



A Civil Rights
Report on the
State of the
Sikh Nation



UNITED SIKHS

Recognize the Human Race as One

Global Sikh
Civil Rights Report

2009

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The Global Sikh Civil Rights Report is a
compilation of surveys and individual
interviews with lawyers and community
leaders and members who are
knowledgeable about civil and human
rights issues in their respective countries.

FOREWORD

“Injustice anywhere is a threat to
justice everywhere.”

- Dr. Martin Luther King, Jr.

All men and women desire and deserve
to live in dignity and liberty. The
increasing demand for democratic
governance reflects recognition
that the best guarantor of human
rights is a thriving democracy
with representative, accountable
institutions of government, equal
rights under the rule of law, a robust
civil society, political pluralism, and
independent media.

Every country and individual has a
duty to defend human rights and help
spread democracy’s blessings. The
United Nations helps countries develop
democratic institutions that will ensure
human rights are respected over the
long term. UNITED SIKHS calls upon
countries to honor their international
obligations to protect human rights.
UNITED SIKHS stands in solidarity with
the courageous men and women across
the globe who live in fear yet dream
of freedom to enjoy their fundamental
human and civil rights as established
in the Universal Declaration of Human
Rights.

In the aftermath of 9/11, Sikhs have
been targets of mistaken identity. In
fear of protecting the sovereignty of
the countries in the west, we have
seen an increase in the number of
laws that are being passed interfering
with religious identity and increased
restrictions of the right to freely
practice one’s faith. In many cases
these incidents have stemmed from a
lack of knowledge of the existence of
the Sikh community and the necessary
requirements for Sikhs to practice
their faith.

By defending and advancing human
rights, civil rights and democratic
principles, we keep faith with the
world’s most cherished values and

lay the foundation for lasting peace. While working to uphold the principles of the Universal Declaration of Human Rights and working to build vibrant communities worldwide, we understand that it may take generations to achieve peace, but it is work of the utmost urgency that cannot be delayed.

This report was prepared primarily by legal professionals working with UNITED SIKHS who interviewed those individuals who themselves have faced civil rights abuses, or have advocated for or were conversant with the rights of the Sikh community in their respective countries. The focus was on Sikhs because a report like this one does not exist, and it is sorely needed to gauge the problems faced by a community without borders.

The intent of this report is to inform civil rights NGOs, governmental agencies, law-makers, and activists of the problems faced by the Sikh community, and of the impact post 9/11 restrictions have had for Sikhs. We hope that you will find this report as informative in reading as it has been in researching and analyzing for us.
- Mejjindarpal Kaur, Director

ASSERTING WHAT SHOULD BE GUARANTEED: THE GLOBAL STRUGGLE OF THE SIKH COMMUNITY FOR CIVIL AND HUMAN RIGHTS

This year has seen an unprecedented rise of reporting and discussion in the Sikh community about their rights. From Australia to Pakistan, the United States to India, and Kenya to Canada, Sikhs are experiencing a new awakening in relation to globalization. Recent events, such as the unrest in Panjab, India, combined with the deterioration of the situation in Pakistan is raising concerns for Sikhs around the world, and as a community that is without borders, so to speak, the Sikh community is abuzz with news and discussions of addressing major concerns. The concerns of globalization are profound for the Sikh community; as a minority community in every country and one that is so easily identifiable, Sikhs face varying levels of civil and human rights problems around the world, and often find themselves in a position of advocating for their rights and the rights of others. One can argue that the best way to measure a country's freedom or commitment to the rule of law is to observe the way minorities are treated in that country. Generally, and the country reports herein support this claim, one can see that Sikhs are a good community to observe as a litmus test in this regard.

This year has been no different than the past in regard to the ever present danger of imposing cultural relativism on human rights norms and standards. This is a continuing trend, observable even at the level of the United Nations, on many issues such as food security in Africa, general safety in Afghanistan and Iraq, and laws limiting speech around defamation of religion. International legal scholar Fernando Teson comments "In the context of the debate about the viability of international human rights, cultural relativism may be defined as the position according to which local cultural

traditions (including religious, political, and legal practices) properly determine the existence and scope of civil and political rights enjoyed by individuals in a given society.”¹

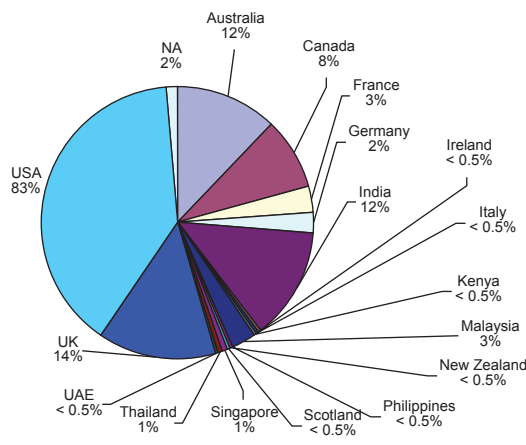
Teson continues with a clear description of the arguments used to support cultural relativism, and then proceeds to very effectively dismiss those arguments. Cultural relativism in terms of human rights is in fact extremely dangerous and human rights can only effectively exist when applied universally. Accepting a sliding scale on internationally adopted standards, such as those set forth in the Universal Declaration of Human Rights, is one that allows even the best of countries to violate the rights of unfortunate individuals. There is behind this, an underlying tension between sovereignty and the enforcement of international human rights standards. Furthermore, it is all too easy to find examples of international human rights law standards shifting across borders; courts interpret them differently, and differing laws in countries often effectively subrogate international norms.

The Right to Turban cases in France, cases where UNITED SIKHS and Sikh community challenged laws banning ostensible religious symbols in schools and on photograph identification, are one such example. Despite the fact that international biometric identification standards allow religious headgear, such as turbans and hijabs, on photograph identification, French courts and the European Court of Human Rights in Strasbourg upheld the ban on the basis of security. This means a French Sikh cannot have a passport wearing the turban, which is mandatory for a Sikh, effectively violating the Sikh's right to movement, but a Sikh from another country is fine with a passport with a turban while traveling to France. Additionally, national laws based on *laïcité* (French secularism) are effectively subrogating the internationally accepted norms of right to education and identity.

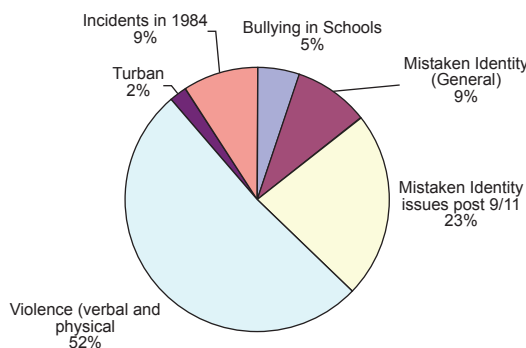
The cultural relativism that plagues

international human rights also allows countries to ignore blatant violations of human rights standards. To its credit, India continues to grow as an economic powerhouse in the world, and has continued to strengthen its economic ties with countries like the United States and Canada. However, despite Human Rights Watch releasing a scathing report on torture by police nationwide in India and reliance on torture induced confessions in criminal cases,² these more developed countries do virtually nothing to advocate for changes in these systems, essentially ignoring the violations and accepting the idea that the country either has different perceptions of what is right and wrong or that people being different, somehow have different basic rights. This year marks the 25th anniversary of the mass killings of Sikhs in Delhi and Punjab in 1984 in India. Following ten commissions investigating the atrocities of the killings in November in relation to riots, a vast majority of victims have yet to receive any compensation, even though compensation was recommended by judicial commissions, and no perpetrators of the violence have been brought to justice. It must be recognized that human rights standards will be guaranteed for all only when they are accepted universally for all peoples and promoted just as actively as other commitments.

The Sikh community is steadfast in its struggle to obtain human and civil rights in every country where it is present, and this is directly in line with Sikh philosophical principles. The Global Sikh Civil Rights Survey for 2009 had respondents in 17 countries, with 235 male and 98 female respondents completing the online survey, and 87% of them maintaining *kakaars* (articles of faith). The primary civil rights issues of the Sikh community remain the same; challenges to the right to identity, right to *kakaars*, hate/bias attacks, bullying cases, employment discrimination, lack of awareness, and racial profiling are continually reported by members of the community.



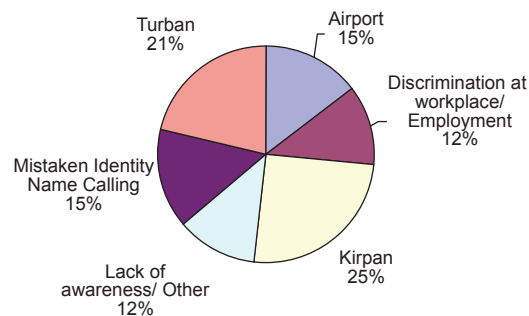
Respondents by Country



Issues Where Sikhs Feel Subjected to Discrimination

Some startling statistics came out of the Global Survey; more than half of the survey respondents were aware of hate crimes against Sikhs in their respective countries, and 36% of respondents indicated that either they or their kids had been bullied while in school. It is clearly apparent that much work remains for community advocates on the issue of bullying, as of those 106 respondents, only 31 indicated that they actively sought solutions to their bullying problems. Furthermore employment discrimination is largely felt globally by the Sikh community: 40% of respondents felt that their chances of getting a job are affected by maintaining the Sikh identity. This presents a huge challenge, both in terms of combatting employment discrimination, but also in terms of making Sikhs feel that they should continue to maintain their identity, as mandated as part of the Sikh faith. When asked as to specific cases of discrimination against a Sikh because of identity, 37% of respondents stated that

they were aware specific cases, with 41% reporting that the cases were related to themselves, family or friends. On a high-note, an overwhelming number of respondents reported that Sikh women seek employment in their respective countries, at 91%, and that the present generation of Sikhs also seeks higher education, at 89%.



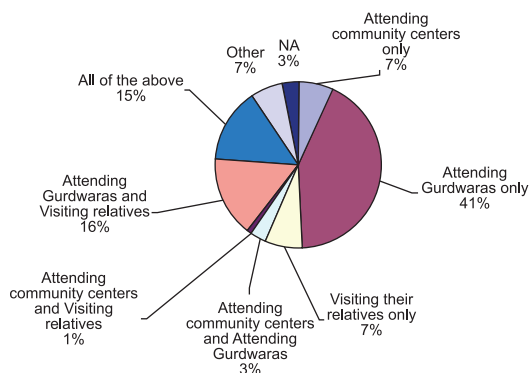
Kinds of Hate/Bias Incidents Against Sikhs Globally

1st Choice (n=10)	
Law Enforcement / Government Authority	50
Local Gurdware	9
Sikh Organizations	36
Human Rights Organization	7
Family Friends	8
TOTAL	110

Minority community in every country, Sikhs were also asked where they would turn for assistance if they experienced discrimination.



When asked to comment what changes should be considered for the future, respondents chose these categories for changes to laws, practices, or policies.



Concerned about what Sikhs over the age of 65 are doing?

Investigations and prosecutions in the national and international courts, leading to conviction of those who perpetrated crimes against the innocent victims	133
A truth and justice commission like the one in South Africa	70
Compensation to victims and widows of the innocents murdered and attacked	36
A UN declaration acknowledging the human rights abuses against Sikhs stating what happened to the victims, and recognition of the systematic killings as genocide against Sikhs.	55
Provision of rights to Sikhs that led to the insurgency e.g. a fairer distribution of river water in Panjab	25
Films and documentaries which vindicate and expose the truth of human rights and abuses, to help in the reconciliation process for victims and survivors, and educate the general public about the atrocities committed.	33
Restitution and reparation for the damage done eg: restoration of the material removed by the Indian army from the Sikh Reference Library at Darbar Sahib	31
Other	3
TOTAL NO. OF RESPONSES	386

When asked whether justice had been served against those who committed extrajudicial killings and other atrocities in Panjab and Delhi, 86% of respondents, from around the world, stated that they did not think it had. These are actions that were suggested to remedy the concerns.

UNITED SIKHS Presents on Climate Change at the UN

UNITED SIKHS handled a variety of cases this year relating to the civil and human rights issues around the world. These cases include employment discrimination in Canada and the United States, where a number of Sikh men and women are facing discrimination on the basis of uniform requirements or due to hardhat vs. turban concerns; assault and asylum cases from Pakistan and Afghanistan, which came to our attention through our humanitarian relief efforts in Pakistan;



62nd Annual UN Conference on Disarmament

cases in the United Kingdom, Canada, United States involving the kirpan ; racial profiling, airport security, and border entry problems in the United States, Poland, and Thailand; and dastaar (Sikh turban) cases in France and Belgium, among others.

UNITED SIKHS also engaged the Sikh community on issues of global concern. Presenting at the 62nd Annual UN Conference on Disarmament in Mexico City this year, we presented on nuclear disarmament between India and Pakistan. We also presented on Climate Change with other faith based organizations at the United Nations, to express deep concerns over the climate crises, and express support of the Sikh community that the nations of the world must join together and act to avert this disaster. The country sections herein further describe the global concerns of the Sikh community, and the advocacy efforts to combat these concerns. In continuing our commitment to uphold the most eloquent phrase of Guru Gobind Singh Ji, the tenth master of the Sikhs, to "Recognize the Human Race as One," we recognize that we must think globally, act locally, and continue to promote universal human and civil rights for all.

1. Fernando R. Teson, "International Human Rights and Cultural Relativism," Virginia Journal of International Law, 25, no.4 (1985): 870.
2. Broken System: Dysfunction, Abuse, and Impunity in the Indian Police, Human Rights Watch 2009, available at: <http://www.hrw.org/en/reports/2009/08/04/broken-system-0>
3. The kirpan, a religious sheathed blade, is one of the five kakaar (articles of faith) that amritdhari Sikhs are mandated to wear at all times. The word kirpan is comprised of two words: "kirpa" meaning grace or mercy and "aan" meaning dignity. It enjoins a Sikh to be merciful, uphold justice and to protect the dignity of the defenseless.

ON THE FORGOTTEN SIKHS' TRAIL

Jagmohan Singh

My story of the Forgotten Sikhs is the remarkable story of forgotten Sikhs who have not forgotten their roots but whose existence has been eclipsed from the memory and consciousness of the Sikh community over the last few centuries.

My serious search for the Sikligar Sikhs started a year ago, when I visited the Sholapur dera (habitat) of the Sikligar Sikhs. I have since visited the habitats of these traditional weapon-makers and weapon-polishers in Hyderabad, Bangalore, Mysore, Pune, Gwalior, Dabra, Ludhiana, Jaipur, Alwar, Sultanpuri area of Delhi and Meerut.

Some twenty-five years ago, I had visited a Sikligar Sikh dera in Nagpur. The image that stayed in my mind was that of poor and determined Sikhs, with minimal knowledge of Guru Nanak, Guru Gobind Singh and Guru Granth Sahib, hardworking, taking easily to liquor in the evenings to overcome the fatigue due to their rigorous work and the families having many children.

Etymologically speaking, *Sikligar* is a Persian/Arabic word, comprising *Saiqal* + *gar* meaning, 'polisher/burnisher/furbisher of weapons'. From weapon polishers -the Sikalgars, over the centuries turned weapon-makers.

Where did they come from? When did the Sikligars become Sikhs? Over the last year, I did not get any firm answers either from the Sikligars or from activists working in the field. Two schools of thought that are in currency are that they came in touch with the Sikhs, first at the time of Guru Hargobind Sahib and then at the time of Guru Gobind Singh. Prior to that, they were residents of the Marwar area of present day Rajasthan. Anthropologist Sher Singh Sher, in his magnum opus, published in 1966, *The Sikligars of Punjab*, which is the only such study of its kind, asserts both the theories.

A young Sikh activist provided a very



interesting angle, which certainly needs more exploration. He surmised that the Sikligars may have first come in touch with the House of Guru Nanak, when Guru Hargobind Sahib visited Gwalior and the other is that they may have associated with Gurughar, when Guru Gobind Singh Ji visited Nanded. If either of this is true, it leads us to the corollary which needs historical study and that is, whether the Sikligar Sikhs came to Punjab or did they actually join the path of Sikhism when the respective Gurus traveled through their lands.

The Sikligar Sikhs living in the states of Maharashtra, Andhra Pradesh and Karnataka know that "our fore-fathers were traditional weapon-makers, so are we and we have come from Nanded." The one thing that has surely been passed on from one generation to another is "*Kesh nahi kaatne hai, chahe jaan chali jaaye.*"

The Sikligars living in Madhya Pradesh, Rajasthan and Delhi trace their origin to Rajasthan, though they too are more aware of their pre-British and post-British pasts only.

The mobility of the Sikligar Sikhs combined with their artisanship as weapon makers, made them the cynosure



of the eyes of the British. While I have yet to understand their status and role during the reign of Maharaja Ranjit Singh, or even before that during the times of Baba Banda Singh Bahadur, it is quiet clear from my interviews with the elderly Sikligar Sikhs in Ludhiana, Alwar and Sultanpuri in Delhi that a large number of them were living in various areas of present-day Pakistan, namely Multan and Sindh.

Even today, some of the elderly migrants speak fluent Sindhi, apart from their own spoken language and dialects. Nihal Singh, the eighty year old Granthi Singh of the Gurdwara Sahib in Sultanpuri, the seventy-two year old man from Alwar -Hargun Singh (who knew the names of his grand father and great grand father for 8 generations, namely Gharib Singh, Hari Singh, Bhauja Singh, Nagaya Seonh, Chattar Seon, Poohla Seon, Chatru and then Bhartu) both told me the interesting story of their travels from Sindh to Karachi to Mumbai to Jaipur to Jodhpur, before finally settling in Alwar and Delhi.

It is generally said and believed that like the Vanjaras, even the Sikligars were also declared a Criminal Tribe under the Criminal Tribes Act, 1871 by the British, but the fact is otherwise.

Nihal Singh told me that from Sindh upto their stay in Prem Nagar, Delhi, they never had pucca houses and were essentially wanderers. Though he could not confirm, he told me that his ancestors had gone from Punjab to Rajasthan and not the other way around. This aspect certainly needs more verification.

Another noteworthy fact that he proudly narrated is that his maternal uncle used to teach him Gurmukhi and Punjabi and his four sons are proficient in performing Kirtan playing the harmonium and tabla, even though they are not professional Kirtaniyas.

As there has been no census study of any kind, all talk of numbers is either in the realm of wishful thinking or speculation based on hearsay or statements of political and social activists without basis.

To my knowledge, in post-1947 India, the first survey of any kind was done in the last year and a half, by the National Commission for Minorities under the initiative of its member Harcharan Singh Josh. The report of the NCM on the Sikligar Sikhs, Vanjaras and others is still to be tabled in parliament and made public. However, as per my information, the team of enumerators of the NCM visited 286 centres of settlement of the Sikligar Sikhs in the whole country. Attempts are, however, afoot to charter a comprehensive survey.

One of the most fascinating features of the Sikligar Sikhs is their language. Across the spectrum that I visited, I found that they speak multiple languages -the local language where they have their settlement, a smattering of Hindi, their own language without a script -*Sikligari* -a mixture of Marwari, Hindi and Punjabi with the Punjabi portion containing Gurbani words and their peculiar internal secret language, Parsee.

Noted author of *The Other Sikhs*, Dr. Himadri Banerjee says that their language is an intellectual armoury and an even an inner protection wall. It is my considered view that an understanding of *Sikligari* and Parsee languages can provide us a totally new vista of knowledge about the origin, settlement and history of the Sikligar Sikhs.

The names of Sikligar men and women, boys and girls are also unique -I have hardly found a name with more than two syllables, as was the case with most Sikh

names of yore.

The Sikligar Sikhs live in deras and each of these deras comprises of extended families of one or two elderly grandfathers still living as heads of the deras. The elderly sitting on charpoys appear to be idling but are quietly monitoring the affairs of everyone and are very fond of saying, “*Yeh saare mere daade ke parivar ke log hain.*” Most of them live on encroached government land, lying vacant since decades. Now the government and the land mafia are pressuring them to go “elsewhere.”

A significant feature of their lives in post-1947 India is that they are no longer nomads. Despite difficulties they want to live a settled life. With some exposure to the bigger world, they see the possibilities of better jobs, but are still hesitant to make an adventure. However, if one particular clan is asked to resettle lock, stock and barrel, they would move out, if there are compelling reasons to do so, for the inherent gypsy-like trait is still there. Just as education is a primary need for children of Sikligar Sikhs, and basic literacy for adults, there is need for housing too. In all the areas I visited, no Sikligar Sikh has had benefit from any of the government housing schemes for weaker sections of society.

While the level of education of the Sikligars in general is extremely low, that of Sikligar Sikh women is virtually negligible. Only in the last few years, one sees young girls going to schools. They are rarely sent to colleges and thus their education ceases at standard tenth or in some rare cases at twelfth.

The average marriage-age of Sikligar Sikh women is around 14 years. Though this is illegal, it keeps happening with impunity as they live within the confines of their introvert settlements. Boys are to be married before their beards sprout, for a bearded boy is considered “too old” for marriage. In Pune, I came across the case of engagement of a ten year old boy with a girl younger to him.



With their heads covered with Dupattas all the time, the Sikligar women work in unison with their husbands and even go to do menial jobs to make a living. There is no gender discrimination and in case a family does not have a daughter by birth, a girl-child is adopted. Surely, Sikhs in Punjab and the Diaspora, particularly those committing foeticide have an example to emulate.

In Sultanpuri, Delhi, there was talk of widow remarriage, otherwise in all other deras it was said that widow remarriage is traditionally not done. In Sholapur, I met a woman, who was a widow at a young age, but even with a kid in tow, she said that she wanted to maintain her self-respect and dignity and would not ask for help from the men around, unless there is some urgent dire need. With her child in her lap, she keeps beating iron to eke out a living.

The death and destruction of Sikligar Sikhs as a class of Sikhs attacked during November 1984 needs a more thorough and detailed study and analysis and I am doing so. I have found that all those Sikligars, who were able to present a picture of strength and portray themselves as strong weapon-keeping Sikhs, were able to protect themselves, whereas others, steeped in poverty and visibly vulnerable in their settlements, were brutally attacked and killed in Delhi,

Rajasthan, Madhya Pradesh and even in certain parts of Maharashtra, though the numbers in all other areas except Delhi was small.

Sultanpuri, today mocks at the Sikh nation. Sultanpuri is only one of the many deras, where these beloved traditional weapon makers, the Sikligar Sikhs -the protectors of Sikh honour and dignity, were made sitting ducks in an organized manner, which has shattered not only their lives but has become instrumental in the elders letting their children shorn their hair, forgetting their age-old message passed onto them from generation to generation -*Kesh nahi katane hai, chahe jaan chali jaaye*. During my recent visit to Sultanpuri, I forced myself not to cry. Generally the parents express helplessness and the womenfolk are the ones who are most saddened by this situation. Their plea to me was, *“hamare bacchon ko kissi tarah kesh rakhana sikha do, hamko bahut sharam aati hai.”*

Historically, Sikligar Sikhs have preserved the outward appearance of Sikhi remarkably well, particularly outside Punjab. In Punjab, however, some numbers in Ludhiana have been influenced by the neo-Nirankaris and a handful by Christianity too. While the prevalence of apostasy is palpably visible in Delhi, Gwalior, Jaipur and to a very small extent in Alwar, it must be mentioned that the situation in many areas of Maharashtra and Chattishgarh is diametrically opposite. In Pune, where the Sikligar Sikh population is nearly 5000 plus, it is difficult to find a patit, though they live and survive under very trying circumstances. Even those in prison have not shorn their hair. Ravinder Singh, the sheet anchor of Akhar SOH, made a significant observation, “the nearer to Punjab, the more the chances and incidences of apostasy.”

There are many castes and sub-castes amongst the Sikligar Sikhs and the castes determine their work. A large section of them being illiterate, they cannot negotiate their way through the corrupt systems and therefore are devoid of BPL

(below poverty line) certificates, caste certificates and in some cases ration cards too -all of which are essentials for obtaining government benefits of all kinds. Even during the last census, they were classified as “others” for no fault of theirs as despite their Sikh appearance; the enumerators did not enlist them accordingly.

Somehow, working for the poorest of the poor does not seem to be on the agenda of the community. Somehow, working for the so-called lower castes or those different from the majority, does not seem to catch our fancy. This attitude to a very large extent explains the abandonment of the Sikligar Sikhs over the centuries. We are aware of the *Taale-Chaabhi wale Sikhs*, but never does it occur to know more about them, isn't it?

In Pune, there are around thirty young Sikligar Sikhs, in the age group of 20-30, who have been working as Caddies in the Poona Golf Club for the last decade or so. They double up as ironsmiths on lean days to augment family income. Earning a hundred rupees a day, these young golfers, desire to become players and trainers of this game, for which they look askance for sponsorships and patronage.

Around 45-50 Sikligar Sikhs are languishing in Yerwada jail in Pune -some for petty crimes and some for internecine murders, which is being documented.

In Pune, we also have 30 year old social activist Bachhu Singh, who should be rechristened as Bhai Bachau Singh. He has single-handedly saved the lives of around 78 people, so far, who would have otherwise drowned after falling into the unprotected Hadapsar Canal, which carries the water of Moola Mutha river alongside his house. He has removed 118 dead bodies too, not to mention carcasses of dead animals.

Caddie Ravinder Singh Tak, who is also a commerce student, speaking in chaste English told me, “We want to put back our notoriety as criminals and I know that we can do it. Our pride as Sikhs is intact

and so is our hard working approach. If the Sikh community continues to bless, I would like to become an IAS officer and change the face of my fledgling community.”

The entire Sikligar population, whatever their numbers -in thousands or millions, lives below the poverty line. I have yet to come across a Sikligar Sikh whose daily earnings are more than Rs. 200 and yet to come across someone who gets work for all days of the month.

Time and tide has snatched from them their armoury and ammunition making skill-set, reducing them to repairing drums, buckets, making locks and keys and other agricultural implements, except



amongst those still engaged in weapon-making in parts of Maharashtra. Now with the young taking to education in a small but sure way, I foresee the disappearance of their traditional artisanship, if no major step to adopt and patronize the same is taken.

While delving deep into the lives of the Sikligar Sikhs, and empathizing with them, I have taken the initiative of building a collaborative effort by forming the Forum for Forgotten Sikhs, with other activists like Nanak Singh Nishtar from Hyderabad, Mohinder Singh from Chandigarh, Ravinder

Singh from Bangalore and Kulwant Singh from Mumbai as coordinators and with all member organizations as constituents. Albeit on a small scale, the website of the forum, www.forgottensikhs.com has started focusing on areas of research, funding possibilities, activism and volunteerism.

I venture to mention that for the amelioration of the lives of this section of Forgotten Sikhs, the following areas need immediate attention:

1. Demographic Survey of Sikligar Sikhs.
2. Participation of Sikligar Sikhs in various Employment Schemes of the government for the marginalized sections.
3. Participation of Sikligar Sikhs in various educational loan, scholarships and funding Schemes of the government for the marginalized sections as well as those of non-governmental organisations.
4. Participation of Sikligar Sikhs in various housing and housing -funding Schemes of the government for the marginalized sections.
5. Building health and sanitation needs in the habitat of Sikligar Sikhs.
6. Identification of government rules and regulations and the means to be adopted to procure caste and income certificates and then ensuring their use for education, empowerment and employment.
7. Study and adaptation of Micro-Finance methodologies for overall development of Sikligar Sikhs.
8. Identification and employment of women activists as the women section continues to be largely unattended.
9. Usage of traditional talent of Sikligar Sikhs in making metal crafts.
10. Identification and sponsorship of children of Sikligar Sikhs in education, sports and adult education activities.
11. Training young Sikligar Sikhs in Gurmat missionary activities amongst their own people and in other areas.
12. Involvement and engagement of local Sikhs in programmes for Sikligar Sikhs.
13. Research into the life and times of Sikligar Sikhs, Vanjaras, Satnamis and

other marginalized sections.

On the basis of the NCM survey and the work done by various organizations, it is my well-calculated estimate that there are around 500-600 deras of Sikligar Sikhs in the country. According to what I have seen and worked, it is my considered opinion that we need at least one educated and trained, fully engaged co-ordinator cum missionary cum educational counselor, handsomely paid and provided with resources to directly touch the lives of the Sikligar Sikhs on a day to day basis, who would live with them, to handle the multi-faceted tasks needed for change and transformation of their lives.

God willing, I am determined to continue my journey into the lives of the Sikligars and also to involve others.

I urge you to answer the call of the Sikligar Sikhs. If we do not answer this call of history, then we may end up adding another century to the story of Forgotten Sikhs. If we unite and the community as a whole responds honestly, honorably and aggressively, we may manage to travel a century back in time and give them the honour and dignity which they have so ably provided us in the past. We do not have a choice, do we?

50 year old, Ludhiana-based Jagmohan

Singh has been serving the Sikh nation as a civil liberties activist for the last three decades. He has had his part in religious and political activism too. He is presently the Editor-in-Chief of World Sikh News and the Executive Director of Voices for Freedom. He may be contacted at jsbigideas@gmail.com. For a full version of this article, kindly visit www.forgottensikhs.com



A TWENTY FIRST CENTURY SIKH PERSPECTIVE; CHALLENGES AND SOLUTIONS

by Justice Mewa Singh, Retd.

