line and among the total Nepalese population who live below the absolute poverty line most of them are Dalits.

More than half of the Dalits (53.03%) are landless. The most common reason for not getting landownership certificate is unknown. Dalits, as a community, are the poorest in Nepali society. The average land owning per household among the Dalits is 2.46 ropani of khet (irrigated land) and 4.5 ropani pakho (dry upland) land. Landlessness is acute among all Dalit groups, but more acute among the Dalits.

Moreover, Political parties have committed for promotion and protection of Dalits at various levels. The implementation of many of their commitments hardly exists in practice. However, the presence of the Dalits in decision making level within the parties and governance system is negligible.

Commitment of the Government to promote human rights by eliminating all forms of discrimination is clearly reflected in various laws, programmes and policies. Despite these measures, injustice based caste division and the practice of untouchability, exploitation of large sections of the Dalits who continue to be victims of ethnic, religious, cultural, social and economic injustices. Nepal is a party to 19 international human rights instruments. Therefore, Nepal has to follow the provisions in the country practicing different means and measures like enacting new legislations, formulating plans and policies, undertake different measures to implement the rights enshrined in the conventions. The Interim Constitution (IC 2006) has guaranteed the right to equality as a fundamental right of the people. No

⁴ Nepal South Asia Center (NESAC), 1998, Nepal Human Development Report 1998 (Kathmandu: Nepal South Asia Center).

⁵ Dahal, D. R., Y. B. Gurung, K. Hemchuri, B. Acharya & D. Swarnkar (2002). National Dalit Strategy Report: A Situational Analysis and Strategy Report on Dalits Prepared for National Planning Commission. (Kathmandu: Action-Aid Nepal, CARE Nepal and Save the Children US, Kathmandu).

citizen discrimination shall be made against any citizen in the application of general laws on grounds of religion, race, sex, caste, tribe or ideological conviction (Art.13). Moreover, the Article 14 clearly mentioned that the caste based discrimination is an illegal conviction under the current law of Nepal. All people have rights to enter into the public places without any hindrances. Thus, government has taken some positive initiatives to promote the rights of Dalit in principle, however, the Dalits have been facing severe problem in day to day life.

To conclude, caste system was abolished during the Sixties in Nepal but it still exists in society in different forms- moderate to extreme. Discriminations are well entrenched and those facing caste-based discriminations suffering from poverty, illiteracy and social marginalization. After the restoration of multiparty democracy in the country in 1990, some measures have been taken to ensure relevant support mechanisms to Dalits as results Dalits are getting access to education and becoming more conscious than in the past. They are getting more organized and enjoying more space to articulate their grievances and demand for their rights. However, effective affirmative actions and measures should be programmed and implemented in order to ensure that they are treated with dignity and have positive access to social opportunities in the national level. The economic and political rights have to be protected to ensure the participation in all segments of the government in national and state level.

“Muslims in India made aliens in their motherland”

Syed Ahamed, August 2008

The Constitution of India guarantees equality of status to all its citizens. It prohibits discrimination against any section of the people in terms of religion, language or caste. But to what extent these guarantees are followed, if not fully in letter and spirit, is a moot question. The Muslim community in India has been suffering discrimination for many decades. This became more marked after the partition of the sub-continent in 1947 after independence. This article seeks to put in perspective this discrimination and isolation from their motherland in which they have been rendered aliens.

The social situation of minorities not only varies from country to country, but also from one minority group to another within a country itself. In India, the world's largest democracy, the *Parsi* (Zoroastrian) community is an affluent miniscule minority community which doesn't face any major issue of discrimination. The *Sikh* community has lately been facing problems of identity, but has the advantage of being a majority in one of the Indian States, namely *Punjab*. They are again not very often subject to discrimination. Indian Christians, the second largest minority, are educationally advanced and so are not uniformly subjected to discrimination. This excludes the *dalit* Christians (dalits are the so-called untouchables of the past and the indigenous people). But the case of Muslims, the largest minority in India, as a minority community is very unique. For them, life, or mere survival with dignity, is constantly under threat.

