

## Written Statement

US Commission on International Religious Freedom &

Tom Lantos Human Right Commission Joint Hearing

On

Ending Genocide: Accountability for Perpetrators, July 28<sup>th</sup> 2021

Statement of

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This written statement is based on the data drawn from news articles, policy issuances, government briefings, it further argues that Indian government rhetoric and policies satisfy the stages of classification, symbolization, dehumanization, organization, polarization, preparation, extermination and denial in case of marginalized communities; Sikhs and Muslims. The analysis in this article hopes to send a message to the international community, civil society and the US Government that the human rights abuses in India needs to be accounted for and addressed accordingly.

At various stages through past decades, the Sikh and Muslim community has been subject to different stages of Genocide; For Sikhs, the timeline has been spread across; staged killings of November 1984, counter-insurgency operation of 1990s, Synthetic drug peddling in Punjab and now through the Indian Agricultural laws 2020. **Sikhs contribute a mere 1.7% to the population of India but has always remained at genocide alerts, if analyzed in parts.** The silent implementation of Citizenship Amendment Act coming months after scores died in staged orchestrated killings still foresight no accountability for perpetrators.

### **Sikh Genocide of 1984 and continued denial of Justice (1984-Present)**

A long haul of 36 years have passed on since the Indian Military conducted Operation Blue Star, the then Prime Minister of India, ordered an attack on Sikhs in June 1984. The aim was to silence the demand for Sikh religious and political autonomy.

Within a period of 3 days, almost 3000 Sikh were murdered and human rights of thousands more were violated. The 2005 Nanavati commission described the systematic nature of the attacks, whereby the men were beaten before being burnt alive. This therefore contradicts the common media portrayal of 1984 events as 'anti-Sikh riots'<sup>1</sup>. The riots are more sporadic and spontaneous but atrocities committed are more accurately described as genocide. Sikh were deliberately targeted in a strategic and coordinated manner. The extermination began and quickly became the mass killing legally called 'genocide'. The 9<sup>th</sup> stage of genocide defined by Mr. Gregory

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<sup>1</sup> <https://www.hrw.org/news/2014/10/29/india-no-justice-1984-anti-sikh-bloodshed>

Stanton further reiterates that at this stage the victims are not considered humans. Whereas although the goal is to kill all the members of the targeted group, but most genocides are also 'in part'. Ten government appointed committees and commissions have investigated the deadly attacks, without tangible results and not many of the key perpetrators involved made their way through bars. This highlights the persisting and comprehensive failure of the judicial system.

### **Mass killings, fake Encounters of Sikhs in name of countering militancy (1984's-1995)**

The period from 1984 to 1995 marked the counter-insurgency operation that led to mass arbitrary detention, torture, extrajudicial, killings and enforced disappearances of thousands of Sikhs. Police abducted young Sikh men on suspicion often in the presence of witness, yet later denied having them in custody. To hide the evidence of their crimes, security forces disposed of the bodies, usually by cremating them<sup>2</sup>. The Special counter-insurgency laws, and a system of rewards and incentives for the police to capture and kill militants (Sikhs), led to an increase in disappearances and extrajudicial execution of civilians and militants alike. In 1994, Human Rights Watch and Physicians for Human Rights described the governments operations as "the most extreme example of a policy in which the end appeared to justify any and all means, including torture and murder. The Indian government continuously denied in its submissions to the United Nations Special Procedures that its security forces committed human rights abuses during the Punjab counterinsurgency. During one of the Capitol Hill briefings by Hon'ble Congressman Edolphus Towns, he noted, "**Under the umbrella of democracy (or Brahmins Autocracy) India has killed more than 2.3 to 3.2 million Sikhs since India gained independence in 1947**"<sup>3</sup>. During the Capitol Hill Briefing on September 20<sup>th</sup> 1994, another former **Congressman Dan Burton went on record and stated that, India has killed atleast 115, 000 Sikhs since 1984.**

