



Human Rights Abuses Committed in the Republic of India
Submission to the United Nations Universal Periodic Review of
The Republic of India

Twenty-Seventh Session of the UPR

Human Rights Council

April-May 2017

Submitted by: JUBILEE CAMPAIGN USA

Contact Name: Ms. Ann Buwalda

Phone: 703-503-0791 Email: annbuwalda@jubileecampaign.org

Organization website: <http://www.jubileecampaign.org/>

Jubilee Campaign is a non-profit organization which promotes the human rights and religious liberty of ethnic and religious minorities. We assist individuals and families seeking asylum in the West from religious based persecution as well as promoting the care and well-being of larger groups of refugees fleeing religious and ethnic persecution. Jubilee Campaign holds consultative status at the United Nations from the Economic and Social Council.

United Nations Human Rights Council
Universal Periodic Review of Member- The Republic of India

A. Freedom of Religion

1. India has a population of about 1.3 billion people. Roughly 80 percent of its population is Hindu; 14 percent is Muslim; 2.3 percent is Christian; and 1.7 percent is Sikh. Buddhists, Jains, Zoroastrians (Parsis), Jews, and Bahais make up less than 1 percent of the population.
2. The Indian Constitution declares India to be a secular democratic republic. Article 25 of the Indian Constitution states that “subject to public order, morality, and health...all persons are equally entitled to freedom of conscience and the right freely to profess, practice, and propagate religion.”
3. In 2014, the Bharatiya Janata Party (BJP) came to power and Narendra Modi became the Prime Minister of India. The BJP is a right-wing party known for espousing the ideology of “Hinduness.” It has close ideological and organizational links to the Hindu nationalist organization, Rshtriya Swayamsevak Sangh (RSS). RSS is a “National Volunteer and Patriotic Organization,” which is a right-wing, charitable, educational, and volunteer-based Hindu nationalist NGO.
4. Under Prime Minister Modi’s period of rule, religious freedom has deteriorated for religious minorities. The discrimination that minorities have faced has caused public outcries and protests against his administration. Marking his first 100 days in office, over 500 people protested and presented a report titled, “100 Days under the New Regime—the State of Minorities.” It was released by bishops of different denominations along with Christian, Muslim, and secular activists. The report said more than 600 incidents targeting religious minorities occurred between May to September 2014. A similar protest was later held in New Delhi to mark 300 days of Modi being in office. At this protest, a report was presented called “300 Days—Documenting Hate and Communal Violence under the Modi Regime.” The report included a tally of 168 anti-Christian incidents and 222 incidents of Hindu fundamentalist groups participating in hate speech and media campaigns were publicly reported. The alarming numbers on the reports were still not yet comprehensive, as they had not received the total number of violent incidents against Muslims. A senior leader of the Congress party, Digvijaya Singh, was quoted at the protest by World Watch Monitor saying, “This is a question of ideologies. A fascist ideology is trying to replace the secular ideology of the nation,” and this has thus far resulted in the persecution of religious minorities.

This protest not only dwelled upon past incidents but also recognized people's apprehension for the future and the fate of minorities under the Modi regime.

5. Though rights of religious minorities are inscribed in India's federal law, they are not consistently kept throughout the country because local laws often are not compliant with federal law, and furthermore local authorities are known to abuse their authority and act in a biased manner. Therefore, the integrity of India's constitution in regards to human rights is questionable.

B. Anti-Conversion Law

1. There are currently six states in India that have anti-conversion laws: Arunachal Pradesh, Gujarat, Himachal Pradesh, Chhattisgarh, Odisha, and Madhya Pradesh. These laws are intended to prohibit people from being converted to another religion by force, allurements, or fraudulent means. The implementation and punishment for breaking these laws vary by state. In Gujarat, where Modi was previously chief minister and signed its anti-conversion act into law, persons wishing to convert must obtain permission from the district magistrate, and forced conversions get punished up to three years in prison and fined up to the equivalence of \$756.
2. These anti-conversion laws that were supposedly created for a person's protection have caused some of the greatest discrimination and persecution of minority citizens in recent years. The reason for this is that the law is used by authorities as a mechanism to fortify the Hindu majority and ostracize minorities. Countless times this law has been used as a scapegoat to punish people and especially Dalits who try to convert away from Hinduism as well as those who aid in that process, even when the conversion is in no way forced. There have been no accounts of this law being used to protect minority members from being forced to convert to Hinduism. In fact, there are well-known, organized initiatives by Hindu radicals and even BJP and RSS members to forcibly convert non-Hindus to Hinduism. These initiatives that sometimes include the torture and intimidation of participants widely go unpunished by authorities.
3. Many incidents of discrimination and intimidation of minority citizens due to the anti-conversion laws have been reported. On January 14, 2016, police interrupted a dinner party and arrested 13 people, including a blind couple, under the Madhya Pradesh Freedom of Religion Act and Section 153 (A) of the IPC. The people were accused of forcing villagers to convert to Christianity, but those arrested and the host of the group, who was not arrested, all insisted that their gathering had