Minority rights in a democratic country are very important and that is why it is necessary to have special protective measures for minorities to ensure substantive equality. This has been recognized by all international instruments on minorities, including the UN Declaration on the Human Rights of people belonging to national, ethnic, religious and linguistic minorities. All developed countries and most developing ones give appropriate emphasis to looking after the interests of minorities. India was formed as a secular and democratic state. Indian national leaders, while framing the Constitution, emphasized the doctrine of unity in diversity. Special mention must be made of Mahatma Gandhi, the Father of India, who viewed that the quality of democracy should be judged from the way minorities are treated.

The Indian Constitution is committed to the equality of citizens and it is the responsibility of the State to preserve, protect and assure the rights of minorities in matters of language, religion and culture. Pluralism, democracy and secularism are the corner stones of our national ethos. It is on this foundation that Indians, regardless of whether they are Hindus, Muslims, Sikhs or Christians, have built their vision for a better future India. However, despite the constitutional assurances, the Indian Muslim population has been suffering physically and economically at large. Indian Muslims are still not accepted as a part of the mainstream of the country. The

question has not been that of the constitution, but about upholding the spirit of the constitution in letter and spirit.

Historically, India is a multi-religious and multi-cultural society. India has a Muslim population of mostly *Sunnis* comprising about 150 million, constituting 13.4 percent of India's population and making it the second largest Muslim populated country in the world after Indonesia. As Dr. *Asghar Ali Engineer*, an Islamic scholar said, "those who were responsible for India-Pakistan partition left the country to taste its 'fruits' but Indian Muslims, remained behind to share its guilt and bear the brunt". Over the years little has changed for Indian minorities as there are disparities in what is said and what is being done for their welfare. Even after 60 years of independence, the community is totally kept out of the mainstream and being rated as the most under-privileged community after '*dalit*' communities in India.

According to the Prime Minister's High Level Committee Report on Social, Economic and Educational Status of the Muslim Community of India submitted in Nov. 2006, the Muslim literacy and poverty rates rank well below the national average. This investigation report, popularly known as *Justice Sachar Committee Report* pointed out that 25 percent of Muslim children in the 6-14 age groups have either never attended school or have dropped out. It also found that Muslims fall behind other communities in terms of access to credit facilities of lending institutions, despite the fact that Muslims are self-employed at a far higher rate than other communities. Muslims are seriously underrepresented in Parliament and State Assemblies, public employment and the security forces in ratio to their population. This clearly reveals that India's booming private economy (8 percent annual economic growth on an average) has left the nation's largest minority lagging behind in terms of most of the human development indicators. But at least now Muslims have with them an official document which could be used to argue their case of being a deprived community and, therefore, deserving of positive discrimination from the government.

Three wars have been fought over the Muslim-majority state of Indian-controlled Kashmir since 1947. Notwithstanding the India-Pakistan partition this conflict has claimed 35,000 lives since 1990. Pakistan has for long claimed that Kashmir should be part of its Muslim state while India sees Kashmir as an integral part of its multiethnic identity. India also worry about granting independence to Kashmir in that it would result in an upsurge in secessionist movements in other states with separatist insurgencies, such as in the state of Assam.

There has been not a single year in the post-independence period which has been free of communal violence, though the number of incidents may vary. Communal violence has flared up mostly between the Hindu and Muslim communities which have claimed a disproportionate number of Muslim lives. In recent decades, the proposal to build a temple on the site of a former mosque in *Ayodhya*, a city in India's most populous and politically important state of Uttar Pradesh has repeatedly set off inter-ethnic violence. Hindus and Muslims have raised questions about whether the 16th century *Babri Mosque* was built on the site of a Hindu temple. In 1992, Hindu fanatics destroyed the mosque during a rally led by right-wing political parties. About 3000 people, mostly Muslims, died in ensuing riots.

In 2002, the state of Gujarat in western India witnessed the most horrendous massacres of Muslims by Hindu nationalist groups with the overt involvement of state machinery. This communal carnage is the latest example of a wider phenomenon in India. With state complicity, over 2000 Muslims (Government admits only 1000) were brutally murdered, about 700 mosques and shrines were either destroyed or severely damaged, over 100,000 million rupees worth of assets were either looted or destroyed. Never before have Muslims felt more vulnerable, alienated and besieged in post-independent India.

