

State of South Asian Minorities 2020

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Afghanistan

Islam is the official state religion of Afghanistan as recognised by the 2004 Constitution. Religious freedom is allowed within the bounds of the law, leaving room for minority communities to be targeted under blasphemy law and other religiously motivated cases. The past year, too, continued to witness the trend of acts of violence targeting the country's religious and ethnic minorities.

The Shia Hazara community has been especially targeted under the Taliban rule. There were series of attacks in 2019 against a Shia shrine,¹ a mosque,² and also a wedding reception of a Shia couple in Kabul.³ On 6 March 2020, a gathering of Shia Hazaras in Kabul was attacked by armed gunmen, who killed at least 32 people and injured 82 others.⁴ The congregation was commemorating the 1995 slaying of Abdul Ali Mazari, the leader of the Hazara community.

1 Amir Shah, 'Bombs Target Afghan Shiites marking new year, killing 6', *AP News*, March 21, 2019, <https://apnews.com/5cda1c472d654c3391fec88cd8c993ed>.

2 Reuters, 'Islamic State says it carried out attack at Shi'ite mosque in central Afghanistan', *Reuters*, July 6, 2019, <https://www.reuters.com/article/us-afghanistan-blast/islamic-state-says-it-carried-out-attack-at-shiite-mosque-in-central-afghanistan-idUSKCN1U109O>.

3 CBS News, 'Islamic State claims responsibility for bombing at Kabul wedding that killed 63', *CBS News*, August 18, 2019, <https://www.cbsnews.com/news/afghanistan-bombing-islamic-state-claims-responsibility-for-bombing-at-kabul-wedding-that-killed-63>.

4 Al Jazeera, 'Dozens killed in Kabul ceremony attack claimed by ISIL', *Al Jazeera*, March 6, 2020, <https://www.aljazeera.com/news/2020/03/kabul-gathering-attended-abdullah-hit-rocket-attack-report-200306074951081.html>.

ISIS claimed responsibility for the attack.⁵ On 12 May, a group of gunmen disguised in Afghan police uniforms stormed a maternity ward in a residential neighbourhood in Kabul, largely comprising of the Shia Hazara members.⁶ According to reports, the attack was carried out by IS-Khorasan, a local affiliate of the Islamic State.⁷

Sikhs are another group to face several attacks during the period under review. On March 25, 2020, gunmen associated with ISIS stormed a Sikh gurdwara in Kabul, firing and lobbing grenades at worshippers and killing 25 people, including women and children.⁸ The next day, at the funeral of the deceased, a bomb exploded, injuring several other members of the community in attendance. On 22 June, Nidan Singh Sachdeva, an Afghan Sikh community leader, was abducted by unidentified persons from a gurdwara in the Paktia province in south-eastern Afghanistan.⁹ Sachdeva was eventually released from captivity unharmed, due to efforts made by the Afghan government and local tribal elders. In July 2020, a 13-year-old Sikh girl was allegedly lured for marriage by a Muslim man, and was rescued after a local cleric informed the police.¹⁰ The abduction was possibly for forced conversion of the girl to Islam, a common occurrence in the country.

Political tensions over the contested 2019 presidential election amid growing insecurity, uncertainties surrounding the current

5 Ibid.

6 BBC, 'Afghan attack: Babies killed as gunmen storm Kabul maternity ward', *BBC*, 12 May 2020, <https://www.bbc.com/news/world-asia-52631071>.

7 Ibid; Kathy Gannon and Tameem Akhgar. 2020. 'US blames deadly Afghan maternity hospital attack on ISIS-K.' *Military Times*, May 15, 2020, <https://www.militarytimes.com/news/2020/05/15/us-blames-deadly-afghan-maternity-hospital-attack-on-isis-k>.

8 BBC, 'Afghanistan conflict: Militants in deadly attack on Sikh temple in Kabul', *BBC*, March 25, 2020, https://www.bbc.com/news/world-asia-52029571?SThisFB&fbclid=IwAR2Zkicfm06nMYXAb2dEh9nGVTpiIQ26bH6qgiFLF_IkspfvFGK87pnQxTs.

9 Hindustan Times, 'Sikh community leader Nidan Singh Sachdeva released from captivity in Afghanistan', *Hindustan Times*, July 18, 2020, <https://www.hindustantimes.com/india-news/sikh-community-leader-nidan-singh-sachdeva-released-from-captivity-in-afghanistan/story-Bi54Y6yDzPTRngp2SbC3eJ.html>.

10 Yudhvir Rana, 'Afghan cleric saved minor Sikh girl "abducted" by a Muslim boy', *The Times of India*, July 20, 2020, <https://timesofindia.indiatimes.com/india/afghan-cleric-saved-minor-sikh-girl-abducted-by-a-muslim-boy/articleshow/77070211.cms>.

peace talks with the Taliban, and the Covid-19 pandemic have further worsened the situation for the country's minorities. The spate of killings, and authorities' inability to respond, hold the perpetrators accountable, and prevent further attacks have made things worse for Afghanistan's persecuted minorities. The country continues to deal with uncertainties, with delay in the intra-Afghan peace talks between the political leadership in Kabul, and Taliban. At the time of writing, September 2020, the two groups are preparing to start the talks with efforts underway to finalise a date.¹¹

The US-Taliban agreement on 29 February 2020 on withdrawal of US forces in phases does not seem to indicate that the country is ready to emerge from decades of divisionary politics. A Human Rights Watch Report from June 2020 has documented low freedom of expression and social restrictions in the country, especially in Taliban-held areas.¹² The 'vice and virtue' police continue to operate in these areas, with strict adherence to the Taliban-prescribed social norms. These norms are especially discriminatory to religious and ethnic minority groups. Thus, despite the peace process, the country's minorities are choosing to either relocate or live hiding any visually distinctive identity markers, according to the USCIRF 2020 report.¹³

Bangladesh

There continued to be internal and external security threats toward minorities in the country. Internally, several attacks were reported against religious minorities. Externally, events surrounding the National Register of Citizens and the Citizenship Amendment Act in India continued to stoke fears of disruption of peace in the

11 Khalid Nekzad, 'Reconciliation Council Expects Taliban to Get Ready for Talks', *Tolo News*, September 5, 2020, <https://tolonews.com/index.php/afghanistan/reconciliation-council-expects-taliban-get-ready-talks>.

12 Human Rights Watch, "You Have No Right to Complain": Education, Social Restrictions, and Justice in Taliban-held Afghanistan', *Human Rights Watch*, June 30, 2020, <https://www.hrw.org/report/2020/06/30/you-have-no-right-complain/education-social-restrictions-and-justice-taliban-held>.

13 US Commission on International Religious Freedom, *Annual Report 2020* (Washington DC: USCIRF, 2020) 48-50.

country. Rohingya refugees from Myanmar were also the victims of a number of attacks, which the state was unsuccessful in curbing.

A number of instances of violence against Rohingya refugees have been the result of confrontation with the law enforcement agencies. In August 2019, four Rohingya men were killed in encounters with law enforcement agencies and one arrested for the alleged murder of a Bangladeshi man. UN Human Rights experts expressed concern over the rights of the refugees when restrictions over them were put in place and military presence increased in the Cox's Bazaar camp following a 'Genocide Day' protest.¹⁴ In June 2020, four more Rohingya men were killed extrajudicially near the camp for alleged involvement in a kidnapping for ransom.¹⁵ Earlier in March, the police had fatally shot seven men suspected of drug dealing and human trafficking.¹⁶

Refugees have also attempted to seek asylum in other countries such as Malaysia, undertaking perilous sea journeys in the midst of the Covid-19 pandemic. In one such attempt in April 2020, 30 refugees died at sea; a Rohingya community leader attributed this to increasing desperation in the camps as stricter lockdowns were imposed, including a recent block on movement and mobile internet, which was enticing more refugees to reach out to traffickers for a way out.¹⁷ The UN High Commissioner for Human Rights urged Bangladesh to continue to provide protection to the refugees, and also facilitate their free access to information and

14 'Bangladesh: UN experts concerned by crackdown at Rohingya refugee camps', United Nations Human Rights Office of the High Commissioner, last modified September 16, 2019, <https://www.ohchr.org/en/NewsEvents/Pages/DisplayNews.aspx?NewsID=24994&LangID=E>.

15 Hindustan Times, '4 Rohingya men killed in gunfight with Bangladesh police', *Hindustan Times*, June 27, 2020, <https://www.hindustantimes.com/world-news/4-rohingya-men-killed-in-gunfight-with-bangladesh-police/story-a2Qhl0fUWWHVMQiR3Q7d0J.html>.

