

## Introduction

1. CSW is a human rights organisation specialising in the right to freedom of religion or belief (FoRB) for all. This submission seeks to bring the Human Rights Council's (HRC's) attention to the situation of FoRB in the Republic of India.

## Prohibition on conversion

2. There are currently a total of 10 states in India that enforce anti-conversion laws criminalising conversion of religion: Odisha, Arunachal Pradesh, Gujarat, Chhattisgarh, Jharkhand, Uttarakhand, Himachal Pradesh, Haryana, Uttar Pradesh, Madhya Pradesh. Rajasthan has had an anti-conversion bill since 2006, which is not currently enforced, but is now considering implementing a new anti-conversion law. In a positive move, the congress-led government in Karnataka state scrapped its law in 2023.
3. Anti-conversion laws not only contravene Article 25 of the Indian Constitution which guarantees the freedom to profess, practice and propagate religion, but also violates fundamental international human rights laws that grant individuals the right to freely choose or change their religion or belief.
4. Any conversion involving force, undue influence, allurements and misrepresentation is covered under anti-conversion laws. However, the provisions of these laws have come under heavy criticism by human rights experts for their vague legal definitions and interpretation. In some states, marriages that result in religious conversion come under state scrutiny. Under Haryana's Prevention of Unlawful Conversion of Religion Act 2022, any person who intends to convert is required to submit a declaration to that effect before the conversion to the District Magistrate. Whoever contravenes this provision is liable to imprisonment of one to five years' and a fine of one lakh (approximately £940). The introduction of such laws has also encouraged vigilante groups who act with impunity on the basis that Muslims are carrying out 'love jihad' by marrying Hindu girls.
5. The laws have become a tool used by far-right religious groups to instil fear, harass, intimidate and carry out violent acts with impunity against religious minorities who are accused of carrying out illegal conversions. False accusations and complaints initiated by far-right actors often lead to police investigations and criminal proceedings against religious minorities that linger for a long time resulting in burdensome legal costs. Despite the claims of illegal conversion, sources in India have informed CSW that the number of cases resulting in a conviction is very insignificant in comparison to the number of false claims that are made against

religious minorities. Moreover, police complicity further exacerbates the trauma victims are subjected to and trust in law enforcement officials on such matters have deteriorated.

## Targeted attacks against Christians, Dalits and Adivasis

6. In 2023, United Christian Forum (UCF) an India based monitoring group recorded a total of 733 targeted incidents of violence against the Christian community, while as of June 2024, UCF has recorded 361 incidents, with Uttar Pradesh and Chhattisgarh emerging with the highest number of reported incidents over the last few years.<sup>1</sup>
7. Dalit Christians and Adivasi Christians are particularly vulnerable because of their intersectional status. For example, an Adivasi Christian whom CSW's partners spoke to shared how local Adivasis who want to change their religion are intimidated by the government authorities, who say that, if they convert to Christianity or Islam, they will lose all the constitutional provisions they receive as Scheduled tribes. Dalits who convert to Christianity and Islam also find themselves excluded from government benefits. CSW has received reports of incidents against Dalit and Adivasi Christians involving false accusations of conversion leading to police arrests, gender-based violence, intimidation and harassment, targeted physical violence, social opposition, vandalism and property destruction.
8. On 12 February 2024, three members of a Dalit family in Sukma District, Chhattisgarh were violently attacked because they had refused to renounce their Christian faith, forcing them to flee to the jungle to take refuge. On 21 July a Christian pastor was attacked by a mob in Dhamtari District, Chhattisgarh as he attended a private housewarming prayer meeting.
9. Women are not exempted from the violence. According to UCF, on 24 June, a woman from Dantewada District, Chhattisgarh was murdered after the villagers had prevented her from ploughing the field because of her Christian faith. The perpetrators then prevented her family from burying her on the village land.<sup>2</sup>

## Violence in Manipur

10. The state of Manipur has been engulfed in violence since 3 May 2023. The real causes of the conflict have been simmering for a long time, due to the government's clampdown on those living in reserved and protected forests in Manipur's hill areas; areas that are occupied by the minority Kuki-Zo tribal community who are Christians. The majority non-tribal Meitei community who are predominantly Hindu and live in the valley

<sup>1</sup> United Christian Forum, 'Memorandum pertaining to the targeted violence and hostility against the Christian community', 20 July 2024

<sup>2</sup> *Ibid*

of Manipur have been advocating for Schedule Tribe recognition. While the initial protest was against the state and central government's proposal to include the Meitei in the Schedule Tribe category, the situation quickly escalated to unrest resulting in violence between the two groups. CSW is concerned that the violence in Manipur has gone unaddressed in any meaningful way. The Bharatiya Janata Party (BJP) has been accused of allowing the violence to continue and allowing Meitei groups to arm themselves with ammunition. India's law enforcement agencies have been slow to act to reports of sexual violence, including after a video of Kuki-Zo women being paraded naked by a mob in July 2023 was released. The killings, rape and displacement in Manipur continues.

