

## Women's and girls' enjoyment of human rights in humanitarian situations

### Q1. Information on the enjoyment of human rights by women and girls in humanitarian situations

1. In recent decades, humanitarian emergencies, armed conflicts, natural disasters, and very recently the COVID-19 pandemic have blighted the lives of millions. Serious violations of international humanitarian and human rights law are common in such situations. Women and children are often the most vulnerable and the ones most disproportionately affected. The Adi-Shaivite<sup>1</sup> Minority Tradition (hence referred to as "ASMT") in India, one amongst the 550 Adivasi (indigenous) tribes<sup>2</sup>, 3000 Jatis (castes/indigenous communities), and 25000 Upjatis (sub-castes)<sup>3</sup> of India that has faced several such humanitarian crises wherein the human rights of women and girls of the community have been affected.

#### (a) Right to life (UDHR Art. 3)

2. In such humanitarian situations, such as armed conflict, the right to life is adversely affected and especially for women and girls. The anti-Hindu culture of political violence in India is not new<sup>4</sup> and creates similar circumstances. In March 2010, more than 50 ASMT temples and monasteries were attacked, set on fire, and shut down by DK/DMK<sup>5</sup> and Neo-Hindutva<sup>6</sup> militants<sup>7</sup> in India in the State of Tamil Nadu and Karnataka. **3 March 2010, Salem**, a female monk was violently assaulted and raped by militants, causing her acute spinal injuries. **4 March 2010, Rasipuram**, an old-aged female devotee was locked inside her thatched house which was then set on fire<sup>8</sup> by DK/DMK militants. In all these situations the police declined to rescue the victims or register any formal complaint and rather aided the violence<sup>9</sup>. In June 2012, neo-Hindutva militants attacked the Bengaluru monastery and gang-raped<sup>10</sup> Ma Nithya Jnanatmananda Swami. Militants sexually and physically assaulted several other Hindu nuns<sup>11</sup>. On **8 Jun 2012**, the police arrested 35 in total. This included 10 attackers and 25 monks<sup>12</sup> of which 10 were women and nuns<sup>13</sup> who were denied protection by the police despite being victims of rape and sexual assault, and were rather arrested.

#### (b) Right to be free from discrimination (UDHR Art. 2)

3. **28 Oct 2015**, an ASMT female monk was molested and escaped an attempted rape by a DK/DMK militant.<sup>14</sup> The police officer refused to register a complaint on discriminatory grounds saying "O! You *Nithyananda people*." (referring to the ASMT). Such discrimination was observed during general settings. During humanitarian settings like armed militant attacks, and complex political settings like the 2010 and 2012 attacks this discrimination was exacerbated, and the police victimized the victims and even arrested the victims as already explained in the previous section. The same pattern was repeated during the militant mob attack of 2019 explained in the subsequent section.

#### (c) Right to education (UDHR Art. 26)

4. In several attacks made on the ASMT monastery during 2010, 2012, 2013, and 2019 the traditional schools (Gurukuls) imparting education inside the monastery had to be shut. The Karnataka State Government was either unable to or unwilling to curtail these attacks and on the contrary, chose to vexatiously prosecute the victims. **17**

<sup>1</sup> <http://www.wisdomlib.org/definition/adishaiva>

<sup>2</sup> <https://www.jagranjosh.com/general-knowledge/schedule-tribes-in-india-1448689214-1>

<sup>3</sup> <https://edition.cnn.com/2001/WORLD/asiapcf/south/08/17/india.caste/>

<sup>4</sup> <https://www.dailypioneer.com/2021/columnists/the-culture-of-political-violence-in-india-is-not-new.html>

<sup>5</sup> Terrorist organizations – Dravidar Kazhagam (DK) and the Dravida Munnetra Kazhagam (DMK) engage in various criminal activities such as assault (["Memories of a Violent Movement led by Periyar"](#), *Times of India*), especially for carrying Hindu religious symbols (["Attacks fuel Brahmin fears"](#), *Telegraph India*). The DK/DMK have several criminal cases pending against them such as on 9 May 2007 (["Tamil Nadu: 466 Candidates Have Criminal Cases Against Them; DMK Tops Chart"](#), *News18*) terrorists of DK/DMK burnt three people alive (["3 people killed in Dinakaran attack"](#)) with all 17 accused being acquitted by the court (*Special Correspondent*, 10 December 2009, ["All acquitted in Dinakaran case"](#), *The Hindu*).