16 The Daily Star, 'Seven killed in a single "gunfight"', *The Daily Star*, March 3, 2020, <https://www.thedailystar.net/frontpage/news/gunfight-rab-teknaf-seven-rohingya-robbers-killed-1875505>.

17 The Guardian, 'Bangladesh rescues hundreds of Rohingya drifting at sea for nearly two months', *The Guardian*, April 16, 2020, <https://www.theguardian.com/world/2020/apr/16/bangladesh-rescues-hundreds-of-rohingya-drifting-at-sea-for-nearly-two-months>.

communication,¹⁸ which is yet to see fruition. Following reports on the denial of education to the Rohingya children living in camps, the government, however, approved a ‘pilot’ education program to give 10,000 Rohingya children access to formal school curriculum.¹⁹

The Ahmadiya community also faced targeted attacks, with Islamist groups demanding that they be declared non-Muslims.²⁰ On 13 September 2019, an Ahmadiya mosque under construction in Netrakona was allegedly vandalised by students from nearby madrassahs.²¹ Another Ahmadiya mosque was attacked on 14 January 2020 in Brahmanbaria town with an altercation between students from a local madrasa and Ahmadiyas at the mosque.²² In another bizarre incident, the corpse of an Ahmadiya infant buried in a public Muslim graveyard was exhumed and left by a road in Brahmanbaria district’s Ghatura village.²³ The Islamic Oikko Jote (Islamic Unity Alliance), the biggest alliance of Islamic organisations in Bangladesh, reiterated its stance that members of the Ahmadiya community should never be allowed in Muslim graveyards, and accused the baby’s family of deliberately trying to stoke tensions.²⁴

Members of Bangladesh’s indigenous communities also continue being targeted. Amid the Covid-19 pandemic, seven indigenous

18 ‘Press briefing note on Myanmar/Bangladesh–Rohingya’, United Nations Human Rights Office of the High Commissioner, last modified April 17, 2020, <https://www.ohchr.org/en/NewsEvents/Pages/DisplayNews.aspx?NewsID=25804&LangID=E>.

19 Human Rights Watch, “Are We Not Human?": Denial of Education for Rohingya Refugee Children in Bangladesh’, *Human Rights Watch*, December 3, 2019, <https://www.hrw.org/report/2019/12/03/are-we-not-human/denial-education-rohingya-refugee-children-bangladesh>.

20 ‘General Briefing: Bangladesh’, CSW, last modified May 1, 2020, <https://www.csw.org.uk/2020/05/01/report/4636/article.htm>.

21 New Age Bangladesh, ‘Under-construction Ahmadiyya mosque vandalised in Netrakona’, *New Age Bangladesh*, September 15, 2019, <https://www.newagebd.net/article/84607/under-construction-ahmadiyya-mosque-vandalised-in-netrakona>.

22 Dhaka Tribune, ‘Ahmadiyya mosque vandalized in Brahmanbaria’, *Dhaka Tribune*, January 16, 2020, <https://www.dhakatribune.com/bangladesh/nation/2020/01/16/ahmadiyya-mosque-vandalized-in-brahmanbaria>.

23 Dhaka Tribune, ‘Ahmadiyya infant exhumed, left by the road in Brahmanbaria’, *Dhaka Tribune*, July 10, 2020, <https://www.dhakatribune.com/bangladesh/nation/2020/07/10/ahmadiyya-infant-exhumed-and-left-by-the-road-in-brahmanbaria>.

24 Ibid.

peoples of the Chittagong Hill Tracts region have reportedly been arrested arbitrarily, and 13 persons have reportedly been tortured and harassed.²⁵ In Bandarban Hill district in May, land grabbers allegedly linked to the ruling party burned down around 5000 acres of rubber plantations of the indigenous people.²⁶

Attacks on religious minorities were also reported during the Covid-19 shutdown. Houses of religious minorities were attacked, and cases of temples being vandalised were also reported.²⁷ The Bangladesh Election Commission's decision to conduct mayoral elections of Dhaka South and North City constituencies on 30 January resulted in widespread agitations, as the date clashed with Saraswati Puja, a major Hindu festival.²⁸ With the Commission refusing to budge, Hindu activists approached the High Court, which refused to entertain its plea for postponement of polls. With the student-led protests intensifying, however, the EC eventually relented and deferred the polling date.²⁹

The state has taken some steps towards curbing terrorism and religious violence. In February 2020, Bangladesh Police foiled a planned attack on a Hindu temple in Dhaka. The Counter Terrorism and Transnational Crime Unit arrested five members of the extremist group Ansar al-Islam for plotting the attack.³⁰ Following the communal riots in the capital of India, in February, Bangladeshi leadership also called for peace and harmony to be maintained. In Dhaka, the leaders of Hefazat-e-Islam, an advocacy group, urged Muslims to maintain communal peace and harmony and protect the country's non-Muslims.³¹

25 Trimita Chakma, *A Rapid Assessment Report The impact of COVID-19 on Indigenous and Tribal Peoples in Bangladesh* (Dhaka: Kapaeeng Foundation, 2020).

26 Ibid.

27 The Daily Star, 'Minority and ethnic communities attacked during lockdown', *The Daily Star*, June 2, 2020, <https://www.thedailystar.net/editorial/news/minority-and-ethnic-communities-attacked-during-lockdown-1907501>.

28 The Daily Star, 'Dhaka city polls date changed to Feb 1', *The Daily Star*, January 18, 2020, <https://www.thedailystar.net/city/dhaka-city-election-date-changed-february-1-1855774>.

29 Ibid.

30 Dhaka Tribune, '5 Ansar-al-Islam members held in Dhaka', *Dhaka Tribune*, February 10, 2020, <https://www.dhakatribune.com/bangladesh/dhaka/2020/02/10/5-ansar-al-islam-members-held-in-dhaka-2>.

31 New Age Bangladesh, 'Thousands protest against Delhi violence', *New*

However, the country's legal framework is often misused, and has the potential to be misused to target minorities. The United States Commission for International Freedom, in its 2020 Annual Report, noted that Bangladesh's controversial Digital Security Act, which criminalises content that hurts 'religious sentiment or values', has been repeatedly misused in the country.³² Folk singer Shariat Bayati was arrested in January 2020 under the Act for stating that music is not forbidden in the Quran.³³

Bhutan

The Constitution of the Kingdom of Bhutan 2008 guarantees the rights of citizens to civil liberties, including the freedom of expression, association and the right to follow one's religion. However, issues of minorities do not receive any national attention and even if some issues emerge and are noticed in the public domain, there are no civil society groups that can effectively take up and advocate on the issues. The National Human Development Report 2018 also states that the government has restricted civil liberties 'to avoid breaches of peace' in soliciting applications for licenses and prohibiting assembly in designated places also reinforced by the Penal Code of Bhutan which prohibits promotion of civil unrest.³⁴ The Human Rights Report 2018 also notes that citizens in Bhutan were careful when exercising freedom of expression as they could be charged with defamation, especially if they criticise powerful persons in the country.³⁵

Age Bangladesh, February 28, 2020, <https://www.newagebd.net/article/100773/thousands-protest-against-delhi-violence-in-dhaka>.

³² US Commission on International Religious Freedom, *Annual Report 2020* (Washington DC: USCIRF, 2020).

³³ *New Age Bangladesh*, 'AI wants unconditional release of Shariat Bayati', *New Age Bangladesh*, February 15, 2020, <https://www.newagebd.net/article/99644/ai-wants-unconditional-release-of-shariat-bayati>.

³⁴ United Nations Development Program, *Bhutan National Human Development Report: Ten Years of Democracy in Bhutan* (Thimphu: UNDP, 2019), https://www.bt.undp.org/content/bhutan/en/home/library/human_development/national-human-development-report-2019.html.

³⁵ United Nations Human Rights Office of the High Commissioner, *Human Rights Report* (Geneva: OHCHR, 2018) <https://www.ohchr.org/Documents/>

Over the years, CSOs in Bhutan have faced several constraints due to legislation which deters CSOs from taking up certain activities. For example, the Civil Society Organisation Act 2007 is silent about the advocacy function and role of CSOs.³⁶ Moreover, any advocacy taken up by CSOs may be construed as a ‘political’ activity which the Act rules that CSOs cannot indulge in. This opaqueness and fear deter any advocacy work by CSOs in support of the issues faced by their target group.

