

WORKING TOWARDS A BRIGHTER FUTURE

NEWSLETTER BROUGHT TO YOU BY THE SIKH HUMAN RIGHTS GROUP
NGO WITH SPECIAL CONSULTATIVE STATUS AT THE UNITED NATIONS

WHAT'S INSIDE?

INDIA: SEXUAL ASSAULT AWARENESS
MONTH

1

HOW ARTIFICIAL INTELLIGENCE IS
TRANSFORMING THE WORLD

4

STOP ANTI-ASIAN / AMERICAN AND
XENOPHOBIC HARASSMENT

5

UNITED NATIONS: SHRG'S
ATTENDANCE AT THE THIRD SESSION
OF THE EXPERT MECHANISM ON THE
RIGHT TO DEVELOPMENT (MARCH -
APRIL 2021)

6

SHRG'S INTERACTIVE PANEL
DISCUSSION ON PLURALISTIC VIEWS
OF THE ENVIRONMENT AND DIVERSITY

8

SUMMER INTERNSHIP OPPORTUNITIES

9

INDIA: SEXUAL ASSAULT AWARENESS MONTH

BY BETHAN WALTERS (LONDON OFFICE)

While COVID-19 in India is rife at the moment, it is important not to neglect prominent issues around the globe that have not gone away during the pandemic, and in fact, have gotten worse in some places. April is Sexual Assault Awareness Month, in honouring this month it is important to look at the issue of sexual assault around the globe and in particular, in India.

History of Sexual Assault Awareness Month

April 2021 marks the official 20th anniversary of Sexual Assault Awareness Month (SAAM) – but did you know we can trace its history even longer?

Even before its official declaration, SAAM was about both awareness and prevention of sexual assault, harassment, and abuse. Looking at the history of the movement to end sexual violence, it's clear why: It's impossible to prevent an issue no one knows about, and it's difficult to make people aware of a problem without providing a solution. The two work in tandem, and they always have. From the civil rights movement to the founding of the first rape crisis centres to national legislation and beyond, the roots of SAAM run deep.

Understanding 'rape culture' in Bangladesh, India, & Pakistan

The January 2021 rape and murder of a high school student in Bangladesh left the nation in shock yet again. However, this is not an isolated occurrence. Countless examples of gender-based violence (GBV) in South Asia from last year raise significant concerns about the so-called 'progress' made in improving women's standing and



fighting rape culture in the region. Political discourse in India, Pakistan, and Bangladesh is deeply misguided regarding such issues, often leading to systematic victim-blaming which—knowingly or unknowingly—helps the perpetrators. In this piece, we examine the true depth and commonality of GBV in India, Bangladesh, and Pakistan—as well as review previous steps are taken to address this issue. We then suggest policy recommendations to curtail GBV and shift societal norms away from the normalization of rape culture and the objectification of women in South Asia. While, on the surface, one may notice an increased promotion of gender empowerment in the region, we point out that a deeper analysis of the ground realities in these countries reflects an appallingly different story.

Visible trends in cases of violence against women

Many visible trends in the region perpetuate an environment of sexual violence against women and other vulnerable sections of society:

Definition of rape: The definition is largely based on a one hundred and fifty-year old colonial definition. In the case of Bangladesh, the definition narrowly covers penile

penetration to women without informed and wilful consent. This definition leaves out cases of sexual abuse of both young boys and girls, such as in some Islamic seminaries. While India's 2012 protests prompted changes to the age-old definition of rape to include harassment, stalking, and acid attacks, the implementation of measures against perpetrators has been weak and leaves out cases of marital rape. Though in Pakistan marital rape was criminalized in 2006, this is not the case in Bangladesh and India. Opposition to changes in law has been heard from several high quarters including comments by a former Indian Chief Justice who said that criminalizing marital rape will lead to *'[...] anarchy in families and our country is sustaining itself because of the family platform which upholds family values.'*

Stigma surrounding rape: The stigmatization of rape victims is a major reason for the underreporting of such cases of GBV. Victims of rape are too afraid to speak up as they believe that not only will they not get justice but they also fear facing lifelong humiliation by their families, communities, and law enforcement. Such stigma is based on intense institutional sexism and patriarchy, where the conception of honour is attached to women's bodies. This

INDIA: SEXUAL ASSAULT AWARENESS MONTH

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likely inspired the Noakhali gang-rape perpetrators to audaciously release a video of the incident on social media.

