



Hold India's Prime Minister Modi Accountable

As Indian Prime Minister Narendra Modi makes his first official visit to the United States this week, the United States must spotlight the need to protect the human rights of religious minorities in India. Religious freedom is not allowed in India, with targets on the backs of Christians and Muslims.

Modi's record on religious freedom is stained. In fact, violence against Christians and Muslims has increased in the first 100 days of his term, according to recent media reports.

His involvement — tacit or otherwise — is longstanding. In 2002, when Modi was Chief Minister of Gujarat, an estimated 1,100-2,000 Muslims and Christians were killed and churches destroyed in large-scale communal attacks in that region. Contrary to popular reports, Modi has not been exonerated for the Gujarat violence. The legal system has not worked, and he has never been formally adjudicated at any level. A cloud of suspicion continues to swirl around him. In 2012, the person who served as his Minister for Women and Child Welfare was sentenced to 28 years in jail for her involvement in the violence. However, the media widely reported that many in the Muslim community believe she was the "fall guy" for Modi, according to the U.S. Commission on International Religious Freedom. The commission also noted that the Gujarat High Court strongly chastised the Gujarat government and then-Chief Minister Modi for "inaction and negligence" during the violence.

Moreover, Modi's rise to power has emboldened leaders of his party. Joining right wing activists, they have openly declared India a nation of Hindus, posing a challenge to the country's multi-faith constitutional commitment, according to an August 5 Reuters report.

Communal violence in India has been increasing. In the first eight months of 2013, there were 451 incidents of communal violence, up from 410 in all of 2012, according to estimates from the Indian government. In August and September of 2013, communal riots broke out in the state of Uttar Pradesh. Clashes between the Hindu and Muslim communities resulted in more than 60 reported deaths and hundreds of injuries, including sexual assault.

A leader of Modi's Bharatiya Janata Party was charged with 11 counts of murder for communal violence in Odisha. He was convicted on just one count, ordered to pay a small fine, and released on bail. Despite a Supreme Court order overturning his release, he was again released on bail and allowed to return to his post in the state parliament.

Impunity and anti-conversion laws fuel communal violence. This impunity is multifaceted: officials do not hold private parties accountable for communal violence; courts do not hold government officials accountable for sanctioning or encouraging communal violence; obstruction of justice and witness intimidation are commonplace in court procedures tasked with identifying officials complicit in communal violence; and officials accept torture and extrajudicial killings as the norm.

The Pew Research Center has taken notice. Earlier this year, it maintained India on its list of countries with “very high social hostilities involving religion” and with “high” government restrictions on religion. The U.S. Commission on International Religious Freedom’s 2013 Annual Report identified India as one of the 23 worst countries in the world for religious freedom. The Commission concluded that India is a country “where religious persecution and other violations of religious freedom engaged in or tolerated by the government are increasing.”

Human rights defenders and Muslim community members in India and the United States report to The Advocates for Human Rights serious problems with increased police harassment, arbitrary arrest, and detention of Muslims based on the pretext of their purported involvement in terrorist activities. The basis for this increased profiling of religious minorities is the 2008 amendments to the Unlawful Activities Prevention Act, which expanded the overbroad definition of “terrorism,” authorized warrantless search, seizure and arrest, as well as allowing detention without charge for up to 180 days.

In addition, extrajudicial executions of religious minorities occur in the context of “encounter killings” or killings that occur during clashes between security forces and alleged armed suspects. Increasingly, the practice of “encounter killing” has shifted from targeting alleged criminals to targeting alleged terrorists. The UN Special Rapporteur on extrajudicial, summary or arbitrary executions reported in 2013 that encounter killings “have become virtually a part of unofficial State policy.”

We continue to see increased violence against religious minorities in India. The United States must take strong bilateral and multilateral action to ensure that the rights of religious minorities in India are adequately protected and that India complies with all of its international human rights obligations. The United States cannot let Modi’s visit and the opportunity to call for the protection of religious minorities in India to slip through its fingers. Too many lives depend on it.