

**South Asian Report Card
on Religious Minorities :
2019**

PREFACE

The International Movement Against all Forms of Discrimination and Racism is an INGO with UN Special ECOSOC status and is committed to the promotion of minority rights. It was established in 1989 to address the issues of Burakumin people in Japan and empower those discriminated due to caste and social and religious marginalization. In the late nineties the IMADR Asia Committee was established in Sri Lanka to support activities in the South Asia region to promote and facilitate international UN based advocacy for minorities within the framework of the International Convention on the Elimination of all Forms of Discrimination and Racism.

IMADR AC has been involved with network and non-governmental organisations in South Asia since then supporting and facilitating community based engagement to address issues of discrimination, violence and violations of ethnic, religious and caste based communities including indigenous persons. It is committed mainly to support voices of victims and strengthen solidarities among those working to eliminate all forms of discrimination.

The emergence of the Bodhu Bala Sena in Sri Lanka and Hindutava politics and Muslim extremist groups requires deep understanding as well community based strategies to mitigate the impact on social

cohesions and tolerance. Extremism impacts were experienced in the enjoyment of fundamental rights by citizen's. The political forces often used extremism for remain in power or to suppress rights of citizen's. At a workshop held in Colombo South Asia human rights activists representing several South Asian countries made recommendation to set up a regional dialogue related to extremism and it's impact on human rights and organisations working on minority rights.

The project supported by the European Union titles `Beyond Borders'is an initiative of IMADR AC , JAGARAN Nepal, Bangladesh Nariproghathi Sanagam and SRED - India to strengthen communities to address this challenging issues and empower communities to build solidarities to mitigate violations and promote social harmony. Addressing hate speech, promoting community based strategies to cope with tensions exploring early warning messages are some interventions that action promoted to explore. Laws alone can not address such violations that require mobilization of communities and citizenry to build collective responses. Community participation is extremely important to address the emergence of political and religious based extremism. These studies werelaunched during the COVID pandemic and explores the impact of the pandemic on minority rights activism in general.

I wish to thank the consultant Dr Udan Fernando who has to face numerous challenges as physical meetings were not possible. All the writers who contributed to this document were also experiencing COVID exposures from time to time.

I have to also be grateful to Ms Rita Manchanda who is our consultant for South Asian Startegy Action plan for taking a final look at these studies with a futuristic vision and supporting the editing of the document for publication.

We hope these reflections will contribute to strengthen sub-regional and regional initiatives to develop strategies for the future as we struggle to uphold minority rights.

Dr Nimalka Fernando

Director

IMADR – AC

May 2022

Chapter One

General Overview

South-Asia has always been engulfed in the complexities of religious diversity. Majority religions in almost each South-Asian country, barring India to a certain extent if not fully, have been detrimental in shaping the current state of democracies. Partition of India in 1947 installed religion as the core of the nation-building process for the then Pakistan which included today's Bangladesh. Bangladesh's formation in 1971 was a rejection of 1947's two-nation theory, based on religion determining the State, however, despite beginning as a secular republic, in 1988, it announced Islam as the state religion. In Sri Lanka, with Buddhism holding the 'foremost place' among its religions, Buddhist religious groups are the most dominant and have a strong say in the politics of the country. Tamils, often Hindus and Christians, have suffered ethnic and religious onslaught. India had considerably better democratic credentials, however, the same is challenged today with an upsurge of religion based Right-wing ideology, propagated by the Rastriya Swayamsevak Sangh (RSS), and the current government holding close political linkages with the RSS. Nepal, the latest addition to democratic countries in South-Asia, with an overwhelming majority of the population being Hindus, while adopting its constitution in 2015 declared itself as a secular State with no state religion.

This report is a 'South-Asian Report Card on Religious Minorities' and focuses on four countries – Bangladesh, India, Nepal and Sri Lanka. The report has documented constitutional and legislative provisions; personal laws; significant court interventions; interventions by United Nation (UN) agencies; and, significant incidents affecting the minority communities in these four countries.

Religion In South Asia

In the case of Bangladesh, according to the Population and Housing Census of 2011, Islam with 90.4% of the population constitute the majority religion, Hinduism 8.5%, Christianity 0.6%, Buddhism 0.3% and others 0.1% constitute the remaining.

In 1947, British ruled India was divided in two parts, on the basis of religion. Modern-day Bangladesh was born in 1971. Between 1947 and 1971, Bangladesh was a part of Pakistan and was known as the East Pakistan. Following a bloody war, on December 16, 1971, Bangladesh (then East Pakistan) was separated from Pakistan (then West Pakistan) and established itself as the People's Republic of Bangladesh. The 1972 constitution established a socialist, secular, democracy in Bangladesh. However, in 1988, Islam was designated as the state religion. With a reference to secularism in its preamble, Bangladesh's Constitution ensures equal status and equal right in the practice of all religions and prohibits religious discrimination and ensures equal status and equal rights in the practice of all religions.

In India, according to the 2011 Census, Hinduism with 79.8% of the population constitute the majority religion, Islam 14.23%, Christianity 2.3%, Sikhism 1.72%, Buddhism 0.7%, Jainism 0.37%, others 0.9% constitute the remaining.

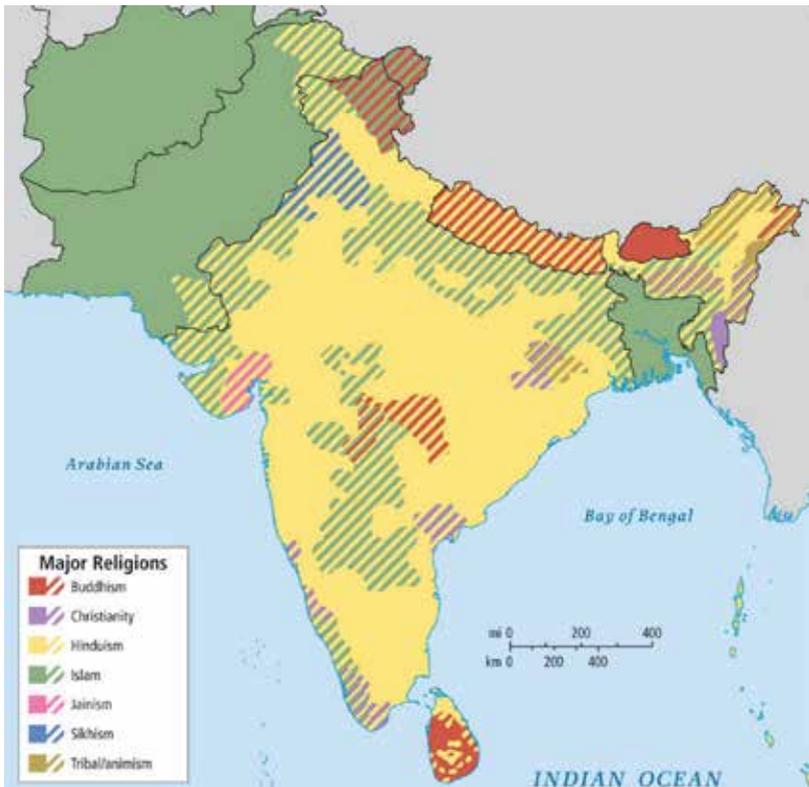
The Indian State has no religion. In *ZB Bukhari vs BR Mehra* (1976 2 SCC 17), the Supreme Court of India had emphatically stated that, “The term secular is used to distinguish all that is done in this world without seeking the intervention of ... a ... Divine Power. Secularism is ... quite independent of ... religion. The Secular State ... is neutral or impartial.” The preamble of the Indian Constitution declares India a sovereign, socialist, secular democratic republic. While the state has no religion, citizens are ensured the liberty of thought, expression, belief, faith and worship. It provided the framework of equality and affirmed non-discrimination based on race, caste, religion, creed, descent or place of birth.

In Nepal, according to the National Population and Housing Census 2011, Hinduism with 81.3% of the population constitute the majority religion, Buddhism 9%, Islam 4.4%, Kirat 3.1%, Christianity 1.4% and others 0.8% constitute the remaining. Nepal, despite all the internal pressures and its own history of centuries of monarchy, in the 2015 Constitution declared itself as a as secular, democratic, socialism- oriented, federal democratic republican state. However, it is important to note that it defines secularism as ‘protection of the age-old religion and culture and religious and cultural freedom’.

In Sri Lanka, according to the 2012 National Census, Buddhism with 70.2% of the population constitute the majority religion, Hinduism 12.6%, Islam 9.7%, Christianity 7.4 and others 0.1% constitute the remaining.

According to the Sri Lankan Constitution, every person is “entitled to freedom of thought, conscience, and religion”, including the freedom to choose a religion. The constitution gives citizens the right to manifest their religion or belief in worship, observance, practice, or teaching, both in public and in private. The constitution accords Buddhism the ‘foremost place’ among the country’s religious faiths and requires the

government to protect it, although it does not recognize it as the state religion.



INFOGRAPHIC 1 Population

Reference for Image: Pulsipher, L.M. & Pulsipher, A. A. (2014, Jan 6). World Regional Geography Without Subregions: Global Patterns, Local Lives. New York: W. H. Freeman and Company.

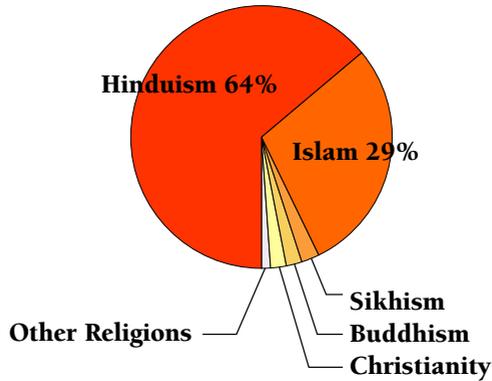
<https://spring2015landers.files.wordpress.com/2015/05/screen-shot-2015-05-13-at-1-00-40-am.png>

Other Sources

https://www.eupedia.com/genetics/regional_dna_project_south_asia.shtml

<https://spring2015finalpereira.wordpress.com/2015/05/12/the-people-of-south-asia/>

Religions of South Asia



	Hindu	Islam	Christianity	Buddhism	Other
India	80.5%	13.4%	2.3%	0.8%	Sikhism (1.9%), Jainism (0.4%), Judaism, Zoroastrianism and Bahá'is
Nepal	80.6%	4.4%	0.5%	10.7%	Kirat (3.6%)
Sri Lanka	15%	7.5%	7.5%	70%	
Bangladesh	9.6%	89.5%			Sikh
Pakistan	1.6%	95-98%	1.6%		Parsi, Buddhist, Jewish, Bahá'í and animist
Afghanistan		99%			

43 Country Profile: Afghanistan". Library of Congress Country Studies on Afghanistan. August 2008. Retrieved October 10, 2010.

44 "International Religious Freedom Report 2007". State Department, US, 2007. Retrieved 21 March 2009

45 a branch of Tibetan Vajrayana which itself is the main surviving branch of Indian Vajrayana

34 Mapping the South Asia region

INFOGRAPHIC 2 State and Religion

Reference for Pie Chart <http://www.cotf.edu/earthinfo/sasia/SApeo.html>

Reference for Data table: Kaybryn, Jo, 2012/08/01, A mapping of Faith-based Responses to Violence Against Women and Girls in the Asia Pacific Region: https://www.researchgate.net/figure/Religious-affiliation-in-selected-South-Asian-countries_tbl2_242025690

Chapter Two

Constitutional and Legislative Provisions

Constitutional Provisions

Constitutional provisions ensuring equality and non-discrimination for religious minorities are of foremost importance for the overall wellbeing of democracy. Principles of equality, non-discrimination, freedom of religion, equal opportunity in employment and freedom to manage institutions are important indicators towards determining the realisation of a range of civil, political, social, economic and cultural rights. In South-Asia, the basic structure and wordings of these rights are similar in all four focus countries. However, there are comparative differences among these countries.

Bangladesh and India are almost at par in defining equality, non-discrimination, freedom of religion, equal opportunity in employment and freedom to manage institutions. However, there are certain worrisome exceptions and exclusions in the case of Nepal and Sri Lanka. Below is an analysis of the same.

Equality Before Law

Constitutions of all four countries guarantee 'equality before law' as a fundamental right. Bangladesh through Article 27, India through Article 14, Nepal through Article 18 and Sri Lanka through Article 12.

Non-Discrimination

Constitutions of all four countries guarantee 'non-discrimination' as a fundamental right. Bangladesh through Article 28, India through Article 15, Nepal through Article 18 and Sri Lanka through Article 12. In the case of Sri Lanka, through Article 12 (2), provisions for selected suspension of non-discrimination have been established through 'knowledge of language as a qualification for employment'.

In addition to this, there are certain provisions specifically for the advancement of certain rights for some communities. Article 28 (4) of Bangladesh's Constitution provides for the State to make special provisions for women, children or any backward section of citizens. Articles 15 (3) and (4) of the Indian Constitution provides for special provisions for women, children, socially and educationally backward classes of citizens, scheduled castes and scheduled tribes. Further, Article 29 (2) provides for restriction on denial of admission to any citizen, to any educational institution maintained or aided by the State, 'on grounds only of religion, race, caste, language or any of them'. Article 15 (5) restricts this special provision in the case of admission to minority educational institutions referred in Article 30 (1). In the case of Sri Lanka, Article 12 (4) provides for the State to make special provisions for women, children or disabled persons.

Freedom of Free Profession, Practice and Propagation of Religion

The constitutions of all four countries guarantee the ‘freedom to freely profess, practice and propagate religion’ as a fundamental right. Bangladesh through Article 41, India through Article 25, Nepal through Article 26 and Sri Lanka through Articles 10 and 14. However, it is important to note that Sri Lankan Constitution refrains from using the word ‘propagate’ and instead uses ‘teach’, however, Article 10 provides for the freedom to adopt a religion of belief of one’s choice. The Nepalese Constitution refrains from establishing propagation of religion as a fundamental right and through Article 26 (3) prohibits religious conversion. Nepalese Constitution also refers to protection of religion as a fundamental right in Article 26 (1).

INFOGRAPHIC 3 Constitutional Provisions’ Checklist

	Bangladesh	India	Nepal	Sri Lanka
freedom to freely profess, practice and propagate religion	Article 41,	Article 25,	Article 26 – propagation and religious conversion not allowed	Articles 10 and 14
guarantee ‘non-discrimination’ as a fundamental right.	Article 28	Article 15	Article 18	Article 12 Article 12 (2), selected suspension of non-discrimination knowledge of language for employment

advancement of certain rights for some communities	Article 28 (4)- identity centric	Articles 15 (3) and (4) identity centric Article 29 (2) equal education centric Articles 15 (5) minority protection	Unknown	Article 29 (2)
Equality Before Law	Article 27	Article 14	Article 18	Article 12
Freedom to Manage Religious Affairs, Run, Manage and Maintain Educational Institutions	Article 41 (1) (b) Article 41 (2)	Articles 26 and 27 Article 28	Included in provisions	No reference

Equal Opportunities in Public Employment

Only the Bangladeshi and Indian constitutions, through Articles 29 and 16 respectively, provide for ‘equal opportunity in public employment’ as a fundamental right. There is no reference to the same in fundamental rights section of the Nepalese Constitution, however, Section 6 of the Right to Employment Act 2019 prohibits discrimination including on grounds of religion.

As mentioned earlier in this chapter, Article 12 (2) of the Sri Lankan Constitution emphasises on ‘knowledge of language as a qualification for employment’, significantly restricts equal opportunity in public employment. It has to be noted that language, ethnicity and religion are closely interlinked with

each other in Sri Lanka. However, in the chapter on Directive Principles of State Policy and Fundamental Duties of the Sri Lankan Constitution, Article 27 (6) provides that the State shall ensure equality of opportunity to citizens, so that no citizen shall suffer any disability on the ground of race, religion, language, caste, sex, political opinion or occupation.

