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**Annual report of the United Nations High Commissioner
for Human Rights and reports of the Office of the
High Commissioner and the Secretary-General**

Written statement* submitted by Sikh Human Rights Group, a non-governmental organization in special consultative status

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

[27 January 2025]

* Issued as received, in the language of submission only.



Reflecting Multilateralism and Pluralism in Implementing Human Rights

The current Human Rights have mostly emerged from western civilisation and their implementation also follow a cultural interpretation that sometimes causes difficulties to apply in diverse cultures. While human rights are considered universal, their interpretations and implementation often have cultural nuances that need to be integrated in the broader comprehension of human rights, their observance and finally their compliance by States and other bodies particularly in view of the emerging multilateralism and pluralism.

Currently the focus of human rights is mainly individual rights. Many cultures and civilisations around the world place emphasis on family, community and cultural traditions that do not put individual rights in a hierarchy but each complimenting the other and considered in context of others.

There are also cultural practices and traditions that are part of some communities that are often mis represented, misunderstood or misappropriated within current body of rights and thus affected.

In 2024, the Sikh Human Rights Group supported the position by Governments of Colombia and the Plurinational State of Bolivia that the coca plant is part of the culture of the people of Andes and other indigenous people in South America and should not be banned on the basis of substance of addiction in other parts of the world.

The 1961 Convention on Narcotic Drugs fails to balance the rights of indigenous people as a 'people' to their culture and millennia of religious, cultural medicinal practices with the obligation on States to ensure Right to Health as derived from Article 25 of UDHR and Article 12 of International Covenant on Economic Social and Cultural Rights, 'The States Parties to the present Covenant recognize the right of everyone to the enjoyment of the highest attainable standard of physical and mental health.' Further instruments on right to health are listed in the OHCHR Fact Sheet, Rights to Health.

Clearly here there are two perspectives on rights and responsibilities here. The ICESCR obliges on States to ensure everyone enjoys highest standards of health and therefore free from drugs, States came together with the Convention on Narcotic Drugs that prohibited growing drugs categorised as 'narcotics'. However this universal decision affected the lifestyles of some communities, particularly the indigenous communities in South America.. They grow them and take them with responsibility. But this is not the only human right that needs to be nuanced in its implementation and understanding.

The categorisation of India's Dharma systems as religion and limiting their scope and rights within the human right of freedom of religion is an issue of misappropriation and thus confining a different civilisation to the dualist foundations of Occidental civilisation.

The United Nations is a body representing the entire world. It is its purpose to bring together cultures, civilisations and Peoples. It should not be its purpose to redefine and reconstruct civilisations to a new normative.

Dharmic systems are generally non dualist. They don't neatly divide into the secular and the religious. Their concepts look at existence in totality. Metaphysics, science, governance, social relations, responsibilities and duties as well as observance of meditation and prayers are all intertwined. This non dualist perspective seems amiss cognitive understanding in treaties, their interpretations and implementations.

The categorisation of people in a simple and binary system has also affected the Sikh community in many countries. Sikhs generally do not cut their hair. Men and some women wear turbans to keep the hair in place. It is also part of the Sikh identity and way of life. Many Sikhs who wear turban are not necessarily religious in the sense that Occidental civilisation interprets religion.

However by categorising Sikhs as a religious community, the practice of wearing turban is curtailed in some countries that interpret the States right to curtail manifestation of 'religion' in some cases in accordance with article 18.3 of the 1966 ICCPR

'Freedom to manifest one's religion or beliefs may be subject only to such limitations as are prescribed by law and are necessary to protect public safety, order, health, or morals or the fundamental rights and freedoms of others'

This Occidentalist position has put Sikhs in some countries at a disadvantage, particularly as Sikhs themselves do not see their worldview in a dualist secular and religion binaries. The issue of the Sikhs was resolved in the Durban World Conference Against Racism. Para 67 of the Durban Declaration clearly states

"We recognise that members of certain groups with a distinct cultural identity face barriers arising from a complex interplay of ethnic, religious and other factors as well as their traditions and customs and call upon States to ensure that measures, policies and programmes aimed at eradicating racism, racial discrimination, xenophobia and related intolerances address the barriers that this interplay of factors creates"

But while Para 67 is in the Durban Declaration, there is lack of appropriate language and cognition within human rights treaties to interpret it and integrate it within the language. Hence its implementation has become an obstacle. Again the conflict has arisen because interpretations and implementation of human rights at the United Nations appear to be universalised on the basis of occidental civilisation.

In the changing world of multilateralism and pluralism the interpretation and implementation of human rights instruments need to reflect the diversity and plurality of the cultures, worldviews and people of the world. It is requested that a committee be established to research, explore and make the relevant adjustments within the human rights treaties

The United Nation needs to be representative of the People of the world, which also means understanding and absorbing the plurality that makes the human race so diverse.
