



July 2017

Please accept my apologies for not producing faith and peace for the past year. I hope to now produce this publication on a monthly basis. —Bruce Van Voorhis, editor



Since January 2015, there have been 195 attacks on Christians documented by the National Christian Evangelical Alliance of Sri Lanka. (Photo from <https://paoc.org>)

In Support of Religious Minorities, the Rule of Law and Lakshan Dias in Sri Lanka

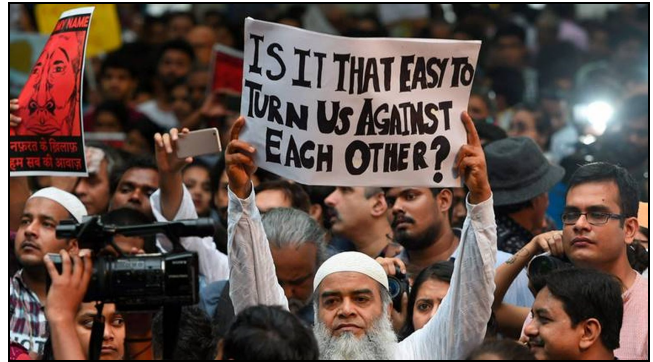
Ruki Fernando

For citing statistics in a report about attacks on the minority religious communities of Christians and Muslims in Sri Lanka, lawyer Lakshan Dias is facing condemnation against himself, including disbarment from the legal profession. Instead of investigating the merits of the report and seeking to uphold religious freedom for all of its citizens, the government, in short, is attacking the messenger because they do not like his message. [[Read more](#)]

A 'Stain-less' Government amid Bloodstains on the Streets of India

Avinash Pandey

Since the Bhartiya Janata Party (BJP) rose to power and its leader Narendra Modi became India's prime minister in 2014, religious minorities in this predominantly Hindu country have increasingly been the targets of violence. In recent months, Muslims, labelled as "beef-eaters" by Hindus who subscribe to the BJP's ideology, have been the primary victims of Hindu mobs that have become infamously known as cow vigilantes. This phenomenon though has been met by denial by the authorities. [[Read more](#)]



Non-Muslims Forced to Do Sanitary Work in Pakistan

Asian Human Rights Commission



Discrimination against minorities is sadly prevalent throughout the world. In Pakistan, the boundaries of discrimination are often related to one's faith. [[Read more](#)]

Religious Intolerance Must Be Resolved for Burma to Advance Its Democratic Transition

Progressive Voice



One of the major human rights issues facing Burma today is religious intolerance that not only creates suffering for religious minorities—Muslims—but also inhibits nation-building and the country's democratic development. Attempts are now being made within Burma's majority religious community of Buddhists to address this issue. [\[Read more\]](#)

How the Human Rights Movement and Institutions Can Withstand the Current Onslaught

Philip Setunga

The vacuum produced by the more isolationist positions of the Trump administration in the United States and the country's resulting diminished historical moral standing on the world stage create opportunities for China and other countries with



poor human rights records to fill this void. It is with this global context in mind and concern for the future of human rights that the author offers some prescriptions to respond to these new conditions. [\[Read more\]](#)

An Open Letter from Devi Sunuwar, Mother of the Late Maina Sunuwar in Nepal

Four army officers in Nepal were arrested and charged with torturing Maina Sunuwar to death in 2004. After a painfully slow and protracted legal process, three of the soldiers were finally convicted by a court in April 2017, but the fourth soldier, the highest ranking officer of the unit that arrested the 15-year-old girl, Capt. Niranjan Basnet, was acquitted for not directly engaging in the fatal acts of torture. Maina's mother Devi disagrees with this decision and continues to seek justice for her daughter through an appeal, but she needs your help. [\[Read more\]](#)





Buddhist monks from the Bodu Bala Sena are often at the forefront of attacks on Christians and Muslims in Sri Lanka. (Photo from <https://voiceofthepersecuted.wordpress.com>)

In Support of Religious Minorities, the Rule of Law and Lakshan Dias in Sri Lanka

Ruki Fernando

Religious minorities in Sri Lanka, particularly Muslims and evangelical Christians, faced serious persecution under the previous Rajapaksa government, which has continued even under the current Sirisena-Ranil government. The Catholic archbishop of Colombo, who has been hostile towards evangelical Christians (a numerical minority among Christians), now appears to be assisting this government's approach of denying the actual problem and attacking those who are attempting to highlight the gravity of the issue. The latest victim is well-known human rights lawyer, and my good friend, Lakshan Dias.

Given the latest statements from the president and minister of justice, and the general lack of focus on violations of the religious rights of evangelical Christians, I will focus on violence directed towards them in this article. Some of the systematic violence directed towards the Muslim community has been already well documented.¹

On May 27, 2017, the National Christian Evangelical Alliance of Sri Lanka (NCEASL) issued a press release expressing concern about increasing attacks on religious minorities in Sri Lanka.² They cited more than 20 incidents of violence and intimidation against Christian places of worship across the country in 2017 and more than 190 incidents of religious violence against churches, clergy and Christians since 2015. Many of these incidents have been documented on the NCEASL web site.³ The NCEASL press release also highlighted the “alarming increase in the number of incidents led against Muslims.”

On May 31, the chairperson of the Human Rights Commission of Sri Lanka wrote to the president, drawing his attention to the “spate of attacks on places of Christian religious worship in the recent past” and expressing grave concern about acts of violence and aggression targeting the Muslim community.⁴ The commission requested the president to “give urgent directions to the Ministry of Law and Order and the inspector general of police to take all necessary action against the instigators and perpetrators of violence and hate speech targeting the Muslim community as well as other religious minorities.” This clearly doesn’t seem to have happened.