<sup>6</sup> <https://southasia.ucla.edu/social-life/numerous-articles/hinduism-versus-hindutva/>

<sup>7</sup> (i) [http://news.bbc.co.uk/2/hi/south\\_asia/8549167.stm](http://news.bbc.co.uk/2/hi/south_asia/8549167.stm) (ii) Shivakumar, M. T. (4 March 2010). ["Mob vents its ire on godman's ashram after seeing TV footage"](#). *The Hindu*. (iii) Read the [full list of monasteries attacked](#).

<sup>8</sup> 8 March 2010 – Dinakaran - Page 4, "Rasipuram Aruge Makkal Avesam Nithyananda"

<sup>9</sup> 8 March 2010 - Dina Malar, Chennai - Page 2 - "*Nithyananda Ashramathil Irunda*", Police forcibly evicted all the people who stayed in the monastery per orders (நித்யானந்தாவுக்கு சொந்தமாக மாநிலம் முழுவதும் உள்ள ஆசிரமங்களில் தங்கியிருந்தவர்களை, போலீசார் அதிரடியாக வெளியேற்றியுள்ளனர். போலீஸ் உயர் அடிகாரிகளின் உத்தரவு இடைத்தவுடன், ஆசிரமத்துக்குள் போலீசார். அதிரடி "ரெய்டு! நடத்தி, முக்கிய ஆவணங்களை தழீரட்டவும் காத்திருக்கின்றனர் ([read full translation here](#)).

<sup>10</sup> FIR 300/2012, Bidadi PS, Ramanagara, Karnataka, refer criminal case: [CC233-2020-FIR300-2012-MaJnanatmaSwami.pdf](#)

<sup>11</sup> FIR: 294/2012, Bidadi PS, Ramanagara, Karnataka. refer criminal case: [CC442-2020-FIR294-2012-MaAchalaSwami.pdf](#)

<sup>12</sup> <https://timesofindia.indiatimes.com/city/bengaluru/nithyananda-disciples-among-35-arrested/articleshow/13955300.cms>

<sup>13</sup> <https://www.indiatoday.in/india/south/story/fresh-charges-against-nithyananda-followers-assault-media-activists-105082-2012-06-08>

<sup>14</sup> FIR 587/15, Tiruvarur Town PS, 27/Oct/2015, refer criminal case [CC37-2015 FIR587-2015 MaJyotikaSwami.pdf](#)

**Sep 2013**, the Karnataka State CWC officials forcibly, cruelly, and illegally interrogated children in the Gurukul. It was done without parental consent, without any video recording, and done late-night beyond<sup>15</sup> the time permissible by law<sup>16</sup>. The State interrogators shamed, ridiculed, and humiliated the children, particularly girls for their traditional dress, pressured them to quit their spiritual-religious lifestyle. The lawyer of the school was sued by the State for intervening in the violation of the rights of children and parents.<sup>17</sup> This was the situation during somewhat general settings. During humanitarian crises such as an attack led by a militant mob on the monastery **in November 2019**, the State atrocity was much more appalling. The monastery was raided by the Gujarat State Police and CWC officials. The Gujarat State CWC officials molested the children particularly the minor girls studying there. The CWC officials were pulled up by the parents of these children in the High Court.<sup>18</sup> The police complaint against the State authorities was closed without investigation and the petition to the Court was forced to be withdrawn by the Court. The only women monastery and Hindu University in India were demolished by the State.<sup>19</sup>

**(d) Due process and fair trial rights (UDHR Art. 9, 10, 11) and the right to freedom to movement and residence (UDHR Art. 13)**

5. In the 2019 incident mentioned above, two female monks – Ma Nithya Pranapriyananda and Ma Nithya Priyatattvananda were arrested by the State on false charges without even a warrant. They were kept under custody for almost 3 months and unfairly treated for knowing English better than the local dialect<sup>20</sup>. Upon bail, the court restrained them from leaving the city, while all hotels of the city refused accommodation to them citing fears of police reprisal. These circumstances forced the nuns to live on the streets during the COVID-19 pandemic and lockdown. The false case is still not closed.