Sikhism is the youngest religion in the world, having been founded in the fifteenth century. It is now in the list of first five religions of the world. It is free from myths and superstitions and satisfies the developed scientific and juristic mind of today. It is a practical way of life with emphasis on Truth, Name of God and pious deeds with emphasis on earning with honest means and sharing with the needy. In Sikhism, Truth is above every thing but higher still is Truthful living.

Scholars of world religions like H.L. Bradshaw have commented that the Sikh religion is capable of answering the problems in this modern age. Others such as Prof. Toynbee remark that Sikhism and its scripture will always have a special value for the world.

Some of the eminent scholars have blamed the Sikhs for not bringing the Sikh religion to the world's attention. This blame may be justified, but Sikhs still struggle for religious freedom and sovereignty as they have from the very beginning. They are to likely discharge this duty in this century as they are now spread over throughout the world. However, Sikhs have yet to face some challenges in which success depends on their honesty of purpose and selflessness in accordance with the guidance of their religion.

The first challenge is that most of the Sikhs, and in particular the Sikh youth, are drifting away from Sikh initiation and code of conduct as mandated by tenth Sikh Guru. Due to their lack of knowledge about Sikhi, some of them even believe that it is not a requirement for their religion. It has to be explained to them that it is an integral part of the religion. Sikhism was founded by Guru Nanak Dev and developed by his nine successors.

Guru Gobind Singh, tenth and final living Sikh Guru, completed its final phase. He set the initiation of taking Amrit and adhering oneself to the five Sikh emblems and the Sikh code of conduct, on Baisakhi of 1699. Having prepared the Amrit and given it to Panj Pyaras, Guru Gobind Singh asked in turn to receive Amrit from them. He placed them with the authority to deliver Amrit to other Sikhs in the same manner and directed all the Sikhs present there to take Amrit at that time. This is more than sufficient to establish that Sikh initiation of Amrit was intended for all Sikhs. Guru Gobind Singh ji issued a Hukamnama to all the Sikhs in the following month of Jeth to take Amrit, keep the five Sikh kakaars (articles of faith) and strictly follow the Sikh code of conduct. Guru Gobind Singh made it very clear in his divine proclamations that this is mandatory for all Sikhs and there can be no exemption. All the Sikh Gurus had the same Divine Spirit. One who declares to be a Sikh is bound to follow the injunctions of Guru Gobind Singh, tenth Sikh Guru, including taking Amrit and following the Sikh code of conduct, being a part of Sikh religion.

The other divine declaration of Guru Gobind Singh was to ordain the Sikhs to accept Guru Granth Sahib, the Divine Spirit of Sikh Gurus, as the eternal Sikh Guru in perpetuity for all times to come and to get wisdom from its Divine proclamations with purity of heart, being the Word of God. Every Sikh and even others admit it that Guru Granth Sahib is the eternal Guru of Sikhs and there is no controversy over it.

To quote a British scholar, Jeans Culler, "Eliminate your symbols, my dear Singh, and watch the Khalsa crumble. Take off the turban, shave the beard, cut the hairs, throw aside the Kara, I can tell you truthfully the result would be embarrassing as well as disastrous. These five symbols had held the Sikhs in united brotherhood. They serve to make a Sikh and act as a Sikh. They endow him with courage to accomplish feat, which otherwise would be impossible for an average man. To make a long story short,

the five symbols have a psychological bearing on the man who wears them. They are manifestation of Guru, the Eternal.”

Prof. Puran Singh, the eminent Sikh scholar, remarked, “It is very strange that when a Sikh is baptized, he feels new life come to him as if the Guru still lives and sends in one glance a wave of life and inspiration.”

Eminent British historian, J.D. Cunningham, commented, “It was on the basic principles of Guru Nanak, that Guru Gobind Singh formed such a nation Which elevated every one politically and religiously after doing with class system.”

The second challenge for Sikhs is that false assertions and glaring misrepresentations have been made pertaining to several important aspects of Sikh religion and history since long. These are now even made in the textbooks published by NCERT, the syllabus of schools throughout India, which is under the supervision of Govt. of India. The Divine Sikh Gurus also have not been spared. It may amount to blasphemy of a religion. Guru Nanak Dev has been mentioned to have abandoned house holder life, while Guru Gobind Singh is a devotee of Durga, the Hindu Goddess. This is in total contradiction to their Divine teachings and altogether false. The Sikh religion has been propagated to be a part of Hinduism, and Sikhs to be a sect of Hindus, obviously a false assertion as Sikhism is a separate and independent religion just like other world religions and Sikhs are a separate nation. If the false assertions and misrepresentations are not negated fully, then there can be no correct understanding and appreciation of Sikh religion. The Sikhs, as a whole, have not taken the desired action in this serious matter of far reaching consequences, which should no longer be overlooked. In fact, the entire Sikh history needs to be reviewed as it has been written initially by most of the Sikh adversaries at a time when the Sikhs were engaged in the struggle for freedom and sovereignty.

The third challenge for Sikhs is their Sikh

leadership, which needs to have honesty, integrity, capability and commitment to Sikh cause. The Sikhs are now spread throughout the world and they need one united world Sikh leadership under which Sikhism may be brought to the notice of the world with uniformity in an organized manner therefore the management of the Sikh Gurdawaras may be made without dispute. The Sikh leadership needs to be well aware of world politics and history, as admittedly due to its ignorance caused great harm to the Sikh cause in the past. Rules and regulations need to be framed for the powers, appointments and dismissals alongside other relevant matters for Jathedars of Akal Takhat and other Takhats by ascertaining the views of Sikhs the world over. The holders of these offices must be honest, capable and befitting to these offices to preach Sikh religion with intense understanding and security of their tenure.

In fact, for quite a long time, the basic Sikh concept of-Guru Granth and Guru Panth-stands totally ignored by the Sikhs. This concept needs to be revived as the Sikhs have been incapacitated in taking panthic decisions on Sikh affairs even through their representatives. A representative body of Sikhs residing throughout the world is the urgent need of today, which should make decisions on the panthic issues acceptable to all the Sikhs by ensuring the participation of all Sikhs to such decisions. Its blue print may be to take the representatives of the organizations elected by Sikhs like: SGPC, Delhi Gurdawaras management committee, Sikh Takhats of Hazoor Sahib, Patna Sahib Management committees and of other Sikh institutions in India. The other world countries may be divided into 6 or 7 zones on the basis of their Sikh population. The representatives would be fixed from the Sikh Gurdawaras management committees or any other Sikh elected organizations of those zones. All such representatives can co-opt some reputed Sikhs from each zone who are well known for service to the Sikh cause and their honesty, integrity and capability. Such a representative Sikh body may hold its meetings at Akal Takhat, having its



secretariate there and nominate their spokesman to be the Jathedar of the Akal Takhat, responsible for the execution of the Sikh collective decisions.

The fourth challenge for Sikhs is as of yet there are no translations of the Sikh Scripture, Guru Granth Sahib, in other languages. The books on Sikh history and other relevant Sikh literature are also insufficient. There is no newspaper, nor journal, nor any TV channel of Sikhs to correctly present the Sikh religion, Sikh history and Sikh point of view effectively with authenticity, which is a must in the present day advanced media technology. Internet websites are the effective tools of communication, of which no substantial advantage is utilized by Sikhs for the Sikh Cause. It is the age of press, TV and the Internet media, no one should lag behind in world communication. Sikhs must use these medias to bring their religion to the world. . . Due to the unavailability of the authentic books on Sikh religion and history, some motivated writers distorted crucial Sikh historical admitted facts. This can mislead bona fide readers and some of other writers, who have based their writings on those

misrepresentations, which in turn is harmful to the Sikh point of view.

The fifth challenge for the Sikhs is that most of the Sikh educational institutions are no longer Sikh oriented. It was during the Singh sabha movement that Sikh schools and colleges were setup to inculcate the knowledge of Sikh religion and history in the Sikh students, besides providing general education. The Sikh schools and colleges were set up in Punjab and elsewhere harboring a Sikh population for that purpose. These Sikh institutions did a lot to teach the religion and history to Sikh students and to give them the practical training of Sikh way of life which they followed throughout their life. However, for the last few decades most of these Sikh institutions ceased to be Sikh oriented. Their management failed to remain in the hands of true Sikhs, resulting in the teachers to be undisciplined Sikhs. In consequence, the Sikh students drifted away from Sikh code of conduct and Sikh way of life. Sikhs must make these Sikh educational institutions to be Sikh oriented to serve the original purpose which lead to their inception. The management should be

in the hands of committed Sikhs and teachers to ensure that Sikh students study Sikh religion and history in the schools and hence observe Sikh code of conduct. More Sikh schools and colleges may be established, where there is the need for this purpose to ensure that all Sikh students come in Sikh way of life. Sikhs are now spread over worldwide. The Sikh Gurdwaras should be utilized for Sunday Gurdwaras schools once a week on the pattern of Sunday church schools for the teaching of Sikh religion, history and Punjabi language to Sikh students. Each and every member of the Gurdwaras must bring his children to the Sunday Gurdwaras School. Such schools for Sikh studies can reach all the Sikh students in the world as Sikhs have constructed the Gurdwaras in the areas of their residence throughout the world. The independent Sikh educational institutions can be set up in the times to come, wherever possible.

The sixth challenge for the Sikhs is the lack of missionary spirit, which is a must for the preaching of a religion. No doubt there is no dearth of Sikh preachers in the form of Sikh kirtni jathas, Sikh kathakars

resulted in getting money for their living from their religious services at their whims, creating the sense of greed in most of them as they charge very huge amounts according to their popularity and professional skills. The preaching of the religion has thus been turned to a profession. Most of the so called Sikh saints have gone to the extent of creating the groups of their admirers who touch their feet with currency notes and has in turn resulted in the formation of their deras, ignoring the strict observation of Sikh code of conduct and the humility and individual equality which have a great emphasis in Sikh religion. The consequences of no effective preaching of Sikh religion even amongst the Sikhs will lead to most of the Sikhs particularly Sikh youth drifting away from Sikh code of conduct and Sikh way of life. The management of Sikh Gurdawaras mostly exhibits the narrow egoistic trends instead of the missionary spirit, without which the preachers cannot be expected to grow the missionary spirit. Similarly the Sikh leaders will have to acquire such a spirit instead of any selfish vested interests. This challenge can be met by inculcating the higher values of Sikh religion.

The last, but not least, challenge for Sikhs is that most of the Sikhs need to earnestly understand and act upon the dictums of Sikh religion. They have to live under the will of God, the Almighty. They have to meditate in the name of one and only one God, which inculcates the virtues, burns the ego and eliminates the vices resulting in truthful living. Unless the Sikhs themselves practically live in the Sikh way of truthful living, it is difficult to impress others. Sikh history is a witness to the fact that Sikh religion spread automatically with the practical Sikh way of living of the true Sikhs. Sikhs have to consider themselves to be the ambassadors of Sikh religion to abide truly the dictums of their religion. The others will automatically become inquisitive to understand their religion and its higher moral and ethical values. Sikh religion has rejected cast and creed system. What impression will others get if sub casts are still with Sikh names and even Sikh Gurdawaras are named on



and Sikh saints but most of them are not above monetary considerations. There is no organized Sikh system to provide the basic needs to the Sikh preachers to sustain them and their families. It has

casts in contradiction to Sikh teachings? Honesty and earning with honest means and reaching out to the needy are the teaching of Sikh religion. What will the others learn if Sikhs use the dishonest means and corrupt practices? Great stress has been laid on humility and selfless service to humanity in Sikh religion. What will the others learn if Sikhs exhibit egoistic tendencies and selfish vested interests even in Sikh cause? Sikhs will have to adopt the real Sikh values and dictums to meet this challenge.

The twenty first century will be the Sikh century if the following conditions are met. Sikhs act upon the higher values of their religion and convert their narrow, egoistic self-centered minds to God-tuned of higher consciousness as taught in Sikhism and become active in socio-political affairs throughout their lives with higher values. Sikh leaders must have honesty, integrity, capability, and sincerity to Sikh cause in both religious and political domains. Sikh preachers remain under the higher values of their religion with humility and above monetary consideration. Finally, Sikh scholars and writers find out the correct aspects of Sikh religion and history where ever twisted with misrepresentations, not imposing their personal views on Sikh point of view and Sikh collective decisions. . .

All these matters require a thorough consideration to find out ways and means to effectively tackle and resolve all issues in a way that should be acceptable to all the Sikhs. A world Sikh affairs commission may be established to examine these matters from every relevant aspect. It should create procedures and set up the panels to address these matters with the aim to start a world Sikh representative panthic committee overseeing the Sikh panth issues. The commission may hold discussions with Sikhs and Sikh organizations to have their point of view in the matter it finds appropriate. Such constituted panth representative committee can sort out the current Sikh issues and decide those issues under the divine guidance of Guru Granth Sahib in accordance with Sikh traditions to have

the binding effect on all the Sikhs.



AFGHANISTAN

Head of State and Government: President Hamid Karzai

Population: 28,396,000¹

Sikh Population: <3000²

Sikhism as a Recognized State Religion: No

The Government and Civil Rights:

Afghanistan is currently functioning under a new Constitution ratified in 2004.³ The National Assembly consists of two houses: the House of Elders (Meshrano Jirga) and the House of People (Wolesi Jirga).⁴ The legal system is based on a combination of civil and sharia law and governance is divided over 34 administrative divisions. The majority of Afghans follow Islam, and there is a 1% non-Muslim population.⁵

Chapter Two of the current Constitution protects all the important human rights including life, liberty, freedom of expression et al.⁶ The Afghanistan Independent Human Rights Commission (AIHRC) was created as per Article 58 to help the government in protecting and promotion of human rights.⁷

The Bonn Agreement led to the establishment of the AIHRC in 2002 which is independent of the judiciary, legislative and executive branches of the country.⁸

The current year has not seem much in way of improvement in the condition of human and civil rights of Afghan citizens. As the 1st Global Sikhs Civil Rights Report⁹ suggests, warlordism, and impunity are widespread. The government is yet to take the measures required to institute necessary reforms. The standard of living of millions of citizens is affected by increasing inflation and corruption.¹⁰ The status of women and girls leaves much to be desired with their limited access to legal or educational resources, and often being targets of violence and discrimination.¹¹ The current political situation also curbs freedom of expression in practice to a large extent.¹²

Sikhs and Civil Rights in Practice
Sikhs as a Group: Though there is no

official count of the Sikh population in Afghanistan, the current leaders of the community put the number at approximately 3000.¹³ Despite their success in the money markets in 80s, the present-day Afghan Sikh community is impoverished and struggles to earn a livelihood.¹⁴ Most Sikh families live near larger cities like Kabul, Jalalabad, and Kandahar. Sikhs and Hindus are jointly referred to as “Hindus” since the Muslim majority does not recognize the difference between the two communities. Additionally, the Sikh community has little participation in the political process.¹⁵

Kakaars: Sikhs do not have a problem in wearing their kakaars in Afghanistan. In fact, in a recent event, Sikhs were allowed to wear the Kirpan while meeting the President. The President recognized the importance of the kakaar and gave special permission to the Sikh community to wear the Kirpan in highly secured areas.

Attitudes towards Sikhs: Sikhs in Afghanistan are victims of mistreatment and discrimination. Before the beginning of the Civil War in 1991, Sikhs were respectable members of the society and major contributors to the economic activities of Afghanistan. Author and journalist Ahmed Rashid mentions in his book “Taliban” that before 1991, Sikhs, Hindus and Jews controlled the money markets. However, the “mujahidin” movement not only targeted Sikhs for their religion but also for the prosperity. Sikhs were rampantly looted and were coerced to give up their wealth and properties at gunpoint. Open threats to life were common. Under the current regime, though the frequency of such activities has reduced, Sikhs still live in danger of life.

Other problems faced by the Sikh community include general discrimination by the government in providing equal rights to Sikhs. Sikh children have not gone to public schools in the last 18 years as there is no provision to protect them from bullying and abuse. The Sikh community leaders have been trying to

get government assistance to start a school so that their children can at least get basic elementary education. Other common place discrimination against minority religions includes different charges for utilities for non-Muslim religious establishments.

President Karzai has appointed a senator to represent both Sikhs and Hindus, who took his seat six months ago. As a senator, Awtar Singh says that he is campaigning for the return of rights that Afghan Sikhs used to have.¹⁶

- 1 CIA World Factbook. Page updated May 5, 2009. <https://www.cia.gov/library/publications/the-world-factbook/geos/af.html>
- 2 <http://afghanhindu.wordpress.com/>
- 3 CIA World Factbook. Page updated May 5, 2009. <https://www.cia.gov/library/publications/the-world-factbook/geos/af.html>
- 4 Id.
- 5 Id.
- 6 <http://www.president.gov.af/Contents/68/Documents/213/>
<http://afghanhindu.wordpress.com/>
- 7 Id.
- 8 Afghanistan Independent Human Rights Commission (2009). Retrieved January 7, 2010 from the AIHRC website at http://www.aihrc.org.af/english/Eng_pages/X_pages/faq.htm
- 9 <http://www.unitedsikhs.org/rtt/sikhconf/FirstGlobalSikhCivilRightsReport.pdf>
- 10 <http://www.hrw.org/en/node/79295>
- 11 <http://www.hrw.org/en/news/2009/12/03/afghanistan-keep-promises-afghan-women>
- 12 <http://www.hrw.org/en/node/79295>
- 13 <http://afghanhindu.wordpress.com/>
- 14 Id.
- 15 Id.
- 16 Id.

AUSTRALIA

Head of state: Queen of England (Queen Elizabeth II, represented by Quentin Bryce¹)

Head of government: Kevin Rudd



Population: 21,874,900²

Sikh population: 26,429³

Civil rights and the Government

The government of Australia is a Commonwealth realm along with a federal parliamentary democracy, and the legal system is based on English common law⁴. The Australian Labor Party (ALP) came into power in November 2007 with Kevin Rudd becoming the Prime Minister. Rich in natural resources, Australia is a growing and competitive international market with rich ethnic and cultural heritage.

The Australian law directly provides for freedom of religion and indirectly for human rights, and the government respects these rights of its citizens⁵. According to the 2006 census report, around 25.8% of the population identify themselves as Catholic, with Anglicans being 18.7% of the population, and Uniting Christians (5.7%), Presbyterian and Reformed (3%), Eastern Orthodox (2.7%) and other Christians (7.9%) forming a sizeable proportion of religious beliefs. Other religions also include Buddhism



(2.1%), and Islam (1.7%)⁶.

Australia's population consists of people belonging to aboriginal ethnic backgrounds, and there have been reports of societal discrimination against them. However, in a momentous symbolic gesture recently, the government of Australia apologized to those who were removed from their families between 1910 and 1970 under government policies—known as the “Stolen Generation” of Indigenous Peoples⁷.

As of August 5, 2009, the Human Rights and Equal Opportunity Commission (HREOC) in Australia legally changed its name to the Australian Human Rights Commission to reflect its national status and a stronger emphasis on human rights.⁸ Australia is the only liberal democracy in the world without a human rights act built into the constitution, however, in December 2008, the government announced the creation of the National Human Rights Consultation Committee chaired by Father Frank Brennan to examine how human rights and responsibilities are protected and promoted in Australia.⁹ Results of the investigations were reported by the Committee after 8 months and revealed an overwhelming community support to build human rights into the constitution and adopt a Human Rights Act. The government is yet to announce a response to the report.

Sikhs and Civil Rights in practice

According to the 2006 Census report,

there are currently 26,429 Sikhs living in Australia, with the majority of them being located in New South Wales.¹⁰ In general Sikhs are well treated in Australian society and are afforded the right to follow and practice their faith freely. Sikhs in Australia can be traced back to early 19th century where they came to the country and served as laborers and farm-hands.¹¹ Since then, they have earned the reputation of being pioneers in the cultivation and plantation of bananas. The first Gurdwara in Australia was built in *Woolgoolga*.

The Sikh Community in Australia is growing rapidly mostly thanks to increasing Sikh international students from India coming to Australia for higher education. This year has seen Brisbane (Queensland), Adelaide (South Australia) and Perth (Western Australia) with the greatest increase of Sikhs with many new students and migrants from the other states also moving there.

However, students in Australia, particularly of Indian origin, faced challenges in form of brutal attacks,¹² and one of the victims was a Sikh student. Resham Singh, a student of hospitality originally from Punjab, was attacked by teenagers who tried to remove his turban and forcibly cut his hair.¹³

Kakaars

By law Sikhs in Australia are generally free to wear their Kakaars, including the kirpan which is exempted in different divisions under different legislations.¹⁴ In 2007 a parliamentary committee in Victoria recommended that Sikh students be allowed to wear their kirpans to school. The Education and Training Committee asked schools to work with Sikh communities to allow initiated Sikhs to carry the kirpan as required by their faith.¹⁵ However, Australian respondents of the Global Sikh Civil Rights Survey identified the kirpan as one of the reasons they feel discriminated against.¹⁶ The UNITED SIKHS Australia team collaborated with the Cultural Diversity and Indigenous team of the Western Australia Police to

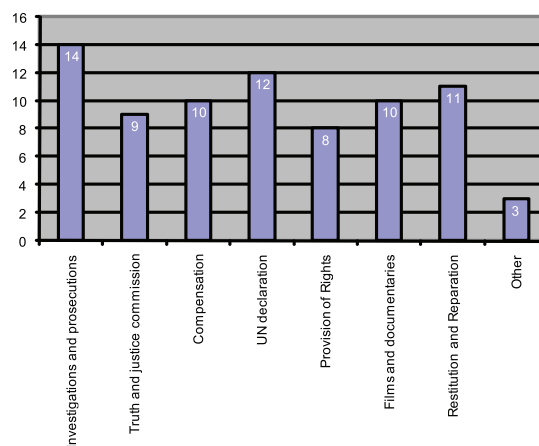
frame a “Kirpan Policy”. This has now been included in the Police Operational Manual, therefore making the information available to every Police officer in the state. The Sikh Kirpan Policy was passed on 15 July 2009 to give, for the first time in Western Australia, written evidence of the WA Police position on the matter.

Respondents of the survey also indicated that wearing a Turban made them feel discriminated against in Australian society, and identified Right to Turban as one of the areas they would like to see changes in policy and/or practice in the future especially as it relates to employment requirements and wearing helmets on motorcycles.¹⁷ Sikh organizations and leaders of the Sikh community are currently working with the Western Australia police to formalize the Sikh Turban as acceptable headgear for practicing Sikhs in the Western Australia police.

UNITED SIKHS made a submission to SafeWork Australia, an independent statutory agency with a primary responsibility, to improve occupational health and safety and workers’ compensation arrangements across Australia. This submission called for the new model legislation to include within its provisions the exemption to the compulsory requirement of wearing a helmet under current state legislation for a turbaned Sikh. The submission used the current UK legislation (with suggestion of improvement) as an example of what could possible be implemented in Australia.

Attitudes toward Sikhs

Survey respondents indicate that while Sikhs in Australia are generally well treated and well respected, there is a definite need to increase awareness of who Sikhs are¹⁸. They report a low level of understanding of Sikhism among the Australian population. It can be inferred that an increased understanding of Sikhism will lead to higher acceptance of Sikhs in the Australian society.



Surveys were taken in regard to justice in India in regard to atrocities in Panjab 25 years ago. All 77 respondents said they did not feel justice had been served in Panjab, and suggested the following actions.

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- 4 CIA World factbook: Australia. Retrieved December 15, 2009 from <https://www.cia.gov/library/publications/the-world-factbook/geos/as.html>
- 5 Country Reports on Human Rights Practices: Australia, 2008, Released by the Bureau of Democracy, Human Rights, and Labor February 25, 2009. Retrieved from the United States Department of State website on December 15, 2009 from <http://www.state.gov/g/drl/rls/hrrpt/2008/eap/119033.htm>
- 6 CIA World factbook: Australia. Retrieved December 15, 2009 from <https://www.cia.gov/library/publications/the-world-factbook/geos/as.html>
- 7 Amnesty International Annual Report 2009 - Australia. Retrieved December 15, 2009 from the Amnesty International website at <http://thereport.amnesty.org/en/regions/asia-pacific/australia>
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- 14 Kirpans (2006). Retrieved December 15, 2009 from the Sikh Interfaith Council of Victoria website at <http://www.sikhinterfaithvic.org.au/kirpan.htm>
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BELGIUM

Head of state : King Albert II

Head of government : Yves

Leterme (Prime Minister)

Population: 10,414,336¹

Sikh population: 3,000² - 6,000³ (<1%)

Sikhism as a state recognized religion: No

The Government and Civil Rights

The Kingdom of Belgium is a federal parliamentary democracy under a constitutional monarchy.⁴ The devolution into a federal state, since the constitutional revision in 1993, resulted in now three levels of government (federal, regional, and linguistic community) with a complex division of responsibilities. The legal system of Belgium is based on a civil law system influenced by English constitutional theory. The highest court is the Supreme Court of Justice. Belgium generally respects the human rights of its citizens, with the law and judicial system providing a relatively effective means of addressing individual instances of abuse.⁵ However, Amnesty International reported on several incidents of human rights violations (torture and other ill-treatment, migrants and asylum-seekers, and counter-terror and security).⁶ In Belgium 4.8 million inhabitants identify themselves as Catholic. The numbers of adherents belonging to smaller religious groups are as follows: Islam, 400,000; Protestantism, 132,000; Orthodox, 70,000; Judaism, 50,000; Anglicanism, 10,800; and organized secular humanism, 110,000. The larger non-recognized religious groups include Jehovah's Witnesses with 23,701 baptized and 50,000 "churchgoers;" independent Protestant congregations, 10,000; Buddhists, 10,000; Hindus, 5,000; Sikhs, 3,000; and the Church of Scientology, 200-300.⁷

Sikhism and Civil Rights in Practice

"The Government generally respected religious freedom in practice. There was no change in the status of respect for religious freedom by the Government during the reporting period", states the International Religious Freedom Report

2009 (IRF 2009) by the U.S. Department of State.⁸ Moreover, as per the 2007 Anti-Discrimination Act, discrimination on the grounds of religion or personal beliefs is outlawed. Nevertheless, this does not reflect the situation of Sikhs in Belgium, as well as other non-recognized faiths or beliefs, appropriately. Belgium operates a system whereby organizational bodies from "recognized" status religious groups are accorded benefits unavailable to non-recognized religions such as Sikhism. These benefits include subsidies, and the payment of wages and pensions for ministers of those groups by the government and parliament. The IRF 2009 recognizes this drawback by stating that "religious and political leaders acknowledged the need to reform the way faiths are recognized and financed and to further the dialogue between recognized and nonrecognized faiths."⁹

With respect to the right to adorn the Kakaars, to date the focus in Belgium has largely been on issues surrounding the right to dastaar/Sikh turban.

While The Hasselt Civil Court affirmed (in the case of KTA Domein Speelhof school vs. several Sikh boys, 2008)¹⁰ the right to manifest ones religion under article 9 of the European Convention on Human Rights, of which Belgium is a signatory, the school has appealed before the High Court and the decision is yet to be announced.

In September 2009 the Council of GO! Education of the Flemish Community decided to put a complete ban on head coverings from September 2010 in the Dutch speaking area. Until then, individual schools and municipalities are free to make their own decision, which like other countries is largely framed within the Muslim headscarf context. From 2010 it would be compulsory for every school. UNITED SIKHS is currently working on this case seeking resolutions via negotiation and other legal recourses.

The cities of Antwerp and Ghent have enacted a ban on wearing any religious symbols for all city employees that come into contact with the public on their

jobs.¹¹ The Belgian Sikh community is deeply concerned that Belgium might follow along the French path of banning their articles of faith by a national law.

- 1 July 2009 est., Central Intelligence Agency, 2009: The World Factbook. www.worldfactbook.org , 14 Nov 2009
- 2 U.S. Department of State, 2009: International Religious Freedom Report 2009. <http://www.state.gov/g/drl/rls/irf/2009/127301.htm> , 14 Nov 2009
- 3 <http://www.punjabnewspaper.com/wordpress/2008/07/02/belgian-court-overturns-ban-on-sikh-head-cover-in-school/> , 14 Nov 2009
- 4 Central Intelligence Agency, 2009: The World Factbook. www.worldfactbook.org , 14 Nov 2009
- 5 U.S. Department of State, 2009: 2008 Human Rights Report: Belgium. <http://www.state.gov/g/drl/rls/hrrpt/2008/eur/119070.htm> , 14 Nov 2009
- 6 Amnesty International, 2009: Amnesty International Report 2009. State of the World's Human Rights. <http://report2009.amnesty.org/en/regions/europe-central-asia/belgium> , 14 Nov 2009
- 7 U.S. Department of State, 2009: International Religious Freedom Report 2009. <http://www.state.gov/g/drl/rls/irf/2009/127301.htm> , 14 Nov 2009
- 8 U.S. Department of State, 2009: International Religious Freedom Report 2009. <http://www.state.gov/g/drl/rls/irf/2009/127301.htm> , 14 Nov 2009
- 9 U.S. Department of State, 2009: International Religious Freedom Report 2009. <http://www.state.gov/g/drl/rls/irf/2009/127301.htm> , 14 Nov 2009
- 10 UNITED SIKHS , 2009: The First Global Sikh Civil Rights Report 2008.
- 11 The Becket Fund, 2007: International Religious Freedom News. ; Antwerp: IRFN (Aug. 27 - Sept. 04) , <http://www.becketfund.org/index.php/article/702.html#2> , 15 Dec 2009 ; Ghent: IRFN (Nov. 27 - Dec. 06) , <http://www.becketfund.org/index.php/article/727.html#1> , 15 Dec 2009.

