



World Sikh Parliament



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INDIA'S SYSTEMATIC VIOLATIONS AND ECONOMIC GENOCIDE

DOMINATE MAJOR GLOBAL SIKH HUMAN RIGHTS CONCLAVE

A high-level international online interaction, featuring prominent speakers from legal, political and NGO backgrounds, has addressed key Sikh human rights concerns and delivered a damning assessment of egregious breaches by the Indian state. Hosted by the Human Rights Council of the World Sikh Parliament to mark World Human Rights Day 2020, the webinar made it clear that Sikhs, both in their Punjab homeland and the Diaspora, need to establish an effective platform to tackle a range of systematic and massive abuses of both individual and collective Sikh rights over recent decades, as well as the current attempt at 'economic genocide' being conducted by the Hindutva BJP's land and power grab, under the guise of agricultural reforms.

Human rights advocates around the world traditionally mark the anniversary of the 1948 Universal Declaration of Human Rights every year by identifying the greatest challenges to ever-evolving international standards, including binding treaty commitments. For the Sikh nation, as a currently stateless people without a seat at the UN and its human rights bodies, it is even more important to identify the threats and counter them by formulating a coordinated strategy. The webinar, recorded on 12 December 2020 and broadcast globally on Sikh media platforms, undertook that role and has created a momentum to better safeguard the nation's rights, based on key instruments such as the 1966 International Covenant on Civil and Political Rights and the 1948 Genocide Convention, as well as provisions of domestic legal systems.

Dr Iqtidar Cheema, a member of the UN's Global Steering Committee on the prevention of genocide, pointed out that India's non-compliance with the Genocide Convention – as well as its official 'reservations' against the provisions of bedrock international human rights treaties – makes it untenable to even consider its claim for a permanent seat at the UN Security Council. He condemned India's new agri laws as a flagrant breach of Sikhs farmer's rights, as set out in UN's 2018 Declaration on the Rights of Peasants and Rural Workers, as well as the outrageous use of force earlier this month by Indian security forces against peaceful protestors from Punjab – which has also brought criticism from the UN Secretary General's office.

Senior Advocate Jaspal Singh Manjpur, who has represented scores of Sikh political prisoners over recent years in India, described how politically motivated draconian laws have been used to suppress political activism by those who espouse the Sikh national interest. From those on death row and on life sentences, to those who remain in jail despite having served their sentences, to those under trial Sikhs that have been targeted by notorious laws which do not comply with international standards, such as the Unlawful Activities Prevention Act, the picture is consistent. He called for the abuses to be highlighted at international level as the Indian judicial system was unwilling or unable to prevent the misery being visited by these 'black laws' on innocent Sikhs as part of a decades-old vilification policy of the Indian state.

Another leading practising lawyer in Punjab, Rajvinder Singh Bains, castigated the mis-use of the law to criminalise free speech by Sikh activists. Describing the outrageous case of three Sikhs being sentenced to life for 'waging war against the state' in 2019, merely for possessing literature or sharing social media posts, he made it clear that the 'separation of powers' was not working in India. The executive, security forces and the judiciary are often working together to undermine legal safeguards, as opposed to upholding them. It is conspicuous that those who espouse a 'Hindu state' do not of course face such an onslaught. He praised the farmers for facing down state intimidation and violence during their ongoing agitation, saying the freedom to protest peacefully was fundamental.

Satnam Singh Bains, a UK qualified barrister who now leads a project in India to bring justice to the tens of thousands of Sikh families in Punjab whose loved ones were 'disappeared' by the state in the 1980s and 1990s, explained how a vast body of evidence has been uncovered, showing how the victims were illegally detained, extra-judicially killed and secretly cremated. He termed the process state terrorism and highlighted how, even where the evidence was clear,

the guilty remain largely untouchable by the criminal justice system and refuse even now to tell grieving families about the fate of their kin.

Senior lawyer Amar Singh Chahal, another highly regarded veteran defender of Sikhs targeted by politically motivated arbitrary arrest, detention, torture and unjust convictions, devoted his submission to the ideals and values of the Sikh faith and historical figures – which pre-date modern humanitarian law – that put human rights and equality front and centre of the Sikh world view. The concept of '*sarbat da bhalla*', resistance to oppression and the challenge to unjust rule were hallmarks of Sikhism before international law was developed; and they will continue to be the dynamics of the Sikh nation, as amply demonstrated in the current siege of Delhi – spearheaded by Punjab's Sikhs.

Mejindarpal Kaur, International Legal Director of UNITED SIKHS, addressed the event from Malaysia and focussed on the need to convert those Sikh values in to a global force for good, so that the Sikh nation could establish itself as a defender of other faiths and wider humanity on a worldwide scale. In that context she proposed a collaboration with relevant UN human rights bodies to mark Sri Guru Tegh Bahadur's 400th birth anniversary next year. The need to develop an international Sikh human rights platform was also a necessity, she said, to help deliver practical 'outcomes' arising from these cherished underlying ideals.

Ramesh Singh Arora, a parliamentarian from Pakistan's Punjab Assembly, addressed the critical issue of legal recognition for Sikh identity and rights in domestic legal systems. Having worked for some years on the passage of the Anand Marriage Act in Pakistan, he contrasted that development with the outlandish provisions of India's constitution which effectively deem Sikhs to be Hindus for the purposes of personal law. If Sikh identity itself was denied, then the very notion of Sikh rights becomes vulnerable. The ongoing attempts to 'Hinduise' the Sikh faith in India are anathema to human rights.

Parmjit Singh Gazi, editor of Sikh Siyasat, condemned the actions of the Indian authorities in shutting down access to authentic Sikh media. His own media platform, as well as numerous others such as TV84, Akaal TV, KTV and TV ASP, along with countless social media sites have been taken off line either by the state itself or by illegitimate state pressure on worldwide media platforms such as Facebook and Twitter. International humanitarian law, as well as the Indian constitution, requires respect for the freedom of expression but India is fixated as blocking any expression of the Sikh nation's concerns and aspirations. He pledged to pursue legal challenges to such action, saying such censorship destroyed the essence of a democratic credentials often claimed by India's autocrats.

Ranjit Singh Srail, Coordinator of the WSP's Self-determination Council, highlighted the UN's own acceptance that all individual human rights were ultimately dependent on respect of the collective right of self-determination. He also flagged India's open defiance of the UN's assertion of that right; It's formal 'Reservation' against Article 1 of the International Covenant on Civil and Political Rights (which enshrines the right) has been repeatedly rejected by the UN and several leading states. India is yet to respond to the latest UN demand for the withdrawal of the unlawful Reservation, issued by the UN's Human Rights Committee in August 2019. Based on the submissions that came before his own, he said the Sikhs, as a nation, have no real prospect of securing justice in their homeland without an effective exercise of self-determination. That outcome would not only fulfil our national aspirations, but would be supported by international law.

The event concluded with a Q&A session that saw in-depth expert opinion exchanged on the humanitarian challenges including the perfect storm of the inability of the UN to police its human rights standards, the exponential increase in centralisation and thuggery by a Hindutva-orientated Indian establishment juxtaposed with the culture of impunity delivered by draconian laws and a largely complicit judiciary.

Chaired by WSP General Secretary Manpreet Singh (UK) and Gurvinder Singh (Australia), the event ended with a commitment by the World Sikh Parliament to support similar events in the future.

There is much work to do in terms of bringing (or dragging) India to compliance with universally accepted rights standards. Just as the Sikh farmer has fearlessly led the current agitation that has rattled the Modi regime, it seems the Sikh nation will, once again, need to spearhead a wider quest for human rights, economic security and freedom in South Asia.