

**United Nations Human Rights Council  
Universal Periodic Review of the Republic of India**

**I. Background**

1. **Jubilee Campaign\***, in special consultative status with ECOSOC, submits this analysis of religious freedom and human rights in the Republic of India as a contribution to the Universal Periodic Review. Jubilee Campaign is a non-governmental organization focusing on promoting the rights of religious and ethnic minorities and raising the status of vulnerable women and children – to protect them from bodily harm and sexual exploitation.
2. **Indian American Muslim Council** is a Washington, D.C.-based 501(c)(3) nonprofit organization that advocates for civil and political liberties, human rights and religious freedom, both in India and the United States. This organization was registered in 2002 after a pogrom against Muslims in the Indian State of Gujarat in which supremacist mobs killed over 2,000 people, mostly Muslims, including hundreds of children and women. IAMC works in alliance with diverse civil rights organizations in the U.S. and globally, too, to advance its advocacy for peace, pluralism and social justice.
3. **Justice For All** is a Chicago based Human Rights + Advocacy organization. Begun at the time of the Bosnian Genocide, Justice For All tracks, reports on and advocates for Muslim minority populations facing threat of mass killing, extermination and genocidal pogroms.
4. **Federation of Indian American Christian Organizations of North America** is a Washington DC based a voluntary, charitable organization advocating on behalf of 1 million strong Indian American Christians from all 50 states and Canada, It is a coalition of Protestant, Catholic, Orthodox, Evangelical, Pentecostal and independent church and civic organizations primarily of Indian Americans.
5. **Hindus for Human Rights** is a 501(c)3 nonprofit organization based in the United States. It advocates for pluralism, civil and human rights in South Asia and North America, rooted in the values of our faith: shanti (peace), nyaya (justice) and satya (truth). It provides a Hindu voice of resistance to caste, Hindutva (Hindu nationalism), racism, and all forms of bigotry and oppression.
6. **International Christian Concern** is a Washington, D.C.-based international human rights nonprofit that exists to serve the persecuted Christian church around the world. It accomplishes this by direct assistance to persecuted communities, sustained government advocacy for these communities, and ongoing efforts to raise awareness about their plight among the western church and in the media.

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\* Main submitting organization

## **II. Scope of international obligations and cooperation with international human rights mechanisms and bodies.**

7. India has ratified the International Covenant on Civil and Political Rights; the Convention on the Elimination of All Forms of Discrimination against Women; the International Convention on the Elimination of All Forms of Racial Discrimination; the International Covenant on Economic, Social and Cultural Rights; the Convention on the Rights of the Child; the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict; the Optional Protocol to the Convention on the Rights of the Child on the sale of children child prostitution and child pornography; and the Convention on the Rights of Persons with Disabilities.
8. India has not ratified the Optional Protocol of the Convention against Torture; the Second Optional Protocol to the International Covenant on Civil and Political Rights aiming to the abolition of the death penalty; the Convention for the Protection of All Persons from Enforced Disappearance; the Interstate communication procedure under the International Convention for the Protection of All Persons from Enforced Disappearance; and the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families.

### **Recommendation(s)**

We urge the Republic of India to:

9. Ratify the Optional Protocol of the Convention against Torture; the Second Optional Protocol to the International Covenant on Civil and Political Rights aiming to the abolition of the death penalty; the Convention for the Protection of All Persons from Enforced Disappearance; the Interstate communication procedure under the International Convention for the Protection of All Persons from Enforced Disappearance; and the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families.

## **III. Violations of international human rights obligations, considering applicable international humanitarian law**

### **A. Freedom of thought, conscience, and religion**

10. Article 25 of India's Constitution of 1949 guarantees citizens the right to freely profess, practice, and propagate religion, but stipulates that such rights are "subject to public order, morality and health". Article 26 expands on this by providing faith communities the right to establish religious institutions, manage their own affairs, own property, and establish houses of worship. Similarly to the previous article, these rights are "subject to public order, morality and health".<sup>2</sup>

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<sup>2</sup> [The Constitution of India \[India\]](#), 26 January 1950.