nothing to do with religious conversions. The arrests were due to right-wing activists who surrounded the house and called the police.

4. In October 2015 three staff members of Gospel Echoing Missionary Society (GEMS) were arrested in Madhya Pradesh right before they were going to show a Christian film, and they were accused of attempting to convert others. When arrested, the workers were beaten by the police and kept until they were released on bail the same evening.
5. On July 18, 2015 in Delhi, two pastors went to the Nihal Vihar police station to report Hindus who had invaded a prayer meeting that a group of Christians were having in a private home and vandalized the building and attacked the attendees. When the pastors were outside of the police station the same attackers attacked the pastors. The police then detained the pastors claiming that they had tried to convert Hindus to Christianity. They were later released after they agreed to sign a paper saying they would not go back to the area.
6. On December 27, 2014, Pastor Ashok Prajapati was arrested in Varanasi after being accused of forcibly converting others. He was threatened by both police and Hindu groups and told to stop holding prayer meetings. Prayer meetings are not against Indian government or state law.
7. The anti-conversion laws have also caused a rise in intolerance and attacks of majority religious members upon minorities. On June 14, 2015, 30 activists from RSS attacked a Pentecostal church in Attingal and another one in Kerala. Activists claimed the first attack in Attingal was because they accused the pastor of forcibly converting Hindus to Christianity which the pastor denies.

C. Ban on Beef

1. Twenty-four states in India have some form of restriction on slaughtering bovines. These bans, along with the slaughter of the animal, may include punishment for its possession, transportation, sale and consumption. Punishments for bovine slaughter range by state from 6 months to two years in prison and fines equivalent to US\$15-\$151. These bans cause hardships for non-Hindu people groups who eat beef as well as the Dalits of the Hindu community who also end up relying on beef as a primary nutrient source because it is cheaper than other available meats.

2. Not only does this law unfairly impact religious minority members, but it has been yet another political factor contributing to a rising environment of intolerance and enmity in India between religious groups. Many incidents have been reported of Hindu extremists attacking and even killing persons accused of bovine slaughter.
3. On July 11, 2016 four Dalits were brutally attacked for skinning a cow in Gujarat. The slaughter of cows is illegal in the state, but the men said that the cow had died naturally. Six Hindu activists tied the Dalit men to their car, stripped them of their shirts, and publicly beat them with a metal rod. A video of the incident went viral leading to public outcries from the Dalit community and protests on the street.
4. On October 10, 2015 protestors injured policemen in Nagaria village after they heard of a cow being slaughtered. It was later discovered that the cow had died of natural causes.
5. On October 9, 2015, Muslim Zahid Ahmad was attacked with a gasoline bomb and his truck burned in Udhampur district after rumors were spread that three cows had recently been killed. He suffered from extensive burns that eventually killed him on October 18 while he was in the hospital. The rumors proved false when police determined the cows died from food poisoning, not slaughter.
6. On September 28, 2015 two Hindu young men announced to the town over a public announcement system that a Muslim family had slaughtered and eaten a cow. A mob of Hindu's attacked the accused family's father and son, killing the father and harming the son. Upon investigation the police said the meat was mutton, not beef. Police made 9 arrests from the mob that attacked the family. These arrests caused an uproar from the Hindu community who launched violent protests in which they vandalized shops and vehicles. An RSS affiliated newspaper stated that religious Hindu texts "allow the killing of sinners."
7. On July 14, 2015 a group of 30 activists from the Vishwa Hindu Parishad and the Bajrang Dal, Hindu nationalist groups, attacked a truck transporting buffalo to Golitottu village. The attackers beat up the truck driver, who was Muslim, and two others who were with him. Though the transport of buffaloes is not illegal, the local authorities charged the truck's occupants with animal cruelty. The police also charged the activists for assault.