Draconian “Terrorist and Disruptive Activities (Prevention) Act (TADA)”, which claimed to be a measure necessary to contain terrorism was actually used by the government machinery as a weapon against minorities and dissidents. 77,571 people were arrested and detained between 1985 and 1995. During this period more “so-called terrorists” were arrested in Gujarat than in Jammu & Kashmir and Punjab (these two states are supposed to be the hot-bed of terrorists). The rate of conviction is just 1.8 per cent. Out of the 77,571 arrested, over 72,000 were let off without a trial because there was no evidence against them. It reveals that the main purpose was to arrest and harass them. The police force is motivated by their raw prejudices against Muslims. There are none, or only a handful of Muslims, working in Central Intelligence agencies, the Research and Analysis Wing (RAW) and Special Protection Group (SPG). State terror to counter terror would never solve the problem, but would intensify it.

The School textbooks are no better examples of our composite culture and pluralist society. Some media play an important role in disseminating reprehensible prejudices against Muslims. The propaganda machinery of the Indian right wing does a great job in picking up all the opinions, lies and canards against Muslim rulers of the past and paints a picture that the presence of Muslims in India has caused the biggest damage and tragedy to the Indian civilization. Invaders such as Babur, Ghauri and Ghaznavi are understandably condemned whereas the Mughals (Mughal Empires) who lived in India as their own home are termed as foreigners. They often held blame is that Islam was “spread by the sword” in the medieval ages.

But Islam entered the Indian sub-continent through Kerala on the West Coast through the Arab traders in a peaceful way almost during the lifetime of Muhammad (PBUH), the last Prophet of Islam. The Hindu nationalist group conceals the static facts; Babur defeated another Muslim Ibrahim Lodhi to capture Delhi’s throne, Ghauri defeated Prithvi Raj’s army which was led by a Muslim, and Ghaznavi had one of his top generals who was a Hindu named Tilak. Shivaji who fought with Aurangzeb had a *Pathan* (Muslim) unit and one of his most trusted aides was Didi Ibrahim, a Muslim and that Aurangzeb sent Raja Jaisingh, a Hindu to fight him. As the Urdu poet BD Pandey wrote: “Hazaaron saal ki yeh daastan; Aur yaad hai unko sirf itna; Kay Aalamgir zaalim thaa, Hindukush thaa, sitamgur tha” (Hindus and Muslims coexisting is a tale of a thousand years; And yet all they remember is that Aalamgir (King Aurangzeb) was an oppressor of Hindus and a tyrant). Another important fact is that a large section of the Muslim community comes from ‘dalit’ and backward caste Hindus who converted to Islam throughout medieval ages.

During colonial rule (1776-1947 A.D), the Indian National Congress, which was an umbrella organization of freedom fighters, wisely adopted the political philosophy of

secularism as its foundational philosophy. It helped them to bring the elite of Hindu and Muslim communities together in the fight for freedom. Mahatma Gandhi's composite nationalism was a driving force in India's freedom movement and became the foundation of modern India's constitution. Despite the essence of the constitution, India-Pakistan partition justified or not, became the cause of animosity between Muslims and Hindus. Hundreds of thousands of Muslims were killed during the partition riots in India as Hindus were killed in Pakistan. Indian Muslims were divided on the partition issue and the lower caste/class Muslims saw no benefit for them in creating a 'new homeland'. Partition in the sub continent scattered the Muslim population, who are now divided into three units - India, Pakistan and Bangladesh. Partition had sought to create homeland for Indian Muslims but, of all these three countries, the number of Muslims is highest in India for whom the Muslim homeland was meant. The only commonality is that the Muslim masses in all these three countries are still facing problems of acute poverty, unemployment and illiteracy.