11. Chapter XV of India's Penal Code outlines Offenses Relating to Religion and Articles 295 and 298 can be considered blasphemy laws, which are inconsistent with international human rights. Article 295A criminalizes "deliberate or malicious acts intending to outrage religious feelings of any class" with three to five years' imprisonment and/or a fine. Article 298 stipulates that any individual who "with the deliberate intention of wounding the religious feelings of any person, utters any word or makes any sound in the hearing of that person or makes any gesture in the sight of that person" shall be imprisoned for up to one year and receive a fine.<sup>3</sup>
12. Ten of India's 28 states (36%) have enacted legislations that counter allegedly "forced", "coercive", and "fraudulent" religious conversions. In reality, these laws have been used by extremist Hindu nationalists to prevent conversion away from Hinduism by falsely accusing faith minority leaders of forcefully converting individuals. Hindu nationalists baselessly claim that providing charitable assistance to or praying for individuals amounts to attempts at fraudulent conversion.<sup>4</sup>
  - a. As recently as December 2021, Karnataka tabled and passed an anti-conversion legislation and became the eleventh Indian state in the above list.<sup>5</sup>
  - b. Uttar Pradesh's and Madhya Pradesh's anti-conversion legislations, the Prohibition of Unlawful Religious Conversion Ordinance [November 2020] and the Freedom of Religion Act [January 2021], respectively, were both enacted in response to the 'love jihad' conspiracy theory. This baseless theory posits that Muslim men are seducing and marrying Hindu women with the purpose of converting them to Islam. As such, Uttar Pradesh's and Madhya Pradesh's laws crack down on such marriages and they embolden radical Hindus to falsely accuse Muslim men of engaging in such actions. Not only are these laws problematic because they (1) have encroached upon lawful and consensual interfaith marriages, but they also (2) operate under the incorrect assumption that women are naive and vulnerable to trickery by Muslim men, and therefore (3) violate the woman's choice of a marriage partner. Moreover, these laws (4) cast the burden of proof on the accused, rather than the prosecution, to prove that the accused has not violated any provision of the law.<sup>6</sup>
  - c. The introduction of 'love jihad' laws directly led to an exponential increase in false accusations of fraudulent marriage-conversions. Below are a select few cases:

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<sup>3</sup> *The Indian Penal Code [India]*, 6 October 1860.

<sup>4</sup> Meghan G. Fischer, "Anti-Conversion Laws and the International Response", *Penn State Journal of Law & International Affairs*, June 2018.

<sup>5</sup> Ananya Varma, "As Karnataka Passes Anti-conversion Bill Here's A Look At States With Similar Laws", *Republic World*, 23 December 2021.

<sup>6</sup> Maulshree Seth, "Explained: Uttar Pradesh's 'love jihad' law, and why it could be implemented vigorously", *The Indian Express*, 5 December 2020. ; Roli Srivastava, "'Love jihad' law seen trampling women's hard-earned freedoms in India", *Reuters*, 15 January 2021.

<sup>7</sup> Apporvanand, "India's 'love jihad' laws: Another attempt to subjugate Muslims", *Al Jazeera*, 15 January 2021.

<p><b>2 December 2020:</b> Uttar Pradesh police interrupted a wedding between a Hindu woman and her Muslim fiancé. Even though the interfaith marriage appeared legitimate and the bride, groom, and their families were supportive of the union, the authorities prevented the wedding from concluding.<sup>7</sup></p>	<p><b>6 December 2020:</b> A 22-year-old pregnant Hindu woman and her Muslim husband were detained and separated when they attempted to register their marriage. The couple was falsely accused of engaging in ‘love jihad’ and were punished despite that their marriage was legitimate. The woman suffered a miscarriage in the shelter home.<sup>8</sup></p>
<p><b>25 December 2020:</b> A Muslim teenage boy was arrested after the father of his female classmate accused him of “induc[ing] the girl to elope with him” and convert to Islam, but provided no evidence.<sup>9</sup></p>	<p><b>30 July 2021:</b> An interfaith wedding was halted on the accusation that the Hindu woman in question was being kidnapped even after she refuted the claim. She was subsequently forced to go to the Kotwali police station and the Muslim man in question was also questioned and threatened by police.<sup>10</sup></p>
<p><b>7 August 2021:</b> A 22-year-old woman’s mother alleged that her daughter had been kidnapped by a Muslim man and was converted to Islam and married against her will. The woman then posted a video stressing that she had married and converted upon her own free will. The only ‘evidence’ the mother provided of the claims was that she “felt” that Muslims were “the type” to engage in ‘love jihad’. The woman, when asked again about whether her marriage and conversion was consensual, explained, I have an MBA. Am I a baby girl that somebody will say something and I will get brainwashed?”<sup>11</sup></p>	<p><b>24 August 2021:</b> The father of one woman alleged that his daughter’s husband and a group of Muslim men were engaging in ‘love jihad’. The woman confirmed that her marriage and conversion to Islam were of her own choosing, and has stated that she had actually been receiving threats to return to her family and abandon her husband.</p>
<p><b>August 2021:</b> A Muslim man was accused of engaging in ‘love jihad’ after he began a consensual relationship with an older Hindu woman. He was reportedly abducted and turned into police custody where he was further tortured into falsely confessing that he received money from abroad to rape and convert Hindu women. The man, a father of three children, has remained in prison since.<sup>12</sup></p>	<p><b>September 2021:</b> A 24-year-old Muslim man was killed for allegedly engaging in ‘love jihad’ after he fell in love with and began a consensual relationship with a Hindu woman. His mother warned him of the dangers of interfaith relationships. Shortly before he was stabbed to death and decapitated, the man had been receiving threatening phone calls.<sup>13</sup></p>