**Q2. Patterns and structures of discrimination and inequalities exacerbated or created by humanitarian settings**

**(a) State victimizes victims as it finds this easier than solving problems and alleviating sufferings**

6. As demonstrated in the previous section, the State was found to be discriminating or ignoring victims during a general setting and victimizing the victims during humanitarian crises. The perpetrators and enablers of violence are allowed to go scot-free or supported by the state. The ASMT community is not the only victim. Covid lockdowns, for example, have left millions of migrant workers stranded in India. 200 such workers were reported to be killed in accidents in mere three months duration while walking home during the lockdown<sup>21</sup>. Initially, the government ignored their woes, and only after massive public outcry and international pressure the government provided special transportation trains and buses for such stranded workers. In several cases, the police even filed vexatious litigations against the stranded workers for merely trying to reach their homes.<sup>22</sup> However many died due to lack of food and water on these trains including a four-year-old child who died of hunger.<sup>23</sup> Women were worst hit, as stranded women workers were forced to walk on streets without access to food, sanitation, and shelter. Subsequently, women were forced to abandon their jobs and confine themselves to home, and were subjected to domestic violence. There have been reported cases where victims of gang rape were raped again by the police.<sup>24</sup>

**(b) Politically owned media dehumanizes victims**

7. As demonstrated in the previous section, the State was found to be discriminating or ignoring the victims. In such situations the media is expected to highlight the atrocities done against the victims, however, the politically owned media in India often plays the role of criminalizing the victims and manufactures public opinion against the victims.<sup>25</sup>

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<sup>15</sup> [http://shrikailasa.github.io/persecution\\_evidences/gurukul/CWC\\_Representatives\\_17-Sep-2013.png](http://shrikailasa.github.io/persecution_evidences/gurukul/CWC_Representatives_17-Sep-2013.png) - Letter from CWC representative Radhika. K acknowledging with a signed letter that she came to see gurukul with police beyond legally permissible time ([click here to see video evidence](#))

<sup>16</sup> [http://shrikailasa.github.io/persecution\\_evidences/gurukul/Letter\\_CWC Representative Radhka. K\\_17-Sep-2013.png](http://shrikailasa.github.io/persecution_evidences/gurukul/Letter_CWC Representative Radhka. K_17-Sep-2013.png)

<sup>17</sup> FIR 340/13 Bidadi PS dated 19-Sept-2013 u/s IPC 186 against Vasundhara Shivanna (lawyer of the ASMT school and parents)

<sup>18</sup> In High Court of Gujarat, R/SCR.A/26/2020, <https://indiankanoon.org/doc/74023602/>

<sup>19</sup> <https://timesofindia.indiatimes.com/city/ahmedabad/got-cbse-affiliation-without-govt-noc-dps/articleshow/72267554.cms>

<sup>20</sup> <https://timesofindia.indiatimes.com/city/ahmedabad/yoginis-speak-only-english-cops-clueless/articleshow/72214370.cms>

<sup>21</sup> <https://www.hindustantimes.com/india-news/198-migrant-workers-killed-in-road-accidents-during-lockdown-report/story-hTwzAWMYn0kyycKw1dyKqL.html>

<sup>22</sup> <https://ahmedabadmirror.com/quj-govt-to-withdraw-515-police-cases-against-migrant-workers/81802451.html>

<sup>23</sup> <https://www.aljazeera.com/news/2020/5/28/a-toddler-trying-to-wake-up-dead-mother-shocks-indians>

<sup>24</sup> <https://timesofindia.indiatimes.com/videos/city/lucknow/shocking-gangrape-survivor-raped-by-cop-in-ups-shahjahanpur/videoshow/79952740.cms>

<sup>25</sup> <https://thewire.in/media/covid-19-migrant-crisis-public-opinion-modi>

**(c) Normalization and denial in absence of international oversee**

8. If there is no international support for the marginalized groups, their stories of persecution, marginalization, and discrimination are not allowed to reach the mainstream by normalization and denial.

**Q3. Examples of concrete measures taken by the Kailasa nation to respect, protect, and fulfill the human rights of women and girls in humanitarian settings.**

9. The Kailasa nation is an indigenous people group of the ASMT community that offers its humanitarian services through various NGOs worldwide.<sup>26</sup> The principles of the Kailasa nation for providing humanitarian services are based on Hindu principles such as – वसुधैव कुटुम्बकम् / Vasudhaiva Kutumbakam – which emphasizes, “Entire world is my family” and ‘नार्यस्तु पूज्यन्ते’ / Naaryastu Pujaantey – that emphasizes that public welfare is realized only where women are treated with utmost respect and reverence.

यत्र नार्यस्तु पूज्यन्ते रमन्ते तत्र देवताः। यत्रैतास्तु न पूज्यन्ते सर्वास्त्राफलाः क्रियाः॥३.५६॥ Manusmriti Ch. 3, verse 56  
“Where women are worshipped, there the Gods rejoice (leading to the welfare of humanity); on the other hand, where they are not honored, all rites (efforts of public welfare) are futile.”