Freedom to Manage Religious Affairs, Run, Manage and Maintain Educational Institutions

Article 41 (1) (b) of the Bangladeshi Constitution provides every religious community or denomination the fundamental right to establish, maintain and manage its religious institutions. Articles 26 and 27 of the Indian Constitution provides for the freedom to manage religious affairs and exemption from taxes for payment towards expenses for the promotion or maintenance of religion or religious denomination. The Nepalese Constitution also provides religious denomination the fundamental right to operate and protect its religious sites and religious trusts. There is no reference to this in the fundamental rights of the Sri Lankan Constitution.

Further, Article 41 (2) of the Bangladeshi Constitution provides that no person attending any educational institution shall be required to receive religious instruction, or to take part or to attend any religious ceremony or worship relating to a religion other than her/his own. Similarly, Indian Constitution through Article 28 bars religious instructions in educational institutions wholly maintained out of State funds with the exception to educational institutions administered by the State but established under any endowment or trust which requires imparting of religious instruction. Even in this case, a person from other religion has the freedom to abstain from taking part in religious instruction and religious worship in such institution.

Laws in Nepal do not provide for registration or official recognition of religious organisations as religious institutions, except for Buddhist monasteries. All other religious groups must register as non-governmental organisations or non-profit organisations to own property or operate legally.

Legislative Provisions

Bangladesh

The government has taken different initiatives through the 2006 National Cultural Policy, the 2010 National Education Policy, the 2011 National Women Development Policy and other social welfare policies in promoting religious harmony. The Government provides basic education on religion for children and adults as well as budgetary allocations for the development of religious minority groups through separate religious welfare trusts for Hindus, Buddhists and Christians to establish and repair religious institutions.

There are no specific laws providing special protection to the religious minorities. If a person, belonging to a religious minority group, faces any attack, the perpetrator would be tried under the Bangladesh Penal Code. Bangladesh Penal Code lays down specific offences related to religion. Section 295 of the penal code provides for destruction, damages and defiling any place of worship or any object held sacred by any class of persons. Section 295A states the deliberate and malicious acts intended to outrage religious feelings of any class by insulting its religion or religious beliefs and Section 298 states the same with regard to deliberate intentions. Section 296 deals with causing disturbance to any religious gathering or assembly and Section 297 with trespass at a place of worship. Section 57 of the Information Technology Act has been widely used as the

'Blasphemy Law' of Bangladesh to curb expression by bloggers, activists, etc.

Under Section 28 of the Digital Security Act, if any person or group intentionally or knowingly with the aim of hurting religious sentiments or values or with the intention to provoke publish or broadcast anything by means of any website or any electronic format which hurts religious sentiment or values then such activity of that person will be considered an offence.

The Bangladesh Parliament has passed the Vested Properties Return (Amendment) Act, 2011, to enable the return of property seized from citizens who are Hindus. The law, initially known as the Enemy Property Act, allowed the authorities to take over land and buildings of Hindus who migrated to India. It was implemented by the East-Pakistan administration before Bangladesh's independence in 1971. Authorities often used it to seize property abandoned by minority religious groups, especially Hindus, when they fled the country, particularly after the Indo-Pakistani War of 1965. The 2001 Vested Property (Return) Act allowed the government to confiscate property of anyone whom it declared to be an enemy of the state.

India

Anti-cow slaughter laws exist in almost 21 Indian states. These are mostly state legislations, differing from state to state, establishing total ban on slaughter to punishments for transportation of cows. On 31 March 2017, the state of Gujarat increased its punishment for cow slaughter to life imprisonment, becoming the country's most severe penalty for the crime. The impact of the same is largely felt by Muslims, Christians and Dalits in India as this directly contradicts their cultural and occupational practices. In several instances of lynching and

killings, these legislations have often been used against the victims and act as a shield to protect the perpetrators.

Anti-conversion laws, like the anti-cow slaughter laws, are state legislations and are in force in eight Indian states namely, Arunachal Pradesh, Odisha, Madhya Pradesh, Chhattisgarh, Gujarat, Himachal Pradesh, Jharkhand and Uttarakhand. All these laws prima-facie seek to prevent any person from converting or attempting to convert, either directly or otherwise, another person through “forcible” or “fraudulent” means, or by “allurement” or “inducement.” Rajasthan passed the law in 2008 but wasn’t enacted as it was sent back by the Union Home Ministry stating that it deviated from the national policy. In case of Tamil Nadu, this law was enacted in 2002 and later repealed in 2005. Generally, the punishment includes fine and imprisonment ranging between one to three years. Fear of this legislation is often used by Hindu extremists to deter religious minorities from engaging in propagating religion which is a fundamentally guaranteed right by the Indian Constitution as mentioned in the above sections.

Exclusion of Christian and Muslim Dalits from the Schedule Caste category deny them recourse under the Prevention of Atrocities Act. Foreign Contribution Regulation Act has been systematically misused by the Indian Government to target the functioning of minority institutions.

The Citizenship Amendment Act 2019 (CAA), was passed by the Indian Parliament on December 11, 2019 and received the President’s assent on December 12, 2019. CAA violates Article 14 of the Indian Constitution. This when coupled with the National Register of Citizenship (NRC) and National Population Register (NPR) exercises, which are to be undertaken nationally, violates not only Article 14 but also Articles 15 and 21.

The CAA makes illegal migrants in India from Pakistan, Afghanistan and Bangladesh eligible for Indian citizenship by (i) granting Hindus, Sikhs, Jains, Buddhists, Parsis (Zoroastrians) and Christians among them, those that entered India before December 31, 2014, amnesty, thus opening a path to their naturalisation as Indian citizens (Section 2) and (ii) relaxing for them the residence requirement for naturalisation, from 11 years to 5 years. (Section 6). Ostensibly, the law seeks to protect persecuted minorities from the region and offer them shelter in India.

Introducing a 'religion test' in India's citizenship legislation - excluding Muslims and other persecuted minorities in similar circumstances from any protection, while offering it only to the named faith groups - strikes a body blow to the basic fundamentals of the Indian constitution, specifically its secular character; is wholly arbitrary, and violates principles of equality and non-discrimination, besides contravening international law.

By limiting the scope of the amendments only to religious minorities from so-called Muslim-majority countries, CAA disregards victims of persecution (in the region) based on religion and ethnicity (Tamils from Sri Lanka, Rohingyas from Myanmar; Baloch from Pakistan, and Hazara from Afghanistan, among others); and language and culture (Urdu-speaker from Bangladesh and Lhotshampas from Bhutan). CAA privileges the persecution of the specified religious minority groups over other faith groups in similar circumstance. For example, Ahmadi and Shia Muslims fleeing religious persecution in Pakistan or Hazara (Shia) Muslims from Afghanistan, who are also persecuted. Similarly excluded would be Tibetans and Uighurs from China, suffering years of racial and religious persecution. Also, those persecuted because they profess no religion. Taslima Nasrin from Bangladesh or atheist bloggers from the country would

be ineligible, too. CAA also privileges the persecution in the three countries over that in other countries in the region. CAA privileges those already in the country, having entered India before December 31, 2014, against those that came after, or indeed those still in their home countries and who might want to make use of this scheme, as a route to asylum.

CAA is an onslaught on the basic fundamentals of the Indian Constitution. Indian State doesn't have any religion, nor can it differentiate or discriminate based on religion as enshrined in Articles 14 and 15 of the Constitution. The preamble of the Constitution makes this amply clear. No discrimination for citizenship on the grounds of religion and India to be a secular democratic republic were the core principles discussed and agreed upon during the constitutional assembly debates. The same was upheld by several judgements of the Supreme Court, most importantly in the case of *Kesavananda Bharati v. State of Kerala*.

It is important to note that CAA creates a class within the class on the basis of religion. It is also widely acknowledged in international law jurisprudence that equality and the right to non-discrimination on the grounds of race, sex, and religion binds all states, irrespective of their ratification of human rights treaties.

Having tested the NRC in the eastern Indian State of Assam, the Indian Government is now seeking to take its NRC dragnet to the rest of the country. Its first policy statement after returning to power in May 2019 declared "NRC would be implemented on priority in areas affected by infiltrators". In July 2019, an official notification laid the ground for a two-step process to prepare a National Register of Indian Citizens (NRIC) across India. Central to this exercise, to be rolled out along with the decennial Census

in 2020, is “identifying persons whose citizenship is doubtful”. Information sourced through Right to Information Act (RTI) questions has revealed that no definition is provided, nor a transparent process laid out. Alongside, central government has delegated the establishment of Foreigners Tribunals in districts across the country and started setting up detention centres in each state.

CAA is the last piece of the puzzle in this new citizenship regime of enfranchising some, and disenfranchising others. As the Assam NRC experience shows, while Hindu immigrants will be offered protection of citizenship, Indian Muslims, not just ‘infiltrators’ among them, will increasingly be targeted for disenfranchisement, stripped of their nationality, sent to detention centres and rendered stateless. That this could potentially affect the entire Muslim population of India – estimated 200 million today, 14.2 per cent of the country – is a sobering thought. In the final analysis, this use of law and procedures – claiming NRC as critical to identify and deport illegal migrants (to mean Muslims), whilst fashioning CAA as a refugee protection mechanism for Hindus and other minorities, who will not be deported - is remarkable for a country which guarantees equality as its core principles. This, no doubt, will have severe implications in the entire South Asia.

Across India, there have been several protests against CAA, NRC and NPR since December 13, 2019. Students, workers, women and several others have come out on the streets – holding protests every single day. States ruled by the BJP have unleashed brutal violence on protestors. As a legal challenge to the CAA, there are over 160 petitions in the Indian Supreme Court, including a petition filed by the southern Indian State of Kerala.

In 2017, a five-judge bench of the Supreme Court in *Shayara Bano v. Union of India*, with a 3:2 majority judgement struck down the practice of triple talaq (talaq-e-bidat) and declared it manifestly arbitrary and therefore unconstitutional as it violates Article 14. The judgement holds significant importance as a codified personal law was tested against the constitutionally guaranteed fundamental rights. On July 30, 2019, the Indian Parliament passed the Muslim Women (Protection of Rights on Marriage) Act, 2019, which criminalises triple talaq, setting penal action of three year against the man (husband). While Muslim marriage is a civil contract between two adults, the procedures to be followed on its breakdown should also be of civil nature and not fall within the ambit of criminalisation. Through the 2017 ruling the Supreme Court had already declared triple talaq unconstitutional and the new law now criminalises an act of no legal significance and recognition.

Penal provisions for offences relating to religion are Sections 295 and 297 (defilement of places of worship or objects of great respect), Sections 295A and 298 (outraging or wounding the religious feelings of persons) and Section 296 (disturbing religious assemblies). In addition to these, there are several provisions of the penal code that applies to hate speech.

INFOGRAPHIC 4 CAA, NPR and NRC

NRC- To put it simply, NRC can be described as the National Register of People, a register that will have the list of all the country's genuine citizens, even though it is currently only done in Assam, and as our leaders put it, there will soon be a national NRC.

NPR- The NPR is a database which contains a list of all the country's regular residents. The goal is to provide a comprehensive identity database of individuals residing in the country. It is generated by house-to-house enumeration during the census' phase of "house-listing," which is held once in 10 years. CAA- CAA stands for Citizenship Amendment Act, 2019, the act was passed in parliament on December 11, 2019. Under this act, the Indian government plans to give citizenship to religious minorities from Pakistan, Bangladesh, and Afghanistan, which are people belonging to Hindu, Sikh, Buddhist, Jain, Parsi and Christian communities.

<https://blog.ipleaders.in/need-know-citizenship-trio-nrc-npr-caa/>

Nepal

Sections 18 of the National Civil Code, 2017, lays down that no discrimination shall be made in the application of general law on grounds of religion and other grounds. Sections 155-158 of the National Penal Code, 2017, states that no one shall intentionally destroy, litter or pollute any site, cemetery, object, shrine that is of importance to any religion, caste or section, hurt religious sentiments and interfere in the traditions and rituals. Section 158 prohibits religious conversion, which includes the attempt or act of preaching one's thought or religion with the intention of religious conversion with or without using some form of temptation which might interfere with the religion practices by an individual.

Section 65 of the penal code states that no person by words, either spoken or written or by signs or otherwise shall do any act which on the grounds of religion is prejudicial to harmonious relationships between people of different classes, regions or communities of Nepal. Section 160 states that no authority should intentionally discriminate against any citizen on grounds of origin, religion, etc.

Sri Lanka

Section 3(1) of the International Covenant on Civil and Political Rights Act (ICCPR Act) makes it an offence for a person to propagate war or to advocate national, racial or religious hatred that constitutes incitement to discrimination, hostility or violence. It is also an offence under this section to attempt, aid and abet and threaten to commit such an offence. Accordingly, if a person is found guilty of committing an offence under sub-section (1) or sub-section (2), the high court can convict the accused and impose a punishment of rigorous imprisonment not exceeding ten years. Furthermore, a person suspected or accused of committing an offence under this section cannot be granted bail except by the High Court under exceptional circumstances.

Sri Lankan laws are also used to prosecute hate speech. Article 20 of the ICCPR Act states that ‘Any advocacy of national, racial or religious hatred that constitutes incitement to discrimination, hostility or violence shall be prohibited by law’. The ICCPR Act gives effect to this through its section 3 which states that ‘No person shall propagate war or advocate national, racial or religious hatred that constitutes incitement to discrimination, hostility or violence’.

Chapter XV of the Penal Code contains six provisions dealing with offences against religion. Among these, section 291A and section 291B concern the ‘uttering of words with the intent to wound religious feelings’ and ‘deliberate and malicious acts intended to outrage religious feelings’. Section 120 of the Penal Code has also been used in certain instances to prosecute offenders of hate speech. Thus, Section 291A, Section 291B and Section 120 can loosely be cited as the Penal Code provisions on hate speech.

Section 2(1)(h) of the Prevention of Terrorism (Temporary Provisions) Act (PTA) is the most relevant provision in this regard. ‘[Any persons who] by words either spoken or intended to be read or by signs or by visible representations or otherwise causes or intends to cause commission of acts of violence or religious, racial or communal disharmony or feelings of ill-will or hostility between different communities or racial or religious groups [commits an offence]’. It has been severely reproached due to the broad and ambiguous manner in which the offence has been described and is a central reason as to why the PTA had and continues to attract criticism by the international community since it was enacted. The provision has been used specifically to harass and punish outspoken journalists and political actors from minority communities.