BURMA (MYANMAR)

Chief of State: Sr. Gen. Than Shwe
Head of Government: Prime Minister Lt. Gen. Thein Sein

Population: 48,137,741¹

Sikh Population: Approximately 70,000²

Sikhism as a Recognized State Religion:

The Government and Civil Rights:

Since 1988, Burma has been operated by a military junta form of government.³ The last elections were held in 1990 but the military did not allow the assembly to convene. The junta has announced plans for an election in 2010.⁴ The Burmese legal system is based on English common law.⁵ The junta has been promoting the name Myanmar instead of Burma as a conventional name, however, since this change was not lawfully approved, the US government continues to refer to the country as Burma.⁶

The State Peace and Development Council (SPDC) announced a constitutional referendum that was long overdue, which was released under limited distribution.⁷ By a new law, any disturbances in the process of creating the referendum was



potentially punishable by a three year prison sentence. According to the new constitution, the role of independent political parties is limited, and the rules



under the military remain in place. The military is given more power in the selection of the president and two vice-presidents, and the commander-in-chief is able to appoint military officers to a fourth of all seats in both houses of the parliament.⁸

The population of Burma constitutes of many ethnic groups, the largest of which is Burman and which constitutes 68% of the population.⁹ Other ethnic groups in Burma include Shan 9%, Karen 7%, Rakhine 4%, Chinese 3%, Indian 2%, Mon 2%, and other 5%.¹⁰ The Burmese population also depicts religious diversity with Buddhism being the dominant religion practiced by 89% of the population.¹¹ The other religions present in Burma are Christian 4% (Baptist 3%, Roman Catholic 1%), Muslim 4%, animist 1%, and other 2%.¹²

Burma is signatory to several of the most important international human rights treaties, however, civil and political rights of citizens are compromised by the government.¹³ Basic freedoms of citizens, like freedom of expression, association, assembly and others are denied by the ruling military junta. Political activists and human rights defenders are regularly threatened.¹⁴ Citizen rights are also violated in light of ethnic conflicts, forced labor, unjust land confiscations and extrajudicial killings. The devastation caused by cyclone Nargis in May 2008 has further worsened the conditions of citizens in Burma, with the authorities blocking international assistance.¹⁵

Other human rights issues in Burma include violence and discrimination

against ethnic minorities, especially the Rohingya Muslim minority in Arakan State in western Burma, where people face issues such as religious persecution, and citizenship denials.

Sikhs and Civil Rights in Practice

Sikhs as a Group: Burma has approximately 70,000 Sikhs.¹⁶ Most of the current citizens had migrated to Burma during the British Rule. Currently, Sikhs somewhat maintain a “favorable” position in the society. Most Sikhs have higher education, and therefore command respect. However, it is very clear to the society at large that there must be no involvement in any kind of political groups.

Employment discrimination does not seem to be a problem, and hate crimes against Sikhs are not heard of. However, there are restrictions on practice of any religion other than Buddhism. All minority religions are restricted from constructing any new places of worship. The ones being used right now by minorities are the ones that were constructed in the last century. Though the military junta allows restoration activities to keep these old buildings in good shape, new construction of any kind is prohibited. Further, any kind of books or items that have anything to do with preaching a minority religion are not allowed through the customs. Therefore, Sikhs, along with other minority communities, do not have access to any kind of literature, pictures, books, musical instruments etc that are essential for practice of their religion. Sikhs complain of having no harmoniums (a manual keyboard) and a shortage of Gutkas, the small handheld religious booklets that contain the banis (teachings of the Gurus) used for daily prayers.

Kakaars:

The position regarding Kakaars for Burmese Sikhs has both a positive and a negative side. The Dastaar (turban) is well respected. The military government has granted exceptions for Sikhs wearing Dastaars, and there are exceptions to

hard hat rules and helmet requirements for anyone wearing a Dastaar. On the other hand, Kirpan is not allowed in any form. Being a military government, possession of any kind of “weapon”, big or small is strictly prohibited. Therefore, majority of the Sikh population does not wear a kirpan in Burma. As the people are generally discouraged to raise voices against any rules, Sikhs have not tried to get this rule reversed. The common man tries to stay out of the politics due to the fear of 75 years of jail sentence which is common for anyone who raises their voice against the current government.

Attitudes towards Sikhs: Socially, Sikhs are a well respected community in Burma. The common man knows who a Sikh is. Sikhs do not fear any kind of violence against their community. However, Sikhs do find it hard to practice and preach the religion for the lack of the essential religious items that they do not have access to. The gurmukhi script is hard to promote as they do not have textbooks for teaching the language and cannot import them either. Sikhs have had to involve the Indian Embassy to be able to get some harmoniums to be able to do kirtan. Besides these restrictions, Sikhs feel safe in the country and are not under any kind of threat as long as they stay out of the politics.

- 1 CIA World Factbook. Page updated May 5, 2009. <https://www.cia.gov/library/publications/the-world-factbook/geos/bm.html>
- 2 http://www.sikhiwiki.org/index.php/Sikhism_by_country#_note-0
- 3 CIA World Factbook. Page updated May 5, 2009. <https://www.cia.gov/library/publications/the-world-factbook/geos/bm.html>
- 4 Id.
- 5 Id.
- 6 Id.
- 7 <http://www.hrw.org/en/node/79297>
- 8 Id.
- 9 Id.
- 10 <https://www.cia.gov/library/publications/the-world-factbook/geos/bm.html>
- 11 Id.
- 12 Id.
- 13 Id.
- 14 <http://www.burmacampaign.org.uk/index.php/burma/about-burma/about-burma/human-rights>
- 15 <http://www.hrw.org/en/node/79297>
- 16 Id.
- 17 <http://www.hrw.org/en/node/79297>
- 18 Id.
- 19 Id.
- 20 Id.
- 21 Id.
- 22 Id.
- 23 Id.
- 24 Id.
- 25 Id.
- 26 http://www.sikhiwiki.org/index.php/Sikhism_by_country

CANADA

Head of State: Queen Elizabeth II, represented by Governor General Michaëlle Jean
Head of Government: Stephen Harper
*Population: 33,487,208*¹
Sikh Population: ~400,000
Sikhism recognized as a state religion: Yes

The Government and Civil Rights

The Canadian government is a Commonwealth realm coupled with a federal parliamentary democracy, and the legal system is based on English common law in all provinces except in Quebec, where the legal system is based on French law.² The government of Canada is bilingual with both French and English as official languages.

The law provides for protection of human rights and freedom of religion, and reports indicate that the government generally respects the rights of the citizens.³ Canada is home to people of varied ethnicities and religions, with the majority of the population identifying themselves as Roman Catholic. Other religious groups in Canada include Protestants, Anglican, Baptist, Lutheran, and Muslims.

Canada had an important role in drafting the Universal Declaration of Human Rights and is party to all of the six important human rights conventions.⁴ At the federal level, the most important legislation is the Canadian Human Rights Act which came into force in 1978. Every province in Canada has legal provisions to ensure human rights of Canadians.

In 1982, the Canadian government modified the Constitution and enacted a statute called the Canadian Charter of Rights and Freedoms.⁵ The Charter was enacted to include the standards set by the Universal Declaration of Human Rights, and ensures the rights of Canadian citizens and the Government's responsibility in upholding those rights. Additionally Canada has also established human rights commissions at federal and provincial levels to monitor the promotion

and protection of human and civil rights.

Some human rights concerns in Canada include concerns on rights of indigenous people of Canada especially as they relate to disputes over land and resources, and rights of detainees in prison.⁶

Sikhism and Civil Rights in Practice

The Canadian government generally respects the free practice of religion. Due to political participation of Sikhs in both national and provincial governments, as well as advocacy of civil rights, Sikhs generally report positively about their experience of living in Canada, though 30% of respondents to the survey report feelings of discrimination based on wearing the kakaar (five articles of faith). There are large Sikh populations in British Columbia and in Ontario, with the highest concentrations in Surrey and Vancouver BC and in the Greater Toronto area. Sikhs are well-known to the general public in Canada and there are a significant number of MPs, MPPs, and MLAs of Sikh origin serving in various levels of Canadian government.

Reports of discrimination normally arise in an employment context in Canada. 52% of survey respondents report that they believe that their chances of getting a job are affected because, or if they maintain their Sikh identity. Certain jobs that require hard-hats have been problematic for the community as Sikhs cannot remove or cover their dastaar (Sikh turban) to don a hard-hat. There are number of cases that have arisen in Ontario in this context recently, with the affected working in construction and trucking industries. Due to legislation and a Human Rights Tribunal decision, respectively, Manitoba and British Columbia have generally exempted Sikhs from wearing helmets in an employment context, as well as on motorcycles.

Some Sikhs, specifically in BC, have also reported that certain media-outlets portray Sikhs poorly, and the perception of Sikhs in the general public has suffered because of this. Cases regarding the

kirpan (a religious sword carried as one of five articles of faith) do not arise often, but when they do often are the subject of much attention and debate. The case reported in last year's report regarding a Sikh student who was accused of waiving his kirpan around in school in Montreal was litigated this past year and the Sikh boy won, as it was proven that he did not remove the kirpan.

Hate and bias crimes are an issue in Canada; with approximately 30% of survey respondents stating that they were aware of hate/bias abuse against Sikhs in their communities. Bullying was another concern expressed by respondents, with 22% stating that they themselves or their children had been harassed while in school. None of these respondents actually reported the incidents to the authorities or took action around the bullying incidents.

Actions to be taken to ensure justice is served for the victims of 1984

Investigations and prosecutions in the national and international courts, leading to conviction of those who perpetrated crimes against the innocent victims	14
A truth and justice commission like the one in South Africa	12
Compensation to victims and widows of the innocents murdered and attacked	9
A UN declaration acknowledging the human rights abuses against Sikhs stating what happened to the victims, and recognition of the systematic killings as genocide against Sikhs.	8
Provision of rights to Sikhs that led to the insurgency e.g. a fairer distribution of river water in Panjab	9
Films and documentaries which vindicate and expose the truth of human rights and abuses, to help in the reconciliation process for victims and survivors, and educate the general public about the atrocities committed.	9
Restitution and reparation for the damage done eg: restoration of the material removed by the Indian army from the Sikh Reference Library at Darbar Sahib	8
Other	2
TOTAL NO. OF RESPONSES	71

When asked the question about change for Sikhs in Canada, Amneet Singh, a young Sikh community activist, commented, "It is absolutely crucial that Sikhs and all marginalized communities in Canada are empowered and allowed to witness economic justice, an end to social stigma and political emancipation.

It is important to understand that Sikhs like all other communities face

many issues related to their privilege. A Canadian Born Sikh who has had the ability to be educated within the Canadian system, will face a very different set of circumstances than an immigrant. The justice and equality is two-tiered, the professional class have a very different experience than the working class and the idea of equal opportunity is a myth.

To be very specific, it is not a coincidence that Canada has one of the most educated Cab Driver populations in the world (comprised mostly of immigrants and many Sikhs). With this in mind, it is concerning that in places such as Ontario, where there is a massive shortage of Medical Doctors, has a large number of qualified immigrants who are unable to practice due to institutionalized policies. These immigrants are in turn victims of privilege and institutionalized violence and consequently forced into menial jobs and positions.

Therefore, greater community organization, unionization of minority workers and educational justice are integral to our communities freedom.

- 1 CIA World factbook: Canada. Retrieved December 17, 2009 from <https://www.cia.gov/library/publications/the-world-factbook/geos/ca.html>
- 2 Id.
- 3 Country Reports on Human Rights Practices: Canada, 2008, Released by the Bureau of Democracy, Human Rights, and Labor February 25, 2009. Retrieved from the United States Department of State website on December 17, 2009 from <http://www.state.gov/g/drl/rls/hrrpt/2008/wha/119151.htm>
- 4 Canada's International Human Rights Policy (2009, October 12). Retrieved from the Foreign Affairs and International Trade website on December 17, 2009 from <http://www.dfait-maeci.gc.ca/rights-droits/policy-politique.aspx?lang=eng>
- 5 Canada and Human Rights (n.d.) Retrieved from the United Nations Canada website on December 17, 2009 from <http://www.unac.org/rights/actguide/canada.html>
- 6 Amnesty International Annual Report 2009 - Canada. Retrieved December 17, 2009 from the Amnesty International website at <http://thereport.amnesty.org/en/regions/americas/canada>

DENMARK

Head of state: Queen Margrethe II
Head of government: Lars Løkke Rasmussen
*Population: 5,497,525*¹
*Sikh population: < 5,000*² (<1%)
*Sikhi as a state recognized religion: Yes*³

The Government and Civil Rights in general

Denmark is a constitutional monarchy with a representative democracy based on the parliamentary system. Currently, the government consists of a minority centre-right coalition formed of the Liberal party and the Conservative People's party.

Danish human rights law is primarily derived from three sources; the Danish Constitution, the European Convention of Human Rights,⁴ and the UN Conventions. The Danish Institute of Human Rights was established in 2002, and aims to base its work on human rights as recognized by the international community at any given time, as well as on the freedoms included in the Constitution.⁵

The Evangelical Lutheran Church is the official state religion under the Danish constitution and as a result it enjoys some privileges not available to other faiths, for example receiving state subsidies. Other faiths have asserted that the system is unfair, and that the government does not provide religious equality, despite providing religious freedom.⁶

The most notable recent story concerning attitudes to religion in Denmark was the Jyllands-Posten Muhammad cartoons furor in 2005. Unfortunately, this controversy has provided much of the context for right-wing attacks on religious practice, including Sikhi.

Sikhism and civil rights in practice

Sikhs as a group: At the collective level, as an officially approved religion, Sikhi receives a number of special rights in Denmark, including the right to perform marriage ceremonies with legal effect, the right to residence permits for

foreign preachers, the right to establish cemeteries, and certain tax reliefs.⁷ This is illustrated by the existence and practice of the Vanløse Gurdwara in Copenhagen.

Kakaars

However at the individual level there are causes for concern. Most notably, in the 2006 case of Ripudaman Singh, it was held in the Eastern High Court that the Kirpan as a religious symbol was not a “creditable purpose” under the Small Arms Act, therefore contravened it. Further, this interpretation of the Small Arms Act was found not to violate article 9 of the ECHR (freedom of thought, conscience and religion).⁸ The result of this is that the wearing of the Kirpan is not permitted under Danish law, a huge setback for all Sikhs in the country, especially Amritdharis.

With respect to the turban, there are no known legal restrictions on wearing a dastaar in everyday life. However, recently there appears to be a move towards limiting the wearing of the turban when riding a motorcycle.⁹ At present, Sikhs can wear their turbans in place of helmets when riding on a motorcycle or moped. The Conservative People’s party however, have initiated a debate on whether this should be the case, by arguing that this allows religious requirements precedence over the law. This stance appears to be mainly political in nature, as the unrelated Muhammad cartoon controversy was used by the Conservative People’s party as an analogous example of religious extremism. Although, there are no known plans for legislative action following this up, this situation must be watched carefully. There is also anecdotal evidence that Sikhs have been refused jobs as a result of wearing the turban.¹⁰

Attitudes towards Sikhs

More generally, due to the very small number of visible Sikhs in the country, the larger Danish public on the whole do not distinguish between Sikhs and

other minority groups, namely Muslims. Consequently, Sikhs are often mentioned in connection with honour killings, forced marriages, and other negative stereotypes associated with the various migrant communities.¹¹ Further, there is evidence that the perception of Sikhs as Muslims has resulted in hate crimes against Sikhs.¹²

I believe it is just a matter of time, before Sikhs are targeted just as Muslims are today. Today, Muslim headscarves are an issue, tomorrow it will be Sikh turbans. Hence, there is a crucial need for the overall view [of] ethnic minorities to change and an immediate necessity to treat these groups as fellow citizens, rather than immigrants and a threat to Danish society. Denmark is our home, we contribute to the welfare of the country, we are an integral part of the society. Thus, we should be treated that way.

Jarnail Singh Dhillon

- 1 Source: World Bank, World Development Indicators
- 2 Based on official statistics for people originating from India (5,578 in 2008): www.statistikbanken.dk
- 3 Approved under the 1969 Marriage Act.
- 4 Incorporated into Danish law by Act no. 285 of 29 April 1992.
- 5 Danish Institute of Human Rights Status Report 2006
- 6 U.S. Department of State International Religious Freedom Report 2008
- 7 U.S. Department of State International Religious Freedom Report 2008
- 8 Danish Institute of Human Rights Status Report 2006
- 9 TV2.dk, DF: Sikher skal af med turbanen: <http://nyhederne-dyn.tv2.dk/politik/article.php/id-11690110.html>, Politik.jp.dk, DF: Sikher skal smide turbanen: http://jp.dk/indland/indland_politik/article1349507.ece
- 10 Account of an electrician seeking an internship, who was told that his dastaar would be a problem: Based on survey response from Jarnail Singh Dhillon.
- 11 Based on survey response from Jarnail Singh Dhillon.
- 12 Violent attack on turban wearing bus driver after London terrorist bombings in 2005: <http://www.berlingske.dk/article/20050709/koebenhavn/107090077/>

FRANCE

*Head of State: President Nicolas Sarkozy
Head of Government: Prime Minister Francois Fillon*

Population: 65,073,482¹

Sikh population: 15,000²

State recognised religion: No³

France guarantees human rights in its Constitution and many laws have been implemented in an effort to further promote the state of human rights in the country. It was one of the first countries to have a formal declaration of human rights when the Declaration of the Rights of Man and of the Citizen was approved by the National Assembly of France in August 1789. This has served as a model for some of the early declaration of human rights. France has ratified both the Universal Declaration of Human Rights and the European Convention on Human Rights. Though France does work to protect the rights of their people and advance the state human rights in France, there are many areas that people still suffer in the country. Some problem areas include overcrowded and dilapidated prisons, over aggressive police force, lengthy pretrial detention, societal hostility based on religion, societal hostility toward immigrants, societal violence against women, human trafficking, child abuse, and child marriage.⁴

Religion

In an attempt to eliminate religious discrimination, France created a completely secular society known as laicite. The separation of church and

state was officially enacted in 1905. Laicite is meant to keep government out of religion and keep religion out of government. The concept was used to create equal treatment of all religions by not recognizing any religion and prohibit discrimination on the basis of faith. Although laicite was used in the 20 century to promote religious equality, recently it has been used as a means to restrict religious freedom. In doing so, they have prohibited the wearing of “conspicuous” religious symbols including Muslim headscarves, Jewish skullcaps, large crosses and Sikh turbans. France does have laws that protect religious freedom. There are strict antidefamation laws that prohibit religiously motivated verbal and physical abuse.⁵

Immigration

The treatment of immigrant populations continues to be a problem. This is seen in many of the hiring practices of both the public and private sectors. Immigrants from sub-Saharan Africa, the Maghreb, the Middle East and Asia are especially targeted.⁶ The government is attempting to combat racism and discrimination by implementing awareness programs and some school systems are implementing antidiscrimination educational programs. These programs are only a first step to eradicating discrimination in the country and much more needs to be done for real change to occur.

Law Enforcement Officials

France continues to have problems of ill-treatment by law enforcement officials. There have been complaints of harsh treatment and overly aggressive arrests that continue to be uninvestigated.⁷ The UN Human Rights Committee expressed concern over allegations of ill-treatment by law enforcement officials against migrants and asylum-seekers held in detention centers. Further, there has been a lack of adequate investigation and punishment of such human rights violations. No efforts have been made to rectify the situation.

Freedom of Speech

France’s constitution and laws support



freedom of speech and of the press. Recently, however, the state of press freedom has been worsening. There is a growing tension between the press and the authorities and growing pressure on journalists to reveal their sources of information. This tension was further heightened in 2008 when the president, Nicolas Sarkozy, broke with long established tradition and sued a group of journalists.⁸

Sikhism and Civil Rights in Practice

Although France does not officially recognise any religion, it does recognise religious organisations and the Singh Sabha Gurdwara Culte Sikh France in Bobigny, France is registered as a religious association.⁹ So at a collective level, Sikhs are allowed to establish Gurdwaras and worship there. Since the law of 2004, Sikh school boys have been disciplined and excluded from school for wearing their turban. UNITED SIKH lawyers, representing three Sikh schoolboys, challenged the law all the way to the Conseil d'Etat, France's supreme administrative court. However, in December 2007, the Conseil d'Etat ruled that the permanent expulsion of a student who does not conform to the legal ban on wearing of visible religious signs "does not lead to an excessive infringement upon the freedom of thought, conscience and religion guaranteed by Article 9"¹⁰ UNITED SIKHS has filed appeals on behalf of all six Sikh schoolboys before the European Court of Human Rights in early 2008 and the UN Human Rights Committee in early 2008 and the UN Human Rights Committee in December 2008 as part of the 1st Global Sikh Civil Rights Conference. The UN Human Rights Committee has asked for a response from the French government, which is pending. Sikhs are also forbidden to wear their turbans in identity photographs for passports, residency cards and driving licenses. Recently, the European Court of Human Rights declared an application challenging this "bare head" requirement inadmissible.¹¹ The claimant in the case, Shingara Singh sought a replacement driving license as his previous one, which featured him turbaned in a photograph, was stolen. However, the French authorities refused

to reissue a new driver's license unless he removed his turban. The Conseil d'Etat initially ruled in favour of Shingara Singh, but this was purely on a point of law and on subsequent appeal finally ruled against him. Although the European Court of Human Rights accepted that such a "bare head" requirement was an interference with his right to manifest his religious belief under Article 9 of the ECHR, it was held to be proportionate as it satisfied a lawful aim, namely national security.¹²

Shingara Singh's lawyer, Stephen Groz of Bindmans LLP said:

*"identifying a Sikh who wears a turban at all times, with an ID photograph of the Sikh without the turban just does not accord to common sense. The issue is serious enough to demand the French government to justify this restriction, which the Court did not."*¹³ UNITED SIKHS has instructed its lawyers to file before the UNHRC a case on behalf of Shingara Singh in respect of his passport refusal and on behalf of Ranjit Singh in respect of his refugee card refusal. Ironically, on the identification of a Sikh with his turban, HALDE, the Independent High Commission for Equality and against Discrimination, recognized that it was possible to identify a Sikh with his turban and was not necessary to take off (decision. 2005-26)

Bhai Chain Singh with his lawyer went to Court-ordered Sale at the regional Court, but when he arrived in the courtroom, the judge asked him to take off the turban in the respect of laïcité. He refused and filed a case with HALDE. On 5th June 2006, HALDE stated that the claimant





was discriminated against by the judge because first of all “the claimant’s attitude was not unworthy or disrespectful proceedings of the court and second only the law may impose such a restriction on freedom of conscience which has a constitutional value (...) the HALDE considered that the claimant appeared to have been the victim of discrimination by reason of his religious affiliation” (Decision. 2006-132).

Bhai Raghbir Singh and his friend went to the Banque de France, a public financial institutions to open a bank account on 1st Jun 2005. But when they tried to enter the building, the security officer asked them to remove their turbans or leave. Singh filed a case with the HALDE, and on 19th September 2005, the HALDE stated that “In this case, refusing the benefit of a legally-granted right on the grounds of physical appearance or affiliation or non affiliation, actual or assumed, with an ethnic group, nation, “race” or specific religion, is held to be a discrimination.” HALDE also added, “the Sikh turban does not prevent its bearers from being identifiable” (Decision. 2005-26)

On the above mentioned occasions, the HALDE clearly indicated to the French administration to respect fundamental rights and freedoms of all citizens, including minorities such as Sikhs. Discrimination persists in French schools against Sikh students, which are both excluded from the French school system and stigmatized. With the 2004 law on religious signs in schools, it is difficult to report discrimination in the French and European courts, because if the discrimination is the result of a national law, then the law legitimizes the

discrimination.

Tajinder Singh, as every young French citizen, was convened at the Day of Appeal Preparation of Defense (ournée d’Appel de Préparation à la Defense (JAPD)). However, when he presented himself on 20 May 2009 at the Office of National Service in Paris, he was asked to remove his turban because it was contrary to the charter of secularism. For the first time a French Sikh faced this type of discrimination, because French Sikhs before have already passed their JAPD without discrimination and with respect to their faith and culture. On the other hand, the HALDE has already reminded that wearing a turban was neither contrary to secularism and was allowed in all public places and public buildings, any ban would be recognized as discrimination (HALDE n°2006-132)

On 25 September 2007, addressing the UN General Assembly in New York, President Sarkozy said: “Attachment to one’s faith, to one’s language and culture, and to one’s way of life, thought and belief...all this is natural, legitimate and profoundly human... To deny that is to sow the seeds of humiliation... We will not avert the clash of civilisations by forcing everyone to think and believe alike; cultural and religious diversity must be accepted everywhere and by all.”¹⁴ It is difficult to reconcile this statement with France’s current position on religious freedom.

1 Based on 1 January 2009 estimate, French National Institute of Statistics and Economic Studies (INSEE), http://www.insee.fr/fr/themes/document.asp?ref_id=IP1220®_id=0#inter1

2 Based on Gurdwara Singh Sabha Paris Ressources.

3 France does not recognise any religion. See Article 1, Loi du 9 décembre 1905.

4 Constitution de 1958

5 Declaration of the Rights of Man and of the Citizen of August 26, 1789

6 Constitution de 1958, Article 1

7 Loi du 9 décembre 1905 concernant la séparation des Églises et de l’État

8 Comprises of three French administrative areas known as “departments”: Bas-Rhin, Haut- Rhin and Moselle.

9 Association (loi du 1er juillet 1901) Dossier No. 2002-00233

10 <http://www.unitedsikhs.org/PressReleases/PRSRLS-13-12-2007-01.htm>

11 Mann Singh v France (no 24479/07)

12 <http://cmiskp.echr.coe.int/tkp197/viewbkm.asp?sessionId=16616432&skin=hudoc-en&action=html&table=F69A27FD8FB86142BF01C1166DEA398649&key=74628&highlight=>

13 <http://www.unitedsikhs.org/PressReleases/PRSRLS-27-11-2008-00.htm>

14 <http://www.un.org/webcast/ga/62/2007/pdfs/france-fr.pdf>

FEDERAL REPUBLIC OF GERMANY

President: Horst Köhler

Chancellor: Angela Merkel

Population: 82,217,800¹

Sikh population: 5000² - 12000³

The Government and Civil Rights

The Federal Republic of Germany is a democratic and social state comprising of 16 federal states. It is run by a representative and parliamentary system. The 2009 elected German Bundestag, which holds the legislative power and comprises of six parties. Emanating from the German Bundestag, a centre-right coalition is head of the German administration. The highest judicial institution is the Federal Constitutional Court. It guards and interprets the German Constitution.⁴

While the German “Grundgesetz” (Constitution) already entitles German citizens to 19 fundamental rights, further human and civil rights catalogues emerge from Germany’s integration in the European Union and the Council of Europe. Germany ratified the European Convention on Human Rights on 5 December 1952.

Furthermore, the Freedom House Index ranks Germany as free⁵ and thereby states that Germans enjoy a good standard of civil and political rights. However, Human Rights Watch released a report in February 2009, “Discrimination in the Name of Neutrality”⁶, observing that in some federal states the wearing of religious head-coverings is prohibited for teachers, and in some others even for other civil servants. As the title of the report indicates, these laws were enacted in order to secure a secular education for children. And yet, giving exemptions for nuns and monks, these laws discriminate disproportionately other religions. Religious diversity is compromised because of such laws.

The German society embraces the following religions⁷: Protestant 34%, Roman Catholic 34%, Muslim 3.7%, Hindus

<0,2%, Buddhists <0,3%, Other/ Non-religious 27,8%.

Sikhism and Civil Rights in Practice

Sikhism is largely unknown to the majority of Germans, mainly because Sikhs constitute only a very small percentage of the German population. Mostly, Sikhs live in and around Frankfurt, Hamburg and Cologne. While they are treated generally well, there are cases of discrimination at the working place, in the public sector or at schools. “Eight of the 16 federal states in Germany—Baden-Württemberg, Bavaria, Berlin, Bremen, Hesse, Lower Saxony, North Rhine-Westphalia, and Saarland—have enacted legislation to prohibit teachers in public schools from wearing visible items of religious clothing and symbols. In Baden-Württemberg and Berlin similar legislation exists for kindergarten teachers also. In Hesse and Berlin the ban extends to cover some or all other civil servants in the field of justice and law enforcement (including judges, prosecutors, police officers, and court and prison officials).”⁸ The Global Sikh Civil Rights Survey shows, while the laws were framed around the Muslim headscarf, several Sikhs have been affected by them as well.