### **Punjab youth forced into synthetic drug addiction (2000-Present)**

Since the early 2000 Punjab has been fed with synthetic drugs and now with **over 75% of the Punjab is hooked to drugs and going by estimates every third family has one addict (NCBI NIH report 2017)**<sup>4</sup>. Drug abuse in Punjab is a silent epidemic with iceberg phenomenon like implications. Shockingly, Punjab is the only state in India that has been forced to grip into drugs. It has become heaven for drug lords. In some cases almost all family members are gripped in drugs<sup>5</sup> <sup>6</sup>. Nearly 66% of the school children have tried drugs in one way or the other. The strong nexus of politicians and police in running this drug peddling business runs quite deeper<sup>7</sup>. Previously, **one whole generation was killed by labeling terrorist and now another whole generation has been lost to drugs**<sup>8</sup>. This social genocide is going unnoticed. What is visible to society and what is

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<sup>2</sup> <https://www.hrw.org/report/2007/10/17/protecting-killers/policy-impunity-punjab-india#>

<sup>3</sup> <https://www.govinfo.gov/content/pkg/CREC-2007-05-23/html/CREC-2007-05-23-pt1-PgE1125.htm>

<sup>4</sup> <https://www.dailymail.co.uk/indiahome/indianews/article-2156090/The-state-Punjab-grip-drug-culture-destroying-youth.html>

<sup>5</sup> <https://www.india.com/news/india/udta-punjab-heroin-addiction-has-now-gripped-entire-families-in-state-1148990/>

<sup>6</sup> <https://www.dailypioneer.com/2016/sunday-edition/punjab-oded.html>

<sup>7</sup> <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC5787955/>

<sup>8</sup> <https://www.hindustantimes.com/analysis/punjab-one-generation-lost-to-terrorism-losing-another-to-drugs/story-kf2MZTfXvIaPXLEkQ988NN.html>

showcased through mainstream media is just the tip of the iceberg<sup>9</sup>. However, the formation is visible only to the selected stakeholders. This epidemic situation in Punjab satisfies the genocide warning in Punjab.

### **After Drugs. Sikh fear losing their lands and so their existence<sup>10</sup> through draconian Indian Agricultural laws 2020 (Present)**

About three-quarters of the Punjab's 30 million-strong population is involved in agriculture<sup>11</sup>. The non-significant presence of other industries in Punjab put farming at the heart of earning bread and butter. The already highly indebted farming industry in Punjab due to loans turning bad has left 3300 farmers opting the suicide route since last 2 decades<sup>12</sup>. However, since November 2020, the Sikh and other farmers from India have staged peaceful protest along Delhi borders. The subject of agriculture which constitutionally has remained a state subject, however it run into controversy when unconstitutional parliamentary interference was forced on farmers by Indian government to let the private players intervention. The various sections of the laws were intentionally left weakened to offer an upper hand to private corporate players on the farmers lands for eventual land acquisition<sup>13</sup>. Even after 8 months of sit-in protest across Delhi borders, the government has kept its stubborn attitude and has continuously maintained the rhetoric against scrapping the agricultural laws. The protest against the controversial agricultural laws has taken more than 500 farmer lives so far, heeding to no remorse by the Indian government. The silence of Supreme court in scrapping these unconstitutional laws signifies the tune to which the judiciary has been paralyzed in India.

### **Godhra 2002 persecution of Muslims**

In the inferno that followed more than 2000 Muslims were killed, as Hindu mobs went on a spree of raping, burning and murdering. The wave of communal violence began in February 2002 when a group of Muslims set fire to a train in the western town of Godhra. Some 59 Hindu pilgrims, many of them women and children, perished. The incident led to gangs of Hindus in Gujarat, one of India's most prosperous states, taking revenge on their Muslim neighbors. Instead of trying to prevent the slaughter, the then Chief Minister of State - instructed his administration to do nothing<sup>14</sup> and rather stressed to teach Muslims a lesson.