अयं बन्धुरयनेति गणना लघुचेतसाम्। उदारचरितानां तु वसुधैव कुटुम्बकम्॥ Maha Upanishad Ch. 6, verse 71-73  
“Only the denigrated small-minded with a very pathetic outlook of life discriminate between kin and a stranger; while for the magnanimous, the entire world is a family.”

**(a) Sustainable community living with multi-layered quarantine for COVID protection**

10. COVID has created massive forced displacement of people due to the sudden disappearance of livelihood.<sup>27</sup> People are forced to choose between life and livelihood. Choosing livelihood is made impossible given the quarantine conditions necessary are not enabled leading to either the spread of COVID or confrontation with the law particularly in India. This had led to further victimization as also highlighted in previous sections. There is an urgent need for the creation of multi-layered Preventive Quarantine communities where the dignity of life is maintained without the need to risk life. Home or Self-quarantine is not a viable solution for a vast majority of people for either health safety or economic reasons. In Assam, home quarantine has been reported to be a primary reason for a large number of deaths.<sup>28</sup> In some places, governments have moved people out of home quarantine to covid-care-centers<sup>29</sup>. Other issues linked with quarantine, especially in small houses are mental health problems<sup>30</sup> – such as an increase in suicidal ideation, which is particularly concerning as it is impacting our future generation – the younger population more<sup>31</sup>. This requires friendly quarantine setups which are self-sustained and sufficient in terms of food stock and supplies, recreation, employment, education, etc. In India, State Governments have attempted to provide free and paid<sup>32</sup> solutions which face various challenges related to hygiene, exorbitant pricing.<sup>33</sup> Some facilities<sup>34</sup> have seen challenges related to requests for private accommodation.<sup>35</sup> In some countries, there were reported cases of women being sexually harassed in State quarantine facilities<sup>36</sup>.
11. For two decades the leader of the ASMT Hindu community, the Supreme Pontiff of Hinduism (SPH) Jagat Guru Mahasannidhanam (JGM) His Divine Holiness (HDH) Bhagavan Nithyananda Paramashivam has revived the Ancient Enlightened Ecosystem to unite humanity through spiritual strength across more than a hundred cities in several countries. Most of these enlightened ecosystems such as the ASMT Monastery India, Bengaluru have been opened to offer multi-layered quarantine as a free public service with free food/accommodation, free medical care, free internet to work from the monastery. These services are offered to all without discrimination of any kind

<sup>26</sup> (i) <http://kailaasa.org/> (ii) <https://www.indiatoday.in/india/story/exclusive-behind-nithyananda-kailaasa-empire-hidden-maze-of-companies-and-ngos-1713691-2020-08-21>

<sup>27</sup> <https://scroll.in/article/968372/the-covid-19-crisis-showed-why-india-needs-a-policy-for-its-3-6-million-internally-displaced-persons>

<sup>28</sup> <https://economictimes.indiatimes.com/news/india/home-quarantine-is-prime-reason-for-large-number-of-deaths-in-assam-himanta-biswa-sarma/articleshow/82739223.cms>

<sup>29</sup> <https://timesofindia.indiatimes.com/city/mumbai/mumbai-20l-in-home-quarantine-in-state-govt-to-shift-them-to-covid-centres-in-phases/articleshow/83129114.cms>

<sup>30</sup> [www.kff.org/coronavirus-covid-19/issue-brief/the-implications-of-covid-19-for-mental-health-and-substance-use/](http://www.kff.org/coronavirus-covid-19/issue-brief/the-implications-of-covid-19-for-mental-health-and-substance-use/)

<sup>31</sup> (i) <https://www.webmd.com/lung/news/20210210/child-suicides-rising-during-lockdown> (ii)

<https://www.washingtonpost.com/health/2020/11/23/covid-pandemic-rise-suicides/>

<sup>32</sup> <https://timesofindia.indiatimes.com/city/bengaluru/compulsory-paid-quarantine-irks-people-returning-to-karnataka-from-other-states/articleshow/75707798.cms>

<sup>33</sup> <https://www.indiatoday.in/india/story/karnataka-quarantined-man-claims-gross-mismanagement-by-authorities-1679768-2020-05-19>

<sup>34</sup> [indianexpress.com/article/india/coronavirus-outbreak-manesar-quarantine-facility-diamond-princess-japanese-cruise-ship-6312521](https://indianexpress.com/article/india/coronavirus-outbreak-manesar-quarantine-facility-diamond-princess-japanese-cruise-ship-6312521)

<sup>35</sup> <https://www.newindianexpress.com/nation/2020/mar/13/coronavirus-demand-for-separate-rooms-hindering-functioning-of-armys-quarantine-facility-2116207.html>

<sup>36</sup> <https://www.bbc.com/news/stories-57609164>

## A REPORT BY THE ADI SHAIVITE MINORITY TRADITION (ASMT) HINDU COMMUNITY

(race, social status, religion, nationality, gender, etc.), completely free of charge as a humanitarian effort. The ASMT community has seen a fair amount of success in these Preventive Quarantine centers with zero reported cases of COVID infection in the past two years and has already saved many lives.

