



# General Assembly

Distr.: General  
19 July 2024

English only

---

## Human Rights Council

Fifty-sixth session

18 June–12 July 2024

Agenda item 3

**Promotion and protection of all human rights, civil,  
political, economic, social and cultural rights,  
including the right to development**

### **Written statement\* submitted by Coordination des Associations et des Particuliers pour la Liberté de Conscience, a non-governmental organization in special consultative status**

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

[27 May 2024]

---

\* Issued as received, in the language of submission only.



## **Erosion of Muslim Rights and Freedoms in India**

Internet Shutdown - India holds the dubious distinction of leading the world in internet shutdowns for the 6th consecutive year. In August 2019, the Indian government completely blocked all communication networks in the Indian Administered Jammu and Kashmir, including landlines, fixed line internet and mobile networks. The authorities sought to prevent Kashmiris from organizing protests after the government revoked the state's constitutional autonomous status, splitting it into two separate federally governed territories. Denying access to the internet has become a default policing tactic by Indian authorities, including to shut down protests or criticism of the government. The sufferers are then the common citizens, to many of whom "no internet means no work, no pay, no food".

Laws against Freedom to choose one's religion - In November 2020, India's Uttar Pradesh state government passed a law aimed at curbing interfaith relationships. The phrase "love jihad" is used by the ruling Bhartiya Janata Party (BJP) politicians to promote a baseless theory that Muslim men lure Hindu women into marriages to convert them to Islam. The law, Prohibition of Unlawful Religious Conversion Ordinance requires anyone wishing to convert to seek approval from the district authorities and carries a punishment of up to 10 years in prison for converting another person through coercion, fraud, misrepresentation, or inducement. While this law ostensibly applies to all forced religious conversions, enforcement has largely targeted Muslim men in Hindu-Muslim relationships.

Since the law came into effect in just 2 months, Uttar Pradesh authorities filed cases against 86 people, 79 of whom are Muslim, accusing them of "enticing a woman" and forcing her to convert to Islam. Seven others are accused of coercing women to convert them to Christianity. The government has even unlawfully used the law retroactively and sometimes even brought cases against families of the accused Muslim men. In most cases, the complainant is not the woman but her relatives, who oppose an interfaith relationship.

Citizenship based on one's religion - The concerned citizens of India are bringing up India's policy on Citizenship again and again to this forum since 2019. On December 12, 2019, the Modi administration achieved passage of the discriminatory Citizenship Amendment Act. Under the act, for the first time, religion has become a basis for granting citizenship. The law specifically fast-tracks asylum claims of non-Muslim irregular immigrants from the neighboring Muslim-majority countries of Afghanistan, Bangladesh, and Pakistan. The law, coupled with the government's push for a nationwide citizenship verification process aimed at identifying "illegal migrants" has led to fears that millions of Indian Muslims, including many who have lived in the country for generations, could be stripped of their citizenship rights and disenfranchised. The law ensures that not a single Hindu, Sikh, Buddhist, Jain, Parsi or Christian is affected as they could simply re-apply for citizenship (using the provisions of CAA), but the Muslims stand excluded.

Bulldozer Justice - 'Punishment' for religious minorities without due process - Bulldozers have become a weapon in the hands of Indian government to destroy homes and livelihoods of Muslims. Between April and June 2022, Amnesty International researchers found that authorities in five states – BJP ruled states of Assam, Gujarat, Madhya Pradesh and Uttar Pradesh and the Aam Aadmi Party (AAP) governed state of Delhi – carried out demolitions as a 'punishment' following episodes of communal violence or protests against discrimination by those in authority against Muslims.

Amnesty International investigated 63 of 128 documented demolitions in detail by interviewing more than a hundred survivors, legal experts, journalists, and community leaders. At least 33 instances of the repeated use of JCB's equipment were verified. The investigation also established that at least 617 people, including men, women, children and older persons, were rendered homeless or deprived of their livelihoods. These individuals were subjected to forced evictions, intimidation and unlawful force by the police and collective and arbitrary punishment, which undermined their rights to non-discrimination, adequate housing, and a fair trial.

Revoking Visa Privileges of Diaspora Critics - Indian authorities are revoking visa privileges to overseas critics of Indian origin who have spoken out against the ruling BJP led government's policies.

