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INDIA: Persecution of Christians and religious minorities

Persecution of Christians and religious minorities: Report

UK Parliament (22.02.2022) – <https://bit.ly/3smM6fV> – India is a multi-faith democracy, with a majority Hindu population. According to 2011 census data, 79.80% of the population of India is Hindu, 14.23% Muslim, 2.30% Christian, 1.72% Sikh, 0.70% Buddhist, and 0.37% Jain.

India's constitution defines the nation as secular and protects freedom of religion or belief. However, there are concerns that religious minorities and other minority groups are suffering from persecution and discrimination, and that conditions have deteriorated in recent years.

Human rights groups have criticised the Government, which has been led by the Bharatiya Janata Party (BJP) since 2014, for not doing enough to protect minorities. Human Rights Watch, in its 2019 report on India claimed that "the government failed to properly enforce Supreme Court directives to prevent and investigate mob attacks, often led by BJP supporters, on religious minorities and other vulnerable communities".

Indian Prime Minister, Narendra Modi, who has led the BJP Government since it came to power, has defended its record on religious freedom. Mr Modi in an address to the US Congress in 2016, said: "For my government, the Constitution is its real holy book. And, in that holy book, freedom of faith, speech and franchise, and equality of all citizens, regardless of background, are enshrined as fundamental rights."

Citizenship Amendment Act and violence against Muslims

India's Citizenship Amendment Act (CAA), passed by its Parliament in December 2019, has been a particular cause for concern for those worried about religious freedom in the country. BBC News outlined the purpose and effects of the law: "The act offers amnesty to non-Muslim illegal immigrants from three countries – Pakistan, Bangladesh and Afghanistan."

It amends India's 64-year-old citizenship law, which currently prohibits illegal migrants from becoming Indian citizens.

It also expedites the path to Indian citizenship for members

of six religious minority communities – Hindu, Sikh, Buddhist, Jain, Parsi and Christian – if they can prove that they are from Muslim-majority Pakistan, Afghanistan or Bangladesh. They will now only have to live or work in India for six years – instead of 11 years – before becoming eligible to apply for citizenship.

The government says this will give sanctuary to people fleeing religious persecution, but critics argue that it will marginalise India's Muslim minority.

In a press release, Amnesty International stated that the law "legitimises discrimination on the basis of religion and stands in clear violation of both the constitution of India and international human rights law".

That same month as protests against the law sparked violent clashes, the Indian Prime Minister defended the law saying "we passed this bill to help the persecuted". Mr Modi said the law would have "no effect on citizens of India, including Hindus, Muslims, Sikhs, Jains, Christians and Buddhists". He also blamed the opposition for the protests, accusing them of "spreading lies and rumours" and "instigating violence" and "creating an atmosphere of illusion and falsehood".

Violence against Muslims

Other causes for concern for India's Muslims include mob violence against Muslims accused of killing cows, animals that are sacred to Hindus.

Human Rights Watch's report on human rights in India in 2021 stated: "Hindu mobs beat up Muslims, often working class men, with impunity while pro-BJP supporters filed baseless complaints against critics, especially religious minorities."

In January, a Muslim stand-up comic, Munawar Faruqui, and five of his associates were arrested on a complaint brought by the son of a BJP politician who accused him of hurting Hindu sentiments in jokes Faruqui apparently did not utter. Police subsequently admitted they had no evidence of the performance.

Discrimination against Christians and anti-conversion laws

According to a 2018 briefing by the Library of Congress, eight out of India's twenty-nine states have Freedom of Religion Acts often called "anti-conversion" laws, that regulate religious conversions. These laws are seen to in particular target Christian groups. However, it is reported that there have been very few arrests or prosecutions under these laws.

According to the United States Commission on International Religious Freedom (USCIRF) an independent U.S. federal government commission that reports on religious freedom, the right to proselytize is protected alongside freedom of religion or belief in India's constitution. However, religious freedom is "subject to public order", a "vague phrase allowing the suspension of rights to protect social 'tranquillity'".

In its 2021 report (pdf) the USCIRF stated that "these anti-conversion laws are too often the basis for false accusations, harassment, and violence against non-Hindus that occur with impunity". In 2020, the Commission detailed that [M]obs-fuelled by false accusations of forced conversions-attacked Christians, destroyed churches, and disrupted religious worship services. In many cases, authorities did not prevent these abuses and ignored or chose not to investigate pleas to hold perpetrators accountable.

Case of Stan Swamy

The case of Stan Swamy, an 83-year-old Jesuit Priest and human rights activist in India who died in custody in 2021 while awaiting trial on counter-terrorism charges, has been held up as an example of discrimination against India's religious

minorities. Nadine Maenza, chair of USCIRF, stated that “Father Stan Swamy’s death is a stark reminder of the egregious and ongoing persecution of India’s religious minority communities”.

Stan Swamy was first arrested on 8 October 2020, on the outskirts of Ranchi, the capital city of the eastern state of Jharkhand in India. The arrest and investigation were led by the National Investigation Agency (NIA), India’s counterterrorism enforcement agency, who stated that he was arrested in connection to a 2018 incident of caste-based violence and alleged links with Maoist rebels. The priest was transferred to Mumbai, where he was imprisoned reportedly under the Unlawful Activities (Prevention) Act.

Stan Swamy was denied bail, and there were concerns over his treatment in prison. He died in July 2021. His death brought criticisms from opposition politicians and human rights organisations. Leader of the main opposition Congress party Rahul Gandhi tweeted that Swamy “deserved justice and humaneness”. United Nations Special Rapporteur Mary Lawlor said she was devastated to hear about his death and that “jailing HRDs [Human rights defenders] is inexcusable”:

The Indian government said Swamy’s arrest followed “due process under law”, and that his bail had been denied because of the “specific nature of charges against him”. It added in a statement that “Authorities in India act against violations of law and not against legitimate exercise of rights. All such actions are strictly in accordance with the law”.

Photo : A controversial citizenship law has set off protests across India – AFP

[Further reading about FORB in India on HRWF website](#)

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