### **(b) COVID care for unemployed women, widows, single mothers, girls, and victims of domestic violence**

12. Kailasa's Preventive Quarantine centers are predominantly run by women. Studies on domestic violence during COVID have shown that the absence of capable guardian(s) is one of the primary causes of increased violence against women in domestic settings<sup>37</sup>. These concerns are addressed in Preventive Quarantine centers provided by Kailasa. Multiple quarantine zones have been created by Kailasa for catering to the needs of women. Women with families are provided special quarantine zones. Single women, single mothers, and struggling widows<sup>38</sup> are offered a different special women-only quarantine zone run entirely by Hindu nuns headed by senior (aged) nuns who take care of them as guardians. Single men are provided completely physically separate quarantine campuses that are operated by Hindu monks. There are separate quarantine zones for boys and girls managed by parents, guardian families, and senior caretaker nuns.

### **(c) Special care for pregnant women during COVID**

13. Prenatal stress has detrimental effects on both obstetric outcomes, fetal development, and the development of an individual later in life.<sup>39</sup> Studies have shown pregnancy deaths to have doubled in humanitarian crises.<sup>40</sup> Humanitarian crises such as the COVID-19 pandemic increase the difficulty to access antenatal and general healthcare as well as cause stress to the mother. Pregnancy deaths in rural settings have doubled in May 2021, in urban settings, it is even more acute.<sup>41</sup> Kailasa offers special care for pregnant women called En-pregnancy care which has benefited thousands of women worldwide. The service is offered completely free. It involves special meditation and yogic processes supporting pregnant women during both – the prenatal and postnatal stages. Pregnant women have quarantined themselves in Kailasa's Preventive Quarantine centers to avail of this facility. Babies born in En-Pregnancy® care are born with extraordinary health, immunity, good weight. There have been zero incidences of preterm births in En-Pregnancy® care. En-pregnancy® births are known for blissful and painless birth experiences for women, which has been confirmed by the fact that (1) there have been zero incidences of epidural anesthesia in these natural deliveries, (2) shorter labor duration, (3) zero incidences of post-partum depression to date.

### **(d) Special schools with multi-layered quarantine (Gurukuls) during COVID**

14. Kailasa's residential schools (Gurukuls) have continued their operations for free with multi-layered protective quarantine in place. This provided a major relief to the parents. Most other residential schools have been shut down due to a lack of a comprehensive multi-layered protective quarantine policy.<sup>42</sup>

### **(e) Free transformational programs to reduce the psychological suffering and Yoga classes and other holistic health care solutions during the COVID pandemic**

15. The psychological health impact of COVID has become an extremely concerning problem that is particularly affecting the younger population more. There has been an increase in self-harm, self-sabotage, and suicidal behavior in the student community.<sup>43</sup> Kailasa has provided free online meditation and yoga classes to reach out to people in distress who cannot avail of the benefits of Kailasa's COVID care facilities directly. These include powerful Hindu principles from the Vedas and agamas such as Science of Completion<sup>SM</sup> (Purnatva), and the Collective Integrity<sup>SM</sup> process. Science of Completion<sup>SM</sup> (Purnatva) empowers people to redress their inner and external conflicts, by identifying the root of thought currents that make them experience powerlessness, meaninglessness, hopelessness and replacing these with powerful cognitions and truths that remind them of their innate peaceful and blissful nature, giving them the strength to face life holistically as it comes. Likewise, the Collective Integrity<sup>SM</sup> process helps people stay together with Completion (Purnatva) and non-conflict as a collective group supporting each other. This is extremely crucial for the world today, especially given the fact that globalization of disease has made the world to be only as resilient as the least resilient country and person<sup>44</sup>, particularly concerning for the

<sup>37</sup> <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC7945968/>

<sup>38</sup> <https://www.straitstimes.com/asia/south-asia/indias-covid-19-widows-struggling-to-join-or-return-to-the-workforce>

