



Asia

Emma Eastwood and Farah Mihlar

Central Asia

A common factor seen across all of Muslim-majority Central Asian countries is the continuous human rights violations of religious minorities. Christians in particular appear to suffer persecution, and in some cases violence, across almost every state. Christian preachers have faced arrest, detention and deportation, and church activities in some countries have been made illegal.

However, as most of these countries support the Western 'war on terror', governments have also come down harshly on the rising trend of Islamic extremism/militancy. Uzbekistan and Kyrgyzstan have seen government-led crackdowns on Islamic groups which, in some instances, have made little distinction between radicals and moderates.

There also appears to be a strong tendency to emphasize national identity in some of the Central Asian countries. This nationalistic trend manifests in promoting national language and dress, as in the case of Turkmenistan. Such situations tend to marginalize ethnic minorities and put them in very disadvantageous positions, as also seen with the Uzbek community in Kazakhstan, Tajikistan and Kyrgyzstan. Conversely, in Uzbekistan dominance of the Uzbek language effectively bars many ethnic Tajiks from entry into higher education and public employment. Ethnic Russian emigration from the region is rife and the teaching of the Russian language is being phased out in Kazakhstan.

In terms of the security situation in the region, undoubtedly Afghanistan stands out as one of the most dangerous countries. Violence has increased in Afghanistan, putting ethnic and religious minorities under threat. Generally the human rights record of most Central Asian states remains poor, despite constitutional guarantees. Uzbekistan in particular will be remembered for the 2005 Andijan massacre, where government troops attacked innocent civilians during a political protest. Two years on the country has ignored international calls for an independent investigation and remains one of the region's main human rights violators.

Afghanistan

The year 2007 has reportedly been the most violent year in Afghanistan since the 2001 US-led invasion. Media reports quoted an internal UN mid-year review as saying that incidents of violence in 2007 were higher than the previous year, which, since the

invasion, had so far been the country's most violent one. According to the UN report there were 525 security incidents every month during the first half of the year, up from an average of 425 incidents per month in 2006. These violent incidents range from attacks by the Taliban and other militant groups to bombings and abductions.

The Institute of War and Peace Reporting in 2007 stated that, while international attention is mostly focused on the south of Afghanistan, in the northern parts of the country warlords use violence and intimidation to maintain their hold on civilians. It quoted human rights groups as saying that the government did not seem capable of resisting the power of the commanders, who constantly engaged in brutal assaults and abductions. There is limited information on the ethnic and religious affiliations of the victims of violence and human rights abuses in Afghanistan. However, based on the country's past record, it can be concluded that minorities are significantly affected by the violence, particularly in situations of anarchy where warlords/militia leaders are in control.

Limited reports indicate that ethnic tensions are also on the rise in volatile parts of the country. In mid-2007, several people were killed and hundreds displaced over clashes between nomadic Pashtun Kochis and Hazara settlers of Behsood District in Afghanistan's central Wardak province. The clashes were over access to pastures. In July a UN-brokered ceasefire was signed between the two groups, demanding that Kochis temporarily withdraw from the areas; but even UN officials warned that the agreement was a short-term solution.

Antagonism towards ethnic groups in Afghanistan exists at the highest political level, as was evident in the threats directed at the country's independent Human Rights Commission by parliamentarians. In September 2007, MPs in the lower house of parliament voted to restrict the Commission's autonomy, accusing the body of 'political and ethnic bias'. Amanullah Paiman, an Afghan MP, was quoted by the UN IRIN news agency as saying that the Commission repeatedly deviated from its mandate by favouring sectarian and political groups. The Commission leadership has however warned that Afghanistan would be in breach of its international commitment to human rights if the

MPs got their way. The fate of the Commission now lies in the hands of the upper house of parliament and the president.

A report released by the Afghan Human Rights Commission in August 2007 on economic and social rights showed that a large majority of the Afghan population suffered from glaring rights violations, including lacking the basics, such as the right to food, water, education and health. Minorities were included in the survey, although the findings were not ethnically disaggregated. The main finding that was specific to ethnicity was that 17 per cent of people who said they felt left out of development projects attributed it to their ethnic or tribal origin.

Kazakhstan

Despite President Nazarbayev regularly making public statements highlighting and praising the country's tradition of inter-ethnic and interfaith tolerance, Kazakhstan legislation renders it compulsory for all religious communities to register and the activities of unregistered religious organizations are banned.

In June 2007, 12 homes were forcibly demolished in a Hare Krishna community near Almaty and a Baptist pastor was jailed for three days in March for leading an unregistered congregation. A state crackdown on Baptist and Pentecostal Christians was described by police as 'the fight against terrorism and religious groups without registration'.

In April 2007 Kazakhstan's religious minorities expressed deep concern about a Justice Ministry booklet entitled *How Not to Fall Under the Influence of Religious Sects*. The Kazakhstan International Bureau of Human Rights and the Rule of Law said that the booklet provides 'the moral, or more accurately immoral, basis for officials to justify their negative attitudes towards non-traditional religions'. Among the booklet's claims is that 'transferring to other religious faiths represents treason to one's country and faith'.

Although the Russian language is deemed 'equal' to Kazakh under the constitution, legislation and programmes of 'Kazakhization' since 2001 are increasing the use of the Kazakh language as the main language of government. This is proving to be an obstacle to access to education and employment in the civil service for a large part of the Russian minority population.

Kyrgyzstan

Kyrgyzstan's Constitution prohibits discrimination based on religion or religious beliefs and provides for the separation of religion and state, yet Islam, which is the most widely held faith, is exerting a growing influence. According to the Institute of War and Peace Reporting, the human rights ombudsman, who is a devout Muslim, has openly declared that restoring religious values to public life will make for a more ethical society.

At the same time, Kyrgyzstan is part of the West's anti-terrorism coalition and is under pressure to maintain a close rein on militant Islamic groups. There is strong opposition to anything resembling extremism because of the recent history of instability in southern Kyrgyzstan and adjoining parts of the Fergana Valley. In a proposed state clampdown on radical religious groups, the director of the State Agency for Religious Affairs announced in July 2007 that his agency is drafting five laws that will tighten restrictions on religious activity.

In its August 2007 report, the Committee on the Elimination of Racial Discrimination (CERD) expressed concern for ethnic Uyghurs and Uzbeks, who, the Committee alleges, were forcibly returned to their countries of origin after seeking refugee status or asylum in Kyrgyzstan. Regarding the clashes that had taken place in February 2006 between Kyrgyz and Dungan communities living in Iskra, CERD recommended that the government brought those responsible to justice, provide compensation to the families that had been forced to leave, and that measures be adopted to promote dialogue and understanding between the two communities.

Language issues are prominent in Kyrgyzstan. The Kyrgyz authorities still refuse to acknowledge any increased use of or status for the Uzbek language, even with Uzbeks now surpassing Russians as the country's largest minority. Despite being used in some official areas, the Uzbek language does not have any official status, even in the Batken, Osh and Jalal-Abad provinces where the minority is concentrated, and this has indirectly led to the continued under-representation and even absence of Uzbeks employed in government offices. Demonstrations calling for an official status for the language and for some kind of proportional representation of Uzbeks in state administration in the southern

provinces occurred in 2006, and property owned by prominent Uzbeks was seized in 2007.

Tajikistan

The situation of religious minorities is relatively better in Tajikistan than in some of its neighbouring countries. While religious groups must register, there are no reports of denial of registration of religious minorities, and Tajikistan permits the formation of political parties of a religious character, something no other country in the region permits. However Tajik lawmakers may be set to reverse this trend: a new draft religion law introduced in January 2006 and in the process of domestic review, was due to be sent to parliament in late 2007. The law on Freedom of Conscience, on Religious Associations and Other [Religious] Organizations would replace the current law on religion and add restrictions, such as increasing to 400 the number of petition signatures required to form a religious association; prohibiting religious education in private houses; prohibiting proselytizing; prohibiting religious associations from participating in political activities; and prohibiting political parties from having a religion-based ideology (which would effectively disallow the Islamic Renaissance Party of Tajikistan, a political party with two members in the lower house of the national parliament). In June 2007 representatives of 22 minority religious groups signed an open letter to the president and parliament expressing concern that the draft law would effectively outlaw minority religious groups in the country.

There is on the part of the government of Tajikistan, and the population at large, a significant fear of Islamic fundamentalism and this has led the former to ban one group, Hizb ut-Tahrir, though most outside observers describe it as a non-violent organization. Most of its activists who have been imprisoned since 2000 are members of the Uzbek minority.

There were reports in 2007 that the government had begun a 'transmigration' programme to bring Tajiks into strategic areas traditionally inhabited by members of the Uzbek minority. Tajik authorities started resettling some 1,000 Tajik families in November 2006 to a western region mainly populated by Uzbeks. Observers and members of the Uzbek minority claim that central authorities are trying to dilute the Uzbek percentage in a key industrial area. This raises issues of discrimination in relation to land rights and usage, among others.

The lack of educational materials in Uzbek, the increasing obstacles to Uzbek-medium education and even moves by authorities to convert schools which use Uzbek as medium of instruction into Tajik-medium schools continue to be issues that concern this minority, as does their near total exclusion from the higher echelons of political life and public administration. There is no provision for the use of Uzbek or other minority languages between state authorities and the public. All these raise issues of exclusion and discrimination against this minority.

Turkmenistan

Hopes that Turkmenistan's human rights record would improve after the demise last year of the country's autocratic president of 21 years, Saparmurat Niyazov, did not materialize in 2007. Local activists claim that emphasis on Turkmen national identity and persecution of minority religious groups persisted through 2007. Turkmenistan's 15 per cent minority population, including Kazakhs, Russians and Uzbeks, face wide-ranging discrimination from authorities – including being forced to study in Turkmen language, adopt Turkmen national clothing – thus marginalizing minorities and indirectly forcing them to give up their own ethnic roots.

Turkmenistan also has a worrying record of persecuting religious minorities. In September and October 2007, four prisoners of conscience were released on amnesty. A senior Islamic religious head, Nazrullah ibn Ibadullah, who was serving a 22-year sentence on publicly unknown charges, was among a group of prisoners released on presidential amnesty. Despite these releases, according to Forum 18, a Norwegian human rights organization working on issues of religious freedom, a 49-year-old Baptist pastor Vyacheslav Kalataevsky remains in police custody, amidst growing concerns he may be deported. According to the Forum 18 news site another Baptist pastor arrested with Kalataevsky, Russian citizen Yevgeny Potolov, was expelled from Turkmenistan in early July. Several Jehovah's Witness followers have also been given prison sentences in Turkmenistan for refusing military service on grounds of religious conscience.