For decades, India's National Congress party, running on a secular platform, won elections with the help of the Muslim vote. But this party has well and truly failed to adequately protect the life, property and dignity of its religious minorities, both Muslims and Christians. Hindu nationalism, a minor force during India's freedom movement, as well as for four decades after independence, has become a powerful force since the late 1980s. Some argue that the rise of Hindu nationalism is a direct response to the politically motivated pseudo-secular ideas of the Congress party that ruled most of the years of independent India. Hindu nationalists stoke fears, arguing that Muslims' higher birth rate and an influx of migrants from Bangladesh threaten India's Hindu majority. Hard-line Hindu nationalists argue Indian Muslims (as well as Christians) converted from Hinduism should reconvert to the majority religion hence contradicting the secular nature of this country.

Although Hindu nationalists played a minority role in India's parliament in the decades after independence, they drew popular support and experienced rising numerically after the 1980 establishment of the 'Bharatiya Janata Party (BJP)'. Hinduism is consistently portrayed by this political party as being under threat from the forces of Islam and Christianity, aided and abetted by the 'so-called secularists', who are seen as traitors to Hinduism. Defending the faith against the various purported threats by allegedly anti-Hindu forces is stated to be the primary duty of all true believers. This socially conservative party used anti-Muslim sentiment to win votes and came to power and ruled the country from 1998 to 2004. The BJP, now the nation's main opposition party continuously use hate as a weapon to gain power and have been opposing the central government's special protective measures to minorities.

Whenever communal incidents takes place, the Muslim community comes under suspicion and they are arrested, though criminals do not particularly belong to any religion. In the wake of horrific bomb blasts, the police blindly operate on the formula that all Muslims are suspects and have been arresting, inhumanly torturing and humiliating innumerable innocent Muslim youth, despite the police failing to actually prove any allegation against the detained. Some of these arrests are meant to hide the failure of their own 'intelligence' system. The social common sense is being vitiated through the word of mouth propaganda and by a section of

communalized media to demonize a section of population, stigmatizing the minority community on unfounded allegations of 'terrorist acts'. All this has created an extreme sense of fear, intimidation and insecurity irrespective of the social standing of a person; Muslims in general are being pushed to the brink. Most of the time the media chooses to sidestep the process of law altogether and takes it upon itself to 'investigate' the so-called terrorism and then pronounce a 'judgment'.

On the political front, the Muslim equivalent of a Laloo Prasad or a Mulayam Singh or a Mayawati, who are both electorally powerful political leaders and opponents of orthodox religion are absent among the Muslims. Some opportunistic Muslim leaders exploit innocent Muslim religious sentiments for promoting their own interests. Muslim community needs a Muslim voice that can move beyond the trap of victimhood and the constant blame game and actually harness the positive energies of the community into a new optimistic partnership with Hindus, Christians and the other minority communities. Another section of the Muslim community whose voices and concerns have merited little attention in the discourse and demands of the 'All-India' Muslim organizations, are Muslim Women. In almost all these organizations, women find no representation at all.

Issues of pressing concern to the majority of the 'low' caste/class Muslims such as rampant poverty, landlessness, illiteracy and unemployment, caste discrimination, rapid economic marginalization due to the 'liberalization' of the economy that is fast destroying the resource base of Muslim artisan communities, and the meager representation of 'low' caste Muslims in government services, rarely, if ever, find mention in the discourse of 'Ashraf' (high caste/class Muslim) politicians.

Many of the Muslim elites who claim to speak for all Muslims, the State, which relates to these elites as 'spokesperson' of the community has very limited knowledge of the manifold social, economic and educational problems besetting the Muslim masses. There is a distinct lack of NGOs doing practical work to address the issues of Muslim poverty, illiteracy, unemployment and so on. This is something that Muslim organizations have not effectively explored. A greater number of International Civil Society organizations should have to include the Indian Muslim community as a marginalized community in their development agenda.

While Indian Muslim organizations run numerous research centers and institutes to do with Islam, there are a negligible number of such institutes for research and publication on Indian Muslim social life, as opposed to mere religious issues. There are relatively few Indian Muslim social scientists of distinction who have done such work. Scholarship on the subject by non-Muslim scholars is also very limited.

