

Attack on Human Rights, Freedom of Faith



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Does India really respond to the “name and shame” strategies that International Human Rights organisations traditionally use to persuade or encourage national governments to clean up their act on human rights, civil liberties and constitutional guarantees on freedom of faith and conscience?

Past record shows that India does not really care. It has remained immune to criticism on the massacre of Muslims in Gujarat in 2002, of Sikhs in New Delhi in 1984 and of Christians in Kandhamal, Orissa, in 2008. It has not winced when criticised for its terrible record on people in prison, on conditions of schools, hospitals and mental asylums. It also remains quiet when national

INDIA DEAF TO GLOBAL CENSURE



BY JOHN DAYAL

and international media call New Delhi the rape Capital of the world. India has not reacted when grassroots workers expose its record on hunger, on the suicide of farmers who cannot repay usurious loans when their crops fail, on its terrible record in infant health and care – India rates third from the bottom in infant malnutrition and mortality.

The human rights situation in India is “much poor”, international and national groups have said in documents prepared for the second Universal Periodic Review. India has yet to enact adequate laws or implement policies to protect marginalized communities, particularly Dalits, tribal groups, religious minorities, women, and children. The government routinely fails to take action in cases of serious human rights violations, particularly all

forms of sexual assault against women, communal violence, enforced disappearances in conflict areas, extrajudicial killings, torture, etc.

These issues, it is noted, are compounded by the widespread impunity for abuses and the corresponding problems of access to justice and adequate compensation, international groups such as Human Rights watch have said. They have demanded that the European Union should call for repeal of Indian laws that protect public officials from prosecution for violating human rights, effective implementation of policies to ensure social justice, and a commitment to ensure freedom of expression, including on the internet. They also called upon the EU to encourage India to use its increasing global influence to address human rights problems in other countries.

At the United Nations Conference on Race, Racism and Race-related issues at Durban, South Africa, India fought tooth and nail when the Dalits and their foreign friends sought to press their demand that the

ugly caste system be classified as a racial crime because it was birth derived. India would hear nothing of it even when indicted by its own National Human Rights Commission which, for once, came on the idea of the Dalits.

India continued to show this attitude when it came up for the first Universal Periodic Review at Geneva in 2008 soon after the creation of the United Nations Human Rights Council. Every member-state of the UN has its human rights queried. India repeated its litany of the number of laws it has and the large number of institutions created to take care of the human rights of the common people. What it did not do was to tell the world how inefficient and useless most of these institutions have been. While India boasts of a number of human rights organisations created by Parliament, the record in all areas of human rights, including freedom of faith, remains dismal. It will sing the same song when its diplomats face the Universal Periodic Review 2012 in Geneva in June this year, with a preliminary bout in March.

There is also a creeping suspicion in national and international human rights circles that though India has some sensitivity as it pretends to be a global power and is keen that others recognise its economic might, its majoritarian polity is so immersed in the strength of a mythical past that they do not care for any comment coming from the Islamic or Christian intelligentsia and international lobbies. They dismiss such comments as irrelevant for a democracy which has so many rules and laws in place.

Nonetheless, human rights activists across the world will be happy at the news that Italy has set up a Commission for Monitoring Religious Freedom in all countries. This is the second such commission in the world after the troubled United States Commission for International Religious Freedom (USCIRF)

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which, in recent years, has been beset by funding problems despite a very good record in “naming and shaming” countries where religious minorities are persecuted by the State or by majority groups.

Italian Minister for Foreign Affairs Giulio Terzi and Mayor of Rome Gianni Alemanno signed a protocol of understanding this past week at the Foreign Ministry in Rome establishing the “Osservatorio della libertà religiosa” (Observatory for Religious Freedom) for the study, analysis and monitoring of freedom of worship around the world. During the signing ceremony, Minister Terzi reconfirmed Italy’s determination, along with the Holy See, to act in every international setting on behalf of the assertion of the universal values of interfaith dialogue and tolerance, underscoring the decisive role of the diplomatic network in maintaining Italy’s high profile in those countries where religious minorities continue to be the target of violence, discrimination and persecution.

Italy has committed in the UN and the EU to ensure that fostering freedom of worship and peaceful co-existence between faiths would continue to be one of the distinguishing features of the ethical dimension of Italian foreign policy. Human rights issue was part of the discussions at the European Union-India summit on strategic partnership in Delhi in early February. There had been demands internationally that the Presidents of the European Council and the European

Commission make human rights a central part of their discussions with Indian officials.

Will the Italian commission meet the same fate as USCIRF? It remains a moot question because USCIRF perpetually faces a step-motherly treatment. It is also questioned for the quality of its work and its approach to international affairs. India has always dismissed the annual report of USCIRF. Critics such as Chris Seiple of the Institute for Global Engagement say USCIRF has operated with a “lamentable approach: name, blame, and shame foreign governments,” which has kept the taxpayer-funded Commission from making as big a contribution to the cause of religious freedom worldwide as it might have otherwise.

In a time of budget cutbacks, critics advocate eliminating the independent commission -- and its \$4 million a year in federal funding. It prepares to shut down every time its budget comes up for review, but is reprieved at the last moment as an important instrument of US foreign policy. When originally created in 1998, USCIRF was intended to be “a sort of think tank” that could provide recommendations to the State Department and work cooperatively with the IRF office.

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