In May 2007 the UN High Commissioner for Human Rights visited Turkmenistan as part of a visit to Central Asia with the aim of setting up a regional office there. During the visit she welcomed

Turkmenistan's ratification of the main human rights instruments and the submission of reports to treaty bodies, including the one monitoring racism. She welcomed educational reform initiatives in Turkmenistan and encouraged the government to engage in political, civil, social and cultural data aggregation to ensure that human rights in these areas are better protected.

Uzbekistan

Two years after Uzbekistan earned the wrath of the international community for massacring innocent protesters in an uprising in Andijan, the Uzbek government under President Islam Karimov continues its poor human rights record. The government's reputation for intolerance of political dissent and religious freedom showed little signs of change through 2007. Ahead of a European Union (EU) review of sanctions against the Uzbek government, international and local human rights groups urged Europe not to remove sanctions imposed against the government, citing continuous human rights violations, including torture, intimidation of human rights activists and persecution of minorities. A petition to the EU signed by journalists and human rights activists stated that the Uzbek government, in its crackdown on Islamic extremists, makes no distinction between such groups and the vast majority of Muslims. According to the petition, thousands of innocent Muslims languish in prison, facing long sentences and torture.

But in October 2007 the EU eased sanctions on Uzbekistan, primarily to suspend for six months the block visa ban on eight top Uzbek officials. The decision was heavily criticized by several local and international groups, which accused the EU of letting the Uzbek government off too easily for past crimes and for continuing violations, mainly the practice of torture. In November the UN Committee on Torture, in a report on Uzbekistan, said widespread torture was prevalent in the country.

According to Forum 18, a total ban on activities of Protestants in north-west Uzbekistan remains, while Christians in other parts of the country face severe persecution, including in some instances children being made to denounce their religion. In October 2007 the Uzbek police put out a nationwide 'wanted' announcement for a Pentecostal Christian. When Forum 18 inquired why there was a

search for him it was said that a police officer had accused him of breaking the law by gathering people at his home for religious activities.

In north-west Uzbekistan 20 Protestant congregations and Jehovah's Witness congregations have arbitrarily been refused registration, Forum 18 reported. Under Uzbek law, unregistered religious activities are considered illegal and liable for prosecution. In August 2007 two members of the Peace Protestant Church in Nukus were fined a year's average earnings because they were unregistered.

Uzbekistan is also known to discriminate against ethnic minorities such as the Tajiks. Some Tajik cultural centres continue to have their registration rejected by authorities. There are complaints that books and other publications from Tajikistan are not allowed into the country. This ties in with complaints on the shortage of textbooks in Tajik, and with claims of discrimination in access to university-level education as the entrance tests are exclusively in Uzbek. For Tajiks, the continuing low level of recognition of the Tajik language – despite their now constituting the country's largest minority – means that many parents opt not to enter their children in Tajik-language schools, as they know that access to higher education and public employment will more likely be denied to them because of their non-Uzbek associations.

The term of Islam Karimov constitutionally ended in January 2007 but at the time of writing there has been no official announcement of an election. There is strong speculation regarding a possible December election. It is unclear if the current president, who is constitutionally in his last term of office, may manoeuvre parliament to enable him to run for an additional term. The International Crisis Group has warned that President Karimov's departure may lead to a violent power struggle.

South Asia

Political turmoil, return to conflict, and natural disasters defined most of 2007 for South Asia, and minorities were particularly affected. Nepal's much heralded peace process began to crack as the main protagonist, the Maoist rebels pulled out of the government. Sri Lanka's peace process was completely undermined throughout 2007 as the country slid back into war. In both countries ethnic minorities continued to be marginalized and affected by increased violence. Both Pakistan and Bangladesh

were hit by political chaos and worsening security situations. The two countries were expected to face polls in 2007 but, after weeks of violent protest, Pakistan finally announced that the polls would take place in January 2008. The Bangladeshi interim government has said that elections will be held at the end of 2008, but no dates have been fixed.

Minority communities in the region were also affected by a series of natural disasters that swept across at least four of the seven countries in South Asia. Persistent rains caused devastating floods across Bangladesh, India, Nepal and Pakistan. Aid agencies made desperate calls for funds and relief as the death toll and displacement caused by the flooding began to escalate. Bangladesh in particular was devastated by cyclone Sidr, which hit the country in November leaving a trail of death and displacement affecting millions.

In Nepal's Terai region, only in September did flood waters begin to recede after three months of torrential rain. The Nepali government said 185 people were killed in the flooding and landslides that followed. Nearly 600,000 people were affected. A joint flood assessment report by UNICEF, the World Food Programme and Save the Children Alliance said the biggest impact of the floods was on livelihood and housing. The report also said the worst affected were minority communities such as Dalits, Madhesis, Tharu, Janjati and Muslims. Aid took longer to reach these communities, because they live in the poorest most underprivileged areas. Also, as a result of their general poor economic conditions, they found it much harder to cope financially with the rising cost of living.

In Pakistan, ethnic minority areas were severely affected by heavy rains and flash floods. The UN's humanitarian news site reported that, by the end of June, 300 people had been killed and 2.5 million affected by the floods. The UN Humanitarian Office said 800,000 houses had been destroyed in Pakistan. According to Save the Children Fund, in Baluchistan, the populous ethnic Baluchi province, some 200,000 people were in need of assistance, and in Sindh province, home to ethnic Sindhis, some 800 villages were submerged in water, displacing over 100,000 people. A month after the disaster, a report by the country's independent Rural Development Policy Institute said that 35 per cent of people in Baluchistan and 55 per cent in Sindh remained without basic shelter.

In India, the National Campaign on Dalit Human Rights reported that minority, low-caste Dalits were most affected by the floods in Bihar, which was the state worst hit by the rains. In its initial assessment report, the human rights group said that in the 51 villages they visited in Bihar, 80 per cent of those affected were Dalits. According to the report, aid was not reaching the Dalits and whatever they had access to was scant. Some 2,253 people lost their lives across India and 14 million were affected by the floods. In Bangladesh earlier in the year the country's national media reported that 40 out of 60 districts were impacted by flooding that killed more than a 100 people. But by November cyclone Sidr had, according to the Bangladeshi government, claimed 3,033 lives and affected some 6.7 million people.

Bangladesh

What should have been an election year in Bangladesh was marred by violence and a clamp-down on political opponents. During the course of the year, Bangladesh's care-taker government took stringent action against opposition leaders. Two former prime ministers and some 45 political leaders are amongst those detained on various charges, chief amongst them corruption.

Human rights violations have shown a rise in Bangladesh through the year. The European Union (EU) and the US have both shown concern about the situation in the country. Though the violence had no particular minority dimension, minorities were amongst those affected in the rising wave of human rights violations. In May, Amnesty International expressed grave concern over reports of alleged torture and death in custody following the imposition of emergency in early 2007. In March 2007, a leader of the Garo indigenous community, Richil, reportedly died in custody following torture carried out by military personnel, Amnesty said. The Garo community live in Modhupur and, since 2003, have been opposing the construction of a national park in their traditional homeland. The Garo community is also predominantly Christian.

Violence and discrimination against religious and ethnic minorities continued through 2007 a US government report on religious freedom said. The report, released in September, said Hindu, Christian and Buddhist minorities experienced discrimination and on occasion violence. It also



Climate change in Bangladesh

U-Sa-Chi-Master (pictured above), 53, is a fisherman from the Bay of Bengal. He is the head of Kansai Na Pyo Roa, one of the few minority Rakhain villages in the south of Bangladesh. His community is already experiencing the dramatic effects of climate change.

'As a child I used to walk along with members of my village to the sea shore and it was a 3-mile track through dense forest of weed and coconut tree, passing a Second World War, British military camp site. Now, after 40 to 45 years, I can hear the sound of the waves from the verandah of my house; the sea is just 400 metres from here. My family had water-buffaloes and they used to graze on the wetland, but now there are fewer of those animals as the grazing land is lost under the waves.

'There were three sand dunes on that now-submerged land, where we used to take refuge if there was a sea-surge. But now there is only one man-made embankment to protect us and nobody knows when it will disappear into the sea. The tides are higher now by the day.

'The weather has changed a lot. I have been fishing in the sea since I was 20 and we used to

wait for the rainy season for the best catch. It used to rain heavily in the first phase of the rainy season but that has changed. Now the fishermen have to go farther from the shore to catch fish as the sea has become shallow near the coast-line: it is dangerous, with the chances of sea-surge, so I stopped fishing and rented out my boat and nets.

'My ancestors moved from the Arakan state of Myanmar (Burma) on boats a few hundred years back and settled here. It was a pristine beach then, with dense forest, but now it is populated densely. My community has lost much of its land over the time and our number has also fallen over the years, and we are struggling to keep our heritage alive in this place.

'I respect the scientists as they are wise and there must be truth in their words. I know very little about all this climate change or global warming, and few in my community understand it well. But we are already facing the true nature of these changes. I don't know where my grandson will grow up if this land is lost. Those who are doing this to nature, they need to think of the future of their own children.'

Interview by Abdullah Al Muyid

Photo by Abdullah Al Muyid

said that members of the Ahmaddiya Islamic sect faced harassment, and protesters demanded that they be declared non-Muslims.

Compared to most other countries in the region, the impact of natural disasters in 2007 was of added significance to Bangladesh because the country has been identified as under threat from climate change. According to environment experts 11 per cent of low-lying land, home to some 140 million people, may be permanently under water in the future due to rising sea levels. In Bangladesh too, minority and indigenous groups often face the biggest impact of natural disasters while aid and assistance to these groups is often too limited.

In late 2007, southern Bangladesh was ripped by cyclone Sidr, which impacted millions of people. Two weeks after the cyclone hit, while international and local aid agencies were struggling to get relief to those most in need, information on affected minorities and tribal groups was scarce. According to Bangladesh's Disaster Management Information Centre, two indigenous communities, the Munda and Mahato, in Sundarban area and the Rakhain community in Patuakhali were affected by the cyclone. The centre said that livelihoods had been badly damaged. Despite the Bangladeshi government, and local and international NGOs working in the area, two weeks into the disaster there was no proper assessment of how badly the minority and indigenous communities were affected and whether aid was reaching them properly. The Khulna and Barisal districts affected by Sidr are also areas that have a high concentration of minority Hindus.