Lakshan’s Brave Expose and Reprisals from the President and Minister

On June 14, during the TV talk show *Aluth Parlimenthawa (New Parliament)*, Lakshan highlighted that Muslim and Christian places of worship are under attack and that 195 attacks against Christians have been reported since Jan. 8, 2015.⁵ Lakshan has been a determined and long-standing



Lakshan Dias (Photo from www.frontlinedefenders.org)

campaigner and advocate for the rights of religious minorities. He often travels far to rural areas, interacts with victimized communities, publicizes their plight and appears in courts across the country in numerous cases during both the tenure of this government and under the previous government. Although he was referring to the NCEASL report, he is personally aware of many such incidents.

His comments on the TV talk show, especially his candid assertion that Buddhist monks are behind some of these attacks, drew immediate and angry reactions from a hostile anchor and two other panelists. Within days, it also drew negative reactions from President Maithripala Sirisena and the minister of justice and Buddha Sasana, Wijeyadasa Rajapakshe, both of whom were quoted on prime-time news of the government TV station ITN on June 17.⁶ Sirisena said that he had called the Catholic archbishop of Colombo, Cardinal Malcolm Ranjith, and asked him about attacks on Catholics and Protestants (although Lakshan never mentioned attacks on Catholics in the TV talk show). According to Sirisena, the cardinal had said that there had been no such attacks. Minister Wijeyadasa misquotes Lakshan as having said 166 attacks against Christians had taken place in recent days of this year (what Lakshan actually said is that there have been 195 attacks between Jan. 8, 2015, and the present time).⁷ The minister then goes on to say that the cardinal had claimed that no such incidents have occurred in Sri Lanka.

Complicity of the Cardinal

The cardinal on his part has accepted that he doesn't know that churches have been attacked to this extent and claims he doesn't know where this data comes from.⁸ This assertion is despite NCEASL's incident reports being available publicly for many years, their May 27 press release and the open letter from the Human Rights Commission, etc. The cardinal's claim that he is not aware of such large numbers of attacks against evangelical Christians is difficult to believe and is likely to be an attempt to sweep these incidents under the carpet, or to justify them, given his hostility towards evangelical Christians. If he is actually ignorant, that shows an extraordinary degree of insensitivity to the rights of religious minorities in Sri Lanka and towards a minority group among Christians. His hostility towards some non-Catholic Christians is apparent as he refers to them as

“fundamentalist Christian groups.” He acknowledges that these Christians may have faced persecution and that he doesn’t know whether such persecution has been in the context of them building “things like new churches” or trying to “recruit members in areas where they had no members.” The cardinal appears to have conveniently forgotten that for centuries in Sri Lanka and other countries thousands of Catholics have been recruited from areas where there were never Catholic and that “things like churches” have been built across Sri Lanka by Catholics, including in areas where there had never been Catholics historically.

The president and the minister appear to be ignorant of the fact that there are many Christian churches in Sri Lanka and that the cardinal is only one of the leaders of one of these denominations, the Catholic Church. It’s noteworthy that the cardinal himself acknowledges that he is only in charge of Catholics in the Western Province (Colombo Archdiocese).⁹ There are 11 other Catholic dioceses in Sri Lanka led by different bishops in the other eight provinces in the country, and there are many other non-Catholic, vibrant Christian communities across the country. Given his limited mandate, even within the Catholic Church, his open hostility towards other Christians and his stated ignorance, the cardinal is, indeed, a very poor choice to consult on matters affecting Christians in Sri Lanka. Moreover, while recognizing Christians as being a numerical religious minority in Sri Lanka, we also need to recognize evangelical Christians as a marginalized numerical minority within the Christian community in Sri Lanka, persecuted also by some Catholics, who are the majority Christian community in Sri Lanka.

It appears that both the president and the minister had not made any effort to contact the NCEASL, even though Lakshan had cited the NCEASL as the institution which had documented the 195 attacks. If the president and the minister had looked at the NCEASL press statement and incident reports on their web site over the years, they would have got a wealth of information about attacks on evangelical Christians under their watch as well as under the Rajapaksa government. Furthermore, the comments by the president and minister make no mention of whether they made inquiries with other institutions, such as the Human Rights Commission and the police, about complaints made to them.

State and Police Complicity and Refusal to Act

An examination of documented incident reports by the NCEASL¹⁰ indicates a range of incidents: arson, the demolition of churches, damage to property, physical assault against

clergy and church members causing serious injury, death threats, intimidation, discrimination and the forced displacement and forced closure of churches. Among the perpetrators are Buddhist monks, state officials and police officers. Police officers have been known to compel Protestant pastors to discontinue religious worship services.¹¹ A police officer, a Hindu religious leader and other community members have also denied burial rites to an evangelical Christian in a public cemetery.¹²

A common theme in these incidents is the seeming reluctance of the police to act against suspects infringing on the rights of religious minorities. This reluctance appears to be due to influence and pressure exerted by local Buddhist monks, government officials and politicians. For example, there has been much said and written about the arrest warrants and non-arrest of errant Buddhist monk, Gnanasara Thero of the Bodu Bala Sena (BBS), so I will not comment further on it.

Although Sri Lankan law does not require the registration of religious places of worship for any religious body, a circular in October 2008 issued by the Ministry of Buddha Sasana and Religious Affairs demanded that all “new constructions” of places of worship should obtain approval from the ministry. This requirement has not been withdrawn by the current government. Since the introduction of the circular, Christian evangelical churches have faced routine harassment, including forced closures by local government authorities which claim such places of worship as not being “recognized” or “registered” with the government.

