

**Human Rights Council**

12<sup>th</sup> session

Item 3: General Debate

22 September 2009

Speaker: Gotzon Onandia-Zarrabe

**Please check against delivery**

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Mr. President,

Franciscans International and Dominicans for Justice and Peace would like to draw the attention of the Human Rights Council to the issue of **communal violence affecting religious minorities**.

*Communal violence (or inter-communal violence)* refers to instances where one religious or ethnic community attacks another one. Often, minority communities are victims of violence perpetrated by extremists from the majority group. We would like to express particular concern over those cases where the State authorities have shown a lack of willingness to effectively protect minorities.

Mr. President,

We would like to mention two recent cases of communal violence, as examples.

One year ago, Hindu Fundamentalists carried out a series of attacks against the Christian minority living in the Indian State of Orissa. The violence lasted for almost three months, during which the victims did not receive adequate protection. The Government certified 47 killings; however over 90 persons were reportedly killed, and some 50'000 displaced. Although fast track courts are in place, the provision of justice has been very slow and victims wanting to testify are continuously harassed.

Orissa is one of several Indian States that has a so-called "anti-conversion law". Recently, the UN Special Rapporteur on freedom of religion or belief expressed

concern “that such legislation might be perceived as giving some moral standing to those who wish to stir up mob violence.”<sup>1</sup>

In Pakistan, the violent events in Gojra on 1 August led to seven victims, including four women and two children who were burned to death; moreover, 70 houses were looted and destroyed. Police authorities were reluctant to react to the plight of the minority and take effective steps to prevent the escalation of violence.

Pakistan’s blasphemy laws have been found to propagate violence against religious minorities. Accusations and violent attacks are often based on unsubstantiated allegations that lead to human rights violations against religious minorities. In most incidents, no investigation followed an accusation, thus rendering such laws open to widespread abuse by non-State actors who feel entitled to operate using them as justification for their actions.<sup>2</sup>

Mr. President,

We believe that the Human Rights Council should pay more attention to instances of communal violence, wherever they occur, and regardless of which community is targeted.

1. We would like to recommend that the Council urges States to:
  - **Provide protection** to members of minority groups who come under attack and who suffer discrimination;
  - **Investigate** cases of communal violence and ensure that persons involved in the planning and the carrying out of violence are **brought to justice**. This includes implementing adequate **witness protection** programs and give adequate **compensation** to victims.
  
2. The Council should also request States to:
  - Take the necessary measures to **address the root causes** of such violence, by encouraging inter-communal dialogue and local peace committees, with representatives from the various communities; and
  - **Repeal the laws that discriminate religious minorities or that contribute to create a climate of suspicion and hatred.**

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<sup>1</sup> Report of the Special Rapporteur on Freedom of Religion or Belief, Mission to India, A/HRC/10/8/Add.3, §70.

<sup>2</sup> After reviewing Pakistan’s State party report in 2009 the **CERD Committee** ‘expressed its concern about reported infringements of the right to freedom of religion and the risk that blasphemy laws may be used in a discriminatory manner against religious minority groups, who may also be members of ethnic minorities’ and ‘recalled state party’s obligations on freedom of thought, conscience and religion’ (CERD\C\PAK\CO\20, Para 19).

We thank you Mr. President.