

SOUTH ASIA
STATE *of* MINORITIES
REPORT 2024

**Economic, Political and
Social Participation and
Representation of Minorities**

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**Economic, Political and Social Participation
and Representation of Minorities**

THE SOUTH ASIA COLLECTIVE

South Asia State of Minorities Report 2024

Economic, Political and Social Participation and Representation of Minorities

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Executive Summary

Background

Despite legal frameworks guaranteeing participation and representation in most South Asian countries, minorities continue to be at risk of exclusion in key economic, social and political spheres. Initiatives aimed at greater inclusivity have been adopted across the region in recent years. Yet, mounting social discrimination, prejudice and suspicion against minority groups make it difficult for them to take full advantage of such policies. That is largely because social dynamics in South Asia are influenced by religion, caste, class, gender and ethnicity that contribute to discrimination and economic vulnerabilities. For instance, certain groups are ascribed to the lowest rungs of the social hierarchy, thereby reducing their social capital and undercutting their ability to effectively engage in education, employment and politics. Socially dominant groups also have at their disposal significantly greater wealth than those from minority communities. Initiatives intended for minorities are often appropriated by dominant groups. Political exclusion is pervasive, with the adoption of legal instruments such as discriminatory citizenship laws and voter suppression, undermining minority groups' participation across South Asia. Even when inclusive policies do exist, they frequently fail to address underlying disparities, owing to a lack of political will to effect change.

Afghanistan

Over the past four decades, Afghanistan has been plagued by ever-changing conflicts to have effectively eliminated any government's ability to restore stability. Under the present Taliban regime, minority groups such as ethnic Hazaras, Uzbeks, Tajiks and religious minorities like Hindus and Sikhs have been stripped of

political representation and decision-making. In particular, Hazaras have been facing discrimination with restrictions on entering government positions and economic opportunities, aggravating already existing vulnerabilities. Since the Taliban takeover, reports confirm the killing of hundreds of Hazaras, including in suicide attacks, in a variety of settings, education centres, marketplaces, religious sites and public transports. Socially, minorities are subjected to systemic violence, forced displacement and exclusion from social life. And all Afghan women find their participation effectively erased.

Bangladesh

Bangladesh has entered a new era following the mass uprising of July 2024, bringing significant changes to its political, social, and economic landscape. However, religious minorities—particularly Hindus and ethnic minority communities from both the hill tracts and the plains continue to face threats of land grabbing and physical violence. Places of worship remain at risk, with no effective safeguards against hate speech on social media against minorities. The lack of political representation has long been an issue, and the early 2024 election offered little hope for change. The recent revision of public sector job quotas has also raised concerns, as many marginalised groups rely on these reservations for upward social mobility.

India

The portrayal of religious minorities as significant threats to the country has run deep in India since the time of independence, providing a pretext historically to the denial of minority inclusion. This, among other reasons, has led to Muslims in particular, but also Scheduled Tribes, Scheduled Castes and other marginalised religious and ethnic groups, to continue to lag behind in terms of economic, political and social participation. More recently, the ruling Bharatiya Janata Party, through its programme of Hindu majoritarianism has further undercut the little space for minority participation and representation, with discriminatory policies and unchecked hate speech, exacerbating the challenges faced by these

groups. Additionally, attacks on their places of worship, systemic violence, social discrimination and hostile attitudes further isolate minorities, mostly religious but also Dalit and Adibasi groups and women and girls among them, from the dominant groups. The ongoing decline in political representation of Muslims and other religious minorities means there are fewer attempts to even raise these concerns in policy circles. As a consequence, some constitutional protections in letter, notwithstanding, economic, social and political participation of minorities remains severely curtailed, in effect.

