

Item 6 – adoption of UPR report on India

Speaker: Godfrey Yogarajah, World Evangelical Alliance

Thank you Madam President,

I am taking the floor on behalf of the World Evangelical Alliance. Our regional and national constituencies, the Asian Evangelical Alliance and the Evangelical Fellowship of India support this statement.

We would like to thank the Indian delegation for their constructive engagement with the UPR Working Group. We are surprised however to see that India has not accepted recommendations concerning obligations it already has under the human rights framework.¹

Communal Violence

We regret that India has not accepted recommendations asking to create a comprehensive framework to deal effectively with the particular circumstances of communal or targeted violence.² During the UPR, India stressed that communal violence is only a sporadic problem. This is a disputable contention, as religious minorities are continuing to suffer violent attacks in a number of states on a consistent basis. However, the most important question is whether victims are consistently able to access justice, and whether the situation is properly rectified. The situation of the victims of communal violence in Kandhamal district, Orissa, is one stark example where these conditions are not met.

Anti-conversion laws

Madam President, we also regret that recommendations from Germany³, Italy⁴ and the Netherlands⁵ asking reconsideration of the anti-conversion legislations currently enacted in 6 Indian States⁶ have not been accepted. The Special Rapporteur on freedom of religion or belief, after her visit to India back in 2008, had asked for these laws to “be reconsidered since they raise serious human rights concerns, in particular due to the use of discriminatory provisions and vague or overbroad terminology.”⁷

Madam President,

We would further like to ask if the Indian delegation will publish the list of the UPR recommendations they are rejecting.

To conclude, let me say that a “new India” will need to take justice for minorities seriously as a requirement for genuine rule of law.

We thank you Madam President.

¹ e.g. A/HRC/21/10 paras 138.49, 138.50, 138.123 and 138.124 on restrictive laws which the Special Rapporteur on freedom of religion or belief had recommended ought to be reconsidered.

² See in particular 138.48.

³ 138.49.

⁴ 138.124.

⁵ 138.50.

⁶ Orissa, Madhya Pradesh, Arunachal Pradesh Chhattisgarh, Gujarat and Himachal Pradesh.

⁷ A/HRC/10/8/Add.3, §70.