The refusal of “recognition” by the State has deprived thousands of Christians of their right to practice their religion. The NCEASL incident reports indicate that after this government came into power more than 50 cases involving local government and law enforcement officials entailed the use of the October 2008 circular to infringe on the rights of evangelical Christians. The October 2008 circular appears to be used to target the numerically smaller Christian churches in Sri Lanka and not the Catholic and other numerically larger and politically influential churches.¹³

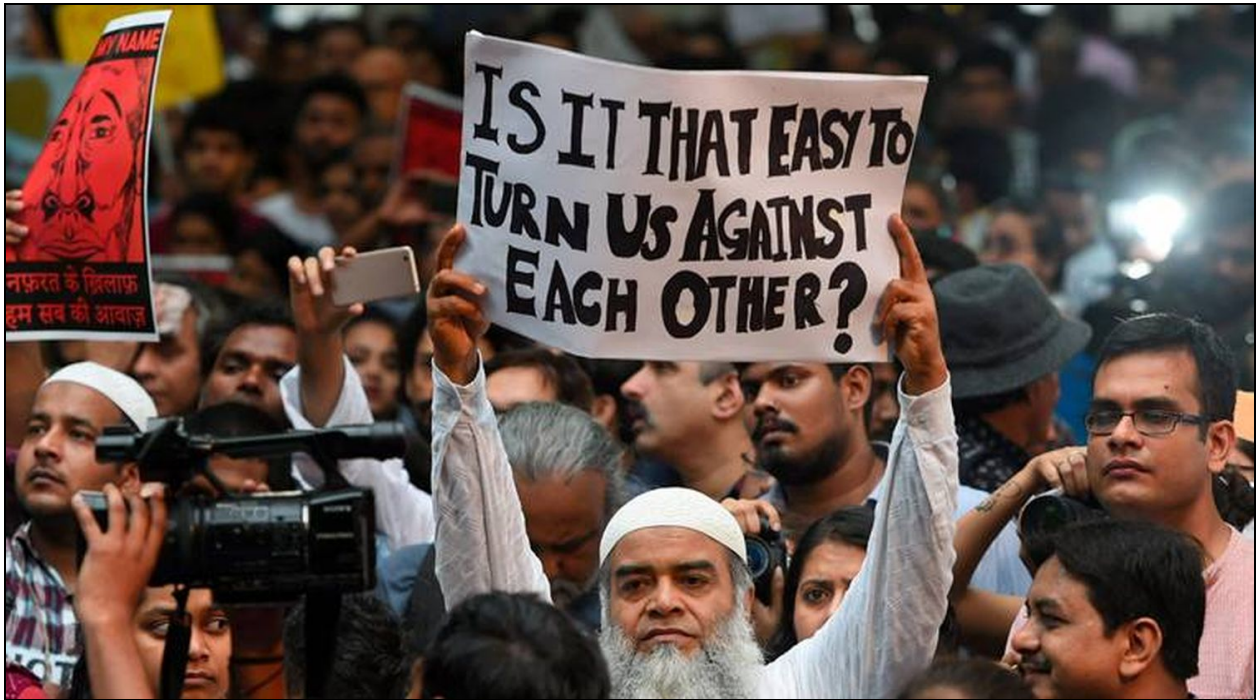
Threat to Remove Lakshan from Legal Profession

Perhaps the most outrageous part of this drama is the public threat by the minister of justice and Buddha Sasana to take legal action to remove Lakshan from the legal profession unless he apologizes for his comments within 24 hours.¹⁴ Given that a minister

has no role to play in the process of the dismissal of a lawyer, this remark is clearly a political threat from the minister.

I am among the many victims of injustice on whose behalf Lakshan has advocated in and out of courts. It is left to be seen if some of the many Christians and others Lakshan has defended, campaigned and advocated for will stand by him and whether and to what extent the Bar Association in Sri Lanka, religious groups, media organizations and others concerned will respond to this threat, which appears to be a threat, not just to Lakshan, but to the legal profession as a whole as well as to free expression, religious freedom and the rule of law.

Ruki Fernando is a member of the Justice, Peace and Integrity of Creation Commission of the [Catholic] Conference of Major Religious Superiors (JPIC-CMRS) and the ecumenical group Christian Solidarity Movement (CSM).



Muslims and others in India protest against the escalating trend of attacks and intimidation of religious minorities by some organized and violent members of the predominant Hindu community.

(Photo from www.anindianmuslim.com)

A 'Stain-less' Government amid Bloodstains on the Streets of India

Avinash Pandey

"There are no stains on my government," said Prime Minister Narendra Modi during his visit to the United States in June.

This statement can only mean that the prime minister thinks the bloodstains of innocent Indians are not stains. In fact, no one can remember another time when so much blood has been spilled in Indian streets. No one can remember another time when the State has so nonchalantly backed off from its constitutional obligation of protecting its citizens' fundamental right to life.

A shiver runs down one's spine reading the media reports of three lynchings within a week in June before Modi made his statement in Washington. This sensation is a shiver known

previously only to the hapless people of failed states, not those living in the world's largest democracy. The same shiver is felt when thinking of the 70-year-old Maulvi Mohammad Younus, who was shot dead while protesting against four unidentified people who threw meat in a mosque in the state of Uttar Pradesh when he was offering *namaz*.