According to Freedom House Report 2018, there are multiple media houses but all of them are dependent on the government for income from advertisements.³⁷ This is true at present as well. An amended Bhutan Information, Communications, and Media Act was passed in 2018,³⁸ which calls for strengthening the independence of the media for a free and vibrant fourth estate. A Media Council has also been established, which, among others, monitors offensive and harmful content, raising fears that it may erode freedom and induce greater self-censorship among media professionals.

In Bhutan, proselytisation is banned. Furthermore, religious organisations are required to be apolitical while conducting all operations without commercialisation and distribution of profits to their members, board members among others.³⁹ There have also been reports of Christians being deprived of state benefits and experiencing harassment, especially in rural areas. In the country, it is also estimated that most Christians are Lhotsampas, who are people of Nepali origin and a minority in Bhutan. Therefore, Christians, in particular, could be bearing a burden of double discrimination.

[Publications/OHCHRreport2018.pdf](#)

³⁶ ‘CSO Authority’, Civil Society Organizations Authority, accessed September 16, 2020, <https://www.csoa.org.bt/public/w>.

³⁷ ‘Freedom in the World’, Freedom House, accessed September 16, 2020, https://freedomhouse.org/sites/default/files/2020-02/FH_FIW_Report_2018_Final.pdf.

³⁸ Bhutan, *Information, Communication, and Media Act 2007*, National Assembly of Bhutan (2007), <https://www.dit.gov.bt/sites/default/files/attachments/ICM%20Act%202018.pdf>.

³⁹ Bhutan, *Religious Organizations Act 2007*, National Assembly of Bhutan (2007), https://www.nab.gov.bt/assets/uploads/docs/acts/2014/Religious_organization_act_of_BhutanEng2007.pdf.

India

The past year witnessed multiple events that affected India's minorities and cemented the hold of majoritarian politics in the region. Momentous developments of 2019, such as the revocation of Muslim-majority Kashmir's limited autonomy,⁴⁰ the conclusion of the National Register of Citizens (NRC) exercise in Assam,⁴¹ which has put 1.9 million people at risk of statelessness, and the enactment of the Citizenship Amendment Act, all continued to have ramifications in 2020.⁴² International and national watchdogs have expressed concern over these actions of the government. The Covid-19 pandemic provided majoritarian actors yet another opportunity to strengthen religious polarisation, even as the country continued to grapple with a rising number of infections and fatalities.

The Citizenship Amendment Act (CAA) triggered widespread protests, which led to several arrests.⁴³ The Act was passed by the Parliament on December 11, 2019 and came into effect from January 10, 2020.⁴⁴ The CAA amended the country's citizenship rules to make it easier for specific religious minorities from India's neighbouring countries to gain citizenship in India. The Act excluded Muslims from this list of minorities, including documented persecuted Muslim groups, such as Ahmadiyas, Rohingyas, and

40 Syed Ata Hasnain, 'A Year After Abrogation of Article 370 and 35A, the Outcomes Are Barely Understood', *The Wire*, August 5, 2020, <https://thewire.in/security/kashmir-article370-abrogation-success-security>.

41 India Today, 'Assam final NRC list released: 19,06,657 people excluded, 3.11 crore make it to citizenship list', *India Today*, August 31, 2019, <https://www.indiatoday.in/india/story/assam-final-nrc-list-out-over-19-lakh-people-excluded-1593769-2019-08-31>.

42 UN News, 'New citizenship law in India "fundamentally discriminatory": UN human rights office', *UN News*, December 13, 2019, <https://news.un.org/en/story/2019/12/1053511>.

43 Al Jazeera, 'UN human rights experts urge India to release anti-CAA protesters', June 26, 2020, *Al Jazeera*, <https://www.aljazeera.com/news/2020/06/human-rights-experts-urge-india-release-anti-caa-protesters-200626105916987.html>.

44 The Economic Times, 'Citizenship Amendment Act comes into effect from January 10', *The Economic Times*, January 10, 2020, <https://economictimes.indiatimes.com/news/politics-and-nation/citizenship-amendment-act-comes-into-effect-from-january-10/articleshow/73194780.cms?from=mdr>.

others.⁴⁵ Protests erupted throughout the country including in New Delhi, Mumbai, Bangalore, Hyderabad, and Kolkata.⁴⁶ In the Uttar Pradesh province, at least 23 persons were killed, more than 83 seriously injured, and hundreds were detained in a state-wide crackdown against protesters.⁴⁷ Police forces have used the spread of Covid-19 to erase all traces of the protests, dismantling art installations from prominent sit-in sites and arresting organisers.⁴⁸ A case is currently pending in the Supreme Court on the state's use of lockdown to silence protesters.⁴⁹

The country's Muslims continued to be the targets of polarisation and identity-based violence. In February 2020, targeted violence in the capital Delhi resulted in at least 53 deaths, majority Muslims.⁵⁰ There are allegations of leadership of the governing party's members, individuals in the police force, and propagators of 'Hindutva' instigating violence in those cases.⁵¹ Targeting

45 'Legislation Factsheet: The Citizenship (Amendment) Act in India', United States Commission for Religious Freedom, February 2020. https://www.uscirf.gov/sites/default/files/2020%20Legislation%20Factsheet%20-%20India_0_0.pdf.

46 Frontline, 'Countrywide CAA & NRC protests: Secular unity', *The Hindu*, January 17, 2020, <https://frontline.thehindu.com/cover-story/article30431601.ece>.

47 'Deaths in anti-CAA protests: UP police 'pressuring' kin not to pursue murder cases' *Counterview*, March 16, 2020, <https://www.counterview.net/2020/03/deaths-in-anti-cao-protests-up-police.html>.

48 The Print, 'Art installations at Shaheen Bagh, Jamia removed by Delhi Police, graffiti painted white', *The Print*, March 24, 2020, <https://theprint.in/india/art-installations-at-shaheen-bagh-jamia-removed-by-delhi-police-graffiti-painted-white/387086>; Brinda Karat, 'Lockdown Being Misused to Persecute Government's Critics', April 13, 2020, <https://www.ndtv.com/opinion/lockdown-being-misused-to-persecute-governments-critics-2210708>; The Caravan, 'Amid lockdown, Delhi Police target and arrest anti-CAA protesters from Jamia Nagar', April 15, 2020, <https://caravanmagazine.in/politics/anti-cao-protesters-jamia-arrested>.

49 Scroll, 'As Delhi Police use lockdown to arrest anti-CAA activists, courts must act to check abuse of power', *Scroll*, May 26, 2020, <https://scroll.in/article/962930/as-delhi-police-use-lockdown-to-arrest-anti-cao-activists-courts-must-act-to-check-abuse-of-power>.

50 Hannah Ellis-Petersen, 'Inside Delhi: beaten, lynched and burnt alive', *The Guardian*, March 1, 2020, <https://www.theguardian.com/world/2020/mar/01/india-delhi-after-hindu-mob-riot-religious-hatred-nationalists>.

51 The Caravan, 'Dead and Buried: Delhi Police ignored complaints against Kapil Mishra, other BJP leaders for leading mobs in Delhi violence', *The Caravan*, June 21, 2020, <https://caravanmagazine.in/politics/delhi-police-ignored-complaints-against-kapil-mishra-bjp-leaders-leading-mobs-delhi-violence>.

of Muslims, in particular, is state sanctioned to the extent that working-class Muslims and youth activists, including women and students, continue to be arrested arbitrarily⁵² with fabricated cases and charged under the Unlawful (Activities) Prevention Act (UAPA).⁵³

Early efforts to control the pandemic after the national lockdown in March were also beset with polarisation, as a Tablighi Jamaat congregation in Delhi became a Covid-19 ‘hotspot’. This led to intensified targeting of Muslims, with a concerted disinformation campaign seeking to paint the community as guilty of spreading the virus, and several attacks and social boycott campaigns across the country.⁵⁴ The government gave a fillip to these efforts by registering criminal cases against 34 Jamaat members, including 28 foreigners. In August, the Bombay High Court struck down these cases, remarking that the Jamaat members were made ‘scapegoats’ and that the propaganda against their religious activity was unwarranted.⁵⁵

Documentation of the Oppressed, a hate crime documentation platform, recorded 71 incidents targeting India’s Muslims since January 2020.⁵⁶ These included murders/lynching, physical assault, cow-related violence, attacks on religious infrastructure, and more recently Covid-19 related targeting. Other minorities have also faced increased targeting and harassment. Reports by Christian groups indicate that the community continues to suffer through

52 Scroll, ‘SC took only 24 days to deliver Bhushan verdict—even as Kashmir, CAA matters await decisions’, *Scroll*, August 20, 2020, <https://scroll.in/article/970929/sc-took-only-24-days-to-deliver-bhushan-verdict-even-as-kashmir-cao-matters-await-decisions>.