Myanmar

The ongoing ethnic conflicts, exacerbated by the 2021 political changes, have further marginalised different communities in Myanmar. Ethnic minorities, particularly women among them, face disproportionate unemployment and wage disparities. Current instability, lack of foreign investment and sectoral contractions have made economic recovery incredibly difficult. Furthermore, the country's prioritisation of the Bamar majority and Buddhist nationalism has curbed the participation of minorities in governance. Additionally, there are groups like the Rohingya Muslims who have been denied citizenship, have been disenfranchised and face brutal military oppression.

Nepal

While there have been efforts to promote inclusion, with legal reforms and policy changes, inequalities still persist across economic, political and social domains. Achieving equal participation as the dominant Khas Arya has continued to remain a significant challenge for minority communities. Specifically, Dalits and Madhesis face severe economic exclusion, with disproportionate employment in the informal sector, often in poor working conditions. Dalits face the lowest employment rates, along with landlessness, poverty and limited access to social protections. Political participation, too, has not seen much progress, with inconsistent implementation of policies formulated to increase the participation of marginalised communities. This

situation makes the limited political representation of religious minorities, such as Muslims and Christians, in elected positions at both the national and sub-national levels gravely concerning. Even though the 2015 Constitution guarantees rights against caste-based discrimination and supports multilingual education and public holidays for minority festivals, Dalits, indigenous groups and religious minorities continue to remain marginalised.

Pakistan

Minorities in Pakistan, particularly Hindus, Christians and Ahmadiyya Muslims, grapple with exclusion—significantly impacting their participation in economic, political and social realms. The consequences of this exclusion are reflected in their restricted opportunities for upward mobility and greater social integration. Minorities, mostly Hindus and Christians, are banned from prestigious jobs and relegated to low-skilled and stigmatised roles, with land ownership monopolised by Muslim elites. They face discriminatory practices in being hired for both the public and private sectors. Although there are reserved seats for political representation, their ability to influence policies is restricted, as these representatives are often not directly elected by minority communities. Due to a lack of meaningful participation, issues affecting them are overlooked in policy discussions.

Sri Lanka

Political participation in post-conflict Sri Lanka has been profoundly unequal, particularly for minority communities. Although some constitutional provisions aim to devolve power, successive governments have failed to transfer power and resources adequately. Furthermore, minority groups such as Tamils have been marginalised, while militarisation in the North and East has intensified surveillance and displacement, restricting civic engagement. These political exclusions are closely linked to economic marginalisation. Development programmes disproportionately have benefited Sinhala settlers and restricted Tamil and Muslim access to land and livelihoods. In the countryside, the involvement of the military in agriculture

and urban development has further displaced minorities, while underinvestment in Tamil-majority areas has hindered economic growth, particularly for the country's Muslims. Christians fare not much better, as they must confront aggression and violence at every turn, including restrictions on accessing places of worship.

Economic Exclusion of Minorities in South Asia

Across South Asia, caste, class, gender and ethnicity continue to define where minority groups are located in the social hierarchy, with each compounding identity pushing the marginalised further to the margins. In countries like India and Nepal, Dalits and indigenous communities remain at the bottom of the social order. Oftentimes, discrimination permeates public life and institutions, with prejudices finding legitimacy through discriminatory policies that attack access to education, employment and political representation. In Bangladesh, India and Pakistan, for example, school curricula reinforce the prejudices held against religious minorities, not only by erasing their contributions to the nation but also by portraying them as threats to national unity.

Economic development in the region, rather than bridging these divides, has often reinforced inequality since many minority communities have not benefited from the growth. In Bangladesh, for instance, discriminatory laws like the Vested Property Act and a general rise in social hostilities have undermined the economic security of both Muslims and non-Muslims. Similar patterns play out in Pakistan, where many minorities find themselves trapped in poverty as an outcome of discriminatory labour laws, exclusion from the formal economy and land ownership barely out of reach. In India, minority groups are particularly affected by exclusion from economic processes. Quotas in public service and education, that have benefited 'backward' communities, exclude Muslim and Christians from their coverage, denying religious minorities access, exacerbated by social barriers. This is especially true for Nepal, where Tarai Dalits, Madhesis and indigenous groups experience exclusion due to early-life disadvantages tied to their identities. The exclusion of minorities in economic life is also inter-generational. In Bangladesh, decades of structural discrimination

have diluted the economic opportunities available to religious and indigenous minorities. The state's emphasis on a singular Bengali Muslim identity does nothing to uplift the status of non-Muslim and non-Bengali groups.