Then there is 15-year-old Junaid Khan, his brothers and friends, who were returning to their home in Haryana after Eid-al-Fitr shopping in New Delhi, when a mob [stabbed him to death](#) while also critically injuring his brothers in a train in Haryana's town of Ballabhgarh, not even 50 kilometers from the national capital.

The lynching and prolonged aftermath of India's ruling dispensation speaks volumes about the current atmosphere in the country. One cannot even fault Junaid's fellow passengers for not coming to his rescue as it is well known, particularly in states ruled by the Bhartiya Janata Party (BJP), for these mobs to lynch anyone trying to stop them, even police officers in uniform. The cost of defending the boys could be too much for anyone who dared to intervene.

To add insult to injury, authorities are filing criminal cases against the victims rather than protecting their constitutional rights. At other times, they are even denying that such incidents are taking place. Union Minister of State for Parliamentary Affairs, Mukhtar Abbas Naqvi, for instance, claimed in Parliament that the lynching of 55-year-old Pehlu Khan in Alwar in the state of Rajasthan never took place. The acknowledgement of the lynching by both the state government and the Union Home Ministry is irrelevant.

State Home Minister G. C. Kataria meanwhile justified the lynching of Pehlu Khan, asserting that both parties were to be blamed as cow smuggling was illegal in Rajasthan. The fact that Pehlu Khan and his colleagues were not smugglers but had bought the cattle from a state-approved cattle fair and had all the necessary papers was not deemed important. Nor was it relevant that the assaulters were self-designated vigilantes and not the personnel of any law enforcement agency.

This attitude explains the spurt in cow vigilante attacks since the BJP came to power in May 2014 with 63 lynching cases presently taking place of which 32 occurred in states ruled by the BJP.

While Modi was unaware of the lynching attacks and the collapse of the rule of law on his watch, he did speak out when the cow vigilantes began lynching Dalits, for the Dalit attacks were hurting the BJP's poll prospects, which Modi could not afford. He then had a dramatic outburst, claiming that 80 percent of the cow vigilantes were criminals. Focusing only on Dalits, despite the majority of the victims being Muslim, he offered himself to the vigilantes rather than criticizing police officers for failing in their duty to enforce the law and protect citizens. His exact translated words were:

"I would like to tell these people that if you have any problem, if you have to attack, attack me. Stop attacking my Dalit brethren. If you have to shoot, shoot me, but not my Dalit brothers. This game should stop."

The game did not stop. Vigilantes chose neither to attack him nor to stop attacking his Dalit brethren and Muslim whoevers, both of whom are citizens of India. Law enforcement agencies meanwhile chose to continue ignoring the attacks while filing cases against the victims, and the BJP's leaders, including legislators and ministers, continued using every conceivable trick to show their tacit approval for the vigilantes, from denial of the attacks to their justification.

While the Modi government continues to be "stain-less," India is getting more and more bloodstained with every passing day—a trend that cannot augur well for any government.

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Irfan Masih, a Christian sanitation worker, is taken to the hospital on June 1, 2017, after inhaling poisonous gases in a sewer he was cleaning in Umerkot City in Pakistan's Sindh Province. He died because the hospital's doctors refused to treat his "unclean" body during Ramadan. *(Photo from <http://christianresponse.org>)*

Non-Muslims Forced to Do Sanitary Work in Pakistan

Asian Human Rights Commission

In an act of blatant discrimination against the Christian religious minority, and an infringement of Article 27 of the Constitution of Pakistan, the Hyderabad Municipal Corp. has invited applications for the job of cleaning the city's sewers from non-Muslims only.

Moreover, applicants are required to take an oath on the holy book of their faith—the Gita or Bible—that they will never do anything else but work as a sanitary worker and will never refuse to carry out the work.

This incident is not the first time that Article 27, which provides safeguards against discrimination in services or employment, has been so blatantly trampled upon. The government has adopted a systemic policy of reserving sanitation posts for non-Muslims.

On Sept. 18, 2015, the Mandi Bahauddin, Punjab Province's District Headquarters Hospital, publicized 10 vacancies in which sanitation jobs were reserved for minorities. A similar advertisement was issued by the Lady Wellington Hospital in Lahore, requiring only "non-Muslims" for this work. In 2015, the Punjab Cardiology Hospital issued an advertisement in several newspapers, which stated that "only non-Muslim persons who belong to minorities will be accommodated" for sanitation work. Though the advertisement was later redacted, it was made publicly clear that sanitation work was beneath the Muslim-majority population.

This prejudice against non-Muslims, particularly Christians, has its roots in history. Prior to independence in 1947, Dalit Hindus were entrusted with such menial jobs. When they left Pakistan in hordes after independence, the Muslim majority complained to the local administration about the lack of human resources to do sanitation cleaning work. Consequently, the Christian converts from Dalit Hindus were used to fill the vacuum. While these Dalits had converted from Hinduism to Protestant Christianity to escape caste discrimination, the stigma of being sanitation workers remained with the community. Their Dalit ancestry remains a distinct feature of social discrimination against Christians in Pakistan.

Because of the lack of political will to uplift the Christian community, the Christian sanitary workers, or Chuhra, as they are locally called, have been confined to remain sanitary workers for generations. According to a survey conducted by an organization working for the improvement of the beleaguered community, "The total Christian population in Pakistan is 10.5 million; out of these, only 4 percent are educated or receiving education, [and] about 68 percent of Christians are jobless." Furthermore, approximately 81 percent of Christians are without homes, 39 percent of Christians are employed as laborers, 67

percent of Christian families live below the poverty line, 29 percent of Christian females work as maids and 65 percent of Christian men are sanitary workers.

