

A JOINT SUBMISSION BY

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Freedom of Religion and Minority Rights



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1. Introduction

1.1 India is the world's largest democracy, with a rich tradition of secular pluralism. Its estimated population exceeds 1.3 billion: 79.8 percent Hindu, 14.2 percent Muslim, 2.3 percent Christian, and 1.7 percent Sikh. Smaller religious groups include Buddhists, Jains, Baha'is, Jews, Zoroastrians (Parsis), and nonreligious persons. The Constitution of Indiaⁱ, is a visionary document, that, in its fundamental rights under Chapter III, ensures the Right to Life (Article 21), Equality before the Law (Article 14) and Non-discrimination (Article 15,16), and Articles 25 -30 the right to freely practice and propagate all faiths apart from having within it a manifest agenda and goal to achieve social justice. However, these goals have of late been severely challenged by an aggressive political formation that holds state power.

1.2 The ongoing supremacist political project to transform India from a constitutional democracy into a theocratic stateⁱⁱ has been afoot for close to 100 yearsⁱⁱⁱ, and the coming to power of the Bharatiya Janata Party (BJP) in 2014 (then re-elected to a second term in 2019) has propelled it further. The ruling dispensation has challenged the non-discriminatory, diverse and secular principles of the Constitution by implementing laws and policies at the national and state levels promoting Hindu nationalism (read *supremacism*), thereby posing severe challenges to equality in existence and citizenship, freedom of religion or belief and related rights.

1.3 A significant alteration and shift of Indian institutional commitment to inclusivity and pluralism is evidenced in the selective propagation of education policy (National Education Policy, 2019-2020)^{iv}, the history and historical symbols in educational and cultural texts (in use by state institutions and non-state actors), the stigmatisation and vulnerability of all India's religious minorities, most especially Muslims and Christians (though women in general and Dalits are also vulnerable to attack), an institutionalised bias manifest against the right to equality and life of religious minorities (Police Bias, Denials in FCRA Permissions to receive funds to Minority Organisations, Differential in Judicial Determination are some crucial manifestations) are some of the most evident parameters to measure this dangerous shift.

1.4 Throughout 2020 and 2021, and especially since the last UPR Cycle, the national and state governments' perpetration and toleration of these systematic, ongoing, and egregious violations led to increasing repression of religious freedom and a growing climate of hostility and violence toward religious minorities, human rights advocates, and others speaking out against such violations. As many as 857 out of 51,606 incidents of riots in 2020 were admittedly communal

(targeted) or religious in nature, Minister of State for Home Affairs, Nityanand Rai said on the floor of Indian Parliament on March 29, 2022 in answer to a question on riots and lynching.^v

1.5 Under the present dispensation, targeted hate crimes preceded by multiple instances of documented hate speech have made the sheer right to life and the right to live with dignity of Indian Muslims and Christians subject to constant peril. India has variously dubbed only “partly free” (Freedom House, 2021)^{vi}, only a “partially free electoral autocracy”,^{vii} [(V-Dem) Democracy Institute 2021], low on the Freedom Index down to 111th (of 162 countries). It is also seen as a country of particular concern (US Commission on International Religious Freedom)^{viii} when it comes to the dignity, life safety and security of minorities. It is in this context the rights of religious minorities need to be viewed and evaluated.

1.6 Within this political and societal hostility and overall insecurity and fear that is pervasive for *all* Indian religious minorities (especially Muslims and Christians), a specifically vicious Islamophobia mixed with supremacist hate makes Indian Muslims, a specific target. A survey of over 12,000 police personnel recorded how deep-rooted anti-minority bias is evident among India’s police force.^{ix} **Other marginalised communities such the Scheduled Castes (SCs), Scheduled Tribes (STs), Other Backward castes (OBCs) and women are under-represented in the country’s police forces. Deliberate concealment of this data by the government precluded any analysis on Muslims.**^x

2. Methodology

2.1 The Citizens for Justice and Peace (CJP, cjp.org.in) is a human rights platform committed to battling for the constitutional rights of all Indians in the courts and beyond. CJP is engaged in para-legal and legal aid for minorities of all hues battling the humanitarian crisis related to Citizenship (Assam and all over India), challenging unconstitutional moves and legislations of the government, systematically complaining to statutory authorities against hate speech/writing, conducting research studies, fact-finding missions, and even Citizen’s Tribunals, wherein victims as well as human rights activists have deposed in front of a jury. Partner organisations that are joint endorsees to this report represent organisations and platforms representing Indian minorities. This Report draws heavily on these primary interventions^{xi} Period covered in this Report is from end of the 3rd UPR India cycle to present.