53 Newslick, ‘Misuse of UAPA by Union Government During Covid-19 Pandemic’, *Newslick*, May 1, 2020, <https://www.newslick.in/UAPA-Misuse-Modi-Govt-Crackdown-Activists-Organisations-COVID-19-Lockdown>.

54 Newslick, ‘Corona Jihad and Media’s Communal Polarisation’, *Newslick*, April 8, 2020, <https://www.newslick.in/corona-jihad-and-medias-communal-polarisation>.

55 Hindustan Times, ‘“Scapegoat”: Court’s biting remarks on FIRs against Tablighi Jamaat members’, August 23, 2020, <https://www.hindustantimes.com/india-news/covid-19-bombay-hc-strikes-down-cases-against-28-foreign-tablighi-members/story-Ux4qS1ouqyGS7JZNjOjqjI.html>.

56 ‘Database of the Oppressed’, DOTO, accessed September 20, 2020, <https://dotodatabase.com>.

Covid-19 restrictions. According to one report, there were 135 cases of attacks against Christian houses, churches, and individuals during the lockdown till June.⁵⁷ Another report stated that hate crimes against Christians in India, including murders, rapes, arson, and attacks on places of worship had risen by 40.87 per cent since 2019, recording 293 such cases.⁵⁸ One of the worst recorded cases was of a 14-year-old boy being brutally murdered for his and his family's converting to Christianity.⁵⁹ There have been reported incidents of attacks on Christian indigenous families in rural Chhattisgarh as well.⁶⁰

Dalits too continued to be subjects of targeting. More than 200 cases of atrocities against Dalits were documented by civil society groups between April and June 2020. These included murder, lynching, sexual violence, police brutality, and torture. There has also been a spike in violence against Dalit women, with multiple reports of murder, rape, physical molestation, and acid attacks.⁶¹

In Muslim-majority Kashmir, the systematic repression of dissent following the revocation of limited autonomy in August 2019 has continued to take a heavy toll. During the first six months of 2020, Kashmiri civil society groups recorded 32 extrajudicial killings.⁶² Alongside, the blockade on high-speed internet, now in force for almost a year, continued.⁶³ The dearth of fast and reliable

57 Frontline, 'Christians as target during the lockdown', *The Hindu*, August 28, 2020, <https://frontline.thehindu.com/the-nation/christians-as-target/article32284946.ece>.

58 Ibid.

59 MapViolence, 'Young Christian boy murdered in Odisha', *MapViolence*, June 4, 2020, <https://mapviolence.in/incidents/young-christian-boy-murdered-in-odisha>.

60 The Caravan, 'Adivasi Christians face widespread persecution in Chhattisgarh, pressurised into *ghar vapsi*', *The Caravan*, June 29, 2020, <https://caravanmagazine.in/religion/adivasi-christians-face-widespread-persecution-in-chhattisgarh-pressurised-into-ghar-vapsi>.

61 Rahul Singh, 'Caste based violence and access to Justice.' *Impact of COVID-19 on Dalits in India: Voices from the Ground*, July 06, 2020.

62 'Bi-annual HR Review: 229 killings, 107 CASO's, 55 internet shutdowns, 48 properties destroyed', Jammu Kashmir Coalition of Civil Society, June 2020, <https://jkccs.net/bi-annual-hr-review-229-killings-107-casos-55-internet-shutdowns-48-properties-destroyed>.

63 The Wire, 'J&K Internet Shutdown Based on 'Dubious' Legal Framework: Report', *The Wire*, August 26, 2020, <https://thewire.in/government/jammu-and-kashmir-internet-shutdown-jkccs>.

internet is reported to have greatly hampered the Kashmiri medical community's efforts against Covid-19.⁶⁴ Press freedom in Kashmir also came under attack, with the announcement of a new media policy that allows authorities to decide what constitutes 'anti-social' and 'anti-national' content.⁶⁵

These, and other developments, have led to a continuing spate of international censure toward the Indian government. In May, the UN Special Advisor on Prevention of Genocide expressed concern at increased hate speech and discrimination against minorities in India.⁶⁶ Also in May, the United States Commission for Religious Freedom (USCIRF) recommended to the US State Department that India be designated as a 'country of particular concern'.⁶⁷ In June, the UN Office of the High Commissioner for Human Rights (OHCHR) condemned Indian authorities' crackdown against anti-CAA protestors, stating that it was 'clearly designed to send a chilling message to India's vibrant civil society'.⁶⁸ The same month, it also expressed alarm at the country's clampdown on freedom of expression during the pandemic. In July, India was again noted as having stigmatised minorities during the pandemic by the OHCHR.⁶⁹ Also in July, four UN Special Rapporteurs made their third communication to the Indian government over its

⁶⁴ Kashmir Observer, 'Is 4G Ban Failing Kashmir's Covid-19 Fight Back?' *Kashmir Observer*, April 16, 2020, <https://kashmirobsvr.net/2020/04/16/is-4g-ban-failing-kashmirs-covid-19-fight-back>.

⁶⁵ Reporters Without Borders, 'RSF appalled by Orwellian press policy in Indian-held Kashmir', *RSF*, June 19, 2020, <https://rsf.org/en/news/rsf-appalled-orwellian-press-policy-indian-held-kashmir>.

⁶⁶ 'Note to Media on India', UN Press Release, May 18, 2020, https://www.un.org/en/genocideprevention/documents/18052020_SA%20note%20to%20media%20on%20India_final.pdf.

⁶⁷ Akshita Jain, 'Why the US Religious Freedom Report is Bad News for India', *Huffington Post*, May 01, 2020, https://www.huffingtonpost.in/entry/us-religious-freedom-report-india_in_5ea965c7c5b6106b8ed03574.

⁶⁸ Hindustan Times, 'UN experts seek anti-CAA protesters' release', *Hindustan Times*, June 28, 2020, <https://www.hindustantimes.com/india-news/un-experts-seek-anti-caa-protesters-release/story-zK8yklFw2p5AkvsKhtOGPL.html>.

⁶⁹ The Leaflet, 'U.N. High Commissioner for Human Rights says "Discrimination Kills"; lists India for stigmatization of minorities during COVID', *The Leaflet*, February 02, 2020, <https://www.theleaflet.in/u-n-high-commissioner-for-human-rights-says-discrimination-kills-lists-india-for-stigmatization-of-minorities-during-covid/#>.

various human rights violations in Kashmir since August 2019, public.⁷⁰

Nepal

With the promulgation of its new constitution in 2015, Nepal was declared a secular democratic republic and committed itself to embracing the principles of inclusion and uniform development across the country. However, religious minorities, gender and sexual minorities, Dalits, and refugees continue to face identity-based violence. In its 2020 report to the UN Human Rights Council, Human Rights Watch affirmed that Nepal has failed to live up to its commitments on transitional justice and has also not acted on the recommendations from the last UN review either.⁷¹

Of the Bhutanese refugees, who had fled ethnic persecution from Bhutan in the 1990s, around 7000 remained in Nepal as of 2019, while the rest have been resettled in eight countries.⁷² The United Nations High Commissioner for Refugees (UNHCR) has publicly stated that it will not be supporting the remaining Bhutanese refugees in Nepal from 2020 onwards.⁷³ While the agency has reached an agreement on the refugees' shelter, food, education, employment, and health services with local agencies and organisations,⁷⁴ there is concern among the remaining refugees about their future.⁷⁵

⁷⁰ Kashmir Times, 'UN Experts Concerned over Criminal Cases against Kashmir Journalists', *Kashmir Times*, July 17, 2020, <http://www.kashmirtimes.com/newsdet.aspx?q=103832>.

⁷¹ Human Rights Watch, 'Nepal's Universal Periodic Review: Human Rights Review Should Address Broken Commitments, Impunity', *Human Rights Watch*, July 16, 2020, <https://www.hrw.org/news/2020/07/16/nepals-universal-periodic-review>.

⁷² B. Gautam and T.P. Mishra, 'Who stands with Bhutanese refugees in Nepal?' *Nepali Times*, June 19, 2019, <https://www.nepalitimes.com/opinion/who-stands-with-bhutanese-refugees-in-nepal>.