While the ratio of Christians and Muslims working in the sewers is 60 percent to 40 percent, most Christian sanitary workers said their Muslim co-workers did not indulge in any sanitation work after their recruitment and discrimination against them. Non-Muslim sweepers are preferred because they are easily exploited. Moreover, there is no compensation in case of the death of Christian sanitary workers.

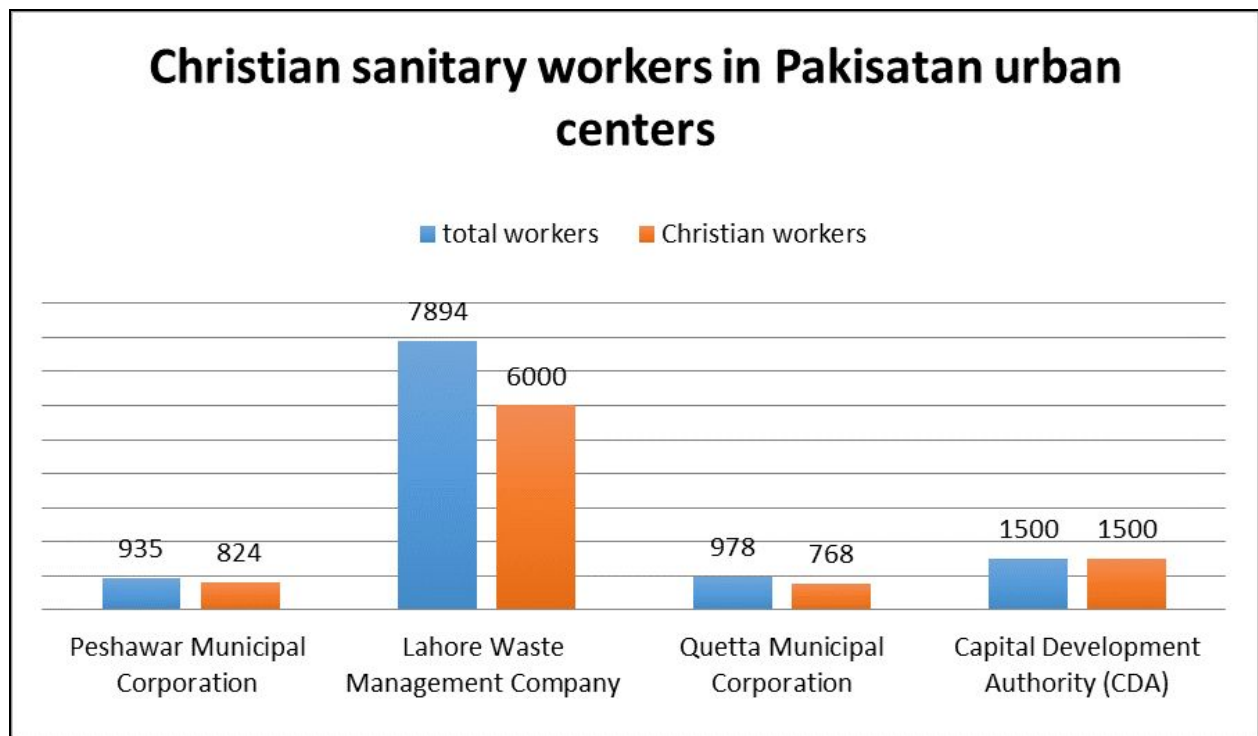
Since 1988, more than 80 Christian sanitary workers have died from inhaling toxic fumes while cleaning sewers, states a Pakistan Minority Rights Commission (PMRC) report.

The most recent death occurred in June 2017 when a Christian sanitary worker fainted from inhaling toxic fumes and was not given medical treatment due to discrimination by the hospital staff. In this incident, Irfan Masih was clearing a blocked sewer in Pakistan's Sindh Province when he was overcome by toxic fumes. The 30-year-old Christian died in the hospital after doctors refused to treat him during the month of Ramadan.

Since 2013, when the chief minister of Khyber Pakhtunkhwa Province offered a public apology for stating that "Muslims cannot be hired as sweepers or cleaners" because sanitation work "can only be carried out by Christians, Hindus and lower castes," the state has adopted an unapologetic attitude for such discrimination. In March 2017, for instance, an advertisement for sweepers in Bannu District in northwestern Pakistan called for applicants from Hindu, Christian and Shia religious minorities. Although officials now claim that "Shia" was added by mistake, they maintain that religious minorities are preferred for these jobs.

Pakistani Christians' lack of education is one of the root causes of the community's social and financial decline. It is also why they can only find such menial work.

According to a report by World Watch Monitor, minority representation in sanitation work in Pakistan is above 80 percent. The breakdown of the number of Christian sanitary workers is as follows:



Christians also have a very high representation in Gilgit and Karachi Municipal Corps.

The state's economic discrimination continues despite a notification from the Services and General Administration Dept. to amend eligibility rules for sanitation jobs. The notification has amended Service Rules 2003 so that minorities are no longer associated with only sanitary work.

The United Nations and International Labor Organization's (ILO) Discrimination (Employment and Occupation) Convention of 1958 (No. 111) describes discrimination as "any distinction, exclusion or preference made on the basis of race, color, sex, religion, political opinion, national extraction or social origin which has the effect of nullifying or impairing equality of opportunity or treatment in employment or occupation."

Though many Pakistanis can be found doing menial jobs abroad, it is rare to find any Muslim doing the same job in their own motherland. The attitude within Pakistan is as though the Christians were in the country to clean up after Muslims. How can one expect

greatness from a nation that does not even know how to clean its streets and treats its sanitary workers as subhumans?