- d. Interfaith couples have expressed that ‘love jihad’ laws have forced them to date or marry in secret. In 2021, a 22-year-old Hindu woman and her 26-year-old Muslim fiancé were forced to flee Uttar Pradesh and live in a safe house to escape persecution for their interfaith relationship. They were fearful that one of them would be arrested under the ‘love jihad’ laws. Though the couple’s parents have been supportive of their relationship, they are devastated that they had to run away to live according to their will.<sup>14</sup>
- e. More generally, anti-conversion laws have led to endless false arrests and incidents of persecution in the first half of 2021:<sup>15</sup>

<sup>7</sup> Apporvanand, “India’s ‘love jihad’ laws: Another attempt to subjugate Muslims”, *Al Jazeera*, 15 January 2021.

<sup>8</sup> S Raju, “Woman detained under UP’s new law against ‘love jihad’ suffers miscarriage”, *Hindustan Times*, 13 December 2020.

<sup>9</sup> Al Jazeera, “Another BJP-governed Indian state plans anti-conversion law”, 26 December 2020.

<sup>10</sup> The Wire, “UP: Interfaith Marriage Forcibly Stopped by Hindutva Group”, *The Wire*, 30 July 2021.

<sup>11</sup> Mariyam Alavi, “With No Credible Evidence, ‘Love Jihad’ Cases In Kanpur Crumble”, *NDTV*, 28 November 2021.

<sup>12</sup> Hannah Ellis-Petersen & Ahmer Khan, “‘They cut him into pieces’: India’s ‘love jihad’ conspiracy theory turns lethal”, *The Guardian*, 21 January 2022.

<sup>13</sup> *Ibid.*

<sup>14</sup> Lauren Frayer, “In India, boy meets girl, proposes – and gets accused of jihad”, *NPR*, 10 October 2021.

<sup>15</sup> Imran Qureshi, “Indian Christians fear attacks or jail over conversions”, *BBC News*, 21 December 2021.

<sup>16</sup> Evangelical Fellowship of India, Religious Liberty Commission, *Hate and Targeted Violence against Christians in India: Half Yearly Report 2021*, 23 July 2021.