Widespread victim blaming along with hollow promises of justice by Governments: Victim blaming for rape cases is widespread in South Asia, percolating all the way up to prominent figures in media and pop culture. Ananta Jalil, a popular Bangladeshi actor, commented that the 'dress choice of women' is responsible for inviting 'unwanted sexual advances'. At the same time, the country's information minister blamed pornography for rising rape cases. Moreover, while high-level officials occasionally make strong statements condemning rapes - such as when Pakistani Prime Minister Imran Khan called for the punishment of perpetrators by castration and hanging as a deterrent, or when the Bangladeshi Government adopted the death penalty for rape critics. Bangladesh responded to the latter by arguing that such measures will not work and are merely a 'cop-out' by the government to avoid addressing systematic causes of GBV and rape culture.

Involvement of law enforcement officials and powerful groups:

Last year's Hathras gang-rape case in India saw perpetrators with political influence enjoy absolute impunity as they utilized the very institutions established to ensure justice for victims instead be used against them. The police officers involved in the case demonstrated gross insensitivity not only by failing to support the victim and her family - such as by blatantly disregarding the complaint that was lodged - but they then proceeded to burn the victim's body in gasoline after her death



in order to avoid what they claim could have culminated in 'caste riots'. This hurried cremation was likely an attempt to destroy forensic evidence that would make the case stronger against the rapists. Therefore, through the Hathras case, we can see a clear example of how law enforcement officials and political actors can and do shield and embolden perpetrators.

Role of mass media: Much of the content produced in Bollywood espouses patriarchal narratives where the plotlines regressively demonstrate women as having no agency in sexual or interpersonal relationships. They also normalize the hyper objectification of women by inserting commercially viable 'item songs', used in between a film's plotlines that portray women as lustful objects catered to the male gaze.

What does the law in India say?

One of the major gaps in rape laws in India is the failure to criminalize marital rape. Laws that explicitly allow marital rape under the law treat women as the property of their husbands and render them vulnerable to sexual violence and abuse within marriage.

The law has a wide definition of rape which includes all acts of sexual penetration, as well as acts of oral sex (without a requirement for penetration). Indian law takes

into account a broad range of coercive circumstances. Indian law presumes the absence of consent on the part of the victim in a broad range of circumstances such as rape by an individual in a position of authority, custodial rape, rape by a relative, guardian, teacher, person in a position of trust, or person in a position of control or dominance over a woman.

The law specifically provides that the previous sexual experience of the victim is not relevant in sexual violence cases. Indian law also has a specific provision prohibiting the defence from adducing evidence or asking questions in cross-examination relating to the general immoral character, or previous sexual experience, of the victim while proving consent or the quality of such consent.

What is happening?

While it might feel like we are years away from justice for women in India, there are steps being made to improve women's safety. PwC wrote an article on the steps India is taking to achieve equality for women and a country they are safe in. As society's and government's expectations of law enforcement are increasing, police departments around the world are facing greater demands to adopt new ways of operating to bolster their effectiveness. Police organisations must rapidly innovate and implement new strategies to keep citizens safe and remain a step ahead of ever-evolving criminal behaviour.

INDIA: SEXUAL ASSAULT AWARENESS MONTH

BY BETHAN WALTERS (LONDON OFFICE)



Diversity in policing: Police forces are supposed to mirror the community they serve. But in many instances, the demographics of police forces don't adequately represent the diversity of the societies in which they work. And police misconduct towards minorities remains a recurrent topic in public discussion.

Gender crime: Global estimates published by the World Health Organization (WHO) indicate that about one in three (35%) women worldwide have experienced physical or sexual violence in their lifetime. Violence against women has many causes. But in India, it can largely be attributed to gender-centred bias and inequality, coupled with a lack of opportunities for women to pursue education and a consequent lack of economic and social participation.

Some progress is being made, especially in areas such as female participation in the labour force. The WHO illustrates that today's rate of female labour force participation is indeed significantly higher now than it was three decades ago in the majority of countries globally and across all income levels. But this positive change also brings forth a pressing need to ensure the safety of women, both in the workplace and in transit to and from work. The relatively low ratio of female police officers in most police forces exacerbates this challenge. India, as noted above, has one of the lowest ratios of female police officers.

Building the future workforce: the future is female: On the scale of diversity and female representation within law enforcement, and in comparison, with the world's most equipped police organisations, India has a long way to go. But it is working hard to catch up.

