



Oral Statement
Minority Rights Group
Human Rights Council, 36th session

UPR of India

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Speaker: Ms. Lara Jesani

Thank you Mister President,

The adoption of India's UPR comes at a crucial time when religious minorities and members of lower-caste groups face high levels of violence and discrimination. Amid this climate of rising intolerance, Minority Rights Group International, together with Citizens Against Hate and People's Watch, welcome India's acceptance of several recommendations calling on the authorities to strengthen efforts for protection of and access to justice for vulnerable groups, including minorities.

We would like to raise three points.

First, while better implementation of existing laws and availing access to appropriate judicial means is crucial in responding to violations against minorities, there is also a clear need to address current legislation and policies which have been found to provide a cloak of legitimacy to this violence and discrimination. The role of cow-slaughter legislation and anti-conversion legislation in emboldening vigilante groups has been well-documented. For example, anti-cow slaughter legislation has influenced the rise of so-called 'cow-protection units' which have engaged in mob violence and lynchings targeting minorities. According to a recent report, 63 cow-related incidents of violence have been documented in the media over an eight-year period from 2010-2017, the majority of which have taken place since the election of the current government in 2014 and alongside the tightening of anti-cow slaughter legislation. Beyond implementation of current laws, we therefore urge government to take steps to reform or repeal anti-cow slaughter and anti-conversion legislation, which fuel violence against religious minorities.

Second, there remains an urgent need for authorities to investigate incidents of targeted violence, including the most recent cases of vigilante violence against Muslims, and hold to account the perpetrators and instigators of these crimes, including public officials where state complicity is involved. While we welcome India's pledge to '[facilitate] equal access to justice for all', targeted minorities face severe obstacles to securing justice, including action and inaction on the part of state officials. Particularly concerning include recent reports of victim and witness intimidation, instances of cross-cases filed against victims in cow-related violence, and excessively slow investigation and judicial processes. The resulting high levels of impunity sharply contradict India's stated commitments, and we call on the Government of India to investigate these incidents without delay, and secure relief, reparation, and rehabilitation to victims.

Finally, in response to the High Commissioner's recent oral update regarding the recent wave of mob attacks targeting religious minorities, the Government of India has stated that "individual incidents are being extrapolated to suggest a broader societal situation". However, the Government of India's position contradicts both media reports and the increasingly at-risk HRDs, which point to a rise in such incidents, including over 20 cases already reported in 2017. To ensure clarity moving ahead, we call on the GoI to immediately begin to take steps to collect and publish comprehensive data on hate crimes, disaggregated by social group and category.

I thank you.