The legal provisions and policy frameworks across the region that seek to promote inclusion are frequently undermined by entrenched social hierarchies, lack of enforcement, and tokenistic implementation. Until governments across South Asia address these root causes of exclusion—through both structural reform and cultural change—economic participation and equality for minority groups will remain a distant goal.

Social and Political Participation and Representation of Minorities in South Asia

Throughout South Asia, religious and ethnic minorities face numerous barriers to their inclusion in political, social and cultural life. In Afghanistan, the Taliban's return to power in 2021 heralded the end of democracy. The country is now governed by unelected, all-male leaders from a single ethnic group—Pashtuns. Minorities and women have no representation in government, and elections have ceased. Myanmar has also been under military control since the 2021 coup, with the army favouring one ethnic group—the Burmans—while denying citizenship to others such as the Rohingya. Although an opposition government (the NUG) has been attempting to be more inclusive, trust remains low among minority communities.

As part of regulatory efforts in India and Nepal to disenfranchise certain groups, citizenship rights remain marred in controversy. In India, the Citizenship Amendment Act (CAA) and the National Register of Citizens (NRC) have courted criticism for discrimination against Muslims. Likewise, in Nepal, Madhesis have historically faced problems in acquiring citizenship as a result of their socio-cultural affinity with north India. Voting poses additional challenges for minorities. In Bangladesh, India and Pakistan, voter intimidation, vote-bank politics and even violence hinder minorities from casting votes or seeking office.

The region's minorities are also not well represented in politics

or government jobs. In India, Muslims are conspicuously absent from top roles in the civil service, the courts and the military. This is due in part to the stigmatisation historically of Muslims as the 'other', exacerbated recently by growing Hindu majoritarianism. In Bangladesh, Hindus and indigenous groups are also left out of important roles. Tamils in Sri Lanka continue to be excluded from representation in major institutions, even in the aftermath of the conflict. Across the region, including those with elected governments, majority groups dominate political power, while minorities, seldom have influence, even though they might be legally franchised.

Cultural exclusion also remains pervasive throughout South Asia. In India, the media often airs Hindu nationalist perspectives, while in Bangladesh, mainstream media allocates airtime to Muslim identity, often sidelining indigenous and non-Muslim issues. Even more disconcertingly, countries like Myanmar and Afghanistan intentionally suppress minority languages and traditions in a bid to homogenise their societies, a trend taking roots rapidly in the rest of the region as well.

Conclusion

The issue of the participation and representation of minority groups in the economic, political and social domains remains a critical one for the region. Boggled down by challenges such as political exclusion and economic instability, they are hindered in their ability to experience full rights and reach their potential. The civil rights of minority groups are continually attacked under the guise of religious and ethnic nationalism everywhere. Achieving economic and political parity can only begin with tackling financial inequalities through job and resource creation. At the same time, it is also necessary to enhance political representation within various state structures, to give equal voice to minorities.

Despite legislative and social progress towards such a goal, many countries continue to enforce inadequate safeguards for the protection of minorities. Building an inclusive society begins with a re-thinking of state structures such that they prioritise equity and facilitate access to state services for minorities. This

transformation can only come about through collaboration among governments, civil society and international organisations, and the recommendations below are made on such a premise.