All India Muslim Majlis-E-Mushawarat suggests that "the government of India has to build a national consensus in favour of giving the long deprived Muslims their dues through dialogue with the political parties and the civil society in order to educate the common people, who are basically secular and believe in equality and social justice, to counteract the hostile propaganda by the communal forces". The enlightenment of a majority of Hindus will overcome the zealotry of a few among them. The Justice Sachar Committee has made recommendations for setting the Muslim Community on the road to progress. The Government has accepted most of the recommendations but they have to implement these in letter and spirit. The

Budget for 2007-08 of the Government of India reflects the sincerity of the government towards inclusive growth. Nevertheless, little will reach the community if no serious efforts to implement them is made. The Government of India has to seriously think about the representation of Muslims in proportion to their population in Parliament.

Having multi-billion dollar budgets to safeguard the borders in countries like India and Pakistan where still hundreds of millions of its citizens earn less than a dollar a day is by no means justifiable. Working on projects of recreating national boundaries will not solve any issues. But peace and respect among the largest ethnic population on the face of the earth can create wonders. It will make life easier for Indian Muslims too as the propaganda machinery of the Sangh Parivar will have lesser fuel to add to the fire. Mirza Faisal suggests that, "Today let us let bygones be bygones. India needs a strong Pakistan; not as an enemy but as a friendly neighbor. A neighbor that works with India in creating a South Asia, a super zone similar to the Euro Zone, by looking at our synergetic past and not by picking on twisted irritants from the past. The solution is not by putting Pakistan in contrast to India in everything particularly in identity but in drawing inspiration from our mutually enriching past.

Muslims and the West seem to be on a collision course. As it is necessary for Westerners to appreciate the Muslim cultural viewpoint, it is also necessary for Muslims to understand the Western point of view and their respect for democratic values and human rights. As Asghan Ali Engineers says, "What is needed is dialogue between representatives of these two value systems - Western and Islamic - to end the atmosphere of confrontation."

“The Danish Power of Coherence? An example of how the Danish government relates to the Muslim minority in Denmark”

Charlotte Tulstrup, August 2008

The 20th of May 2006 the Danish Prime Minister, Anders Fogh Rasmussen, wrote an article in a daily newspaper headed “Keep religion indoor”¹. Here Fogh Rasmussen arguments that religion should be kept out of the public sphere, as traditionally has been the case in Denmark, because the social coherence of Danish society is under threat: “But the strong uniting power is in those years challenged by an increasing religiously biased debate of a more irreconcilable character. To secure a continued strong uniting power in the future it is in my opinion desirable that religion shall take up a smaller place in the public space.”

On the other hand Fogh Rasmussen says that Danish society is penetrated by Christian thinking. According to the Prime Minister it is exactly this Christian influence that is responsible for what he defines as the ‘strong uniting power’: “The Danish society is marked by a strong, uniting power...in my view Christianity is a perspective of life that turns against anything authoritative and suppressive, and in that way points to the freedom and responsibility of each of us. The strong uniting power of Danish society is among other based on the fact that a massive majority shares a common basis in Christian culture.”

Fogh Rasmussen also mentions something he calls ‘the Danish free spirit’, which equals a more general Danish self-perception; that Danish society is liberal and tolerant, giving high priority to freedom of the individual and human rights in general. In his article these values occur juxtaposed to a number of contrasting characteristics, as he addresses the dangers of religion: “It becomes completely grotesque when it is demanded, that people of today uncritically and literally should conform to incredible interpretations of directions given in thousand-year-old holy scriptures. That is complete darkening thinking...the dogmas of religion can stop all development and progress, which means that such societies are doomed to fall behind in renewal and development, growth and wealth.” Fogh Rasmussens choice of words like ‘darkening’ and ‘grotesque’ not only produce intense associations but builds up the features of a threatening ‘them’ versus an ‘us’ whose exclusive set of values are to be protected from the invasion of the threatening ‘them’. According to the Prime Minister protection is achieved by expelling religion from the public sphere and keeping things as they have always been in a Denmark of culture-Christian Danes, who do not let their private belief spill into the public sphere: “[In Denmark] peace and harmony resides more or less, because it is constituted that the individual Christian draws the consequences of his/her own faith.” Now the grotesque, back-dropped traditionalists have come along, threatening the harmonious Danish coherence. Who are they, then?