⁷³ Himalayan News Service, 'UNHCR to stop supporting Bhutanese refugees', *The Himalayan Times*, December 19, 2019, <https://thehimalayantimes.com/nepal/unhcr-to-stop-supporting-bhutanese-refugees>.

⁷⁴ Himalayan News Service, 'UNHCR to stop supporting Bhutanese refugees', *The Himalayan Times*, December 19, 2019, <https://thehimalayantimes.com/nepal/unhcr-to-stop-supporting-bhutanese-refugees>.

⁷⁵ S. Thapa, Y. D. Gurung and J. Baniya, 'Living in Limbo: Tibetan and

Likewise, there were an estimated 13,000 undocumented Tibetan refugees in Nepal as of 2019.⁷⁶ Being undocumented renders them unable to access education, employment, and other government schemes and provisions. While the situation for Tibetan refugees in the country had been precarious during the visit of Chinese President Xi Jinping to Nepal in October last year,⁷⁷ news reports in January 2020 revealed that an agreement on the Boundary Management System between the two countries included a provision which compels either government to hand over each other's nationals who have crossed the border illegally.⁷⁸ This is likely to have massive implications for Tibetans trying to flee to Nepal en route to India, and is a violation of the principle of non-refoulement.⁷⁹ Following this, there have been reports of the US Embassy in Nepal 'pressing' the Foreign Ministry and Home Ministry to issue travel documents to Tibetan refugees.⁸⁰

As of January 2020, there were reportedly around 900 Rohingya refugees in Nepal.⁸¹ In April, officials from the area in Kathmandu where Rohingya who could not work legally were surviving on

Bhutanese Refugees in Nepal', in: *South Asia State of Minorities Report 2019 Migrants, Refugees and the Stateless*, D. Thapa, S. Thapa and R. Singh (eds) (Kathmandu: Social Science Baha, 2019).

76 'General Briefing: Nepal', CSW, May 1, 2020, <https://www.csw.org.uk/2020/05/01/report/4638/article.htm>.

77 Himalayan News Service, '11 Tibetan refugees among 22 held', *The Himalayan Times*, October 13, 2019, <https://thehimalayantimes.com/kathmandu/11-tibetan-refugees-among-22-held>.

78 Kosh Raj Koirala, 'Nepal, China to hand over nationals illegally crossing mutual border', *myRepublica*, January 23, 2020, <https://myrepublica.nagariknetwork.com/news/nepal-china-to-hand-over-nationals-illegally-crossing-mutual-border>.

79 The principle of non-refoulement is enshrined in the Convention Against Torture which was ratified by Nepal in 1991. The principle is also widely accepted as a peremptory norm under customary international law and is binding to all countries regardless of ratification. See: <https://www.hrtmcc.org/download/NEPAL%20-%20Treaty%20Ratification%20Status%20-%20May%202008.pdf>.

80 M. Dahal, 'Refugee Issue: American Pressure to Provide Travel Document to Tibetans', [Saranarathi samasya: tibbati lai travel document dina ameriki dabab] *Kantipur*, February 2, 2020, <https://ekantipur.com/news/2020/02/02/1580607628970866.html>.

81 P. Mahat, 'The Rohingya in Nepal', *The Kathmandu Post*, January 1, 2020, <https://kathmandupost.com/columns/2020/01/01/the-rohingya-in-nepal>.

unofficial aid, stopped providing aid to them, claiming that it was not sustainable.⁸²

The US Commission on International Religious Freedom (USCIRF) 2020 Annual Report does not designate Nepal as a country of special concern but does mention instances of religious intolerance in the country.⁸³ The report also warned of the rise of ethno-religious nationalism in Nepal, as a number of Nepali politicians continued their push to redefine Nepal as a Hindu state.⁸⁴ The report acknowledged the government's decision to begin the implementation of an anti-conversion law, leading to the arrests of members of religious minority communities, especially Christians, for alleged acts of proselytisation.⁸⁵ There have also been several reports of Nepal's religious minorities, specifically Muslims, being targeted during the Covid-19 lockdown.⁸⁶

Despite the criminalisation of caste-based discrimination, many children from the Dalit community are not able to attend school regularly, with many dropping out eventually.⁸⁷ Cases of discrimination against Dalits in accessing housing and sites of worship were also documented.⁸⁸ In March 2020, a caste

82 S. Pandit, 'Municipality Stopped Relief to Rohingya Refugees', [Rohingya saranarathi siwirma nagarpalika le rokyo raahat] *OnlineKhabar*, April 6 2020, <https://www.onlinekhabar.com/2020/04/851724>.

83 United States Commission on International Religious Freedom, *Annual Report 2020* (Washington D.C.: USCIRF, 2020) https://www.uscirf.gov/sites/default/files/USCIRF%202020%20Annual%20Report_Final_42920.pdf.

84 'Nepal party demands govt to declare country as Hindu state', *The Week*, March 15, 2019, <https://www.theweek.in/news/world/2019/03/15/nepal-party-demands-govt-to-declare-country-as-hindu-state.html>.

85 Catholic News Agency, 'Arrest of Christians in Nepal prompts religious freedom worry', *Catholic News Agency*, April 27, 2019, <https://www.catholicnewsagency.com/news/arrest-of-christians-in-nepal-prompts-religious-freedom-worry-81923>.

86 'Five Christians, Including One American, Arrested in Nepal Under Anti-Conversion Law', *Persecution.Org*, April 24, 2019, <https://www.persecution.org/2019/04/24/five-christians-including-one-american-arrested-nepal-anti-conversion-law>.

87 National Human Rights Commission Nepal, *Annual Report* (Kathmandu: NHRC Nepal 2019) https://www.nhrcnepal.org/nhrc_new/doc/newsletter/Annual_Report_2076_English_min.pdf.

88 'Dalit student asked to evacuate room in Tarakeshwor Municipality', *Nepal Monitor*, March 6, 2020, <https://nepalmonitor.org/reports/view/28082>; R. Gahatraj, 'Banke Dalits discriminated against on Shivaratri festival.' *The Kathmandu*

discrimination case was filed by a Dalit ward chairperson against a local for using derogatory language.⁸⁹ In another instance, a Dalit elected official reported the use of slurs against him by an office assistant.⁹⁰

In May 2020, the members of Nepal National Oppressed Students' Union padlocked the Gurukul Sanskrit School in Bhadrapur, in southeast Nepal, after the school administration denied admission to a Dalit student.⁹¹ Also, in May, in a case that gained national prominence, a 21-year-old Dalit boy and his friends were beaten and thrown into a river by a large gathering of mostly 'upper-caste' villagers, resulting in their deaths.⁹² In May, a 13-year-old Dalit girl was allegedly raped and killed by a 25-year-old 'upper-caste' villager in Rupandehi district; the police deemed the action a suicide.⁹³ The police took the accused into custody only after a national outcry.⁹⁴ The UN High Commissioner for Human Rights called for an independent investigation in both these cases.⁹⁵

Gender and sexual minorities too face adversities in the country, resulting in an alarming increase in issues related to their mental health.⁹⁶ In July, the National Human Rights Commission released a report, warning that sexual and gender minorities in southern

Post, February 23, 2020, <https://kathmandupost.com/2/2020/02/23/banke-dalits-discriminated-against-on-shivaratri-festival>.

89 'Ward Chair files complaint of caste discrimination', *Nepal Monitor*, March 12, 2020, <https://nepalmonitor.org/reports/view/28167>.

90 'Dalit ward chairperson verbally assaulted by office assistant', *Nepal Monitor*, March 6, 2020, <https://nepalmonitor.org/reports/view/28079>.

91 'Gurukul Sanskrit School padlocked after school denies admission to Dalit student', *Nepal Monitor*, May 14, 2020, <https://nepalmonitor.org/reports/view/29154>.

92 A.R. Mulmi, 'Still Untouchable', *The Kathmandu Post*, May 28, 2020, <https://kathmandupost.com/columns/2020/05/28/still-untouchable>.

93 A. Lal, 'Supposed 'suicides' point towards police incompetence.' *The Record*, June 2, 2020, <https://www.recordnepal.com/perspective/opinions/supposed-suicides-point-towards-police-incompetence>.

94 *Ibid.*

95 'Nepal: Bachelet condemns Dalit killings, calls for independent investigation', *Office of the United Nations High Commissioner for Human Rights*, May 29, 2020, <https://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=25913>.

96 A. Joshi, 'Think of their mental health', *myRepublica*, February 6, 2020, <https://myrepublica.nagariknetwork.com/news/think-of-their-mental-health/?categoryId=opinion>.