To State Actors

- As state parties to ICCPR and ICESCR, CRC and CEDAW, among others, all south Asian states are obligated to bring their national legislations in line with international standards for equal access to political, economic and social rights, to all citizens, equally.
- Abolish discriminatory laws in favour of those that codify equality, in citizenship rights, as well as to access to economic and political participation, and religious and other fundamental freedoms.
- Implement affirmative action and adopt equitable hiring practices to support marginalised communities equally. Ensure quality education, healthcare and housing equally to minority groups.
- Implement labour policies that promote the formalisation of the informal sector.
- Enhance law enforcement to combat hate crimes and ensure fair trials for such crimes.
- Revise curricula to address discrimination and misrepresentation of minorities.
- Collect and publish regularly, data on minority access to political, economic and social rights, disaggregated by protected identities.

To Civil Society Organisations

- Do more to monitor, document, and raise awareness about authorities' performance on equal access to minorities, especially but not limited to religious minorities.
- Promote minority rights at the grassroots level.
- Advocate for legislative reforms that safeguard the rights and freedoms of minority communities.
- Promote fair media portrayal of minorities to eliminate harmful stereotypes in culture.

- Monitor and report rights violations, holding governments accountable.

To the UN and the Wider International Community

- Monitor South Asian states' realisation of their commitments to key UN standards, through investing in their own capacity on the ground, and by supporting states that cooperate with technical assistance.
- Urge states to adhere to international human rights standards and ratify new ones.
- Support states in holding human rights violators accountable;
- Help states implement human rights standards.
- Ensure state compliance with international human rights.

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Foreword

A glance at South Asia, home to a fifth of humanity, reveals a concerning downturn in the economic, social and political participation and representation of minority groups in recent years. Minorities—including ethnic, religious, linguistic, as well as caste or sexual, among others—often contend with sobering socio-economic realities exacerbated by a political system rooted in discrimination and institutional biases. In this context, the *South Asia State of Minorities Report 2024: Economic, Political and Social Participation and Representation of Minorities* aptly brings these groups' grim situation to the fore while highlighting key questions regarding the inclusion of their voices and experiences in both public and private spheres.

Exclusion experienced by minorities is neither occasional nor incidental—oftentimes, it is systematic and organised. Divisions fueled by ethnicity, caste, language and religion run deep across the region, giving rise to hate, suppression and segregation. These biases, born of group identities, considerably impact opportunities for socio-political cohesion. The report rightly points out that such an atmosphere stifles dissent and abets the ostracisation of minority groups. In many ways, this is also why the region's civic space is alarmingly shrinking. States often wield the threat of violence to silence those who advocate for minority rights. As an upshot, it leaves minority groups evermore at risk of exclusion. As public figures across the region overtly become conduits of prejudice, the struggles of minorities to access their rights continue to compound.

As indicated in the report, drivers of minority groups' representation and participation are aplenty. Politically, these groups—especially religious—straddle limited representation due to majoritarian and populist policies that curtail the already insufficient constitutional and legal safeguards at their disposal.

No country, as noted in the report, is entirely unaffected by state-backed anti-minority activities. Evidence gathered from the countries covered in the report—Afghanistan, Bangladesh, India, Nepal, Myanmar, Pakistan and Sri Lanka—reveals that these states not only condone/tolerate discrimination but, at times, actively engage in violence against their most vulnerable groups by institutionalising different forms of injustice. This exclusion is brought to life using tactics such as the denial of equal citizenship and electoral disenfranchisement—with the effect of barring minority groups from the corridors of power. Often not accidental and primarily covert, this exclusion undercuts the ability of vulnerable groups to participate in government while simultaneously perpetuating a cycle of disempowerment.

Alarming also are the findings from the report that reveal that the region's minorities pervasively face barriers in accessing economic and financial resources—including land and capital. All that and more help entrench their position at the bottom end of the economic ladder. Informal employment, wage discrepancies and lack of opportunities for upward mobility deepen their vulnerability and work to amplify their socio-political marginalisation.

