



## HUMAN RIGHTS ADVOCACY

# Protection of religious minorities: A cry in the wilderness?

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OH my sweet nation! Can't you hear the scream of the helpless minorities who are left to the street and are compelled to live under the open sky? Can't you notice the horror on the face of those destitute people who are haunted by the nightmare of those dreadful nights? Our dear motherland Bangladesh that emerged in 1971 as a country of communal harmony with new aspiration of Bangladeshi culture and heritage is now distorted by discrimination, insecurity and acts of violence. Vandalism towards the minorities especially religious minorities is also the reason for destroying the harmony between the sects of the nation. Despite majority people are Muslims, Bangladesh is a home of multi religious, multi cultural and multi lingual people. Here live the 'Religious minorities' like Hindus, Buddhists, Christians, the 'Ethnic and Linguistic minorities' popularly known as 'Adivasis' or tribal people (at least 27 different ethnic groups such as Chakma, Marma, Tripura, Garo, Santal, Khasia, Monipuri, Rakhaine etc. lives here). Besides, there are 'Ahmadiyyas or Kadiyanis', 'Biharis', 'Rohingyas' though they constitute a very negligible quantity. People have been living in this region of the sub-continent with peace and harmony from time immemorial. Even in the Hindu and Muslim period, there was hardly any communal riot. Before leaving this sub-continent, the British drastically disseminated the nasty seed of communalism, the legacy of which has been carried away to recent period. Aggression and suppression to the minorities is not a unique or distinct issue for Bangladesh, rather it is a global phenomenon. But Bangladeshis are reputed in the world for their rationality, hospitality and peace-loving spirit. The violence towards minorities is a stigma to that reputation of Bangladeshis.

In Bangladesh, the minorities undergo violent activities and discrimination mainly due to land related disputes, criminal nature of some miscreants and political duplicity and hypocrisy. Violence to minorities took place at regular intervals of which most extensively in 1950, 1958, 1964, 1965 (during the Pakistan period); in 1971 (during our liberation war) and after the independence, in 1975, 1990, 1992, 2001, 2012 and 2013. After the liberation war, the minorities underwent violent massacre several times most of which incidents were unreported, under-reported, or neglected. The Hindus and the Buddhists, being majority among the minority, suffer much and bear heavy loss of property and belongings. The destruction often becomes more severe like murder, rape of females, causing fire to houses and belongings, looting wealth in broad daylight etc. During every unfortunate event, the ruling party or the government of the country failed to provide adequate protection to the minorities which is neither desirable nor consolable.

There are several factors that contribute towards the present violence against the minorities. They are given below:

#### Indirect threat to leave the land or country

Being threatened to life and deprived of social secu-



ity, the minorities (especially the Hindus) are compelled to leave their motherland and take resort to neighbouring country. This paves the way for some dishonest and insatiable land owners to grab the home-stead and lands of the Hindus in exchange of minimum pecuniary value (or even sometimes, without any value).

#### Political and communal vengeance

The incidents of 1990, 1992, 2001 and 2013 bear testimony of this type of violence. The vandalism of 'Babri Mosque' in India was reciprocated with the Hindus of Bangladesh in 1992. In 1990, the minorities were tortured to conceal the arbitrariness of the government and to change the course of protest against the government. In 2001, the supporters of the ruling party took revenge on the minorities on the belief that they (minorities) exercised their right to franchise on opposite party. The present violence and vandalism towards minorities in 2013 which is still ongoing is a sign of political duplicity and hypocrisy. The most surprising feature of present violence is that every political party is claiming to offer assistance to the minorities along with the government but unfortunate incidents are not ceasing.

#### Guilty mind of the culprits, miscreants and opportunity-seekers

There are some people living in the society who are always ready to utilise whenever there arises any opportunity to snatch away the valuable property, wealth etc. of others. Their sole purpose is plundering, robbing and vandalising the household belongings,

properties and temples of the minorities.

#### Failure or negligence of the ruling party and the police

Most of the cases of minority violence often go unpunished since, violence is committed by a group of people who are politically influenced and backed. In some cases, complaints against the perpetrators instigate more violence. The issue, being sensitive, cannot be controlled properly by police or government considering the impact of vote of the majority upon election. Besides, lack of unity among the minorities, unwillingness of the religious leaders or organizations to protest or come forward strongly, inferiority complex within the minorities themselves, victimisation of rumour etc. contribute more to their helplessness and vulnerability.

According to The Constitution of Bangladesh, All citizens are equal before law and are entitled to equal protection of law. [Art. 27] State shall not discriminate against any citizen on grounds only of religion, race, cast, sex etc. [Art. 28] The Constitution also ensures right to equality of opportunity and employment in public offices for all citizens. [Art. 29] It is also stated that the State shall take steps to protect and develop the unique local culture and tradition of the tribes, minor races, ethnic sects and communities. [Art. 23A] Besides, every citizen has the right to profess, practice or propagates any religion and every religious community has the right to establish, maintain and manage its religious institutions. [Art. 41] Thus, the Constitution of Bangladesh leaves no space for any type of discrimination towards minorities; rather confer equal right and status upon them like other citizens of the country.

International Law promotes rights on a collective basis to ethnic, religious and linguistic minorities. Rights of the minorities are globally recognised and guaranteed in 'The Genocide Convention, 1948'; Article 27 of 'The International Covenant on Civil and Political Rights, 1966'; 'The Convention Against Discrimination in Education, adopted under auspices of UNESCO in 1960'; 'The Advisory opinion of the Permanent Court of International Justice, delivered in 1935 in the Minority Schools in Albania Case'. These international instruments contain two objectives: First, complete equality between nationals of the state belonging to racial, religious or linguistic minorities and other nationals (related to the majority) and secondly, to ensure for the minority suitable means for the preservation of their racial peculiarities, their traditions and their national characteristics.

