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## Sikh's detention reveals flaws in Afghan justice, nation's religious intolerance

By Ernesto Londoño

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Among the throngs of inmates in downtown Kabul's prison trying to prove they are not thieves or insurgents is a soft-spoken Sikh man with piercing black eyes. He is being held on a highly unusual charge: falsely claiming Afghan citizenship.

Baljit Singh, 23, says he was born in Afghanistan but that his family fled religious persecution when he was 5. He returned to his native country on July 6, 2010, aboard a British chartered plane transporting Afghan deportees, and he has been locked up ever since by authorities who say he isn't Afghan.

Singh's ordeal offers a disturbing glimpse into the type of religious intolerance that has made Afghan Sikhs a vanishing segment of society. His case also casts a condemning light on a justice system that could take on significantly more responsibility as the United States [transitions authority in Afghanistan](#) to the government of President Hamid Karzai.

Promoting religious tolerance was one of the goals that the United States and its allies set in Afghanistan after the Taliban government was toppled a decade ago. But religious minorities, who make up about 1 percent of the population, are still routinely ostracized here.

“I’ll go anywhere,” Singh said in a recent interview at the cramped Kabul detention center. “Just not this country, where they can put innocent people in prison for a year and a half.”

Sikhs, who follow a monotheistic religion founded in the 15th century, once constituted a large, prosperous part of Afghan society. In recent decades, as the country has become more religiously conservative, they have been harassed and disparaged as statue-worshipping infidels. They have moved en masse to India and other countries, and community leaders say there are now no more than a few hundred or at best a few thousand Sikhs left in Afghanistan.

Life for Sikhs there has become [especially hard in recent years](#), according to community leader Awtar Singh, a former lawmaker. Thousands had their property stolen during the civil wars of the 1990s. Job prospects are bleak outside of Sikh enclaves. And the government refuses to let Sikhs open cremation facilities, barring them from following an important religious tradition.

“The living conditions are getting hard for Hindus and Sikhs in Afghanistan,” said Awtar Singh, who is not related to the detainee. “The remaining people who can afford to do so want to go to India.”

### **A family in exile**

Amid ferocious battles among various Afghan militant factions in the mid-1990s, Singh’s mother and stepfather left their home in Jalalabad, in eastern Afghanistan, and moved to Pakistan. The family spent the first few years of exile in Pakistan, Bahrain and Egypt, he said.

When Singh was in his late teens, they were smuggled into Austria, where the family applied for asylum. Feeling restless because the claim was taking a long time to handle, Singh said he traveled to Britain, hoping that the asylum process there would be easier and quicker. He turned himself over to immigration officials hours after entering the country in January 2007, he said.

During the three years Singh spent in Britain waiting for his case to be processed, he worked menial jobs and became engaged to a British woman. He said lawyers who handled his asylum case made procedural mistakes that led to his deportation. A letter from the U.K. Border Agency informing Singh of his impending removal says his case was turned down because evidence supporting the claim had been submitted in a form that “did not comply with the instructions.”

When Singh arrived in Afghanistan in July 2010, along with dozens of other deportees, Afghan authorities took notice of the type of turban he was wearing — which is different from the ones worn by Afghan Muslims — and took him into custody. The other men were released.

Rahmatullah Nazari, a deputy attorney general, said investigators detained Singh because they were not convinced that he was Afghan.

“When people go overseas to get asylum, they are told to say they are Afghan just so they can get asylum quickly,” Nazari said in an interview. “We weren’t able to find anyone here who knows him.”

Nazari said the government plans to keep Singh in custody until the British government takes him back or another nation certifies that he is its citizen.

A spokesman for the British Embassy in Kabul said the government does not generally discuss specific cases, but he suggested that British officials do not doubt Singh is Afghan.

“Individuals are only returned to a country when there is substantial evidence that it is their country of origin,” the spokesman said in an e-mailed statement. “If it subsequently becomes apparent that it is not, we are committed to returning them to the U.K. or their correct country of origin.”

### **‘They started beating me up’**

[Kimberley Motley](#), an American lawyer who represents Singh, said the British government failed to get him an Afghan passport or other travel document that ascertained his nationality, as is customary in deportation cases.

Singh said he was mistreated almost immediately after his arrival in Afghanistan. One day, fellow inmates forcibly removed his turban and demanded that he convert to Islam by uttering a few phrases. Singh said he appealed to prison guards for help.

“They started beating me up,” he recalled in an interview. “I was so shocked. They were supposed to be protecting me, but instead they beat me.”

Under duress, Singh said, he nominally converted to Islam, which prompted fellow inmates to hoist him on their shoulders and parade him around the facility.

Nazari, the deputy attorney general, said he had seen no evidence to substantiate Singh’s allegations of mistreatment. He said non-Muslims in Afghan custody routinely convert to Islam, hoping to get leniency.

“These foreigners think if they convert to Islam, they will be forgiven,” he said.

Motley, the lawyer, said Singh’s best shot at freedom is finding a country that will accept him as a refugee, although so far none has stepped forward.

“Unless he has a plane ticket and someone willing to help him, the Afghans have made it clear they are not going to let him go,” Motley said.