3. Recommendations on FoRB in the 3rd Cycle

3.1 In the third cycle of India's UPR, the government received several recommendations to improve human-rights-situation in the country. These included need for laws to be enforced to protect minorities, measures to prevent religious intolerance, inter-communal violence and discrimination. Regrettably, these recommendations have not been implemented to ensure meaningful action on the ground. For instance, under Freedom of Thought, Conscience and Religion (D42), there were three recommendations on retracting anti-conversion laws^{xii} ([Refer to Annexure 1](#)). In 2017, when the recommendations were made, 8 states had passed anti-conversion laws. None of them have retracted the laws, in fact two new States (Uttar Pradesh and Karnataka) have passed the Bill and one (Haryana) has presented a draft Bill^{xiii}.

4. Acts of Targeted Violence against Minorities

Religious, Caste, Gender

4.1 Apart from serious expressions of concern by autonomous international bodies on the prevalent societal and political climate for all Indians (*Para 1.5 above*), especially the marginalised, among whom the minorities are a significant section, from data available from the National Crime Records Bureau (NCRB) data, 3,399 communal incidents occurred in India during 2016-2020, compared to 3,466 during 2011-2015, i.e., an average of nearly 57 incidents a month. The lowest number of incidents occurred in 2019 (438) and the highest in 2016 (869). The number of such incidents in 2017^{xiv} and 2018 is 723 and 512 respectively. The number of people killed or injured in these incidents was more or less proportional to the number of incidents. The year 2020 saw 857 cases (96% increase) of communal riots registered across the country as compared to 438 in 2019. Most of the 2020 cases are attributed to the Delhi violence. What is of particular concern also is that the NCRB, has since 2015, unilaterally decided to do away with maintaining data on minority representation in the police force nor does it maintain separate data on persons killed or injured by vigilante groups or mobs or crowds.^{xv}

4.2 The Ministry of Home Affairs, which had been collating and furnishing data on communal incidents abruptly decided to stop sharing it since 2017. NCRB, which is now the only government source, collects data from First-Information-Reports (FIRs) filed in police stations. The reliability of this data has come under shadow of doubt as in 2018 Uttar Pradesh reported 'zero' incidents while communal clashes in Kasganj in Uttar Pradesh was widely

reported.^{xvi} Uttar Pradesh has the same political party in power as in New Delhi and this formation has just been re-elected to its second term.

4.3 Indian Christians: A report^{xvii} by the Evangelical Fellowship of India (EFI) listed 39 cases of threats or violence against Christians from January to November in 2021 in the southern state of Karnataka alone. All over India there have been [300 attacks on Christians in 2021](#) as closely documented by minority rights groups. In several states of India, Christians are actively barred from their Sunday prayer making a mockery of the fundamental rights and freedoms granted under the Indian Constitution.

4.4 The Washington-based international persecution watchdog Open Doors, has noted that persecution of Christians in India is now [“extreme”](#). According to their report^{xviii} it has increased significantly over the past five years, and has now “remained relatively unchanged for the past year”. It records how Hindutva mobs “believe that all Indians should be Hindus, and that the country should be rid of Christianity and Islam” and thus “use extensive violence to achieve this goal.”

4.5 Multiple other media and fact-finding reports have elucidated that the Christian community has been targeted with surveillance, vandalism, attacks, social boycott etc., across 21 states; many are in areas which have often gone under the news radar. Many (Uttar Pradesh, Karnataka, Uttarakhand, Chhattisgarh, and other places such as Haryana, Madhya Pradesh, Jharkhand, Gujarat and the areas adjoining the national capital region of New Delhi). According to two recent fact-finding reports on the situation, there may have been nearly 300 such cases recently. Statutory bodies like the National Commission for Protection of Child Rights (NCPPR) are being used to launch false prosecutions on Children’s Homes run by Christian charities for instance the Missionaries of Charity in Gujarat. A recent investigation^{xix} puts on record attacks against Christians in UP and other parts of the country, and states that 305 incidents of such violence have been reported on UCF toll-free helpline number 1-800-208-4545, in 2021 alone. The highest number of 69 incidents were reported to the helpline in September 2021^{xx}. “Uttar Pradesh, Chhattisgarh, Jharkhand and Madhya Pradesh recorded 169 incidents of Violence against Christians in total in the last nine months with Karnataka with 32 incidents of hate incidents against Christians,” stated the report. Over 2000 women, tribals and Dalits were injured in these incidents revealing the inter-sectionality of marginalised status that affects many kinds of minorities.