¹ Rasmussen, Anders Fogh: “Hold religionen indendørs”, *Politiken*, 20th Maj 2006

The article occurred as a political statement in the aftermath of the Muhammad cartoons controversy and should be understood in the light of this. The twelve satirical drawings, that in different ways portrayed the Muslim prophet, Muhammad, was published in the largest daily newspaper in Denmark, Jyllands Posten, on 30th of September 2005 and triggered an international crisis for Denmark, when Muslims throughout the world responded with wide-ranging protests, attacks on embassies and Danish or European representations and a consumer boycott of Danish goods. The focus of this article is not the drawings or the question of freedom of speech that it revolved around. I want to draw attention to the sociocultural context that fostered the conflict, by illustrating how the Muslim minority is pictured and addressed by the Danish government, here exemplified by the presented article by Fogh Rasmussen.

Cultural Racism

On the grounds of the economical crisis of the 70s and the poor social integration that followed, the radical right wing receives extensive support in Europe today. Besides representing a nationalist line of thought, researchers characterizes the right wing anti-immigration attitude and often anti-muslim attitude, as a cultural racism. Inherent to cultural racism is the arranging of cultures on a hierarchical scale according to their level of economic development and ascribing superiority to certain cultures due to their level of 'modernity' versus 'traditionality', 'progress' versus 'under-developedness'. These differences between cultures makes it 'natural' for national states to establish closed, exclusive, territorially bound identities, which in example justifies strict integration laws. On this front Denmark has introduced unusually strict laws since the political collision in 2001 between the liberal party of Fogh Rasmussen, the Conservative Party and the radical right wing party, The Danish Peoples Party. In the cultural racist context the 'problems' are something the immigrants brings with them and the problems immigrants face in example entering the labour market are blamed on the newcomers themselves, due to their 'culture'. On these grounds researcher Karen Wren categorizes Denmark as "potentially one of the most racist countries in Europe"². This is echoed by the European Commission that surveys the level of racism within the EU when it characterizes Denmark as holding extensive xeno- and islamophobic views³.

The reaction of the Danish Muslim minority

The reaction to the Muhammad drawings among representatives of the Muslim population in Denmark was at first hand to ask for an apology from Jyllands Posten, to seek support from the government and Muslim ambassadors in Denmark and call for the peaceful protest of the Danish Muslim population. In a letter to the Danish government the Muslim representatives expressed that they as a religious minority felt demonized and often became the weak party in cultural and political discussions⁴. The letter was not answered till February 2006. Jyllands Posten rejected giving an apology because the act would undermine the freedom of speech. Eleven ambassadors were further rejected in their plea to Fogh Rasmussen for a

² Wren, Karen: "Cultural Racism: something rotten in the state of Denmark?" i *Social and Cultural Geography*, Vol. 2, No.2 , 2001

³ From Leirvik, Oddbjørn: "Kva var karikatursaka eit bilete på?" i *Kirke og Kultur* 2: 2006

⁴ The letter is presented in Thomsen, Per Bech: *Muhammed-krisen. Hvad skete der og hvad har vi lært?*, København, People's Press, 2006

meeting. The reaction of the Danish Muslim minority was to turn to Muslims outside of Denmark for support.

Societal differences and discourses that discriminates groups economically, politically or culturally influences the social-psychological situation of groups and are decisive to the extent to which a group will start organising around an identity that is separate and objective to both other groups and the state.

With his article, Fogh Rasmussen draws up the lines between societal groups, but in a subtle way; who would not like Fogh Rasmussen acknowledge that a cultural-religious inheritance influences even very non-religiously believing- and practicing societies? Who does not cherish the liberty-rights? The problem with the article is the extremely exclusive identity the Prime Minister builds up around what it encompasses to be Danish: according to him the Danish are characterized by a strong uniting power which is grounded in a culture-Christian background. Citizens not sharing the culture-Christian background obviously cannot be Danish. And further; culture-Christians do not bring their religious elements into the public. This is presented by Fogh Rasmussen in context, when a non-Christian, religious minority in Denmark is at the centre of attention because they have spoken out for their religious beliefs in public.

