

DALIT VOICE

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Right to convert a child:

Thus Spake Ambedkar

Persecution of Dalits figures at world meet on self-determination

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Geneva, Aug. 15 2000: The First International Conference on the Right to Self-Determination and the United Nations concluded here with the unanimous adoption of its resolutions, amid expression by many of the attendees that the three-day event marked an historic milestone in the struggle of the international Community to come to grips with the thorny issue of the internationally-recognized right to self-determination.

Co-sponsored by the International Human Rights Association of American Minorities (IHRAAM), an international NGO in consultative Status with the UN, and the International Council for Human Rights (ICHR), the Conference attracted a full house of delegates.

V.T. Rajshekar, Editor of *Dalit Voice* who was invited as a representative of India's Black Untouchables, victim of racism, could not come as his passport remained impounded.

FALLACY OF MELTING POT

Speakers included eminent UN experts, members of several govts, distinguished jurists and scholars. NGO attendees from all corners of the globe spoke on the self-determination needs of a wide range of indigenous populations, minorities, and nations, including the Kashmiris, Native Americans, African Americans, Irish, Tamils, Saamis, Dalits of India, Canadian First Nations, Khmer Krom of Vietnam, Chechens, Mon of Burma, Puerto Ricans, the Quichua indigenous nation of Ecuador, the Zanzibarians, etc.

Glélé-Ahanhanzo, the UN Special Rapporteur on Racism, Racial Discrimination and Xenophobia, was in attendance for the opening banquet, while UN Sub-Commission expert David Weissbrodt and Mme. Blyth-Kubota, from the UN Working Group on Minorities Secretariat, visited the Conference on its second day. Daniel Atchebro, Human Rights Officer at the Office of the High Commissioner on Human Rights, outlined the program of the forthcoming World Conference Against Racism for Conference delegates, and urged their participation.

George Reid, Deputy Presiding Officer of the Scottish Parliament, delivered the inaugural speech, recounting the several centuries-long struggle of the Scottish people for self-determination, which is only now nearing resolution through the recent creation of the Scottish Parliament. He acknowledged the problematic posed by the melting pot paradigm for dealing with internal nations and peoples, and saw great hope for the future in the combination of self-determination of peoples on a local level, when accompanied by their integration as a politico-cultural unit into a greater regional body such as the European Union.

REVAMPING U.N.

In his welcoming address to Conference attendees, IHRAAM Chair, Dr. Y. N. Kly, a noted Afro-American Jurist, elaborated on the detrimental effects of melting pot policies imposed upon national minorities in multinational states,

leading frequently to their incorporation into the lower caste or underclass of the dominant majority, a Position which left them at a permanent disadvantage in the competition for wealth, Status, education, and all other socio-economic needs. He called upon the Conference not merely to address the need for self-determination in specific situations, but to give full consideration to how the UN might be restructured to facilitate the resolution of longstanding inequities and conflicts related to the non-realization of the right to self-determination.

FUTURE OF KASHMIR

Conference Moderator, Barrister Majid Tramboo, a member of the IHRAAM Directorate and Executive Director of the ICHR informed the delegates that the Govt. of India had not facilitated Mohd. Yasin Malik, a guest of honor at the Conference, with travel documents necessary to his attendance at the Conference. Barrister Tramboo moved a petition addressed to UN Secretary General Kofi Annan and UN High Commissioner on Human Rights, Mary Robinson, which noted with deep regret that the Indian authorities' failure to provide Yasin Malik with the relevant travel documents was a blatant Violation of his fundamental human right to movement, condemned this act by the Govt. of India, and demanded that Yasin Malik be provided with the travel documents forthwith. This Petition was overwhelmingly endorsed by Conference. A later highlight of the Conference occurred when organizers

succeeded in establishing a telephone link to India, through which Mohd. Yasin Malik, Chairman of the Jammu-Kashmir Liberation Front and an Executive Member of the All Parties Hurriyat Conference (A.P.H.C.) advised a hushed Conference plenary in halting tones:

"Political disputes are being resolved around the world by political dialogue. I ask you, why must the Kashmiris be forced to accept solutions imposed by the occupiers of our country? I wish to make it crystal clear to you that my Organization, the JKLF, cannot see any other solution to the crisis in Kashmir. We think re-unification and complete independence for Jammu-Kashmir is the ONLY answer to the problem, which should be determined through the exercise of the right to self-determination. Internal autonomy; maintaining the Status quo; partitioning the state... all of this has been tried over the past 50 years... All these options have failed. I seek your support for this amicable Solution, which will not only cater to the legitimate national interests of all our neighbors, India and Pakistan, but will, as well, safeguard the rights of all our minority communities in Jammu-Kashmir."

INDIGENOUS PEOPLE

Syed Nazir Gilani of the Jammu Kashmir Council for Human Rights, speaking on the Kashmiris' right to self-determination, advised that:

"there has been a total lack of understanding of the jurisprudence of UN resolutions on Kashmir... Self-determination succeeds the right to life. India and Pakistan as member nations of the UN, as parties to the dispute and under their shared constitutional stipulations in their respective territories of control and command, have to admit the culpability on the loss

of life in Kashmir and on their non-compliance with UN resolutions on Kashmir."

The Conference opened with Theme IV (The Role of the UN in implementing its promised and just demand of peoples for Self-Determination), moderated by IHRAAM Chair, Dr. Y. N. Kly. Madame Erica Daes, who has only recently become a former Chairperson of the UN Working Group on Indigenous Populations, delivered a resume of international law and indigenous people, and the considerations surrounding the draft Declaration on the Rights of Indigenous Peoples. She advised that self-determination cannot be defined in the abstract, and that people living together in a multinational state must be willing to continuously renegotiate the terms of their relations, in a context of mutual respect.

BREAKUP OF CANADA

Her resume of the desperate Situation of the world's first peoples, and the need to recognize the depth of their ties to their lands was profound and compelling. Karen Parker, an international lawyer and chief/delegate of the International Educational Developmental/ Humanitarian Law Project at the UN, discussed in detail the nature of international humanitarian law and its application to armed conflicts in pursuit of the exercise of the right to self-determination in the context of numerous situations in southern Asia.

Prof. Ramon Nenadich, from Puerto Rico chaired Theme I (Self-Determination as a form of collective restorative justice for the malformation of many multinational states created through exercise of the now-discredited historical right to conquest and domination). Daniel Turp, Canadian MP and Bloc Quebecois Critic for

Intergovernmental Affairs, discussed the nature of self-determination as it related to the collision of Canada's Bill C-20 and Quebec's Bill 99 in the continuing confrontation between Canada and Quebec over the wording of a future Quebec referendum question related to sovereignty-association.

Ms. Suzette Bronkhurst of the Magenta Foundation discussed the historical and Contemporary Situation, both in the Netherlands and in Indonesia, of the South Moluccans in relation to self-determination and restorative justice. Attorney Musa Dan-Fodio noted that the African American struggle has gone through successive stages related to their institutionalized relations in America, from enslavement to Segregation to the civil rights period, that this struggle was continuous, and is now at the stage of searching for justice through self-determination. He introduced a video presentation to the Conference by Marquette L. Goodwine, recently enstooled as Chief of the Gullah-Geechee Nation. Ms. Goodwine outlined the long resistance of the Gullah-Geechee people to assimilation, their efforts to restore and maintain their culture, including the Gullah language, in full respect of the ways of their ancestors.

FORCED ASSIMILATION

The Right Honourable Gerald Kaufman, a member of the British Parliament, presented an analysis of Theme II (The relationship between policies of forced assimilation and racism, ethnocide and armed conflict in the context of denial of just demands for self-determination) by providing a wide-ranging analysis of how the self-determination efforts of internal peoples are resisted and defeated by states, balanced on the other

hand, by remarks on the extent to which resorting to violence has subsequently furthered demands for self-determination where other measures were not yet in place or had proved unsuccessful. Kenneth Deer, editor of *The Eastern Door*, addressed the Situation of the Mohawks in Canada, reflecting his long involvement in indigenous issues over the past 14 years, including discussions related to the ILO Convention 169 and the draft Declaration on the Rights of Indigenous Peoples.