Moreover, a German Sikh states that “no high ranked positions in Germany are filled by a Sikh wearing a turban. The public is simply not used to such cases like they are from England or Canada”. Fortunately, there are no records of hate crimes against Sikhs. On the other hand, as the majority of German citizens are ignorant of Sikhism, Sikhs in Germany continually face prejudices, discrimination and misunderstandings. For example, Sikhs wearing the kirpan are not allowed to enter the German Bundestag or other places with similar security enforcements. In the end “the responsibility to raise awareness is with Sikhs themselves”, states a German Sikh.

¹ Estimate on 31 December 2007. Statistisches Bundesamt Deutschland: <http://www.destatis.de/jetspeed/portal/cms/Sites/destatis/Internet/EN/Navigation/Statistics/Bevoelkerung/>

- Bevoelkerungsstand/Bevoelkerungsstand.psml , 26 October 09
- 2 Estimate in 2005, Religionswissenschaftlicher Medien- und Informationsdienst e.V.: http://www.remid.de/remid_info_zahlen.htm#verschiedene , 26 October 09
 - 3 Estimate in 2008. Hamburger Abendblatt: <http://www.abendblatt.de/hamburg/article500388/In-Deutschland-leben-etwa-12-000-Sikhs.html> , 26 October 09
 - 4 <http://www.bundesregierung.de/Webs/Breg/EN/Federal-Government/federal-government.html> , 30 November 09
 - 5 <http://www.freedomhouse.org/template.cfm?page=22&year=2009&country=7613> , 30 November 09
 - 6 <http://www.hrw.org/en/reports/2009/02/25/discrimination-name-neutrality-0> , 30 November 09
 - 7 Estimates for Protestants, Roman Catholics and Muslims: <https://www.cia.gov/library/publications/the-world-factbook/geos/gm.html> , 30 November 09 ; Hindus, Buddhists, Other/Non-religious: http://www.remid.de/remid_info_zahlen.htm , 30 November 09
 - 8 Human Rights Watch 2009: Discrimination in the Name of Neutrality. Page 25.

INDIA

Head of state: Smt. Pratibha

Devisingh Patil, President¹

Head of government: Manmohan Singh, Prime Minister²

Population: 1,152,468,904 (Nov. 2009 est.)³

Sikh population: Estimated 18,000,000; 1.9% of population⁴ (2001 census)

Sikhism as a state recognized Religion: Yes

Indian Government and Civil Rights:

According to its Constitution, India is a “sovereign, socialist, secular, democratic republic.”⁵ “Like the United States, India has a federal form of government. However, the central government in India has greater power in relation to its states, and its central government is patterned after the British parliamentary system.”⁶

The government exercises its broad administrative powers in the name of the President, whose duties are largely ceremonial. The President and Vice President are elected indirectly for 5-year



terms by a special electoral college. Their terms are staggered, and the vice president does not automatically become president following the death or removal from office of the President.⁷

Article 15 (1) of the Constitution of India provides: The State shall not discriminate against any citizen on grounds only of religion, race, caste, sex, place of birth or any of them.⁸ Although the Constitution under the above mentioned



provision clearly provides the right for secular existence, the religious and cultural minorities in India may feel different about their understanding of the everyday ground realities. In the 2009, Global Sikh Civil Rights Survey, 33% of the Sikh respondents feel discriminated in Indian schools and 14% feel some sort of discrimination at work place.⁹ India is a longstanding multiparty, federal, parliamentary democracy.

In the 2005 country reports, the U.S. Department of Justice on its website summarizes the human rights related issues with India, “Security force officials who committed human rights abuses generally enjoyed de facto impunity, although there were reports of investigations into individual abuse cases as well as punishment of some perpetrators by the court system. Corruption was endemic in the government and police forces, and the government made little attempt to combat the problem, except for a few instances highlighted by the media. The lack of firm accountability permeated the government and security forces, creating an atmosphere in which human rights violations often went unpunished. Although the country has numerous laws protecting human rights, enforcement

was lax and convictions were rare. Social acceptance of caste-based discrimination remained omnipresent, and for many, validated human rights violations against persons belonging to lower castes”.¹⁰ The government generally respected the rights of its citizens; however, numerous serious problems remain.¹¹ This report focuses on Sikh and Civil Rights Practice in India.

Sikhs and Civil Rights Practice (Punjab):

Sikhs represent a minority religion in India. They constitute less than 2 % of the total population.¹² The highest number of Sikhs who lives in India lives in Punjab. The topography of the State of Sikhs; Punjab has changed for past many decades. During last three decades, Punjab was put under President’s Rule several times and has had both Congress and Akali Governments. Although Sikhs still constitute a significant share of Indian Punjab’s population, a good number has moved to foreign countries to seek a better life, seeking respect to their religious identity and rights in Britain, Canada and United States, among others.¹³ The departures of many Sikh families have also brought the migration of many laborers, in search of work, to Punjab, especially during the last decade. Today, one in five Punjabis living in Punjab is a migrant worker, mostly from the States of Bihar and Uttar Pradesh.¹⁴

To understand Sikhs and Civil Rights in India in the present day, an understanding of Sikh’s recent history in India is imperative. As the Singh Sabha Movement during the end of 19th century contributed towards the development of Sikh centered educational institutions in Punjab¹⁵, when through the then Lieutenant governor, foundation stone of the Khalsa College at Amritsar was laid, the Punjab Legislative Council was established in 1897.¹⁶ However, the present political strength enjoyed by Sikhs in Punjab came with a great struggle. One such important year of struggle in Sikh history is 1909, when the Anand Marriage Bill was initiated and passed legalizing the Sikh form of marriage i.e Anand Karaj.¹⁷ For the next decade, the Montagu-

Chelmsford Report tried to set some records straight while concluding, “The Sikhs in the Punjab are a distinct and important people; they supply a gallant and valuable element to the Indian army; but they are everywhere in a minority and experience has shown that they go virtually unrepresented...”¹⁸

Being a minority community, Sikhs faced continuous setbacks in their fight against justice almost throughout the 20th century. The Government of India Act of 1919 never gave Sikhs the 33 percent reservation that they had expressed as a reward for their service to the nation.¹⁹ Even though, Sikhs had a very significant relationship in serving in Indian army, Sikhs are also called to be the flower of Indian army, one who are superior to any with whom they might come in contact with.²⁰ C. H Payne suggests that with the splendid fighting qualities, the Sikhs increased the efficiency of every regiment they took place and in short time came to be regarded as the most useful and reliable soldiers in the native army.²¹ The struggle at the hands of Government of India Act was only the beginning.

Sikhs and Indian Judicial System:

Sikhs constitute a separate religion under the eyes of Indian Constitution in one clause and are considered part of another religion in another clause of the same article. The Supreme Court of India did recognize Guru Granth Sahib to be a juristic person²², but in recent times has delivered judgments questioning the religious minority status of the Sikhs, in view of the grand design of the political establishment and the judiciary to take a micro level -state wide decision on who constitutes a minority and not on the basis of the entire country as a unit.



Sub-clause (b) of clause (2), Article 25 of the Constitution of India, which provides for the rights to practice any religion in India, reads, “the reference to Hindus shall be construed as including a reference to persons professing the Sikh, Jaina or Buddhist religion, and the reference to Hindu religious institutions shall be construed accordingly.”²³

This clause is discriminatory as Sikhs constitute a *sui generis* religio-political nation. This has been recognized by the Justice M. N. Venkatachaliah-led Constitutional Review Commission, which after two years of deliberation submitted its report on 31 March 2002. Among other suggestions, the recommendation number 19, which is part of the Para 3.23.2 of the main document, (<http://lawmin.nic.in/ncrwc/finalreport/v1ch11.htm>) unambiguously states,

“Explanation II to article 25 should be omitted and sub-clause (b) of clause (2) of that article should be reworded to read as follows:

“(b) providing for social welfare and reform or the throwing open of Hindu, Sikh, Jaina or Buddhist religious institutions of a public character to all classes and sections of these religions.”
[Para 3.23.2]

Even today, Sikhs are forced to be part of the plethora of laws of the dominant community as they have to accept the Hindu Marriage Act, the Hindu Adoption Act, the Hindu Succession Act and many more.



In recent years, some important cases²⁴ have come before Punjab and Haryana High Court as well as Supreme Court of India, which are imperative to local Sikh rights and which can serve as a guide to Courts in other nations. While underlying the importance of Sikh Rehat Maryada and Guru Granth Sahib, the case of Gurleen Kaur V. State of Punjab, emerged; in which while discussing the importance of Kesh to Sikh dharma, the court held; “In our view, the Guru Granth Sahib is a treatise limited to the expression of the moral and spiritual code of conduct for Sikhs. The Guru Granth Sahib is also a guide/teacher/prayer for Sikhs to lead them to salvation i.e. merger with God. The physical aspects of the Sikh faith, in our view, can be rightfully traced only from the “Sikh rehat-maryada” and from other preachings of the “Sikh Gurus” connected to the code of conduct in their day to day life. It would be wrong, therefore, to look for an answer to the controversy, whether or not, Sikhs are ordained to maintain their bodily hair unshorn from the Guru Granth Sahib”.²⁵ While helping clarify the definition of Sikh as applied to Sikh minority institutions, the court said, “The “Sikh rehat-maryada” not only requires Sikhs to keep their hair unshorn, even an act of dishonouring hair, is taken as a tabooed practice. An act of dyeing one’s hair is treated as an act of dishonouring hair. The fundamental of retaining hair unshorn is not only for adults, but is also for minors, as adults are required to maintain the hair of the children unshorn.”

Sikhism is one of the few religions (if

any other at-all) where their living Guru, Sri Guru Granth Sahib is declared as a juristic person by the Supreme Court (S.C) of India. By virtue of being a living person (living Guru), Guru Granth Sahib also has all the right of a living person and hence Sri Guru Granth Sahib can hold and use the gifted properties given to it by its followers out of their love, in charity. The S.C. of India in the historic case of *Shriomani Gurudwara Prabandhak Committee, Amritsar V. Shri Som Nath Dass and others*²⁶ recognized Sikh as a separate religion and declined the claim of defendants that claimed a dharmshala and Dera of Udasian belonged to them as they were managing the said properties through their forefathers. In another case, S.C. provided the due attention to what constitutes Sikhism and considered a Sikh Gurudwara:

“The sine qua non for an institution, to be treated as Sikh Gurdwara as observed in the said case, is that there should be established Guru Granth Sahib, and the worship of the same by congregation, and a Nishan Sahib. There may be other rooms of the institution made for other purposes but the crucial test is the existence of Guru Granth Sahib and the worshippers thereof by the congregation and Nishan Sahib”.²⁷

Sikhs and Violations of Human Rights in India:

Even though Supreme Court of India in recent years have stepped up to uphold Sikh’s educational institutions rights, so much is still needed to be done about the illegal detention, disappearance and killings of thousands of Sikhs in Punjab from early 1980’s till mid 1990’s. After 1984, Sikhs in India generally and Punjab particularly felt harassed by the police. In 1997, a committee called The Committee for Coordination on Disappearances in Punjab (CCDP) came into existence with an aim to develop a voluntary mechanism to collect and collate information about the people who have disappeared from all over the state, and to ensure that the matter of police abductions leading to illegal cremation of dead bodies proceeds meaningfully and culminates in a just and

satisfactory final order.²⁸

A human rights organization, Voices for Freedom, has also documented cases of involuntary disappearances and torture in other districts of Punjab, in a report entitled, *Smoldering Embers*. The report incorporates more than nine hundred cases of the disappeared from districts other than Amritsar.²⁹ The organization is also started a Know Your Rights movement in Punjab, enabling young activists to learn more about human rights and their prevention.

The CCDP and its agenda have their origin in the work done by Jaswant Singh Khalsa, the General Secretary of the Akali Dal's human rights wing.³⁰ In the year 1995, Khalsa worked to initiate the 'public interest litigation' on what has come to be known as the matter of police abductions leading to secret cremations in Punjab. Khalsa disappeared following his abduction by armed commandos of the Punjab police on 6 September 1995. In 1997, another respected agency; Human Rights Watch issued a well documented report on the impunity in Punjab. The report provides details on the Khalsa and similar cases and concludes, "These cases reflect the failure of various government institutions including the police, the judiciary, the Central Bureau of Investigation, and the National Human Rights Commission to ensure accountability and redress for gross human rights violations".³¹

One of the controversial cases pertaining to Indian judicial system and especially to cases related to TADA³² is that alleged defendants can be prosecuted solely on the basis on their confession before a police officer. One such case for which the appeal for clemency is still pending before the President of India is of Devinder Pal Singh Bhullar.³³

When it comes to the Civil Right abuses against minority communities, the real question pertaining to such civil right abuse becomes the issue of minority v. majority.³⁴ We should not ignore a similar plight that Muslims (another minority community) in India faced after the 2002-03 Gujarat massacre. A well documented report can be obtained from the Amnesty International website.³⁵ An abstract from the report that details another failure of the state to protect basic human rights of minority citizen reads: "Bilqis Yakoob Rasool, five months pregnant and fleeing violence in her home village, was gang-raped on 3 March 2002 when a Hindu mob caught up with the family near the town Limkheda. She saw at least three other relatives raped and her three-year-old daughter violently thrown on the ground and killed. She reported the rape and killings of 14 relatives to police but in January 2003 police closed the case stating that "the offence is true but undetected".³⁶

Threat of Schismatic Cults in Punjab:

As it happened in April 1978, Punjab witnessed in the last year a resurgence of schismatic cults, particularly the Sirsa-based Dera Sauda and the Nurmahal based Ashushosh Dera. Despite huge democratic protests from religious, social and political organizations, all over Punjab and the country, the government of Punjab and the Union government have not been able to rein in the outspokenly anti-Sikh and blasphemous activities of these bodies. On the contrary, it has detained those leaders who have been consistently protesting against the proliferation of such activities in Punjab. Bhai Daljit Singh of the Shiromani Akali Dal (Panch Pardhani), who





alongwith his party activists had been spearheading a campaign against the Dera Sauda, particularly in the Bathinda district of Punjab, has been detained under the Unlawful Activities (Prevention) Act. He continues to languish in the Amritsar prison. Many of his party activists, nearly thirty plus were also detained, but have since been released on bail.

In the last few weeks prior to this report, when peacefully demonstrating Sikhs, protested the utterances of the schismatic cult leader Ashutosh, Punjab police resorted to firing directly on the protestors leading to the killing of Bhai Darshan Singh Lohara. No warnings were given, no water cannons were used, no rubber bullets were fired, and live bullets were fired straight on the protestors, injuring thirteen people, four of which are still critical in a Ludhiana hospital.

The Genocide of 1984 and Sikhs:

The year 2009 marked twenty-five years of the anti-Sikh pogrom in Delhi and other parts of India. Despite intervention by countries and human rights bodies, India has so far failed to take punitive action against the guilty police personnel, politicians who led the marauders and the fascist leadership who designed the killing activities which resulted in the death of 2,733 Sikhs (official statistics only) from 31 October to 2 November 1984.

Sikhs living around the world have tried to bring the culprits of 1984 Sikh Massacre to justice. Series of media organizations have undertaken serious projects to unearth the impact 1984 had on Sikh psyche followed up by the embarrassing

failure of Indian judicial system to hold accountable the culprits of the crime.

Human Rights Watch has recently published an article in which the situation is summarized as “For two-and-half decades, victims and their families seeking justice have been confronted by government opposition and obfuscation, including prolonged trials, biased prosecutors, an unresponsive judiciary, police intimidation, and harassment of witnesses. No senior government officials or politicians have been prosecuted despite evidence of their role in the atrocities”.³⁷

In recent years, a religious neutral perspective has emerged, where writers are voicing against the human rights abuses in Punjab. In 1998, Dr. Cynthia Mahmood gave a famous speech on Human Rights Violations in Punjab³⁸ An important note from non-Sikh protests on 1984 posted a few weeks ago³⁹; where the Hindu authors believe that despite the establishment of three commissions and seven committees of inquiry to investigate various aspects of the pogrom, none of the main organizers of the violence have been prosecuted. The Indian judicial system has failed to hold them accountable either on its own initiative or because of alleged pressure by the Congress party and governments. In spite of prolonged trials, only 13 persons, who acted on behalf of someone, have been convicted. Even charge-sheets against the prime accused have not been filed.⁴⁰

The Global Sikh Survey found that nearly 30% of all respondents said that they directly or indirectly are affected by the attack on the Darbar Sahib (Golden Temple) and attacks against Sikhs in Delhi and other part of India.⁴¹ Many dedicated websites can be visited to understand the depth of the impact of the 1984 Sikh Massacre on modern Sikh history. There is a plethora of evidence regarding personal life stories of many victims of 1984⁴²; Peoples Commission on human rights violations in Punjab prepared a report on Human rights violations in Punjab, particularly focusing on the

1985-1995 period.⁴³ In another report, Peter Rosenblum, Clinical Director of the Human Rights Program, Harvard Law School wrote, "If the testimonies are substantially true, then the work of the NHRC and the courts has barely begun because there are glaring violations of rights to be addressed and responsibility to be apportioned".⁴⁴ Most of such reports are trying not to take sides in a conflict; they did not expect to change history or right a history of wrongs with a single report. Rather, they sought to empower the families of disappeared to reclaim their dignity, to press the institutions of the state to perform their obligations, and to lay the ground work for an honest retelling of a tragic part of recent history.

Indeed, Indian judicial system has to travel a long way to accomplish the much due activism to effectively tackle the human rights abuses in local Indian communities. Particular importance must be given to minority v. majority disputes. We hope India practices as a sovereign, socialist, secular, democratic republic, one day.

- 1 <http://www.presidentofindia.nic.in/> (last visited; 11/24/09)
- 2 <http://www.pminindia.nic.in/> (last visited; 11/24/09)
- 3 <http://populationcommission.nic.in/welcome.htm> (last visited; 11/28/09)
- 4 <https://www.cia.gov/library/publications/the-world-factbook/geos/in.html> (last visited; 11/25/09)
- 5 The preamble of the Constitution of India begins by stating, WE, THE PEOPLE OF INDIA, having solemnly resolved to constitute India into a [SOVEREIGN SOCIALIST SECULAR DEMOCRATIC REPUBLIC]. Constitution of India (2007 amendments); <http://lawmin.nic.in/coi/coiason29july08.pdf>
- 6 <http://jurist.law.pitt.edu/World/india.htm> (last visited; 11/25/09)
- 7 Id., Real national executive power is centered in the Council of Ministers (cabinet), led by the Prime Minister. The President appoints the Prime Minister, who is designated by legislators of the political party or coalition commanding a parliamentary majority. The President then appoints subordinate ministers on the advice of the prime minister.
- 8 <http://lawmin.nic.in/coi/coiason29july08.pdf>, (last visited; 11/25/09)
- 9 2009 Global Sikh Civil Rights Survey, conducted by UNITED SIKHS (November, 2009)
- 10 <http://www.state.gov/g/drl/rls/hrrpt/2005/61707.htm>, (last visited; 11/19/09)
- 11 Problem faced a sexual minorities in India is well documented in the report; <http://sangama.org/files/sexual-minorities.pdf>, and the latest problems faced by Muslim minority, after the aftermath of 9/27 can be read at <http://indiapolice.law.blogspot.com/> and after the 2003 Gujarat Massacre victim's ordeal can be read at <http://www.amnestyusa.org/document.php?id=ENGASA200062006-e>
- 12 <http://www.sikhwomen.com/facts/population.htm>; population of Punjab by city can be seen at <http://punjabgovt.nic.in/EDUCATION/LiteracyRate.htm> (last visited; 11/18/09)
- 13 Khuswant Singh, A History of the Sikhs, Vol. II (vii 1999)
- 14 See, "Punjab now a land of Bihar Sardars", <http://timesofindia.indiatimes.com/india/Punjab-now-a-land-of-Bihari-sardars/articleshow/2583135.cms>. Time of India (last visited; 11/20/09)
- 15 See Tribune, August 15, 1890. "English well-wishers organized

a committee in London to raise funds in England. Sikh princes, encouraged by the viceroy and the commander-in-chief, made handsome donations; the Anglo-Indian Civil and Military Gazette supported and cause with enthusiasm. Money began to pour in from all over the province. On March 5, 1892, the lieutenant governor, Sir James Lyall, who has taken personal interest in the venture, laid the foundation stone of the Khalsa College at Amritsar." Supra note 9 (Khuswant Singh), 144.

- 16 The Council consisted of 9 members, nominated by the lieutenant governor and was more in the nature of a durbār than a body of representative citizens. See supra note 2 for further discussion.
- 17 It is important to note that same year Minto-Morley Reforms took place, under the recommendation of the reforms, Punjab Muslims enjoyed separate representation among other benefits, consequently in the following elections Sikhs were muscled out by the Hindus or Muslims.
- 18 Montagu-Chelmsford Report, Indian Constitutional Reform Report, p. 150
- 19 Under the new constitution, "the Punjab Legislative Council would comprise 93 members of whom 15 were to be Sikhs elected by Sikh constituents; the Central Assembly was to have 145 members, of whom there three were to be Sikh; the Council of States would have 60 members, of whom one was to be a Sikh." Supra note 2, p. 223
- 20 C.H. Payne, A Short History of the Sikhs, p. 225 (Thomas Nelson and Sons, London). Sir Lapel Griffin says, "I would venture to express my conviction, which is shared by many distinguished officers of the Indian army, that the Sikhs, infantry and light cavalry, are, when and sufficiently led by English officers, equal to any troops in the world, and superior to any with whom they are likely to come in contact."
- 21 Sikhs have fully sustained their reputation, and have served with distinction under British colours not only in India, but in Egypt, in Afghanistan, in China and in South Africa. Supra note 7 at 224.
- 22 The Supreme Court of India clearly distinguishes Sikhism from Hinduism as to be separate religion. In Shriomani Gurudwara Prabandhak Committee, Amritsar V. Shri Som Nath Dass and others, the Supreme Court held, "It is not necessary for Guru Granth Sahib to be declared as a juristic person that it should be equated with an idol. When belief and faith of two different religions are different, there is no question of equating one with the other. If Guru Granth Sahib by itself could stand the test of its being declared as such, it can be declared to be so." The judgment can be found at <http://judis.nic.in/supremecourt/imgs.aspx>. Also see Shriomani Gurudwara Prabandhak Committee Mahant Harnam Singh C. (Dead), M.N. Singh & Ors., AIR 2003 SC 3349
- 23 Constitution of India (With 2007 amendments); <http://lawmin.nic.in/coi/coiason29july08.pdf> ((last visited; 11/22/09))
- 24 Our thanks to Prof. (Dr.) Daljeet Singh, Principal Khalsa College, Amritsar for his help with the case law section.
- 25 R.A. No.215 of 2009 In CWP No.14859 of 2008 (Date of Decision: 07.08.2009). The decision is available at <http://lobis.nic.in/phhc/showfile.php?sn=0>. The bench further observed, "In our view, the Gurdwara Acts of 1925 and 1971 are legislative enactments, which have withstood the test of time, wherein "keshadhari" (a Sikh who maintains hair unshorn) has been incorporated as the fundamental precondition for being vested with the right to be included even in the electoral rolls. The "Sikh rehat-maryada" not only requires Sikhs to keep their hair unshorn, even an act of dishonouring hair, is taken as a tabooed practice. An act of dyeing one's hair is treated as an act of dishonouring hair. The fundamental of retaining hair unshorn is not only for adults, but is also for minors, as adults are required to maintain the hair of the children unshorn. The "Sikh ardas" also establishes the same tenet, from the fact that the keeping hair unshorn is mentioned twice in the "Sikh ardas". Scholars of the Sikh religion, be it Sikhs or non-Sikhs of Indian heritage, or foreigners believing in a religion other than Sikhism, each one of them has described the requirement to keep hair unshorn as fundamental to the Sikh religion. It would, therefore, not be incorrect for us to conclude, that maintaining hair unshorn is a part of the religious consciousness of the Sikh faith. The same view was expressed in an academic exercise carried out by the Punjabi University, Patiala."
- 26 AIR 2000 SC 1421 (29/03/2000)
- 27 Shriomani Gurudwara Prabandhak Committee V. Bagga Singh and Ors (03/12/2002; <http://judis.nic.in/supremecourt/imgs.aspx>) Also see Shriomani Gurudwara Prabandhak Committee Amritsar v. Mahant Kirpa Ram and Ors. (AIR 1984 SC 1059); (last visited; 11/25/09)
- 28 <http://www.punjabjustice.org/chapter1.html> (Part 1 of the Report; evidence of mass illegal cremations). Other items on agenda included: (b) To evolve a workable system of state accountability, and to build pressure of public opinion to counter the bid for immunity; (c) To lobby for India to change its domestic laws in conformity with the UN instruments on torture, enforced disappearances, accountability, compensation to victims of abuse of power and other related matters; and (d) To initiate a debate on vital issues of state power, its distribution, accountability and to work for a shared perspective on these matters with groups and movements all over India.

- 29 Volume 1: http://www.amazon.com/Smoldering-Embers-Unending-Justice-Dissappeared/dp/1419672878/ref=sr_1_1?ie=UTF8&s=books&qid=1209114749&sr=1-1
Volume 2: http://www.amazon.com/Smoldering-Embers-Unending-Justice-Dissappeared/dp/1419672800/ref=sr_1_2?ie=UTF8&s=books&qid=1209114749&sr=1-2
- 30 Id.
- 31 <http://www.hrw.org/en/node/10644/section/6>. A link to the complete report can be found at <http://www.hrw.org/en/reports/2007/10/17/protecting-killers>. The report's summary concludes: "At the same time, from 1984 to 1995 the Indian government ordered counterinsurgency operations that led to the arbitrary detention, torture, extrajudicial execution, and enforced disappearance of thousands of Sikhs. Police abducted young Sikh men on suspicion that they were involved in the militancy, often in the presence of witnesses, yet later denied having them in custody. Most of the victims of such enforced disappearances are believed to have been killed. To hide the evidence of their crimes, security forces secretly disposed of the bodies, usually by cremating them. When the government was questioned about "disappeared" youth in Punjab, it often claimed that they had gone abroad to Western countries." <http://www.hrw.org/en/node/10644/section/2>; (last visited; 11/27/09)
- 32 <http://www.satp.org/satporgtp/countries/india/document/actandordinances/Tada.htm> (last visited; 11/27/09), provides TADA, Terrorist and Disruptive Activities Act; Section 15 of the Act provides, "Certain confessions made to police officers to be taken into consideration.- (1) Notwithstanding anything in the Code or in the Indian Evidence Act, 1872, but subject to the provisions of this section, a confession made by a person before a police officer not lower in rank than a Superintendent of Police and recorded by such police officer either in writing or on any mechanical device like cassettes, tapes or sound tracks from out of which sounds or images can be reproduced, shall be admissible in the trial of such person 6[or co-accused, abettor or conspirator] for an offence under this Act or rules made thereunder"
- 33 <http://www.gopetition.com/petitions/savebhullar.html>
- 34 <http://sikhcentre.wordpress.com/2008/02/09/speech-by-dr-cynthia-mahmood-on-human-rights-violations-in-punjab/>, (last visited; 11/22/09)
- 35 India, Justice- The Victim, Gujarat State Fails to Protect Women from Violence; <http://www.amnesty.org/en/library/info/ASA20/001/2005>; (last visited; 11/28/09)
- 36 I.e. "that those responsible cannot be found. Acting on Bilqis' petition, the Supreme Court in December 2003 directed a central police agency, the Central Bureau of Investigation (CBI), to reinvestigate the case. The CBI found evidence of police attempts to cover up the crime and arrested 12 persons accused of rape and murder, six police officers who are alleged to have covered up the crime and two doctors who provided distorted post mortem examinations. The Supreme Court in August 2004 directed that this case be tried in Mumbai as well; it began in late September 2004." <http://www.amnesty.org/en/library/asset/ASA20/001/2005/en/110d0c4c-d53a-11dd-8a23-d58a49c0d652/asa200012005en.pdf>, (last visited; 11/25/09)
- 37 <http://www.hrw.org/en/news/2009/11/02/india-prosecute-those-responsible-1984-massacre-sikhs>, (last visited; 11/26/09)
- 38 <http://sikhcentre.wordpress.com/2008/02/09/speech-by-dr-cynthia-mahmood-on-human-rights-violations-in-punjab/>, (last visited; 11/12/09)
- 39 <http://communalism.blogspot.com/2009/11/india-festering-wounds-of-anti-sikh.html>, (last visited; 11/05/09)
- 40 A media report is available at: <http://www.sikhsiyasat.net/2009/10/01/no-faith-in-indian-judicial-system-says-bhailwant-singh-rajoana/>, (last visited; 11/28/09)
- 41 2009 Global Sikh Civil Rights Survey, conducted by UNITED SIKHS (November, 2009)
- 42 <http://www.sikhgenocide.org/links.htm>
- 43 <http://www.punjabjustice.org/ccdp-pc-press.htm>
- 44 www.ensaaf.org/publications/newsletter/dispatch-jun05.pdf, (last visited; 11/25/09)

INDONESIA

Head of State and Government: President Dr. H. Susilo Bambang Yudhoyono

Population: 240,271,522¹

Sikh Population: 10,000 - 15,000²

Sikhism as a Recognized State Religion: No

The Government and Civil Rights:

The democratic structure of Indonesia is based on 5 principles known as the "Pancasila" Democracy³. These principles include the belief in one god and social justice for all people⁴. The legislative branch is divided into several sections: the House of Representatives (Dewan Perwakilan Rakyat or DPR) which forms and passes legislations nationally⁵. The Dewan Perwakilan Daerah or DPD provides legislative input to DPR on matters affecting different regions.⁶ The People's Consultative Assembly (Majelis Permusyawaratan Rakyat or MPR), which is the upper house, consists of members of DPR and DPD. The Ministry of Religious Affairs officially recognizes six religious groups: Islam, Catholicism, Protestantism, Buddhism, Hinduism, and Confucianism.⁸ At 86.1% the majority of the population practices Islam.⁹

Indonesia transitioned from an authoritarian regime to a democracy in 1998 after the resignation of President Suharto but is still working on implementing key reforms.¹⁰ Human rights watch groups have reported little if any progress in attempts to attain justice for past human rights violations, and ongoing abuse including police torture. Freedom of expression is curbed despite a well developed media system because of power tactics by people in the government as well as business world.¹¹ Citizens who do not belong to a religious group recognized by the government routinely face discrimination by the civil system registration.¹²

Sikhs and Civil Rights in Practice

Sikhs as a Group:

Sikhism is not one of the six recognized religions in Indonesia. Though there are

approximately 10,000 to 15,000 Sikhs in Indonesia¹³, most of them either cannot identify themselves as such or have to misrepresent themselves as Hindus. Despite the problems faced by the Sikh community vis-à-vis religious identification, Sikhs are generally treated with respect. Most of the Sikh population is focused in the cities of Jakarta and Medan.