<b>3 January 2021:</b> Hindu extremists in Uttar Pradesh falsely accused four Christians and a pastor of luring people to Christianity. Authorities filed charges against the five Christians. <sup>16</sup>	<b>4 January 2021:</b> Hindu extremists in Madhya Pradesh interrupted a Christian program at one individual's house and accused the homeowner of conducting unlawful conversions. Authorities detained the accused though they found no evidence of unlawful conversion.	<b>10 January 2021:</b> Authorities in Uttar Pradesh received false allegations from Hindu extremists that a local pastor was engaging in unlawful conversions. The pastor was arrested.
<b>13 January 2021:</b> Authorities arrested two pastors in Madhya Pradesh on false allegations of "alluring local people" to Christianity at a prayer meeting.	<b>14 January 2021:</b> Authorities in Madhya Pradesh arrested 12 Christians for conducting a baptism.	<b>17 January 2021:</b> Authorities interrupted a prayer meeting in Madhya Pradesh and briefly detained a pastor on accusations from Hindu radicals that he was conducting illegal conversions.
<b>22 January 2021:</b> Authorities Uttar Pradesh detained and interrogated two pastors after they received accusations that they were involved in conversions.	<b>26 January 2021:</b> A group of Hindu radicals ambushed a Christian prayer meeting and verbally assaulted attendees. Authorities booked the Christians under the Madhya Pradesh anti-conversion law.	<b>27 January 2021:</b> Hindu radicals interrupted a Christian prayer meeting in Madhya Pradesh and called the police. Authorities detained the Christians on false charges of illegal conversion activities.
<b>28 January 2021:</b> Uttar Pradesh authorities detained a Christian pastor on allegations that he was involved in religious conversion activities.	<b>6 February 2021:</b> Hindu extremists in Madhya Pradesh accused two missionaries of unlawful religious conversion after they attended a Christian wedding. Authorities briefly detained the missionaries.	<b>7 February 2021:</b> A mob of Hindu radicals entered a church in Madhya Pradesh and accused the 25 Christian worshippers of luring others to Christianity. Authorities briefly detained all of the accused.
<b>11 February 2021:</b> A group of 12 Christians in Garwah, Jharkhand were attacked by Hindu nationalists who baselessly accused them of unlawfully converting people to Christianity. Three of the victims were severely injured and hospitalized. Authorities filed charges against the Christians and three were arrested.	<b>7 March 2021:</b> Two pastors in Uttarakhand were arrested while conducting a church service. They were briefly detained on false accusations of conversion.	<b>15 March 2021:</b> A group of villagers and some policemen in Uttar Pradesh ambushed the home of a pastor and his family who were then detained and interrogated on fabricated conversion charges.
<b>19 March 2021:</b> Four nuns were stopped in Uttar Pradesh by Hindu nationalists and baselessly accused of engaging in unlawful religious conversion. Authorities arrested the nuns and interrogated them before releasing them.	<b>23 March 2021:</b> Four Christians were falsely accused of conversion and were briefly detained and questioned by Uttar Pradesh authorities.	<b>4 April 2021:</b> A radical Hindu mob interrupted prayer meetings in Madhya Pradesh and called the police. Authorities arrested the pastor and his family and later charged them with unlawful conversion.
<b>10 April 2021:</b> A Christian evangelist in Madhya Pradesh was arrested on charges of unlawful conversion.	<b>13 June 2021:</b> A pastor in Uttarakhand was arrested on false accusations of religious conversion and was physically beaten during interrogation. Authorities threatened him to leave his village.	<b>20 June 2021:</b> A member of APC Church in Uttar Pradesh was briefly detained and interrogated on false charges of conversion.
<b>25 June 2021:</b> A Uttar Pradesh pastor was taken into police custody on allegations that he was involved in conversions; he was later released.	<b>25 June 2021:</b> Uttar Pradesh villagers accused a group of local Christians of luring people to Christianity; they were arrested.	<b>26 June 2021:</b> A pastor in Uttarakhand was falsely accused by a Hindu extremist woman of religious conversion.
<b>26 June 2021:</b> Two Christian individuals in Uttar Pradesh were arrested on false charges of conversion.	<b>28 June 2021:</b> A Pastor and his peer in Uttar Pradesh were taken into custody on charges of conversion but were later released due to lack of evidence.	<b>Source for Chart:</b> Evangelical Fellowship of India, Religious Liberty Commission, <i>Hate and Targeted Violence against Christians in India</i> , 23 July 2021.

13. The above list of incidents does not begin to cover the numerous cases of persecution of faith minorities in India. In its Yearly Report 2021, the Evangelical Fellowship of India's Religious Liberty Commission reported 505

<sup>16</sup> Evangelical Fellowship of India, Religious Liberty Commission, [Hate and Targeted Violence against Christians in India: Half Yearly Report 2021](#), 23 July 2021.

total incidents between January and December 2021, including threats/harassment (137 incidents), acts of physical violence (84 incidents), false accusations/arrests (81 incidents), interruption of church worship (65 incidents), social opposition/boycotts (36 incidents), hate campaigns (34 incidents), acts of vandalism (18 incidents), church demolitions (5 incidents), and murder (3 incidents).<sup>17</sup>

14. The United Christian Forum similarly reported over 500 incidence of violence against Christians in 2021.<sup>18</sup> Violence and incidents against religious minorities include: (1) physical and verbal assaults on religious leaders and members; (2) damage to and desecration of places of worship, including arson; (3) disruption of prayer services and restrictions on religious gatherings; (4) false accusations of forced and fraudulent religious conversions; (5) forced or coerced *ghar wapsi* ceremonies (“homecoming” ceremonies for non-Hindus when they convert to Hinduism); (6) refusals of permission for religious minorities to establish and run places of worship. In addition to violence, social exclusion is also commonly used as a tactic to victimize minorities. For example, in a village in Bilawar Kalan, the village elders instituted a fine for any family that welcomes Christians in their home and threatened to withhold selling market goods to Christian families who refused to convert to Hinduism.<sup>19</sup>

15. In 2021 alone, there were 129 recorded incidents, primarily against Muslims,<sup>20</sup> and there were 36 cases where a Muslim was physically assaulted. EFI has reported that “at least 65 persons from minority communities, mainly Muslims, have been murdered or lynched in over 25 incidents only in 2019.”<sup>21</sup>

16. Below are a selection of incidents of persecution against faith minorities in India in 2021, to show the scope of the modes of persecution:

Threats/Harassment	Physical Violence/Attacks
<ul style="list-style-type: none"> <li>• <b>8 June:</b> Eight Christian families were chased away from their village in Odisha state by Hindu extremists who destroyed their homes. The assailants additionally “humiliated some Christian women”.<sup>22</sup></li> <li>• <b>7 December:</b> A Muslim comedian revealed that he had to cancel numerous shows in light of threats of vandalism from radical Hindus.<sup>23</sup></li> <li>• <b>24 December:</b> In a meeting of Hindu religious leaders in Haridwar, Uttarakhand, extremists called</li> </ul>	<ul style="list-style-type: none"> <li>• 31 January: radical Hindu extremists ambushed a church in Karnataka, where they physically assaulted worshipers. The pastor, along with 27 Christians, were hospitalized.</li> <li>• 22 April: A pastor and his wife were praying at their home in Bihar when they were viciously assaulted by Hindu extremists with rods and sticks. The couple, severely injured, was immediately rushed to the hospital, where unfortunately, the husband passed away due to contracting COVID-19.<sup>26</sup></li> </ul>

<sup>17</sup> Evangelical Fellowship of India, Religious Liberty Commission, [Hate and Targeted Violence against Christians in India: Yearly Report 2021](#), 15 February 2022.

<sup>18</sup> Soniya Agrawal, “486 incidents of violence against Christians in 2021, up 75% since 2020: Christian rights body”, *The Print*, 31 December 2021. ; The Quint, “2021 the Most Violent Year for Christians in India, Reveals UCF Data”, 31 December 2021. ; Supriti David, “Christians are ‘target practice’ for communal groups, say community leaders”, *News Laundry*, 28 January 2022.

<sup>19</sup> Jeffrey Gettleman & Suhasini Raj, “Arrests, Beatings and Secret Prayers: Inside the Persecution of India’s Christians”, *The New York Times*, 23 December 2021.

<sup>20</sup> [DOTO \(Documentation of the Oppressed\) Database](#). There were 36 records of physical assault against Muslims listed in the DOTO Database from 1 January 2021 – 31 December 2021 (inclusive).

<sup>21</sup> Evangelical Fellowship of India, Religious Liberty Commission, [Hate and Targeted Violence against Christians in India: Half Yearly Report 2021](#), 23 July 2021.

<sup>22</sup> Purushottam Nayak, “Radicals attack, ostracize Christians in Odisha”, *Matters India*, 9 June 2021.

<sup>23</sup> Dharvi Vaid, “Indi: Are ‘anti-Muslim’ attacks becoming the norm?”, *DW*, 7 December 2021.

<sup>26</sup> Christian Today, “Three Christians seriously wounded in a mob attack in Bihar”, 28 April 2021.