<sup>39</sup> <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC5706483>

<sup>40</sup> <https://www.unfpa.org/resources/maternal-mortality-humanitarian-crises-and-fragile-settings>

<sup>41</sup> <https://www.nytimes.com/2021/05/23/opinion/india-covid-pregnant-women.html>

<sup>42</sup> <https://www.indiatoday.in/education-today/news/story/don-t-forcefully-vacate-students-from-hostels-amid-pandemic-karnataka-deputy-cm-1794792-2021-04-25>

<sup>43</sup> <https://www.indiatoday.in/education-today/news/story/don-t-forcefully-vacate-students-from-hostels-amid-pandemic-karnataka-deputy-cm-1794792-2021-04-25>

<sup>44</sup> Marc Fleurbaey (2020), We are all in this together? More than you think, 6 April

highly contagious COVID-19 which has spread with scale and severity not seen since Spanish flu<sup>45</sup>. These and many other processes and teaching from Hinduism, provide a psychological support system and empowering people for life. More than a million people worldwide have been benefited from these programs. Research on meditation has indicated that every minute of meditation brings a reduction in the crime rate.<sup>46</sup>

**Q4. Challenges faced by the Kailasa nation in promoting, protecting, and respecting women's and girls' full enjoyment of human rights in humanitarian situations, and steps to address these.**

16. The ASMT community has faced State-sponsored terrorism, persecution by militant extremists (neo-Hindutva and DK/DMK extremists), and marginalization by politically owned media for more than a decade. To address these challenges the community has mainly pursued domestic legal recourse which has by large failed. These matters have been taken to relevant international bodies. This has been highlighted by the community in international forums.<sup>47</sup> In addition, Kailasa has provided a non-toxic educational and professional, and living environment for women and children.

- (1). **Shaming of child rape victims by media:** A misogynist neo-Hindutva politically owned media victimized an ASMT child rape victim with hours of hate speech on television, for which one Samaya TV was penalized USD 5 Million by a US court.<sup>48</sup> Even this has failed to redress the situation.
- (2). **Shaming and sexual objectification of women and girls by media:** In India, the Neo-Hindutva media ran 14,000 hours<sup>49</sup> of hateful programs marginalizing ASMT actress Ranjitha, ASMT nuns, ASMT women, and girls who had been raped by neo-Hindutva militants. The neo-Hindutva media publicly addressed them as "brainwashed", "sodomized disciples"<sup>50</sup>, "witches"<sup>51</sup>, "prostitutes"<sup>52</sup>, "cult worshippers", (child) "sex slaves"<sup>53</sup>, and also published violence-inciting prejudicial narratives such as "*Hang the Sin Swamis* (Hindu monks and nuns)"<sup>54</sup> etc. This hate speech has been insidious with violence.<sup>55</sup>
- (3). **No Legal Recourse Available in India especially for women from a marginalized background:** Even where ASMT nuns, ASMT women, and girls have won legal battles, it has been futile as these court orders were never executed by the government. Indian media wilfully dishonors court orders without any consequence. Though there is a possibility of legal recourse outside India, such avenues are either inaccessible to most or legally untenable.
- (4). **State Terrorism:** On **7 Jun 2012**, in Bengaluru, neo-Hindutva militants attacked an ASMT monastery, several ASMT nuns were raped.<sup>56</sup> The Chief Minister of Karnataka - D V Sadananda Gowda, said, "*I am going to make an example out of Nithyananda*"<sup>57</sup>, ordering an arbitrary and illegal arrest of the ASMT leader – the SPH Nithyananda Paramashivam, going to the extent of claiming that he was ready to face jail term but would not

<sup>45</sup> (i) "[Pandemic Influenza Risk Management WHO Interim Guidance](#)" (PDF). World Health Organization. 2013. p. 19. [Archived](#) (PDF) (ii) Spreeuwenberg P, Kroneman M, Paget J (December 2018). "Reassessing the Global Mortality Burden of the 1918 Influenza Pandemic". American Journal of Epidemiology. Oxford University Press. **187** (12): 2561 - 2567. doi:[10.1093/aje/kwy191](https://doi.org/10.1093/aje/kwy191). PMC 7314216. PMID 30202996. (iii) Rosenwald MS (7 April 2020). "[History's deadliest pandemics, from ancient Rome to modern America](#)". The Washington Post.