India

During its 60th year of independence, India was slammed by the UN for failing to prevent caste discrimination. In March 2007 the UN Committee on the Elimination of Racial Discrimination (CERD) strongly criticized India for its treatment of its 165 million lower-caste Dalits. CERD accused India of widespread abuses against Dalits, saying they faced discrimination in housing, schooling and public positions. In a report released in New York, CERD said that Dalits, also known as 'untouchables', were made to work in degrading conditions. The UN report followed a resolution in the European Union (EU) Parliament in February, which found Indian legal protection of Dalits 'grossly inadequate'.

Violence against Dalits continued through 2007. According to the Dalit Freedom Network (DFN), every year 10,000 cases of violence against Dalits, ranging from attacks and rape to killings, are recorded. In August rioting broke out in Haryana province after a Dalit boy was gunned down by three unidentified gunmen. The World Organization against Torture, a coalition of international NGOs fighting against torture, in October issued a statement calling for urgent action against the harassment of Dalits in Kolathur, a village in Tamil Nadu. The villagers have been attempting to speak out against the health and economic impact of an illegally located aqua-farm in their village. In Bhilvara district in Rajasthan, a Dalit man was murdered because he refused to withdraw a case against a person from a dominant caste for the rape of his wife, DFN said.

But 2007 also saw some significant political victories for the Dalits. In India's biggest state, Uttar Pradesh, Mayawati, who heads the Dalit Bahujan Samaj Party and is a Dalit herself, was elected Chief Minister for the fourth time. But this year's victory had added significance as her party gained a majority in the province without the support of bigger political groups. In January K.G. Balakrishnan, a Dalit, was appointed as Chief Justice to head the country's judiciary.

Like low-caste Dalits, India's tribal Adivasis also face issues of discrimination and inhuman treatment. November 2007 saw nationwide outrage sparked as the media reported that an Adivasi woman was stripped in public and assaulted during a demonstration in Guwahati in Assam. Adivasis had been protesting in Assam, calling for constitutional recognition as a 'scheduled tribe', which would give them greater legal status.

Religious minorities, mainly Muslims and Christians, in majority Hindu India, were also victims of violence and persecution in 2007. In May thousands of Christians took to the streets of India's capital New Delhi, calling on the government to stop violence against the religious minority. The DFN reported on its website that some 4,000 people had been arrested by police and temporarily detained during the protest.

Muslim minority groups in September launched protests against the government for its failure to implement recommendations of the Sachhar Committee report. The report, released in 2006,

recognized the discrimination against minorities and called for a series of government measures to bring an end to it. In May explosions in a mosque, Mecca Masjid, in Hyderabad, killed 11 people. Police fired live ammunition and shot and killed five people in subsequent rioting that broke out in the city in protest against the government's failure to protect minority places of worship.

Another major concern for minority groups has been the adoption of anti-conversion laws in four Indian states. In October the state of Himachal Pradesh became the fourth to usher in 'anti-conversion' laws. The controversial Act requires any person wishing to convert to another religion to give prior notice of at least 30 days to district authorities. The laws are expected to largely affect non-Hindu religious minorities.

One major victory for minorities came from India's southern state of Tamil Nadu, which in September announced a 3.5 per cent quota for backward classes of Muslims and Christians in government and educational institutions.

Nepal

Prospects for peace in Nepal received a blow in September 2007 when the Maoists quit the government amidst looming threats of a return to conflict. In 2006 the Nepali government had entered into a peace agreement with the Maoists, ending years of conflict. In November 2007 the media reported on Maoists' warnings that they could take up arms again if the government did not meet their demand to scrap the country's monarchy.

Throughout 2007, Nepal was crippled by strikes and violent protests by ethnic groups, mainly the Madhesis, in the south of the country. Madhesis are amongst the poorest in Nepal and have faced years of marginalization and human rights violations. They are demanding greater representation in the peace process, guarantees of proportional representation and a federalist form of government. Strike action initiated by Madhesi groups shut down schools and businesses and crippled large areas of southern Nepal through most of April and May. In May, 27 people were killed when one such protest turned violent. In August 2007, the Nepal Red Cross Society said the strikes were hampering the distribution of aid to flood victims in the south.

Also in August, the Nepali government announced it had reached a crucial peace agreement

with one of the major Madhesi groups, the Madhesi People's Rights Forum. The deal aimed at granting Madhesis more autonomy and expanded their political and economic rights. Smaller Madhesi groups, however, dissociated themselves from the agreement, claiming it was signed only by one group. These groups also accused the government of failing to grant their main demands – for electoral reform and federalism – and accused the ruling party of attempting to divide and rule. Some Madhesi groups have also been accused of engaging in incidents of violence and human rights violations, including killings and abductions.

According to local human rights groups, violence between the Pahade and Madhesi ethnic groups left at least 18 people killed and more than 4,000 displaced between September and October 2007. In early September two little-known ethnic militant groups – the Terai Army and the Nepal People's Army – claimed responsibility for a bomb blast in the volatile Terai region that killed four people and injured 30. In May the Terai Army also claimed responsibility for a series of bombings that injured 14 people in Rautahat.

Nepal's low-caste Dalits, who have faced years of structural discrimination, were also seen to be mobilizing themselves politically through most of the year. Dalits, like Madhesis, are clamouring for a bigger role in the constitution-making process. The country's new constitution is expected to be drafted by a Constituent Assembly. In July 2007, over 20 Dalit leaders were arrested for protesting against a government policy to allocate 6 per cent of the 497 seats in the Assembly to Dalits. The protest came a month after the first-ever National Citizen's Assembly of Dalits in Kathmandu, where more than 2,000 Dalit activists voted to demand one-fifth of the Assembly seats for Dalits. They also agreed to launch a campaign to convince the government to agree to the demand.

On 7 August 2007, the government and the Nepali Federation of Indigenous Nationalities (NEFIN) signed a 20-point agreement that included ensuring the participation of all the listed ethnic communities in the elections for the Constituent Assembly.

Despite the rising violence and worsening security conditions, Nepal's Prime Minister Girija Prasad Koirala in mid-September assured ethnic minority and indigenous groups that he would hold polls as scheduled in November to elect the Constitutional



Left: Tamil children in IDP camp, eastern Sri Lanka

Sri Lanka

In *State of the World's Minorities 2007*, Farah Mihar reported from Sri Lanka on that country's resurgent civil war and its impact on minorities. Here, she gives a first-hand account of how the crisis has deepened over the past 12 months

April 28, 2007, was a glorious day for Sri Lanka as the cricket-loving nation prepared to watch their national team play in the finals of the sport's biggest prize – the World Cup. Successive victories in the run-up to the finals had lifted the islanders' spirits, previously weighed down by rising violence following the collapse of a five-year ceasefire that had ended two decades of bloody conflict between the government and Tamil Tiger militants.

Late that night, as the match got under way in the Caribbean, the roads were deserted and people stayed home, glued to their radios and TVs. But just past midnight, as the game was at a turning point, a sudden power cut plunged the entire capital Colombo into darkness. Since the Tamil Tigers had conducted their first ever air-raid on the capital a month before, such blanket power cuts meant that key government targets were being shielded in darkness.

Fifteen minutes or so later, a massive blast rocked Colombo, quickly followed by a second. Within minutes anti-aircraft guns at key spots on Colombo's skyline began incessantly firing into the air. It was deafening yet constant, and lit up the night sky with red flares. On the streets, soldiers fired into the air, ensuring that a terrified public stayed indoors. The Sri Lankan capital had never been terrorized in this manner in more than 25 years of ethnic conflict. The Tiger planes that had bombed a military installation just outside Colombo returned safely to their jungle base in the north of the country. Over an hour later, after what seemed a never-ending night, the power supply was restored and televisions were switched on in time for Sri Lankans to see their team lose the match.

Return to war

But 2007 was marked by other, different, victories in Sri Lanka as the country plunged further into war. In August 2007 the government celebrated a major victory in its 'war on terror' – the capture from rebel control of the entire eastern province, which is part of the 'homeland' the Tigers want for ethnic minority Tamils.

But it came at a heavy human cost – some 3,500 deaths since April 2006 and close to 290,000 displaced.

Continuous military checkpoints and road-blocks greet anyone entering the newly captured areas of the eastern province. The main town in the east, Batticaloa, is highly militarized. Tamil militants belonging to the 'Karuna group', a splinter group of the Tamil Tigers now working with the government, are seen openly carrying their weapons amidst civilians. Their offices stand adjacent to government military sites.

The displaced

A little distance from the main town, we approached a sea of white tents. Displaced families, some with four or five children, live packed into each tent. Water and food were scarce. People related stories of how they got there, leaving their homes at the dead of night as army shells rained down on them. At a distance, explosions could still be heard, followed by mild vibration of the ground. Families spoke of their fear of returning. But even as we were interviewing them the government, responding to mounting international criticism over the high numbers of displaced, had begun repatriation plans. In June 2007, a fact-finding mission by a group of local NGOs, including the Centre for Policy Alternatives and the Law and Society Trust, found evidence that, contrary to international law, in some cases the return of displaced people to their homes was forced.

Human rights abuses

While the country grappled with a humanitarian crisis throughout 2007, human rights violations were accelerating. A majority of the victims of human rights abuses have been ethnic minority Tamils and Muslims. In June 2007, the government used anti-terror laws to evict close to 376 Tamils who were living in temporary accommodation in the capital city Colombo. The next day, the country's highest court ruled that the eviction was unlawful and the Tamils were allowed to return. The government has also liberally used tough new anti-terror laws to arrest and detain Tamils. Cordon-and-search operations and checkpoints are a constant occurrence, especially in the capital.

Throughout 2007, extra-judicial killings, abductions and disappearances have been on the rise. According to local human rights groups, some 662 people were killed in the first eight months of 2007, of whom a majority were Tamils. Only a few cases of abductions and disappearances are reported, but available statistics show 540 disappearances in the same period. International and local NGOs have blamed soaring human rights violations on multiple perpetrators – chiefly the government, but also the Tigers and other Tamil militant groups. In some cases, as in recent child conscription, the UN has accused the government of colluding with the Karuna group.