INFOGRAPHIC 5 Penal Code Provisions

Bangladesh	India	Nepal	Sri Lanka
<p>Section 295 of the penal code provides for destruction, damages and defiling any place of worship or any object held sacred by any class of persons. Section 296 deals with causing disturbance to any religious gathering or assembly</p> <p>Section 297 with trespass at a place of worship</p>	<p>Sections 295 and 297 (defilement of places of worship or objects of great respect),) and Section 296 (disturbing religious assemblies).</p>	<p>Sections 155-158 of the National Penal Code, 2017, states that no one shall intentionally destroy, litter or pollute any site, cemetery, object, shrine that is of importance to any religion, caste or section, hurt religious sentiments and interfere in the traditions and rituals.</p>	<p>Nothing specific but the provisions and laws mentioned below cover this section.</p>
<p>Section 295A states the deliberate and malicious acts intended to outrage religious feelings of any class by insulting its religion or religious beliefs</p>	<p>Sections 295A and 298 (outraging or wounding the religious feelings of persons</p>	<p>Section 65 of the penal code states that no person by words, either spoken or written or by signs or otherwise shall do any act which on the grounds of religion is prejudicial to harmonious relationships between people of different classes, regions or communities</p>	<p>291A and section 291B concern the ‘uttering of words with the intent to wound religious feelings’ and ‘deliberate and malicious acts intended to outrage religious feelings’. Section 120 of the Penal Code has also been used in certain instances to prosecute offenders of hate speech</p>

Section 57 of the Information Technology Act has been widely used as the 'Blasphemy Law' of Bangladesh to curb expression by bloggers, activists	In addition to these, there are several provisions of the penal code that applies to hate speech.	Section 158 prohibits religious conversion	Section 2(1)(h) of the Prevention of Terrorism (Temporary Provisions) Act (PTA) is the most relevant provision in this regard. '[causes or intends to cause commission of acts of violence or religious, racial or communal disharmony or feelings of ill-will or hostility between different communities or racial or religious groups [commits an offence]
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INFOGRAPHIC 6 NHRC and NCM Establishment

	Bangladesh	India	Nepal	Sri Lanka
NHRC	2007 - National Human Rights Commission Act, 2009 Utilizes constitutional safeguards	1993 under the Protection of Human Rights Ordinance of 28 September 1993. Utilizes constitutional safeguards	2000 as a statutory body under the Human Rights Commission Act 1997. NHRC a constitutional body	1997 pursuant to the enactment of the Human Rights Commission Act No. 21 of 1996. Constitutional Body

NCM	None Existent	1992- National Commission for Minorities Act,. Utilizes constitutional safeguards on FR and language rights	None Existent	None Existent but there is a Official Languages Commission
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Personal Laws

Year	Title
BANGLADESH	
Hindus and Buddhists	
1946	Hindu Married Women’s Right to Separate Residence and Maintenance Act
Christian	
1872	Christian Marriage Act
1869	Christian Divorce Act
INDIA	
Muslim	
2019	The Muslim Women (Protection of Rights on Marriage) Act
1995	The Waqf Act
1986	The Muslim Women (Protection of Rights on Divorce) Act
1939	The Dissolution of Muslim Marriages Act
	Note – Amended on February 21, 2019 through the Personal Laws (Amendment) Act, 2019. Through Chapter III of the Personal Laws (Amendment) Act, 2019, in the Dissolution of Muslim Marriages Act, 1939, in Section 2, in ground (vi), the words “leprosy or” is omitted.
1937	The Muslim Personal Law (Shariat) Application Act
Christian	

1872	The Indian Christian Marriage Act
Sikh	
1909	The Anand Marriage Act
Parsi	
1936	The Parsi Marriage and Divorce Act
NEPAL	
No Personal Laws	
SRI LANKA	
Muslim	
1951	Muslim Marriage and Divorce Act
Hindu	
1877	Matrimonial Rights and Inheritance Ordinance Jaffna (Tesawalamai)

Note: This can also be an infographic in this chapter. Infographic 6

Chapter 3

Violence Against Religious Minorities

Religious intolerance against minority community is a common phenomenon in South-Asia. Over the recent years, there is a rise in hate crimes and none of the South-Asian countries have specific laws defining hate crimes. Most of the attacks on minorities in this region can be classified into attacks on places of worship, destruction of residences, physical assault and murder/lynching. Conviction rate of the accused, often from the religious majority community, is rare minimum and almost in all cases they are able to secure bail if arrested. This chapter of the report attempts to capture country-wise trend of attack on religious minorities, highlight important cases and list out updates in some pending cases.

Country-wise Trends

Ain o Salish Kendra, a Bangladeshi non-governmental organisation, between January 2018 and December 2019 compiled, 82 cases of attacks and setting home on fire, 7 cases of destruction of business centres by fire, 169 cases of destruction of religious worship places, 7 cases of attacks on minority families, 147 cases of physical injuries and 1 case of murder. Odhikar, a Bangladeshi non-governmental organisation, between January

2018 and December 2019 recorded, 46 cases of killings, 27 cases of physical injuries, 4 cases of abduction, 1 case of land grabbing and 22 cases of rapes under the theme 'repression against ethnic minorities'. According to the Bangladesh Hindu Buddhist Christian Unity Council (BHBCUC), in 2018, 806 reports of violations of minority rights, including religious minorities, were reported in the newspapers. Violations included killings, attempted killings, death threats, assaults, rapes, kidnappings, and attacks on homes, businesses, and places of worship. According to a data compiled by Bangladesh Nari Progati Sangha (BNPS), between July 2018 and June 2019, 1,623 cases of atrocities on religious minorities were recorded. Majority of the cases pertain to physical attacks, followed by land grabbing and extortion, statue vandalization, forced conversion to Islam and killings.

The Documentation of the Oppressed (DOTO), an Indian portal, between January 2018 and December 2019 recorded 348 instances of attacks on religious minorities. Often an incident involves multiple attacks. 34 instances pertained to attack on places of worship or during religious festivals, 21 instances of destroying vehicles, 61 instances of communal violence/riot, 16 instances of attack on properties, 7 instances of extra-judicial killing, 113 cases of harassment, 36 instances of hate speech, 58 instances of murder and lynching, 122 instances of physical assault, 2 cases of rapes and sexual violence and 3 instances of unlawful detention.

In the absence of any documented figures for Nepal, perusal of news reports confirms that most attacks on religious minorities are through attacks on their place of worship. Churches in several parts of Nepal have been under attack through bombings and mob destruction. Muslim leaders also state that over 3000 madrasas are yet to be registered. There are also several reports

of deportation of foreign nationals allegedly involved in religious conversion and arrests for cow/oxen slaughter.

According to the National Christian Evangelical Alliance of Sri Lanka (NCEASL), there were 79 incidents of religious intolerance affecting Christians and 13 incidents against Muslims. These mostly include attacks on places of worship and physical attacks. These figures do not include the incidents which occurred during the violence which swept through parts of the Central Province in March 2018. During this incident, two were murdered, 28 injured, 33 houses fully damaged, 256 houses partially damaged, destroyed 163 shops and 47 vehicles, and a number of mosques were damaged in attacks by Sinhalese Buddhist nationalist groups. In April 2019, on the Easter Sunday attack on Sri Lanka's churches and hotels, at least 259 were killed and 500 injured. In reaction to the bombings, the Muslim community witnessed large scale targeted violence, hundreds of places of worship, shops and houses destroyed, the mob often operating in collusion with the security forces.

Important Cases (Nepal is missing)

Date	Description	Link
Bangladesh		
16/7/2018	A Hindu priest was found hanging from the ceiling of his room at Pirojpur village in Delduar upazila. After the incident, unnatural death case filed in this connection. But The case sees no progress.	https://www.thedailystar.net/country/hindu-priest-found-dead-tangail-1606417
28/7/2018	A schoolgirl, Kirtika Tripura Purna, 9, was a class-IV student at Noimail Government Primary School, was murdered allegedly after rape in Dighinala upazila of Khagrachhari. After the incident, the victim's mother Onumoti Tripura filed a murder case with Dighinala Police Station. The case now remains under trial and police have already submitted charge sheet before the court.	https://www.thedailystar.net/backpage/khagrachhari-schoolgirl-murdered-after-rape-1613224
22/7/2018	Muslim criminals attacked Ratha Yatra, a major festival of the Hindu community and looted valuables from the devotees at Tarashi village in Gopalganj's Kotalipara upazila. Police arrested two persons in connection with a case filed following the incident.	https://www.dhakatribune.com/bangladesh/nation/2018/07/23/ratha-yatra-under-attack-in-gopalganj
22/8/2018	Two Tripura girls, aged 12 and 17, were allegedly raped by two members of Border Guard Bangladesh in Lama upazila of the district. A case was filed with Lama Police Station. BGB jawans Sumon and Maruf of Tirer Deva Camp were accused of raping and Nayek Rabiul of assisting.	https://www.thedailystar.net/news/country/two-indigenous-girls-raped-security-forces-bgb-bandarban-bangladesh -1624075

15/9/2018	Miscreants vandalised three idols and the boundary wall of a temple in Chittagong's Rangunia upazila as part of an attempt to occupy the land, alleged its management committee.	https://www.thedailystar.net/news/rangunia-temple-vandalised
2/10/2018	Police recovered body of a Hindu van driver Dulal Chandra Pramanik from Noldanga upazila of Natore. The van driver went missing around 10 days before his body was recovered. The victim's wife filed a case with Noldanga Police Station in this connection.	http://www.banglarchokh.com.bd/detailsnews.php?nssl=25125&nttl=0210201825125
7/10/2018	Four Muslim women beat a Hindu elderly woman Obola Rani (70) to death at Rohomotpur Guchoqram under Babuganjupazila of Barisal. The case now remains under trial and police have already submitted charge sheet before the court.	https://www.bd-pratidin.com/city-news/2018/10/07/366361
15/10/2018	A thirty-year-old Hindu woman, who is also mother of three, was gangraped by four local Muslim criminals at Rishipolli under Monirampur upazila of Jashore. The alleged rapists are-- Nazim Uddin (40), Mostafa (45) and Rezaul Islam (38). Local police told journalists that process of filing case was going on and police were trying to arrest the accused.	https://www.ppbd.news/selected/77346/গৃহবধূকে-হাত-পা-বঁধে-গণধর্ষণ
25/10/2018	Police recovered body of a Hindu teenage boy Suvash Kumar Sadha Kha (14) from Cinema Hall road in Chuadanga town. Police suspected that the boy was murdered.	https://www.ntvbd.com/bangladesh/221367/কীর্তন-শুনতে-এসে-নিখোঁজ-পরে-খুন

25/10/2018	Police recovered body of a Hindu woman Jhorna Rani Das (50) at Bashail upazila of Tangail. The body was buried. Police suspected that two local Muslims Uzzal Bepari and Monwara Hossain killed the woman following money-related dispute. Police arrested the two accused.	https://archive1.ittefaq.com.bd/print-edition/country/2018/10/30/309825.html
7/11/2018	A Hindu housewife Shikha Dey was burnt to death after gangrape at Kandapara area under Banshkhaliupazila of Chattogram. Muslim criminals led by Nurul Islam committed the crime. The case remains under trial and Nurul gave confessional statement before the court.	http://www.snn24.com/sn-58080
22/11/2018	A Hindu teacher of Chandpur Institute of Marine Technology was arrested allegedly for making derogatory comment on Islam.	https://www.dhakatimes24.com/2018/11/22/104010/চাঁদপুর-রাসুলক-কটুকত-করায়-শিক্ষক-গ্রপ্তার
30/11/2018	Police recovered body of a Hindu banker from his residence of Borolekha of Moulvibazar.	https://www.jugantor.com/country-news/117865/বড়লাখায়-গ্রামীণ-ব্যাংক-করমকর্তা-র-বুলন্ত-লাশ-উদ্ধার
4/12/2018	A Local Muslim forcibly abducted an indigenous girl aged around 13 and raped her at Garo Polli of Kashba municipality of Sherpur.	https://www.dailyprojonmo.com/news/28021/ফুঁসলয়ি%20গারো%20শশির%20সর্বনাশ%20করল%20এই%20লম্পট!%20এরপর...

30/12/2018	A day after the national election, supporters of the newly elected MP of Faridpur-4 constituency Mojibur Rahman Chowdhury Nixon attacked on Hindu communities and vandalized over 50 Hindu houses at Vanga and Sadarpur upazila.	https:// samakal.com / whole- country/article /19011/ফরদপুর-শতাধিক-বাড়িতে-হামলা
8/1/2019	Police recovered body of a Hindu person Swapon Chandra from a crop land at Kismat Biddyabagish area under Sadar upazila.	https:// www.jugantor com/country- news/131012/ লালমনরিহাটে- যুবককে- কুপিয়ে-হত্যা
9/1/2019	Miscreants set fire to Hindu households of Swarup Sarker at Charparboti area under Kompaniganj upazila with the aim to evict them from their houses.	https:// www.samakal. com /whole-country /article/1901673 / সংখ্যালঘুর-বাড়িতে- আগুন-দেয়ার- অভিযোগ
4/2/2019	An indigenous person Mongsanu Marma, 40, was shot dead at Raikhali of Kaptai upazila of Rangamati by a Muslim.	https://bangla. bdnews24.com/ samagraban gladesh/ article1589450. bdnews
9/2/2019	Minority community people themselves guard the village Sabrul Hindu Para in Bogura at night to prevent any possible attack by Muslims. The Hindus of the village are passing days with panic of such attack.	https:// www. kaler kantho. com/ online/ country- news/ 2019/02/09/ 735346?fbcl id=IwAR3- UAa4XGYSJ 6R5FQaT VWBFI DZhvD- cDe T4V iGHwcc VFeEmqu bLynaO7lo
12/2/2019	At least 50 persons of Ahamedia community were injured in an attack by miscreants on an annual programme of Ahamedia Muslims at Panchagar town and its adjacent areas.	https:// www.break ingnews. com.bd / bangla/ type/district/ article/ 94206

8/3/2019	Miscreants stabbed to death a Hindu man Shushil Chandra Roy at Paschim Sankai area under Bochaganj upazila in Dinajpur.	https://sanatantv108.blogspot.com/2019/03/blog-post_26.html?m=1&fbclid=IwAR3O_OEhEqQ_yXqvQd1i2yDg1LnPlfZgF8J_86Rb-1DAaD1w039qaVLNSf4
19/3/2019	An Indigenous Tripura girl got admitted at a local hospital at Matiranga upazila of Khagrachari after being raped by a Muslim youth Amir Hossain for multiple times over last three months.	http://www.djanata.com/index.php?ref=MjBfM DNfMjRfMTlfMV8xN18xXzIzOTgwOA==
2/4/2019	A Hindu elderly woman Nilu Sutradhar, 60, was stabbed to death and her daughter Shilpi Sutradha, 30, was injured by miscreants at Ichabpur village under Nobiganjupazila of Hobiganj.	https://www.jagonews24.com/country/news/491412
20/5/2019	Criminals attacked on Hindus at Jele Para of Cumilla leaving at around 35 Hindu community people injured.	http://bhbcop.org/wp-content/uploads/2019/10/Parishad-B-May-2019-compressed.pdfG
13/6/2019	Miscreants attacked on a temple and vandalized Durga images at Daspara area under Sadar upazila	https://www.dhakatribune.com/bangladesh/nation/2019/06/14/hindu-temple-vandalized-in-chandpur

India

01/01/2018	<p>A Muslim has been beaten to death in the eastern Indian state of Jharkhand after reportedly asking a group to stop playing loud music on New Year's Day. The incident happened in Mandar, a town close to the state capital, Ranchi. People blocked the national motorway on Tuesday to demand the arrest of suspects but the blockade was eventually cleared by police. Waseem Ansari and two of his friends approached the group and told them to stop playing loud music. This led to an argument and Waseem was attacked by the group. It seems he was hit by one of the sharp instruments used in cooking.</p>	<p>http://www.bbc.com/news/world-asia-india-42539447</p>
03/01/2018	<p>BJP MLA from Khatauli, Vikram Saini vented out hate speech against minority communities at a public function. Saini attacked Muslim and Christian Minority Communities specifically. He said that "some foolish leaders allowed bearded men to stay in India" and "now we (Hindus) are in a fix because of them." He said that the Muslims received the amount of money proportional to the length of their beards, through the government-sponsored welfare schemes given by last government. Attacking the Christian community he said that the New Year for Hindus "will fall on March 18 and not on January 1". He said that the Christians have grabbed so many areas and their influence is now reflecting in the Indian Culture as people now say "Good Morning" and "Good Night" instead of "Ram Ram".</p>	<p>https://timesofindia.indiatimes.com/city/meerut/bjp-mla-targets-minorities-in-hate-speech/articleshow/62342564.cms</p>

17/01/2018

Asifa was kidnapped and held captive from a village in Jammu's Kathua district on January 10. For seven days, she was sedated, starved and gang-raped and finally she was murdered. her head was bashed with a stone to ensure that she was dead. The body of the Asifa, from the Bakarwal community, was recovered from Rassana forest in Kathua on 17 January, a week after she went missing while grazing horses in the forest area.

Local policemen attempted to shield the suspects and destroyed evidence. But when arrests were made, the Mufti Mehbooba government ordered the case to the crime branch. That is when the horror story started unfolding.

It turned out that the gang-rape was a tactic to drive out a Muslim nomad community to which the child belonged from a Hindu-dominated area. Police have arrested eight men, including a retired government official, four police officers and a juvenile in connection with Asifa's death.