4.6 One of the biggest attacks by supremacist Hindutva^{xxi} mobs was on a [Church in Roorkee](#),^{xxii} in Uttarakhand on October 3. Soon after the attack, SabrangIndia’s sister organisation [Citizens for Justice and Peace](#), wrote to the National Commission for Minorities

(NCM) to take cognisance of the various church attacks by alleged right-wing outfits in various states.

4.7 Indian Muslims: The physical targeting of the Muslim minority continues unrelenting and has taken different forms. Lynching, mob attacks on businesses and property, attacks on places of worship like in the north eastern state of Tripura have marred India's self-acclaimed record of growth and development. Data of such attacks are not maintained in a dispassionate manner by Indian government and authorities making the analyses difficult. The fact that the government was forced to admit that 857 out of 51,606 incidents of riots in 2020 were admittedly communal (targeted) or religious in nature on March 29, 2022 (Para 1.4 above indicates the seriousness of these attacks). Independent news portals and human rights organisations have also tracked this hate with staggering findings.^{xxiii} (*More Details in Hate Crimes section below*)

4.8 Attacks on Minorities during the Pandemic: Independent investigations have found that attacks on India's Christian minority population continued, and in fact grew during the Covid-19 induced national lockdown. The yearly report for 2020 by the Religious Liberty Commission of the Evangelical Foundation of India [mentions](#) the atmosphere of hate for religious minorities and says, "While Muslims were the main targets, Christians, especially pastors in rural areas of several states across the country, were victims of violence, their congregational prayers disturbed, and places of worship attacked. Political excoriation, police impunity, and vigilante groups on their trail, marked the experience of many Christian communities in several parts of the country at the height of the Covid-19 spread." For Indian Muslims too, the Covid-19 Pandemic initiated lockdown was made infinitely worse by acts of stigmatising and hate letting, beginning with blatant attempts to pin the spread of the Pandemic on a religious conclave that took place in the capital, New Delhi.^{xxiv} It was proactive interventions of rights groups that mitigated the wide telecast of such a provocative campaign, somewhat.^{xxv}

5. Hate Crimes backed by Hate Speech and Hidden Statistics

5.1 An accompanying pre-requisite to this supremacist political objective is targeted hate crimes and a steady injection of hate speech against India's religious minorities in Indian public and political discourse.^{xxvi} The ruling BJP, is the parliamentary wing of the Rashtriya Swayamsevak Sangh (RSS), that since its inception has made no efforts to suppress its anti-democratic political vision. Affiliates to this ruling dispensation have been so emboldened over the past

eight years that have even made open and shrill calls for a ‘genocide’ of India’s Muslim community, called for targeted violence against Christians too (December 2021)^{xxvii}. A marked spiral in hate crimes in 2021 that saw an even greater surge with elections in states in early 2022, has been documented with 305 attacks on Christians also being notched up. Prejudiced Ideas, Acts of Prejudice, Discrimination, Violence –4 stages *prior to Genocide*—have been breached.^{xxviii}

5.2 These trends have been accompanied by calls for targeted killings and abusive use of inciteful hate on electronic media and social media. Admitting to the increasing spiral in instances of hate speeches and complaints around these to constitutional authorities, the Gov’t of India admitted in Parliament that there was many as 130 Complaints of ‘Hate News’ Cases on Social Media Platforms reported while being silent on the levels of action initiated.

5.3. The transmission of hate through the media, electronic and media is now a well-documented phenomenon worldwide, which after the ghastly Rwandan killings even coined a term “Journalism as Genocide”. India’s corporate-driven television channels have been guilty of fuelling aggressive anti-minority feelings and even hauled up by regulatory authorities. Social media (Facebook, Twitter, Github and Clubhouse Platforms) apart from facilitating the algorithms that spread hate also housed abusive and degrading “auctions” of Muslim women and girls^{xxix}, where the macabre and shameful phenomenon of their “sale” has taken place. All these developments have invited no censure from the ruling political leadership. The ‘sale’ and ‘auction’ of Muslim women and girls was first complained against by CJP in May 2021 compelling Twitter to pull 21 such abusive accounts.

