



BRIEF

Canada's Inaction— Ongoing Human Rights Violations and Islamophobia in India

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INTRODUCTION

This brief highlights the threat of genocide against Muslims and other minorities in India.

The report also urges Canada to:

1. Take action against state-manufactured hate and Islamophobia that has now become mainstream in the world's largest democracy.
2. Justice for All Canada calls on the Canadian government to denounce the BJP government's silence and tacit complicity in the recent calls for genocide of Indian Muslims.
3. Canada must re-engage with India on the Comprehensive Economic Partnership Agreement (CEPA), ensuring contingency on India's commitment to take concrete policy actions to protect its vulnerable minorities.

BACKGROUND

Between December 17 and 19, 2021, several prominent religious leaders and Hindutva organizations convened in India's pilgrimage city, Haridwar, for the 'Dharma Sansad' event, or 'Hindu Religious Parliament'. Many of these religious leaders have close ties with the ruling BJP government.

Over three days, this event witnessed an extraordinary quantity of hate speech, mobilizations to violence, and anti-Muslim sentiment, where the leaders announced their plans to exterminate two million Muslims of India (based on the Myanmar model of Rohingya genocide), to offer arms training to youth, and to award 10 million rupees to Hindu suicide bombers for the genocidal mission.

The organizer, Yati Narsighanand Saraswati, the head priest of the Dasna Devi temple in Ghaziabad, Uttar Pradesh, is known for extremely provocative speech against Muslims and Islam.

Among prominent attendees, the leadership of the Akhil Bharatiya Akhara Parishad (All India Akhara Council or ABAP), the apex religious body of 13 recognized monastic Hindu orders of the country, also endorsed the calls for genocide. The event was also attended by BJP leaders Ashwini Upadhyay and Uditia Tyagi.

These radical Hindutva groups have organised 12 such provocative events over 24 months in four states calling for genocide of Muslims and attacks on Christians. They have also revealed plans to hold similar events in the future. The lack of condemnation by Prime Minister Modi and the inaction by his government and the police in preventing these events or arresting the organizers, makes them complicit in incitement to genocide.

MUTUAL SUPPORTING RELATIONSHIP BETWEEN MILITANT HINDUTVA LEADERS AND BJP

The architect of genocidal platforms like the recently held Dharam Sansad in Haridwar, Yati Narsinghanand is an open supporter of RSS. India's ruling Bharatiya Janata Party (BJP) is the political arm of the RSS. Founded almost 100 years ago, their mobilization for political control of the country is closely tied with their mobilization to demolish a 500-year-old mosque called Babri Masjid. They claimed it as the birthplace of Hindu deity Rama, even though the Indian Supreme Court stated there was no evidence of it.

In general, the followers of Narsinghanand, RSS members, and BJP leaders overlap and share a common desire for Hindu supremacy. Hindutva is a radical supremacist ideology that aims to make India an exclusively Hindu nation.

Founded by an avid admirer of Hitler, the Rashtriya Swayamsevak Sangh (National Volunteer Organisation), known as RSS, is India's largest Hindu nationalist and paramilitary organization and the leader of an umbrella group called the Sangh Parivar, which is a network of Hindu nationalist organizations. Its members include the Bharatiya Janata Party (BJP), Bajrang Dal, Vishwa Hindu Parishad, and Hindu American Foundation among others.

Since the election of Bharatiya Janata Party (BJP) in 2014, it catapulted Hindu nationalism into a mainstream movement. Hindutva groups with close ties to the BJP have become more brazen in hate speech and violence against minorities, especially Indian Muslims, thus rapidly transforming the identity of India from a secular democracy to a fascist Hindutva state.

In the past, the Indian government itself had banned the RSS thrice, including in 1948, for killing Gandhi. CIA reports have termed Hindutva organizations like VHP and Bajrang Dal as “militant outfits.”

CANADA’S SILENCE AND INACTION ON SERIOUS RISK OF GENOCIDE AGAINST MUSLIMS IN INDIA

As a human rights organization dedicated to defending persecuted minorities, Justice for All Canada is alarmed by the serious risk of genocide and other atrocity crimes against Dalit, Muslim, Christian, Sikh, and other marginalized communities in India. Given the well-documented and escalating pattern of violence and discrimination, we are deeply concerned by the Canadian government’s continuing silence on the issue.

Genocide is defined in international law as any of the following acts –

- 1) Killing;
- 2) Causing serious bodily or mental harm;
- 3) Infliction of conditions to effect physical destruction;
- 4) Imposition of measures to prevent reproduction; and/or
- 5) Forcible separation of children – when committed **with the intent “to destroy, in whole or in part, a national, ethnical, racial or religious group as such.”**

Many of the warning signs of preparation for genocide and crimes against humanity identified by the United Nations Office on Genocide Prevention are currently present in the Indian context, including but not limited to:

- **Growth of nationalist movements, regime autocracy, and severe political repression, undergirded by supremacist ideology:** Human Rights Watch observed in February 2021 that the “prejudices embedded in the government of the ruling Hindu nationalist Bharatiya Janata Party (BJP; elected in 2014) have infiltrated independent institutions, such as the police and the courts, empowering nationalist groups to threaten, harass, and attack religious minorities with impunity.” The BJP is a member of the extensive Sangh Parivar network of Hindu nationalist and paramilitary organizations, headed by the Rashtriya Swayamsevak Sangh (RSS).
- **Inflammatory rhetoric, propaganda campaigns, and hate speech inciting violence:** Militant Hindutva monks regularly organize large conclaves (12 over the last 24 months) and share their inflammatory speeches via pro-Hindutva channels and social media to provoke a genocide of Indian Muslims; most recently, at a three-day conference organized in Haridwar by religious leaders – many with connections to powerful BJP figures – at which speakers urged attendees to arm themselves, “cleanse” the nation, and engage in mass killing of Muslims in order to “finish them off.” BJP political leaders have also called for followers to “shoot the traitors” (alluding to Muslim protesters), referred to Islam as a “green virus,” and denigrated Muslim migrants and refugee claimants as “termites” and “infiltrators” – characteristic of genocidal speech.