According to the investigators, Asifa was confined in a local temple for several days and given sedatives that kept her unconscious. The charge sheet alleges that she was "raped for days, tortured and then finally murdered". She was strangled to death and then hit on the head twice with a stone. Sanji Ram, a 60-year-old retired government officer, an activists of Hindu Ekta munch allegedly planned the crime with the help of police officers Surender Verma, Anand Dutta, Tilak Raj and Mr Khajuria and bribed 1.5 lakh to SI Anand Dutta and 1.5 lakh to Tilak Raj to shield him by destroying evidences.

<https://www.ndtv.com/srinagar-news/8-year-old-nomad-girl-found-dead-in-jammu-and-kashmir-was-raped-family-alleges-1801950>

	<p>Hindu Right wing activists disrupted funeral of Asifa, protests were conducted on behalf of the accused by BJP and Hindu Ekta Munch and lawyers of Jammu Bar Association which also tried to disrupt the filing of charge sheet against the accused reveal the role of BJP and Hindu right wing groups in this murder. Two BJP MLA who defended the accused was later resigned from the state cabinet.</p>	
17/02/2018	<p>42-year old Akbar Rajjak Tamboli was beaten to his death. The incident happened at about 4.30 - 5 p.m. in the afternoon according to the FIR. Two accused, Sainath Machindra Tribhuvan and Praveen Vishnu Netare have been arrested and charges of Section 302 (murder) and 32 already leveled on them. Two police teams are conducting widespread investigations to get two more from the mob who killed Akbar. Akbar Rajjak Tamboli, hails from the Subedar Basti, in Shrirampur dist. Ahmednagar in Maharashtra. The complainant in the FIR is 44 year old brother of Akbar, Naem Razzak Tamboli.</p>	<p>https://sabrangindia.in/article/42-year-old-akbar-tamboli-beaten-death-two-arrested-kopargaon-maharashtra-sabrangindia</p>
11/03/2018	<p>Mohammed Ismail, Nur-ul-Ameen Mukhtasar (40) and Ghufran Pothe (35) were returning to Bhatkal on Wednesday night at around 11:30 pm after purchasing two buffalos and a bull from Ankola. A group of more than hundred right-wing activists forcefully stopped their Bolero pickup vehicle near Karki NH-66 and assaulted them causing severe injuries to the body. As per Karnataka laws, the sale of beef is not illegal and consequently, the three animals were being brought to Bhatkal for a wedding, locals confirmed.</p>	<p>https://www.business-standard.com/article/pti-stories/prayer-homes-of-pentecostal-church-attacked-in-madurai-118031400327_1.html</p>

Nur-ul-Ameen was beaten in such a way that his one hand was fractured and also sustained grievous head and body injuries. Another victim Ghufran too was beaten badly and he received multiple injuries on his back and stomach.

25/03/2018

Aurangabad was the worst affected among the three district, including Kaimur and Gaya, where communal violence broke out on March 25 evening. Rioters set ablaze 31 shops, suggest official figures, but locals say over 50 shops were turned to ashes. More than 25 people were injured and one of the muslim youth was killed. The violence began after crowd of hundreds, as part of the Rama Navami processions – forcibly tried to enter Qazi Muhalla – a Muslim-majority area – at Nawadi Road. The participants of the bike rally tried to make a forced entry into the area. The police said objectionable slogans provoked people of the locality and they asked the participants of the rally not to enter into the area and go ahead passing straight through the market. Following a heated verbal exchange, stone pelting started between the two groups. After the police pacified the two group and dispersed the crowd, people gathered again and took out another procession on March 26. It is interesting to note here that the police gave permission to take out the second rally without taking lessons from the violence during the first procession. It now resulted in large scale damage. Several shops were gutted and property looted.

<http://www.newindianexpress.com/nation/2018/mar/30/ram-navami-clash-in-bihars-aurangabad-accused-flees-from-custody-1794901.html>

	<p>A video shot by a local – accessed by this team – shows hundreds of men violating a Muslim burial ground and proclaiming victory with loud chants of 'Jai Shri Ram' after having pitched a saffron flag there. The violent mob also resorted to firing and allegedly used hand-made bombs but this could not be confirmed. Prohibitory orders under Section 144 of the CrPC were enforced.</p>	
02/04/2018	<p>A blind couple who begged for a living were forced to chant 'Jai Shri Ram', 'Jai Maa Tara' by Hindutva goons who otherwise threatened to kill them. On the couple's insistence that they be allowed to leave, the goons told them they'd do so only if they uttered those slogans. The goons also made the couple hold a flag with the sign 'Om' on it.</p>	<p>https://indianexpress.com/article/india/ram-navami-violence-near-clash-zone-blind-muslim-couple-made-to-chant-jai-shri-ram-west-bengal-mamata-banerjee-5119937/?fbclid=IwAR3RpSpW9P0AQcbKbzjYiScsyT9vVKkulzIrD2fqeJ642LKAEjMJ-uRgspE</p>
17/04/2018	<p>Alleging consumption of beef at a wedding reception hosted by 50-year old Jumman Miyan, a mob of hundreds of people attacked a locality of a particular community in Koderma district of Jharkhand. Some villagers reportedly found bones and remains of the banned meat in the field behind the house of a villager identified as Israel Ansari.</p>	<p>https://www.telegraphindia.com/states/jharkhand/7-held-for-koderma-wedding-feast-fury-224395</p>
01/05/2018	<p>The beheaded body of Pastor Abraham Topno, 46, was found close to his isolated village Kubasal. The wife of 46-year-old Abraham Topno reported him missing on late Tuesday evening.</p>	<p>https://www1.cbn.com/cbnnews/world/2018/may/pentecostal-pastor-beheaded-in-india</p>

	<p>Police Inspector Gimal Kumar said that the pastor was kidnapped and killed as his jeep taxi drove through a dangerous, dense forest area near the capital city of Ranchi. "They pulled the pastor and the driver out, blindfolded them and tied their hands with a stiff rope. Then they cut his throat." The assailants released taxi driver Ranga Singh Munda and urged him to run away.</p>	
10/06/2018	<p>Husainabba, who was allegedly transporting cattle in a Scorpio vehicle, died after he was waylaid and assaulted by Bajrang Dal activists near Hiriyadka in Udupi. The police in its UDR claimed he had a heart attack while trying to get away, but later arrested the Bajrang Dal activists and three policemen including an SI, for allegedly colluding with them based on a complaint filed by Husainabba's brother.</p>	<p>https://www.deccanchronicle.com/nation/current-affairs/140618/muslim-cleric-thrashed-forced-to-chant-jai-shri-ram-in-jharkhan.html</p>
14/06/2018	<p>An angry mob in Jharkhand's Godda district allegedly lynched two men on the morning of June 13 over suspicion of stealing cattle. Four people have been arrested in connection with the incident. According to the police, residents of tribal-dominated Dullu village caught hold of the two victims – Sirabuddin Ansari (35) and Murtaza Ansari (30) – and accused them of stealing 13 buffaloes from one Munshi Murmu and others on the night of June 12. The two victims were residents of Taljhari in the district, about 200 km from Ranchi.</p> <p>The accused villagers, after killing the duo, brought back their bodies to Dullu village on bicycles, according to a PTI report.</p>	<p>https://www.pressreader.com/india/the-times-of-india-mumbai-edition/20180614/281943133590432</p>

18/06/2018	<p>Qasim was beaten to death by a mob at a sugarcane field in Hapur's Pilakhuwa and 65-year-old Samiuddin was injured in the incident. Police have arrested two men — Yudhishtir Singh and Rakesh Sisodia — on the charge of murder. According to the FIR filed at the Pilakhuwa police station, the incident was the result of a scuffle between unidentified bike-borne men and the two victims. But the family of Samiuddin and the two men arrested insisted that it was related to “cattle”. Qasim, according to his family, had received a phone call hours before the incident at around 11 am Monday. “He was at home yesterday and he left immediately stating that he will be back by 4 pm. He took around Rs 60,000-70,000. We had asked him to not leave in a hurry and to return quickly. He used to go to neighbouring villages to procure and sell cattle and we thought that it must be regarding his business,” said Qasim’s daughter-in-law Arshi. A few hours later, two men had hurried to Qasim’s house to inform the family that he had been rushed to the hospital after he was mercilessly assaulted around five km away. A video has also surfaced that shows Qasim lying in a field, his clothes torn and bruises across his body. In the video, Qasim pleads for some water as a group of young men stand in the background.</p>	<p>https://indianexpress.com/article/india/uttar-pradesh-hapur-lynching-linked-to-cows-claim-victims-kin-police-deny-say-road-rage-5224925/</p>
19/06/2018	<p>Tauheed Ansari was brutally killed by a mob on suspicion of carrying cow meat. Ansari was traveling on the bike to buy some grocery stuff for their guests, but suddenly he met with a road accident and the meat from bike’s boot space fell down on the road.</p>	<p>http://muslimmirror.com/eng/in-less-than-24-hours-another-muslim-man-killed-in-jharkhand-on-suspicion-of-carrying-cow-meat/</p>

	<p>Seeing that Ansari ran away from the spot and later around 12 pm his brutally lynched body was found nearby railway tracks. Doctor who did post-mortem claimed that Ansari died 10 hours before the incidence. Ansari's father revealed that the boiled water was also thrown over the body of his son.</p>	
15/07/2018	<p>The pastor of a church was shot dead by two motorcycle-borne assailants at Salem Tabri locality. The victim was identified as pastor Sultan Masih. Two armed youths with their faces covered shot at the pastor from a close range. The bike-borne assailants fired multiple shots at the pastor, killing him on the spot. He sustained two bullet injuries in the chest and one in the head. At the time of the incident, Masih was standing outside the church and talking to someone on his mobile phone. He was rushed to DMC Hospital where doctors declared him brought dead. His son Rahul Masih said his father, who was in-charge of the 'The Temple of God Church' in Slem Tabri locality, had been living here for the last 30 years and had no enmity with anybody. Masih ran a school for poor children inside the Temple of God church.</p>	<p>https://www.thehindu.com/news/national/pastor-shot-dead-in-ludhiana/article19288837.ece</p>
24/07/2018	<p>Hashim a shop-owner in Nuh, Mewat, was carrying grocery items from Delhi. On the highway, members of Gau Raksha dal stopped the truck and start beating him and alleged that he is cattle smuggler. He was severely beaten by a mob of 10 and got severely injured.</p>	<p>https://archiv e.org/details/AttackOnHashimOverTheCowInDelhi</p>

02/08/2018	<p>Four doctors from the minority community have come under pressure to vacate their rented accommodation in Kolkata because of their religion. Aftab Alam, Mojtaba Hassan, Nasir Shaikh and Sawkat Shaikh, who are renting a flat in a south Kolkata housing society called Kudghat, have come under pressure from their neighbours to leave because they are Muslim. Sudipta Mitra, the landlord, who had no problem renting them the flat, told the Times of India that there was only so much pressure that he could withstand. Turning the Muslim men out would set a 'bad example, he told TOI, adding, "But I can take only so much of pressure." Alam told TOI, "Many landlords rejected us because of our religion."</p>	<p>https://www.thequint.com/news/india/jamia-student-assaulted-told-youre-muslim-we-wont-face-action</p>
05/09/2018	<p>Within 15 days in U.P. Jaunpur there are 12 attacks over Christian community. The Right-wing Hindutva followers hosted Bhagwa flag on the church and stone -pelting is also done at the spot of tension.</p>	<p>http://mattersindia.com/2018/09/uttar-pradesh-district-reports-aggressive-onslaught-on-christians/</p>
10/10/2018	<p>The Shiv Sena and another Hindu organisation claimed to have forcibly shut around 400 meat and chicken shops at different locations demanding that they remain closed during Navaratri. Chief of Shiv Sena's Gurgaon unit Gautam Saini told PTI that around 300 members of different Hindu organisations assembled at the Lord Shiva temple located at the Old Railway road on Wednesday morning and headed to different places to close meat shops and forcibly shut down meat markets.</p>	<p>https://www.greaterkashmir.com/news/india/hindu-organisations-shut-down-400-meat-shops-in-gurgaon/299425.html</p>

15/10/2018	Uttar Pradesh's Bareilly College witnessed the members of Akhil Bharatiya Vidyarthi Parishad (ABVP) threaten to burn a van carrying Urdu literature books. A group of ABVP members reached the venue demanding to know what kind of books they are selling. On being informed that they were carrying Urdu literature, they were asked to vacate the campus immediately, or face dire consequences. According to a local Hindi newspaper, the ABVP members claimed that they will allow Urdu books for selling in the college if there will be a Sanskrit department in Aligarh Muslim University.	https://www.newsclick.in/abvp-members-unleash-violence-bareilly-college-attack-urdu-book-van
20/10/2018	Bihar's Sitamarhi witnessed clashes between two groups after a Durga Puja procession was not allowed to pass through a particular area, resulting in the death of one person. The mob then dragged Ansari, assaulted him brutally and burnt him alive at the spot. A Durga Puja procession was denied entry through a Muslim-dominated area in Bihar's Sitamarhi. According to the local police officials, a prior warning had been issued to avoid any clashes.	https://www.thequint.com/news/webqool/clashes-durga-puja-bihar-sitamarhi
24/10/2018	An eight-year-old madrasa student, identified as Mohammad Azeem, was beaten to death by some people in the Begumpur locality of Malviya Nagar area in Delhi on Thursday. Police have sent the body for post-mortem. None of the accused have been arrested yet.	https://caravandaily.com/portal/8-year-old-madrasa-student-lynched-in-delhi/

21/11/2018	Eid Milad-un-Nabi procession by the minority community was disrupted and attacked by the Right-wing VHP activists in Kanpur.	https://www.thehindu.com/news/national/other-states/communal-clashes-rock-up-ahead-of-vhp-meet/article25560504.ece
02/12/2018	VHP leader Manjunath Swami is accused of insulting people who follow Islam faith. In his speech, he had said that Islam is not a religion at all, that Quran is not a religious book and that Islam provokes terrorism.	https://www.deccanherald.com/case-against-hindu-leader-hate-706664.html
22/12/2018	A Muslim girl was not permitted to sit in the exam of NET in Sector 16 Rohini, New Delhi because she refused to remove Hijab. According to the victim, officials did not permitted her in the exam when she said there are no instructions about the Hijab and to follow her religion is her fundamental right.	https://www.telegraphindia.com/india/women-in-hijab-stopped-at-net-exam-centres-in-delhi-goa/cid/1679602
13/01/2019	A 13 years old girl of the only Muslim family in Ramban village of Jammu was raped by the local Hindus. The girl was grazing cattle when she was caught by the accused and, on pleading to let go, was beaten. Out of threat she didn't tell anyone about the incident till she realized that she was pregnant. On approaching the accused, he gave him some medicines which caused excessive bleeding. The girl was admitted in Ramban Hospital and later in Jammu Hospital to undergo abortion as her life was at risk because of the pregnancy. To mark, a year ago another Muslim girl was gang-raped in Kathua. Muslims in the area live in fear and threat. People protested against the slow investigation and alleged that the rape was another attempt to remove Muslims from Jammu.	https://www.newsclick.in/minor-nomad-girls-rape-jammu-sparks-outrage-residents-protest