Kakaars:

Sikhs in Indonesia did not report any problems in wearing their Kakaars including the Kirpan and Dastaar. There are problems regarding proper awareness about Sikhs due to which they are occasionally stopped by officials when driving a bike without a helmet or while wearing a Kirpan in a public place. However, the authorities generally understand the issue when explained to them and accommodate the religious requirements for Sikhs.

Attitudes towards Sikhs:

Though Indonesia does not recognize Sikhism as an official religion, Sikhs are socially recognized and well treated. There were no reports of hate crimes against Sikhs. The major tension remains within the various Muslim sects. However, there is no reported pressure for conversion or to abide by the laws of other religions.

Further, Sikhs did not report any problems in practicing their religion or organizing religious activities. It was also reported that Sikhs receive overwhelming support from the Sindhi community who support the Sikh organizations in every way.

Indonesia <http://www.unhcr.org/refworld/topic,464db4f52,46516083d,48d5cbc555,0.html>

9 Id.

10 Human Rights Watch World Report 2009 <http://www.hrw.org/en/node/79278>

11 Id.

12 UNHCR 2008 Report on International Religious Freedom - Indonesia <http://www.unhcr.org/refworld/topic,464db4f52,46516083d,48d5cbc555,0.html>

13 UNHCR 2008 Report on International Religious Freedom - Indonesia <http://www.unhcr.org/refworld/topic,464db4f52,46516083d,48d5cbc555,0.html>



1 CIA World Factbook. Page updated May 5, 2009. <https://www.cia.gov/library/publications/the-world-factbook/geos/id.html>

2 UNHCR 2008 Report on International Religious Freedom - Indonesia <http://www.unhcr.org/refworld/topic,464db4f52,46516083d,48d5cbc555,0.html>

3 http://www.indonesia.go.id/en/index.php?option=com_content&task=view&id=112&Itemid=1722

4 Id.

5 CIA World Factbook. Page updated May 5, 2009. <https://www.cia.gov/library/publications/the-world-factbook/geos/id.html>

6 Id.

7 Id.

8 UNHCR 2008 Report on International Religious Freedom -

IRAN

Head of state: Ali Hosseini- Khamenei
Head of government: Mahmud Ahmadi-Nejad
*Population: 66,429,284*¹
Sikh population: 500

Constitutionally, the Islamic Republic of Iran is a theocratic republic where the primary power structures are dominated by the Shia Muslim clergy.² The structure allows highest authority under the jurisdiction of the Supreme Leader, elected for life by an Assembly of Experts. The current Supreme Leader Ali Hoseini-Khamenei was elected 4 June 1989, and controls the legislative, executive and judicial systems of the country, including direct control over the armed forces and indirect control over other security forces and key institutions.³

The estimated population of Iran in July 2009 was 66,429,284,⁴ of which the majority of Iranians follow Islam (98%).⁵ The remaining small percentage of population follows several religions such as Zoroastrian, Jewish, Christian, and Baha'i among others. Shia Islam recognized as the state religion according to the constitution, and all laws and regulations are therefore based on Islamic norms.

Civil and Human Rights in Iran

The current civil and human rights scenario in Iran has been under considerable national and international scrutiny, particularly the tight government control on freedom of expression, and unjust practices toward civil, human and women's rights activists.⁶ Religious minorities continue to face discrimination and hardships, particularly adherents of the Baha'i faith. The current state of affairs in Iran drew attention of United Nations Secretary-General Ban Ki-moon, who in a report in October 2008, urged officials in Iran to comply with international standards of promotion and protection of human rights.⁷ According to his report, Iran is a party to four major United Nations human rights treaties: the

Convention on the Rights of the Child, the Convention on the Elimination of Racial Discrimination, the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights. However, Iran has entered some reservations upon ratification, which contributes to encumbering the human rights protection afforded by these treaties.⁸

Civil and political rights in Iran also suffered in light of controversial elections in June 2009, where supporters of the opposition protested against alleged manipulated results which declared incumbent candidate Mahmoud Ahmadinejad a winner. The controversial elections led to mass protests on part of opposition supporters, and mass arrests on part of the government.⁹

Sikhism and Civil Rights in Practice

The section below is adopted from the 2008 Global Sikh Civil Rights Report. Unfortunately, due to the current civil and political rights situation in Iran, Sikhs in Iran were unwilling to participate in the reporting process this year.

From the 2008 Global Sikh Civil Rights Report:

There are around 500 Sikhs living in the Islamic Republic of Iran.¹⁰ The Tribune India (2001) writes that the Sikhs have been associated with Iran since the early 1900s, especially during the First World War. Most of the Sikhs arrived in search of greener pastures during the pre-partition era from areas surrounding Rawalpindi, notably from Dhudial village now in Pakistan. A large number of Sikhs streamed into Iran as members of the British Indian Army while the others made the trip by road via Quetta to Zahedon, a tiny hamlet bordering Pakistan. Now, the once large and prosperous Sikh Indian community in Iran has been shrinking with the second and third generation preferring to send their children abroad, especially the USA and Britain for higher education.¹¹

Though Sikhs have been in Iran for a century, some of them still have civil rights concerns. They are struggling for the right to own property in Iran and obtain residency permits. The Iranian Sikh community voiced these concerns during the visit of the Indian External Affairs Minister K. Natwar Singh.¹² There have been reports of violence as well. The Sikhspectrum¹³ reported that S.Kultaran Singh, a Gursikh born in Iran was brutally killed on 7th August 2003. The killer, who made a public confession, was convicted and sentenced to ten years.¹⁴ There was some question during the proceedings as to the proper application of the law based upon the differing religious affiliations of the victim and defendant. Sikhs in Iran believe that there should not be any difference between a Muslim and a non-Muslim citizen with respect to civil or criminal law as prescribed in Islam.¹⁵

Conclusion:

Despite more than 50 years living in Iran, many Sikhs have not been recognized as Iranians and are still treated as foreigners. Despite the fact that some have proudly taken the local nationality and served in compulsory service in national Cadets for two years in Iran, they largely live as part of the Indian community under the protection of the Indian embassy in Iran. Sikhs in Iran are naturally desirous of the full recognition and citizenship of their birth country, Iran.

from The Panthic Weekly September 4, 2005 website: <http://www.panthic.org/news/0/ARTICLE/1725/2005-09-04.html>

- 11 I Bit of Punjab in Persia, retrieved on December 8, 2008 from The Tribune website: <http://www.tribuneindia.com/2001/20010422/spectrum/main1.htm>
- 12 Iranian Sikhs see a light of hope, retrieved on December 8, 2008 from The Panthic Weekly September 4, 2005 website: <http://www.panthic.org/news/0/ARTICLE/1725/2005-09-04.html>
- 13 Will Justice Be Served? Issue No.18, November 2004, Retrieved on December 8, 2008 from Sikhspectrum.com quarterly website: <http://www.sikhspectrum.com/112004/tehran.htm>
- 14 Kultaran case: Iranian SC upholds jury verdict, Prabhjot Singh, Tribune News Service, available at: <http://www.tribuneindia.com/2005/20050518/punjab1.htm>
- 15 Ibid

- 1 CIA World factbook. Retrieved December 7, 2009 from <https://www.cia.gov/library/publications/the-world-factbook/geos/ir.html>
- 2 Country Reports on Human Rights Practices -2008, Released by the Bureau of Democracy, Human Rights, and Labor February 25, 2009. Retrieved from the United States Department of State website on December 7, 2009 from <http://www.state.gov/g/drl/rls/hrrpt/2008/nea/119115.htm>
- 3 Id.
- 4 CIA World factbook. Retrieved December 7, 2009 from <https://www.cia.gov/library/publications/the-world-factbook/geos/ir.html>
- 5 Id.
- 6 Amnesty International Annual Report 2009 - Iran. Retrieved December 7, 2009 from the Amnesty International website at <http://thereport.amnesty.org/en/regions/middle-east-north-africa/iran>
- 7 Retrieved December 7, 2009 from <http://www.iranhumanrights.org/2008/10/sg-report-iran/>
- 8 See Section IV (a) (71-73). December 7, 2009. <http://www.iranhumanrights.org/2008/10/sg-report-iran/>
- 9 Blair, D. (2009, June 15). Iran elections: The hope that Iran threw away. Retrieved December 7, 2009 from the Telegraph website at <http://www.telegraph.co.uk/news/worldnews/middleeast/iran/5536288/Iran-elections-The-hope-that-Iran-threw-away.html>
- 10 Iranian Sikhs see a light of hope, retrieved on December 8, 2008

ITALY

Head of State: Giorgio Napolitano

Head of Government: Silvio Berlusconi

Population: 58.9 million

Sikh Population: Est. 70,000¹

Sikhism as a Recognized State Religion:

Italy's Constitution comports with the standards of the European Convention of Human Rights and is generally enforced effectively. There are certain areas that are of particular concern, such as rampant discrimination and extremely slow judicial systems. Italy is working towards improving human rights in some areas, particularly concerning women's rights and human trafficking.

Racism and Discrimination

Racially motivated attacks on migrants persist and seem to be promoted by the government. The EU Commissioner for Human Rights commented that the racist statements by politicians contributed to a hostile environment against non-nationals.²

The Roma and Sinti people are those of Romanian descent living throughout Europe and are widely known as gypsies. The racism and discrimination against this group of people has been very severe in Italy. The government has created a climate of anti-Roma sentiment that "has served to mobilize extremist groups, which have recently launched a series of attacks against Roma camps and individuals."³ The European Parliament said that Italy's fingerprinting members of the Roma community is a direct act of racial discrimination and ordered an immediate halt on the practice.⁴

Women

Violence against women remains a problem in Italy, with 31.9 percent of all women in the country having been victims of violence at least once in their lives.⁵ Spousal abuse is high with partners having committed 23 percent of reported sexual abuse cases.⁶

Human trafficking and sex tourism are of great concern in the country. Approximately 2,800 new victims were trafficked in 2007. The government, however, is working to eradicate trafficking and help the victims. "Unlike most other illegal immigrants, who face deportation if apprehended, persons who qualify as trafficking victims under the law received benefits, including legal residence."⁷ The government is also trying to regulate sex tourism. The law permits courts to try individuals who engage in sex tourism outside of the country, "even if the offense is not a crime in the country in which it occurred."⁸ UNICEF reported in 2006 that 18 percent of the clients of Kenyan sex workers were Italian.

Arrest and Detention

Italy's judicial system is chronically slow and shows little sign of improvement. There are restrictions on lengthy pretrial detention, though it has no impact. Thirty-three percent of prisoners were in pretrial detention and 18 percent were awaiting a final sentence.⁹ Therefore, over half of all prisoners are yet to be convicted.

Torture is not included in the Criminal Code and they have not instituted a police accountability mechanism¹⁰. There continue to be allegations of torture by law enforcement officials.¹¹ Most of the abuse is aimed at migrants and Roma people.

Sikhism and Civil Rights in Practice¹²

Sikhs constitute a very small percentage of Italy's population. Nevertheless, as the countries parmesan cheese production is mostly in Sikh hands,¹³ they have made themselves known as hard working members of the Italian society. Other Sikh communities of noteworthy size, next to Emilio Romagna, are situated in Rome, south of Rome and in the centre of Italy, near Arezzo. Generally, Sikhs are treated with respect. However, there was an incident of hate crime in Rome where a Sikh was severely burned by gasoline.¹⁴

Moreover, discrimination against Sikhs is due mostly to ignorance and lack of awareness. For example, this applies to wearing the kirpan. Even if there are legal provisions that allow Sikhs to wear a rather short and blunt kirpan, as an Italian Sikh reports, the police would still most likely, out of ignorance, consider the kirpan a weapon. Legislative restrictions as such already require advocating for civil rights. Other issues have arisen regarding the the Turban on passport and identity card photos; however recent legislation allows Sikhs to wear the Turban as long as the ears are not covered.

Awareness of Sikhs and Sikhism is reportedly the need of the hour. As an Italian Sikh states, “most Italians do not know what a Sikh is. [Therefore] some education would be good and some Public Relations. Most Italians [still] think Sikhs are Arabs/ Muslims”. Raising awareness on religious and minority rights becomes especially important, because the far right party, Lega Nord, lobbies for stricter legislation for immigrants. Similar to a recent event in Switzerland, the Lega Nord calls for example for an Italian referendum on a minaret ban.¹⁵

KENYA

Head of State and Government: Mwai Kibaki¹

Population: 39,002,772²

Sikh Population: 20,000³ -25,000⁴

The Government and Civil Rights: Kenya has operated under a republican form of government since a constitutional amendment in 1964.⁵ President Kibaki acts as both head of state and government.⁶ The unicameral legislature, the National Assembly/Bunge, commonly referred to as Parliament, consists of 224 seats, with 210 of these positions filled by election to a five-year term, 12 appointed by the President but selected by each political party in proportion to their elected representation in Parliament, and 2 ex officio members.⁷ The constitutional amendment of 1982, which made Kenya a de jure one party state, was repealed in 1991, allowing for the emergence of about eight major political parties.⁸ The ODM, or Orange Democratic Movement, currently holds 99 of the Parliament's 224 seats, with the PNU (Party of National Unity), President Kibaki's political group, following with the second largest representation of 46 seats.⁹

The Kenyan Constitution provides for the fundamental rights of its citizens, including life, liberty, personal security, protection under the law, freedom of expression, freedom of conscience, the right of assembly, freedom of association, and the rights to privacy, property, and just compensation for takings of property.¹⁰ The right to religious freedom is enumerated within the freedom of conscience in Chapter V, Section 78 of the Constitution.¹¹ Religious organizations are able to establish and maintain religious educational institutions, and religious adherents are not compelled to take any oaths which would violate a tenant of their respective faith.¹² There were very few reports of societal abuse or discrimination based upon religious adherence, although the Muslim population often complains of being treated as second-class citizens both by the government and the general population, due to their presence in

- 1 <http://www.nriinternet.com/EUROPE/ITALY/2004/111604Gurdwara.htm>
- 2 Amnesty International 2009 Annual Human Rights Report - Italy
- 3 Id.
- 4 BBC News, Italy Rebuke on Roma fingerprints, 10 July 2008.
- 5 Bureau of Democracy, Human Rights and Labor 2008 Country Reports on Human Rights Practices, Feb. 25, 2009, State Department.
- 6 Id.
- 7 Id.
- 8 Id.
- 9 Id.
- 10 Amnesty International 2009 Annual Human Rights Report - Italy
- 11 Id.
- 12 Information and details shared by the Italian Sikh community, non-official records
- 13 <http://www.dw-world.de/dw/article/0,2144,3647092,00.html> , 07 Dec 09
- 14 <http://www.mumbai-central.com/nukkad/may2009/msg00867.html> , 07 Dec 09
- 15 <http://forum.mpacuc.org/showthread.php?p=672300> , 07 Dec 09



Working for other religions does not bother me. In essence all religions are the same, God is one” - Hari Singh Bansal, working on a Landhia mosque in Kenya (photo courtesy Harbans Kaur)

a predominately Christian country.¹³ The country’s religious identification is reportedly 80-88% Christian (approximately 58% Protestant, 42% Catholic), 10% Muslim, less than 1% Hindu, Sikh, or Baha’i, and the remainder following traditional indigenous faiths.¹⁴

The sentiments expressed by the Muslim population could be attributed to the fact that the regions which house about 75% of the Muslim population, i.e. the Upper Eastern, North Eastern, and Coast provinces, have the least-developed infrastructures, low educational levels, greater rates of unemployment, and more widespread poverty.¹⁵ In addition, a number of Muslim community organizations voiced concern over the government’s “anti-terrorism” efforts, which they say acts as a veil for harassment of Muslim citizens and has resulted in the denial of due process for those suspected of terrorism-related crimes on the Kenyan/Somali border.¹⁶

Although Kenya is relatively stable in

comparison to its surrounding neighbors, the violence resulting from the December 27, 2007 presidential elections shed light on the fragility of the state.¹⁷ Electoral malpractice by President Kibaki’s camp and opponent Odinga’s supporters lead to an internal civil conflict, leaving 1,200 dead and over 300,000 displaced from their homes or villages.¹⁸ There were reports of the government being involved, and the peaceful vote-casting turned into civil turmoil after the announcement of the president¹⁹ leading to widespread violence. None of those who committed these abuses have been brought to justice as of date.²⁰

Another matter of concern has surfaced in terms of treatment of refugees. In January 2007, Kenya closed its 682 km border with Somalia, citing security concerns, but making no exception for those seeking refuge.²¹ The border closure has lead to the forcible return of asylum-seekers and refugees to Somalia, in blatant violation of Kenya’s obligations under both Kenyan and international refugee laws, along with widespread reports of extortion, violence, abuse, and illegal detention at the hands of the Kenyan police.²²

Sikhism and Civil Rights in Practice

Sikhs as a group:

Sikhs have been part of the Kenyan population since 1895, when they came to the region as when Uganda Railway was being built.²³ While many who came and worked on the railway returned back to India once it was completed, the majority stayed in Kenya and became part of the community.

Kenyans at large know who Sikhs are, and respect them as a hardworking population. Kenyan Sikhs have been able to serve at high positions in public institutions, such as being Chief Justice, serving in the Kenyan Police, CID Officers, Immigration Officers, Teachers, Professors, Trade Unionist and many more. However, according to reports, they are yet to take part in Kenyan politics as members of parliament or at ministry levels.

Kakaars:

Sikhs are free to wear their kakaars as they please, and are rarely questioned about their beards or turbans. In general, people recognize Sikhs and respect their articles of faith. No reports of any restrictions on wearing a kirpan were received.

Attitudes towards Sikhs:

In general, Sikhs are treated fairly well in Kenya. They are recognized as having their own separate identity, and there are no laws or legislations that threaten Sikhs or other minorities from practicing their faith. According to reports, Kenyan Sikhs do not face much discrimination, and there have been no known reports of hate crimes against them. However, they are aware of being in a different country and among different people.

MALAYSIA

Chief of State: King - Sultan MIZAN Zainal Abidin (the position of the king is primarily ceremonial)¹

Head of Government: Prime Minister Mohamed NAJIB bin Abdul Razak²

Population: 25,715,819³

Sikh Population: 100,000 to 120,000⁴

Sikhism as a Recognized State Religion: No

The Government and Civil Rights:

Malaysia has a constitutional monarchy type of Government.⁵ The government is nominally headed by a paramount ruler (the King) along with a bicameral Parliament consisting of a nonelected upper house and an elected lower house.⁶ The kings are elected by and from the hereditary rulers of nine of the states for five-year terms.⁷ The bicameral Parliament consists of Senate or Dewan Negara (70 seats; 44 appointed by the king, 26 elected by 13 state legislatures; serve three-year terms with limit of two terms) and House of Representatives or Dewan Rakyat (222 seats; members elected by popular vote; serve up to five-year terms).⁸ The religious demographics as reported by the 2000 Census are Muslim 60.4%, Buddhist 19.2%, Christian 9.1%, Hindu 6.3%, Confucianism, Taoism, other traditional Chinese religions 2.6%, other or unknown 1.5%, none 0.8%.⁹

In Malaysia, human rights are partially enshrined in the Federal Constitution.¹⁰ Among others, the Constitution guarantees the right to life; freedom of movement; freedom of speech, assembly and association; freedom of religion; and rights in respect of education.¹¹ The lead agency for the education and advocacy of human rights, the Human Rights Commission of Malaysia (SUHAKAM) was established by Parliament under Act 597, Human Rights Commission of Malaysia Act 1999.¹² However, some major civil and human rights violations have been reported in Malaysia. As reported in the 1st Global Sikh Civil Rights Report, Malaysia continues to use the Internal Security Act (ISA) to indefinitely detain, without charge or trial, individuals

1 CIA World Factbook. Page updated June 30, 2009. <https://www.cia.gov/library/publications/the-world-factbook/geos/KE.html>

2 Id.

3 Sikhi Wiki: Encyclopedia of Sikhs. Retrieved from http://www.sikhiwiki.org/index.php/Sikhism_by_country

4 Number based on interview

5 Id.

6 Id.

7 Id.

8 Id.

9 Id.

10 Please see Chapter V of the Kenyan Constitution for a full enumeration of the fundamental rights and privileges granted to Kenyan citizens. The Constitution of Kenya can be accessed at <http://kenya.rcbowen.com/constitution/>.

11 "Kenya: International Religious Freedom Report 2008". United States Department of State. Accessed 6 July 2009. <http://www.state.gov/g/drl/rls/irf/2008/108374.htm>

12 Id.

13 CIA World Factbook. Page updated June 30, 2009. <https://www.cia.gov/library/publications/the-world-factbook/geos/KE.html>

14 Id.; "Kenya: International Religious Freedom Report 2008". United States Department of State. Accessed 6 July 2009. <http://www.state.gov/g/drl/rls/irf/2008/108374.htm>

15 "Kenya: International Religious Freedom Report 2008".

16 Id.

17 Chris Albin-Lackey and Ben Rawlence. "The Right Way Forward for Kenya". January 30, 2008. www.hrw.org/en/news/2008/01/30/right-way-forward-kenya

18 Albin-Lackey; Nick Wadhams. "Will Kenya's Election Violence Recur?" Time Magazine. December 30, 2008. www.time.com/time/world/article/0,8599,869113,00.html

19 Albin-Lackey.

20 Wadhams.

21 Id.

22 Id.; "From Horror to Hopelessness: Kenya's Forgotten Somali Refugee Crisis". March 2009. Page 12. Accessed July 6, 2009. www.hrw.org/sites/default/files/reports/kenya0309web1.pdf

23 Sikh heritage in East Africa (n.d.) Retrieved from <http://www.sikh-heritage.co.uk/heritage/sikhher%20EAfrica/sikhsEAfrica.htm>

deemed by officials to threaten Malaysia's national security. This includes not only individuals suspected of planning terrorist attacks, such as members of the militant Islamist groups Jemaah Islamiah and Darul Islam, but also individuals allegedly promoting ethnic or religious discord. On December 13, 2007, after the Hindu Rights Action Force (Hindraf) organized a massive rally to draw attention to discrimination faced by Malaysia's Indian population, the government detained five of its leaders. In October 2008, the government declared Hindraf an illegal organization on the grounds that it constituted a "threat to public order and morality." As of late November 2008, the leaders remained in ISA custody.¹³ Further, Malaysia has been reported for abusive treatment of migrant workers or asylum seekers. Abuses include physical assault, intimidation, forced entry into living quarters, extortion, theft, destruction of residency papers, and sexual abuse. Cases of severe physical abuse of migrant domestic workers continue to be reported. In September 2008 a Malaysian employer forced an Indonesian domestic worker to drink boiling water.¹⁴

Sikhs and Civil Rights in Practice

Sikhs as a Group:

The Malaysian Sikhs are generally concentrated in the regions around Kuala Lumpur. Smaller pockets of the Sikh population also exist in the city of Penang. Sikhs are generally treated with respect and do not face any major discrimination. Dastaar is considered a symbol of pride amongst the population. During our interview with the members of the Sikh population in Malaysia, some name was calling was reported at the school level related more to issues of bullying. Other than that, Sikhs are considered as respectable members of the society.

Kakaars:

Though Malaysia has a helmet law for driving two wheelers, Sikhs are explicitly exempted from the law. The language written within the legislation provides that Sikhs and "holy muslims" are exempt

from the requirements of wearing a helmet while riding a two wheeler on account of wearing a turban. Further, generally Sikhs do not have any reported problems in wearing the Kirpan. However, the practice is not very standardized. While Sikhs reported that some years ago, they were allowed to meet the Prime Minister of Malaysia with their Kirpans, a separate incident was also reported where the same Sikh was not allowed to wear his Kirpan on a tour of the Petronas Towers.

Attitudes towards Sikhs:

Though there are reported distinctions in the policies for non-muslim communities, Sikhs do not face major issues in Malaysia. It was reported that it is considerably difficult to construct and run a Gurdwara in Malaysia. However, the Sikh community recently received a considerable grant from the Government (approx. 2 Million Ringgits) to develop a Punjabi teaching program for the Sikh population. This is a major step for Malaysian Sikhs as one of the biggest problems facing the Sikh population today is the diminishing use of spoken Punjabi and the Gurmukhi script.

- 1 CIA World Factbook. Page updated May 5, 2009. <https://www.cia.gov/library/publications/the-world-factbook/geos/my.html>
- 2 Id.
- 3 Id.
- 4 1st Global Sikhs Civil Rights Report <http://www.unitedsikh.org/rtr/sikhconf/FirstGlobalSikhCivilRightsReport.pdf>
- 5 CIA World Factbook. Page updated May 5, 2009. <https://www.cia.gov/library/publications/the-world-factbook/geos/my.html>
- 6 Id.
- 7 Id.
- 8 Id.
- 9 Id.
- 10 http://www.malaysia.gov.my/EN/Main/MsianGov/GovConstitution/GovHumanRights/Pages/Human_Rights.aspx
- 11 Id.
- 12 Id.
- 13 Human Rights Watch World Report 2009 <http://www.hrw.org/en/node/79333>
- 14 Id.



NETHERLANDS

Head of state : Queen Beatrix

Head of government : Jan Peter Balkenende

Population: 16,715,999¹

Sikh population: 10,000 - 12,000² (<0.05%)

The Government and Civil Rights

The Kingdom of the Netherlands is a constitutional monarchy with a democratic government. The Dutch Administration is divided in twelve provinces. Its legislative power is with the First and the Second Chamber, and the judicial power is with the Supreme Court. As per the first chapter of the Dutch Constitution, all Dutch citizens are granted both negative and positive civil and human rights, as well as democratic rights. These rights include a ban on discrimination, the provision of the freedom of religion, freedom of speech, freedom of association and freedom of assembly and the right to privacy. Restrictions on these rights may be based on the grounds of health hazards, traffic safety, and risk of public disorder. Moreover, the Netherlands is signatory to international human rights agreements such as the European Convention on Human Rights, the Rome Statute (for the International Criminal Court) and the Universal Declaration on Human Rights. Nevertheless, as already reported in the First Global Sikh Civil Rights Report 2008, there continues to be resentment towards religion, particularly towards Muslims and Jews.³ The following religions constitute the Dutch society: Roman Catholic 30%, Dutch Reformed 11%, Calvinist 6%, other Protestant 3%, Muslim 5.8%, other 2.2%, none 42%.⁴

Sikhism and Civil Rights in Practice

As in 2008, “at the governmental level, treatment of Sikhs appears to be reasonable. With respect to the turban, there is evidence to suggest that although discrimination based upon religion is banned in the Netherlands, it does however occur in isolated incidents. These incidents generally have concerned wearing a dastaar/turban at school and

when taking a passport (despite Sikhs officially having the right to wear the turban in passport and driving license pictures). Each of these incidents was resolved reasonably swiftly, however, which suggests much of the problems are related to lack of education on the Sikh faith, and the prejudices held against the larger Muslim community, with Sikhs are often confused.”⁵

This description remains accurate for the year 2009 as well. This statement is supported by the International Religious Freedom Report 2009: “There was no change in the status of respect for religious freedom by the Government during the reporting period.”⁶

1 July 2009 est., Central Intelligence Agency, 2009: The World Factbook. www.worldfactbook.org, 14 Nov 2009

2 Based on estimations

3 See also: U.S Department of State, 2009: International Religious Freedom Report 2009. <http://www.state.gov/g/drl/rls/irf/2009/127328.htm>, 15 Nov 2009

4 Central Intelligence Agency, 2009: The World Factbook. www.worldfactbook.org, 14 Nov 2009. Note that these are estimations from 2006.

