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

Written statement* submitted by Association Mauritanienne pour la promotion du droit, a non-governmental organization in special consultative status

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

[27 May 2021]

* Issued as received, in the language(s) of submission only.



Persecution of Minorities in India

The Bharatiya Janata Party (BJP)-led government increasingly harassed, arrested, and prosecuted rights defenders, activists, journalists, students, academics, and others critical of the government or its policies.

The government continued to impose harsh and discriminatory restrictions on many areas in India

Attacks continued against minorities, especially Dalits, Christian and Muslims even as authorities failed to take action against BJP leaders who vilified Dalits, Christian and Muslims and BJP supporters who engaged in violence.

The Covid-19 lockdown disproportionately hurt marginalized communities due to loss of livelihoods and lack of food, shelter, health care, and other basic needs.

Hundreds of people remained detained without charge in Assam, Manipur, Nagaland and Jammu and Kashmir under the draconian Public Safety Act, which permits detention without trial for up to two years.

In June, the government announced a new media policy in Jammu and Kashmir that empowers the authorities to decide what is “fake news, plagiarism and unethical or anti-national activities” and to take punitive action against media outlets, journalists, and editors. The policy contains vague and overbroad provisions that are open to abuse and could unnecessarily restrict and penalize legally protected speech. The government also clamped down on critics, journalists, and human rights activists.

The restrictions, including on access to communications networks, since August 2019 adversely affected livelihoods, particularly in the tourism-dependent Kashmir Valley. The Kashmir Chamber of Commerce and Industries estimated that the first three months of the lockdown to prevent protests since August 2019 cost the economy over US\$2.4 billion, for which no redress was provided. Losses nearly doubled since the government imposed further restrictions to contain the spread of Covid-19 in March 2020. The pandemic made access to the internet crucial for information, communication, education, and business. However, even after the Supreme Court said in January that access to the internet was a fundamental right, authorities permitted only slow-speed 2G mobile internet services, leading doctors to complain that the lack of internet was hurting the Covid-19 response.

The Armed Forces (Special Powers) Act continued to provide effective immunity from prosecution to security forces, even for serious human rights abuses. In July, security forces killed three people in Shopian district, claiming they were militants. However, in August, their families, who identified them from photographs of the killings circulated on social media, said they were laborers. In September, the army said that its inquiry had found prima facie evidence that its troops exceeded powers under the AFSPA and it would take disciplinary proceedings against those “answerable.”

The security forces also continued to use shotguns firing metal pellets to disperse crowds, despite evidence that they are inherently inaccurate and cause injuries indiscriminately, including to bystanders, violating India’s international obligations.

Therefore, we request the council towards India to treat the Indigenous people, Dalits, Christian, Muslims and other marginalize and vulnerable population equally as the majority. India to ensure the basic human right of the minority.

We look forward to a positive response from the Office of the UN High Commissioner for Human Rights (OHCHR) and the Special Rapporteurs (SR) on the rights of indigenous peoples and Special Rapporteurs (SR) on minority issues and Special Rapporteurs (SR) on the situation of human rights defenders, Special Rapporteurs (SR) on freedom of religion or belief and on the promotion and protection of the right to freedom of opinion and expression.