5.4. Facebook with its vast clientele of 346 million plus users in English and 22 Indian languages is currently under a stringent Human Rights Impact Assessment (HRIA) report after whistle-blowers and activists have been documenting unchecked inciteful content, that has become an instrument for targeting minorities, Dalits, women.^{xxx} The onset of the Covid-19 Pandemic and its fallout also saw agents of the government and the electronic media transmitting shrill un-substantiated “news” that further stigmatised India’s minorities.

5.5. A slew of complaints filed by CJP against this systematic hate-letting have led to not just some institutional censures from authorities like the National Broadcasting and Digital Standards Authority (NBDSA)^{xxxi} and the National Commission of Minorities (NCM)^{xxxii} but also began the process of empowering citizens, from marginalised and other targeted groups to actually assume the role of community level peace workers and work with local authorities to

prevent the rumour, the stereotype, the hate from spiralling into violence. CJP has also been part of national efforts to bring to book errant social platforms and news broadcasters.

5.5 Among over five dozen complaints filed against hate-driven and stigmatising comment by television channels, several have been successful with broadcasters being asked to pull down overtly inciteful content.

6. Weaponising Laws and Discrimination against Minorities

6.1 One manifest way in which the current political dispensation has suspended constitutional norms and used the law to institutionalise discrimination, stigmatisation and ensure second-class status to Indian religious minorities, especially Muslims, is through passage of discriminatory laws like the Citizenship Amendment Act, 2019 that drew a religious marker and definition around citizenship, the threat of implementing a process for a National Register of Citizens/National Population Register (NRC-NPR)^{xxxiii} that (as the “experiments in the north eastern state of Assam have shown”^{xxxiv}) have vastly discriminated India’s minorities. ^{xxxv} The United Nations has issued strong advisories against this trend.^{xxxvi}

Issues with Discriminatory Laws

6.2 National register of Citizens, Assam :In the north-eastern state of Assam (with a population of over 3 crores), the egregious process of documentary determination of Citizenship, combined with questionable procedures laid down in Assam’s Foreigners’ Tribunals, set up under a colonial law are adversely affecting the Citizenship Rights of India’s most marginalised.^{xxxvii} The arbitrary fashion in which ‘notices’ are served by the Assam Border Police on hapless citizens, who are then subject to the rather erratic and questionable procedures of Assam’s Foreigner Tribunals^{xxxviii}, renders them completely at the mercy of a procedure that has no backing in Indian or international law.^{xxxix} In Assam, since 2009, the exhausting and often discriminatory NRC process has meant that ordinary working peoples, marginalised minorities, religious, ethnic and caste-based have been excluded of their basic rights. Not content with the NRC process, exclusions from Voters’ Lists and arbitrary issuance of ‘Declared Foreigner’ notices continues leaving large populations at the mercy of Foreigners Tribunal that function out of the pale of Constitutional guarantees of due process of law^{xl}.

[\(Refer to Annexure-2\)](#)

6.3 Citizenship Crisis, All India. In December 2019, Indian Parliament passed the controversial Citizenship Amendment Act, 2019 drawing a marker of religion/faith as a marker of exclusion from those refugees/displaced persons who apply for Indian Citizenship from neighbouring countries. Only Muslims were excluded as a category for swifter passage to application for citizenship. This coupled with the self-declared intent of the present government in its second term in power, led to widespread protests, largely from the Muslim community. Protesters saw these moves as a legal move of exclusion from citizenship and the laws and intention were likened to the infamous 'Nuremberg' laws of Nazi Germany.

(Refer to Annexure-3).

6.4 The criminalisation of protest (followed by arbitrary detention and arrest) of youth leaders from the Indian minorities, agitating over the discriminatory CAA2019-NPR-NRC, in the country's capital of Delhi, is another instance of overtly partisan state behaviour. States ruled by the BJP have initiated harsh repressive acts against journalists, citizen's protesters in general but most especially those belonging to India's religious minorities. The use of counter-terror laws has put even the right to life and freedom to protest especially for the minorities in jeopardy. After long periods of incarceration some judicial pronouncements, especially from the Delhi High Court have provided some manner of push back from the acts of the political executive.^{xii}