5 UNITED SIKHS, 2009: The First Global Sikh Civil Rights Report 2008.

6 See also: U.S Department of State, 2009: International Religious Freedom Report 2009. <http://www.state.gov/g/drl/rls/irf/2009/127328.htm>, 15 Nov 2009

PAKISTAN

Head of the State: Asif Ali Zardari, President.

Head of the Government: Saad Yousaf Raza Gillani

Total Population: 176,242,949 ¹

Sikh Population: 30,000 ²

The Government and Civil Rights:

Pakistan is a federal republic that follows Islam as the state religion. Located in Southern Asia, Pakistan's history is interspersed with periods of political instability and military rule since the partition between India and Pakistan in 1947. Pakistan adopted its constitution in 1956; however, it has been suspended several times over the past few decades, most recently during November 2007 when a state of emergency was declared.³ Asif Ali Zardari came into power, restoring democratic rule in the country in 2008. The legal system of Pakistan is based upon English common law, along with provisions for its status as an Islamic republic.

Islam is the state religion and around 97% of the population identifies itself as being Muslim. Of which Shi'a Muslims constitute



20% and the rest are Sunni Muslims.⁴ The remaining population consists of followers of Christianity, Hinduism, Sikhs, Buddhists, Zoroastrianism and Baha'i. Ahmadis constitute a sizeable proportion of the population, however they tend to identify themselves as Muslims but are not treated



as such under the law.

Human rights and religious freedom are of some concern in Pakistan, and have been under national and international scrutiny. The government took some steps in promoting minority interest by hiring more people from minority religions, allocating quotas for federal and provincial jobs, and celebrating minority day.⁵ Additionally, the government also lifted restrictions on media and allowed workers to legally organize by lifting curbs on unions.⁶ However, while the law provides for religious minorities and grants them freedom to practice their religion freely, the government restricts this right in practice to a certain extent, especially for Ahmadis.⁷ Fearing the growing power of extremist and politically motivated religious groups, the inadequate government action, and their impact on the religious freedom of citizens of Pakistan, the United States Commission on International Religious Freedom has included Pakistan in its list of "countries of particular concern."⁸

The political instability combined with the activities of extremist groups and growing insurgency in tribal areas in the North-West Frontier Province of Pakistan has led to thousands of Pakistanis being displaced from their homes and livelihoods. According to the November 2009 report of the United Nations Office of Coordination of Human Affairs (UN OCHA), there are approximately 1.3 million Internally Displaced Persons (IDPs) registered in government camps in Pakistan currently,

with numbers showing a steady increase.⁹
UNITED SIKHS has been

Other concerns of human rights include torture and death in custody, enforced disappearances, mistreatment of women and children, and domestic violence.¹⁰

- 1 CIA World factbook: Pakistan. Retrieved December 16, 2009 from <https://www.cia.gov/library/publications/the-world-factbook/geos/pk.html>
- 2 International Religious Freedom Report 2009: Pakistan, Released by the Bureau of Democracy, Human Rights, and Labor October 26, 2009. Retrieved from the United States Department of State website on December 16, 2009 from <http://www.state.gov/g/drl/rls/irf/2009/127370.htm>
- 3 CIA World factbook: Pakistan. Retrieved December 16, 2009 from <https://www.cia.gov/library/publications/the-world-factbook/geos/pk.html>
- 4 International Religious Freedom Report 2009: Pakistan, Released by the Bureau of Democracy, Human Rights, and Labor October 26, 2009. Retrieved from the United States Department of State website on December 16, 2009 from <http://www.state.gov/g/drl/rls/irf/2009/127370.htm>
- 5 Id.
- 6 Country Reports on Human Rights Practices 2008, Released by the Bureau of Democracy, Human Rights, and Labor February 25, 2009. Retrieved from the United States Department of State website on December 16, 2009 from <http://www.state.gov/g/drl/hrrpt/2008/sca/119139.htm>
- 7 Id.
- 8 United States Commission on International Religious Freedom (2009). Annual Report. Washington: DC
- 9 United Nations Office of Coordination of Human Affairs (2009, November 27). Pakistan humanitarian update. Retrieved December 16, 2009 from [http://www.internal-displacement.org/8025708F004CE90B/\(httpDocuments\)/0E9698B5E0D5AD9CC1257680003CDD4/\\$file/full_report+OCHA+27+nov.pdf](http://www.internal-displacement.org/8025708F004CE90B/(httpDocuments)/0E9698B5E0D5AD9CC1257680003CDD4/$file/full_report+OCHA+27+nov.pdf)
- 10 Amnesty International Annual Report 2009 - Pakistan. Retrieved December 16, 2009 from the Amnesty International website at <http://thereport.amnesty.org/en/regions/asia-pacific/pakistan>

PHILIPPINES

Head of State and Government: Gloria Macapagal-Arroyo
Population: 97,976,603¹
Sikh Population: Approximately 20,000²
Sikhism as a Recognized State Religion: No

The Government and Civil Rights:

Philippines operates under a republican form of government with the President acting as both head of state and government,³ and the bicameral legislature comprises of the Senate and the House of Representatives.⁴ The legal system of Philippines is modeled after the Spanish and Anglo-American law.

The 1987 Constitution came into effect on February 2, 1987. The new constitution contains a detailed Bill of Rights guaranteeing basic civil rights like freedom of press, privacy, right to practice religion et al.⁷ Article XIII of the Constitution provides for the creation of an independent office called Commission on Human Rights (CHR).⁸ The main powers of CHR include suo moto investigation into human rights violations, provide legal measures for protection of human rights, and recommend to Congress measures to promote human rights.⁹ More than 81 percent of citizens claim membership in the Roman Catholic Church, according to the 2000 official census data on religious preference. Other Christian denominations together comprise 11.6 percent of the population. Muslims total 5 percent of the population and Buddhists 0.08 percent. Indigenous and other religious traditions comprise 1.7 percent of those surveyed. Atheists and persons who did not designate a religious preference account for 0.5 percent of the population.¹⁰

A successful democracy, Philippines is still struggling to streamline operations of several important institutions, especially the law enforcement agencies. The authorities came under pressure nationally and internationally to bring justice to people unlawfully killed or disappeared, and the numbers have

dropped recently. Activists, journalists and clergy have suffered considerably, however, the government denies the role of law enforcement authorities in any unlawful acts despite evidence that suggests otherwise, brought to light by human rights organizations.¹¹

Execution-style killings have been reported in several cities, with young street children or petty criminals being frequently targeted. Innocent bystanders are also involved and threatened by the gunmen.¹³ Human rights groups report such violence has been taking place for many years with no consequences for the perpetrators.¹⁴

Human rights issues that are prevalent in Philippines include violence against women, abuse of children, child prostitution, trafficking in persons, child labor, and ineffective enforcement of worker rights.¹⁷ Local terrorism is also an issue Philippines is grappling with, with terrorist groups targeting and recruiting children into the groups and in combat.¹⁸

Sikhs and Civil Rights in Practice

Sikhs as a Group:

The Sikh population in Philippines is estimated at approximately 20,000.²⁰ Most of this population is concentrated in and around Manila. Some pockets of Sikhs are also found in the controversial regions of Davao City.

Generally, Sikhs do not face any kind of discrimination or restrictions in practicing their faith. There are many gurdwaras across Philippines and Sikhs are organized as a group to support the free practice of religion. However, the crime rate is very high overall and safety concerns are present for any law-abiding citizen. Robbery is commonplace, especially for the Sikh community as most of the population is in the profession of money lending.²¹

Kakaars:

Sikhs did not report any problems in wearing their Kakaars. Philippines does have a mandatory helmet rule for driving

a bike/motorcycle. However, the Sikh groups have been successful obtaining an exception to the rule for Sikhs wearing a turban. No known restrictions were reported on wearing of the Kirpan.

Attitudes towards Sikhs: Generally, Sikhs have not faced any problems in the social network. However, with limited interaction between Sikhs and the larger community there is limited awareness about Sikhs. Though the Filipino population do not discriminate Sikhs or mistake them as Muslims, there is a lot of genuine anxiousness to learn more about Sikhs. Sikhs, on the other hand, have not been successful for various reasons to spread more awareness about who they are resulting in more and more Sikhs giving up the faith. The biggest concern reported by practicing Sikhs was the dropout rate of the members of the community themselves as they don't want to answer queries of their Filipino friends might have. Kulvinder Singh, the Head Priest at the Khalsa Diwan Gurdwara in Manila wants to organize efforts to spread awareness about the community in the general public and Punjabi schools to promote the Sikh language and culture amongst the younger generation.

- 1 CIA World Factbook. Page updated May 5, 2009. <https://www.cia.gov/library/publications/the-world-factbook/geos/rp.html>
- 2 http://www.sikhiwiki.org/index.php/Sikhism_by_country
- 3 CIA World Factbook. Page updated May 5, 2009. <https://www.cia.gov/library/publications/the-world-factbook/geos/rp.html>
- 4 Id.
- 5 Id.
- 6 Id.
- 7 See Article III of the 1987 Constitution of the Republic of Philippines for the detailed Bill of Rights guaranteed by the government. The Philippine Constitution can be viewed by visiting http://www.gov.ph/index.php?option=com_content&task=view&id=200034&Itemid=26
- 8 Article XIII of the Constitution at http://www.gov.ph/index.php?option=com_content&task=view&id=2000327&Itemid=26
- 9 Id.
- 10 <http://manila.usembassy.gov/wwwfps21.pdf>
- 11 Human Rights Watch, World Report 2009. <http://www.hrw.org/en/node/79344>
- 12 Id.
- 13 Id.
- 14 Id.
- 15 "You can die anytime". <http://www.hrw.org/en/node/82034/section/2>
- 16 Id.
- 17 US Department of State 2008 Human Rights Report: Philippines. <http://www.state.gov/g/drl/rls/hrrpt/2008/eap/119054.htm>
- 18 Id.
- 19 Id.
- 20 http://www.sikhiwiki.org/index.php/Sikhism_by_country
- 21 <http://www.pcij.org/i-report/2007/indians.html>

POLAND

The democratization of political and public life which followed the collapse of the old system in 1989 allowed Poland to adopt a completely new set of international regulations for the protection of human rights. These changes led to the ratification of many agreements and the adoption of international monitoring procedures.¹ However, the Polish administration is known to oppose the incorporation of the EU Charter of Fundamental Rights into Polish law.²

The Sikh population in Poland is very small (approximately 700³). However, a Sikh participant for the 2nd Global Sikh Civil Rights Survey from Poland reported a major incident of harassment by airport officials. While making his way through security check at an airport in Poland, this Sikh gentleman was asked to step aside even though none of metal detector alarms went off. The officials kept asking him to remove his “cap”(as they referred to the Dastaar).

When the gentleman refused to do so and tried to explain the reason, he was removed from the line, called a “terrorist”, and was surrounded by four gunmen. No private space was offered to the Sikh and he was not given any chance to explain about his beliefs. On his way out, when he tried to note down the names of the officials responsible for such inhuman behavior, the paper was snatched from the gentleman, tore in front of him, and he was laughed at by the group of guards who had together violated the Sikh’s human and civil rights.

1 <http://www.poland.gov.pl/Human,Rights,in,Poland,394.html>
2 2008 Annual Report for Poland by Amnesty International. <http://www.amnestyusa.org/annualreport.php?id=ar&yr=2008&c=POL>
3 http://www.sikhiwiki.org/index.php/Sikhism_by_country

SINGAPORE

Government: Republic with a parliamentary system of government based on Westminster model
Head of state: President S.R. Nathan
Head of government: Prime Minister Lee Hsien Loong
Population: 4,590,000
Sikh population: < 20,000 families (<1%)
Sikhism as a State recognized religion: Yes

The Government and Civil Rights

The Cabinet is led by the Prime Minister, Mr Lee Hsien Loong. The Singapore Parliament is modeled after the Westminster system of parliamentary democracy where Members of Parliament are voted in at regular General Elections. Singapore has a unicameral Parliament i.e. it sits in only one house, in contrast to England’s House of Commons and House of Lords. The leader of the political party that secures the majority of seats in Parliament will be asked by the President to become the Prime Minister (PM). The PM will then select his Ministers from elected MPs to form the Cabinet. The “life” of each Parliament is 5 years from the date of its first sitting after a General Election. General Elections must be held within 3 months of the dissolution of Parliament.

The judiciary comprises the Supreme Court and the subordinate courts. The Judiciary administers the law independently of the Executive and this independence is safeguarded by the Constitution. The Court of Appeal became Singapore’s final appellate court in 1994 after the Judicial Committee (Repeal) Act (Act 2 of 1994) abolished all appeals to the Privy Council in England, thereby making the Court of Appeal Singapore’s court of last resort. Singapore also has a Sharia Court that administers and resolves marriage and divorce disputes between parties who are either Muslims or who have married under the provisions of Muslim law.

Approximately 77 percent of the population is ethnic Chinese, 14 percent

is ethnic Malay, and 8 percent is ethnic Indian. There are also small Sikh, Jewish, Zoroastrian, and Jain communities.

Religious Freedom

There is no state religion. The Constitution provides that every citizen or person in the country has a constitutional right to profess, practice, or propagate his or her religious belief so long as such activities do not breach any other laws relating to public order, public health, or morality.³ All religious groups are subject to government scrutiny and must be registered legally under the Societies Act.

In 1970, the Presidential Council for Minority Rights was established to scrutinize most of the Bills passed by the Parliament of Singapore, to ensure that the proposed law does not discriminate against any race, religion or community. If the Council feels any provision in the law is biased, it will report its findings to Parliament and the Bill will be referred back to Parliament for reconsideration. The council also reports to the Government on matters affecting any racial or religious community and investigates complaints.⁴

Since 1991 Singapore has a Maintenance of Religious Harmony Act, which allows the Government to restrain leaders and members of religious groups and institutions who involve themselves in aggressive and “insensitive” proselytizing and “the mixing of religion and politics.” Despite the obvious restrictions of freedom inherent in this law, many believe it is useful as it is believed to help maintain religious harmony and especially to safeguard the minority faiths from any form of domination by the larger faith groups.

While viewed with skepticism by certain quarters, in 1988 the government introduced the then novel concept of Group Representation Constituencies, where a 3-member team will need to have a member from the minority community to qualify to contest for Parliamentary elections.



In 1972, the Government deregistered and banned the Singapore Congregation of Jehovah’s Witnesses on the grounds that its existence was prejudicial to public welfare and order because its members refuse to perform military service (obligatory for all male citizens), salute the flag, or swear oaths of allegiance to the State. This deregistration, while allowing members of Jehovah’s Witnesses to profess and practice their religious belief, makes their public meetings illegal.

In October 1999, the Government proposal for compulsory education for all children prompted concern from the Malay/Muslim community regarding the fate of madrasahs (Islamic religious schools). In response the Government exempted madrasah students from compulsory attendance in national schools when the legislation was enacted in October 2000. However, madrasahs were given 8 years from the time the law went into effect to achieve minimum academic standards or they would no longer be allowed to teach core secular subjects such as Science, Mathematics, and English.⁵

In early 2002, three female Muslim secondary school students were suspended from public schools for continuing to wear the tudung in violation of school uniform requirements. This issue has since been sensitively managed between the Government and the Muslim Community Leaders and many are confident that in due time the issue will be amicably and

pragmatically resolved to the satisfaction of both parties.

More recently, Prime Minister Lee Hsien Loong reminded Singaporeans that the government takes multi-racial and multi-religious harmony very seriously, as it is the basis for Singapore to hold together as a nation.⁶ Referring to Singaporeans jailed for racist remarks on blogs, Mr Lee said: 'So whether you do it on the internet, whether you do it in the newspapers or whether you said it in the public or even in the Speakers' Corner, it does not matter where you say it. This is the message - it is not acceptable. It is against the law and the Sedition Act specifically puts it down that you are creating distrust and animosity between the races, and we will act according to the law'.

There are official holiday for each major religion in the country: Hari Raya Haji/ Hari Raya Puasa for Muslims, Christmas for Christians, Deepavali for Hindus, and Vesak Day for Buddhists. The Sikh Vesakhi New Year is not yet formally recognized as Public Holiday. However, informally some government agencies do exercise discretion in giving their Sikhs employees a Public holiday on the Sikh New Year. While there is no restriction on learning one's own mother-tongue as the required second language necessary for admission to University, only Chinese, Malay and Tamil are officially taught at the Public Schools.

Sikhism and Civil Rights in Practice

At the collective level, as a recognized religion, Sikhism receives a number of special rights in Singapore, including the right to perform marriage ceremonies with legal effect, the right to residence permits for foreign preachers, and the right to wear the dastaars in everyday life, in the military and also on motorcycles, and the right to consecrate New Colors and blessing at the commissioning ceremony of officers. The Sikhs in the military are specially issued dastaars and the necessary pin-on type badges in place of the helmets. Special

care is taken to respect the religious articles of faith. Fellow Sikhs officers are regularly consulted to advice and ensure on the appropriate quality of the material used for the dastaar. Any issue on the Kirpan has been proactively, carefully and sensitively managed between the Government and the Sikh leaders.

Sikhs in Singapore have been generally successful and for a relatively small community were up to 2006 represented by two Members of Parliament. Presently we still have Mr. Inderjit Singh as a Member of Parliament.

More recently the Government has agreed to sponsor part of the cost of Punjabi education being carried out by the Sikh Community on a self-help basis.

At the time of this report there are no known incidents of hate crimes against the Sikhs. This is mainly due to the strict Religious Harmony Act.

- 1 Singapore Department of Statistics, available at: http://www.sg/explore/profile_people.htm
- 2 During the New Colors Consecration and Officer Commissioning Ceremony religious leaders from the Buddhist, Muslim, Christian, Hindu, Sikh and Bahai Faith are invited to give their blessings
- 3 US Department of State, Singapore: <http://www.state.gov/g/drl/rls/irf/2004/35427.htm>
- 4 Singapore Yearbook 2008, Government & Politics: http://www.sg/SG_Yrbook2008/Gov&Politics.html
- 5 US Department of State, Singapore: <http://www.state.gov/g/drl/rls/irf/2004/35427.htm>
- 6 Wong, May 2005, PM Lee says racist remarks will not be tolerated in multi-racial Singapore, Channel NewsAsia, <http://www.channelnewsasia.com/stories/singaporelocalnews/view/168789/1/.html>

UNITED ARAB EMIRATES

Chief of State: President KHALIFA bin Zayid al-Nahayyan

Head of Government: Prime Minister and Vice President MUHAMMAD bin Rashid al-Maktum

Population: 4,798,491¹

Sikh Population: Approx 100,000²

Sikhism as a Recognized State Religion: No

The Government and Civil Rights:

The United Arab Emirates (UAE) has a federation form of government where the Federal Supreme Council (FSC), composed of the seven emirate rulers, is the highest constitutional authority.³ The main responsibilities of FSC include establishing general policies and federal legislation. The Council meets four times a year and is responsible for the election of the president and vice president who are elected for five-year terms (no term limits) from among the seven FSC members.⁴

The Unicameral legislature consists of the Federal National Council (FNC) or Majlis al-Ittihad al-Watani which has a total of 40 seats (20 members appointed by the rulers of the constituent states, 20 members elected to serve two-year terms).⁵ The role of the FNC is limited to reviewing legislation but do not have the power to change anything.⁶ Ethnically, though 50% of the population is South Asian, Islam remains the majority religion with 96 % of the population consisting of Muslims, the remaining 4% belonging to other religions.⁷

In spite of a relatively good economic growth, government accountability has been reported as a major problem.⁸ Most of the citizens and residents do not have any voting rights.⁹ The two major human rights violations reported in UAE relate to freedom of expression and immigrant worker's rights.

Human rights defenders and government critics face harassment, including criminal charges. Many cases have been reported over the past few years. In May 2008, in just one such case, the United Nations Working Group on Arbitrary Detention concluded that Sabihat Abdullah Sultan al-Alili was

arbitrarily detained in February 2007 for exercising his right to freedom of expression. In October 2007 the Federal Supreme Court sentenced him to three years in prison for revealing state secrets. The Working Group noted that, at his trial, al-Alili was not allowed to speak, his lawyer was not allowed to plead, and a coerced confession was used against him.¹⁰

Foreigners account for up to 85 percent of UAE residents and nearly 99 percent of the private-sector workforce. Immigration sponsorship laws grant employers extraordinary power over the lives of migrant workers. Laws in force, as well as a draft revised labor law made public in 2007 but not yet implemented, fail to protect workers' rights to organize and to bargain collectively, provide punishments for striking workers, and exclude from coverage domestic workers employed in private households. Although the Labor Law of 1980 calls for a minimum wage, in June 2008 the Ministry of Labor stated it had no plans to adopt such a measure.¹¹

Sikhs and Civil Rights in Practice

Sikhs as a Group: Sikhs in UAE constitute a small chunk of the 85% foreign population. An approximate number can be placed at about 100,000. Socially, Sikhs do not face any discrimination or violence. In fact, the general population comes across as being "fond" of the Sikh population. However, all non-Muslim communities face problems in practicing their religion freely. Sikhs are generally focused in the cities of Dubai, Sharjah and Abu Dhabi.

Kakaars:

Dastaar is well respected and well accepted in UAE. However, Kirpan is not allowed in public places. No public office was reported to have allowed the Kirpan.

Attitudes towards Sikhs:

Even though Sikhs are treated with respect in UAE, there are major hurdles in practicing the religion. There are only 2 legally allowed gurdwaras in Dubai, which inhabits the largest percentage of Sikh population. Out of these two

allowed gurdwaras, the older one shares its premises with a Hindu temple (mandir) and was constructed in the early 1900s. The second Gurdwara recently opened in Jebel Ali after a lot of push and efforts from the Sikh community.

The biggest problem that Sikhs face in UAE is the disrespect shown to Guru Granth Sahib Ji in case of a raid. Many groups of Sikhs try to have a small personal Gurdwara in their space. However, the Government does not allow such activities and in case of a raid, handles Guru Granth Sahib Ji with no respect. This kind of governmental behavior is prevalent against all minority religions.

Another major problem faced by Sikhs in UAE relate to the school curriculum taught to their children. Due to the high numbers of South Asians amongst the population, many Schools have the same curriculum and books as Schools in India. However, the pages that talk about the history and formation of any religion other than Islam are blacked out even before the students get the books. Also, there are no known Punjabi schools to promote the language and the Gurmukhi Script.

UNITED KINGDOM

Head of state: Queen Elizabeth II

Head of government: Gordon Brown

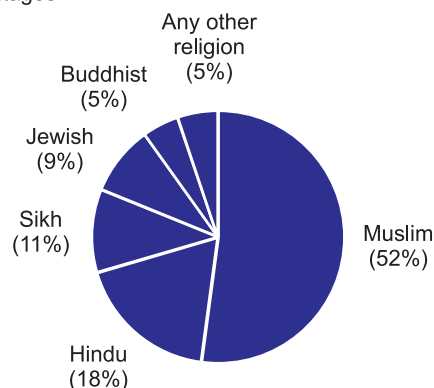
Population: 61 million

*Estimated Sikh Population in Britain: 336, 179
- 0.6% of total Population¹*

Population of Great Britain: by religion, April 2001

	Total Population		Non-Christian religious population %
	Numbers	%	
Christian	41,014,811	71.8	
Muslim	1,588,890	2.8	51.9
Hindu	558,342	1.0	18.3
Sikh	336,179	0.6	11.0
Jewish	267,373	0.5	8.7
Buddhist	149,157	0.3	4.9
Others	159,167	0.3	5.2
All non-christian religious population	3,059,108	5.4	100.0
No religion	8,596,488	15.1	
Religion not stated	4,433,520	7.8	
All population	57,103,927	100.0	

Percentages



It should be acknowledged that this Census is for the year 2001 and so figures may well have changed to show a significant increase or decrease in the Sikh population residing in Britain. Also, there have been many criticisms that in fact the 2001 Census was not representative of the true numbers of Sikhs living in Britain. The 2011 Census has a key aim to provide special attention to “hard to count, under represented groups such as ethnic minority, faith communities, elderly/ disabled, migrants, non English speaking people, unemployed people, those on

- 1 CIA World Factbook. Page updated May 5, 2009. <https://www.cia.gov/library/publications/the-world-factbook/geos/ae.html>
- 2 The approximate figure was determined through interviews with the members of the Sikh community in Dubai.
- 3 CIA World Factbook. Page updated May 5, 2009. <https://www.cia.gov/library/publications/the-world-factbook/geos/ae.html>
- 4 Id.
- 5 Id.
- 6 Id.
- 7 Id.
- 8 Human Rights Watch World Report 2009 <http://www.hrw.org/en/node/79305>
- 9 Id.
- 10 Id.
- 11 Id.

low income.” If this aim is successful, there could be a significant increase in the percentage representing the Sikh population.

Jagdeesh Singh of Sikh Community Action Network writes that “There is a conscious government avoidance of according the Sikhs the status of an ‘ethnic’ group. It represents direct and indirect racial discrimination against the Sikh community.”⁴

The Government And Civil Rights

Civil liberties or rights are tools which are implemented to protect individuals, from abuse of power by those in authority, such as the government. They are in effect, in place to limit the amount of interference the government have on our private lives. In the case of the United Kingdom, there is no single, written Constitution or document which codifies our rights. Rather, the United Kingdom relies upon legislation and other legal conventions as guides to our rights. The European Convention on Human Rights covers both human rights and civil liberties in the UK, and this is implemented through the Human Rights Act 1998, allowing it to be incorporated directly into the UK’s national law.

With regards to the Sikh community, the most questionable rights which tend to concern us are the rights to *freedom of thought, conscience and religion*.⁵ This being because, Sikhs have long since faced issues concerning the wearing of the 5 Kakaars, which are fundamental to our religious belief and practice.

Sikhs In The Media

The importance of the Sikh identity, within the areas of employment and profession, has been fairly well acknowledged since the First World War. However, there remain some professions in which Sikhs feel disadvantaged, due to their strong religious belief in wearing a Turban (Dastaar.)

In past years Sikh Police Officers have been prohibited from serving in firearm

units, due to the lack of appropriate, protective helmets for safety measures. The British Sikh Police Association (BPSA) formed in April 2009, vow to tackle this issue, making it their key priority.

In unsuccessful attempts last year, West Midlands Police strived to employ protective headgear to fit over turbans. Following further probes by Vice Chairman of the BPSA Inspector Gian Singh Chahal, scientists are now carrying out research for an appropriate Kevlar type material to use for creating a “ballistic turban.” It is hoped that Sikh Officers will be able to join counter terrorist units and public order teams if the research proves successful, subject to being approved by the Home Office.⁶



BPSA Chairman : Sgt Kashmira Singh Mann⁷

Lance Corporal Sarvjit Singh (left) and Signaller Simranjit Singh (right) were assigned to join the Queen’s Guards at the Palace that serves as her residence. Both were assigned for royal protection duties at Buckingham Palace and Windsor Castle in July 2009, and are the first Sikhs to be given such a honour.⁸ They have been described as looking “immaculately smart”⁹ and have certainly made the Sikh community proud.



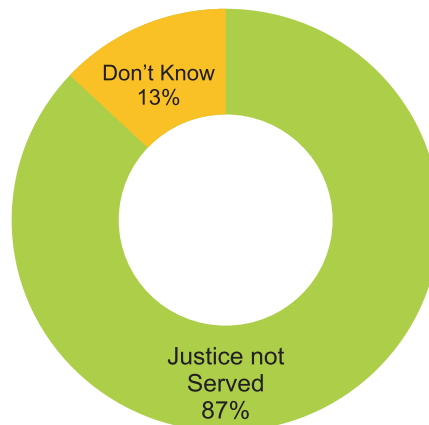
Mass Sikh Lobby In UK Parliament

November 19th saw the Mass Sikh Lobby take place in the UK Parliament. There were four specific issues which the Sikh community wished to raise, and they were:

- i) The campaign for separate Sikh monitoring for the Census 2011 where the Office for National Statistics (ONS) is ignoring the needs of the Sikh community (as mentioned on 1st paragraph on page 2)
- ii) The need for a Code of Practice on Sikh articles of faith where the UK Government has been dragging its heels for over 5 and a half years and Sikhs are experiencing more and more difficulties each day, especially since 9/11
- iii) how we can exert pressure on the UK Government to take action against those involved in the Genocide of Sikhs in November 1984 - a specific dossier is being produced targeting a number of leading Indian politicians and police officers implicated where we will be requesting UK MPs, the UK government and the EU to exclude entry to these individuals.

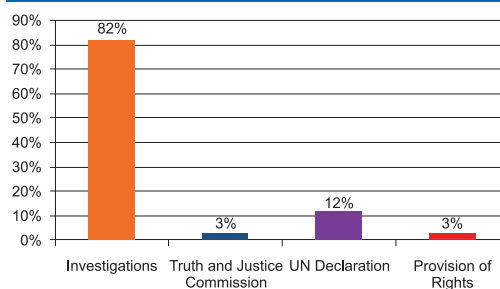
34 out of 39 respondents indicated that they felt justice had not been served for the insurgency in Punjab - as according to the Global Sikh Civil Rights survey, clearly indicating this is a matter which the Sikh Community hold very closely to their hearts.

Has Justice Been Served for the Insurgency in Punjab?