<sup>46</sup> <https://www.jstor.org/stable/27522387>

<sup>47</sup> <https://www.ohchr.org/Documents/HRBodies/CEDAW/DGD24June2021/51.docx>

<sup>48</sup> Life Bliss Foundation vs Samaya TV in CIVRS 1410615 filed in the Superior Court of California, County of San Bernardino, order dated 8 Dec 2017 <https://nithyanandatruth.org/2017/12/10/5-million-judgement-against-samaya-tv-by-usa-court-for-defamation-of-his-divine-holiness-nithyananda/>

<sup>49</sup> [https://docs.google.com/spreadsheets/d/1Opin5NMenD\\_f2WYQZ\\_M74dL96tN3PpU0uC2QuNTFba4/edit](https://docs.google.com/spreadsheets/d/1Opin5NMenD_f2WYQZ_M74dL96tN3PpU0uC2QuNTFba4/edit)

<sup>50</sup> <https://www.newindianexpress.com/states/karnataka/2010/dec/10/nithyananda-sodomised-his-disciples-209732.html>

<sup>51</sup> Worship of divine feminine consciousness during [Chandi Homa](#) maligned as witch craft

<https://www.youtube.com/watch?v=M6T8GwNo8SM>

<sup>52</sup> "They are continuously harassed in public for no fault of theirs", said Nithyananda. According to Nithyananda, sarees of at least '17 women devotees were pulled' in public, at seven places his Brahmacharis were thrashed and the Ashram call centre received about 300 phone calls for prostitution." <https://www.deccanherald.com/content/152493/cid-report-stolen-says-nithyananda.html>

<sup>53</sup> (i) [CC 25289/12](#), 21 Dec 2012, CMM Court Bangalore, ASMT Dalit Nun Ma Nithya Supriya Swami v. Charu (Kumudam Reporter) (ii) <https://www.vikatan.com/news/coverstory/114380-the-psychology-behind-the-cults-worshippers.html> Date: 24/Jan/2018

<sup>54</sup> 5 March 2010 - Headlines Today - 8:20PM – Hang the Sin Swamis (Hindu monks)  
[docs.google.com/document/d/1f7CEsZDNw5Tl8wJX3fcckhmEGqOyESHgy7GgXJiai8vo](https://docs.google.com/document/d/1f7CEsZDNw5Tl8wJX3fcckhmEGqOyESHgy7GgXJiai8vo)

<sup>55</sup> Profile with the name Parthasarathy J (The Rock) commented (comment id : [UgzPVR109bZwNd\\_IaUF4AaABAq](#) ), "I have hit one nithyanandha people when they try to encourage near pallavaram. I request everyone to hit them nicely. Even don't show courtesy for women in nithyanandha ashram. They are the most dangerous" <https://youtu.be/eR1Yu2xguG8>

<sup>56</sup> (i) FIR 300/2012, Bidadi PS, Ramanagara, Karnataka, [https://shrikailasa.github.io/persecution\\_evidences/CC233-2020-FIR300-2012-MajnanatmaSwami.pdf](https://shrikailasa.github.io/persecution_evidences/CC233-2020-FIR300-2012-MajnanatmaSwami.pdf) (ii) FIR 294/2012, Bidadi PS, [https://shrikailasa.github.io/persecution\\_evidences/CC442-2020-FIR294-2012-MaAchalaSwami.pdf](https://shrikailasa.github.io/persecution_evidences/CC442-2020-FIR294-2012-MaAchalaSwami.pdf)

<sup>57</sup> 16 Jun 2012, India Today, [indiatoday.in/magazine/nation/story/20120625-nithyananda-surrenders-in-court-sent-to-custody-758791-2012-06-16](https://indiatoday.in/magazine/nation/story/20120625-nithyananda-surrenders-in-court-sent-to-custody-758791-2012-06-16)

stop targeting Him<sup>58</sup>. The State High Court in its order CRL.P. 3253/2012<sup>59</sup> implicitly exposed the state terrorism, terming the arrest of the SPH as “illegal”, “without any authority”, “contrary to law”, “without jurisdiction”. This did not remedy the damage, State persecution continued in other forms and the media propaganda made citizens extremely prejudicial and insensitive to the persecution done on the SPH and ASMT community, especially the nuns and girls. On 26 March 2010, the Karnataka State police sent letters to the banks holding the accounts of the public charitable Trusts of the ASMT community, illegally ordering them to freeze all the accounts of various Trusts. No debit transactions were allowed, making the main source of food and basic amenities for the residents of the monastery a huge struggle. Such a similar financial sanction was imposed on the community in 2019 and 2020 during the COVID lockdown when banks under political pressure demanded the public Trust accounts to be completely closed.