- **Widespread assaults of the lives, freedom, and physical and moral integrity of protected groups, and resort to methods of violence intended to dehumanize or humiliate:** While official government data on hate crimes is no longer publicly disclosed, independent analyses and organizations have consistently documented the intensification of targeted violence since the election of the BJP government in 2014. According to Human Rights Watch, vigilante mobs killed at least 44 people – 82% of them Muslim – between May 2015 and December 2018 in the name of “cow protection.” 90% of religiously-motivated hate crimes in India between 2009 and 2018 occurred since the BJP came into power; 83% were by attackers affiliated with Hindutva organizations, and 62% were against Muslims. Amnesty International India recorded a further doubling of hate crimes – 66% against Dalits – in 2019 (before Amnesty India was forced to close; see section below). Christian organizations recorded 305 attacks against Christian communities and places of worship in 2021.
- **Adoption of discriminatory legislation:** The Citizenship Amendment Act (CAA) and National Register of Citizens (NRC), which threaten the mass denationalization and disenfranchisement of Muslims; the proliferation of state laws preventing religious conversion, directed primarily against Dalit converts to Christianity and Islam, and punishing interfaith marriages on the basis of Islamophobic (and repeatedly debunked) conspiracy theories alleging Muslims are waging a “love jihad”; the revocation of Kashmir’s constitutionally autonomous status, inaugurating the intensification of militarized repression and state censorship; and laws banning cow slaughter, primarily imperilling the livelihoods of Dalits and Muslims as well as legitimizing vigilante lynchings and other abuses against them (see above).

- **Sexual and other violence against women as a tool of terror:** For instance, Hindutva-run websites, named after derogatory terms for Muslim women, have publicly posted profiles of prominent Muslim women leaders, activists, and journalists to “auction” them off for “sale.”
- **State support for paramilitary and other actors implicated in violations:** Instead of being prosecuted, perpetrators of violence against Muslim and other targeted communities have instead been systematically shielded by police and supported by political leaders. In response to the police’s most recent failure to arrest Hindutva leaders caught on video calling for genocide at the December 2021 Haridwar conference (described above in section on hate speech), 76 advocates of the Supreme Court appealed to the Chief Justice of India: "Urgent judicial intervention is required to prevent such events that seem to have become the order of the day. The aforementioned events and the speeches delivered during the same are not mere hate speeches but amount to an open call for the murder of an entire community".
- **Imposition of emergency and security laws that erode fundamental rights:** Such as the Unlawful Activities Prevention Act, which permits lengthy pre-trial detention without charge – broadly wielded to criminalize communities and activists protesting anti-Muslim and anti-Dalit measures, while the perpetrators of violence against Muslims and Dalits are spared.
- **Mobilization of the security apparatus against targeted groups:** For instance, the independent Delhi Minorities Commission concluded that police forces abetted – and in some cases actively participated in – the “planned and targeted” anti-Muslim mob violence of the February 2020 “Delhi riots.”

- **Deportation, segregation, or transfer of targeted groups to camps:** India currently operates thirteen detention centers, referred to locally as “concentration camps,” and is constructing several more to incarcerate the millions likely to be rendered stateless by the CAA/NRC process – disproportionately targeting Muslims (see section on discriminatory laws above).
- **Attacks on the livelihoods of targeted groups:** See above on “beef bans.” In addition, Muslim vendors have been subject to increasing campaigns by private extremist organizations and actors. BJP politicians have also called for economic boycott of Muslims, already the most impoverished religious group in India.
- **Policies targeting reproduction:** See above on anti-“love jihad” laws. For instance, 79 out of the 85 people charged under Uttar Pradesh’s law from December 2020 to January 2021 alone were Muslim.
- **Expulsion or severe restriction of NGOs, international organizations, and media:** Since 2014, the government has repressed the activities of more than 19,000 NGOs under the aegis of the Foreign Contribution (Regulation) Act, including the Lawyers Collective, Greenpeace India, People’s Watch, and Amnesty International (which was forced to completely halt operations in India). Prominent activists and journalists defending minority rights have also been targeted for house raids and police investigations.
- **A history of violence targeting marginalized groups with impunity:** For example, the 2002 anti-Muslim pogroms in Gujarat, under then-state minister and now Prime Minister Narendra Modi.

Under the UN Genocide Convention, all signatories, including Canada, have an **international legal obligation to prevent genocide.**

According to the International Court of Justice, the duty to prevent “and the corresponding duty to act arise at the instant that the State learns of, or should normally have learned of, the existence of a serious risk that genocide will be committed.” US-based NGO Genocide Watch issued a Genocide Emergency Alert for India in September 2021.