It should not be forgotten that the Christian community has given the country several stalwarts, such as legal giant Justice Cornelius and slain human rights activist and minister of minority affairs Shebaz Bhatti. Their contributions in the education and health sectors have provided many Pakistanis with the best medical and educational facilities at a nominal price. The Christian community has also played a pivotal role in the Freedom Movement, but all these contributions are sidelined by a theocratic State that is bent upon promulgating its own version of political Islam.

The government of Pakistan must stop forcing religious minorities into degrading jobs. It should also work on sensitizing society in order to encourage a pluralistic and egalitarian atmosphere where the rights of minorities are equally protected. It is imperative for a strengthened Pakistan that all its citizens, regardless of caste, color, ethnicity, political or religious association, be treated on an equal footing by the State. The government of Punjab in particular should immediately stop its policy of discrimination and bias against its beleaguered Christian community.

The Asian Human Rights Commission (AHRC) works towards the radical rethinking and fundamental redesigning of justice institutions in order to protect and promote human rights in Asia. Established in 1984, the Hong Kong-based organization is a laureate of the Right to Livelihood Award in 2014.



Attempts to decrease tensions between religious communities in Burma can perhaps reduce the need for these Rohingya women and others to flee from violence. *(Photo from www.thestateless.com)*

Religious Intolerance Must Be Resolved for Burma to Advance Its Democratic Transition

Progressive Voice

Outbreaks of violence fueled by religious intolerance has led the State Sangha Maha Nayaka Committee (Ma Ha Na) to banning the Association for the Protection of Race and Religion (Ma Ba Tha) from continuing activities under its current name and ordering the organization to remove their signboards throughout Burma by July 2017. The decision is

the latest in a series of attempts to dismantle the organization's influence following Ma Ha Na's judgment last year that [declared](#) Ma Ba Tha an "unlawful monks' association" having been formed in violation of monastic rules.

Ma Ba Tha was established in 2013 and has been largely influenced by Buddhist extremist U Wirathu, who is notorious for his slurs against Muslims and propagating a nationalist agenda. Ma Ba Tha's movement maintains popular support among ultranationalist Buddhists in the country and is well known for using populist propaganda to justify their hate speech and incitement to violence against Muslim communities. Ma Ba Tha was a driving force behind the four controversial Race and Religion Protection Laws, which [place](#) restrictions on the rights of women and religious minority groups.

In response to the order by Ma Ha Na, Ma Ba Tha has [announced](#) plans to form a political party under the name 135 United Patriots to [extend](#) their efforts to "protect race and religion." The response represents a flagrant disregard for separating national politics and religion and reinforces a need for a stronger political will and the strengthening of the rule of law to hold Ma Ba Tha accountable for their hate speech and instigation of violence.

A series of religiously motivated attacks, influenced by Ma Ba Tha, that have targeted Muslim communities on the backdrop of a distorted narrative against Islam has left many innocent civilians exposed to violence. At the beginning of May 2017, for example, one person was injured in a confrontation between Buddhist nationalists and Muslims in Mingalar Taung Nyunt Township in Yangon. It was [reported](#) that nationalists turned "hostile" towards Muslims after an organized search in the area for Rohingyas, whom the nationalists allege are illegal immigrants, was fruitless. Prior to this attack was the closing of two Yangon madrasas in April 2016, again largely fueled by accusations of an alleged Buddhist nationalist group which [asserted](#) that the Islamic schools were "operating as mosques without official permission." The incident provoked further violence when a mob of 50 nationalists gathered and attacked a videographer for documenting the event.

These incidents of intolerance have been met with controversial protests against the Religious Affairs Ministry that have sought to undermine the government's efforts to suppress hate speech by Ma Ba Tha. A gathering of 300 protesters in Naypyidaw, for instance, [accused](#) the government of "neglecting Buddhism and favoring Islam," and they [issued](#) a number of demands—an apology from the religious affairs minister for not

showing remorse to Buddhist monks, the release of nationalists accused of crimes and the lifting of the one-year preaching ban against U Wirathu that was imposed for [glorifying](#) the assassination of U Ko Ni, a constitutional lawyer and senior legal advisor to the National League for Democracy (NLD). Allegations have since emerged that suggest the protesters were paid to participate. However, details on the source of the money and how it was used remain unclear as the religious affairs minister is [seeking](#) the help of banks to track the accounts of nationalists who may have been involved.

Many Muslim communities across the country remain on high alert in the wake of religiously motivated attacks and have been deterred from speaking out through fear-mongering tactics. While in recent years incidents of anti-Muslim sentiments have flared up sporadically, it is important to note that in the wake of such violence many Buddhist monks and those of the Buddhist faith have offered food and security. One such example is U Ponnanda, the *sayadaw* of the Thirimingalar Mansu Monastery, who [welcomed](#) refugees fleeing Lashio in Shan State after a rumor that a Buddhist woman had been set alight by a Muslim man sent mobs burning Muslim-operated businesses and torching homes in May 2013. In November 2015 in Mandalay, U Uttara, a monk at the Myawady Mingyi Monastery, spoke out against Ma Ba Tha's message, [stating](#), "The aim of Buddhism is to benefit humans. The teachings of the Buddha were about peace, not about fighting." These spaces of support and solidarity need to be shared more often to demonstrate alternative discourses that Buddhism is taking to promote equality within different religious sectors.