Nepal were most in need of protection, and urged the government to introduce programmes to make them economically self-reliant.⁹⁷ The report further recognised that despite constitutional rights, the LGBTIQ+ community in Nepal continue to be discriminated against and stigmatised due to their sexual orientation.⁹⁸

Indigenous communities in the country have also reported discrimination, specifically with cases of forced displacement. Nepal's laws recognise only official title holders of land, making it easy for indigenous communities to be removed from land that they have lived in for generations. As highlighted by both Human Rights Watch and Amnesty International, such forceful removal violates Article 10 of the United Nations Declaration on the Rights of Indigenous Peoples. In July 2020, park rangers and soldiers at the Chitwan National Park were accused of killing a man, and destroying and burning houses in two separate incidents within the month.⁹⁹ The man killed was a member of the Chepang indigenous community, and the houses belonged to members of the same community. In June 2020, members of the indigenous Tharu community were forcibly evicted by authorities at Bardiya National Park. Nepal's Human Rights Commission is currently investigating the incident.¹⁰⁰

Pakistan

The situation of Pakistan's ethnic and religious minorities remains challenging. Though the Ministry of Human Rights and Minorities Affairs is committed to working actively with NGOs against the

⁹⁷ Himalayan News Service, 'Govt urged to protect rights, interests of LGBTI people', *The Himalayan Times*, July 1, 2020, <https://thehimalayantimes.com/kathmandu/government-urged-to-protect-rights-interests-of-lgbti-people>.

⁹⁸ Ibid.

⁹⁹ Human Rights Watch, 'Nepal Park Guards Accused of Persecuting Indigenous People', *Human Rights Watch*, July 28, 2020, <https://www.hrw.org/news/2020/07/28/nepal-park-guards-accused-persecuting-indigenous-people>.

¹⁰⁰ Amnesty International, 'Nepal: Authorities must stop ruthless evictions of Indigenous peoples', *Amnesty International*, July 21, 2020, <https://www.amnesty.org/en/latest/news/2020/07/nepal-authorities-must-stop-ruthless-evictions-of-indigenous-peoples>.

persecution of religious minorities, implementation of safeguards and rule of law remains very weak. Pakistan has a population of around 200 million, though reliable disaggregated data on population statistics broken down by religion is not available - the results of the latest 2017 census remain disputed and have not been accepted by several religious minority communities.¹⁰¹ According to the 1998 census, the country had around 2 per cent Christians, 1.85 per cent Hindus, and 0.22 per cent Ahmadiyas.¹⁰²

Ahmadiya places of worships have continued to come under attack. On February 6, a mob stormed into and forcibly occupied a 100-year-old Ahmadiya mosque in Kasur, Punjab. Succumbing to pressure, local authorities handed the mosque over to hardliners.¹⁰³ In July 2020, graves belonging to Ahmadiyas were desecrated in the Punjab province.¹⁰⁴ Also in July, the All Party Parliamentary Group for the Ahmadiya community noted the spread of anti-Ahmadiya vitriol to other parts of the world as well in their report.¹⁰⁵

On May 5, Pakistan's cabinet established the National Commission for Minorities (NCM), but announced that it would not have Ahmadiya representatives, arguing that they did not 'fall in the definition of minorities.'¹⁰⁶ The formation of the NCM had been recommended by multiple actors, including UN treaty bodies and USCIRF, and the creation of a 'national council for minorities' was

101 'Pakistan Population', *Worldometer*, last accessed September 20, 2020, <https://www.worldometers.info/world-population/pakistan-population>.

102 'Population by Religion', Pakistan Bureau of Statistics, last accessed September 20, 2020, <http://www.pbs.gov.pk/sites/default/files/tables/POPULATION%20BY%20RELIGION.pdf>.

103 Naya Daur, '100-Year-Old Ahmadi Worship Place Handed Over to Vandalising Mob', *Naya Daur*, February 19, 2020, <https://nayadaur.tv/2020/02/100-year-old-ahmadi-worship-place-handed-over-to-vandalising-mob>.

104 Outlook India, 'Graves of minority Ahmadis desecrated in Pak's Punjab: Community member', *Outlook India*, July 16, 2020, <https://www.outlookindia.com/newscroll/graves-of-minority-ahmadis-desecrated-in-paks-punjab-community-member/1896646>.

105 All-Party Parliamentary Group, *Suffocation of the Faithful: The Persecution of Ahmadi Muslims in Pakistan and the Rise of International Extremism* (APPG, 2020) <https://appg-ahmadiyyamuslim.org.uk/wp-content/uploads/2020/07/report.pdf>.

106 Human Rights Watch, 'Pakistan: Ahmadis Kept Off Minorities Commission', *Human Rights Watch*, May 8, 2020, <https://www.hrw.org/news/2020/05/08/pakistan-ahmadis-kept-minorities-commission>.

also part of the Supreme Court of Pakistan's landmark judgement on minority rights in June 2014. However, the formation of the NCM has been widely criticised by human rights groups and civil society as largely tokenistic. The NCM was also not passed by the parliament but was notified as a judicial order during the tenure of the previous government.¹⁰⁷

In December, during an International Day of Tolerance event, an Administrative Service officer had exhorted Pakistanis to respect equal right of the religious minorities, including Ahmadiyas. Protesters, mainly from Jamat-e-Islami, marched to her office and asked to explain her position on the Ahmadiya community, forcing Hussain to not only apologise for her comments, but also to state that Ahmadiyas were non-Muslims and infidels.¹⁰⁸

Religious minorities, including Hindus and Christians, have been targeted in identity-based crimes as well. In February, a 22-year-old Christian labourer was tortured and beaten in Kasur, a city just outside Lahore. According to a local newspaper, he was accused of 'polluting' a tube well where he was bathing and brutally beaten by local Muslims. The local police allegedly stood by and did not intervene. He died at a hospital soon after.¹⁰⁹

On 20 May, 25 houses belonging to members of the Hindu community were levelled and another 10 partly demolished by local authorities in Yazman, Bahawalpur. An independent fact-finding mission by the Human Rights Commission of Pakistan (HRCP) found that the demolition was carried out despite a restraining order.¹¹⁰

107 E. Alam, 'Pakistan reconstitutes the National Commission for Minorities. But will it be effective?' *Geo News*, March 13, 2020, <https://www.geo.tv/latest/287700-pakistan-reconstitutes-the-national-commission-for-minorities-but-will-it-be-effective>.

108 A. Aggarwal, 'Students force woman officer to apologise for calling Ahmedis as people', *India Today*, December 12, 2019, <https://www.indiatoday.in/world/story/pakistan-minority-rights-pas-apology-ahmadi-1627815-2019-12-12>.

109 Gulf News, 'Pakistan: Christian man tortured to death for bathing in tube well and "polluting" it in Kasur', *Gulf News*, March 1, 2020, <https://gulfnews.com/world/asia/pakistan/pakistan-christian-man-tortured-to-death-for-bathing-in-tube-well-and-polluting-it-in-kasur-1.1583052117001>.

110 'Demolition of Hindu homes in Bahawalpur illegal, inhumane', Human Rights Commission of Pakistan, June 5, 2020, <http://hrcp-web.org/hrcpweb/demolition-of-hindu-homes-in-bahawalpur-illegal-inhumane>.

In June, a Christian man was fatally shot multiple times by a local, due to alleged disapproval to a Christian family moving in the neighbourhood.¹¹¹ In July, news emerged that a 14-year-old Christian girl, who was forcibly married and converted into Islam in 2019 is now pregnant and remains in the custody of her kidnappers.¹¹² Pakistan's legal system has failed to grant the girl any relief so far.

Religious minorities are also specific targets of the country's blasphemy laws. On April 30, 2020, a 55-year-old Ahmadiya woman was convicted of blasphemy in Cheleki. The case allegedly stemmed from the woman donating money for an event being held in a non-Ahmadiya mosque in the community. Her donation was rejected, and she was allegedly assaulted by the non-Ahmadiya residents of Cheleki, who then filed a case of blasphemy against her.¹¹³ In December 2019, a US Fulbright scholar and lecturer in a university in Multan was sentenced to death for blasphemy. He had been arrested in 2013 for allegedly posting derogatory comments about Prophet Muhammad on social media.¹¹⁴

In June 2020, the trial of a Christian couple, who have been accused of blasphemy and have spent six years imprisoned already, was effectively adjourned indefinitely.¹¹⁵ In July 2020, Khawaja Asif, Pakistan's former Foreign Minister, was also accused of

111 The Express Tribune, 'Man, shot by neighbours, dies a month later', *The Express Tribune*, July 2, 2020, <https://tribune.com.pk/story/2252901/man-shot-by-neighbours-dies-a-month-later>.