<p>on attendees to take up weapons and kill Muslims, speech with genocidal intent. At least one member of the ruling BJP political party was in attendance.<sup>24</sup></p> <ul style="list-style-type: none"> <li>1 October: At another anti-Christian rally in Chhattisgarh's Surguja district, a Hindutva leader called on attendees to take up weapons against and kill Christians allegedly converting people.<sup>25</sup></li> </ul>	<ul style="list-style-type: none"> <li>10 August: A Muslim rickshaw driver was brutally assaulted in the streets of Uttar Pradesh's Kanpur. Local Hindus had accused the man's family members of 'love jihad' and so took revenge out on him.<sup>27</sup></li> </ul>
<p><b>Social Opposition</b></p> <ul style="list-style-type: none"> <li>8 January: Hindu extremists in Chhattisgarh initiated a social rally against Christians with signs saying "Christians should be chased away from India".</li> <li>3 August: Hindu nationalists held an anti-Christian demonstration in Chhattisgarh's Bastar District during which they shouted slogans "Let us drag people from the church and stop conversions at any cost" and "Let's beat them with shoes!"<sup>28</sup></li> </ul>	<p><b>Vandalism</b></p> <ul style="list-style-type: none"> <li>October: In response to anti-Hindu violence taking place in neighboring Bangladesh, radical Hindus in India's Tripura state desecrated 16 mosques and additionally set fire to Muslim homes.<sup>29</sup></li> <li>25 December: A series of acts of vandalism occurred on Christian houses of worship over the Christmas weekend:<sup>30</sup> <ul style="list-style-type: none"> <li>Uttar Pradesh: Hindu extremists burned Santa Clause statues outside of Christian schools and accused missionaries of deceiving people to convert.</li> <li>Assam: Hindu nationalists ambushed a Christmas service at a Presbyterian church and ordered Hindus to leave.</li> <li>Haryana: Hindu extremists demolished a statue of Jesus at an unspecified church and desecrated Holy Redeemer Church in Ambala.</li> </ul> </li> <li>3 October: A mob of 200 Hindu extremists armed with iron rods entered a church in Roorkee, Uttarakhand, where they destroyed pews, chairs, musical instruments, and demolished the building.<sup>31</sup></li> </ul>
<p><b>Destruction of Houses of Worship</b></p> <ul style="list-style-type: none"> <li>17 May: Authorities in Uttar Pradesh demolished 100-year-old Ghareeb Nawaz Al Maroof Mosque on false counts that the building was an "illegal structure" and was "disrupting traffic". The demolition occurred despite a court order to halt the process.<sup>32</sup></li> <li>12 July: Little Flower Syro Malabar Church in New Delhi was demolished by the Delhi Development Authority. The parish priest of the church stated that the demolition came without any prior notice and that the Authority claimed that it</li> </ul>	<p><b>Murder</b></p> <ul style="list-style-type: none"> <li>18 May: In Rajasthan's Udaipur district, relatives of Pastor Ramesh Bumbariya entered his home where he lived with his father Bhima and shot the two men before striking them with axes and swords. Bhima passed away from his injuries. Pastor Bumbariya's relatives were reportedly angry about his faith.<sup>34</sup></li> <li>20 May: In Odisha, a group of Hindu extremists physically beat and killed Pastor Alok Rajhan and injured his wife.<sup>35</sup></li> <li>30 June: In Haryana, a bailed criminal used a roof truss to strike and kill Pastor Vinod Kumar after he was lured out of his home by the assailant's brother on the false pretenses that he needed to visit a sick villager.<sup>36</sup></li> </ul>
<p><sup>24</sup> Al Jazeera, "Hindu illegal structures for genocide of Muslims sparks outrage", 24 December 2021.</p> <p><sup>25</sup> Alishan Jafri, "Hate Watch: In Presence of BJP Bigwigs, Chhattisgarh Hindutva Leader Calls for Beheading Minorities", <i>The Wire</i>, 21 October 2021.</p> <p><sup>27</sup> Prashant Srivastava, "How neighbourhood row 'triggered' attack on Kanpur Muslim man forced to chant 'Jai Shri Ram'", <i>The Print</i>, 15 August 2021.</p> <p><sup>28</sup> International Christian Concern, "Hindu Nationalists Hold Rally in India Advocating for Genocide of Muslims", 24 December 2021.</p> <p><sup>29</sup> Gettleman &amp; Suhasini Raj, "Arrests, Beatings and Secret Prayers: Inside the Persecution of Christians in India", <i>The New York Times</i>, 15 December 2021.</p> <p><sup>30</sup> Sadiq Naqvi, "Muslims in India's Tripura remain in fear after mosques targeted", <i>Al Jazeera</i>, 5 November 2021.</p> <p><sup>31</sup> Hannah Ellis-Petersen, "Jesus statue smashed in spate of attacks on India's Christian community", <i>The Guardian</i>, 27 December 2021.</p> <p><sup>32</sup> Yogesh Kumar, "Members of VHP, Other Right-Wing Groups Vandalise Roorkee Church, Attack Those Praying", <i>The Wire</i>, 4 October 2021.</p> <p><sup>33</sup> Al Jazeera, "India: Century-old mosque razed in defiance of court order", 19 May 2021.</p> <p><sup>34</sup> Bijay Kumar Mini, "Syro-Malabar church demolished in Indian capital", <i>Union of Christian Churches in India</i>, 12 July 2021.</p>	<p><sup>34</sup> September 24-year-old Muslim man Abooz Alhady Mullah was killed for alleged 'love jihad' after he fell in love with and started a consensual relationship with a Hindu woman.<sup>37</sup></p> <p><sup>35</sup> 14 December: 22-year-old Muslim man Rahul Khan was beaten to death by three of his Hindu friends in a video circulating on social media in</p>

<sup>34</sup> Evangelical Fellowship of India, Religious Liberty Commission, *Hate and Targeted Violence against Christians in India: Yearly Report 2021*, 15 February 2022.

<sup>35</sup> *Ibid.*

<sup>36</sup> Evangelical Fellowship of India, Religious Liberty Commission, *Hate and Targeted Violence against Christians in India: Yearly Report 2021*, 15 February 2022.

<sup>37</sup> Hannah Ellis-Petersen & Ahmer Khan, "'They cut him into pieces': India's 'love jihad' conspiracy theory turns lethal", *The Guardian*, 21 January 2022.