Prime Minister often attends mass gatherings of diaspora party supporters in the United States of America, Europe, Australia, and elsewhere to celebrate Indian democracy, while his government has targeted people it claims are “tarnishing the image” of the country”.

Foreign writers, journalists, academics, and activists have been increasingly denied access to India for seemingly political reasons. British anthropologist Filippo Osella, who had visited India regularly for over 30 years, was turned away by immigration authorities despite holding a valid research visa.

Cow vigilantism & Lynching bolstered by banning Beef - India’s BJP government orchestrated a huge polarization of society when it banned Beef to please its Hindu voters leading to mob violence, cow-vigilantism, and mob lynchings that terrorize Muslim communities on the pretext of protecting “the cow”. A report by Human Rights Watch “Violent Cow Protection in India: Vigilante Groups Attack Minorities,” describes the use of communal rhetoric by members of the BJP party to spur a violent vigilante campaign against consumption of beef and those engaged in the cattle trade leading to several deaths. Police often stalled prosecutions of the attackers, while several BJP politicians publicly justified the attacks.

“Calls for cow protection may have started out as a way to attract Hindu votes, but it has transformed into a free pass for mobs to violently attack and kill minority group members,” said Meenakshi Ganguly, South Asia director at Human Rights Watch. “Indian authorities should stop egging on or justifying these attacks, blaming victims, or protecting the culprits”.

Unconstitutional revoking of Indian Administered Jammu & Kashmir’s autonomy - In August 2019, after the Indian government revoked the constitutional autonomy of Indian Administered Jammu and Kashmir state, it imposed broad restrictions and arbitrarily detained thousands of people, including elected officials, political leaders, activists, journalists, and lawyers. The authorities detained many of these people without informing their families about their whereabouts; several were even transferred to jails outside the state. Hundreds of habeas corpus petitions were filed in the courts by families seeking information about those detained and challenging unlawful detention.

Although habeas corpus, a legal action seeking judicial review of the lawfulness of detention, is recognized as a core human right in both Indian and international law, courts delayed hearing the petitions for over a year in the majority of cases. Of the 554 habeas corpus petitions filed in the Indian Administered Jammu and Kashmir High Court after August 5, 2019, the court had passed judgment in only 29 cases by September 2020. Over 30 percent of the cases became moot because the government had released the detainee by the time their petition was heard in court, while 65 percent of the cases remained pending a year later, in many cases a year after the person was detained. The harsh and discriminatory restrictions on Muslim-majority areas in Indian Administered Jammu and Kashmir remain in effect, with scores of people detained without charge and critics threatened with arrest.

Severe under-representation of minorities in Political System - Even though there are 200 million Muslims in India constituting 15% of its people, Muslim representation in the Indian government has been its lowest. Among the 57 council of Ministers, there is only 1 Muslim in this council. When a government openly portrays Muslims as the enemy to rally the Majority Hindus, divides the country on the lines of religion to the extent that aspects of citizenship are based on religion, it is no surprise that it finds very difficult to field Muslim candidates in elections because Muslims don’t vote for these candidates. This is the case when it attempts to field them in the first place.

Arrests without trial or bail of activists - The case of Umar Khalid, a Muslim student activist, is deeply troubling. The Pogrom that shook Delhi in 2020 saw 53 people killed, mostly Muslim. The government of India instead of finding the killers, arrested Umar Khalid and many others despite them belonging to the community that was the target of the Pogrom. Their crime was participating in a peaceful protest. Mr Khalid has been languishing in a maximum-security prison for four years, and shockingly the trial has yet to commence. There are several other political prisoners like Umar Khalid.

Amnesty International has said that denying bail to Mr. Khalid is a "huge blow to free expression and peaceful assembly in the country". The rights group said it reflected a "rapidly shrinking space for critical voices", setting a "chilling precedent" for dissenting views.

We urge HRC to urge India :

- Repeal citizenship amendment laws, Beef ban laws, sedition laws and stop misuse of anti-conversion laws.
  - Stop using arbitrary bulldozer demolitions of Muslim properties and establish due process.
  - Stop intimidating diaspora with threat of revocation of visas.
  - Restore Indian Administered Jammu and Kashmir's autonomous status.
  - Ensure Muslims and minorities have proportional representation in the country's political system.
  - Release Umar Khalid and all political prisoners.
  - Stop using Internet shutdowns to curb dissent.
-