Muslims

The country's ethnic Muslims have not been spared. Earlier in the year, Muslim businessmen, because of their influential economic position and their minority status, were the targets of abduction and extortion in the urban city centres. In the conflict zone Muslims continue to be harassed, intimidated and extorted from, mainly by the Karuna faction. Muslims were among the 22,000 displaced in fighting between government forces and the Tigers, which had shifted to the north-west of the country. A vast majority of the displaced are Tamils.

Mrs Careem, a Muslim school principal, whose displacement we reported on last year, has returned to her home in Muttur in eastern Sri Lanka. Her family, however, faces severe economic difficulties because a Tamil family they did business with has been barred from returning to the town. A military high security zone in Sampur, close to Muttur, has left thousands of Tamil families homeless and has affected the interdependency that communities have with each other. The government has taken over an area of 35 square miles, covering 15 villages and barring 15,000 mostly Tamil civilians from their homes. The Muslims have not escaped being affected by security issues either: 67 families of the Arafa Nagar village, close to Muttur, were given an hour to leave by the military on 10 August 2007. They have subsequently been allowed to cultivate rice but cannot stay in their village because of security concerns.

Mrs Careem's son, abducted by the Tigers, is still missing.

The Bishop of Mannar, Rayappu Joseph, who last year spoke to us about the plight of Tamils caught up in fighting in northern Sri Lanka, in a statement to mark the killing of a fellow Catholic clergyman called for an end to 'this senseless war'. Father Nicholaspilai Packiyaranjith was killed by a landmine on 26 September 2007. Six minority religious leaders have been killed in the past year.

In August 2007, John Holmes, the head of the UN's humanitarian agency, said that Sri Lanka was one of the most dangerous places in the world for aid workers. Since mid-2006, up to 30 aid workers have been killed in Sri Lanka, all of them Tamils. Tamil and Muslim journalists

are also victims of killings, attacks and threats.

By the end of 2007, the government continued to maintain its firm stance, resisting calls by local and international NGOs to allow urgent international human rights monitoring in Sri Lanka. In 2008 Sri Lanka will mark 60 years of independence. But the country enters this landmark year torn apart by war and facing a severe human rights crisis.

For more information see MRG briefing paper 'One year on: counter-terrorism sparks human rights crisis for Sri Lanka's minorities' www.minorityrights.org/?lid=4583

Assembly. However, on 5 October the Nepali government, having failed to come to an agreement with the Maoists, announced that the elections were suspended indefinitely. The Maoists had threatened to disrupt elections if an agreement was not reached with the government. Minority and indigenous groups that had strong expectations of the Constitutional Assembly elections are likely to be most affected by the suspension.

According to local and international human rights groups even during the last year – post the 2006 peace agreement – major human rights violations, including torture and abductions, prevailed. In June 2007, Human Rights Watch and the International Commission of Jurists called for the speedy implementation of a Supreme Court decision to investigate the disappearance of thousands of Nepalese during the conflict. Later in the year a local human rights group, Advocacy Forum, said that even after the peace agreement more than 1,300 Nepalese suffered torture, mostly at the hands of the country's police. According to a report by the Oneworld website, a majority of those affected by torture in Nepal are from minorities. The report quoted Nepali rights groups as saying that the Dalits have historically been victims of police brutality and torture, and their increasing public agitation in 2007 made them more vulnerable.

Pakistan

As Muslim-majority Pakistan celebrated its 60th year of independence in 2007, ethnic and religious

minorities criticized the government for failing to live up to the pledges of the nation's founding fathers to protect human rights. The All Pakistan Minority Alliance (APMA) on 11 August 2007 organized a historic mass rally to demand more religious freedom in the country. In a 30-point Charter of Demands to the government, the APMA called for adequate political representation of minorities in national and provincial legislatures, and the scrapping of laws that discriminate against religious minorities. The charter particularly referred to anti-blasphemy and Hudood laws, which put Pakistan's non-Muslim minorities under threat simply for asserting their religion.

During most of 2007, Pakistan's Christian and Hindu minority populations continued to face persecution, particularly at the hands of religious extremists. Just weeks after the charter was presented to the government, the media reported that a Christian Bishop Arif Khan and his wife were murdered in Islamabad. In the same month of August, websites promoting religious freedom and Christian news websites reported that Christians in Peshawar, the capital of the North West Frontier Province, were asked to convert to Islam or face death. Seven churches and five Christian settlements received the threatening letters. Earlier, in May, Christians in Charsadda, also in the North West Frontier Province, were given ten days to convert to Islam and warned of 'dire consequences and bomb explosions', said *Christian Today* newspaper, which

has headquarters in London with worldwide correspondents. Minority political rights were also under threat in the province. In July 2007, APMA said that 18 per cent of eligible voters belonging to minorities were left out of the new voters' list in North West Frontier Province.

Both Hindu and Christian children have also been the victims of abductions and forced conversions. In August a South Asian News Agency, ANI, reported two missing children, forcibly married and converted to Islam.

Pakistan's minority Ahmaddiya community, who profess a different version of Islam, have also historically faced severe human rights violations amidst the rising trend of Islamism in the country. In 2007 Human Rights Watch issued a statement accusing the Pakistan government of pandering to fundamentalists and violating the rights of groups such as the Ahmaddiyas. The statement said police in Lahore had supervised the demolition of a boundary wall in an Ahmaddiya graveyard. Two Islamic groups had for some time exerted pressure on the provincial authorities to bring down the wall.

Laws discriminating against minorities remained in place through 2007. In May Pakistan's National Assembly overwhelmingly rejected proposed amendments to the blasphemy laws, which were tabled by a minority Member of Parliament, saying they were 'un-Islamic'. Under the existing blasphemy laws, a person can face indefinite imprisonment or the death penalty for criticizing the Prophet of Islam, Muhammad. The reforms called for the punishment for blasphemy to be reduced to a maximum five-year prison sentence and a fine. In a special report on Pakistan the Asian Centre for Human Rights (ACHR) said that in 2007 some 25 people, of whom 16 were Christian and 9 were women, were victims of the blasphemy laws. The report also said that on 30 May 2007, Younis Masih, a Christian, was sentenced to death under the law.

In August, Pakistan's Christian National Party, in a rare legal challenge, petitioned the Supreme Court to amend a law that reserves the office of president only for Muslims. The petition said that this particular clause in the constitution violates other sections that guarantee equal rights to all citizens.

In January 2007, 13 members of the Baluchistan Provincial Assembly appealed to international human rights organizations and the UN to ask the Pakistani government to halt ongoing military operations and

stop the 'genocide' and human rights violations in the area. Following the killing of a government spokesman by the separatist group, the Balochi National Army, in Quetta, the town has come under intense military scrutiny with increased checkpoints particularly in Balochi areas, opposition MPs claimed. In the same month, media reports said police raided and arrested up to 100 people also in Quetta following the killing of a police officer. According to the AHRC report, on the morning of 30 March 2007, Pakistani soldiers cordoned off the villages of Lanju and Sagari in the Sui area, while air force jets and helicopter gunships fired at the village. Some 18 people, including women and children, were killed as a result of the indiscriminate use of force.

Ethnic tensions rose as political turmoil gripped the country through most of 2007. The sacking of the Chief Justice by President Musharraf led to weeks of violent street protests. The protests culminated in two days of carnage in the city of Karachi in May, when more than 30 people were killed and over 150 injured. Pakistan's Human Rights Commission (HRC), in a statement issued soon after the incident, accused the government, the Mohajir Quami Movement (MQM) and provincial government for being responsible for the violence. Much of the fighting reportedly took place between the MQM, which the Commission accused of supporting the government, and ethnic Pashtuns. 'The events in Karachi indicate that the government, in collusion with the MQM wants to return Karachi to a state of ethnic hostilities,' the HRC said in a statement. According to human rights groups, violence against lawyers continued in Sindh, including incidents of harassment and arrest, but no action has been taken by the central government.

As the year drew to a close Pakistan was submerged in political violence, protests and the arrest and detention of several human rights activists and opponents of the government. In November 2007 General Musharaff stepped down as head of the army but remained president. He has called for elections in January 2008.

Cross-border refugee problem

Another significant issue that affected the region was a cross-border refugee problem. Bhutan, India and Nepal were locked in the problem facing ethnic Nepalese who were born in Bhutan but were expelled or fled from there nearly two decades ago. In 1990,

more than 100,000 ethnic Nepalese, who faced severe discrimination in Bhutan, were expelled for protesting against their treatment by the state. They have since lived in impoverished conditions in Nepal. In May 2007, 80 refugees were injured and thousands attacked by Indian border guards as they attempted to cross through India to return to their birthplace in Bhutan. The refugees want to return to Bhutan as the country is heading for a transition from monarchy to democracy in 2008. The UN has said the Bhutanese refugees should be given the freedom to make an informed decision about their future.

South-East Asia

Islamic extremism has continued to have an overarching effect on the region during 2007, with government-sponsored crackdowns on militants in Muslim-minority states such as Thailand and the Philippines and continuing religious violence in Muslim-dominated countries such as Indonesia. Minorities in these states routinely experience severe curtailments of religious freedom, either by the authorities or by religious extremists acting in an atmosphere of impunity. Burma's ethnic groups continue to suffer at the hands of the authoritarian state, despite the country being the focus of the international community's attention following massive pro-democracy protests in September. Massive cultivation of oil palm – in an attempt to meet the increasing global demand for biofuels – is having a devastating effect on the territories and cultures of indigenous communities in Indonesia and Malaysia. Land grabbing and illegal logging are vastly reducing ethnic minorities' access to ancestral lands in Cambodia, Indonesia and the Philippines.

Burma (Myanmar)

The US State Department labels Burma one of the world's seven worst human rights violators, evidenced during the September 2007 bloody crackdown by the ruling military junta on pro-democracy and anti-government protesters led by Buddhist monks. Information on the involvement of ethnic minorities in the protests is hard to come by due to government restrictions on information flow out of the country. Also, ethnic minority populations are greater in rural areas and the majority of the protests took place in urban centres. However, groups such as the Karen, Karenni, Rohingya and Shan joined the protests on the

Thai–Burma border and in the city of Sittwe in Rakhine State. In an October 2007 Associated Press article Karen National Union Secretary General Mahn Sha said: 'We need to work together with the Mon, other groups, the students, to oust the [junta]. We have a common enemy and common goals.'