17. The COVID-19 pandemic has only exacerbated the persecution faced by Indian faith minorities as they have been falsely scapegoated as super spreaders of the virus or are excluded from humanitarian assistance. Hindu extremists have made baseless accusations that Muslims are “coronavirus terrorists” and are “deliberately attempting to spread coronavirus to wage a holy war or jihad against the majority Hindus”<sup>39</sup>
- a. On 31 March 2020, a journalist of the Sudarshan News television show opened with the following remarks: “In today’s *Bindaas Bol*, I bring you a very serious issue and appeal to the Narendra Modi government that the Tablighi Jamaat [peaceful Sunni Islamic missionary movement] be banned. If India’s mosques are posing a threat to India, and human bombs carrying coronavirus are roaming around freely, wouldn’t you call it a ‘corona jihad’? We should keenly monitor these jihadis and the jihadis should be strictly punished under the law”.<sup>40</sup>
  - b. Numerous trending hashtags on Twitter included content falsely blaming Indian Muslims for “deliberately” spreading COVID-19, including #CoronaJihad, #BioJihad, #CrushTablighiSpitters, and #MuslimMeaningTerrorist.<sup>41</sup>
  - c. In April 2020, a 22-year-old Muslim man was dragged into a village field in Delhi and beaten with sticks and shoes until he sustained injuries to his nose and ears”. He was attacked because his assailants mistakenly assumed his attendance at a Muslim missionary conference was part of the false scheme of spreading COVID-19.<sup>42</sup>
  - d. Also in April 2020, two Muslim men in Karnataka were physically attacked for allegedly spreading COVID-19, and they were made by their assailants to kneel and apologize.<sup>43</sup>
  - e. Also in April 2020, a group of assailants attacked a 49-year-old Muslim former army officer, tied a noose around his neck until he lost consciousness, and then abandoned him, all on the false accusations that the former officer was purposefully spreading COVID-19. The victim was rescued and taken to the hospital while coughing blood, and he required three operations to his severely damaged vocal cords.<sup>44</sup>

<sup>38</sup> Pavneet Singh Chadha, [“Youth beaten to death by 3 friends; kin point to video, say killing communal”](#), *The Indian Express*, 20 December 2021.

<sup>39</sup> Sameer Yasir, [“India Is Scapegoating Muslims for the Spread of the Coronavirus”](#), *Foreign Policy*, 22 April 2020.

<sup>40</sup> Centre for Study of Society and Secularism (CSSS), [“The COVID Pandemic: A Report on the Scapegoating of Minorities in India”](#), April 2021.

<sup>41</sup> *Ibid.*

<sup>42</sup> Hannah Ellis-Petersen & Shaikh Rahman, [“Coronavirus conspiracy theories targeting Muslims spread in India”](#), *The Guardian*, 13 April 2020.  
; Lauren Frayer, [“Blamed For Coronavirus Outbreak, Muslims In India Come Under Attack”](#), *NPR*, 23 April 2020.

<sup>43</sup> Times Now News, [“VIDEO: Two Muslim men attacked in Karnataka’s Bagalkot, accused of ‘spreading COVID-19’”](#), 7 April 2020.

<sup>44</sup> Joanna Slater & Niha Masih, [“As the world looks for coronavirus scapegoats, Muslims are blamed in India”](#), *The Washington Post*, 23 April 2020.

- f. Open Doors reported that of the 100,000 Indian Christians they were able to supply pandemic aid, 80,000 had been denied by local food distribution locations on the basis of their faith.<sup>45</sup>
18. Muslim and Christian Dalits continue to be denied government benefits granted to other religious groups. In 1950, India formally abolished the notion of “untouchability,” and provided special protections (as Scheduled Caste persons) to the lowest members of Indian society, the Dalits, who were long considered “untouchable.” However, Christian and Muslim Dalits are excluded from receiving these protections, and so continue to suffer as a particularly afflicted group.
19. In February 2022 in Karnataka state, educational institutions enforced bans on Muslim female students’ wearing of hijabs, and the government has supported these proscriptions, citing that they are to maintain “public safety”.<sup>46</sup> In response to the widespread hijab ban, Muslim students have engaged in protests outside of the college gates they are forbidden from entering on account of their headscarves; many demonstrators have noted how absurd it is that Muslim female students have been wearing hijabs for years with absolutely no problem, only to now abruptly be prohibited from doing so.<sup>47</sup>
20. Additional laws and policies in India have expressly targeted Muslim minority communities. For example, in 2019, the Indian Lok Sabha (lower house in Parliament) passed the Citizenship Amendment Act (the “CAA”). The CAA makes eligible for citizenship Hindu, Sikh, Buddhist, Jain, Parsi, and Christian immigrants fleeing religious persecution from neighboring countries. However, the CAA does not include Muslims—nor Jews, Bahá’ís, or atheists—despite the fact that many minority Muslim groups in surrounding countries, including Rohingya and Ahmadi, face serious discrimination within their home countries. The establishment of a religious test for citizenship, and particularly when used in a sweeping and discriminatory manner, violates both the Indian Constitution and international law.<sup>48</sup>
21. In December 2019, a National Register of Citizens (the “NRC”) was create in Assam. The state of Assam, which contains a much higher percentage of Muslims than many other areas of India, released its NRC in August 2019 out of stated concerns with illegal immigration. The NRC excluded 1.9 million individuals from citizenship, many of them Muslim. While the NRC itself does not use a religious test for citizenship, there are concerns that, in combination with the CAA, Muslims would be at a legal disadvantage in proving their citizenship. The 2019 Assam NRC list excluded 70,000 Muslims and the mechanism to appeal the NRC list in Assam has been criticized as

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<sup>45</sup> Christopher Summers, [“COVID-19 devastates India – puts Christians in more danger”](#), *Open Doors*, 26 April 2021.