14/01/2019	Pork was found inside the compound wall of the Jamia Mosque at Nagoor near Byndoor late on Monday night. According to the police, pork was thrown at around 10.55 p.m. inside the compound wall of the mosque on Monday.	https://www.thehindu.com/news/cities/Mangalore/pork-found-inside-mosque-premises/article26008219.ece
11/02/2019	A Christian convert was beheaded by Hindu locals who were threatening him to re-embrace Hinduism. The family embraced Christianity a year ago and was constantly threatened and beaten by Hindu locals, they shifted out of the village. Anant, father of 5, was found beheaded a day after Hindu locals threatened them to re-embrace Hinduism or die.	http://www.asianews.it/news-en/Orissa,-a-Christian-beheaded-for-his-faith-46300.html
16/02/2019	Muslims of Talekhan village, Lingsagur Tehsil, Raichur District in Karnataka had gathered for the Jumma namaz in the afternoon when members of RSS barged in and beat up the worshippers and drove them away. Then, the miscreants set fire to the prayer mats, the green flags of the adjacent dargah, wall posters of Kaaba and other materials inside the mosque. They even beat up some of the villagers who tried to stop them.	http://twocircles.net/2019mar13/429998.html
27/02/2019	The manager of Karachi Bakery's outlet in Bengaluru claimed to receive a call threatening to blast the bakery if the word 'Karachi' is not removed from it. Earlier on 22 February, a group of 15-20 unidentified men came asking questions about if there were Muslim employees working in the Karachi Bakery. They forced the employees to cover the 'Karachi' on their board and put a national flag above it.	https://www.huffingtonpost.in/entry/uslim-employee-asked-men-who-attacked-karachi-bakery-in-bengaluru_in_5c718f67e4b00eed0834d26a

05/03/2019	<p>Two Muslim men, who were detained for questioning in connection with their suspected involvement in a loot and murder case, were allegedly beaten to death in custody in Bihar's Sitamarhi district. Eight policemen who were suspended for their involvement in the murder, are all absconding. The two were picked up by Sitamarhi's Runnisaidpur police and were detained at Dumra station, where they were tortured, leading to their death. Both the victims died within 20 hours of being detained by the police.</p>	<p>https://thecognate.com/two-muslim-men-beaten-to-death-in-police-custody-in-bihar-accused-cops-on-the-run/?fbclid=IwAR0nTRW83hLeX8MEczjwxZRzSKb8vC5uJJcg0op0Xz9L2bFzmTTOw5K5Ek</p>
19/03/2019	<p>Four Christians, including an ill 16-year-old, were dragged down the stairs and outside a private house where they were having a prayer meeting in India's Tamil Nadu state. A Christian student named Siddappa was hosting the meeting in his house in Kurubatti, in the city of Hosur, when the violence took place. The prayer session was being attended also by another Indian citizen named Neethiraj, of the India Evangelical Mission, his friend named Chandrakant and his sick 16-year-old relative. Their meeting was abruptly interrupted just minutes after it began by more than a dozen men who raided the home and reached them on the upper floor. The Christians were manhandled, dragged down the stairs and taken to the middle of the street outside Siddappa's home, where the abuse continued. Attackers emptied the bag of Neethiraj on the street as it contained religious texts.</p>	<p>https://www.express.co.uk/news/world/1108694/christianity-crackdown-news-christianity-persecution-india-news-hindu</p>

	<p>They then gathered all the Bibles and Christian books they could find in the house only to force the four Christians to burn them with some petrol they brought with them, according to local sources. The Christians said their assaulters were from the Hindu Front and the Vishva Hindu Parishad (VHP).</p>	
21/03/2019	<p>The incident took place on the day of Holi when a Muslim family was playing cricket in a barren plot outside their house. The perpetrators came on bike and threaten them to go to Pakistan and play there. They came back with spears and lathis and brutally assaulted the family inside their house. They also robbed the jewellery of the Muslim woman. Six had been arrested.</p>	<p>https://www.thequint.com/news/india/mob-attacks-muslim-family-in-gurugram</p>
31/03/2019	<p>Three peoples were assaulted by a group of cow vigilantes in Alwar when they were coming from a cattle fair. According to the victims, the mob chased and stopped them and start beating them. Police arrested one person when he was trying to flee. According to the police, Raesh Khan purchased six cattle from the trade fair with legal Documents.</p>	<p>https://timesofindia.indiatimes.com/city/jaipur/3-transporting-cows-to-alwar-thrashed-1-held/articleshow/68650781.cms</p>
02/04/2019	<p>A mob of some 200 Hindu radicals demolished a Catholic school in Tamil Nadu and stripped some of the nuns who teach there, attempting to strangle them with their rosaries. No part of the school building was spared, as the activists devastated classrooms, smashed desks and windows, and wreaked havoc on the auditorium. Four of the nuns and two other school staff members were hospitalized for injuries after the attack.</p>	<p>https://www.breitbart.com/asia/2019/04/02/mob-hindu-radicals-strip-beat-nuns-destroy-catholic-school-india/?fbclid=IwAR2-yOzMdQRFiFPHYLf2slqkxpxAtw1_1JubVwOxM_9l94Amob5kxbr8Qjk</p>

	This violence was sparked by the suicide of a 15-year-old girl, disappointed by her bad school results.	
07/04/2019	<p>A Muslim man was brutally attacked and beaten up by the mob over selling beef in Assam's Biswanath district. He was forced to eat pork as punishment by locals. Reports suggest that police have detained at least five people after the video of the incident went viral on social media. The man was seen on his knees in deep slush, begging to let him go. Shaukat Ali, 68, was thrashed brutally and was accused of being a Bangladeshi. He is currently being treated at a government hospital. "Are you Bangladeshi? Is your name in the NRC (National Register of Citizens)?" someone in the mob can be heard asking him. The mob asked Shaukat Ali why he is selling beef and if he has the license to do so. District police said that Ali is a businessman and has been running an eatery in the area for the last 35 years. Cow slaughter is not banned in Assam but permission is required from a veterinary officer as only the cows aged over 14 years can be slaughtered.</p>	<p>https://www.huffingtonpost.in/entry/assam-muslim-man-assaulted-by-mob-for-allegedly-selling-beef-forced-to-eat-pork_in_5cac0221e4b01b34503a928e</p>
20/04/2019	<p>Sadhvi Pragya Singh Thakur, BJP's candidate (selected as MP now) from Bhopal for Lok Sabha elections, made the controversial remark while speaking to a television channel. Malegaon blast accused Thakur remarked that she does not regret demolishing the Babri Masjid structure in Ayodhya on December 6, 1992, and is proud of her participation in the demolition of the Babri Masjid in Ayodhya.</p>	<p>https://www.india today.in/elections/lok-sabha-2019/story/babri-masjid-demolition-sadhvi-pragya-singh-thakur-1506564-2019-04-21</p>

In an interview with AajTak, Sadhvi Pragma said further, "Why would we regret the demolition of the Babri Masjid? We are, in fact, proud of it. There were some waste products of the Ram temple and we removed it. This has awakened the self-respect of our country and we will construct a grand Ram temple."

11/05/2019

Muslim paediatrician was thrashed by unidentified men near Ardee City on Friday night. Dr. Nurul, who lives near Wazirabad village in Sector 52, was returning home after purchasing milk for iftar in his vehicle when the incident took place. According to him, he was returning after buying milk for Iftar in his Baleno car. Suddenly, two men came in a white Fortuner and started abusing him without any reason. When he told them that they are on the wrong side of the road, they called 8-9 more men who brutally thrashed him with sticks. He tried calling police but due to injuries, he fell unconscious on the roadside. Later, the police reached on spot and rushed him to the Civil Hospital," Nurul told the police. The 30-year-old doctor has received multiple injuries on his head, eyes, face, and legs. Dr. Nurul said he heard two of them say that he was a Muslim and that the community should leave the city otherwise riots will take place.

<https://www.indiatimes.com/news/india/doctor-goes-to-buy-milk-for-iftar-in-gurugram-mob-thrashes-him-shouting-muslims-should-leave-367225.html>

25/05/2019	<p>Mohammad Barkat, 25, was returning to his shop around 10 p.m. on Saturday after offering prayers at Jama Masjid in Gurugram when a group of about half a dozen men allegedly accosted him outside a sweet shop and told him to remove his skull cap and chant Bharat Mata Ki Jai and Jai Shri Ram.</p>	<p>https://scroll.in/latest/924826/gurugram-muslim-man-allegedly-thrashed-asked-to-remove-skull-cap-and-chant-jai-shri-ram</p>
29/05/2019	<p>The Village Development Committee, an unauthorized body, in Balkonda, Nizamabad district, declared a social and commercial boycott of Muslims last week. They decided to levy a heavy penalty on those who maintain any social or commercial relations with the Muslims in the village. The boycott imposed to pressurize Muslim community to give up the claim over the graveyard. The dilemma emerged when some Hindus tried to occupy the burial ground illegally which owes to Muslims after destroying a few graves. The committee said that any person who speaks with a Muslim will be penalized with Rs 5000 and if he or she drinks tea at a Muslim owned restaurant the penalty will be Rs. 20,000. Also, if a non-Muslim buys anything from a general store of a Muslim he would be levied with a fine of Rs 20,000. The non-Muslim will also be penalized for traveling in auto-rickshaws driven by Muslims.</p>	<p>https://www.deccanchronicle.com/nation/current-affairs/310519/nizamabad-cops-intervene-to-end-soc</p>

05/06/2019	<p>Ten Christian families in India have reportedly been driven out of their homes in the Jharkhand state after they refused to renounce their faith in Jesus Christ last month. International Christian Concern, a non-profit persecution watchdog based in the U.S., reported Tuesday that the 10 families have not been able to return to their homes in the Pahli village of the Latehar district after they were forced to flee the village for refusing local radicals' demands that they convert to Hinduism. According to sources who spoke with the charity, the families were summoned to a meeting with the group of local Hindu radicals on June 5 and were given two options: recant their faith or leave the village.</p>	<p>https://www.christianpost.com/news/10-christian-families-in-india-forced-to-flee-village-beaten-after-refusing-to-abandon-christ.html</p>
23/06/2019	<p>A 25-year-old cab driver from Mumbai was allegedly physically assaulted by a group of three men named Mangesh Munde, 30, Anil Surywanshi, 22, and Jaydeep Munde, 26, who are resident of Diva. While driving on Agasan Road in Diva, his vehicle developed some glitch. Khan kept trying to start his vehicle and since it was dark, he had switched on the parking lights,” said an officer from Mumbra police station. He added, “Sometime later, three men riding on a scooter spotted Khan’s vehicle and started abusing him, though Khan was polite to them. The trio, however, dragged Khan out of his car and allegedly started assaulting him. Seeing Khan being beaten up, the passenger fled,” the officer said. Speaking to Mirror, Khan said, “I told them Allah ke vaste, Mujhe maat maaro, Mujhe chhod do (For God sake, do not hit me, let me go). They then forced me to chant Jai Shri Ram.</p>	<p>https://scroll.in/latest/928654/thane-muslim-cab-driver-allegedly-thrashed-and-forced-to-chant-jai-shri-ram-three-arrested</p>

	They kept hitting me until I lost my consciousness. Later I found myself in the car, with my mobile phone stolen.”	
24/06/2019	Accused of theft of a motorcycle, a man was lynched by a mob while being forced to chant slogans like 'Jai Shri Ram'. The mob then hit him for several hours before handing him over to the Police. The Police didn't allow the elder brother of the victim to meet him. He later passed away due to the wounds inflicted by the mob. The main accused has been arrested.	https://www.ndtv.com/india-news/jharkhand-mob-lynching-jharkhand-man-beaten-by-mob-for-hours-made-to-chant-jai-shri-ram-dies-2058068
29/06/2019	A 16-year-old Muslim boy was allegedly beaten by unidentified men in Kanpur for wearing a traditional skull cap and refusing to chant "Jai Shri Ram", police said on Saturday. The incident occurred on Friday when Mohammad Taj, a resident of Barra, was returning home after offering namaz in Kidwai Nagar, the Uttar Pradesh police said. Mr Singh said the attackers asked the teenager to chant "Jai Shri Ram", and kicked and punched him badly after he refused to do so. "They removed my cap, pinned me down and beat me black and blue while asking me to chant "Jai Shri Ram"," Mohammad Taj told PTI. The 16-year-old alleged that the men told him that wearing the skull cap was "not allowed" in the area.	https://www.thehindu.com/news/national/muslim-boy-thrashed-in-kanpur-for-refusing-to-chant-jai-shri-ram/article28227662.ece
30/06/2019	Sunita Singh Gaur, leader of the Bharatiya Janata Party Mahila Morcha in Uttar Pradesh's Ramkola, tweeted a statement spewing hate. It was later deleted and she was also removed from her post, but the tweet has created waves among the whole Twitter community.	https://thewire.in/communalism/bjp-mahila-morcha-leader-says-hindus-should-gangrape-muslim-women-gets-expelled

	<p>“There is only one solution for them (Muslims). Hindu brothers should make a group of 10 and gang rape their (Muslims) mothers and sisters openly on the streets and then hang them in the middle of the bazaar for others to see,” Gaur’s post in Hindi says. She goes on to say that Muslim mothers and sisters should have their “honour looted” as there is “no other way” to “protect India”.</p>	
07/07/2019	<p>16 people were chained together and forced to chant 'Gau Mata ki Jai' for being caught allegedly while smuggling cows. A video went viral wherein it showed the men chained together while very strong language was being used against them. Police has registered a case against the smugglers as well as those who made the people chant. 7-8 pick-up truck were also seized.</p>	<p>https://www.siasat.com/news/16-people-chained-forced-chant-gau-mata-ki-jai-video-goes-viral-1539704/</p>
22/07/2019	<p>40-year-old Rosina Nasir, Assistant Professor at the Jawaharlal Nehru University’s Centre for the Study of Social Exclusion and Inclusive Policy (CSSEIP), accused vice-chancellor Mamidala Jagadesh Kumar and chairperson of CSSEIP Yagati Chinna Rao of “targeted harassment, exploitation, and discrimination”. She sought intervention from the DMC saying she was being forced to quit her job by the two “powerful” men and that she fears for her and her child’s safety. “It seems to me if I will not quit the faculty position in the CSSEIP, I will be made to disappear like Najeed (JNU student who went missing three years ago from his hostel and is still untraceable),” the letter says. She lives with her husband and three-year-old son within the JNU campus.</p>	<p>https://thewire.in/communalism/jnu-muslim-professor-harassment-vc</p>

01/08/2019	<p>Ajay Gautam, founder of right-wing organisation 'Hum Hindu', was invited to the News24 studio for a debate on the Zomato controversy where he refused to even look at a Muslim TV anchor. The incident was not part of the original video uploaded by the news channel on YouTube on 1 August. A short clip was later circulated and many on Twitter slammed Gautam for his actions. After the incident, the TV channel has decided not to invite Gautam to its studio.</p>	<p>https://www.tribuneindia.com/news/nation/hum-hindu-s-ajay-gautam-refuses-to-look-at-muslim-tv-anchor-covers-his-eyes/811892.html</p>
26/08/2019	<p>A police constable was attacked by some men for being a Muslim. In the registered FIR, the 44 -year old police constable has alleged that the men assaulted him because he is a Muslim. In his complaint, Shaikh said, “As I was heading back to my home after concluding my day duty scheduled at Pratapnagar Headquarters, an unknown young person crossing the road near Shiv Shakti Mohalla locality waved his hand to me. After I asked him calmly to cross the road, he came towards me and started addressing me with the words targeting my religion.” A lawyer, who was present at the Panigate Police Station said that the officers at the station were initially reluctant to register the complaint in detail against the accused. He alleged, “The police official on duty was trying his best to simplify the incident, thus, to make it sound like a common quarrel or fight,”. He further added that “the simplification of it would omit the communal colour the attack, helping the accused to go away easily”.</p>	<p>https://www.nationalheraldindia.com/india/gujarat-police-constable-attacked-for-being-muslim</p>

“It is a case of mob attack and hate crime. Also, it does invoke some special sections of IPC for hurting religious sentiments,” he said. “It was sad to see ‘one of them’ [referring to Arif] being treated differently by their own system and people,” he said referring to the police apathy.

08/09/2019

Dozens of assailants from the youth militant group Bajrang Dal intruded in a church during the religious service and began verbally abusing congregants before tearing up Bibles, breaking church supplies, and stealing the offering box. Following the attack, the group’s organizer, Yadav, went live on Facebook, showing off the Christians who were forced out of their house church and onto the streets. In the video, Yadav is seen pestering women about why they attended the service and claiming that Christianity has destroyed the entire district. Eventually, Police arrived, and church Pastor Manohar Prasad Varnwa, his family, and a few members were forced into a police vehicle. Meanwhile, the assailants stood by, watching the Christians’ arrest. The live-stream ends on Yadav’s final comment: “Our job is to make this area free of Christianity.” Police denied the claim of a forced signature but admitted the team had been sent to the church when they received word that the congregation was “promoting Christianity.”