The UN Security Council released a formal statement on Burma in October, criticizing the military government's crackdown on pro-democracy demonstrators. It called on the ruling State Peace and Development Council (SPDC) to hold talks with opposition leaders and hasten the release of political prisoners. The international community remains divided over the treatment of Burma – France, the UK and the US proposed tougher wording in the UN Security Council statement and

continue to call for harsh sanctions, yet China and Russia successfully argued to soften the language of the statement and consistently oppose sanctions. The two countries are key supporters of the military junta and in January vetoed a US-led UN Security Council resolution calling on the military junta to end the persecution of minority and ethnic groups.

The pattern of the Burmese military has been to eliminate all opposition and take full control of ethnic areas. As part of its strategy to curb the support of ethnic insurgent armies, it targets civilians it perceives as backers of the insurgent groups.

The Burmese junta's monitoring and control of religious activity within its borders has led the US Commission on International Religious Freedom

Below: Shan men relaxing having escaped from the Burma army in 1997. Forced at gunpoint to carry munitions to the frontline, these men had been away from their homes for two months. They escaped captivity by crossing Karenni minefields. Dean Chapman/Panos Pictures

(USCIRF) to designate it in 2007 as a 'country of particular concern', a title given to states that are the most 'egregious violators' of religious freedom in the world. The report documents the Burmese junta allowing or instigating violence against religious minorities and forcefully promoting Buddhism over other religions. It notes that ethnic minority Christians and Muslims have encountered the most difficulties in recent years.



According to Refugees International, the worst Burmese military offensive in 10 years has displaced at least 27,000 people in Karen State since November 2005. There are some 130,000 Burmese refugees living in nine border camps in Thailand. Many of them have been there for up to 20 years, having risked minefields and army patrols to get there. The US Committee for Refugees calls the Karen people 'one of the most ignored groups in one of the most difficult humanitarian emergencies'.

The Tatmadaw (military of Burma) appears to be able to violate the Karen's most basic human rights with impunity. There were no reports in 2007 of government prosecution of previous incidents of rape of Karen women, nor obvious steps by the government to address widespread reports of security forces burning Karen villages.

The right to property and use of their own land by the Karen continued to be disregarded by the Burmese authorities. Surveying work on the Hat Gyi hydroelectric dam began in 2007 and, because of the settlement of Burmese troops near the site of the proposed reservoir, thousands of mainly Karen refugees fled over the border to Thailand. Karen forced labour is reported to have been used to clear the area near the dam and to build access roads to military and government camps near it.

Discrimination against the Karen remains deeply entrenched in state institutions: state education in schools in Karen areas, even where they are the majority of the population, is exclusively provided in the Burmese language, and government offices provide no access to services in Karen languages. Numerous reports continue to point out that government jobs in Karen areas appear to be increasingly the reserved domain of ethnic Burman.

The Burmese army has continued to conduct occasional raids in those ethnic Mon areas where the ceasefire has not held, and is accused of enforced labour, displacement, rape, murder and widespread land confiscation. As a result, there has been a mass exodus of Mon to Thailand. The SPDC's military presence has increased dramatically: the number of army regiments in Ye Township went from two in 2000 to ten by 2007.

In part as a result of increasing government restrictions, Médecins Sans Frontières pulled out after four years of work in Mon State. As a result, Mon resettlement sites appeared to have run out of basic medical supplies by mid-2007. Other UN and

international agencies based in Rangoon continue to have very limited access to the Mon ceasefire areas.

The Mon continue to be vastly under-represented in most state institutions, which seems to be partially due to discriminatory government policies and practices in hiring and promotion processes, which favour ethnic Burman.

In his June 2007 report, the Special Rapporteur on Contemporary Forms of Racism, Racial Discrimination, Xenophobia and Related Intolerance highlighted the case of the Rohingyas, a Muslim ethnic minority living in northern Rakhine State, western Burma. According to the report 'the Rohingyas are targeted because of their ethnicity and suffer widespread discrimination at the hands of the authorities'. Rohingyas are unable to qualify for citizenship and their freedom of movement is severely restricted because they cannot afford to pay the fee needed for official authorization to travel outside of their villages; they are also unable to access medical and educational services.

In 1993 the military government set in motion the National Convention in order to write a new constitution, yet in September 2007 the process came to an end with a written constitution still lacking. According to Human Rights Watch, some ethnic national groups that had reached ceasefire agreements with the government on the premise that the National Convention would bring about true reforms have hinted that they may resume armed conflict against the government if their basic demands are not addressed. In October the junta set up a fresh committee to draft a new constitution, a decision which the generals call their 'roadmap' to democracy according to state media. The opposition is under-represented on the new committee.

The area of Burma along the Chinese border, which once produced about 30 per cent of the country's opium, was declared opium-free in 2006 by the United Nations. Ethnic Shan and Wa groups have both been involved in eradication of poppy cultivation, although UN observers note that the area is becoming central to the production of methamphetamine and is the source of half of Asia's supply of the drug.

Cambodia

Despite a 2001 Land Law to recognize indigenous rights in Cambodia, not a single indigenous group had received title for the collective ownership of

their traditional lands by 2007. Regulations crucial to the enforcement of this legislation have still not been approved, resulting in indigenous people being particularly vulnerable to state orchestrated 'land-grabbing' strategies. Following his 2007 visit, the UN Special Representative for Human Rights in Cambodia expressed his deep concern about the practice of 'land grabbing', illegal or coercive sales, and the granting of concessions, including mining licences. It is thought that illegal logging in Cambodia has reduced the country's forest cover from 70 per cent in the early 1970s to less than 30 per cent in 2007. Announcements in 2007 of the possible construction of two dams in Cambodia on the Sesan and Srepok rivers have caused concern because of the negative impact they will have on the livelihoods of affected indigenous peoples.

The almost exclusive use of the Khmer language in all fields of public life continues to disadvantage indigenous groups and to some degree other minorities such as the Cham. In localities where the Khmer Leou are a majority, local commune councils still operate exclusively in Khmer and not local languages, making the participation of indigenous peoples who are not fluent in Khmer all but impossible. All communication with higher echelons of state administration is conducted exclusively in Khmer. The government of Cambodia announced at the end of 2006 that it would offer some form of bilingual education for indigenous students up to grade three in five of the north-east provinces, but this does not appear to have been implemented beyond a few pilot programmes. Despite numerous statements by state officials that bilingual education is one way to address the low levels of school participation of many minorities, the country's second National Education for All Plan is actually silent on the goal of education in minority languages.

Indonesia

Rising religious tension in Indonesia, the most populous Muslim-majority state in the world, was reflected in the May 2007 report of the US Commission on International Religious Freedom. The state was placed on the Commission's 'watch list' for countries that require close monitoring, highlighting the Indonesian government's inability or unwillingness to hold those responsible for religious violence to account, and the growing political power and influence of religious

extremists in Central and South Sulawesi. At least nine Protestant churches, four Ahmaddiya mosques and one Hindu temple have been closed or damaged in areas of West Java, North Sumatra, South Sulawesi and West Nusa Tenggara as a result of the influence of 'extremist' groups, which incited mobs and/or intimidated local officials in the last year, said the report.

In July 2007, 17 Christians were jailed under anti-terrorism laws for the murder of two Muslims. According to International Crisis Group, the two Muslim fishmongers were attacked in Poso, Sulawesi, in September 2006, by a mob angry at the execution in the same year of three Christians convicted of leading a group that killed hundreds of Muslims at a boarding school during inter-religious violence in Poso in 2000.

In its August 2007 report the Committee on the Elimination of Racial Discrimination (CERD) expressed concern that under Indonesian law individuals are obliged to mention their faiths on legal documents such as identity cards and birth certificates, and that those wishing either to leave the document blank or to register under one of the 'non-recognized' religions, reportedly face discrimination and harassment. CERD also noted that couples involved in interfaith marriages face great difficulties in officially registering their marriages, and that their children are not provided with birth certificates.

Oil palm development is one of the most significant new investments in Papua. The Indonesian government plans to establish up to 5 million hectares of new plantations in the state by 2012 in a drive to increase biofuel production. According to a July 2007 International Crisis Group report, these plans have raised discrimination concerns relating to indigenous property rights and deforestation in the absence of a clear legal framework for customary land rights, as well as the prospect of an influx of large numbers of non-Papuan settlers.

Environmentalists called on CERD to intervene in a mega-project being planned in Kalimantan (Borneo), which will allocate up to 1.8 million hectares (4.4 million acres) of land for oil palm plantations; they fear that the project will cause irreparable harm to indigenous people's territories and cultures. The area covers the ancestral territory of between 1 million and 1.4 million Dayak indigenous people. CERD responded by

Hmong – portrait of a persecuted people

Ethnic Hmong people belong to a highland tribe inhabiting Cambodia, southern China, Laos, Thailand and Vietnam. They arrived in Laos from south-eastern China at the turn of the nineteenth century and settled as farmers in the mountains of the north. Today, the Hmong in Laos number over 450,000 people, constitute 8 per cent of the population and are the third largest ethnic group in the country.

As the Vietnam war spread into neighbouring Laos, the Hmong became an integral part of a secret CIA-trained militia that helped to dismantle Pathet Lao (a Communist Laotian nationalist movement) supply lines. Fearing the worst when communists came into power in Laos at the end of the war, a third of the Hmong population left the country. However, some Hmong continued their armed struggle against the Pathet Lao movement, while tens of thousands of Hmong simply fled into the isolated remote mountainous jungles in order to avoid persecution and relocation camps.

Today, more than 30 years later, many of the descendants of those who fled into the jungles after the war still live in hiding in the Laotian jungle, persecuted because of their grandparents' decision to support the US army. Internally displaced and isolated, they face frequent military attacks and rarely remain in one place for longer

than three weeks. Most of them are women and children. They constantly live in desperate need of food and medical care. The Society for Threatened Peoples documents that more than 400 Hmong surrendered to the Lao military on 13 December 2006. They were put onto military trucks and driven away – their fate is still unknown in 2007.

Fearing death, torture, rape or capture, many thousand Hmong Lao have tried to escape by fleeing over the border to Thailand. In a March 2007 report to the United Nations Human Rights Council, the Society for Threatened Peoples stated that there were over 8,000 Hmong refugees in a make-shift camp in Petchabun, Thailand. Many more refugees are believed to also be in hiding in Thailand.

