

Permanent Mission of India
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(25 Feb-22 March 2013)

**Agenda Item 3: Interactive Dialogue with the Special Rapporteur on
Freedom of Religion or Belief**

(6 March, 2013)

Statement by India

Mr. Vice-President,

My delegation would like to thank the report of the Working Group on Enforced Disappearances and Special Rapporteur Mr. Heiner Bielefeldt for his report focusing on the need to respect the freedom of religion or belief of persons belonging to religious minorities. We would like to confine our remarks to the report of the Special Rapporteur. In times, when we are witnessing the rise of extremism and intolerance and increasing use of language of hatred and violence, the theme of the report is timely and appropriate.

2. Since millennia, India has accepted and absorbed all religious thoughts and experiences as true and valid. India has been the birthplace of Hinduism, Buddhism, the Sikh and Jain faiths, while the great teachings of Islam, Judaism, Christianity and Zoroastrianism were assimilated in the Indian ethos centuries ago. This assimilation and accommodation of diversity has contributed to the richness of our composite culture and durability of our civilization. India, with its traditional tolerance, has served as a refuge for groups that have encountered persecution elsewhere.

3. Following this unique legacy, Indian Constitution in Article 25 grants to citizens of India of all religious persuasions freedom to profess, practise and propagate their faith in a way that does not disrupt public order and does not affect public health and morality adversely. The freedom of religion conferred by this Article is not confined to citizens of India alone but extends to all persons including aliens and individuals exercising their rights either in their individual capacity or on behalf of some institution.

4. Over the past several decades, India has put in place the legislative framework and the administrative apparatus to implement the provisions of the Constitution and laws and regulations concerning freedom of religion and faith and the protection of religious minorities. A federal Ministry of Minority Affairs has been created in 2006, to enable special focus on minorities creating an enabling environment for strengthening the multi-racial, multi-ethnic, multi-cultural, multi-lingual and multi-religious character of our nation

5. The Special Rapporteur has enlisted the areas of violations of the rights of religious minorities. Our domestic legal provisions ensure that no individual is discriminated on the basis of religion. Article 29 (1) ensures right of 'any section of the citizens' to 'conserve' its 'distinct language, script or culture and Article 30 (1) establishes the right of all Religious and Linguistic Minorities to establish and administer educational institutions of their choice. Promotion of religious harmony is not only the responsibility of the State. The chapter on Fundamental Duties of our Constitution calls upon citizens to promote harmony and the spirit of common brotherhood amongst all the people of India 'transcending religious, linguistic and regional or sectional diversities'. It is the duty of every citizen to value and preserve the rich heritage of our composite culture. All groups, like all individuals, have the same Fundamental Rights to enjoy and the same Fundamental Duties to discharge.

6. In his recommendations, the Special Rapporteur has pointed out the responsibility of media in fair and accurate projection of all communities. Unfortunately, self regulative mechanisms are not always implemented by the media. In view of this, we would request the Special Rapporteur to shed

light on how States can strike a balance without curbing freedom of expression in the media.