<sup>46</sup> Meenakshi Ganguly, [“India’s Hijab Debate Fueled by Divisive Communal Politics”](#), *Human Rights Watch*, 15 February 2022.

<sup>47</sup> Rushda Fathima Khan, [“‘Targeted harassment’: Muslim girls in India denounce hijab ban”](#), *Al Jazeera*, 9 February 2022.

<sup>48</sup> BBC News, [“Citizenship Amendment Bill: India’s new ‘anti-Muslim’ law explained”](#), 11 December 2019.

discriminatory and non-transparent.<sup>49</sup>

22. Alleged violations of the Foreign Contribution Regulation Act 2010 (“FCRA”) are often cited to revoke the licences of non-governmental organizations (“NGOs”). Christian NGOs are gravely concerned that this law will be used to continue to discriminate against Christians. In September 2019, the Central Government issued a notification under the FCRA, amending the rule to require every office bearer of an entity to declare that no one has been prosecuted or convicted for indulging in forced conversions. In September 2020, FCRA was further amended to restrict how the funds of NGOs can be used, placing a greater scrutiny on senior functionaries, and requiring more detailed inquiries before organizations are able to renew their certificates to receive foreign funding. In addition, allegations about the misuse of foreign funds by Christians for conversions were made during the introduction of the amendments. NGOs depend on accreditation from the FCRA and the Central Government to receive foreign funding. However, due to allegations of failure to comply with provisions for allegedly engaging in religious conversion, several NGOs have lost this accreditation, which is a critical component to their operations assisting millions of Indians in pursuing their civil, cultural, economic, and social rights. The ability to access foreign funding is vital to the socio-economic development of the country and is an integral part of the right to freedom of association. At the beginning of 2020, the Ministry of Home Affairs cancelled the licences of several Christian NGOs for allegedly “indulging in religious conversion.” In several instances however, these allegations were vague and unsubstantiated. There were no reported cases filed against any of the NGOs, let alone convictions for such allegations.<sup>50</sup> In 2021, a Christian charity founded by Mother Teresa was initially refused a license under the FCRA<sup>51</sup> and later reinstated.<sup>52</sup>

### **Recommendation(s)**

We urge the Republic of India to:

23. Urge state media and state leaders at all levels to meet their obligations under the Constitution’s Article 25, to allow all people to profess, practice and propagate their religious faith, including Christians, Muslims and other religious minorities;
24. Guarantee the full enjoyment of the right to freedom of religion and belief, including by strengthening measures aimed at protecting persons belonging to religious minorities from violence and persecution;

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<sup>49</sup> Angana P. Chatterji, Mihir Desai, Harsh Mander, & Abdul Kalam Azad, [“Detention, Criminalisation, Statelessness: The Aftermath of Assam’s NRC”](#), *The Wire*, 9 September 2021.

<sup>50</sup> Bharti Jain, [“13 NGOs lose FCRA licence over ‘religious conversions’”](#), *Times of India*, 8 September 2020.

<sup>51</sup> Krishna Pokharel & Philip Wen, [“India Bars Foreign Donations to Christian Group Founded by Mother Teresa”](#), *Wall Street Journal*, 27 December 2021.

<sup>52</sup> Soniya Agrawal, [“486 incidents of violence against Christians in 2021, up 75% since 2020: Christian rights body”](#), *The Print*, 31 December 2021.

25. Protect Christians, Muslim and Dalits and those belonging to other minority groups, especially recent Christian converts, from violence and persecution through investigation of crimes, police protection, prosecution and punishment of perpetrators;
26. Enhance the promotion and protection of the right to freedom of thought, conscience and religion, including the right to manifest such individually or in community with others in public or private, in worship, observance, practice and teaching, in compliance with India's obligations under the ICCPR;
27. Urge states to abolish their anti-conversion legislations as they unjustly crack down on consensual religious conversions, legitimate interfaith marriages, and even prayer meetings and worship gatherings under allegations of forced conversion;
28. Repeal the blasphemy laws set out in India's Penal Code;
29. Abolish or otherwise the Citizenship Amendment Act, as it places Muslims and migrants under scrutiny and singles them out for detention or deportation.