According to Human Rights Watch, in May 2007 senior military officers from Thailand and Laos signed the Lao–Thai Committee on Border Security agreement, allowing Thailand to send Lao Hmong asylum seekers back upon arrival. Over the next month, 194 Hmong were forcibly driven back over the border into Thailand. The Lao–Thai Committee on Border Security met once again at the beginning of September to decide the fate of the Hmong refugees at the camp in Petchabun and agreed to forcibly repatriate them to purpose-built villages outside Vientiane, the Lao capital. The UN refugee agency and other international human rights groups have not been given access to them.

Laos

About 60 per cent of the population of Laos is Theravada Buddhist – Buddhism being both encouraged and controlled by the state. It is estimated that there are more than 35,000 Evangelical Christians in Laos, most of them belonging to the minority Hmong, Khmu and other tribes. According to a March 2007 report submitted to the UN Human Rights Council by the Society for Threatened Peoples, ethnic minorities in Laos face limitations of their religious freedom. For instance, Lao Christians were arrested for sharing and spreading their beliefs among families and fellow villagers.

Already under construction, the Nam Theun 2 dam, located in the central Lao provinces of

Bolikhamzy and Khammuane, is one of the biggest and most controversial projects in the region, impacting a river system on which 130,000 people depend for their fishing and farming-based livelihoods. According to the International Rivers Network, 6,200 Lao Tai villagers have already been forced to move from their ancestral lands in order to make way for the dam's reservoir, which covers an area of 450 sq km.

Malaysia

The interplay between race and religion is a sensitive issue in Malaysia, where ethnic Malay Muslims form about 60 per cent of the population and Buddhists, Christians, Hindus and Sikhs make up the bulk of the ethnic Indian and Chinese minorities. Islam is the official state religion and people of non-Islamic faiths – about 40 per cent of the population – continue to report problems in 2007.

Friction between ethnic communities led to the filing of a lawsuit in London in August 2007 by Malaysian lawyers backed by the Hindu Rights Action Force. The suit, on behalf of Malaysia's 2 million ethnic Indians, is against the current British government and demands that the court hold the British colonial authority liable for shipping millions of Tamil-speaking South Indians to Malaya and later abandoning them without adequate safeguards for their rights. The lawyers are calling for compensation for every minority Indian in Malaysia for their 'pain, suffering, humiliation, discrimination and continuous colonization'.

In November 2007 the ethnic Indian community staged its biggest ever anti-government street protest in Kuala Lumpur, when more than 10,000 protesters faced riot police to voice complaints of racial discrimination. Ethnic Indians claim that the government's affirmative action policy in favour of majority ethnic Malays has marginalized them. The protest was politically significant ahead of the coming elections.

According to the independent news organization, The Irrawaddy, decisions in Malaysia in 2007 that effectively compelled Malaysians born as Muslims to stay Muslim have led leaders of the state's minority religions to appeal to the government to allow people to choose their faith. In her March 2007 report, the UN Special Representative on the Situation of Human Rights Defenders highlighted the case of a lawyer representing Lina Joy in the Federal Court of Malaysia. Ms Joy is a Malay

woman who has renounced her Muslim faith and embraced Christianity. The case relates to whether she can renounce Islam and have the religious affiliation on her identity card deleted. The lawyer has received death threats from an unknown group, denouncing him as a betrayer of Islam because of his involvement in the case.

According to current legislation, Orang Asli (aboriginal tribal groupings whose existence on peninsular Malaysia pre-dates the arrival of the Malay peoples and who number about 110,000) can use ancestral land as well as the timber and other resources on it. However, Malaysian state governments claim legal ownership of the land and insist that they need not pay compensation for acquiring it. Under the constitution, native customary rights must be shown to have existed before the formation of Malaysia in 1958. Most indigenous peoples do not have access to colonial or government documents demarcating their areas before this date, or such documents simply do not exist for some areas. According to a February 2007 study carried out by the Malaysia National Human Rights Commission, throughout the country Orang Asli communities are facing a bleak future marked by institutional discrimination and the greed of private enterprise. The study said loss of land, sudden eviction and paltry cash compensation has seriously injured the Orang Asli community.

Disenfranchisement from the legislative system has led some indigenous communities to take the law into their own hands. In April 2007, the Penan, a nomadic indigenous people in Sarawak, re-established a blockade to stop the logging company Samling taking over their lands. According to Survival International, the Penan have been fighting back against logging for two decades but only now are their actions having results – some of the companies are now agreeing to stop logging in the area. However the Penan need to stay vigilant as many such promises have been broken.

The Philippines

The Philippines government's 35-year confrontation with Muslim separatists on its southern islands continued in 2007, despite ongoing peace negotiations with the Moro Islamic Liberation Front (MILF) and the Moro National Liberation Front (MNLF). According to a July 2007 Human Rights Watch report, violent Islamist groups in the

Philippines have killed or injured more than 1,700 people in bombings and other attacks since 2000. President Arroyo has received significant US military support for her campaign against militants in Mindanao, and around 120,000 people have been uprooted by the fighting on the island. Government crackdowns against both the MILF and MNLF in 2007 have displaced some 40,000 civilians on the island of Jolo and 7,000 in Basilan. Some hope was held out for peace in 2008, after the signing of a demarcation agreement in November between the government and the MILF to set boundaries for a Muslim homeland.

In 2007, 10 years after the granting of a form of autonomy for the Moro in parts of Mindanao, restrictions remain on teaching in Moro languages in public schools or use of the languages as co-official or working languages of administration. Given the very large numbers of non-native Filipino-speakers and their concentration in parts of Mindanao, this language policy continues to create a very real obstacle to the full participation of Moro Muslims in the country's public and political life.

In March 2007 the UN Special Rapporteur on the situation of human rights and fundamental freedoms of indigenous people noted that the efforts deployed by the National Commission on Indigenous Peoples to promote the recognition of Certificates of Ancestral Domain continues to be under-funded, and the rate at which titles are granted every year is still very limited in relation to the number of requests. However, even land recognized as indigenous under these certificates can still be lost to development projects, since they can be pursued if a certificate of 'Free, Prior and Informed Consent' (FPIC) is obtained from indigenous peoples. A number of indigenous groups have repeatedly claimed that they have been deceived, and some individuals have been threatened and even assassinated in the pursuit of FPICs. The Rapporteur noted that more than 75 cases of extra-judicial killings of indigenous individuals have been reported by NGOs recently, many of which have not been thoroughly investigated.

Thailand

A year after the coup that overthrew Thai Prime Minister Thaksin Shinawata, armed violence has continued to plague the Muslim Malay-majority southern provinces of Kala, Narathiwat, Patanni and Songkhla. According to a July 2007 Human Rights

Watch (HRW) report, in their efforts to establish an independent Islamic state in Thailand's southern border provinces, separatist groups have killed 2,463 people in bomb attacks, shootings, assassinations, ambushes and machete attacks since January 2004 (89 per cent of victims were civilians). HRW also says that: 'Thai security forces have carried out extrajudicial killings, disappearances and arbitrary arrests of those known or suspected to be involved with separatist groups.'

Despite the continued violence, in some ways the September 2006 coup in Thailand has led to improved management of the conflict in the south. The current military-installed civilian government, headed by former army commander General Surayud Chulanont, made an historic apology to southern Muslims for past abuses and announced an end to blacklisting of suspected insurgents. However, according to a March 2007 International Crisis Group report: 'attempts to accommodate Malay Muslim identity such as the introduction of the Patani Malay dialect as an additional language in state primary schools and to promote its use in government offices have fallen flat in the absence of high-level political support'.

Vietnam

The Vietnamese government maintains far-reaching control of religious activities and organizations through the process of recognition and registration, with unregistered religious activity illegal. In its May 2007 report the US Commission on International Freedom (USCIRF) cited continued arrests of individuals because of their religious activities and severe religious freedom restrictions targeting some ethnic minority Protestants and Buddhists, Vietnamese Mennonites, Hao Hoa Buddhists, and monks and nuns associated with the Unified Buddhist Church of Vietnam. USCIRF recognized some positive religious freedom developments in Vietnam, such as releasing prominent religious prisoners. However, since Vietnam joined the World Trade Organization, positive religious freedom trends have, for the most part, stalled, and Vietnam has initiated a severe crackdown on many religious leaders.

After the fall of Saigon, Montagnard (or Degar) guerrillas continued a separatist campaign in Vietnam's Central Highlands until the early 1990s, when they disbanded, put down their arms and took up Christianity. Vietnamese authorities have declared

the form of evangelical Christianity followed by many Montagnards a political movement, not a religion, and made it illegal. According to the Montagnard Foundation, in 2007 Vietnam has continued to prevent human rights monitors from having unhindered access to the Central Highlands. Over 350 Montagnard prisoners of conscience remain in Vietnamese prisons under brutal conditions.

Minority and indigenous groups continue to be displaced from their ancestral lands in the name of development in Vietnam. In the highlands in the north, the International Rivers Network reports that close to 100,000 people belonging to 13 indigenous groups may be resettled under a programme which began in December 2005 and is expected to be completed by 2015 (1,000 families had been moved by the end of 2006) in order to make place for the Son La Hydropower Project, which is the largest dam project ever built in Vietnam.

East Asia

Minority rights are enshrined within the constitution of ethnically diverse China, and ethnic autonomy is allowed in certain regions, yet minorities are still failing to benefit from China's relentless economic development projects, which often favour the majority Han Chinese. The scanty information from North Korea continues to indicate that the state is one of the worst violators of basic human and minority rights in the world. The US Commission on International Religious Freedom (USCIRF), in its 2007 report, classifies North Korea a 'country of particular concern' and documents severe government repression of public and private religious activities. There was some improvement for indigenous peoples in Taiwan, where constitutional reforms are in progress to protect aboriginal cultural and land rights. The treatment of 'new minorities' and migrants is of increasing concern in Taiwan and South Korea, while in what is considered to be ethnically homogeneous Japan, beleaguered minorities continue to struggle for an end to years of racial discrimination.