**Q5. Information on international cooperation, technical assistance, and humanitarian support provided by the international community, including Member States, and by relevant UN agencies and humanitarian actors, to address the human rights of women and girls in these situations.**

17. The ASMT community and Kailasa nation are entirely self-funded and self-sustained, and so far have not found avenues to reach out to international organizations for support, assistance, or collaboration.

**Q6. Information on the barriers women and girls face in reporting and seeking justice and protection in humanitarian settings, including women and girls who face intersecting forms of discrimination and mechanisms that operate to ensure access to justice and remedies.**

18. An ASMT female monk from Dalit origin, Ma Nithya Supriyananda Swami, has faced intersecting discrimination for multiple reasons (1) ASMT origin (2) Dalit origin (3) Female monk (nun). Ma Nithya Supriyananda heads the indigenous Tamil language publication department of an ASMT monastery. On 21 July 2009, a rape attempt was made on her by Lenin K.<sup>60</sup> Lenin was absent during pre-trial and the court discharged him without trial. Court did not hear any witnesses. The media has rather been vicious than helpful. On 9 May 2010, she and her team were addressed as “sex slaves” by Tamil yellow Tabloid writer Charu Nivedita.<sup>61</sup> She filed a defamation case against the magazine and writers, which is pending in the courts for the last 10 years.<sup>62</sup>

**Q7. Steps by Kailasa to ensure women’s and girls’ meaningful participation, empowerment, and leadership, including that of survivors and victims, in efforts to prevent, reduce the risk of, prepare for, resolve, and rebuild from humanitarian emergencies, and lessons learned.**

19. Kailasa nation has created an ambiance where women naturally grew into leaders and hold 80% of the leadership roles. However, this also made them the primary target of the persecution aimed at the ASMT community at large. Hindu nuns who have been victimized have been rehabilitated overseas (outside of India) to relieve them of the pressure of the political elements that had persecuted them. International experience has taught us governments alone are not enough to provide human rights for women, especially in humanitarian situations. Efforts of the state in such crises are enhanced by civil society groups. However, these civil society groups are often targeted by the governments even during humanitarian situations. The first and highest priority is the protection of victims and active prevention of further victimization. Laws and procedures which violate Human Rights almost often lead to persecution and further victimization of victims as unintended consequences. Efforts need to be made to strengthen the overall Human rights of all groups with emphasis on the identification and protection of victims. International human rights agencies need to be sensitive to the needs of the indigenous communities like ASMT who are the victims of a cold genocide.<sup>63</sup>

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<sup>58</sup>15 Jun 2012, Times Of India, Sadananda takes on Nithyananda says he is ready to face jail term

[timesofindia.indiatimes.com/city/bengaluru/sadananda-takes-on-nityananda-says-he-is-ready-to-face-jail-term/articleshow/14148461.cms](http://timesofindia.indiatimes.com/city/bengaluru/sadananda-takes-on-nityananda-says-he-is-ready-to-face-jail-term/articleshow/14148461.cms)

<sup>59</sup>CRL.P. 3253/2012 <http://indiankanoon.org/doc/85011170>

<sup>60</sup>Spl. C. 38/2018, Prl. District and Sessions Court, Ramanagara, Karnataka, (CNR No.: KARN010001972018) - 14 Oct 2019

<sup>61</sup> 9 May 2010 <https://drive.google.com/open?id=1ETDbGl0PhJ-Wz2n6bYIOjG6xBu79fWJv> In the above magazine link, Charu Nivedita asked the following obscene questions openly addressing monks and members of the ASMT community in his article: “I would like to ask, to those like the head of Tamil publication dept. Supriya and actress Ragasudha: Did you sign Nithyananda’s sex agreement after reading it? Did he have the above said tantric sex with you?”

<sup>62</sup> (i) [CC 25289/12](http://CC 25289/12), 21 Dec 2012, CMM Court Bangalore, ASMT Dalit Nun Ma Nithya Supriya Swami v. Charu (Kumudam Reporter) (ii) <https://vikatan.com/news/coverstory/114380-the-psychology-behind-the-cults-worshippers.html> 24/Jan/18

<sup>63</sup> IAGS Volume 12, Issue 1, Article 6 - Cold Genocide: Falun Gong in China , <https://doi.org/10.5038/1911-9933.12.1.1513> - “In cold genocides, the atrocities against the victim group are normalized. Normalization means weaving genocide into the fabric of society. Normalization comes from hegemony, a mode of political domination through ideology rather than force.”