## Discrimination and targeted attacks against Muslims

11. Threats against the Muslim community, the largest minority group in India, are growing. Since the BJP came into power in 2014, hate speech, discriminatory citizenship laws, economic boycott of Muslim businesses, targeted attacks during prayers, discrimination at educational institutions, the use of religious festivals to fuel violence, and vigilantism have become a regular occurrence.
12. Vigilantism surrounding the transport and slaughter of cattle is very concerning. Far right religious groups have subjected Muslim men to public humiliation, road rage, brutal assaults and even lynchings. On 7 June, two Muslim men were beaten to death and another sustained critical injury after a mob suspected them of cattle smuggling in Raipur District, Chhattisgarh.<sup>3</sup>
13. On 11 March, ahead of India's general elections this year, the government of India announced the rules to implement the Citizenship Amendment Act (CAA), a law which has fuelled protests and riots since it was passed in 2019. UN experts have termed the law as 'fundamentally discriminatory in nature'.<sup>4</sup> It also violates Article 14 of the Indian Constitution which guarantees the right to equality before the law and prohibits discrimination based on religion. In response to the announcement of the rules in March, anti-CAA protests by students, including women and human rights activists in Assam, Delhi, Kerala and Uttar Pradesh were violently quelled by police officers, while approximately seventy students were detained following the protest in Delhi.
14. CSW was appalled by how the 2024 general election campaign was marred by the use of hate speech against Muslims. Section 123 of The Representation

of the People Act, 1951, states that the promotion of hatred between different classes of citizens of India on the grounds of religion amounts to 'corrupt practices,' and is forbidden by the Election Commission of India's Model Code of Conduct. Despite the law, during 19 April and 1 June election period, CSW monitored the use of language which indiscriminately incited religious tensions. Hate rhetoric during the election campaign was recorded in Gujarat, Punjab, Assam, Telangana, Maharashtra, Chhattisgarh, Karnataka and in Rajasthan where Modi on 22 April claimed that the Muslims were 'infiltrators'.<sup>5</sup>

## Recommendations

### To the government of India

15. *Revoke the Citizenship Amendment Act, which is exclusionary in nature and raises concerns about religious discrimination.*
16. *Ensure that police officers are sensitised to challenges faced by religious minorities, putting measures in place to properly train police officers in handling violations involving religious minorities.*
17. *Investigate complicity of police with far-right religious groups who oppress, harass and attack religious minorities.*
18. *Take stern legal action against entities and individuals who engage in hate speech and ensure that registration of FIRs is prompt, thorough police investigations are carried out and that criminal prosecution of perpetrators are successful.*
19. *Adopt a national plan on human rights to address FoRB violations and prevent violence committed in the name of religion, in line with recommendations given during India's 2022 Universal Periodic Review (UPR)*
20. *Issue a standing invitation to all UN Special Procedures including the Special Rapporteur on FoRB, the Special Rapporteur on minority issues, the Special Rapporteur on freedom of expression and the Special Rapporteur on freedom of assembly and association.*

### To the international community

21. *Press India to pursue policies that guarantee the right to FoRB for all, in law and in practice, in line with international laws.*
22. *Condemn the atrocities that are carried out against religious minorities.*
23. *Urge all relevant UN mechanisms, including the*

3 Christian Solidarity Worldwide (CSW), 'Two Muslim men beaten to death, one critically injured over suspected cattle smuggling', 13 June 2024, <https://www.csw.org.uk/2024/06/13/press/6246/article.htm>

4 United Nations, Office of the High Commissioner for Human Rights, 'Press Briefing on India', 13 December 2019, <https://www.ohchr.org/en/press-briefing-notes/2019/12/press-briefing-india>

5 The New York Times, 'Modi calls Muslim 'infiltrators' who would take India's wealth', 22 April 2024, <https://www.nytimes.com/2024/04/22/world/asia/modi-speech-muslims.html>

*Special Procedures and Treaty Bodies, to include the right to FoRB in their monitoring and reporting on India, addressing the vulnerabilities and violations faced by religion or belief communities and those seeking to defend them.*

- 24. Continue to hold India accountable for FoRB violations through key international mechanisms including the UPR and at the HRC, ensuring recommendations from these processes include the protection and promotion of the right to FoRB in India.**

**CSW everyone  
free to believe**

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