China

As the world's 'last great multi-ethnic empire', the People's Republic of China has well over 100 million people belonging to minority nationalities, whose numbers have been increasing at a much faster rate than the Han majority. Most minorities inhabit the outlying areas of China: the north-

western plateau and desert, the north-eastern plains and hills, and the south-western remote sacred forests and mountains, where they have lived in a sustainable way for centuries. The country has unique natural resources, cultural heritage, ethnic diversity – and increasingly vulnerable ecosystems. The challenges and complexities of ruling a country that is undergoing extraordinary economic and social change, however, should not distract from the disdain the government has shown for political change, the lack of meaningful and inclusive political participation of minorities, and the intolerant attitude of the authorities towards any public criticism of its human rights record. The international community has expressed great concern over the continuing violations of Tibetans' and Uyghurs' religious rights and Mongols' cultural rights; bilateral human rights dialogues and the EU have also criticized China's human rights practices and raised issues of minority protection. Yet, despite the heightened international scrutiny of the country in the lead-up to the 2008 Olympics, the state marked the one-year countdown to the Games without having fulfilled the promise to conform to its human rights obligations.

Cracking down on ethnic minorities and the Ethnic Minorities Affairs 11th Five-year Plan

In February 2007, the State Ethnic Affairs Commission (SEAC) announced the Ethnic Minorities Affairs 11th Five-year Plan (2006–10), aimed at strengthening the protection of the cultural identity of disadvantaged ethnic minorities and bringing about positive change by investing in infrastructure development and the improvement of living standards in minority provinces. However, the plan also includes measures designed to monitor ethnic minority relations and report on 'ethnic strife' in targeted minority areas; thus, while it might foster potentially beneficial developmental reforms for some smaller ethnic groups like the Daur, the Ewenki and the Orogen, larger minority communities, such as Mongol pastoralists and farmers, harbour deep mistrust of what they perceive as Han designs for their subjugation and forced assimilation. They remain suspicious that, under the plan, the government would foster sanctioned or spontaneous 'ethnic swamping', facilitating the resettlement of dominant Han Chinese into minority areas and thereby reducing

the minorities' proportion of the population. By and large, minority groups fear that the plan will further prevent them from enjoying their rights as the government retains control over their affairs and the autonomous territories.

During 2007, the government remained very sensitive about ethnic unrest in strategic border areas and kept a tight rein on its national minorities. Freedom of religious expression and association remained highly circumscribed, with surveillance and execution of Uyghurs, persecution of Christians, and the enforcement of new rules for Tibetan Buddhists in the designation of their spiritual leader. The authorities implemented regulations restricting Muslims' religious teaching and activities, for example by confiscating for 'safekeeping' the passports of Uyghurs intending to undertake the *Hajj* (the pilgrimage to Mecca). Societal discrimination against ethnic minority women remained severe, with the government implementing a highly humiliating policy of forcible relocation of young and unmarried ethnic Uyghur women to work in factories in eastern China.

The government political slogan that advocates building a 'harmonious society', and the 'counter-terrorism' pretext, justified a crackdown on alleged ethnic 'splittism' to safeguard social stability in the Tibet Autonomous Region (TAR) and remove the causes of social tensions to ensure national security in the Xinjiang Autonomous Region (XUAR). In August, violent ethnic clashes occurred between Hui and Han in eastern Shandong, and Tibetan monks and Hui Muslims in north-western Qinghai. Such incidents, although not unknown, point at the growing level of social tension between minority communities segregated by religion and ethnicity in tightly controlled areas, while the dominant Han majority are resentful of the preferential policies favouring minority groups like the Hui, who, in turn, complain about being marginalized and discriminated against on the basis of their religion and customs. Therefore, while the new 11th Five-year Plan may contribute to lifting some ethnic groups out of poverty, it does not envisage the institutional safeguards necessary to protect minorities' traditional languages, customs, livelihoods and group values, which are increasingly threatened by the state's call for social stability, national unity and rampant economic development through a systematic process of devaluing and diluting minority nationalities' identities.

Marginalization in education and employment

Employment and education discrimination are interlinked, and while the Chinese government has made great strides in providing compulsory primary education to ethnic children, many are still marginalized, abused and exploited, forced to work long and gruelling hours for low wages at the expense of their education. China's minority nationalities therefore continued to be *de facto* discriminated against in the fields of employment, social security, use and teaching of minority languages, culture and housing. They resent the discriminatory practice that favours Mandarin-fluent Han seizing employment opportunities and taking up better-paid jobs, which results in their own exclusion and economic disempowerment. The government claims that the Employment Promotion Law (EPL, 2007), enacted to combat employment discrimination on the base of ethnicity, race, age, gender or religious beliefs, will contribute to tackling such bad practice. Yet the existing China Labour Law (1994) already contained such provisions but was not effectively enforced and, on paper, the EPL does not seem to offer any concrete measures of enforcement, penalties for employers or means for those discriminated against to seek redress and compensation. In order to improve education and preserve minority languages, the government responded with substantial financial commitment to support the education of minorities, expanding the enrolment of ethnic students into schooling, increasing the number of ethnic minority cadres, and dispatching more bilingual teachers to ethnic areas. In the past, however, achieving such targets has proved elusive; for example, measures passed in the TAR promoting literacy in Tibetan as a working language have rarely been implemented or have been withdrawn. Some minorities, such as the Shui in Guangxi, responded positively to the educational measures offered by the state, but others, like the Yi in Sichuan, have long been alienated from institutionalized education that fostered few ethnically related incentives for their participation. The reality is that minority children in China are still largely at a structural disadvantage in comparison to Han children, as, rather than instil respect for their own language, values and cultural identity, education is often used to convey a sense of inferiority in comparison to dominant Han culture and values. In this context, only limited optimism is

warranted, as the government has yet to provide institutional incentives to promote the learning and use of ethnic minority languages, and internal displacement and resettlement plans put these languages at further risk of extinction.

Environmental challenges

China's environmental challenges are daunting and, in spite of the official commitment (the ambitious National Climate Change Programme, 2007) and the comprehensive set of laws, the state has been slow to support sustainable ecological construction and environmental protection of autonomous areas inhabited by disempowered ethnic minorities. Minorities have largely been excluded from the planning and implementation of environmental regulations that would impact greatly on their lives. They have also been intimidated and silenced by local authorities that substantially curtailed any opposition to economic development programmes. Local officials have also turned a blind eye to serious environmental threats, ignored or not enforced the high targets set by the central government policies and diverted allocated protection funds to other endeavours.

In 2007 there was some progress with the adoption of the Ethnic Minorities Development Plans (EMDPs) in provinces such as Guangxi and Sichuan; the plans ensured minorities some sense of 'ownership' through consultation processes to assess the social and cultural impacts of large projects on groups inhabiting those areas, and sought ways to minimize adverse effects through the identification of appropriate mitigation measures. By contrast, other initiatives led to a host of adverse consequences in the dry northern areas and in southern grasslands and forest reserves. In north-western Ningxia, ethnic groups have accumulated great experience in checking sand erosion by means of afforestation in their struggle against desertification. But local attempts undertaken to establish communal range management systems have been challenged by large-scale digging for medicinal herbs in the grasslands, creating serious conflicts between Han and Hui. In Guizhou, having held an over-optimistic view of tourism development as a 'quick investment return', the Miao lost control over their own resources due to lack of power and capital and ended up marketing their culture. Environmental neglect, industrial pollution and massive resource extraction continued

throughout the year, leaving much of the north-west seriously degraded, which has had a major impact on the traditional livelihoods of minorities. In summer, the impact of climate change and environmental degradation on subsistence-based communities challenged the existence of minority communities in the mountainous south-western areas of Yunnan, while north-western Gansu saw the forcible relocation of hundreds of thousands of Tibetan herders. The vicious cycle of climate change and pastoral poverty affected the fragile ecosystem and livelihoods of 33 minority groups on the pastoral Qinghai Plateau in the north-west. Impoverished minority communities along the Yangtze River in Hubei, in Sichuan and Chongqing Municipality have been badly affected by floods and landslides that destroyed thousands of homes, livestock and hundreds of thousands of hectares of land. This combination of high exposure to natural disasters, increasing livestock diseases, decline of pastoral productivity and resources exploitation inhibited both minorities' and the government's capacity to take preventive measures and to protect the environment at local and provincial level. More crucially, the environmental degradation and the economic exploitation of resources has prompted not only growing political disaffection, increasing protest and social unrest, but has also paved the way to eco-conflict for Han and non-Han alike. China's grand-scale urbanization plans aggravated matters in many areas, particularly in the TAR, where the discriminatory allocation procedures to resettle and house Han Chinese meant land seizure and expropriation, as well as forced evictions and the demolition of thousands of traditional Tibetan homes and neighbourhoods, often with little or no compensation. This practice in turn is generating internal and cross-border displacement, and migration of ethnic communities. This is alarming because, if minorities do not maintain their numerical majority status in significant contiguous areas, and are not guaranteed fair representation, the government risks undermining the delivery of a workable framework of genuine autonomy as articulated in the laws. The 'great leap forward to modernization' is steadily eroding the environments, cultures and social values of China's ethnic minorities, depriving them of their traditional means of subsistence and survival. The country faces enormous challenges – water scarcity, severe soil

erosion, high rates of desertification, massive floods, and excessive levels of water and air pollution – which impose enormous burdens on China's people and jeopardize long-term progress.

Contributed by Marusca Perazzi

Japan

Minorities make up 1.5 per cent of Japan's population and include the Buraku people – a caste-like minority among ethnic Japanese. The Buraku are descendants of outcast populations from feudal days who were perceived to undertake 'polluting acts' under Buddhist and Shintoist beliefs due to their assigned social functions of slaughtering animals and executing criminals. Other minorities are the Ainu and the people of Okinawa; and people from and descendants of people from the former Japanese colonies of Korea and China. Japan has traditionally considered itself to be ethnically homogeneous yet NGOs continued to claim in 2007 that minorities face harsh discrimination and are deprived of their distinct cultures.

The UN Committee on the Elimination of Racial Discrimination (CERD) and the UN Committee on the Elimination of Discrimination Against Women (CEDAW) have previously expressed their concern at the government's lack of data on the ethnic composition of the Japanese population, and on economic and social indicators reflecting the situation of minorities. Both Committees have requested that such data be provided, disaggregated by gender and national and ethnic group, and that data on the exposure to violence of minority women should be included. CEDAW has also requested data on the education, employment, social welfare and health status of minority women. However, the Japanese government has failed to act on these requests to date.

In response, minority women took the initiative themselves, with a coalition of Ainu, Buraku and minority Korean women working together in 2003, 2004 and 2005 to draw up and implement surveys containing a common set of 41 questions covering the areas of education, employment, social welfare, health status and exposure to violence, in addition to further questions specific to the particular circumstances of each group.