<https://www.christianpost.com/news/hindu-radicals-livestream-brutal-attack-on-christians-to-make-area-free-of-christianity.html>

16/09/2019

In the Marwari College in Ranchi, the over-all best graduate Nishat Fatima, who came to the College to take her degree in graduation ceremony could not get it in the ceremony because she came wearing a burqa (veil) to attend the program.

<http://muslimmirror.com/eng/ranchi-college-topper-nishat-fatima-denied-degree-over-wearing-burqa-at-graduation-ceremony/>

Her name was called for the gold medal at the ceremony as she had to take the medal first. However, at the same time, it was announced that she was not in the dress code fixed by the college, due to which she could not be given a degree in the ceremony. After which the process of awarding medals and degrees to other toppers was started. Despite the dress code being fixed, Nishat's father Muhammad Ikramul Haq said that the burqa is included in their tradition.

22/09/2019

On Sunday, 22 September, in the early hours of the morning, yet another incident of mob lynching took place in Jharkhand. A mob of 12 to 15 men caught hold of three men at Jaltanda Suari village in Khunti district, around 50kms from the state capital of Ranchi, for allegedly selling beef at a riverside market. One of the victims of the attack, a tribal man died on the way to the hospital while the condition of two other men is said to be critical. The deceased has been identified as Kalantus Barla and the injured as Fagu Kachhapand and Phillip Hahoro. All three men are tribal Christians. "The three villagers, identified as Kalantus Barla, Philip Horo and Faagu Kacchap, are alleged to have been carving an animal prohibited for slaughtering. Other villagers spotted them and started beating them. However, police reached the spot as we got information and rushed them to the hospital. Barla sustained grievous injuries and he died before reaching the hospital. The other two are said to be stable," said DIG (Chhotanagpur Range) Homkar Amol Venukant.

<https://indianexpress.com/article/india/jharkhand-again-a-man-is-lynched-two-injured-over-suspicion-of-cow-slaughter-6019451/>

Speaking to India Today TV, locals from Suari village under Karra PS of Khunti district expressed shock and grief over the death of Kalantus Barla. Villagers claimed that workers from Bajrang Dal were behind the attack. A fact-finding report published by the Director of the Centre for Study of Society and Secularism, Mumbai, Irfan Engineer, who spoke to the media in detail, said the attack was planned as Sauri village was a Christian-dominated village. He said the attackers from various villages came early and knew it was the time of the local Badapahadi festival where meat would be distributed as it was the age-old practice. The riverbed where the lynching took place was in an isolated area without approach roads, he added. "It is evident that this assembly of people could not have been spontaneous," Engineer added. Engineer further said that the village was selected with a design. "Christians were targeted with the aim to polarise Adivasi communities into Sarna versus Christian...to weaken the joint Adivasi struggles to protect their gram sabha and land tenancy rights."

Sri Lanka

26/12/2018	Sri Lankan anti-Muslim riots were a series of religious riots targeting Muslims that began in the Sri Lankan town of Ampara .The incident triggered after a drunken Sinhalese group of youth had entered Hotel Cassim located in D S Senanayaka Veediya, Ampara and forced the cashier to admit that they were mixing sterilising medicine with food they sell.	https://www.colombotelegraph.com/index.php/anti-muslim-assaults-in-ampara-police-on-alert-to-prevent-sinhala-muslim-clashes/
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<p>2/3/2018 to 10/3/2018</p>	<p>The trigger was supposedly a road incident, said to have involved members of Sri Lanka's Muslim minority, near the popular tourist destination of Kandy. A lorry driver from the Sinhalese, ended up dead. Angry Sinhalese mobs, urged on by Buddhist monks, began attacking mosques and businesses owned by Muslims, hurling rocks, burning tyres and setting fires, leading to at least two more deaths. In March the government declared a 10- day nationwide state of emergency, restricted social media access, and arrested more than 100 persons in response to anti-Muslim riots in Kandy District in which mobs attacked Muslim civilians, shops, homes, and mosques, resulting in at least two deaths, 28 injured, and extensive property damage to Muslims' houses, shops, and mosques.</p>	<p>https://www.aljazeera.com/news/2018/03/sri-lanka-hate-speech-impunity-fuel-anti-muslim-violence-1803100202_53272.html</p>
<p>29/4/2018</p>	<p>A group of Buddhists and Hindus forcibly entered the Sunday service of the Apostolic Church in Padukka in Colombo and threatened congregants. Police demanded the Christians stop the worship service immediately.</p>	<p>https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/835663/sri-lanka-country-policy-info-note-religious-minorities.pdf</p>
<p>8/7/2018</p>	<p>A group of villagers and Buddhist monks disrupted a Living Christian Assembly service in Sevanapitiya, Polonnaruwa, stating it was a Hindu-majority village. The police ordered the Christian group to stop holding services.</p>	<p>https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/835663/sri-lanka-country-policy-info-note-religious-minorities.pdf</p>

21/4/2019	On Easter Sunday, three churches in Sri Lanka and three luxury hotels in the commercial capital Colombo were targeted in a series of coordinated terrorist suicide bombings which resulted in killing over 300 persons and injuring more than 500 people.	https://www.cbsnews.com/live-news/sri-lanka-bombings-death-toll-easter-attack-churches-hotels-live-updates-22-04-2019/
May 2019	Several attacks on Muslim community by Sinhala mobs were seen post Easter Sunday attacks in Negambo, Kuliyaipitiya, Thihariya, Puttlam and Gampahain the month of May.	https://www.bbc.com/news/world-asia-49249146
23/5/2019	Sri Lankan newspaper Divaina published a front page article alleging a Muslim doctor had secretly sterilized 4,000 Sinhala Buddhist women after caesarean deliveries. Dr. S.S.M. Shafi – a Muslim physician who practices at the Kurunagala government hospital – whom a newspaper accused without evidence of sterilising 4,000 Sinhalese women. In May, the police detained Dr. Shafi under the Prevention of Terrorism Act on suspicion of illegally gained wealth. Nationalist monks and politicians subsequently mounted a campaign of attacks against Shafi in the media for alleged links to terrorists and to Minister Rishad Bathiudeen, who had been the subject of a similar campaign. After two month's detention, Dr. Shafi was released on bail on 25 July. CID police investigators told the court they have found no evidence for any of the charges against Dr. Shafi and accused local police, the magistrate and hospital officials falsified documents.	http://divaina.com/daily/index.php/main-news/28426-2019-05-22-14-33-19

Case Updates

Bangladesh

In the case of blogger Avijit, a Bangladesh-born US citizen, who was critical of religious extremism and promoted secularism, was stabbed to death in the Dhaka University campus. He and his wife Rafida were returning from the book fair on February 26, 2015. Rafida had survived the attack. Avijit's father Prof. Ajay Roy filed a murder case against unidentified assailants with the Shahbagh Police Station. Monirul Islam, the Chief of Counter Terrorism and Transnational Crime (CTTC) unit said that the outfit targeted Avijit for his writings, especially for his two books *Obisshahser Dorshon* (The Philosophy of Disbelief) and *Biswasher Virus* (The Virus of Faith). After Avijit came to Dhaka during the book fair in 2015, they planned the killing and rented a flat in Elephant Road to execute it. This case continues to be sub-judice.

In the July 2016 attack in a diplomatic zone in Dhaka, which left 24 people dead, was initially claimed by the Islamic State. Militants armed with machetes, grenades and rifles stormed the Holey Artisan Bakery, sorted foreigners from Bangladeshis, and then slaughtered hostages during an eleven-hour standoff with the military. The attack showed a clear indication that the extremist group had made inroads in South-Asia. The gunmen complained to the restaurant's staff that foreigners, with their revealing clothing and ease consuming alcohol, were a threat to Islam. Eventually, they ordered patrons of the bakery to cite verses from the Quran and killed those who could not. The verdict in this case was delivered on November 27, 2019. The seven accused were sentenced to death and the judge observed that this was an attack upon the secularism of Bangladesh.

India

In the case of continuous torture and inhuman treatment being meted out to 21 Muslim undertrial prisoners in Bhopal Central Prison, the NHRC recommended that a high-level committee be constituted to look into the grievances of the 21 prisoners and issue necessary guidelines to the jail authorities. NHRC's investigation team report confirmed torture in Bhopal jail and recommended actions, including initiating proceedings for prosecution, against officials. However, there is no progress on the same.

In *Shafin Jahan v. Ashokan K.M & others*, or the Hadiya (wife of Shafin Jahan and daughter of Ashokan K.M) case, the Kerala High Court on Hadiya's father's complaint that she had been indoctrinated and brainwashed into embracing Islam, and his fear that she was a victim of a movement to convert Hindu women and send them to overseas battle zones, ordered her confinement in her parents' home. The judgment and order passed by the High Court was set aside by the Supreme Court. The Supreme Court stated that the High Court should not have annulled the marriage between Shafin Jahan and Hadiya alias Akhila Asokan. Hadiya is at liberty to pursue her future endeavours.

In the Ballabhgarh mob lynching case, 15-year-old Junaid, his brother and two cousins were attacked in June 2017 on a Mathura-bound train. While the teenager was stabbed to death during the attack, it is alleged that communal slurs were also hurled at them. The Supreme Court sought the Indian Government's reply on plea for a CBI probe into the case. The main accused was granted interim bail by the Punjab and Haryana High Court.

In *Tehseen S. Poonawalla v. Union of India*, the Supreme Court passed an order while dealing with a batch of petitions seeking directions to combat the menace of self-appointed vigilante squads lynching people in the name of cow protection. The court passed it to the Parliament to frame a special legislation to tackle the problems posed by vigilante squads and said that until then the guidelines set by the same would stand the force of law.

An undertrial named Nabbir lodged in Tihar jail has been tortured by the jail superintendent Rajesh Chauhan and 'Om' on his back was forcefully imprinted. A Delhi District Court has ordered an inquiry into the alleged incident while also ordering that Nabbir be removed from the supervision of Rajesh Chauhan.

On the night of June 17, 2019, a few people of Dhatkidih village, a few kilometres from Tabrej's house, caught hold of him and branded him a thief. He was beaten up by a mob through the night and forced him to chant 'Jai Hanuman' and 'Jai Sri Ram'. On June 22, 2019, he succumbed to injuries. Chargesheet has been filed against eleven person who will be facing trial under section 304 of IPC.

Alimuddin Ansari was lynched and killed in June 2017. 11 accused were convicted by a lower court and sentenced to life imprisonment. The accused appealed against the order in the Jharkhand High Court. A division bench of Justices, H. C. Mishra and B. B. Mangalmurti granted bail to 8 of the 11 convicted on June 29, 2018.

Sri Lanka

Writer Shakthika Sathkumara has been charged with inciting religious hatred and violating international human rights law under Section 3(1) of Sri Lanka's ICCPR Act and Article 291B of the Penal Code. Sathkumara was arrested on April 1, 2019, in connection with 'Ardha' ('Half'), a short story published on Facebook, in which he reportedly makes references to homosexuality and child abuse amongst Buddhist monks. According to media reports, a complaint filed by the Buddhist Information Centre claimed that the story was derogatory and defamatory to Buddhism. Polgahawela Police Station has filed a case before the Polgahawela Magistrate's Court.

On May 18, 2019, police arrested a Muslim woman under the ICCPR Act for wearing a dress that they believe featured the dharmachakra, a Buddhist symbol. The image in contention was of a boat wheel. After 17 days in jail, the woman was released on bail, but authorities have not dropped charges against her, and she remains subject to prosecution.

Three suspects, including Mahason Balakaya leader Amith Weerasinghe were arrested and held in remand custody in connection with the disturbances created in Digana, Rangala, Udispattuwa and Moragahamula on March 4 and 5, 2018. They were arrested for allegedly posting content with racial and religious hatred on social media. Police had initiated investigations regarding the suspect under the Emergency regulations and the Public Security Ordinance. They were released on bail by Teldeniya District Judge on November 1, 2018.

Dilshan Mohamed, a 41-year old Muslim activist, was lodged in the Negombo remand prison and received bail after 34 days. Ironically, the said activist from Norochcholai is known for his consistent opposition to ISIS ideology and radicalisation since

2014. He frequently posted political opinions on Facebook (FB), predominantly in Tamil. After the Easter Sunday bombings, Dilshan wrote again. He treated the incident almost as a personal failure. He had been trying for years to educate young people about the dangers of radicalisation, but it had graduated to violence in his own country. At the Norochcholai police station, the officers started to read his posts but alleged that he might have deleted the 'incriminatory' ones. He was charged under the Prevention of Terrorism Act (PTA) and the section of ICCPR which states that nobody 'shall propagate war or advocate national, racial or religious hatred that constitutes incitement to discrimination, hostility or violence'. The police have now dropped the charges under the ICCPR but the case continues.

Three youths were arrested and remanded over posting semi-naked photographs taken on top of the Pidurangala rock, have been warned and ordered released by the Dambulla District Magistrate's Court. Ven. Dr. Danegama Ananda Thero of the Pidurangala Raja Maha Viharaa, a Buddhist monk, had lodged a complaint with the Sigiriya Police Station who stated that the photo was a religious insult

The hearing of the case concluded on October 10, 2018, after it was taken up before Dambulla Magistrate Kosala Bandara. The three youths, who had pleaded guilty to the charge, were strongly warned by the court and ordered released. The second and third defendants were also each ordered to pay Rs 1,500 as government fees.

It is believed the young men were inspired to take the photo by a certain Instagram page, which encourages people to expose skin at famous locations around the world. Pidurangala Rock is few kilometres from the ancient city of Sigiriya, a UNESCO World Heritage site often referred to as the eighth wonder of the world.

Chapter 4

United Nations Interventions

Over the years, advocacy by human rights defenders and alertness of several national and international non-governmental organisations, media agencies and diplomatic missions, have resulted in several UN human rights mechanisms responding and intervening in crucial instances affecting religious minorities. This chapter is a classification of the same according to the mechanisms.

UN High Commissioner

India

The UN High Commissioner in the 42nd session of UN Human Rights Council stated that the recent National Register of Citizens verification process in the northeast Indian state of Assam has caused great uncertainty and anxiety, with some 1.9 million people excluded from the final list published on 31 August. The UN High Commissioner appealed to the Government to ensure due process during the appeals process, prevent deportation or detention, and ensure people are protected from statelessness.

Sri Lanka

The UN High Commissioner in the 37th session of UN Human Rights Council, on 'Promoting reconciliation, accountability and human rights in Sri Lanka', expressed concerns with regard to multiple incidents of intercommunal violence, attacks and hate speech against minorities during the course of 2017. They included a series of petrol-bomb attacks against mosques and businesses owned by Muslims across the country around May (more than 30 registered incidents, with a peak of nearly daily attacks during the two first weeks of the month). The attacks were accompanied by anti-Muslim rhetoric from Sinhala-Buddhist ultranationalist groups and came at around the time the leader of one of these groups (GnanasaraThero, of BoduBalaSena) was awaiting sentencing on a contempt of court charge.

On the same issue, the Un High Commissioner further stated that on September 26, 2017, a mob led by Buddhist monks reportedly belonging to the organisation Sinhalese National Force demonstrated against the presence of Rohingya refugees in Sri Lanka in front of a house in Mount Lavinia, Colombo, where 31 Rohingyas (mostly women and children) from Myanmar were being sheltered by the Office of the United Nations High Commissioner for Refugees and its partner organisation, Muslim Aid. Despite police presence, the house was stormed by the crowd and the group of Rohingyas had to be relocated for their protection. In a separate incident, tensions between the Tamil and Muslim communities in Batticaloa led to a temporary local boycott of Muslim businesses in November. In the worst incident of the year, in Gintota (Southern Province), on the evening of 18 to 19 November, more than 70 Muslim homes and businesses were damaged by a mob that formed after an incident arising from a traffic accident involving Sinhalese and Muslim youths. Hate speech over social media, possibly politically motivated, seemed to play a role in the incident.