6.5 Relying on a section of powerful Indian sentiment that is religiously and culturally against the killing of the cow and consumption of beef, a several Indian states have enacted a slew of laws against Cow Slaughter that have also, potentially, severely penalised the cattle-trader and meat and beef-eating communities and trades. While this remains a sensitive issue and subject, the fact that this is a clear attack on the fundamental rights of large sections of Indians, besides also leading to their physical lynchings to death, cannot be ignored. *(Refer to Annexure-6)*

6.5 'Anti-Conversion' Laws: Six states within the Indian Union, all ruled by the right-wing BJP have passed the controversial "Anti-Conversion Laws" that are not just a denial of religious freedom but a denial of fair treatment and agency to Indian women, Adivasis (Indigenous Persons) and Dalits. Worse, this is an assault on free choice of young persons and their right to choose a partner of their choice. *(Refer to Annexure - 7)*

6.6 Socio-Economic Boycott of Muslim Vendors

Since calls for targeted attacks backed by systematic hate speech (December 2021) India has now seen public and brazen calls for the socio-economic boycott of Indian Muslim businesses and trade. These violate natural justice as also Indian Constitutional guarantees and render minorities utterly vulnerable to social exclusion. Not only does the Indian government need to be questioned on this but groups who are affiliates to the present extreme right-wing in power need to be prosecuted under existing law. ^{xlii}

(Refer to Annexure - 4)

7. Paradigm Shifts in Government Policy

7.1 Even scant policy measures such as specific budgetary measures brought into to ensure the equality and non-discrimination of India's minorities have also taken a setback over the past eight years, especially the scholarships given for students in schooling and higher education. All in all, the issue of the Rights of India's religious minorities that are particularly vulnerable, most since India's birth as Sovereign, Democratic Republic in 1950 today require urgent attention.

7.2 The [rigidly controlled flow of foreign funds](#) under the Foreign Contribution Regulation Act (2010) under the Ministry of Home Affairs has also, since 2014, has discriminated severely against minority-run institutions particularly and organising campaigning and litigating for the implementation of human rights.

7.3 Similarly, the policy and paradigm shift in the Indian political executive away from inclusive to exclusionary and majoritarian, has also impacted Indians living abroad either with Indian passports or an [OCI Card](#).

7.4 **Scholarships for Minorities on the Decline Pre and Post 2018:** While the present Indian Government has spent substantial efforts in self-promotion since 2014, foregrounding its slogan of "*Sabka Saath, Sabka Vikas*" (*Growth and Development for All*),^{xliii} a detailed investigation reveals a steady decline into *both* the allocation of funds and numbers of beneficiaries, of the Minority Scholarships Scheme, a flagship of the previous government, since 2014-2015. The 5th point of Prime Minister's 15-point programme prompted by the Sachar Report^{xliiv} ^{xliiv} is scholarships for meritorious students of minority communities. This falls under the larger goal of

providing equal opportunity to minorities.^{xlvi} In line with this the pre-matric, post-matric, Merit-cum-means (MCM) and Maulana Azad National Fellowship (MANF) are disbursed by the Ministry of Minority Affairs (MoMA). A combined ploy of squeezing funds from the Sarva Shiksha Abhiyan and overall funds for the Prime Minister's Minority Scholarship Programme in general, has left India's minorities, large and small, with a massive decline in scholarships for deserving students.

7.5 The year 2016-17 witnessed a sharp cut in funding as a sum of Rs 584.90 crore was sought to be disbursed marking an over 30 percent fall over the previous year. While during in 2018, the number of targeted beneficiaries was again 30 lakhs, the number of students actually reached dwindled further. The data for the year 2017-18 on state or union territory-wise and community-wise distribution of the pre-matric scholarship scheme for students belonging to the minority communities revealed that the "community/gender wise data" had not been reconciled. According to this data the total number of beneficiaries were targeted to be 30 lakhs, but only about 12 percent of them or 3,69,549 actually got any benefits in the first quarter of the fiscal till June 30, 2017.

7.6. The targeted group was supposed to comprise 21.39 lakh Muslims, 3.72 lakh Christians, 2.97 lakh Sikhs, 1.23 lakh Buddhists, 65,448 Jains and 1,030 Parsis. It goes without saying that the losses in terms of number of scholarships were largely commensurate with this ratio. For all the beneficiaries put together, a sum of Rs 63.13 crore was sanctioned. The lofty ideals on which the pre-matric scholarship was started have not been enough to save it from major financial cuts. Contrary to achieving an educational funding of 6 percent of the GDP as promised by the BJP it has now declined to 3.8%.