Due to the extensive number of interventions' from the floor concerning a wide range of local situations, and the fact that two Speakers on Theme V would not be available if it were to be presented on the following day, Theme V was addressed before Theme III. UN Sub-Commission Expert Françoise Jane Hampson opened Theme V (Self-determination as a means of further democratisation of the UN and the international System).

She introduced the notion of minority rights as self-determination through structures of governance rights, and outlined the possibilities attendant on a future creation of an Assembly of Nations, to take its place in interaction with other formal UN bodies such as the General Assembly and Security Council.

ELITES RUING WORLD

Prof. Mehdi Imberesh of Al Fateh University and former Libyan Ambassador to Germany, Iran, and at present to Turkmenistan, spoke passionately on how the world should examine the fact that it is elites, who are themselves minorities, who are running its affairs, since the peoples abrogate their democratic powers by surrendering them to representatives who by that very fact fail to adequately address their

interests and needs. Theme V was moderated by Dr. Joseph Wronka, author of Human Rights and Social Policy in the 21 st Century.

REPARATIONS FOR AFRICANS

The last Speaker on Theme V, Dr. Hans Koechler, Head of the Philosophy Dept. at the University of Innsbruck, Austria, and Director of the International Progress Organization, addressed the Conference the next morning. His scholarly analysis of the UN's conception and early development, rooted in the policy aims of Allied Powers, was greeted with great interest, as was his outline of means of potential UN reform with a view to its further democratization.

The Conference then returned to Theme III (Self-Determination through Minority Rights, Internal Autonomy or Secession). It was opened by Mme. Ragnhild Ny stad, Vice-President of the Saami Parliament, with the Saami flag emblazoned on the Conference screen beside her. Ms. Nystad discussed the relation' of governmental structures to the Saami people, who are dispersed throughout Norway, Denmark and Sweden. Dr. Robert Brock of the African" American Self-Determination Committee, made an impassioned plea for reparations for the African American national minority, as did his wife, Mickey. Joseph v. Komlossy, Vice President of the Federal Union of European Nationalities, discussed how effectively minority rights had been instituted in Hungary where 13 cultural minorities enjoy autonomy, a System which has proved very successful towards the development of all groups..

Conference attendees then adjourned to their choice of one of the four prototype Workshops, based on the Situation of the

Kashmiris, Native Americans, African Americans and the Dalits of India. Workshop moderators (S.N. Gilani, Rudy James, Dr. Farid I. Muhammad and Dr. Laxmi Berwa, respectively) then presented their reports in*the closing plenary, which was chaired by Dr. Y. N. Kly. Numerous unscheduled interventions from the floor were made throughout the Conference, adding to its interest, depth and breadth, such as those provided by the Kashmiris, Tamils, Irish, Dalits, and indigenous peoples. For example, the Conference received a Petition and Diplomatic Protest from the Kuiu Thlingit Nation and the United Native Nations protesting the current attempt of the state of Alaska to permanent "Quiet Title" to submerged lands in the Alexander Archipelago.

DALIT PERSCUCTION IN INDIA

Dr. Laxmi Berwa advised the Conference of the need to institute a UNDP Human Rights Development mechanism to prevent all kinds of oppression against Dalits in India. The Irish 32 County Sovereignty Movement called for the Secretary-General and the UN Human Rights High Commissioner, to intervene in the Visa denial of its members by the USA and allow it to pursue its peaceful challenge at the UN.

George Reid, who gave the opening address, delivered an eloquent closing summation as well, reviewing the outcome of the Conference and suggesting future courses of action. Reid- reiterated that self-determination is an ongoing process, and the effort to achieve it will not stop until true freedom is achieved.

Introducing the resolutions to the Conference, Barrister Majid Trambo, Executive Director, ICHR, stated that there has been