### **Staged violence during CAA protests and its silent implementation across states**

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<sup>9</sup> <https://timesofindia.indiatimes.com/blogs/global-health-focus/how-punjab-will-lose-a-generation-to-drugs/>

<sup>10</sup> <https://www.cbc.ca/news/canada/british-columbia/opinion-indian-farmer-protests-1.5837097>

<sup>11</sup> <https://www.theguardian.com/global-development/2019/jul/01/the-indian-state-where-farmers-sow-the-seeds-of-death>

<sup>12</sup> <https://indianexpress.com/article/explained/high-rate-of-farmer-suicides-in-malwa-experts-blame-steep-lease-land-rentals-lack-of-alternative-income-6040490/>

<sup>13</sup> <https://www.cbc.ca/news/canada/british-columbia/opinion-indian-farmer-protests-1.5837097>

<sup>14</sup> <https://www.theguardian.com/world/2003/aug/18/india.uk>

The controversial Citizenship Amendment Act (CAA), which has been raised as an alert by Genocide Watch for Assam<sup>15</sup>, has been silently given a go ahead by the Indian Government and almost 10 states are enroute to implement the religion-based citizenship without rules in place<sup>16</sup>. The CAA violent bloodshed took lives of 60 peoples, mostly Muslims and sending the chills through the spines of every spectator. The orchestra of killings staged was enough to send the message to the marginalized community that the result of protests, even peaceful, against government policies will come at a major cost. The Delhi High Court judge hearing the petition over the violence said that court **could not let “another 1984” happen to its watch**<sup>17</sup>.

### **Persistent Lack of Accountability for perpetrators**

Unless the accountability parameters are not established the anti-rhetoric attacks will remain persistent. The complicity of the police in the atrocities is an issue that has also not received adequate investigation. In the Sikh Genocide of 1984, the retired police officers have admitted in interviews that they prevented victims from filing first information reports and that they aligned themselves with anti-Sikh rhetoric, facilitating the ensuing violence.

The Indian government has hindered investigations and failed to take steps to rectify the human rights abuses that took place in most of the riots. In most cases the government itself has been involved through the state and non-state actors. For Ex: In 1987, the Kapoor-Mittal committee was established to investigate the role of police in the 1984 Sikh genocide. The committee identified 72 negligent officers and recommended 30 of those officers be dismissed. However, no action by the government was taken to discipline or dismiss these individuals. In many cases the government closed cases due to lack of evidence. The Godhra persecution victim from 2002, North East Delhi persecution victims from 2020 are eyeing an endless wait to justice. The charge-sheets filed in North East Delhi violence did not see the names of any perpetrator that was directly involved in the killings. And so were many others overlooked who played a role in these staged killings. This is a deliberate and comprehensive failure of justice.

### **Alerts of Genocides for Sikhs and Muslim communities in India**

As noted by Mr. Gregory Stanton in one of the stages of Genocide, victims are identified and separated out because of their national, ethnic, racial or religious identity. In most cases their properties, are also expropriated, that would include agricultural lands, as it is feared in the case of controversial Indian Agricultural law 2020 which would be proving disastrous for the Sikhs from Punjab as the farmers are solely reliant on agriculture and they fear under the presence of these controversial laws they will end up losing their ancestral lands. The stubborn attitude of the government in scrapping these unconstitutional laws in itself signifies the malicious intent. In some of the above discussed scenarios, the stages of genocide have been issued by Genocide Watch like in the case of controversial Citizenship Amendment Act.

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<sup>15</sup> <https://www.genocidewatch.com/copy-of-current-genocide-watch-aler>

<sup>16</sup> <https://theprint.in/india/governance/with-cao-rules-nowhere-in-sight-centre-allows-5-states-to-implement-religion-based-citizenship/667878/>

<sup>17</sup> <https://www.bbc.com/news/world-asia-india-51644861>