Aligning local and national capability: Change needs leadership from the top and a meaningful response to these complex challenges. For the best results, it is essential to prioritise and position resources to fight crime at the local, national and international levels.



HOW ARTIFICIAL INTELLIGENCE IS TRANSFORMING THE WORLD

BY IVAN LORENCI DE FRANCISCO (GENEVA OFFICE)



Artificial intelligence, as a discipline, is not new. Born in 1956 during the Dartmouth Summer Research Project on Artificial Intelligence, it has long been present in the Western collective unconscious because of its potential dangers. Works such as Mary Shelley's *Frankenstein* or Karel Čapek's *R.U.R.* are proof of this.

Every day, artificial intelligence increases its presence in our lives. For this reason, the areas where artificial intelligence can harm the full enjoyment of human rights are increasing.

One of the methods used by this technology is deep learning. Deep learning is the analysis by machines of large amounts of data to look for patterns and give them meaning. This is why the more data the machine has, the more refined its results will be. Among its applications, it is useful to help us predict natural disasters, to relieve the work of lawyers and diagnose diseases based on images. Thus, the more data the machine has, the more refined its results will be.

This data gluttony could lead to '*data colonialism*', a term coined by the historian Yuval Noah Harari to refer to the unscrupulous collection of data by companies using artificial intelligence in countries with lax laws on the protection of personal data. This would be a kind of data mining economy, just as imperial economies extracted raw materials from their colonies.

Another problem with this technology is that the algorithms that govern artificial intelligence establish or perpetuate socio-economic, racial or gender biases. An example of this is the chatbot created by Microsoft that, after 16 hours of life interacting with Twitter users, became racist, homophobic, sexist and anti-Semitic.

For this reason, the role played by algorithm developers is key to their functioning in accordance with human rights. If these people have biases, consciously or unconsciously, they will pass them on to the machines.

Given the great advantages which artificial intelligence can bring us, we should not give up on it. However, the problems it can cause cannot be taken lightly. This is why the international community urgently needs regulation of artificial intelligence that guarantees respect for human and consumer rights.



STOP ANTI-ASIAN/AMERICAN AND XENOPHOBIC HARASSMENT

BY JENNA LANOIL (NEW YORK OFFICE)



Since the start of the COVID-19 pandemic, there has been a sharp increase in anti-Asian racism and xenophobia around the world. There have been particularly large numbers of reported harassment and hate crimes in the United States, leading to the championing of 'Stop AAPI hate'. Among these cases was the mass shooting that took place in Indianapolis this month that resulted in the deaths of four Sikh Americans. This act of extreme violence was another in a long line of events that have taken place in the past year and has left many of us wondering what we can do as individuals to stop anti-Asian hate.

In doing research on the best methods for allyship, the Hollaback! Bystander Intervention Training presented itself. Hollaback! Is an organization dedicated to stopping hate through the power of bystander intervention. For this particular training, they partnered with Asian Americans Advancing Justice (AAJC) to put together this one-hour free training for anyone looking to feel more empowered to do their part for victims of harassment.

The training focuses on the use and implementation of the '5 D's': Distract, Delegate, Delay, Direct, Document. The program delves into how with caution, bystanders can have the power to intervene and potentially stop situations that could lead to harassment and potentially violence for Asian people. The goal of this training as stated by the organizers is 'not to be a hero, but to show up for your fellow human beings.' With proper training, assessment of our surroundings, and the power of knowledge we can all act together to end AAPI hate.

To find out more and to book your FREE training please visit:

www.ihollaback.org



UNITED NATIONS: THIRD SESSION OF THE EXPERT MECHANISM ON THE RIGHT TO DEVELOPMENT (MARCH - APRIL 2021)

BY CARLOS ARBUTHNOTT (LONDON OFFICE)



Sikh Human Rights Groups Oral Intervention at the United Nations Re: The Realization of the Right to Development in Achieving the United Nations Sustainable Development Goals (SDGs) - Thematic study by the Expert Mechanism on the Right to Development (A/HRC/EMRTD/3/CRP.1)

We whole heartedly agree with the Expert Mechanisms findings that the right of persons and peoples to *'participate in and contribute to'* their development is a defining feature of the Right to Development and is fundamental to its operationalization.

We also agree that all laws, policies and practices designed to realise the SDGs **MUST** be designed and implemented with the participation and the contribution of the right holders.