D. Discrimination and Violence Targeting Christians

1. During this UPR cycle, religious minorities such as Christians have suffered numerous attacks on the sole grounds of their religious faith. Christians have suffered harassment from both the government and civil society. Their requests for help and protection have also frequently been ignored by authorities.
2. Oftentimes Christians are pressured to renounce their faith. On August 8, 2015, a mob of 500 Hindus targeted and threatened a Christian community in Dhanora. The Christians were brought to a meeting, accused of spreading their faith, and threatened that if they did not renounce their faith, they would be attacked, expelled from the village and not allowed to harvest their crops.
3. On April 20, 2016, soon after a church was targeted by Hindus in Agra, the general secretary of a group affiliated with RSS, the Akhil Bharatiya Hindu Mahasabha, stated the following: “The Narendra Modi-led NDA government should award and provide legal and administrative protection to Hindus who attack churches across the country. Churches are no longer places of worship but factories for conversion of Hindus into Christianity.” He also promised awards for Hindu youth who would attack churches and marry Muslim women.
4. In January 2015 in Malkizguda a group of Hindus destroyed materials that were being used for the construction of a Catholic church. In order to prevent the church from being built, the Hindus damaged building materials and threatened local Christians. When the Catholic community complained to the police, the police took no action on their behalf.
5. A Christian community in Udumalpet, Tamil Nadu was attacked by Hindu extremists on 16 November 2014. While the Christians were in a prayer meeting, the attackers beat the Christians, burned their vehicles, and destroyed Bibles and other valuable church property.

E. Discrimination and Violence Targeting Muslims

1. Muslims have mostly faced violence and discrimination from issues pertaining to the bans on beef, since many Muslims eat beef in India. However, the beef ban is not the only motive for violence against the Muslim community. They have also been targeted solely for their religious beliefs.
2. On May 25, 2015 a group of Hindus attacked a Muslim community in Atali village setting 20 homes on fire and causing about 400 Muslims to seek refuge in the Ballabgarh police station. The Hindu and Muslim community had previously

disagreed over ownership of the land that a local mosque was located on. This disagreement was believed to incite the attack.

F. Recommendations

1. The Indian government must ensure that both federal and local laws respect its Hindu majority but also respect and strictly protect its various religious minorities. India has laws, namely the anti-conversion and beef ban laws, that in practice favor the Hindu majority at the expense of the minorities. This causes police bias and civil intolerance.
2. Anti-conversion laws in India have been used unfairly against religious minorities, especially Christians. In practice they have primarily been a scapegoat to target Christian members and unjustifiably accuse their actions as forcible conversion of others. This has greatly inhibited Christians' freedoms of assembly and speech, and their freedom to propagate their religion. Furthermore, this law has not been used to protect minority members from forced conversions to Hinduism, making minority members doubly vulnerable. It has also created larger divides between the Christian and Hindu community. We recommend that that all anti-conversion laws be abolished as they dangerously suffocate religious liberties and other human rights of minority groups.
3. State laws in India that greatly constrict handling and consumption of bovines has deeply affected members of minority religions as well as Dalits. This law is a clear deviation from the India Constitution, which claims secularism, because it is a law that caters solely to the Hindu majority while harming non-Hindu citizens. Indian citizens who do not see the cow as sacred are deprived of one of their key nutrient sources. Dalits, who rely on beef despite their religious beliefs, are put at a greater risk of starvation when this food source is taken away. This law is largely discriminatory and has led to societal violence, which has especially impacted the Muslim minority. We recommend that the UN persistently urge India to overturn these laws banning beef in order to treat its minorities in a fair manner.
4. Impunity and police bias has been extremely problematic in India as it has escalated the abuse of religious freedom in the country. We recommend that the Indian government or the UN train India's police forces to act in an unbiased manner. They must be trained to anticipate violence stemming from religious tensions, stop and prosecute attackers, and protect victims of violence. Police forces should not be allowed to turn away from violent incidents when they are

made aware of them. Finally, authorities should set a standard for tolerance by giving fair treatment to all citizens regardless of religion.

5. Indian authorities should monitor hate speech and other behaviors that incite violence and counter such narratives with a narrative that supports equal treatment and an open environment for all religions.
6. Words that are said by government officials must be followed up with action. Prime Minister Modi has claimed many times to be a proponent for religious freedom and protection for minorities. However, he has taken little action to carry out those claims. It is necessary that Indian authorities not merely throw empty words at the issue of religious issues, but truly make religious freedom a prioritized topic on their agenda.