8. Positive Trends

8.1 Anti-Lynching Legislation

Four states have enacted Anti Lynching Laws and in a recent example, the *The Prevention of Mob Violence and Mob Lynching Bill, 2021*, was passed in the state of Jharkhand by a voice vote despite opposition by the BJP. These laws aim at providing "effective protection" of constitutional rights and the prevention of mob violence in the state. States are Jharkhand, West Bengal, Rajasthan and Manipur). The Bill defines lynching as "any act or series of acts of violence or death or aiding, abetting or attempting an act of violence or death, whether spontaneous or planned, by a mob on the grounds of religion, race, caste, sex, place of birth,

language, dietary practices, sexual orientation, political affiliation, ethnicity or any other ground.”^{xlvii}

8.2 Judicial Pronouncements:

Two judicial pronouncements by the Supreme Court *Pravasi Bhalai Sangathan v. Union of India* (2014) and *Amish Devgn vs Union of India* (2020) have made some headway in starkly calling out Hate Speech and declassifying it from Free Speech, a fundamental right under Article 19 of the Indian Constitution. Similarly the detailed *Tehseen Poonawalla v/s Union of India & Ors* judgement (2018) lays down detailed guidelines to state government and law enforcement agencies on curbing mob violence and targeted incidents and lynching. (*Refer Annexure-5*). The challenge remains in getting these rigorously implemented.

9. Recommendations

9.1 Previous Recommendations from India’s 2017 UPR regarding FoRB [161.126, 161.127, 161.128 on Repealing anti-conversion laws, 161.73 on implementing effective measures to combat religious intolerance, 161.133 on protecting minorities from hate speech, provocation incitement to religious violence, discrimination on religious grounds) have not been implemented. They are not only relevant but even more so in the India of today and should be implemented.

9.2 Table and Enact the Prevention of Communal and Targeted Violence (Justice and Reparations Bill) 2011

- (i) The Government must ensure that accountability is fixed in any kind of religious violence on perpetrators as well as officials charged with law and order. It should also take responsibility to grant compensation to the victims.

9.3 Repeal the following anti-minority laws:

- (i) Citizenship Amendment act 2019 (Indian Government);
- (ii) All “Anti-conversion” laws that in fact target religious minorities passed by six states;
- (iii) Specific Policy assurance not to implement an all India NPR/NRC (Indian Government)
- (iv) Cow Protection Laws in various states

9.4 Ensure that the Foreigner Tribunals follow Indian constitutional and international law (Assam) and Detention Centres are closed.

- 9.5 Indian authorities should ensure that electronic media and other media channels, including social media platforms maintain impeccable professional standards when it comes to reportage/debate especially when it comes to issues related to the rights, and dignity of human lives and regulate Hate Speech.
- 9.6 Facebook must release the Human Rights Impact Assessment Report (HRIA)
- 9.7 Stop the targeting of Minority institutions in the social sector especially those running schools, charities, children's homes and the like.
- 9.8 Facilitate the Codification of family laws and enact - after working with minority women rights organisations and feminist groups towards a gender just code for family laws;
- 9.9 Strike down the 1950 Presidential Order that denies reservation and other rights to Dalit Christians and Muslims.
- 9.10 The Ministry of Home Affairs must immediately fairly collate and put in the public domain and additionally provide disaggregated data on communal incidents (targeted hate crimes). The National Crime Records Bureau must ensure diligent record of all reported cases of FoRB violations.
- 9.11 The government should address the issue of statelessness. It must sign and ratify the Convention on the Reduction of Statelessness, 1961; the Convention Relating to the Status of Stateless Persons, 1954; and the Refugee Convention, 1951, and its 1967 Protocol.
- 9.12 Introduce a national legislation on the lines of the Maharashtra Protection of People from Social Boycott Act, 2016, to protect victims of social and economic boycott.
- 9.13 Ensure that the guidelines set by the Supreme Court to deal with the cases of Mob Lynching are strictly followed. Introduce a national legislation against mob lynching. And the Indian Penal Code should institute specific hate crime laws
- 9.14 The Government must invite the UN Special Rapporteur on FoRB and Minority Rights to India.
- 9.15 Government must include religious violent extremism (in the name of majoritarianism) in the definition of terrorism.
- 9.16 The government must ensure that those who indulge in hate speeches to incite religious violence in the name of Freedom of Expression are prosecuted.
- 9.17 Using religion as the criterion to identify Scheduled Castes should be discontinued as recommended by the Ranganath Mishra Committee.
- 9.18 Ensure National and State governments enable India's religious minorities including OCI-holders the same social, economic and political rights available to all citizens including access to education, dispensation of (and say in) education policy including teaching of history and

social sciences, employment, representation in political and other institutions of governance, budgetary allocations etc.