Unlike during the incidents in May, in Gintota, the Government's response was swift, including deployment of special police units and temporary curfews.

Adding further, the UN High Commissioner mentioned that attacks on Evangelical Christians continued to be recorded. A prominent lawyer and human rights activist who had provided figures on the number of such attacks in a television debate in May 2017 was publicly threatened by the then Minister of Justice with disbarment for making such claims.

The UN High Commissioner concluded the submission stating that in statements and reports issued since 2015, the High Commissioner, while expressing concern over the lack of progress on accountability and reforms, was encouraged by the positive improvement of the general human rights situation. However, 2017 was marked by intermittent inter-ethnic tensions and attacks on minorities which are unlikely to dissipate completely. While the Government has managed to steer many of these worrying events in a positive direction, this type of violence in a country that has experienced cycles of extreme violence roughly every 10 years is deeply troubling, particularly when accompanied by hate speech, misinformation and agitation through social media and political manipulation.

Special Procedures

Bangladesh

Six UN Special Procedures issued a communication on December 19, 2018. Below are relevant excerpts from the same.

We would like to bring to the attention of your Excellency's Government information we have received concerning the alleged rise of religious fundamentalism, which has reportedly

led to extremist violence against religious minorities, human rights defenders and secular writers or media workers, as well as the fear of targeted violence against religious minorities in the context of the upcoming general elections.

Between February 2013 and June 2016, at least 14 human rights defenders were murdered in Bangladesh, purportedly in connection with their human rights activities. In many cases, Muslim fundamentalist groups claimed responsibility for the acts. In addition, several secular bloggers, publishers and university lecturers who shared secular views and criticised the influence of fundamentalism on Bangladeshi politics have been systematically targeted by religious fundamentalists during this period. Some fundamentalist groups published a list of the names of 84 bloggers whom they accused of blasphemy and demanded be punished. In this climate of violence, the bloggers and human rights defenders reportedly did not receive protection or assistance from the authorities and therefore live in constant fear for their lives. The relevant authorities also reportedly failed to properly investigate most of the murders.

As a result of the killings, the reigning impunity and the failure of authorities to protect human rights defenders, writers and media workers who report threats, more than 45 of the most prominent Bangladeshi human rights defenders and writers are now dead, in exile, or have ceased writing completely.

In the run-up to the upcoming general elections in Bangladesh, scheduled for 30 December 2019, religious minorities, especially Hindus, fear renewed attacks against them by fundamentalist groups. Reports indicate that around 380 members of minority groups have been attacked in the first half of 2018.

Between 9 and 12 December 2018, 47 incidents of violence were reported, in which 560 persons were injured and 8 persons killed.

We express serious concern about the alleged rise of religious fundamentalism which has reportedly led to an increase in extremist violence in Bangladesh particularly targeting religious minorities, human rights defenders, and secular writers or media workers; the lack of investigation into killings which have occurred in this context and the alleged lack of protection provided to individuals who have received death threats as well as the impact that this violence has on the exercise of all their human rights, including their right to take part in the conduct of public affairs, their right to participate in cultural life, their freedom of expression and opinion, and their freedom of religion or belief. We are concerned about the reported growth of madrasas which may in some cases be promoting fundamentalist views, and about reports that both of the main political parties in Bangladesh may be increasingly seeking to appease or cooperate with fundamentalist groups. The rise of fundamentalism is already reported to be having a negative impact on Bangladeshi culture, such as fostering objection to some traditional celebrations.

We express further concern that the upcoming general elections in Bangladesh may trigger renewed violence against members of religious minorities, their homes, temples and sources of livelihood, which may lead to mass internal displacement causing further human rights and protection concerns for those affected. Finally, we express serious concern about the alleged clampdown on opposition groups, critical voices and media in the context of the upcoming elections, including through measures such as arrest, detention and surveillance. We are concerned that the use of these measures raises serious concern as to the possibility of the elections to be conducted in a free and fair manner.

India

Five UN Special Procedures issued a communication on May 27, 2019. Below are relevant excerpts from the same.

We wish to address to your Excellency's Government this follow-up letter with the regard to the ongoing process of the National Register of Citizens (NRC) update in the State of Assam and its potential adverse effects on the lives of millions of people, most of whom belong to minority groups.

Influenced by the NRC process in the state of Assam, other similar initiatives have appeared in other states in north east India. On 18 March 2019, the Mizoram state legislature passed the Mizoram Maintenance of Household Registers Bill, which reportedly aims at detecting foreigners and identifying "genuine residents" of the state, by creating separate registers for "residents" and "non-residents", with names and photographs. The rationale behind the approval of this bill is explicitly stated in the Bill's "Statement of Objects and Reasons" which mentions that "[I]nflux of foreigners into Mizoram through its porous borders has remained a serious concern for several decades. In many cases the benefits of development and welfare programmes are found eaten away to a large extent by such foreigners who clandestinely stayed back and got assimilated in the people of the State by taking advantage of the mistaken identity and of difficulties in detecting them." A number of stakeholders in India have raised concerns over the approval of this Bill as well as over the process of verification of the information contained in these registers, which is to be undertaken by "state-level NGOs", designated by the Government of Mizoram.

Inflammatory public statements against the so-called "foreigners" and "infiltrators" and the need to remove them from India have been reported during the current election period,

whereas allegedly the 2019 Election Manifesto of the Bharatiya Janata Party (BJP) mentions the intention of its leadership to expand the implementation of the NRC to other parts of the country. Under the section “Combating Infiltration” the BJP Manifesto reads:

There has been a huge change in the cultural and linguistic identity of some areas due to illegal immigration, resulting in adverse impact on local people’s livelihood and employment. We will expeditiously complete the National Register of Citizens process in these areas of priority. In future we will implement the NRC in a phased manner in other parts of the country.

Furthermore, we express our concern over the reported uncertainty with regard to the relationship between the NRC process, the established electoral rolls and the decisions by the Foreigners’ Tribunals, and the absence of a clear framework on how to deal with inconsistencies among those three parallel processes, which may produce conflicting outcomes for one and the same person.

Finally, we note with concern the intended plans of the Assam state authorities to expand the institutional capacity for the identification of “foreigners” through a significant increase in the number of Foreigners’ Tribunals, the Supreme Court’s tacit support to such plans, the emulation of the NRC process by other states in the north east of India, as well as the rising tide of bigotry, stigmatization and scapegoating of all those perceived as “foreigners” and “infiltrators”, most of whom belong to racial, ethnic, religious or linguistic minority groups in India.

Five UN Special Procedures issued a communication on March 27, 2019. Below are relevant excerpts from the same.

We would like to bring to the attention of your Excellency's Government information we have received concerning the situation faced by ethnic Rohingya refugees and asylum-seekers in India, including alleged arbitrary arrests and detention, due to their absence of documentation. Furthermore, we have received information concerning decisions from your Excellency's Government to forcibly return Rohingya refugees to Rakhine state in Myanmar, which may result in the violations of their human rights.

We would like to raise our serious concern about the situation faced by refugees and asylum seekers of Rohingya ethnicity. We are deeply concerned at the reports of forced returns to Myanmar, especially to Rakhine state where conditions are not conducive for a safe, sustainable and dignified return. We wish to reiterate the grave concern we expressed in communication IND 22/2018 about Indian authorities' forced return of persons belonging to the Rohingya ethnic group back to Myanmar, where they might face attacks, reprisals and other forms of persecution because of their ethnic and religious identity.

We would like to reiterate the findings of the report of the United Nations International Independent Fact-Finding Mission on Myanmar published in September 2018. The report highlighted, inter alia, that the indiscriminate killing of Rohingya children, women and men amounted to the level of both war crimes and crimes against humanity. The Mission further found that the manner in which these crimes were perpetrated may allow for an inference of genocidal intent. These human rights violations and other violations of international law mainly occurred in Rakhine state where some of the abovementioned people are originated.

We are also concerned that the Indian legal process of refugee status determination seems to violate international human rights standards, as the group of five individuals returned to Myanmar on 3 January 2019 did not seem to have benefited from an adequate identification of their protection needs and verification of their refugee status. This forced return also resulted in the separation of the family, five of them having been returned to Myanmar while three others, including two children, remain in detention in India.

Furthermore, we express our concern regarding the use of alleged arbitrary detention as a punitive deterrent of irregular entry, contrary to international human rights norms and standards. In the majority of the abovementioned cases, the individuals have been subject to arbitrary detention, often for prolonged periods, often due to their inability to present valid identity documents to the authorities. We express our serious preoccupation about detention of children. We further express concern that the systematic use of indefinite detention of Rohingyas, followed in some cases by involuntary and forced deportation to Rakhine state, demonstrates a pattern of racism and intolerance against refugees and asylum-seekers of Rohingya ethnic minority.

Finally, we are concerned at the shortfall of process guarantees for asylum seekers and refugees who seek protection in India. This is a possible violation of the non-refoulement principle, lacking proper individual assessment, and at deportations which, in some cases, may result in family separations.

Four UN Special Procedures issued a communication on February 13, 2019. Below are relevant excerpts from the same.

We wish to express our concern over the recent approval by Lok Sabha (lower house) of the Citizenship (Amendment) Bill 2016, which amends the Citizenship Act of 1955 and which appears to discriminate against a number of ethnic and religious minorities in India.

Although the proposed provisions of the bill provide for an improved framework with regard to the acquisition of Indian citizenship through naturalization, this improvement is reserved exclusively to Hindus, Sikhs, Buddhists, Jains, Parsis and Christians from Afghanistan, Bangladesh and Pakistan, thus excluding members of other minorities who may find themselves in the same situation described in the provisions of the Citizenship Act of 1955, the Passport (Entry into India) Act of 1920 and of the Foreigners Act of 1946. Furthermore, we note with concern that the proposed bill does not seek to substitute the term of “illegal migrant” included in the Citizenship Act of 1955, with that of “irregular migrant” or of “migrant in irregular situation”, in order to bring the text closer to the terminology currently used in international law.

The approval of the Citizenship (Amendment) Bill 2016 can be seen also in the context of the current finalization of the updated National Register of Citizens (NRC) in the State of Assam. We have previously drawn the attention of your Excellency’s Government to the issue of the NRC process in Assam and we have raised concerns over its discriminatory character, in particular against Muslims and persons of Bengali descent, as well as other minorities, who are treated as foreigners and “illegal migrants” in Assam (see cases OL IND 29/2018 and OL IND 13/2018). The arbitrary exclusion of these and other minorities from the NRC process and from the proposed provisions of the Citizenship (Amendment) Bill 2016 would perpetuate discrimination against them, and consolidate a

climate of uncertainty, including fears of prolonged statelessness, detention, or even deportation. Prolonged uncertainty and the resulting aggravation of tensions between communities may also increase the risk of violence against minorities. We regret that we have not received, to date, any response to our letters with regard to the National Register of Citizens (NRC).

Four UN Special Procedures issued a communication on December 13, 2018. Below are relevant excerpts from the same.

We would like to express serious concern regarding the process of developing the draft NRC (National Register of Citizens), the “claims and objections” procedures, and the looming 31 December 2018 deadline for finalisation of the project.

We are particularly concerned that the way in which the NRC update has been conducted potentially affects a great number of Muslims and persons of Bengali descent, as well as other minorities, who may be wrongfully excluded from the updated NRC because of their historical and continuing treatment as foreigners and illegal immigrants in Assam.

Furthermore, given the poor understanding and operationalisation of the “claims and objections” period, as well as the relatively short deadline during which it has been undertaken, it appears that many of those perhaps unduly excluded from the list did not have a fair and adequate opportunity to challenge their exclusion.

Finally, finalisation of the NRC in the current form, has left much uncertainty for those excluded, including fears of losing citizenship, statelessness, as well as fears of indefinite detention, or even deportation.

In a region with very poor record-keeping, the current status of the verification process has the potential to create a massive category of people who are on Indian territory but cannot prove citizenship of either India or Bangladesh, thereby risking becoming stateless.

It is further feared that this entire process is stoking ethnic tensions in a region that has already experienced a tumultuous history of identity-based tensions, and suffered from strained inter-communal relationships, including multiple outbreaks of serious violence.

Five UN Special Procedures issued a communication on December 11, 2018. Below are relevant excerpts from the same.

Statements by high level political officials have justified killings (UP Encounter Killings) as part of a crime control strategy. This is illustrated by statements by Chief Minister of Uttar Pradesh, of the Bharatiya Janata Party (BJP). For instance, on 8 February 2018, he reportedly stated at a public event in Gorakhpur: “Each individual should be given a guarantee of security. But those who want to disturb society’s ethos and those who believe in the gun, they should be dealt with through guns. This I will convey with full clarity to the administration”. In February 2018, in response to a question on the possibility of a probe into two encounter cases, he reportedly told the state legislative council that “encounters” would not stop and said it was “unfortunate that some people are showing sympathy towards criminals.” In a previous interview on 18 November 2017 the Chief Minister had stated “if they will commit crime, they will be shot”. In September 2018 the Chief of the Uttar Pradesh Police reportedly stated “encounters are part of crime prevention. The fact is that this is a not a state policy, but a police strategy. We do not call it encounter but police engagement.”

Without making any judgment as to the accuracy of the information made available to us, we express our most serious concern at what appears to be extrajudicial executions by the police in the State of Uttar Pradesh, of individuals accused of being criminals, purportedly in the context of police efforts to combat crime. The information at hand suggests that these killings occurred -- at least in the fifteen cases described above -- while the victims were in the custody of the police; that they were temporarily disappeared, tortured or otherwise ill-treated, before being executed; and that alleged "encounters" were fabricated to cover up the executions. Furthermore we are alarmed by the apparent systematic failure of the police authorities to conduct independent, impartial, prompt, effective, thorough and transparent investigations into these violent deaths; and that they did not follow the guidelines laid down by the Supreme Court. We are equally alarmed by the alleged harassment and threats against family members and human rights defenders working on these and other similar cases and that their safety may be at risk. We are further disturbed by the statements from state government and police officials seemingly justifying, inciting, and/or sanctioning excessive use of force or extrajudicial killings of alleged criminals by members of the security forces in Uttar Pradesh.

Should the acts alleged in this communication prove to be true, they would violate the right of every individual to life, not to be subjected to torture and to liberty and security, to be presumed innocent until proven guilty, and to have a fair and public hearing by a competent, independent and impartial tribunal as set out in articles 6, 7, 9 and 14 of the International Covenant on Civil and Political Rights (ICCPR), acceded to by India on 10 April 1979.

Three UN Special Procedures issued a communication on October 2, 2018. Below are relevant excerpts from the same.

Without prejudging the accuracy of the facts stated above we would like to raise concerns and urgent alarm at the risk that the seven men face if deported back to Myanmar given their identity as Rohingyas. We would like to bring your attention to the September 2018 report of the United Nations International Independent Fact Finding Mission on Myanmar which found that the indiscriminate killing of Rohingya children, women and men, rise to the level of both war crimes and crimes against humanity. The report further highlights that the manner in which they were perpetrated, were found to be similar in nature, gravity and scope to those that have allowed for genocidal intent to be established in other contexts. These violations mainly happened in Rakhine State where the seven men in question originate. The reported facts refer to a number of violations including non-guarantee of security of persons, arbitrary detention, inhuman and degrading treatment, denial of due process of law and denial of humanitarian protection. These allegations are in contravention of provisions of the ICCPR ratified by the government of your Excellency on April 1979, and International Humanitarian law.

