

**Address to Advocates of the Indian Supreme Court\***  
**New Delhi, India**  
**21 February 2015**

**(\*) The actual meeting involved an extensive discussion about what we can do, and the presentation itself was less formal and more comprehensive,**

Namaste. It is always good to speak with you. I hope that in the future, and especially in light of tonight's address, we can do so more frequently.

The first phase of our struggle has come to a successful close here in India. For decades, the biggest problem for the Bangladeshi Hindus is that few people knew of their plight or wanted to talk about it publicly, which told the Bangladeshi government that they could do what they wanted to do with impunity. They knew that stopping the atrocities came with a political cost, so why should they risk it if there was no cost to inaction.

That has changed, as it has become part of mainstream discussion. While in the past, people often faced catcalls of "communal" or "anti-Islam" if they spoke up about the matter, their sting has largely faded and all but a few of the catcalls have, too. Even your Prime Minister Narendra Modi has said that Bangladeshi Hindu refugees are welcome in India without feeling constrained to say that his call applied to all refugees regardless of their faith. That was important because it recognized that this is a specific problem that should not be buried beneath a load of qualifiers and political correctness. (His call was much like Israeli Prime Minister Binyamin Netanyahu's to the Jews of Europe.)

In the United States, while it has not become exactly mainstream yet, there is more talk about it, certainly in the NRI community and among many members of the US Congress and Senate.

So, I want to ask this august group and your other legal colleagues to take this effort to Phase Two and initiate specific action that will harass any Bangladeshi government that allows these things to continue. And we will frustrate the heck out of them by doing everything legally, properly, and without strong language or negative emotion. Let's start with something specific (having a focus is much better than a scattershot approach).

In Gopalganj District, Upzila of Dhaka, ten Hindus have been languishing in jail since November 2013, charged with the capital offense of murder. On the previous 14 October, several local people stopped a Muslim who was trying to destroy a Hindu deity and abusing women. As a result of their defense, the individual died. Several days later, district police arrested eleven Hindus—contrast that with the inaction and years of dissembling when Hindus are attacked. There seemed to be no rationale to their arrest or any specific evidence tying any of those specific individuals to the man's death.

You'll notice I said eleven; one has died in custody with no explanation or investigation.

Local advocates refused to take their case so the families traveled to Dhaka to ask our colleague and friend, Advocate Rabindra Ghosh, if he would take it. Being the professional he is, as well as the foremost advocate for Hindus in Bangladesh, he accepted. When he went to speak with his clients in Gopalganj, however, he was denied access to them. He tried petitioning the court and was beaten in the court in front of the magistrate—who allowed it to continue.

He petitioned Bangladesh's High Court for a change of venue, on the basis of his clients' inability to get a fair trial in Gopalganj. The court refused, and the poor defendants have been in custody since, facing God knows what deprivations. All attempts to get them bail have been denied, and they and their families are facing continuous pressure to drop their cases for justice—something evidently not guaranteed to Hindus in Bangladesh.

Recently, the International Commission of Jurists, a European based group, demanded that the Bangladeshi government take “long overdue” action on Advocate Ghosh's beating. They also note that there has been a total breakdown in the rule of law in Bangladesh, which is a foundation of civil society; and that is what led me to think of this group.

I am asking that Indian advocates use their professional ties, legal expertise, and their commitment to the rule of law; and use this case as the “wedge issue” for an all-out offense to stop the murder of Bangladesh's Hindus—everything legal, everything professional, everything on the side of right. (A wedge issue is one that allows us to place a “wedge” that opens the previously slammed tight door to, in this case, justice.

This group is far more knowledgeable than I am about the methods and resources in your possession. I might suggest generally:

- Start an international petition for jurists and attorneys worldwide to demand Bangladesh take that “long overdue” action on Advocate Ghosh's beating and on securing due process for his clients.
- There might also be some attempt to understand if these arrests were collective punishment and the process contrary to legal standards—and what action might be taken if it was.

- Raise the issue formally with every international legal organization to which you belong.
- Start an awareness raising campaign among your colleagues in India and internationally.
- Are there certain benefits or donations that Bangladesh receives for which they are not qualified if they do not maintain the rule of law, deny citizens due process, or allow their Advocates to be beaten in their courts?
- Get the press involved on this matter of law.

I know there are more. I also know that Rabindra Ghosh and Rajesh Gogna are in regular contact, so you can validate and verify the specific facts you need.

Use this issue to point out how egregiously Bangladesh violates the rights of its people. Gather others, including the most well-respected legal minds and jurists to your cause. For instance, if you do this, involve me and I will consult the highly respected jurists I know in the US and elsewhere.

And—this could be the most important part—we do not let up no matter what. We do not just drop an email and then wait. We push again and again and again. Things are that serious.

Success here is only the beginning; from there we can address the government's egregious lack of action for decades on anti-Hindu crimes. Again, work with me.

And now I will take questions.