- 9.19 Facilitate the Codification of family laws- and working with minority women rights organisations and feminist groups towards a gender just code for family laws;
- 9.20 Strike down the 1950 Presidential Order that denies reservation and other rights to Dalit Christians and Muslims.

Endnotes

ⁱ The Constitution of India 1950, Art. 25. Available at: <http://legislative.gov.in/constitution-of-india>

ⁱⁱ The Ideology of the Rashtriya Swayamsevak Sangh (RSS) is both Hate-Ridden and Supremacist <https://www.sabrangindia.in/indepth/ideology-rashtriya-swayamsevak-sangh-rss-both-hate-ridden-and-supremacist-part-1>

ⁱⁱⁱ The Ideology of the Rashtriya Swayamsevak Sangh (RSS) is both Hate-Ridden and Supremacist - Part 1 <https://www.sabrangindia.in/indepth/ideology-rashtriya-swayamsevak-sangh-rss-both-hate-ridden-and-supremacist-part-1>

^{iv} Minority educational institutions stage protest against NEP <https://www.thehindu.com/news/cities/Coimbatore/minority-educational-institutions-stage-protest-against-nep/article28750710.ece>;
NEP 2020 ignores crisis in education among the marginalised majority in rural India <https://indianexpress.com/article/opinion/columns/national-education-policy-rural-education-schools-6596233/>;

Activists, intellectuals discuss the threat of NEP 2020 on Constitution Day <https://sabrangindia.in/article/activists-intellectuals-discuss-threat-nep-2020-constitution-day>

^v 857 communal riots in 2020 alone! <https://sabrangindia.in/article/857-communal-riots-2020-alone>

^{vi} Countries and Territories, <https://freedomhouse.org/countries/freedom-world/scores>

^{vii} The democratic backsliding of India <https://www.v-dem.net/en/news/democratic-backsliding-india-worlds-largest-democracy/>

^{viii} India Chapter AR2021.pdf, <https://www.uscirf.gov/sites/default/files/2021-05/India%20Chapter%20AR2021.pdf>;
India should be a 'Country of Particular Concern' for Religious Freedom: U.S. Commission <https://www.thehindu.com/news/international/india-should-be-a-country-of-particular-concern-for-religious-freedom-us-commission/article34379418.ece>

^{ix} Status_of_Policing_in_India_Report_2019_by_Common_Cause_and_CSDS.pdf https://www.commoncause.in/uploadimage/page/Status_of_Policing_in_India_Report_2019_by_Common_Cause_and_CSDS.pdf; <https://cjp.org.in/study-finds-anti-muslim-prejudices-among-police-personnel/>;

Study finds anti-Muslim prejudices among police personnel <https://cjp.org.in/study-finds-anti-muslim-prejudices-among-police-personnel/>

^x Police Force sans Diversity: Poor rep of SCs, STs, Women, OBCs, Muslims Invisibilized <https://sabrangindia.in/article/police-force-sans-diversity-poor-rep-scs-sts-women-obcs-muslims-invisibilized>

^{xi} Hate Hatao: CJP doubled its efforts to check hate crimes in 2021 <https://cjp.org.in/hate-hatao-cjp-doubled-its-efforts-to-check-hate-crimes-in-2021/>

xii 161.126 Holy See, 161.127 The Netherlands, and 161.128 Italy (Refer to Pages 1 and 2 of Annexure 1 WGHR MTR Chapter 11 - Freedom of Religion and Minority Rights from the WGHR Report, CJP is a endorsee organisation)

xiii Uttar Pradesh, Uttarakhand, Madhya Pradesh, Gujarat, Karnataka, Haryana have all enacted such laws: Haryana will soon enact its 'anti conversion law', why is civil society quiet?

<https://sabrangindia.in/article/haryana-will-soon-enact-its-anti-conversion-law-why-civil-society-quiet>

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