As anti-Muslim sentiment undermines prospects for peace in the country, ultranationalism and religious intolerance must be curbed through state efforts to address hate crimes immediately and to hold accountable those who incite violence. In addition, the voices of monks and religious figureheads coming together to support victims of hate crimes must be amplified to demonstrate that Ma Ba Tha does not represent all Buddhists in the country. It is vital in these times of religious and ethnic tension that freedom of religion is protected, that the rule of law is applied and that stronger, proactive efforts are made towards promoting harmony in Burma's religiously diverse society.

Progressive Voice, formerly known as Burma Partnership, is a participatory rights-based policy research and advocacy organization rooted in civil society that maintains strong networks and

relationships with grassroots organizations and community-based organizations throughout Burma. It acts as a bridge to the international community and international policymakers by amplifying voices from the local level and advocating for a rights-based policy narrative.



With the Chinese government's lack of respect for freedom of expression and other human rights, there is apprehension about the future direction of international human rights standards in light of the new U.S. administration's more inward-looking orientation and the global void that this creates that can be filled by China and other countries that show scant respect for human rights. *(Photo from www.publimetro.co)*

How the Human Rights Movement and Institutions Can Withstand the Current Onslaught

Philip Setunga

At a global level, except for some countries in the European Union and perhaps for South Korea, there is greater resistance to upholding respect for human rights, and, in certain instances, there are even efforts to denounce or dilute human rights standards and processes. This tendency will become more and more accentuated with current developments in the world today, such as the shifting influence of international power blocks; the renunciation by the United States of its hitherto-held moral ground and the concession of its global supremacy, starting with the economic and political fields to China; the emerging power of Russia in the Middle East as well as the greater strength of India as a global actor; and the threat of reduced financial support by member countries to the United Nations and its various bodies.

Shift in the Balance of Power

The United States, with all of its drawbacks and contradictions, tried, perhaps by default, to give a kind of global moral leadership, which, in real terms, was translated into a call for the application of universally accepted human rights principles. This apparent moral authority was backed largely by its economic dominance and to a lesser degree by its military might, though in appearance it was demonstrated as a “carrot and stick” approach. Diplomacy, at times with economic gains, was the open face of its covert operations to either undermine or to coax other nations to accept the stipulated standards.

President Donald Trump, however, has openly ceded his country's powers to any nation which is willing to seize them, whether it be China, Russia or India, provided his undeclared policies and strategies are not trampled upon. With China attaining more and more economic might in the world, it is increasingly assuming global superpower status that is hinged to its economic influence without any pretense or claim to any moral high ground.

Meanwhile, with the departure of Britain from the EU, its international stature has declined, and its voice as a global moral power promoting human rights has been largely diminished. Britain, grappling with its colonial image of the past, is unwilling or unable to come to terms with a future world that is yet to be defined. Instead of being a partner in a global redefining process, it wants to extoll its glorious past that it presumes will serve as the basis for its future.

In the international context above with China acquiring more power and influence, it is not difficult to decipher the moves by various nations to build new alliances. Israel and other countries in the Middle East, for instance, are seeking closer collaboration with China instead of the EU or the ambiguous direction of the United States. The danger that this trend poses to the human rights movement is enormous. China, with its scant respect for human rights standards, institutions or processes, once in a position of global leadership, will try to usher in a new set of rules and standards that have less and less to do with the presently accepted universal human rights standards. The countries that spurn or are less inclined to be guided by human rights standards will invariably find China a new power to be embraced, a new power to be enthroned for their benefit.

Earlier this year the prime minister of Israel paid a visit to Beijing to establish a closer relationship between the two countries. No announcement was made at the time by the authorities in Beijing of the plight of the Palestinian people, except for a mention of the Two State Solution, which no one takes seriously. Once Israel strengthened its relationship with China, it announced the construction of houses in the occupied West Bank. No nation raised any voice about this violation; and even if there was criticism in the U.N. Security Council, China would either be absent or abstain from a vote or even veto it. The EU perhaps is the only legally established body that has a good relationship with Israel that can raise the issue. With the United States allowing its moral leadership to flounder and thus creating a vacuum, a set of circumstances have been fashioned for other players that have little respect for human rights standards to institute themselves as the new leaders of the modern era.

This struggle is felt very much in Hong Kong. A good majority of Hong Kong's residents feel that its identification with China, a great superpower in the making, is to the city's benefit. A silent subjugation to the superpower, which insists that other models of government are to be spurned, is seen as the best response, irrespective of the subsequent loss of moral values. The current trend to mitigate or limit the role played by "foreign judges" in the city's court system in March this year is a clear indication of this attitude.

Regardless of the cause of this current global predicament, one thing is obvious: the human rights movement has never taken root in most of these countries, especially in Asia. Human rights have been very much at the periphery in these countries, rarely taught in schools or discussed in public and not incorporated into domestic laws; and even in countries where they have been incorporated into domestic laws, these laws have been rarely enforced.

It is only the valiant efforts of some non-governmental organizations (NGOs) that have created a sense of human rights or their applications in these countries. Given the financial constraints, however, that are due to come into effect with developments in Europe— it must be recognized that most of the funds for the NGO sector for human rights programs come from Europe—their work can be largely curtailed. The governmental institutions in Asia have not played a tangible role to uphold human rights standards. South Korea is perhaps the only country in the region to give any leadership to the human rights movement.

Under these circumstances, if the human rights movement is to assert its *raison d'être*, it has to redefine its roles and functions, generate a movement that can be sustained both financially and otherwise at the community and national levels. The traditional human rights organizations with their costly budgets will have to be replaced by modest initiatives that seek more trust, cooperation and confidence from a large segment of the people who will, in turn, become their true wealth. The creation of such grassroots-level movements, instead of large regional organizations that clamor for recognition and the enforcement of human rights standards, both locally and internationally, is the only hope for today's beleaguered human rights movement.