112 'Family of Abducted Christian Girl in Pakistan Claims Missing Daughter Now Pregnant', *Persecution.org*, July 26, 2020, <https://www.persecution.org/2020/07/26/family-abducted-christian-girl-pakistan-claims-missing-daughter-now-pregnant>.

113 'An act of horrific brutality against a humane and compassionate Ahmadi woman', *Freedom of Conscience*, April 30, 2020, <https://freedomofconscience.eu/an-act-of-horrific-brutality-against-a-humane-and-compassionate-ahmadi-woman>.

114 A. Hashim, 'Pakistani academic Junaid Hafeez sentenced to death for blasphemy', *Al Jazeera*, December 21, 2019, <https://www.aljazeera.com/news/2019/12/pakistani-academic-junaid-hafeez-sentenced-death-blasphemy-191221091139428.html>.

115 'Pakistani Couple to Be Tried After Five Years of Imprisonment', *Persecution.Org*, June 19, 2019, <https://www.persecution.org/2019/06/19/pakistani-couple-tried-five-years-imprisonment>.

blasphemy for speaking in favour of religious equality.¹¹⁶ In May, in Sialkot, a football maker was accused of blasphemy due to a design on the ball, which members of the Tehreek-e-Labbaik Pakistan (TLP) deemed insulting to Islam.¹¹⁷ In June, an assistant professor at Shah Abdul Latif University also faced blasphemy charges, for remarking that Islam is a male-dominated religion.¹¹⁸

Intersectional identities are at much greater risk, as shown by the rape and murder of a 15-year-old Christian transgender boy in Faisalabad. Urgent appeals were made to the Human Rights Minister, and a suspect was subsequently arrested.¹¹⁹ In March 2020, a Pakistani official in Karachi reassured the transgender community of government support during the Covid-19 pandemic, bringing the minority community some relief.¹²⁰

In its 2020 Annual Report, the USCIRF renewed their designation of Pakistan as a ‘country of particular concern’ for engaging in ‘systematic, ongoing, and egregious violations of religious freedom.’¹²¹ The Sindh government’s rejection of a bill to criminalise forced conversions, which specifically affects women from minority communities, was seen as a failure to uphold religious freedom.¹²²

116 Naya Daur, ‘PTI Leader Files Blasphemy Complaint Against Khawaja Asif For Saying All Religions Are Equal’, *Naya Daur*, July 13, 2020, <https://nayadaur.tv/2020/07/pti-leader-files-blasphemy-complaint-against-khawaja-asif-for-saying-all-religions-are-equal>.

117 Pakistan Today, ‘Covid-19 fails to halt blasphemy allegations in Pakistan’, *Pakistan Today*, May 5, 2020, <https://www.pakistantoday.com.pk/2020/05/05/covid-19-fails-halt-blasphemy-allegations-pakistan>.

118 Humanists International, ‘Pakistani authorities should release professor detained on blasphemy charges’, *Humanists International*, June 12, 2020, <https://humanists.international/2020/06/pakistani-authorities-should-release-professor-detained-on-blasphemy-charges>.

119 Union of Catholic Asian News, ‘Christian transgender raped, murdered in Pakistan’, *UCA News*, April 8, 2020, <https://www.ucanews.com/news/christian-transgender-raped-murdered-in-pakistan/87659>.

120 Human Rights Watch, ‘Pakistan Official Supports Transgender Community Amid COVID-19’, *Human Rights Watch*, March 25, 2020, <https://www.hrw.org/news/2020/03/25/pakistan-official-supports-transgender-community-amid-covid-19>.

121 US Commission on International Religious Freedom, *Annual Report 2020* (Washington DC: USCIRF, 2020) 32-33, <https://www.uscirf.gov/sites/default/files/USCIRF%202020%20Annual%20Report%20Final%2042920.pdf>.

122 Global Legal Monitor, ‘Pakistan: Sindh Province Rejects Bill Against Forced Conversions’, *US Library of Congress*, November 15, 2019, <https://www.loc.gov/>

Some positive developments, however, include the foundation of the country's first Sikh university, reopening of a temple in Sialkot, as well as some acquittals in blasphemy cases.¹²³

Sri Lanka

The island nation continues to grapple with ethnic and religious strife, one of the most visible cases of which was the Easter bombings in April 2019 with 8 blasts in and around Colombo targeting churchgoing Christians.¹²⁴ On February 26, 2020, Sri Lanka formally notified the UN Human Rights Council that it was withdrawing from the UN resolution on post-war accountability and reconciliation, known as Resolution 40/1,¹²⁵ deeming the commitments made in the resolution 'impractical, unconstitutional and undeliverable'. Human rights activists say that this decision indicates a lack of commitment towards addressing violations of human rights, especially those suffered by the Tamil community, that took place during the war.

The immediate aftermath of the Easter bombings was attacks against the Muslim community in the country,¹²⁶ with Muslim voters being targeted during the November 2019 Presidential elections.¹²⁷ In

[law/foreign-news/article/pakistan-sindh-province-rejects-bill-against-forced-conversions.](#)

123 Al Jazeera, 'Pakistan to launch university in honour of first Sikh Guru', *Al Jazeera*, October 28, 2019, <https://www.aljazeera.com/news/2019/10/pakistan-launch-university-honour-sikh-guru-191028090004587.html>; The Nation, 'Historic Shawala Teja Singh Temple opens for worship after 72 years', *The Nation*, October 26, 2019, <https://nation.com.pk/26-Oct-2019/historic-shawala-teja-singh-temple-opens-for-worship-after-72-years>; The Dawn, 'Man acquitted in blasphemy case after 18 years in prison', *The Dawn*, September 26, 2019, <https://www.dawn.com/news/1507410>.

124 The Hindu, 'Sri Lanka Easter bombings', *The Hindu*, April 22, 2019, <https://www.thehindu.com/topic/sri-lanka-easter-bombings>.

125 M. Srinivasan, 'Sri Lanka notifies UN about rights resolution withdrawal', *The Hindu*, February 26, 2020, <https://www.thehindu.com/news/international/sri-lanka-notifies-un-about-rights-resolution-withdrawal/article30924951.ece>.

126 J. Gettleman and D. Bastians, 'Sri Lanka's Muslims Face an Angry Backlash After Easter Sunday Attacks', *The New York Times*, April 24, 2019, <https://www.nytimes.com/2019/04/24/world/asia/sri-lankas-muslims.html?auth=login-google>.

127 Hannah Ellis-Petersen, 'Sri Lanka presidential election: buses carrying

April 2020, a prominent Sri Lankan lawyer was arrested for an alleged connection to the bombings under the Prevention of Terrorism Act (PTA), and was denied access to his lawyers nor produced in the court of law for more than three months.¹²⁸ A retired government official with a history of critiquing religious fundamentalism and racism in Sri Lanka¹²⁹ was also arrested in April over a post calling for a 'jihad (struggle) of thought' against all forms of fundamentalisms and racism persecuting Muslims in the country.¹³⁰

In May, a young, autistic Muslim boy was assaulted and abused by policemen using Islamophobic slurs. CCTV recording of the entire incident is available, yet three police officers involved have only been indicted.¹³¹ A Human Rights Watch report has also accused the Sri Lankan government of using Covid-19 to stoke communal tensions.¹³² Authorities reportedly did not counter calls to boycott Muslim businesses on social media, as well as false allegations of the community spreading Covid-19 deliberately. In March 2020, the government also required remains of all Covid-19 victims to be cremated, going against the burial traditions of some religious minorities.¹³³

Muslim voters attacked', *The Guardian*, November 16, 2019, <https://www.theguardian.com/world/2019/nov/16/sri-lanka-presidential-election-gunmen-fire-on-buses-carrying-muslim-voters>.

128 Daily FT, 'ICJ raises concerns on arbitrary arrest, detention of lawyer Hejaaz Hizbullah.' *Daily FT*, April 22, 2020, <http://www.ft.lk/news/ICJ-raises-concerns-on-arbitrary-arrest-detention-of-lawyer-Hejaaz-Hizbullah/56-699090>.

129 Daily FT, 'Ramzy Razeek: An extraordinary struggle for an ordinary life of service upended by a Police arrest', *Daily FT*, May 9, 2020, <http://www.ft.lk/opinion/Ramzy-Razeek-An-extraordinary-struggle-for-an-ordinary-life-of-service-upended-by-a-Police-arrest/14-699917>.