Therefore and turning to environmental considerations, we would like to respectfully remind the international community that almost all cultures, civilizations and community belief systems have some concept of the human relationship with the environment based on a deep understanding, reverence and experience. In fact some civilizations have environmental concepts that date back to over 6000 years ago.

However, what has occurred amongst prominent environmental organisations and agencies is the gradual marginalisation of the wisdoms that cultures and community belief systems carry about human relationships with nature and which were embedded in traditions, customs, festivals and outlooks.

Therefore, it is submitted that it is only when people rediscover the reverence for nature, biodiversity, and other life forms in their own way, through their own customs, beliefs and cultures that our global population will act with greater passion for the protection of our environment, take ownership of their development and move away from what is currently found under the prevailing utilitarian, legalistic and rationalistic approach.

SHRGs affiliate, the Centre in Indigenous Knowledge Systems in South Africa, has vast experience in this field. Therefore, we will be willing to offer expertise to assist with the recognition and proactive human rights based inclusion policies for indigenous communities. Particularly, when it comes to achieving the SDGs.

UNITED NATIONS: THIRD SESSION OF THE EXPERT MECHANISM ON THE RIGHT TO DEVELOPMENT (MARCH - APRIL 2021)



Sikh Human Rights Groups Oral Intervention at the United Nations Re: Racism, Racial Discrimination and the Right to Development - Synopsis of the ongoing study of the Expert Mechanism on the Right to Development (A/HRC/EMRTD/3/CRP.2)

Since gaining UN ECOSOC Special Consultative Status in 2015, SHRG has pushed for their proposal for a United Nations Declaration on Diversity and an Annual United Nations Diversity Day.

The United Nations and the world community has made great strides in reducing discriminations of various kinds, such as race, gender, disability, lifestyles, belief, Biodiversity etc... These have been achieved through the many Conventions, such as ICCPR, ICERD, Convention on the Elimination of all Forms of Discrimination Against Women and more. Various UN institutions such as OHCHR, UNICEF, UNESCO, UN Women work hard to reduce discrimination. Discrimination however persists.

The Declaration will promote many of the sentiments of the Durban Declaration and bring together proposals for positive programmes to strengthen the rights approach to ending discrimination. Those States who sign up to this Declaration on Diversity will adopt positive programmes of bringing greater awareness of diversity, of promoting inclusion within State and non- State institutions and encourage society to be comfortable with diversity so that people do not feel marginalised or discriminated against.

The Declaration

The Declaration will encourage States to bring attention to the programmes they have adopted to positively make its population comfortable with diversity to the UN. The world community can work together to further take forward the work of its many agencies in the field of Diversity.

Diversity Day

A Diversity Day will be an annual commitment by States to show case the diversity models they have adopted and an annual celebration of Diversity in all its forms. SHRG believe that such a Declaration will take some years, however, a way of gaining momentum, at a time when this is needed more than ever, you are invited to join SHRG. Hear our suggestion and work together to end discrimination through a twin process of law and positive programmes.

THE OCEANS ARE RISING AND SO ARE WE

**PLEASE WATCH SIKH HUMAN
RIGHTS GROUPS AND CARDIFF
UNIVERSITIES:**

**INTERACTIVE PANEL DISCUSSION
ON PLURALISTIC VIEWS OF THE
ENVIRONMENT AND DIVERSITY
HELD ON 28 APRIL 2021**

WWW.SHARG.NET/VIDEOS





Summer Internship Opportunity

OVERVIEW

- The Sikh Human Rights Group (SHRG) is offering 2 – 4 students and recent graduates the opportunity to gain remote practical experience with SHRGs work.
- Perfect if you study politics, law, international relations or journalism. However, we will of course consider applications from students from other relevant academic disciplines.

During your internship you will be:

- Representing the SHRG at virtual United Nations events. You will be taking notes and potentially speaking at the United Nations.
- Writing reports on human rights violations and writing articles for our newsletters and our newspaper Lokmarg.
- Writing press releases and conducting research on matters of importance. For instance, the military coup in Myanmar, the Uighur crisis in Xinjiang (China) and the ongoing Farmers Protests in India.

HOW TO JOIN US

To be considered for our summer internship, you must meet the following requirements:

- Be enrolled in an undergraduate, graduate or PhD programme.
- Be proficient in written and spoken English (a second language such as French, Spanish or Punjabi would be an advantage but it is not a requirement).
- Have a proven track record of academic excellence.
- Be at least 18 years old.