In September 2007 the results of these surveys, together with proposals for policies to address the issues faced by minority women, were presented to government representatives, including the Gender

Equality Bureau, which is charged with formulating national policy on gender equality. Survey results highlighted issues such as the low levels of post-compulsory education for Ainu women, particularly those over 40 years of age; higher than average levels of reliance on public welfare among those in the Buraku community; and the importance to Korean minority women of continuing to practise traditional Korean rituals for ethnic and cultural solidarity. All groups proposed to the government the introduction of legislation prohibiting discrimination, implementation of a government survey of minority women, policies reflecting the views of minority women, ongoing consultative processes between government and minority women, facilitation of the participation of minority women in decision-making bodies, and respect for and promotion of minority culture.

Taiwan

There are 13 officially recognized indigenous peoples in Taiwan: the Ami, Atayal, Bunun, Kavalan, Paiwan, Puyuma, Rukai, Saisiyat, Tao (Yami), Taroko, Thao, Tsou and Sakizaya (the latter officially recognized as Taiwan's 13th aboriginal tribe on 17 January 2007), as well as a number of unrecognized smaller groups, some of whom continue to fight for official recognition.

The situation of Taiwan's indigenous peoples has in general been improving over the last few years. One of the main recent legal-political developments has been the drafting of a new constitution that embraces an explicit recognition of the rights of indigenous peoples. For instance, in November the Taiwan cabinet approved a bill specifying that the nation's 13 aboriginal tribes' autonomous areas should enjoy administrative status equal to that of a county, and any dispute between the autonomous regions and county governments should be referred to the cabinet for settlement. The bill still has to pass through the legislative process, however.

The Council of Indigenous Peoples (CIP) and Council of Agriculture jointly ruled in September that Atayal aborigines from the Smangus and Cinsbu sub-tribes in Hsinchu county are entitled to use natural resources within their traditional territories for cultural, ritual or personal purposes. The ruling is significant because it is the first time that aboriginal people's traditional territories have been recognized by the government.

The ruling also sheds light on the case of three aborigines from the Smangus tribe who were found guilty of theft in April 2007 for attempting to remove the trunk of a tree that fell in 2005, blocking the tribe's only connection with the outside world. The three defendants filed an appeal with the High Court, which was subsequently rejected; however their sentences were shortened from six months to three months and, according to reports in the *Taiwan Journal*, the CIP hopes that the recent ruling will persuade the court to amend its verdict to not guilty.

Taiwan Indigenous Television (TITV) was launched in July 2005 and claimed to be the first TV station in Asia fully dedicated to an indigenous population. However, in September 2007, aboriginal producers protested that most programmes broadcast on TITV are made by non-aborigines and demanded that they be given priority in producing the programmes.

Pacific

The Pacific states are some of the most ethnically diverse in the world and differing trends in minority and indigenous rights were observed throughout the region in 2007. Both Australia and New Zealand's indigenous peoples have experienced troubled relations with their governments during this period, exemplified by both states' opposition to the signing of the UN Declaration on the Rights of Indigenous Peoples. Increased migration of Chinese citizens to island states such as the Solomon Islands and Papua New Guinea is causing friction between communities, although the main threat facing the indigenous communities of the latter is Aids, with up to 120,000 people thought to be affected by the disease. Fiji, which saw a coup motivated by simmering ethnic tensions in December 2006, remained relatively calm in 2007. Coup leader, Commodore Frank Bainimarama, continues as prime minister and, despite ongoing conflict with the Great Council of Chiefs, the State of Emergency on the island was lifted in May 2007.

Environmental disasters perhaps pose the greatest threat to communities on the thousands of low-lying islands in this region. In September 2007, Solomon Islands Foreign Minister Patteson Oti said the Islands 'faced a future of more violent storms, depleted fish stocks, bleached coral reefs and even annihilation if the world fails to deal with climate change'.

Australia

A minority of around 450,000 among a population of 21 million, Australia's Aborigines continue to suffer health and lifestyle problems more common to people living in developing countries. On average, they die almost 20 years earlier than other Australians and suffer significantly higher rates of drug and alcohol abuse, unemployment and imprisonment.

The landslide victory of Labor in the general election late in 2007 may present an opportunity for improved relations between central government and the nation's indigenous communities. But for the preceding months, indigenous communities found themselves under intense scrutiny and bore the brunt of new policy-making which some declared was frankly 'racist'. The spark was a report released in June 2007 – the result of a Board of Inquiry created by the Northern Territory government to investigate allegations of sexual abuse of Aboriginal children. The report revealed that Board had found cases of abuse in each of the 45 Aboriginal communities researchers had visited. Recommendations included the improvement of education services and the appointment of a children's commissioner. Greater cooperation with the police and awareness-raising campaigns on issues such as pornography, alcohol and gambling, were also advocated. However, John Howard's government immediately deployed officials, police and army personnel to remote communities and announced that the federal government would take over the administration of Aboriginal communities in the Northern Territory for the next five years so that new laws could be strictly enforced. He also introduced extensive alcohol restrictions on Northern Territory Aboriginal land (limiting the liberty of Aborigines to purchase alcohol in some cases where white Australians and tourists are exempted from the ban) and linked welfare payments to child school attendance. The measures sparked widespread accusations by Aboriginal groups of racism and vote-scoring ahead of the November elections.

In August 2007, Indigenous Affairs Minister Mal Brough pushed a package of five bills through the House of Representatives and the Senate, sealing legislation on the statute books which rights activists say overrides the 1975 Racial Discrimination Act and gives the minister direct control of indigenous townships. Two months after the government's unprecedented intervention, the Aboriginal Legal

Rights Movement in Adelaide said that indigenous people remained suspicious that the intervention was a 'Trojan horse for the takeover of Aboriginal land'.

The government's opposition to the September 2007 signing of the United Nations Declaration on the Rights of Indigenous People, at a time when the country had become so acutely aware of the plight of Aboriginal communities, made a mockery of a supposed renewed commitment to addressing the welfare of indigenous Australians. Australia expressed dissatisfaction with references to self-determination in the Declaration and complained that it placed international customary law above national law.

In July 2007, the Queensland Supreme Court acquitted a senior police officer of manslaughter and assault charges in the death of an Aboriginal man, Mulrunji Doomadgee, in a police cell on Palm Island in 2004. The prosecution was the first such case in Queensland, and the first homicide trial conducted against a police officer for killing an indigenous person anywhere in Australia since 1983 – despite the Royal Commission into Aboriginal Deaths in Custody, which investigated the deaths of 99 Aboriginal people in police custody or prisons between 1980 and 1989.

In October 2007, the Australian National Audit Office panned the work of government departments handling indigenous affairs since the demise of the Aboriginal and Torres Strait Islander Commission. After the Commission was abolished in 2005, the federal government arranged for indigenous programmes to be delivered by mainstream government departments, but the report suggests that the approach makes life more difficult for many communities.

On a positive note, an agreement was reached between the Natural History Museum and the Tasmanian Aboriginal Centre for the return of remains removed from Tasmania in the nineteenth century during forced land clearances for European settlers. MRG presented evidence in the case at the United Kingdom's High Court in February; however the case was resolved by mediation and the remains were handed over in May to be buried in Tasmania according to Aboriginal custom.

In November 2007, after a general election landslide victory which swept John Howard from power, the centre-left Labor Party leader and prime minister elect Kevin Rudd pledged that his government would be the first in Australia to make

an early formal apology to Aborigines for the 'stolen generation' of indigenous children snatched from their parents. Earlier in the year, in a ground-breaking case, Bruce Trevorrow, an Aboriginal man taken from his family as a baby under the policy, was awarded A \$525,000 (US \$447,000) compensation. He is the first member of the 'stolen generation' to win compensation.

New Zealand

Issues attendant on reconciliation between white settlers and the Maori community continue to be examined in 2007 by the Waitangi Tribunal, which was created by an Act of the New Zealand Parliament in 1975. The findings of the tribunal are not legally binding but its recommendations are generally respected by society. The progress of land claims before the tribunal in 2007 remained typically slow.

Maori Party representatives (who hold four of the seven designated Maori seats in the Parliament of New Zealand) accuse the government of 'eroding the relationship between the Crown and Maori'. They applauded the September 2007 recommendation of the New Zealand Parliament's Justice and Electoral Committee that the 2006 Principles of the Treaty of Waitangi Deletion bill not be passed. The bill, which was supported by all parties except the Green Party and the Maori Party, proposed to wipe the words 'Treaty of Waitangi and its principles' from New Zealand's law books. The August 2007 report of the Committee on the Elimination of Racial Discrimination concluded that the New Zealand government was acting to 'diminish the importance and relevance of the Treaty and to create a context unfavourable to the rights of Maori'.

The government also sent a clear message regarding its recognition of the status of Maori and Pacific Islanders, being one of only four countries that opposed the UN Declaration on the Rights of Indigenous Peoples in September. New Zealand Prime Minister Helen Clark defended the decision not to sign, saying the Treaty of Waitangi and common law already protected New Zealand's indigenous peoples' right to lands, territories and resources they have traditionally owned or used. Maori leaders meanwhile claimed they were 'ashamed and outraged' by the decision.

In July 2007 the New Zealand Law Commission began a project to develop a legal framework for

Maori who want to manage communal resources and responsibilities. Existing legal structures in New Zealand such as trusts, companies and incorporated societies do not cater well for the cultural norms of Maori groups and the 'Waka Umanga (Maori Corporations) Act' project proposes an alternative that allows tribes to interact with the legal system. Maori leaders, however, hold out little hope that the government coalition will support the bill in its unamended form.

In October 2007, police arrested a group of Maori activists in the eastern North Island on weapons and terrorism offences, alleging that the group had been training and preparing to commit acts of terrorism within New Zealand. Although they were initially arrested under the Terrorism Suppression Act, the Solicitor General decided against charging them under this Act, describing it as 'almost impossible to apply in a coherent manner'. However, the weapons charges remain. The Maori arrested were all members of Tuhoe, a tribe that did not sign the Treaty of Waitangi and seeks to create a Tuhoe nation within New Zealand. The police have been criticized for the manner in which they carried out the raids: cordoning off whole communities, detaining, searching and photographing individuals without charge and seizing property. There has been a series of protests and calls for an inquiry into the government's conduct over the police raids. ■