The building of nationalist, exclusive identities has long been produced by the extreme right, but has over the last decade become a generally accepted line of thought among mainstream politicians. Fogh Rasmussens article is so problematic, because it is advanced by the leading authority of society and addresses a minority that in this case counts 200.000 Muslim citizens. This means four percent of the Danish population.

The line of thought is an illustration of the lack of identification with inclusive, multicultural identities that you would expect of any post-modern state to see it as its duty to mediate.

“Denial of the Reproductive Right is a Crime of Genocide”

Tsomo Tsomo, August 2008

One of the most unique and precious gifts that nature has granted women is motherhood, or in other words, the ability to give birth. From a legal point of view, the right to reproduction is one of the most fundamental and inherent rights of each and every woman. Regardless of the difference in race, colour, religion and nationality, every individual woman should be entitled to enjoy and exercise their fundamental reproductive right.

A broad definition of the right to reproduction includes the right of each woman to their reproductive choice, and full right to decide about the number and spacing of their potential children. Although the rights of the unborn child are still an issue of continued debate, when it comes to issue such as abortion, the woman is entitled to take responsibility for making the full decision because it is directly related to the health issues of the woman.

Under International laws and different human rights instruments such as the International Covenant on Economic, Social and Cultural Rights (ICESCR) and the Convention on the Elimination of all forms of Discrimination Against Women (CEDAW), each and every state party has the legal and moral obligation to ensure the full development and protection of the most fundamental rights. And each and every woman should be guaranteed their reproductive right based on the principles of equality and non-discrimination.

Despite these lofty declarations concerning the implementation of these rights under international human rights laws, the practical implementation of these rights still remains an issue of great concern. Women everywhere have been denied their right to reproduction. In the case of China occupied Tibet, there have been systematic birth control measures imposed on Tibetan women, despite China having signed and ratified both the ICESCR and CEDAW.

With the basic aim to reduce the Tibetan people to an insignificant minority in their own land, the Chinese government has introduced a two-child policy in Tibet. The official justification for the two-child policy is the family planning and population control policy, but in fact the six million Tibetan population has never been a problem for Tibet which has an area of 2.5 square kilometres. (query size) Tibet is one of the most sparsely populated counties in the world.

The two-child policy of the Chinese government in Tibet not only violates the Tibetan woman's rights to reproductive choice, but also amounts to crimes of genocide because according to international law, in particular the Convention on the Prevention and Punishment of the Crime of Genocide, it has clearly been stated that any act of imposing measures intended to prevent birth of any national, ethnic, racial or religious group amount to the crime of genocide.

To implement the two-child policy, different birth control measures are imposed among the Tibetan women. These measures includes forced sterilization, forced abortion and severe penalty

Forced sterilization is one of the common methods of birth control used by the Chinese government in Tibet. According to the reports of the Tibetan Central for Human Rights and Democracy (TCHRD) and the Tibetan Women's Association (TWA), between 1996-1998 1230 Tibetan women were forcibly sterilized.

Forced abortion among Tibetan women has been systematic and widespread. Pregnancies that cross the limited quota are forced to abort irrespective of the stage of their development.

One of the most horrible and inhumane aspects of these forced abortions and sterilizations is the total lack of medical standards for carrying out the procedures. Due to low medical standards and lack of follow up medical care and medication given to the women, there have been cases in which the woman has become paralysed and the death of a Tibetan woman as a result of a forced abortion has also been reported.

Reports of NGOs also reveal that sometimes forced sterilization is carried out without the consent or knowledge of the victims because it is done in the name of a medical check-up.

Severe penalties in the forms of high fines, expulsion from job and deprivation of basic benefits like food ration, health and education care for the child has been another method to implement the two-child policy. Due to the severe nature of the penalty, many women have no choice but to undergo the forced sterilization and abortion.

Hence the systematic and inhuman birth control measures implemented by the Chinese government in Tibet is a gross violation of the most fundamental rights of the Tibetan women to their reproductive choice and it also amounts to the crime of genocide according to international laws.

To our great disappointment, the gross violation of the Tibetan people's basic and fundamental human rights is an ongoing process at the very moment in Tibet despite China being awarded the opportunity to host the Olympic on the condition of improving the human rights situation in China, particularly in Tibet.