Philip Setunga is a former staff member of the Asian Human Rights Commission (AHRC) in Hong Kong.



Devi Sunuwar holds a photograph in 2009 of her daughter Maina. *(Photo from travelsinmydrawingroom.wordpress.com)*

An Open Letter from Devi Sunuwar, Mother of the Late Maina Sunuwar in Nepal

Dear all,

First of all, I would like to thank all of you for your continuous support for the longest 13-year journey where I undertook the painful battle to get justice for the murder of my daughter. Yet I need your support once again. Since it has been more than a decade now,

let me refresh your memory on what happened to my daughter and the reason for your unwavering support.

She was picked up by officers of the Nepal army under the command of Capt. Niranjan Basnet from the Birendra Peacekeeping Operations Training Center. Mr. Basnet brought her to the Birendra Peacekeeping Operations Training Center in Panchkhal, Kavre, on February 17, 2004. My husband and I went to see our daughter but were told that they had neither arrested nor have they detained her there. The army was therefore refusing to acknowledge her arrest and detention. All other authorities were also refusing to acknowledge any arrest being made. They made my 15-year-old daughter disappear just like that.

I have no words to express the pain and anguish I was made to endure by not knowing what had happened to her. Every single second was difficult. However, my love for her and my deepest desire to see and embrace her once more kept me alive, persevering in my search for her.

I am indebted to national organizations, like Advocacy Forum, whose daring lawyers and you, countless others, helped and accompanied me along this difficult journey. I had to move and go into hiding, but even then I continued to receive your support, and it gave me the strength to carry on. With all of your support, we were able to put pressure on the army to finally admit that they had arrested my daughter. However, they still lied to all of us, saying that my daughter was killed on the way to the barracks as she attempted to escape!

My dream of embracing her and telling her how much I missed her had collapsed. I had never thought an officer from the Nepal army could kill a child, even less lie to her mother about the circumstances of her death. I wanted to know the truth, the full truth.

The army told us that there will be an internal inquiry into the affair to which I eagerly awaited the results. The army admitted that my daughter did not die on the way to the barracks but that she had been instead found already dead inside the barracks. Three army officers were found to be responsible for not following the proper procedures in disposing of her body upon finding her dead and were subsequently only punished with a six-month suspension and some little fine.

Again, they lied to me and to all of us. Later on the documents from their internal inquiry and the horrifying details were leaked, revealing how my child was tortured to death. After she was brought to the barracks, Col. Bobby Khatri ordered officers to torture her. With his instructions, her head was drowned into water to suffocate her; her body was submerged in cold water to then send electric shocks through her wet body. When my child died as a result of this torture, an officer shot her dead body in the back. Their own internal report said that altogether seven people witnessed and participated in my daughter's torture and death.

Thanks to the support that both the national and international organizations offered, we were able to exhume the body of my daughter from the compound of the same place, the Birendra Sainik Peacekeeping Training Center where our soldiers are trained before going on U.N. peacekeeping missions, where she was tortured to death.

When I submitted the first information report (FIR), I requested the police, the investigating officers, to identify all of the people involved in the case and prosecute them. My request to open a criminal investigation was at first not entertained; but after a lengthy legal battle, the Supreme Court gave an order, and the prosecutor filed the charge sheet against four army officers, namely, Bobi Khatri, Sunil Prasad Adhikary, Ameet Pun and Niranjan Basnet. After more than a decade-long painful period of legal proceedings, finally on April 16, 2017, the District Court convicted three of the officers. The court acquitted Niranjan Basnet on the grounds that he did not directly participate in torturing and killing my daughter.

I was not happy with the court's decision relating to Basnet. He was the one to arrest my daughter and to bring her to the barracks. No law in Nepal (not even the anti-terrorist legislation of the time) would allow the army to arbitrarily arrest and detain any civilian. Furthermore, there were witnesses to place him in the barracks during the acts of torture inflicted upon my daughter. Therefore, I want and must appeal against the decision of the court in relation to Basnet. As he is the only serving officer in the army at the time of the court proceedings, I believe the court was too lenient in their decision. I want to appeal in order to take this case to its logical end.

Unfortunately, I was shattered to hear that, due to political pressures, the district attorney decided not to bring forward the appeal. The file was then quickly sent to the High Court

attorney for their approval and then to the attorney general for his final approval. I had to wait 13 long years to get the first court order, of which the order to imprison three of the officers has not yet been implemented. Two months onwards and there is still no sign that the authorities will arrest them. They have rushed to close the file so I could not appeal against Nirajan Basnet. The system only seems to work this fast when obstructing justice and protecting a perpetrator of torture.

Thus, I appeal to you all once again for your support to ensure my right to appeal will not be ignored so I can take this case to its logical and rightful conclusion. As I promised my daughter that I would only perform the last rites to her body when I finally get her justice by putting all those responsible in prison, I have not been able to do so yet, allowing her to rest in peace.

As long as the attorney general uses the entirety of the system to protect the perpetrators and not the victims, I cannot rest assured that my remaining sons will be safe or that your children are safe [in Nepal]. I do not want any mother to go through what I had to go through. Thus, please write to the attorney general and ask him why he has not rushed to arrest the perpetrators but is refusing to allow due process of law and my right to appeal against the decision of the District Court.

Thank you all.

Devi Sunuwar

May 19, 2017

Ed. note: The address of the attorney general of Nepal is:

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