The Charter of Medina [the Constitution of the first Islamic State, drafted by the Holy Prophet (pbuh)] also guaranteed and established the security and religious freedom of all communities including Muslims, Jews, Christians and pagans. The Charter specified the rights and duties of all citizens and the relationship of the different communities in Medina specifically the Jews and other people.

The government must be committed and sincere enough to provide adequate protection and assistance to the minorities in case of any mishap happens towards them. The government should also provide required compensation for their rehabilitation and re-establishment. The actual culprits, whatever mighty or politically influenced, must be brought under criminal trial for their misdeeds. If necessary, separate harsh legislation controlling communal anarchy may be enacted. Both the electronic and press media must place timely attention and highlight the occurrences so as to create continuous pressure upon the government. Minority leaders and religious organizations must also raise strong and massive protest against such violence. Finally, to promote peace and harmony among the communities of the country, strong and effective awareness raising campaign must be launched and conducted on regular basis.

It should be borne in mind that the religious and ethnic minorities also sacrificed for the independence of our motherland. They contributed and equally participated in the development and promotional building up of our country. Aggression to the minorities may cause imbalance to cultural as well as lingual heritage and diminish intellectual contribution. We have to uproot religious fascism from our soil if we want to preserve our unique language, culture and heritage. Bangladesh is also said to be a country of religious and communal harmony. The inhabitants living here are pious, peace-loving, cordial and co-operative. So, it is our sacred duty to preserve peace and harmony among the communities of the country and uphold the pride and glory of the nation. Long live the country. Long live the aspiration of the Bangladeshis.

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## FOR YOUR INFORMATION

# UN puts human rights at heart of historic Arms Trade Treaty

ON 2 April 2013 governments at the United Nations adopted by a wide margin an Arms Trade

Treaty that will prohibit states from transferring conventional weapons to countries when they know those weapons will be used to commit or facilitate genocide, crimes against humanity or war crimes.

In the UN General Assembly 155 states voted to adopt the treaty just days after Iran, North Korea and Syria three human rights-abusing countries under some form of UN sanctions staged a cynical move to try and block it. All three voted against the treaty and 22 other states abstained.

"The world has been waiting a long time for this historic treaty. After long years of campaigning, most states have agreed to adopt a global treaty that can prevent the flow of arms into countries where they will be used to commit atrocities," said Brian Wood, Head of Arms Control and Human Rights at Amnesty International, from the UN conference in New York.

"Despite Iran, North Korea and Syria's deeply cynical attempt to stymie it, the overwhelming majority of the world's nations have shown resounding support for this lifesaving treaty with human rights protection at its core."

The treaty also obligates all governments to assess the risk of transferring arms, ammunition or components to another country where they could be used to commit or facilitate serious violations of international humanitarian and human rights law. Where that overriding risk is real and cannot be mitigated, states have agreed the transfer will not go forward.



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"When you think of the huge economic interest and the political power in play for the big arms producers and exporters, this treaty is a tribute to both civil society who championed the idea to save lives and reduce human suffering as well as the governments who heeded that call," said Widney Brown, Senior Director of International Law and Policy at Amnesty International.

"In the next four years, the annual trade in conventional weapons, ammunition and components and parts will exceed \$100 billion. But today, states have put human beings and their security first."

The treaty was adopted after more than six years of UN deliberations a process that began in December 2006 when the General Assembly agreed to consult all states on the feasibility, scope and parameters of a treaty to regulate the international transfer of conventional arms.

A record number of states responded to the UN Secretary General, almost all of them positively. Human rights and humanitarian law were put at the top of the list of criteria.

The scope in the adopted treaty covers major categories of conventional arms, including small arms and light weapons which proliferate in countries with low-level conflicts, armed violence and a massive number of civilian casualties.

"As in all treaty negotiations, we did not get everything that we wanted, so for example ammunition is not fully included in all the treaty provisions, but since this treaty can be amended and has many strong rules it provides a firm foundation on which to build an international system to curb the flow of arms to those who would commit atrocities," said Wood.

"This shows that when members of the public come up with a really good idea that will help make the world better and get organized, they really can make it happen and make a difference on a global scale."

The treaty will be opened for signatures and ratification on 3 June 2013 at the UN General Assembly and will enter into force shortly after it has been ratified by 50 states.

Source: AmnestyInternational.  
(<http://www.amnesty.org/en/news>)



## LAW NEWS

# UN urges attention on autism spectrum



EARLY interventions can help people on the autism spectrum reach significant gains in their abilities, Secretary-General Ban Ki-moon today said, urging international attention to autism and other developmental disorders. "Now is the time to work for a more inclusive society, highlight the talents of affected people and ensure opportunities for them to realize their potential," Mr. Ban said in

his message on World Autism Awareness Day, which is marked annually on 2 April.

"International attention is essential to address stigma, lack of awareness and inadequate support structures," he added. Autism is characterised by varying degrees of impairment in communication skills and social interactions and in restricted, repetitive patterns of behaviour. In her video message for the Day, Ban Soon-taek, the Secretary-General's wife, noted the UN's commitment to raising awareness about autism.

"Let us continue to work hand-in-hand with affected individuals which strengthens their lives and helps society as a whole," Mrs. Ban said.

Earlier, The General Assembly unanimously agreed in December 2007 to mark 2 April as World Autism Awareness Day to highlight the need to help improve the lives of children and adults who suffer from the condition, so they can lead full and meaningful lives.

Source: UN News Centre.9