130 'Sri Lanka: The Truth About the Arrest and Detention of Ramzy Razeek', *Sri Lanka Brief*, April 14, 2020, <https://srilankabrief.org/2020/04/sri-lanka-the-truth-about-the-arrest-and-detention-of-ramzy-razeek>.

131 Colombo Times, 'Full-scale inquiry by IGP: Three cops interdicted over the assault on the autistic boy in Aluthgama', *Colombo Times*, June 6, 2020, <http://colombotimes.net/full-scale-inquiry-by-igp-three-cops-interdicted-over-the-assault-on-the-autistic-boy-in-aluthgama>.

132 Human Rights Watch, 'Sri Lankan Officials Stoke Covid-19 Communal Hate', *Human Rights Watch*, March 19, 2020, <https://www.hrw.org/news/2020/05/19/sri-lankan-officials-stoke-covid-19-communal-hate>.

133 A Jazeera, 'Anguish as Sri Lanka forces Muslims to cremate COVID-19 victims', April 3, 2020, <https://www.aljazeera.com/news/2020/04/03/anguish-as-sri-lanka-forces-muslims-to-cremate-covid-19-victims>.

The United Nations Rapporteur on Freedom of Religion or Belief, in their report in March 2020, addressed the tense situation in Sri Lanka following the Easter Sunday attacks, and the lingering impact of the lack of accountability and resolution of issues arising from the civil war.¹³⁴ The report also acknowledged the increasing polarisation in the country along ethno-religious lines. The election of Gotabaya Rajapaksa, brother of two-term President Mahinda Rajapaksa, has seen the government move towards a majoritarian stand, with the President pledging in front of the Parliament to protect and nurture Buddha sasana as part of his government's policy.¹³⁵

Women activists who have been working to reform the Muslim Marriage and Divorce Act for decades expressed concerns at a Bill put forth to repeal it,¹³⁶ as the Bill does not represent the interests of Muslim women and children.¹³⁷ Rather, the bill serves the 'One Country, One Law' discourse, a divisive notion that selectively attacks minority identities and practices, asking for them to be brought under a blanket Sri Lankan identity, culture, or law. The proposed Bill reflects a growing intolerance of religious and cultural diversity in Sri Lanka and signals a majoritarian intent to assimilate minorities.

The effects of the country's civil war continue to shape national discourse. It was reported on 21 January 2020 that President Gotabaya Rajapaksa decided to issue death certificates to the thousands of people still declared missing or forcefully disappeared during the country's civil war.¹³⁸ Human rights

134 Colombo Gazette, 'UN Rapporteur on freedom of religion raises concerns on Sri Lanka', *Colombo Gazette*, March 2, 2020, <https://colombogazette.com/2020/03/02/un-rapporteur-on-freedom-of-religion-raises-concerns-on-sri-lanka>.

135 'The policy statement made by His Excellency Gotabaya Rajapaksa, President of the Democratic Socialist Republic of Sri Lanka at the inauguration of the Fourth Session of the 8th Parliament of Sri Lanka', Parliament of Sri Lanka, June 1, 2020, <https://www.parliament.lk/en/news-en/view/1820?category=6>.

136 'Statement: Do Not Exploit the Struggle for MMDA reform', *Muslim Personal Law Reform Action Group*, January 14, 2020, <https://mplreforms.com/2020/01/14/statement-do-not-exploit-the-struggle-for-mmda-reform>.

137 Daily Mirror Online, 'Rathana Thera submits bill to repeal MMDA', *Daily Mirror Online*, January 8, 2020, http://www.dailymirror.lk/top_story/Rathana-Thera-submits-bill-to-repeal-MMDA/155-180919.

138 Al Jazeera, 'President Rajapaksa says Sri Lanka to treat war missing as

activists highlighted that truth was an important element of the families' demands, as they seek information on what happened to their loved ones after their abductions, or after they were handed over to the forces.¹³⁹ They urged the government to provide the families with the truth as well, and not simply a death certificate and monetary compensation.

During the annual Independence Day celebrations on February 4, 2020, the national anthem was only sung in Sinhala.¹⁴⁰ This was done despite the fact that Tamil is one of the official languages of Sri Lanka, and the national anthem has historically been sung in both languages. This action was critiqued by many as exclusionary towards the Tamil communities. The singing of the anthem in Tamil is merely symbolic, given the absence of state commitment to ensure true equality and protections for these communities, and its removal was indicative of the lack of even such a small commitment.

In June 2020, the President appointed a Task Force for Archaeological Heritage Management in the Eastern Province. The Eastern Province is presently inhabited by equal proportions of Sinhala, Tamil, and Muslim citizens. Historically, a majority of the population was Tamil, but the demography has been altered significantly through government-organised colonisation. However, the Task Force has no Muslim or Tamil members and consists almost entirely of Sinhala military personnel and Buddhist monks. This composition, in addition to existing tensions around land in the Province, have raised concerns that the Task Force will overlook the concerns of Tamils and Muslims in its activities.¹⁴¹

dead', *Al Jazeera*, January 21, 2020, <https://www.aljazeera.com/news/2020/01/president-rajapaksa-sri-lanka-treat-war-missing-dead-200121134624785.html>.

139 Colombo Telegraph, 'Women's Action Network Condemns President Gota's Statements on Missing Persons', *Colombo Telegraph*, January 26, 2020, <https://www.colombotelegraph.com/index.php/womens-action-network-condemns-president-gotas-statements-on-missing-persons>.

140 TRT World, 'Sri Lanka scraps Tamil national anthem at Independence Day', *TRT World*, February 4, 2020, <https://www.trtworld.com/asia/sri-lanka-scraps-tamil-national-anthem-at-independence-day-33479>.

141 PARL, 'Presidential Task Force for Archaeological Heritage Management in the eastern Province: Brief Note & Commentary', *People's Alliance for Right to Land*, June 22, 2020, <https://1stlanka.org/wp-content/uploads/2020/07/Eng-Brief-Note-and-Commentary-Presidential-Task-Force-on-Archeology-Final-24-June-2020.pdf>.

In July 2020, security forces attempted to restrict a memorial mass for Tamil civilians who had lost their lives 25 years ago in the Sri Lanka Air Force bombing of the area and church in Navaly. The local police had requested to issue an injunction, labelling the event as a ‘protest’, which was denied by the Mallakam Court. During the memorial, many police, Special Task Force members, and intelligence personnel in civilian clothing were present around the area, and surveillance had begun a few days prior. The police attempted to restrict mourners, maintained a close watch throughout, and the intelligence personnel photographed those lighting lamps and gathering.¹⁴²

On June 30, 2020, the Core Group on Sri Lanka at the UN Human Rights Council 44 reiterated their disappointment at Sri Lanka’s withdrawal from UNHRC Resolution 30/1, while remaining committed to ‘advancing the resolution’s goals of accountability, reconciliation, and inclusive peace in Sri Lanka.’ The Group also highlighted the continued targeting of minorities through ‘the pardoning of Sergeant Sunil Ratnayake and promotion of others accused of serious violations during the conflict, and the militarisation of a wide range of civilian functions.’¹⁴³

In August 2020, the government released a statement of policy at the opening of the newly elected Parliament. The Tamils’ demand for a federal constitution was negated with the government claiming that it had a massive mandate to retain the unitary constitution. The President reiterated the emphasis on ‘one country, one law for all the people’, and pledged to protect Buddha sasana. An advisory council comprising of only Buddhist monks has also been set up to give advice on governance.¹⁴⁴

142 INFORM Human Rights Documentation Centre, *Repression of Dissent in Sri Lanka in July 2020* (Colombo: INFORM Human Rights Documentation Centre, 2020), https://www.inform.lk/wp-content/uploads/2020/09/ROD_July2020.pdf.

143 Rita French, ‘UN Human Rights Council 44: statement on behalf of the Core Group on Sri Lanka’, *GOV.UK*, June 30, 2020, <https://www.gov.uk/government/speeches/un-human-rights-council-44-statement-on-behalf-of-the-core-group-on-sri-lanka>.

144 P. K. Balachandran, ‘Lankan Minorities Get Short Shrift in Rajapaksa’s Statement of Policy’, *The Citizen*, August 23, 2020, <https://www.thecitizen.in/index.php/en/NewsDetail/index/6/19247/Lankan-Minorities-Get-Short-Shrift-in-Rajapaksas-Statement-of-Policy>.