With regard to what action should be taken against those involved in the Genocide of 1984, the UNITED SIKHS Survey results indicate that 82% of respondents would like to see thorough investigations being undertaken, and prosecutions being carried out in both national and international courts. Of course they would want for these trials and hearings to lead to severe convictions for those who perpetrated crimes against the innocent victims in Punjab.

Actions to be Taken to Ensure Justice for Insurgency in Punjab



iv) Finally, the last issue to be presented was the death penalty case of Professor Davinderpal Singh Bhullar where we will push for the immediate withdrawal of the death sentence imposed and demand a full review of the Professor's case in accordance with international law, under monitoring by UN observers that could result in his release given he has already spent almost 15 years locked away.

Sikhism And Civil Rights In Practice: Cases Affecting Sikh Community

In 2008 UNITED SIKHS intervened in the

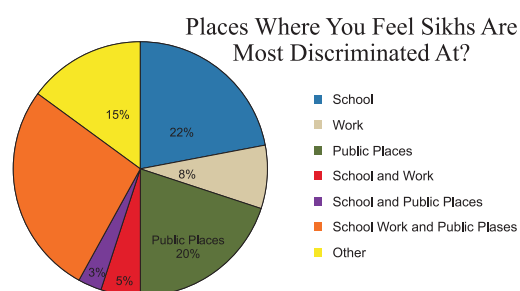
case of Sarika Angel Watkins Singh, to argue that the court should uphold the right to allow students to wear a *Kara* in schools, as it is unobtrusive and a fundamental requirement of the Sikh religion. Much to the Sikh community's delight, Sarika Singh was allowed to return to her school later that year, whilst wearing her *Kara*.¹⁰

Sikhs have long since attained the right to wear a Turban (Dastaar) whilst riding a motor cycle, making them exempt from wearing protective helmets.¹¹ The Criminal Justice Act 1988 allows Sikhs to wear a Kirpan under s139(5) and s139a(4). These sections provide that Sikhs can carry a bladed article for religious reasons, in public places including schools.

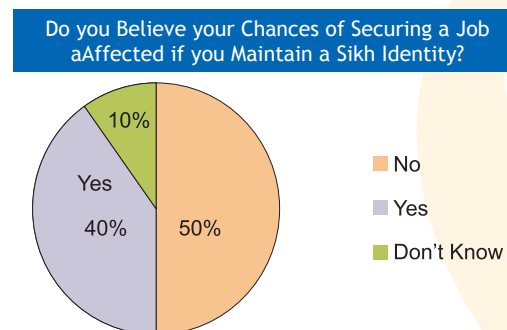
However, police officers and other individuals in authority, sometimes hold misconceptions that Sikhs carry the daggers as offensive weapons. To our dismay, more recent cases have highlighted that debate still remains about the wearing of a Kirpan, especially in schools.

J Singh aged 14, was withdrawn from his state school in North London, Barnet, after Governors ruled his Kirpan as a health and safety risk. The family was involved with talks between the Governing Body, and it was suggested that J Singh wear a 2inch replica of the Kirpan which would be welded shut.¹² However this was rejected by the family, who felt strongly that the replica was not a genuine Kirpan, and therefore did not do justice to the religious article of faith. The decision made by the school has been a huge blow to the Sikh community, although they insist they have held a position open for J Singh if he chooses to return, without wearing his Kirpan. The family have currently taken out a loan to educate J Singh privately, in a school which allows pupils to wear the Kirpan.¹³ This is only one example of a recent case, which illustrates that the fight for our right to wear the Kirpan in the UK, is far from over.

The past year has also regrettably seen, a number of our Sikh brothers and sisters facing discrimination within the employment sector, more narrowly, in the police force. In a recent survey conducted by UNITED SIKHS, the Sikh community were asked to indicate where they felt the majority of discrimination and racial abuse was experienced. As the results show, it seems that the vast majority do not consider places of employment to be the key region in which discrimination is faced. This certainly suggests that there is more awareness/media coverage on discrimination faced in school and public places, and perhaps not enough on the cases where discrimination occurred in employment.



When asked specifically about discrimination in employment, if a Sikh identity is maintained (Dastaar, Kesh,) then the results seemed to show a different depiction of views.



One such case of discrimination in employment concerned British Sikh police officer Gurmeal Singh who joined the Greater Manchester Police (GMP) force in 2004 as a full time Constable. During his time serving in the force, he claimed

that he had faced discrimination and harassment due to him being a baptised, practising Sikh who wears a Dastaar (Turban).¹⁴ PC Singh described instances where he was told to remove his turban in order to participate in training and riot exercises.¹⁵ Gurmeal Singh testified that he approached one of his sergeants to complain of the behaviour, and was told “This is what you signed up for.”¹⁶ PC Singh went on to describe how the long running events took a very disturbing turn on his health, leaving him hospitalised on 2 occasions and suffering panic attacks, stress and palpitations.¹⁷ The hearing held in October 2009, saw the Employment Tribunal Judge, Murray Creevy, rule that Mr Singh would be compensated £10,000 for the humiliation and indirect harassment that he had suffered.



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Unfortunately, this is not the only reported case concerned with discrimination in the police force. Pc Amandeep Kaur Grewal successfully attained compensation in July this year, due to unfair criticism and treatment she received, due to her race.¹⁹ The officer who has a husband in the profession, described how problems arose since she began training at the infamous Hendon Police Training College in November 2007.²⁰ Pc Grewal claimed that her trainer PC Lucinda Rigby had discriminated against her on more than one occasion.²¹ Reading Employment Tribunal ruled that comments made by PC Rigby were “unprofessional” and “potentially hurtful.” The Tribunal further found that

PC Grewal had been subject to negative feedback and over supervision in a racially discriminatory manner.²²



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It should be acknowledged that these are just 2 of many instances where Sikhs have been discriminated against in the police sector, and they seem to be mere repetitions of cases which have happened in past years. In 2008 for example, PC Sangram Singh Bhacker was repeatedly refused to transfer to Greater Manchester Police.

PC Singh made a total of 12 applications to the force, all of which were rejected and he received a letter from Andrew Marston (Head of Personnel of GMP) “I am not prepared to consider you as a potential transferee with the GMP now or in the future.” This was despite the fact that PC Singh had served with five other forces in England.

The Tribunal found that some of Mr Singh’s applications had been refused with no explanations. They also upheld that “The respondent had changed the reasons for refusing the claimant on so many occasions that he was indeed in a ‘Catch-22’ situation.” Mr Singh claimed he no longer wished to join the force, and added that he had experienced racism during most of his police career. He said “Racism still exists in police organisations.

Diversity courses won't erase it but they do educate people. In some cases, however, they can teach racists how not to get caught."²⁴



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Other Issues

Recently it came to the Sikh community's attention that controversial ex-politician Jagdish Tytler, may have been granted a Visa to visit the United Kingdom on 29th October 2009.²⁶

It is thought that Tytler was invited to attend the launch of the Commonwealth Games Queen's Baton Relay, as part of the Indian delegation.²⁷ The community was urged to contact their local MP's to petition against this, and we were successful in preventing the visit.

The Prince of Wales and Duchess of Cornwall showed their support for war veterans by attending a tribute to the Sikh Brigade of the British Army, who fought in the Second World War. The prestigious event took place at St James's Palace, where Sikh Dhol players and Bhangra troupe "Gabru Punjab De" welcomed and entertained the Royals.²⁸ The Prince of Wales went on to say in his speech that "The United Kingdom owes an immense debt of gratitude to the courage and sacrifice of Sikh soldiers..."²⁹

Navdeep Kandola has recently compiled a documentary which describes the untold accounts and stories of Sikh fighter pilots, who contributed to the success of the British in the First and Second World's Wars. The pilots who flew in the Royal Flying Core and the Royal Air Force were remembered when the documentary was shown at the Royal Air Force Museum in November 2009.³⁰

The 40ft blaze ripped through the building and it was estimated that £4 million

worth of damage was caused.³¹ The fire is believed to been started in Sachkhand itself, and a total of 11 blessed Saroops of Sri Guru Granth Sahib Ji were burnt. Sevadars gathered from across the country to prepare Satguru Ji's Saroops for the Sanskaar Ceremony, and till date, no one has been caught in connection with this incident. Sikhs in London were shocked to discover that this could well be an act of arson, and a £50,000 reward was announced in order to track down the culprits. At the time there was a womens' congregation gathered at the Gurudwara and one lady reported seeing an intruder, just moments before the fire began on March 16th 2009.³²

- 1 In the Office for National Statistics Report this figure is described as "All people usually resident in the area at the time of the 2001 Census, who stated their current religion was Sikh." The next Census is due to be compiled in 2011. <http://www.statistics.gov.uk/CCI/nugget.asp?ID=954&Pos=1&ColRank=2&Rank=720>
- 2 <http://www.statistics.gov.uk/CCI/nugget.asp?ID=954&Pos=1&ColRank=2&Rank=720>
- 3 <http://www.statistics.gov.uk/CCI/nugget.asp?ID=954&Pos=1&ColRank=2&Rank=720>
- 4 <http://worldsikhnews.com/22%20April%202009/Sikhs%20and%20UK%20Census%202011.htm>
- 5 As listed in Schedule I, Part I, under Article 9 of The Human Rights Act 1998 available at http://www.opsi.gov.uk/ACTS/acts1998/ukpga_19980042_en_3
- 6 <http://www.telegraph.co.uk/news/newstopics/politics/lawandorder/5291890/Police-develop-bullet-proof-turbans-for-Sikh-officers.html>
- 7 <http://news.bbc.co.uk/1/hi/england/berkshire/8022999.stm>
- 8 <http://news.bbc.co.uk/1/hi/england/wiltshire/8174641.stm>
- 9 <http://www.dailymail.co.uk/news/article-1203463/First-Sikh-soldiers-parade-guard-Queen-traditional-forage-cap.html>
- 10 R (on the Application of Watkins-Singh) v Governing Body of Aberdare Girls' High School [2008] EWHC 1865 (Admin)
- 11 Motor Cycles (Protective Helmets) Regulations 1980
- 12 <http://news.bbc.co.uk>
- 13 http://www.unitedsikhs.org/US_News/US_News_13102009_til.php
- 14 http://www.manchestereveningnews.co.uk/news/s/1136987_sikh_police_officer_offended_by_turban_demand
- 15 <http://www.telegraph.co.uk/news/6197652/Sikh-police-officer-left-humiliated-for-refusing-to-remove-turban-during-training-tribunal-hears.html>
- 16 <http://www.telegraph.co.uk/news/6197652/Sikh-police-officer-left-humiliated-for-refusing-to-remove-turban-during-training-tribunal-hears.html>
- 17 <http://www.heraldscotland.com/news/home-news/sikh-police-officer-wins-10-000-in-turban-row-case-1.923618>
- 18 http://www.manchestereveningnews.co.uk/news/s/1136987_sikh_police_officer_offended_by_turban_demand
- 19 <http://www.dailymail.co.uk/news/article-1202455/Female-Sikh-recruit-wins-payout-racist-humiliation-police-trainer.html>
- 20 <http://www.independent.co.uk/news/uk/home-news/race-complaints-by-sikh-police-officer-upheld-by-tribunal-1762652.html>
- 21 <http://www.independent.co.uk/news/uk/home-news/race-complaints-by-sikh-police-officer-upheld-by-tribunal-1762652.html>
- 22 <http://news.bbc.co.uk/1/hi/england/london/8170639.stm>
- 23 <http://www.dailymail.co.uk/news/article-1202455/Female-Sikh-recruit-wins-payout-racist-humiliation-police-trainer.html>
- 24 <http://business.timesonline.co.uk/tol/business/law/article3433744.ece>
- 25 <http://business.timesonline.co.uk/tol/business/law/article3433744.ece>
- 26 <http://www.panthic.org/articles/5170>
- 27 <http://international.zeenews.com/inner1.asp?aid=205746&sid=HEL>
- 28 <http://www.princeofwales.gov.uk/content/documents/>

- Supporting_The_Queen.pdf
29 http://www.princeofwales.gov.uk/speechesandarticles/a_speech_by_hrh_the_prince_of_wales_at_a_reception_to_mark_t_1868014240.html
30 <http://news.ukpha.org/2009/11/raf-museum-to-premiere-the-documentary-flying-sikhs/>
31 <http://worldsikhnews.com/20%20May%202009/Arson%20at%20gurdwara%20Sikhs%20set.htm>
32 <http://www.neverforgetbow09.co.uk/articles/Bow%20Gurdwara%20Tragedy.pdf>

UNITED STATES OF AMERICA

Head of state: Barack H. Obama, President

Population: 307,212,123¹

Sikh population: <500,000²

Sikhism as a state recognized religion: Yes

The Government and Civil Rights

United States is a constitutional federal democracy with the government divided into three branches: executive, judiciary and legislative. The federal legal system is based upon the common English law, and each state has its own legal system.³ Human rights and religious freedom are built into the constitution of the United States. The roots of human rights in United States are rooted deep in the abolitionist movement, the suffragist movement, the labor movement and the civil rights movement.⁴

United States participated in the creation of the Universal Declaration of Human Rights, which encompasses ideas presented by President Franklin D. Roosevelt in his national speeches,⁵ and was one of the first countries to commit to upholding, promoting and protecting human rights. United States has ratified the *Convention on the Elimination of All Forms of Racial Discrimination*, and signed but not ratified the *Convention on the Elimination of All Forms of Discrimination Against Women as well as the International Covenant on Economic, Social and Cultural Rights and the Convention on the Rights of the Child*.⁶

The population of United States belongs to varied ethnicities and religious background, with a sizeable immigrant population. Over half the population identify themselves as Protestants (51.3%), and around 24% of the population report being Roman Catholic. The remainder of the population consists of Jews, Buddhists and Muslims among others.⁷

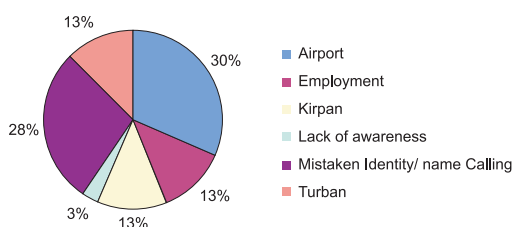
Some human rights related concerns in the international community consist of rights of detainees of Guantanamo Bay, treatment of inmates in prisons and use of tasers by law enforcement.⁸

Sikhism and Civil Rights in Practice

This year saw a serious increase in advocacy, education, and community relations efforts in America by the Sikh community. With the advent of the Obama administration, there has also been a significant change in engagement from the government with the Sikh community. Previously, other than meetings between various government agencies and advocacy organizations held in reaction to the backlash and concerns of the Sikh, Muslim, and South Asian communities following September 11th, there was limited engagement, through the Department of Justice, with the Sikh community by the executive branch of the government. The Obama administration continued the previous efforts to liaise, but has also opened an Office of Public Engagement.



Sikhs Meet with the White House Office of Public Engagement in Washington DC



Areas of Civil Rights Concerns

With specific regard to the Sikh community, the President engaged various sectors of the Sikh community in the celebration of Guru Nanak Sahib's (the founder of Sikhism) birth anniversary,⁹ and later mentioned that celebration in his meeting with the Prime Minister of India. While these gestures do not solve the civil rights problems of the Sikh community, they are a change of attitude towards the

community, and are important steps for recognition by the general public. There is a general consensus among civil rights organizations and advocates that there is underreporting when it comes to civil rights issues in minority and immigrant communities, and this holds true for the Sikh community as well. The primary civil rights issues of the Sikh community remain the same; challenges to the right to identity, right to kakaars, hate/bias attacks, bullying cases, employment discrimination, and racial profiling are continually reported, and organizations are working hard to resolve these issues.

Place where Sikhs feel most discriminated against		
School only	24	21%
Work only	9	8%
Public Places only	30	26%
School & Work	4	3%
School & Public Places	12	10%
Work & Public Places	1	1%
All of the Above	31	28%
Others	4	3%
Total no. of Respondents	111	100%

I. Right to Identity/Right to Kakaars

Right to identity remains a central issue for the Sikh community, with most civil rights issues Sikhs face having at least some relation to the unique identity that Sikhs are required to maintain, namely the five kakaars (articles of faith) and the dastaar (Sikh turban). There was a large outcry from Sikh and other faith communities earlier this year when laws were proposed in Oklahoma and Minnesota to ban head-coverings on photograph identification.¹⁰ Furthermore consistent challenges arise around media and poor journalism that can lead to xenophobic behavior, specifically around the turban. Two examples of this within the last year come from the New York Post which published two articles with inflammatory titles -- "Turban Warfare"¹¹ which was on the front page used for an article on the Iranian election, something that has nothing to do with turbans, and "Dis-Turban The Peace"¹² when describing

the case filed by Sikh MTA workers filing a civil rights case over a conflict between the MTA uniform and wearing the turban. Common people turn to journalists in everyday life for factually reliable statements concerning current events, and this kind of speech can place people in harms way people; these titles elicit the reader to relate turbans with violence, an irrational link that is all too common today.

A key advocacy issue in 2009 for the Sikh community in America around the right to identity has been the the 2010 Census, which is constitutionally mandated to be taken every ten years, and is used by government for a variety of reasons, including how congressional seats are reapportioned, legislative districts are drawn, and how a large portion of federal funds are spent. It also is used, as most of the general public is not aware, by the federal government to monitor and enforce compliance with civil rights statutes, including voting, employment, housing, lending, education and anti-discrimination laws. The accuracy of the census directly affects the nation's ability to ensure equal representation and equal access to important governmental resources for all Americans.

UNITED SIKHS and other Sikh organizations engaged in detailed discussions with the U.S. Census Bureau this year and were informed that, even if a Sikh marks "other" and writes in "Sikh" on the Census form, the write in is automatically tabulated and coded as "Asian Indian." While many other communities are able to ask for special disaggregation and receive data specific to their community after the Census is completed, data about Sikhs is not disaggregated separately. Rough estimates by the Sikh community, scholars, and a the Pew Research institute place the entire population of Sikhs in America between 400,000-1,000,000, but the Census does not allow counting. We are currently advocating for this correct tabulation.¹³

Sikhs have been recognized as an ethnicity

in the United Kingdom and India, and have a common literature, language, faith, and a distinct identity, among many other qualifiers that make the Sikh community a distinct and recognizable community. Post 9/11, the lack of awareness about Sikhs proved dangerous for the community as Sikhs were wrongly identified as "terrorists," due to their unique identity and many Sikhs have been targets of hate crimes, bullying, racial profiling, and in some cases police brutality. The request by the Sikh community to be counted correctly is based on similar public opinion expressed in public hearings on the Census to the Office of Management and Budget (OMB) at the White House, where public opinion emphasized the importance of self identification along with the need for correct tabulation to monitor and prove discrimination in political or social access.

A variety of right to kakaar cases came about in this year in America, primarily around the issue of wearing the kirpan. The kirpan, a religious sheathed blade, is one of the five kakaar (articles of faith) that amritdhari Sikhs are mandated to wear at all times. The word kirpan is comprised of two words: "kirpa" meaning grace or mercy and "aan" meaning dignity. It enjoins a Sikh to be merciful, uphold justice and to protect the dignity of the defenseless. The right to wear the kirpan is protected in India by Article 25 of the Indian Constitution. In Britain, it is protected by Criminal Justice Act 1988 (s139), the Offensive Weapons Act 1994 (s4) and case law. There, Sikhs are generally allowed to wear their kirpan in public places, including schools, courts and Parliament. The right to wear the kirpan has also been recognized by courts in Canada, and in some jurisdictions in Australia and the United States of America.

Despite this widespread recognition of the importance and mandatory nature of the kirpan for Sikhs, cases have arisen in schools, the public sector, and in employment situations where Sikhs have been unable to practice their faith freely and wear their kirpan. A case arose in a private school in Michigan

where Sukhmeet Kaur, a Sikh student in the 8th grade, had been ordered by school authorities to remove her Kirpan during school hours or not come to school at all. After UNITED SIKHS contacted the school with detailed information regarding the importance of the kirpan, the National Heritage Academies granted an accommodation to wear the kirpan, subject to certain restrictions, within all of the sixty-one schools that the Academies run in six states.¹⁴

Another case arose this year for a Sikh student in a Jersey City, New Jersey Public High School, and that school refused to grant an accommodation upon initial request. UNITED SIKHS is continuing its advocacy in that case. The Sikh Coalition filed a federal suit on behalf of a Sikh woman who was fired from her job at the Internal Revenue Service, a federal agency, and that case is pending in the courts.¹⁵

At the celebration of Guru Nanak's birth anniversary at the White House this year, UNITED SIKHS approached the Secret Service and White House officials seeking permission to wear the kirpan for the celebration. While this was not granted, we are continuing discussions with government on the issue. This is a major concern for the Sikh community as many members of the Sikh community have been unable to participate in important meetings and other events with federal and state government officials, as initiated Sikhs do not wish to violate their deeply held religious beliefs. As the foundation of the United States is in large part related to the free practice of one's faith, the Sikh community is steadfast and hopeful that they will be able to win the right to wear all kakaars freely.



II. Hate Crime/Bias Attacks/Bullying Cases

A continuing and major area of concern of civil rights for the Sikh community is the area of verbal and physical harassment, in terms of hate/bias incidents and school bullying. It is well recognized that incidents such as hate crimes or bias attacks are also some of the most underreported, as there are problems with submission of reports by local agencies to the FBI for statistical purposes, problems with the hate/bias incidents being initially classified correctly by local authorities, and also problems with individuals themselves reporting.¹⁶ The lack of individual reporting stems from a variety of factors, some of which are a lack of trust of police, lack of trust that any justice will be had, language barriers, and immigration status. Sikhs continually report harassment around the dastaar (Sikh turban), where the victim is called Taliban, Osama, towel-head, Bin Laden, and other derogatory terms.

Types of Hate Crimes in the United States	
Bullying in Schools	4
Discrimination (Employment, Turban)	6
Mistaken Identity (General)	8
Mistaken Identity issues post 9/11	22
Violence (verbal & physical)	13
Total no. of Respondents	53

The problem of mixed motive crimes has plagued the prosecution of hate and bias incidents. In many of the hate/bias incidents that have occurred, prosecutors have been unwilling to charge the crimes as hate or bias related because the general standard for a hate or bias crime is that the primary motivation of the crime must stem from hate or bias. Hate crime legislation advocates have expressed serious concerns around this issue as many of these incidents are mixed motive, or have an "easy-out," where one action by the attacker that is not hate or bias related can free the attacker from facing the increased consequence of being charged with a hate or bias crime. For example, this year in

a gruesome case where a young Sikh man in Queens, New York was stabbed in the eye with a glass bottle, police were very hesitant to investigate the crime as hate or bias related because the attackers approached the young man for money, and the Sikh exchanged heated words with them.¹⁷ Two other mixed motives cases that are examples of concern for the Sikh community are a the incident involving the Sikh taxi driver in Queens and the case in Oregon that are both referenced in last year's Global Sikh Civil Rights Report.¹⁸ This year saw the passing of the Matthew Shepard and James Byrd, Jr. Hate Crimes Prevention Act, and advocates are hopeful that mixed motive crimes will be better prosecuted as hate/bias crimes with the new act in place.

Many Sikh organizations, local and national, are engaged in efforts to eradicate hate crimes through educational efforts, and by standing in solidarity with other communities when a hate crime is committed. UNITED SIKHS partnered with Asian, Jewish, Muslim, and Christian organizations in New York to promote awareness among the community around hate crimes and to increase reporting. These palm cards were published in nine different languages, including Panjabi.¹⁹

ਜਿਹੜੀਆਂ ਸੰਸਥਾਵਾਂ ਮੱਦਦ ਕਰ ਸਕਦੀਆਂ ਹਨ:

- ਏਸ਼ੀਅਨ ਅਮੇਰੀਕਨ ਲੀਗਲ ਡਿਫੈਂਸ ਐਂਡ ਐਜੂਕੇਸ਼ਨ ਫੰਡ (AALDEF) (212) 966-5932:
- ਦੀ ਐਫਬੀ-ਐਮੀਰੀਕਨ ਫੈਮਿਲੀ ਸਪੋਰਟ ਸੈਂਟਰ (AAFSC) (718) 643-8000:
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ਨਫਰਤ ਦੇ ਕਾਰਣ ਹੋਣੇ ਵਾਲੇ ਜੁਰਮ (ਹੇਟ ਕ੍ਰਾਈਮ)

ਥਾਰੇ ਰਿਪੋਰਟ ਕਰਨ ਲਈ ਕਿਹੜੇ ਕਦਮ ਉਠਾ ਸਕਦੇ ਹੋ

1. ਨਫਰਤ ਦੇ ਕਾਰਣ ਹੋਣੇ ਵਾਲੇ ਜੁਰਮ (ਹੇਟ ਕ੍ਰਾਈਮ) ਥਾਰੇ ਨਿਊ ਯੋਰਕ ਡਿਪਾਰਟਮੈਂਟ ਪਾਸ ਡਰੇਡ ਹੀ ਰਿਪੋਰਟ ਦਰਜ ਕਰਾਓ ਅਤੇ ਕਹੋ ਕਿ ਇਸ ਘਟਨਾ ਨੂੰ "ਹੇਟ ਕ੍ਰਾਈਮ" ਦੀ ਘਟਨਾ ਦੇ ਤੌਰ ਤੇ ਗਿਣਿਆ ਜਾਵੇ।
2. ਇਸ ਘਟਨਾ ਦੀ ਰਿਪੋਰਟ ਲਿਖੀ ਜਾਵੇ। ਜੋ ਕੁਝ ਵੀ ਕਿਹਾ ਗਿਆ ਸੀ ਅਤੇ/ਜਾਂ ਮੁਜਰਿਮ ਨੇ ਕੀ ਕੀਤਾ ਸੀ, ਬਿਲਕੁਲ ਉਸੇ ਤਰ੍ਹਾਂ ਹੀ ਲਿਖਿਆ ਜਾਵੇ। ਗਵਾਹਾਂ ਦੇ ਨਾਮ ਲਵੋ। ਸਬੂਤਾਂ ਨੂੰ ਸੰਭਾਲ ਕੇ ਰੱਖੋ। ਡਾਟੇ ਵੀ ਲਵੋ।
3. ਡਰੇਡ ਹੀ ਅਮਲ ਕਰੋ। ਕੋਈ ਵੀ ਘਟਨਾ ਜਿਸ ਵਕਤ ਵਾਪਰਦੀ ਹੈ, ਬਿਨਾਂ ਦੇਰ ਕੀਤੀਆਂ, ਉਸ ਨਾਲ

ਨਫਰਤ ਦੇ ਕਾਰਣ ਹੋਣੇ ਵਾਲੇ ਜੁਰਮ:

(ਹੇਟ ਕ੍ਰਾਈਮਜ਼)

ਨਫਰਤ ਦੇ ਕਾਰਣ ਕੀਤੇ ਜਾਣੇ ਵਾਲੇ ਜੁਰਮ ਕਾਨੂੰਨ ਦੇ ਵਿਰੁੱਧ ਅਪਰਾਧ ਹੁੰਦੇ ਹਨ ਜੋ ਕਿਸੇ ਵਿਅਕਤੀ, ਪ੍ਰੋਪਰਟੀ ਜਾਂ ਸਮਾਜ ਦੇ ਖਿਲਾਫ ਕੀਤੇ ਜਾਂਦੇ ਹਨ। ਜੋ ਪੂਰੇ ਤੌਰ ਤੇ ਜਾਂ ਇੱਕ ਹਿੱਸੇ ਦੇ ਤੌਰ ਤੇ ਇਹੋ ਜਿਹੇ ਅਪਰਾਧੀ ਵਲੋਂ ਕੀਤੇ ਜਾਂਦੇ ਹਨ ਜੋ ਕਿਸੇ ਵਿਅਕਤੀਗਤ ਜਾਂ ਗਰੁੱਪ ਦੀ ਆਸਾਈ ਜਾਂ ਸਮਾਜੀ ਹੋਈ ਨਸਲ, ਧਰਮ, ਰਾਸ਼ਟਰੀ ਉਤਪਤੀ, ਨਸਲੀ ਪਿਛੋਕੜ, ਲਿੰਗ, ਉਮਰ, ਅਧਿਗਤਾ ਜਾਂ ਜਿਨਸੀ ਜਾਣਕਾਰੀ ਬਾਰੇ ਨਾਜਾਇਬ ਸ਼ੱਚ ਰੱਖਣ ਦੇ ਕਾਰਣ ਕੀਤੇ ਜਾਂਦੇ ਹਨ।

ਇਹੋ ਜਿਹੇ ਵਿਅਕਤੀ ਜਿਹੜੇ ਨਫਰਤ ਦੇ ਕਾਰਣ ਹੋਣੇ ਵਾਲੇ ਜੁਰਮਾਂ ਦਾ ਨਿਸ਼ਾਨਾ ਬਣਾਏ ਜਾਂਦੇ ਹਨ ਉਹਨਾਂ ਨੂੰ ਸਰੀਰਕ ਤੌਰ ਤੇ ਹਮਲਿਆਂ ਜਾਂ ਸਰੀਰਕ ਤੌਰ ਤੇ ਨੁਕਸਾਨ ਪਹੁੰਚਾਉਣ ਦੀ ਧਮਕੀ ਦੇਣ ਤੋਂ ਇਲਾਵਾ ਮਾਰ ਕੁਟਾਈ ਕਰਨੇ ਦੇ ਜ਼ਰੀਏ ਸਰੀਰਕ ਤੌਰ ਤੇ ਨੁਕਸਾਨ ਪਹੁੰਚਾਉਣ ਦੀ ਧਮਕੀ ਦੇਣ ਦਾ ਡਰਾਵਾ ਦਿੱਤਾ ਜਾਂਦਾ ਹੈ।



