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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 European Centre for Law and Justice, The / Centre Européen pour le droit, les Justice et les droits de l'homme, 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.

[7 February 2022]

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\* Issued as received, in the language of submission only. The views expressed in the present document do not necessarily reflect the views of the United Nations or its officials.

## **REQUESTING THAT THE U.N. CALL ON INDIA TO REPEAL ITS ANTI-CONVERSION LAWS SO THAT ALL CITIZENS OF INDIA ARE FREE TO PRACTICE AND CHOOSE ANY FAITH**

### **1. INTRODUCTION**

In India, the Hindu majority continues to perpetrate violence against Christians, Muslims, and people belonging to Scheduled Castes and Scheduled Tribes (Adivasi or indigenous people). Most of this violence occurs due to the anti-conversion laws, and persecution under such laws is not limited to non-state actors. Police often arrest pastors and Christian converts under false charges of forced conversions.

### **2. BACKGROUND**

Currently, Uttar Pradesh, Odisha, Madhya Pradesh, Arunachal Pradesh, Chhattisgarh, Gujarat, Himachal Pradesh, Jharkhand, Uttarakhand, and Karnataka have laws that, on their face, prohibit forced religious conversions but, in reality stifle the practice of minority religions.

These laws provide that “[n]o person shall convert or attempt to convert, either directly or otherwise, any person from one religious faith to another by the use of force or by allurement or by any fraudulent means nor shall any person abet any such conversion”(1). Definitions of terms like “allurement” and “force” are so broad that they outlaw even legitimate forms of proselytising. For example, “‘allurement’ means offer of any temptation in form of . . . any gift or gratification . . . [or] grant of any material benefit”(2), and “force” includes “threat of divine displeasure or social ex-communication”(3). Further, “conversion” does not include returning to an “ancestor’s original religion or [the individual’s] own original religion”(4). Because of this provision, Hinduism is effectively exempt from the law since it is considered the only “original religion” in India.

While anti-conversion laws conflict with Article 25 of India’s Constitution, which protects citizens’ rights to “freely profess, practise, and propagate religion”(5), the Supreme Court of India affirmed the constitutionality of the anti-conversion laws in 1977(6). The court’s wrongful affirmation ensured the laws’ continued existence.

### **3. VIOLATIONS**

Year 2021 is reported to have been the most violent year for India’s Christian community since 2014. At least 486 instances of violence were recorded, a nearly 75 percent increase from 2020(7). About 371 of these cases occurred in the states that have anti-conversion laws in place(8). The vigilante mobs perpetrating almost all of these incidents mostly enjoyed impunity, and even help, from the local authorities(9). These mobs threaten and assault Christians in prayer, “before handing them over to the police on allegations of forcible conversions”(10).

According to one report, 102 instances of threats, violence, or prosecution under the anti-conversion laws occurred in Uttar Pradesh, 90 in Chhattisgarh, 44 in Jharkhand, 38 in Madhya Pradesh, 59 in Karnataka, inter alia(11). Despite the huge number of incidents and continued calls from the international community for India to take action, the violence has continued this year.

With so many instances of violence, not all can be mentioned here. But following are a few examples from just the last few months in order to help see the gravity of the situation.

In Chhattisgarh, in January 2022, a mob of more than 200 Hindus brutally attacked Christians who were worshipping in a house(12). During the attack, the mob claimed that

Christians were “illegally converting Hindus” and threatened to kill the Christians if they continued to worship in the village(13). “[T]wo Christians sustained severe injuries” from this attack(14). The following day, Christians in the village were forced to participate in a program meant to re-convert them to Hinduism(15). “[F]ive Christian families fled the village . . . in fear for their safety”(16). In December 2021, a priest and three pastors in Chhattisgarh were arrested when a tribal committee accused them of trying to convert some people(17).

In Madhya Pradesh, on 9 January 2022, police arrested a pastor and five other Christians during a worship service. Also around that time, in a different village, police entered another worship service and arrested three Christians, including the pastor, “on false forced conversion charges”(18). Police officers reportedly beat these Christians, badly injuring them(19). Police demanded that the pastor’s wife “pay 300,000 Rupees” (approximately 4,000 USD), or else “she would never see her husband again”(20). In both of these recent cases, bail has been reportedly denied for every person arrested(21). In another incident on 5 September 2021, the pastor of a church in Madhya Pradesh was leading prayer when a group of Hindu radicals stormed into the service, “made false accusations of conversion”, and took the pastor to the police(22).

In Uttar Pradesh, several Christmas events were attacked and disrupted, and statues of Jesus smashed, by right-wing Hindu groups over Christmas weekend, 2021(23). The groups alleged that Christians were using festivities to force Hindus to convert(24). The mob burnt effigies of Santa Claus outside of missionary-led schools(25). A right-wing politician accused Christians of luring “children by making Santa Claus distribute gifts to them and attract them towards Christianity”(26). A Christmas event at a church in Matridham Ashram, Uttar Pradesh, was targeted by Hindus who chanted slogans like “death to missionaries”(27).

In Uttarakhand, a mob attacked a church on 3 October 2021(28). The mob punched and beat a woman present in the church and leading prayer(29). It destroyed objects and furniture inside the church and threatened the people there with death(30). The mob accused the Christians of luring poor people to convert(31). Other church members were also assaulted and several had to be taken to the hospital(32). Although a complaint was filed, the police failed to arrest anyone(33).

The legislative assembly of Karnataka recently passed an anti-conversion bill(34). Violence against Christians in Karnataka had been going on even before the bill was passed. In October 2021, a pastor entered his church one Sunday to find people “singing Hindu religious songs and shouting slogans”(35). He called the police, “but when they arrived, the protestors accused him of abusing and forcing a Hindu man to convert to Christianity”(36). The pastor ended up being arrested and then imprisoned for almost two weeks.