WHAT WE OFFER IN RETURN

- The SHRGs Summer internship programme offers a unique opportunity to learn about the workings of the international human rights system and the functioning of a human rights NGO.
- A summer internship will increase your understanding of current human rights issues at the international, regional and national levels.
- It will also enable you to develop your skills and competencies for future employment in a wide variety of sectors.
- Last but not least, as a SHRG summer intern you can expect to be part of a vibrant and cheerful team that will go above and beyond to ensure that you feel welcome and that you have an enjoyable experience with us.

HOW TO APPLY

To begin the application process please send an expression of interest email to: admin@shrg.net

We will be sending applications out from the 4th of May 2021 and we aim to close the application window on the 1st of June 2021.

Editor: Mr Carlos Arbuthnott

(Human Rights Officer and Project Coordinator)



1. Background

On the 29th January 2021, a consortium of more than 20 Heads of African Higher Education and autonomous Research institutions from Francophone, Anglophone, and Lusophone African countries, signed a Memorandum of Understanding (MoU) to establish a UNESCO Category II African Institute in Indigenous Knowledge Systems (AIKS), with its hub as the University of KwaZulu-Natal, South Africa. The vision of AIKS is to become an African Indigenous Knowledge (AIKS) Hub for the Advancement of African Scholarship and Restoration of African Dignity. Its mission is to promote and support the contribution of African Indigenous Knowledge Systems in the global pool of knowledge for epistemic justice. It facilitates the integration of holism, complementarity and multi-disciplinary nature of the IKS-Based Knowledge Lifecycle (in terms of knowledge production, management, preservation and protection) into diverse social practices and disciplines of competence.

The consortium:

- provides a cross-cultural, multi-linguistic and international platform for research, human capital development, knowledge brokerage, networking and community engagement;
- brings together postgraduate students, researchers, early career knowledge workers and managers from across disciplines, cultures and regions, including the public and private sectors, involved in African Indigenous Knowledge Systems (AIKS) for implementation of Sustainable Development Goals (SDGs);
- promotes the use of ICTs in harnessing African indigenous languages and philosophies as repositories of knowledge, innovation and technology systems in research and scholarship;
- contributes to systematization of AIKS as a knowledge domain in its own merit to generate unique products, services and impacts for uptake by public and private sectors, including, international organizations and development agencies;
- advances a new paradigm shift on importance of complementarity and democracy of knowledge systems in the global knowledge economy in the search for sustainable solutions to global challenges and epistemic justice.

The Institute recognizes that in an increasingly digitalized world, where the plurality of knowledge systems is being afforded greater recognition, there is a growing demand for young professionals who have the capabilities to interface ICTs with Indigenous Knowledge Systems (IKS). It is on the basis of this consideration that the AIKS consortium would like to invite postgraduate students and early career knowledge workers and managers to participate and integrate their ICT knowledge and skills in the activities of its continental and international activities.

2. Activities for Postgraduate Students and Early Career Knowledge Workers and Managers in Information and Communication Technologies for IKS Development

- Digital Arts and Animation for Education, Communication, Marketing and Networking;
- IKS-based Databases: Big Data Management and Sovereignty
- Natural language processing (developing indigenous language glossaries across cultures, social practices and disciplines of competence as metadata for online processing of language content, automatic linguistic processing and machine translation),
- Communication and marketing tools (digital content management, social media platforms and forums),
- Software and application development (Events management, Learning management systems, E-Commerce System),
- Network and partnerships development (virtual and physical networking engagement platform),

3. Who Should Apply?

- Postgraduates Students with IT qualifications (MA, MSocSci, MSc, PhD);
- Proficiency in digital software programmes e.g. Adobe Creative suite;
- Knowledge practitioners involved in production, preservation and promotion of knowledge;
- Preference would be given to candidates not more than 35 years of age; female;
- Added advantage would include prior experience working with local communities

4. Requisite Application Documents:

- Curriculum Vitae reflecting your academic background and work experience;
- Recommendation Letter from mentor at host institution;
- Portfolio of evidence with prior digitization outputs and experience

5. Deadline for Applications:

- 14 May 2021 by 12:00 (midday) Central African Time (CAT)
- Completed online application form <https://forms.gle/uGM9skcZz7qLQ7FDA> and requisite attachments

6. Contact:

For any further enquiries, you may contact:

Dr Ronald Tombe: ronaldtombe@kisiiversity.ac.ke

Dr Mayashree Chinsamy: chinsamym@ukzn.ac.za