ਇਹ ਕਾਰਡ ਤੁਹਾਡੇ ਲਈ ਵੀ ਆਰ
ਐਨ ਬੁਰੁਕਨਿਨ ਕੋਮਿਊਨਿਟੀ ਵਲੋਂ
ਪੇਰ ਕੀਤਾ ਗਿਆ ਹੈ
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ਨਫਰਤ ਕਾਰਣ ਹੋਣੇ ਵਾਲੇ ਜੁਰਮ ਬਾਰੇ ਰਿਪੋਰਟ ਕਰਨ ਲਈ:

311 ਤੇ ਜਾਂ ਆਪਣੇ ਸਥਾਨਕ ਪੁਲੀਸ ਸਟੇਸ਼ਨ ਨੂੰ ਫੋਨ ਕਰੋ ਅਤੇ ਤੁਹਾਡੇ ਫੋਨ ਨੂੰ ਨਿਊ ਯੋਰਕ ਪੁਲੀਸ ਡਿਪਾਰਟਮੈਂਟ ਦੀ 24-ਘੰਟੇ ਖੁੱਲ੍ਹੀ ਰਹਿਣ ਵਾਲੀ ਹੇਟ ਕ੍ਰਾਈਮ ਹੋਟਲਾਈਨ ਦੇ ਨੰਬਰ ਤੇ ਤਬਦੀਲ ਕਰਨ ਲਈ ਕਹੋ।

ਐਮਰਜੈਂਸੀ (ਸੈਕਟ ਸਮੇਂ) ਵਿਚ, 911 ਤੇ ਫੋਨ ਕਰੋ।

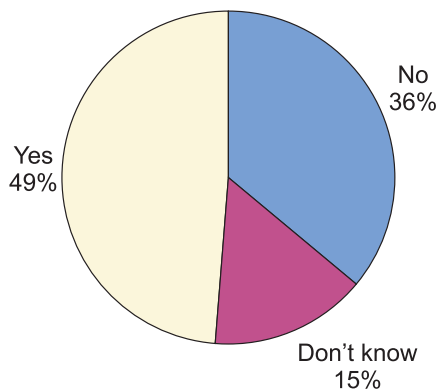
Since the September 11th attacks, there have been multiple attacks on Sikh school children, some of which garnered national attention. Some of the attacks were particularly atrocious -- in one attack this year, a student's patka (smaller turban, where the top-knot is visible) was set alight during a fire drill by another student in Hightstown, NJ,²⁰ and in two other attacks, one against a boy and the other on a girl, a students' hair was forcibly cut by a fellow classmate. Almost all Sikh boys when surveyed report verbal harassment in the form of being called "terrorist" or "Bin Laden." Harassment, intimidation, or bullying, like other disruptive or violent behaviors, is conduct that disrupts both a student's ability to learn and a school's ability to educate its students in a safe environment. Out of 115 adults surveyed in the 2009 Global Sikh Civil Rights Survey, 35% (40) indicated that either they or their kids had been bullied in school, but only 12 respondents indicated that they had actively sought out solutions to address the problem. When queried as to solutions to address the problem, most respondents suggested involving school officials, presentations on the Sikh religion, and spreading awareness about the significance of kakaars. In an effort to proactively combat bullying in Texas, the American Civil Liberties Union of Texas and UNITED SIKHS released copies of a joint letter earlier this year

addressed to Texas public school districts, reminding districts of the protections for religious dress required by state law and the U.S. Constitution, and reminding schools of their duty to protect students against bullying and harassment.²¹

III. Employment Discrimination

In this year's Global Sikh Civil Rights Survey, 55 out of the 113 respondents (49%) in America believed that their chances of getting a job are affected by maintaining the Sikh identity. Of these, 45 were men and 10 were women. UNITED SIKHS regularly receives reports from Sikhs who face discrimination when applying for employment, report problems with being passed over for promotions, and face direct discrimination regarding articles of faith, where Sikhs are told that their appearance is unacceptable, either due to their turban, beard, or kirpan. The latter incidents happen often in employment where there are uniform requirements, but have also been reported regarding other employment as well. While the Equal Employment Opportunity Commission (EEOC) is the federal agency tasked with ending employment discrimination under Title VII of the Civil Rights Act of 1964, there are major delays in having cases handled or investigated, and the EEOC has been unable to stem the tide of wide-spread employment discrimination in the United States.

Figure depicting feelings of employment discrimination because of maintaining a Sikh identity



The Sikh community has expressed deep concerns over employment discrimination

and many have turned to privately owned business and other jobs where they do not face these problems. UNITED SIKHS worked continually with the EEOC in 2009 to provide training to EEOC staff as well as to increase reporting of the Sikh community to the EEOC for employment issues. This year trainings were held in six different states around the country.²²

Also, this year, UNITED SIKHS continued work on over twenty employment discrimination cases in the United States, and worked with the EEOC to settle a case in Texas on behalf of a security guard who was told that his wearing of the turban did not fit the quasi-military appearance. In another case, a prominent clothing store, Kenneth Cole, discriminated against a young Sikh man when he applied for a job at a store in New York, telling him that his turban was not acceptable. Ironically, in 2008, Kenneth Cole had used a Sikh model in one of their premier advertising campaigns using the theme of "We All Walk in Different Shoes." The company apologized for the incident stating that it was local to the particular store and also instituted changes to their training policies to clarify, but the fact remains that the initial reaction of many employers is a xenophobic one when it comes to Sikhs and their appearance.²³



UNITED SIKHS Trains Employers with the EEOC about Sikhs

IV. Racial Profiling

Racial profiling has been a major issue for Sikhs, especially in terms of airport security and customs and border crossings. There have been a number of cases where Sikhs have been incorrectly detained and face harassment when

entering the United States due to misidentification or incorrect placement on watchlists. An example of an incidents such as these follows: The targeted individual exits a plane and upon disembarking the plane is immediately identified and escorted from the gate by two DHS officers in public view. They then take the individual through immigration, if flying internationally, and then onward to baggage claim. After the luggage is picked up, the individual is taken to a private location where their baggage and person is searched, all documentation with the individual is photocopied, and the individual's phone is taken and information from the phone stored by the officers. The individual is questioned in detail about their trip, and then the individual is left alone between 20-45 minutes, and then released. Throughout the entire experience officers treat the individual rudely, asking pointed questions in a loud and a manner that is threatening as if the person is a suspect, and the experience lasts approximately two hours. This has been a repeated process for certain individuals.



Amandeep Singh, Discriminated Against When Seeking Employment at Kenneth Cole

We have received reports of this happening to individuals who have no criminal or otherwise negative records and are United States citizens. This also happens quite often to individuals with common Sikh names, e.g. Daljit, Ranjit, and Pinderpal, among many others. Furthermore, this is increasingly

happening to individuals who have volunteered with NGOs for humanitarian relief efforts in countries such as Pakistan. Also, Sikhs traveling to Pakistan on pilgrimage visas to visit the birthplace of Guru Nanak Sahib Ji and other historical Gurdwaras (places of worship) for short visits have reported having these problems even though their visas to Pakistan reflect very short visits.

Profiling of Sikh passengers continues to be a problem when being screened by Transportation Security Officers as well. While the Transportation Security Administration (TSA) instituted guidelines for special screening of turbans the screening procedures have not been properly implemented and Sikhs often report being screened and treated poorly during the screening process. For example, a Sikh passenger at Oakland International Airport was told that secondary screening for the turban is mandatory and was subjected to secondary screening over thirty times during a two-month period of travel. In two other incidences this year, two Sikhs' were not given the option to do a self-patdown combined with the chemical testing procedure and instead had their turbans very roughly squeezed by the TSOs.



Three Sikh Religious Musicians (Raagis) Who Were Racially Profiled and Kicked Off a US Airways Plane

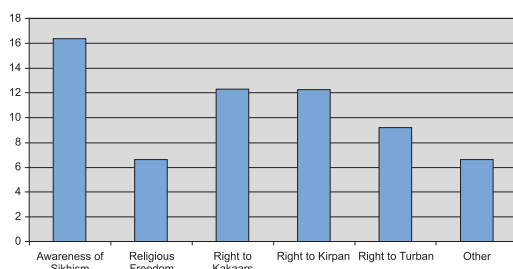
UNITED SIKHS partnered with the ACLU in settling a major racial profiling case against US Airways where three famous Sikh religious musicians (Raagis) were removed from a flight at the Sacramento

International Airport. As terms of the settlement, the Chairman and CEO of US Airways issued an apology to the Raagis, and they also received an undisclosed amount in compensation for the incident. Prior to the settlement and at the urging of UNITED SIKHS, the airline updated its training materials and distributed a bulletin reminding its employees of the company's anti-discrimination policy. Cases like this one set examples to combat racial profiling and discrimination, but raising awareness in the general public is still a major task for the Sikh community in America.

V. Laws and Future Concerns for Advocacy

When asked if changes in law, policy, and practice should be considered to address civil rights concerns of the Sikh community, 71% of the 113 Sikh Americans responded that a change in law, policy and practice should be focused on for the future; 12% did not think a change was necessary, and 17% indicated they did not know.

Figure depicting areas which should be addressed in future laws, practices and policies (n = 60)



With community leaders becoming more involved with government through events like the Sikh Summit, where a delegation of Sikh leaders from around the country, led by UNITED SIKHS, met with federal government officials earlier this year to advocate for important Sikh civil and human rights issues, and with an increased presence of Sikh advocates in Washington DC and working with government, there are already some changes taking place when it comes to policy law and practice. We are dedicated to pursuing equal and just civil and human rights for all.

- 1 CIA World factbook: United States. Retrieved December 17, 2009 from <https://www.cia.gov/library/publications/the-world-factbook/geos/us.html>
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- 3 CIA World factbook: United States. Retrieved December 17, 2009 from <https://www.cia.gov/library/publications/the-world-factbook/geos/us.html>
- 4 Something Inside So Strong: A Resource Guide on Human Rights in United States. Retrieved December 17, 2009 from the Human Rights Network website from http://www.ushrnetwork.org/files/ushrn/images/linkfiles/Something_Inside_So_Strong.pdf
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- 6 Id.
- 7 CIA World factbook: United States. Retrieved December 17, 2009 from <https://www.cia.gov/library/publications/the-world-factbook/geos/us.html>
- 8 Amnesty International Annual Report 2009 - United States. Retrieved December 17, 2009 from the Amnesty International website from <http://thereport.amnesty.org/en/regions/americas/usa>
- 9 <http://unitedsikhs.org/PressReleases/PRSRLS-16-11-2009-00.html>
- 10 <http://saldef-intranet.org/content.aspx?&a=3699&z=1&title=>
- 11 Available at: <http://www.nypost.com/seven/06162009/frontback.htm>
- 12 Available at: http://www.nypost.com/seven/06172009/news/regionalnews/dis_turban_the_peace_at_mta_174587.htm
- 13 <http://www.unitedsikhs.org/PressReleases/PRSRLS-20-08-2009-00.htm>
- 14 <http://www.unitedsikhs.org/PressReleases/PRSRLS-24-09-2009-00.htm>
- 15 <http://worldsikhnews.com/7%20January%202009/Sikh%20American%20Sues%20IRS%20over%20Ban%20on%20Kirpan.htm>
- 16 <http://www.humanrightsfirst.org/media/disc/2009/alert/544/index.htm>
- 17 <http://www.unitedsikhs.org/PressReleases/PRSRLS-24-01-2009-00.htm>
- 18 <http://www.unitedsikhs.org/rtt/sikhconf/FirstGlobalSikhCivilRightsReport.pdf>
- 19 <http://www.unitedsikhs.org/PressReleases/PRSRLS-25-07-2009-00.htm>
- 20 <http://www.expressindia.com/latest-news/Sikh-students-turban-set-afire-in-US/309003/>
- 21 <http://www.unitedsikhs.org/PressReleases/PR-15-10-2009.html>
- 22 <http://www.unitedsikhs.org/PressReleases/PRSRLS-06-08-2009-00.htm>
- 23 <http://www.unitedsikhs.org/PressReleases/PRSRLS-05-10-2009-00.html>

Appendices



SIKHS AND THEIR RELIGION

Dr. I.J. Singh

History and Beliefs

Compared to other major religions, Sikhism is relatively young. Its founder Guru Nanak was born in 1469 in Punjab. It was a time of great ferment and creative activity in the world the voyage of Columbus and his discovery of the New World in 1492, the discoveries of Copernicus who was born in 1473, the printing of the Gutenberg Bible in 1462 were among the many remarkable achievements and events of those decades. To understand his teachings and his disciples, it is necessary to look at Nanak the man and his times. During Guru Nanak's time in the fifteenth century the two great religious systems of the world - the Vedantic and the traditions of the Old Testament met in Punjab. Fifteenth century India was ruled by Muslims. Indian society of that time was steeped in idol worship, dogma and superstition, and was stratified into castes with rigidly defined duties and rights for each. Neither those of the low castes nor women were allowed to read the Holy Scriptures. Nanak rejected both the forced conversions by the rulers as well as the caste system, idolatry and the inferior place of women. He taught a message of love. He defined God as gender-free, not woman or man exclusively. He taught of a universal God, common to all mankind - not a Sikh God, a Hindu God, a Moslem God, a Jewish or a Buddhist God, or one limited to any sect, nation, race, creed, color or gender. Guru Nanak was followed by nine successor-Gurus over two centuries. They further elaborated on his message of universal love and brotherhood - and sisterhood. They made significant contributions to the development of Sikh institutions. Sikhs believe that all ten Gurus represented the spirit of Nanak and spoke with his authority. The Sikh religion is strictly monotheistic, believing in one supreme God, free of gender, absolute, all pervading, eternal Creator. This universal God of love is obtained through grace, sought by service to mankind. These were the first teachings of Guru Nanak. Sikhism views life not as a fall from grace

but a unique opportunity to discover and develop the divinity in each of us. From the time of Guru Nanak five hundred years ago until today, Sikh places of worship (gurdwaras) all over the world usually run free community kitchens, which provide meals to the needy. These kitchens are manned and funded by volunteers. Since in the traditional Indian society people of high and low caste would not mix, nor would they break bread together, the community kitchen (langar) of the Sikhs serves to teach the concept of equality by shattering all barriers of caste and class. Since human dignity and justice form a cornerstone of Sikh teaching, Sikh history speaks of tremendous sacrifice in the cause of freedom and justice. Two Sikh Gurus - the fifth Guru Arjan and the ninth Guru Tegh Bahadur were martyrs to the cause of freedom of religion. The tenth Nanak - Guru Gobind Singh - fought several battles and saw his sons die in battle. In more modern times, Sikhs formed some of the most highly decorated soldiers of the British armed services during the Second World War. They had a significant role in the memorable battles of El Alamein, in the Burma- China front and also in the allied assault in Italy. In India's struggle for independence from the British, of all the Indians who were sentenced to life imprisonment or death, over two-thirds were Sikh. This in spite of the fact that Sikhs form less than two percent of India's population.

1699 - Present: The Journey

In 1699 the tenth and last of the Sikh Gurus - Gobind Singh - recognized the growing maturity of his followers in a most dramatic manner. On the day of Vaisakhi (which falls in early to mid- April) 1699, he summoned his followers to a small town (Anandpur) in Punjab. Over 80,000 came. History tells us that Guru Gobind Singh appeared before his people, flashed a naked sword and demanded a head. He repeated his call until five Sikhs volunteered. These five came from different parts of India and from different castes, three were from the so-called lower castes. To these five, and to many others, on that historic April 300 years ago, he bestowed a new discipline, a

creed. The Guru initiated these five in the new order of the Khalsa and then, in a dramatic and historic gesture, they, in turn, initiated him. On that day he gave the Sikhs their modern form which includes five articles of faith: 1) unshorn hair as a gift of God and Guru and a mark of Sikh identity, 2) a small comb for the hair, 3) a steel bracelet which signifies a reality with no beginning and no end, and is also symbolic of a Sikh's commitment to the ideals of his faith, much as wedding ring might indicate fealty and identity, 4) a sword indicative of resolve and commitment to justice, and 5) knee-length breeches in keeping with the disciplined life-style of a Sikh. In Indian society, an individual's name reveals his caste and thus his/her place in society. On Vaisakhi 1699, Guru Gobind Singh freed Sikhs from the caste system by ordaining that all Sikh males incorporate "Singh" meaning a lion and women use "Kaur" meaning a princess into their names, thus shedding their caste identity. Implied here would be the hope and prayer that a Sikh's life becomes a testament to courage and grace inherent in these names. For the past 300 years, no matter what their street attire, male Sikhs have been easily recognized by their long unshorn hair covered with a turban. (It needs to be pointed out that in the traditional Indian society, only a man of high caste or the ruling class wore a turban.) Sikh women adhere to the same basic life style, symbols, rules and conduct, except that few wear turbans. You might see Sikh boys, who are much too young to handle a turban, walking about in their schools or play grounds with a top-knot of long unshorn hair covered simply with a scarf. Sikhs worldwide celebrated Vaisakhi 1999 as a milestone in Sikh history. It marked 300 years since Guru Gobind Singh decreed the formation of the Khalsa and fashioned the nation of Sikhs.

The Sikh Scripture

Guru Gobind Singh also decreed an end to the line of personal Gurus in human form. The writings of the earlier Gurus were collated along with those of Hindu and Moslem saints whose teachings

were consistent with Sikh philosophy. This collection - Guru Granth - is thus a uniquely ecumenical and eclectic collection of spiritual writing. For Sikhs Guru Granth is the repository of all spiritual knowledge and authority. In temporal matters all authority rests with the Sikh community worldwide acting democratically and in mindful prayer with an awareness of the spiritual heritage which is embodied in the Guru Granth. Sikhs revere the ten Gurus - Guru Nanak to Guru Gobind Singh because they brought to us the divine word but they worship only the one, timeless (Akal) God. For Sikhs the word (shabd) is the eternal Guru. The word "Guru" acquires, therefore, a very special meaning for Sikhs. It is reserved only for the ten Gurus who gave us the divine message and to the shabd contained in the Guru Granth.

The Gurdwara

The Sikh place of worship (gurdwara) is more than that - a place of worship. It has historically served as a refuge for the homeless, the helpless and the destitute. Gurdwaras usually display and fly the "Nishan Sahib," a yellow (saffron) triangular flag bearing the Sikh symbol of "Khanda". Visitors, irrespective of their religion are offered shelter, comfort and food. The only conditions being that they remove the shoes and cover the head. In a gurdwara no special place or seat may be reserved or set aside for any dignitary. The worship consists of singing of the liturgy as well as exposition of Sikh history, tradition and religion. Non-Sikhs are always welcome. Any layperson - man or woman - may perform any Sikh rites; none are restricted to the ordained clergy. The word "Sikh" derivatively means a student. In essence, therefore, a Sikh is and remains a student of the meaning of life.

World View

Sikhism is a practical religion to be lived here on earth and Sikhs are a pragmatic people. The emphasis is on a leading a worldly, successful life as a householder and a contributing member of society but with the mind attuned to an awareness of God, the eternal truth. Sikhism rejects

all distinctions based on caste, creed, gender, color, race or national origin. God is not found on the mountaintop or by renouncing the world. He/She is found in the life of a householder and in a family. The philosophic structure of Sikhism rests on three equally important legs: an honest living and an honest day's work, sharing with others what God and life have given us, and living life fully - not in half measures - with an awareness of the infinite within each of us. Sikhism enunciates a philosophical concept termed Miri-Piri which means living a worldly life with an active, strong sense of commitment to the world and humanity, governed and directed by a strong foundation and underpinning of spiritual awareness. In a centered existence the internal and external lives are to be integrated. Moral and spiritual values need to form the cornerstone of the successful worldly life. One without the other is incomplete and insufficient. In matters that affect the Sikh community, the Sikhs have throughout their history followed a simple but effective mechanism whereby individual voices are heard and decisions reflect the current state of knowledge, information and technology. In all such matters, and in honor of the first five Sikhs who heeded the call of Guru Gobind Singh in 1699, the voice of the community is channeled through five Sikhs selected and authorized to resolve issues and speak as the voice of the community. Sikhs believe that God and Guru pervade the congregation when these five Sikhs act in mindful prayer. Decision making, thus, becomes a collective process. Sikhs do not have a priestly hierarchy with its associated ecclesiastical authority. As a religion in which the Word (shabd) is Guru, Sikhism values education. Yet it recognizes that the ultimate reality is such that our senses cannot perceive it and our intellect cannot fathom it but our souls can commune with it.

Place of Women

Sikhism promises women an equal place. It could do no less when it defines God as gender neutral, and is perhaps one of the few major world religions to

do so. Female infanticide, which was not uncommon in India and in much of the world 500 years ago, was strongly condemned by Guru Nanak and his successors. There is no activity in a gurdwara or within the community that is permitted to a man but not to a woman. There is no religious function from which women are barred at any time of their lives.

How Sikhs View Other Religions

Sikhism recognizes the universal truths that underlie all human endeavors, religions and belief systems, though people differ in how they institutionalize those beliefs into a code of conduct and a way of life. Much as Sikhs love their religion, Sikhism is equally respectful and tolerant of another - a non-Sikh - who loves his or her own religion in his or her own way. Sikhism asks a non-Sikh to discover and live the essential message and meaning of his own religion so that a Christian can become a better Christian, Jew a better Jew, Hindu a better Hindu, while a Sikh becomes a better Sikh, and so on. Every major city in the United States and Canada has Sikh gurdwaras and they are open to all. You don't have to be Sikh to visit one. Drop in and see how your Sikh neighbors live and pray. Next time you see a Sikh at work or on the street greet him with "Sat Sri Akal." It means "Truth is Eternal." The sentiment in it, you will agree, is universal.

2009 Global Sikh Civil Rights Report Survey

This survey is being conducted internationally by UNITED SIKHS in order to compile information for the Global Sikh Civil Rights Report, an annual report which examines struggles, victories, and the state of affairs of the civil rights of the Sikh community around the globe. Ask a member of our survey team for a copy of the First Global Sikh Civil Report (2008) which may be downloaded at www.unitedsikhs.org.

If you have any questions regarding this survey, please email: globalreport@unitedsikhs.org

SECTION 1

Location:

Date:

Today is: / /

Age:

Gender:

☐ Male

☐ Female

Occupation:

Contact Information:

Name:

Address:

Address 2:

City/Town:

State:

ZIP/Postal Code:

Country:

Email Address:

Phone Number:

SECTION 2:

Please answer the following questions in relation to Sikhs IN YOUR COUNTRY of residence. Please select the appropriate answers.

1) Please give a numerical estimate of what you think the Sikh population in your country is.

2) Do you wear/maintain any Kakaars? (Kesh, Kanga, Kachera, Kirpan and Kara.)

☐ Yes

☐ No

☐ I don't know

If yes, have you ever been discriminated against when wearing your Kakaar?

☐ Yes

☐ No

☐ I don't know

Please explain.

If no, do you feel that those wearing them are discriminated against because of their Kakaar?

☐ Yes

☐ No

☐ I don't know

Please explain.

Do you know of any hate crimes against Sikhs in your country?

☐ Yes

☐ No

☐ I don't know

If yes, please give a brief description.

If there is discrimination against Sikhs due to their identity, where do you believe it happens?

☐ School

☐ Work

☐ Public Place

☐ N/A

☐ Other (please specify):

Have you or your children ever been bullied in school by their peers, due to their Sikh identity?

☐ Yes

☐ No

☐ I don't know

If yes, what have you or your community done to prevent or resolve this?

Do you believe that your chances of getting a job are affected because, or if, you maintain your Sikh identity?

☐ Yes

☐ No

☐ I don't know

If yes, please explain.

Is there any change in law, practice or policy that you would like to see for Sikhs in your country, to enable them to

practice their faith and culture freely?

- ☐ Yes
☐ No
☐ I don't know

If yes, please specify.

Is there any law, practice or policy that discriminates against Sikhs or other religious minorities in your country?

- ☐ Yes
☐ No
☐ I don't know

If yes, please specify.

Do you know where to go if you face discrimination or abuse due to your Sikh identity?

- ☐ Yes
☐ No
☐ I don't know

If yes, please specify.

Do you know of a specific case(s) where a Sikh has been wronged, violated or discriminated against because of his/her identity?

- ☐ Yes
☐ No
☐ I don't know

If yes, may UNITED SIKHS contact you for their details?

- ☐ Yes
☐ No
☐ I don't know

If yes, how was he/she related or known to you?

- ☐ Yes
☐ No
☐ I don't know

Are there programmes in your country that aim to integrate minority populations, to promote diversity in higher education?

- ☐ Yes
☐ No
☐ I don't know

Are there programmes in your country that aim to integrate minority populations, to promote diversity in employment?

- ☐ Yes
☐ No
☐ I don't know

Are there programmes in your country that aim to integrate minority populations, to promote diversity in other areas? If yes, please specify.

- ☐ Yes
☐ No
☐ I don't know

If yes to either of the questions above, have you, or anyone you know, participated in any of these programmes?

- ☐ Yes
☐ No
☐ I don't know

Approximately how many people attend your local Gurdwara, for your main weekly programme/diwaan?

What is the name and location of the Gurdwara you attend?

Are there a significant number of people at your Gurdwara, who only speak Panjabi/ their mother tongue and who cannot speak the local language?

- ☐ Yes
☐ No
☐ I don't know

Are there a significant number of people at your Gurdwara who can speak the local language and cannot speak Panjabi/ their mother tongue?

- ☐ Yes
☐ No
☐ I don't know

Is it common for a Sikh woman to seek employment in your country?

- ☐ Yes
☐ No
☐ I don't know

Do the present generation of Sikhs in your country, often pursue higher education

(e.g. college or other graduate studies)?

- ☐ Yes
- ☐ No
- ☐ I don't know

What types of activities are the Sikh elderly in your country (65+) involved in, on a regular basis?

- ☐ Attending community centres
- ☐ Attending Gurdwaras
- ☐ Visiting their relatives
- ☐ Other (please specify):

Were you, or are you directly or indirectly affected by the insurgency in Panjab during the 80's and 90's? In particular, the loss of innocent lives during the June 1984 attack on the Darbar Sahib (Golden Temple,) and attacks against Sikhs in Delhi and other parts of India.

- ☐ Yes
- ☐ No
- ☐ I don't know

If yes, how?

Do you know anyone who was a victim or a survivor of the violence against Sikhs in June and November 1984?

- ☐ Yes
- ☐ No
- ☐ I don't know

If yes, how was she/he related to or known to you?

Do you think justice has been delivered to the innocent victims and survivors of the violence against Sikhs in the 80's and 90's?

- ☐ Yes
- ☐ No
- ☐ I don't know

If no, which of the following, do you think, could ensure that justice could be

- ☐ Investigations and prosecutions in the national and international courts, leading to conviction of those who perpetrated crimes against the innocent victims
- ☐ A truth and justice commission like the one in South Africa
- ☐ Compensation to victims and widows of the innocents murdered and attacked
- ☐ A UN declaration acknowledging the human rights abuses against Sikhs stating what happened to the victims, and

recognition of the systematic killings as genocide against Sikhs.

☐ Provision of rights to Sikhs that led to the insurgency e.g. a fairer distribution of river water in Panjab

☐ Films and documentaries which vindicate and expose the truth of human rights and abuses, to help in the reconciliation process for victims and survivors, and educate the general public about the atrocities committed.

☐ Restitution and reparation for the damage done eg: restoration of the material removed by the Indian army from the Sikh Reference Library at Darbar Sahib

☐ Other (please specify):

If yes, how was justice delivered?

We would like to thank you very much for your time in filling out this survey. If you have any questions, please do not hesitate to ask us.

UNITED SIKHS is UN-affiliated, international, non-profit, non-governmental, humanitarian relief, human development and advocacy organisation, aimed at empowering those in need, especially disadvantaged and minority communities across the world. UNITED SIKHS is registered: as a non-profit tax exempt organization under Section 501(c)(3) of the Internal Revenue Code in the USA; as a Registered Charity in England and Wales under the Charities Act 1993 (Charity Number 1112055); as a non-profit organization in Canada; under the Societies Registration Act 1860 in Punjab; under the French Association Law 1901 and is an NGO pending registration in the Republic of Ireland and Malaysia.

OUR MISSION

To transform underprivileged and minority communities and individuals into informed and vibrant members of society through civic, educational and personal development programmes, by fostering active participation in social and economic activity. Our projects are based on the Sikh tenet of “Sarbat da Bhalla” (for the good of all). UNITED SIKHS uses education as a tool to transform minority communities into informed individuals. We also engage in social and economic activity to uplift communities. Our civil and human rights advocacy projects help protect the integrity of minorities and the underprivileged.

HELP US CONTINUE TO SERVE VOLUNTEER OR DONATE

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