In Gujarat, on 14 December 2021, police initiated an investigation of the Missionaries of Charity, the organisation started by Mother Teresa, claiming it was engaged in forced conversions. The complaint was based upon the fact that Bibles were found in the library of the Christian institute(37).

The incidents mentioned here are merely the tip of the iceberg for a long list of violence and arrests under the anti-conversion laws. All too often, violence against religious minorities has the tacit approval or even assistance of government actors, especially the police and politicians from the ruling Bharatiya Janata Party (BJP).

#### 4. REQUEST

This Council should take swift action by calling on India to repeal the anti-conversion laws and ensure that all of India’s citizens can peacefully exercise their faith. India should be held responsible for these laws and the violence they legitimise.

- (1) E.g., Chhattisgarh Dharma Swantantraya Adhiniyam [Freedom of Religion] Act, Act No. 27 of 1968, § 3 (19 Oct. 1968) (emphasis added).
- (2) Id. § 2(a).
- (3) Id. § 2(c).
- (4) Chhattisgarh Dharma Swantantraya Adhiniyam [Freedom of Religion] (Amendment) Act, Bill 18 of 2006, § 2 (2006).
- (5) India Const. art. 25, § 1.
- (6) Rev. Stanislaus v. State of Madhya Pradesh & Ors, 1977 SCR (2) 611 (India).
- (7) Soniya Agrawal, 486 Incidents of Violence Against Christians in 2021, Up 75% Since 2020: Christian Rights Body, THE PRINT (31 Dec. 2021, 4:47 PM), <https://theprint.in/india/486-incidents-of-violence-against-christians-in-2021-up-75-since-2020-christian-rights-body/792328/>.
- (8) ASIA/INDIA - 2021 “the Most Violent Year” for Christians in India, AGENZIA FIDES (4 Jan. 2022), <http://www.fides.org/en/news/71399>; Shweta Velayudhan & Shreyam Sharma, Anatomy of Anti-Conversion Laws, THE LEAFLET (25 Dec. 2021), <https://www.theleaflet.in/anatomy-of-anti-conversion-laws-part-ii/>.
- (9) With 486 Attacks, 2021 Was “Most Violent Year” for Indian Christians, ASSOCIATED PRESS OF PAK. (26 Jan. 2022), <https://www.app.com.pk/featurednews/with-486-attacks-2021-was-most-violent-year-for-indian-christians/>.
- (10) Id.
- (11) AGENZIA FIDES, supra note 9.
- (12) Mob of 200 Attacks House Church in Central India, INT. CHRISTIAN CONCERN (13 Jan. 2022), <https://www.persecution.org/2022/01/13/mob-200-attacks-house-church-central-india/> [hereinafter Mob Attacks].
- (13) Id.
- (14) Id.
- (15) Families Forced to Convert or Flee After Attack in East India, INT. CHRISTIAN CONCERN (25 Jan. 2022), <https://www.persecution.org/2022/01/25/families-forced-convert-flee-attack-east-india/>.
- (16) Mob Attacks, supra note 13.
- (17) Ritesh Mishra, 4 Held in Chhattisgarh for Allegedly Trying to Convert Tribals to Christianity, HINDUSTAN TIMES (22 Dec. 2021), <https://www.hindustantimes.com/india-news/4-held-in-chhattisgarh-for-allegedly-trying-to-convert-tribals-to-christianity-101640145402555.html/>.
- (18) Nine Christians in Central India Arrested on False Forced Conversion Charges, INT. CHRISTIAN CONCERN (15 Jan. 2022), <https://www.persecution.org/2022/01/15/nine-christians-central-india-arrested-false-forced-conversion-charges/>.
- (19) Id.
- (20) Id.
- (21) Id.
- (22) Nirmala Carvalho, Two More Episodes of Anti-Christian Violence Based on False Accusations of Conversion, ASIA NEWS (6 Sep. 2021), <https://www.asianews.it/news-en/Two-more-episodes-of-anti-christian-violence-based-on-false-accusations-of-conversion-53994.html>.
- (23) Hannah Ellis-Petersen, Jesus Statue Smashed in Spate of Attacks on India’s Christian Community, THE GUARDIAN (27 Dec. 2021), <https://www.theguardian.com/world/2021/dec/27/jesus-statue-smashed-in-spate-of-attacks-on-indias-christian-community>.
- (24) Id.
- (25) Id.
- (26) Id.
- (27) Id.
- (28) Varsha Torgalkar, “We Will Cut You Up”: A glimpse of violence Christians Face in India, TRT WORLD (10 Dec. 2021), <https://www.trtworld.com/magazine/we-will-cut-you-up-a-glimpse-of-violence-christians-face-in-india-52505>
- (29) Id.
- (30) Id.
- (31) Id.
- (32) Id.

(33) Id.

(34) Vikhar Ahmed Sayeed, Karnataka Legislative Assembly Passes Anti-conversion Bill Amid Criticism, FRONTLINE (28 Jan. 2022), <https://frontline.thehindu.com/cover-story/karnataka-legislative-assembly-passes-anti-conversion-bill-amid-criticism/article38195834.ece>.

(35) Imran Qureshi, Indian Christians Fear Attacks or Jail over Conversions, BBC NEWS (21 Dec. 2021), <https://www.bbc.com/news/world-asia-india-59724425>.

(36) Id.

(37) India Police Probe Mother Teresa Charity Over “Forced Conversion”, ALJAZEERA (14 Dec. 2021), <https://www.aljazeera.com/news/2021/12/14/india-gujarat-police-mother-teresa-charity-forced-conversion-christians>.