We are concerned that the abovementioned individuals have not benefitted from an adequate identification of their protection needs. We wish to express our grave concern over the risk of a return to Myanmar, where they might face attacks and other forms of persecution because of their belonging to the Rohingya ethnic group. Such a return could be in violation of the principle of non-refoulement as outlined in the 1951 Convention Relating to the Status of Refugees and its 1967 Protocol. We would also like to refer to paragraph 9 of the General Comment No. 20 of the Human Rights Committee in which it states that State

parties "must not expose individuals to the danger of torture or cruel, inhuman or degrading treatment or punishment upon return to another country by way of extradition, expulsion or refoulement."

Four UN Special Procedures issued a communication on June 11, 2018. Below are relevant excerpts from the same.

While we do not wish to prejudge the accuracy of these allegations, we would like to express serious concern that members of the Bengali Muslim minority in Assam have experienced discrimination in access to and enjoyment of citizenship status on the basis of their ethnic and religious minority status. We are particularly concerned that this discrimination is predicted to escalate as a result of the NRC (National Register of Citizens). The way this update has been conducted potentially affects a great number of Muslims and persons of Bengali descent who may be wrongfully excluded from the updated NRC because of their historical and continuing treatment as foreigners and illegal immigrants in Assam. If these allegations are founded, the updated register poses a dire risk to thousands of Indian citizens who may wrongfully be declared as "foreigners" and consequently rendered stateless. We express further alarm and concern at allegations that Foreigners' Tribunals disproportionately target Bengali Muslims, often resulting in arbitrary deprivation of citizenship, statelessness and the risk of numerous human rights violations, including arbitrary detention and deportations. Finally, we express concern at the continued practice of the Election Commission of identifying a large number of Bengali people as "doubtful or disputed voters", effectively depriving them of the right to political participation and representation.

Nepal

Report of the Special Rapporteur on freedom of religion and belief: Human Rights Council: February 28, 2018

The Special Rapporteur has identified three kinds of State and religion relationship that guides the implementation of freedom of religion. a) State with official or favoured religion; b) State with no identification towards a religion c) State that pursue policies to heavily restrict the role of religion.

The first category is identified by either a) their constitutional or legal recognition of a religion as official, or b) frequent engagements in practices that unduly restrict people's freedom of religion, singling out or discriminating against minorities, discriminatory treatment along with burdensome requirements for registration, denial of recognition, proscribed religious offence.

The second category is identified by the stance of treating all religious communities on an equal basis, although they range from those that are more positively inclined towards the role of religion in society to those who seek to privatize religious practice.

The third category holds a negative view of religion and tend to impose restrictions on all religions, including those held by the majority of persons under their jurisdiction.

In terms of Nepal, having constitutionally guaranteed respect, protection and freedom to all religions practiced by people throughout generations and by making laws to enforce such, by restricting any form of interference or discrimination or untouchability based on religion, Nepal shows behaviour contrary to the first and second category. The National Criminal

Code, 2017 has provisions outlining criminal offense related to religion which protects people from undue influence, interference or disrespect towards their religion, thus, protecting the sentiments of both majority and minority alike.

The recommendations on prohibiting anti-blasphemy laws as they prohibit a “healthy dialogue on religion” or “target political dissidents, humanists, non-believers” is not applicable per se to Nepal as the laws of Nepal prescribed in Chapter 10 of National Criminal Code, 2017 are not “blanket restrictions”, they are selective in nature, for example the use of the term ‘intentional damage’, ‘hurting religious sentiment’, ‘intentional interference’ is not in any way restrictive of one’s freedom of religion, rather it acts to prevent the spread of hate speech, incitement or disrespect towards the people holding different religious values.

Sri Lanka

UN Special Rapporteur on freedom of religion or belief Ahmed Shaheed following his visit to Sri Lanka from 15-26 August 2019, submitted a preliminary report. Below are relevant excerpts from the same.

State obligations in regard to the protection of the right freedom of religion or belief include both negative obligations to respect the rights of individuals to exercise their freedom of religion or belief within the law, and positive obligations to protect these rights against infringement by third parties/non-state actors. The latter also includes facilitating arrangements that would enable the exercise of these rights. While some concerns were aired about the former set of obligations, namely state interference in the ability of individuals to exercise their freedom of religion or belief, the main challenges to the

enjoyment of this right in Sri Lanka manifest in the state's failure to fulfil its positive obligations towards rights-holders.

The State does not appear to impede the freedom of thought, conscience and religion or belief and the country has a long tradition of embracing religious pluralism. The choice of an individual to have, to adopt or to change one's religion or belief is guaranteed in law in Sri Lanka and broadly conforms to international standards.

However, even where the state does not impose specific restrictions on the manifestation of religion or belief, there were frequent reports of acts of intolerance from one religious community to another along with the failure of the state to protect individuals and communities targeted by such hostility. Often, the Muslim communities and new Christian churches in particular faced a range of harassment and assaults. This ranges from interruption of worship, damage to places of worship, physical assaults on clergy, intimidation, mob violence towards the community or clergy, demands for registration of the church or mosque and restricting the use of places of worship, the obstruction of religious rites such as those related to burial ceremonies or access to cemeteries, incitement to violence to the community and many other acts of intolerance.

The Muslim communities have faced increased hostility especially after the April bombings. Prior impunity has strengthened the anti-Muslim groups. Weak and un-coordinated responses to anti-Muslim violence have seen the rise in violence and attacks on individuals and the communities in some parts of the country.

The right to proselytise does not appear to be respected or protected in Sri Lanka. The Supreme Court decided in 2003 and 2017 that the right 'to propagate' one's religion is not

protected by the Constitution. The decision has affected many of those whose religion requires them to share their religion or belief with others. It should be clarified that writing, issuing or disseminating relevant publications on one's religion or teaching in places suitable for these purposes is part of freedom of expression and manifestation of religion or belief that is protected under international law.

Hostilities towards non-Roman Catholic Christians and Muslims appear to be grounded in a fear that possible conversions that take place threaten established hegemonies or that such efforts "insult" the doctrines and beliefs of the dominant religion in a given area. Other perpetrators of intolerance attempt to justify their prejudice by claiming that conversion involves 'exploitation' of vulnerable persons.

While the Constitution of Sri Lanka protects freedom of religion or belief and its manifestation under Article 10 and 14 (1) e, Article 9 of the Constitution declares, "Buddhism shall be given the foremost place by the State". The Government argues that this does not reduce the protection provided to other religions as guaranteed under Article 10 and 14 (1) e as well as Article 12 that stresses equality of all. Controversially, a 2003 Supreme Court ruling determined that the State was constitutionally required to protect only Buddhism, as other religions were not accorded the same fundamental right of state-provided protection. I heard frequently from my interlocutors that they feel that the State was structurally unable to treat other religions on an equal basis owing to this provision and ruling.

Many of these religious communities pointed to the fact that the State has allowed Buddhist monks to erect shrines or Buddhist statutes even in areas where there is little Buddhist presence whereas other communities were told that they should

not hold prayer services even in private homes in areas where there are few Christians or with a Buddhist majority. There are also competing claims to historic religious sites and a perception that State agents are not sufficiently impartial in these cases. Often, many described problems of double standards in law enforcement depending on which community offends or finds itself offended by the actions of other. For instance, I heard of cases of violence against minorities perpetrated by the majority community where perpetrators are clearly identified in video recordings but remain unaccountable for years after the incident.

Reversely, many complained, that when a complaint is brought forward by members of the Buddhist community, action is swift and, at times, disproportionate. I heard examples of some arrested under the ICCPR Act for seemingly trivial reasons (a fictional story, a symbol in a dress) that were deemed to provoke “religious disturbance”, while I heard of impunity for serious incidents of incitement to violence such as those that led to the Aluthgama riots in 2014.

There is moreover a lack of clear guidelines for the registration of religious organisations or places of worship. State should recall that registration is not an obligation but an offer by the State to enable any religious community to acquire legal personality for various operational and functional purposes. The right to practise and to believe is not subject to permission by any State.

Minority communities complain that the registration process is opaque and slow; that registration requirement is not clear and is a cumbersome process, and that it also results in monitoring and harassment by local police and authorities. Permits for construction of houses of worship may also be denied based on the opposition of the local community. Unregistered houses

of worship have been closed. For example, the National Evangelical Christian Alliance of Sri Lanka reported that 30 churches were forced to close in 2014 while many mosques that have completed their constructions are left unusable as well.

There are also complaints of discrimination at schools where the intake of the students from different religious communities is not based on a fair quota system.

Deficits in the application of the rule of law appears to have significant impact on communities and individuals in vulnerable situations. Refugees and asylum-seekers in the Negombo area, all from Muslim-majority countries, were targeted, threatened and displaced in the aftermath of the Easter bombings. While some have been resettled to third countries or relocated in the country, there are still at least 55 people who have no means to survive if they were to leave Punthahom. Some Muslim groups expressed dismay that they were unable to offer these refugees support and safety for fear of inviting increased attacks on the community and for the lack of funding.

I received reports that the government refuses to acknowledge the order of Bhikkhuni nuns. Bhikkunis are not permitted to have their ordination on their National Identity Card (NIC) whereas Bhikkus (male) are afforded this privilege.

Women's experiences of ethno-religious hostility including violence, displacement and stereotyping do not receive attention nor redress. Many of the conspiracy theories and tropes about Muslims target women and their reproductive capacity.

Often, the perspectives of LGBTQI+ and women are excluded from inter-religious dialogues and processes of reconciliation. Reconciliation, through ethnic and religious lenses, without considering gendered impacts, is not inclusive.

After the April bombings, one measure included in the emergency regulations proclaimed by the government was the ban on face-covering in public places. This has led to a rise in intolerance towards those who observe religious dress codes, especially among the Muslim women in public institutions such as hospital, schools and public transport. Some people stop Muslim women and girls simply with hijab or abaya from entering some hospitals or exam halls, or make verbal insults at work places. I also received reports that alleged violations of the ban on the face-veil were sometimes met with harsh reaction, including imprisonment, which is a draconian measure.

Furthermore, the entire Muslim community is excluded from the General Marriage Ordinance i.e. there is no option for Muslims to opt-in or opt-out of the Muslim Marriage and Divorce Act (MMDA).

Following the Easter attack, the media have pointed to the fact that Sri Lanka was a victim of the global trend of Islamist extremism. Even within the Government, there is little recognition that religious extremism of all sorts might have been an underlying problem in the country. As religious extremism has been used to incite violence in Sri Lanka, it would be important to identify and respond to the root causes of such extremism.

In most of the conversations I had, people often identified themselves as Muslim, Sinhala, or Tamil. Otherwise, they identify themselves by religion such as Buddhist, Christian, Hindu or Muslim. It is apparent that there is a deeply rooted identity politics, closely linked with religion and ethnicity

One of the challenges the country faces is perception of the lack of horizontal equality amongst religious communities, and a threat to their identity, which forms the basis for claiming for

their rights. There is resentment amongst several groups that their identity and privileges based on that identity are under threat from the changing religious landscape in the country; while the majority community itself feels insecure in its position unless it asserted itself more stridently as the majority community.

Many complained about the role of the authorities in protecting communities against violence, citing the inability or the unwillingness of the authorities to protect communities against threats and acts of violence.

Many complained about the role of the media in promoting hateful narratives towards Muslims and inciting to hostility and discrimination against them. While some blamed journalistic sensationalism, others noted that the privatised and politicised electronic media play a large role in demonising individuals and groups.

The UN Special Rapporteur recommended the following –

The State must prosecute those responsible for violence and incitement to violence, make efforts to dismantle the networks of hate, and facilitate access to justice to victims of hate crimes.

The State should develop systems and mechanisms to monitor and respond to hate speech in conformity with international human rights standards. The guidance provided by a number of tools developed by the UN system, notably the Rabat Plan of Action on responding to hate speech and the Fez Plan of Action on Responding to Incitement to Mass Atrocity Violence would be valuable for use in training law enforcement officials. These tools should also be disseminated to media persons, civil society actors, religious leaders and political leaders.

As recommended in the above-mentioned tools, government leaders and religious leaders must speak out against hateful narratives and reject efforts to ostracise and stigmatise minority communities and persons in vulnerable situations.

Urgent reforms to the education system must be initiated to foster inclusive identities. International obligations require Sri Lanka to fulfil the right to education in ways that prepare children for responsible life in a free society, in the spirit of understanding, peace, tolerance, equality of sexes, and friendship among all peoples, ethnic, and religious groups and persons of indigenous origin.

The State should also consider incorporating the elements identified in the Action Plan included in Human Rights Council Resolution 16/18 of 2011, which inter alia calls for fostering inclusion of minority communities, conducting outreach programmes with them to build bridges, promoting inter-religious dialogue.

State should utilise the Beirut Declaration and its 18 Commitments on Faith for Rights in its activities designed to promote inter-religious dialogue. Such dialogues must be inclusive with voluntary participation of all communities, bringing together not just religious leaders but religious actors that work to advance peacebuilding and human rights, including women and members of religious minorities and the non-religious.

The social media platforms should invest more in the ability to monitor and respond to incitement to violence while protecting freedom of expression and access to information.

UN Special Rapporteur on freedom of peaceful assembly and association, Clement Nyaletsossi Voule his visit to Sri Lanka

from 18-26 July, 2019, issued an End of Mission statement. Below is a relevant excerpt from the same.

While legislation is in place to combat hate speech, including under the ICCPR act of 2007, the legislation is not applied with an even hand, and discriminatory and violent rhetoric, particularly by members of the majority community frequently goes unpunished. This is exacerbated by the use of social media to fan the flames of hatred and spread misinformation. This is a serious threat to the existence of a respectful and peaceful dialogue among sectors of society, an essential element for any representative democracy”.

Universal Periodic Review

Nepal

Report of the Working Group on the Universal Periodic Review, 6 April 2016

Recommendations

- 1) 124.16 Eliminate the prohibition of conversion to another religion, which undermines freedom of religion (Spain);
- 2) 124.7 Consider amending the Constitution to strike provisions that appear to curtail religious freedoms (United States of America)

Response from Nepal

132. With regard to the recommendation noted above in paragraph 124.16, Nepal considers that the constitution promulgated by the elected Constituent Assembly fully ensures religious freedom to all people and prohibits discrimination of

any forms on ground of religious faith and philosophy. Every person is free to choose, adopt, profess or practice religious belief. However, proselytism by force or undue influence or inducement is prohibited. This does not undermine freedom of religion.

128. With regard to the recommendation noted above in paragraph 124.7, Nepal considers that the Constitution promulgated by the elected Constituent Assembly fully ensures religious freedom to all people and prohibits discrimination of any forms on ground of religious faith and philosophy. Every person is free to choose, adopt, profess or practice religious belief.

Other

Sri Lanka

Joint Statement by Adama Dieng, United Nations Special Adviser on the Prevention of Genocide, and Karen Smith, United Nations Special Adviser on the Responsibility to Protect, on attacks against religious minorities in Sri Lanka on May 13, 2019. Below are relevant excerpts from the same.

The attacks committed on May 11, 2019, follow deadly attacks carried out on Easter Sunday of April 21, 2019, against churches and hotels in various parts of the country in which more than 200 people were killed and hundreds were injured. The recent violence in Sri Lanka has highlighted a growing influence of nationalist and extremist views of identity in the Asia region, putting religious minorities at risk.

It is in the interest of all ethnic and religious groups in Sri Lanka, as well as the Government, the opposition, civil society and the security sector, to work collaboratively in taking

appropriate action and immediately stop these hateful attacks. The country is trying to move forward from a traumatic period of inter-ethnic armed conflict, but these attacks are pushing Sri Lanka backwards. If not adequately dealt with, the recent violence has the potential to escalate even further.

The Government needs to give the example that it will not tolerate the spread of prejudice and hate among groups within its population. This needs to be done at national and local level, by putting an end to local discriminatory practices that perpetuate religious intolerance and violence.

Sri Lanka has a pluralistic society. To be a Sri Lankan is to be a Buddhist, to be Hindu, to be a Muslim, to be a Christian. All these communities are entitled to their identity, to freely exercise their religion and to live in peace and security in Sri Lanka, as recognized by the country's Constitution. We call on all Sri Lankans to respect one another.