Therefore, in the absence of state intent, this report marks a significant step in the right direction. By highlighting the dynamics of exclusion in the region, the report—might I add courageously—seeks to galvanise broad support for human and minority rights. It serves as a compelling call to action—a plea to both governmental and non-governmental entities to establish strong bulwarks for minority participation, representation and ultimately protection. I commend the South Asia Collective for embracing the challenge of highlighting the plights of minorities and charting the way forward.

Professor Nicolas Levrat
UN Special Rapporteur on Minority Issues

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We are deeply grateful to Professor Nicolas Levrat, UN Special Rapporteur on minority issues, for contributing the foreword to this report and for his steadfast support of the South Asia Collective (SAC). Through his mandate, SAC has gained invaluable insights and has had the opportunity to engage and collaborate with a wide range of stakeholders.

We also wish to express our gratitude to Minority Rights Group International for being a steadfast supporter of SAC and for the invaluable guidance it has provided throughout all our efforts. We are also deeply thankful to our anonymous donors and supporters. Finally, our sincere thanks go to the minority communities, human rights defenders and activists across South Asia who participated in the SAC-administered survey and who share a commitment to building an inclusive society.

Afghanistan

The Civil Society and Human Rights Network (CSHRN) extends its heartfelt gratitude to the South Asia Collective (SAC) and its distinguished donors for their generous financial support, which has enabled this important research. We also express our sincere appreciation to all country leads of the South Asia Collective for their dedication and efforts in organising and coordinating the research process. Their commitment has been invaluable in ensuring the success of this initiative. Furthermore, we extend our deepest thanks to the many activists and experts from Afghanistan's minority communities who generously dedicated their time to share their invaluable insights. Their contributions have been essential in shaping the understanding and depth of this thematic study. CSHRN remains committed to amplifying the voices of marginalised communities and advocating for their rights, and this research would not have been possible without the collective efforts of all involved.

Bangladesh

Team Bangladesh and Nagorik Uddyog convey their gratitude to SAC for unifying the lesser-heard voices from South Asian minority communities. We also acknowledge the role of the financial support from the donors in realising this monumental aspiration. We congratulate all the individual contributors to each of the country chapters, whose dedicated work has made this report possible. Team Bangladesh thanks Dr Zobaida Nasreen from the University of Dhaka and Kajal Debnath from the Bangladesh Hindu Buddhist Christian Unity Council (BHBCOP) for their valuable insights that helped improve the chapter. We also extend our vote of thanks to all the experts who graciously offered their input in the survey conducted. We announce our continued solidarity with all the researchers, journalists, and activists working in Bangladesh to uplift the lives of millions who belong to marginalised communities.

India

The authors are grateful to Deepak Thapa, Elaine Alam and an unnamed academic for their insightful comments and suggestions to strengthen the India chapter. We also extend our heartfelt appreciation to the lawyers, researchers, activists, and community mobilisers in India who agreed to participate in our survey. Their lived experiences and perspectives gave us critical insights into the barriers to minority participation and representation. Their resilience and unwavering commitment to protecting and promoting the rights of minorities despite growing challenges continue to inspire us deeply.

Myanmar

We extend our heartfelt gratitude to the South Asia Collective editorial team for their invaluable comments on the Chapter.

Nepal

Our heartfelt thanks to Tula Narayan Shah, Executive Director of the Nepal Madhesh Foundation (NEMAF), for reviewing the Nepal chapter. Our sincere gratitude also goes to members of the

advisory committee—Dr Yam Bahadur Kisan, a lawyer and expert on social inclusion, and Dr Youba Raj Luitel of the Department of Sociology, Tribhuvan University—for sharing their insights. We also appreciate the valuable comments from Elaine Alam and Sajjad Hassan on the chapter. Finally, we would like to thank our colleagues at Social Science Baha— Amit Gautam, Ratna Kambang, Bhimkala Limbu and Rajendra Sharma—for their assistance in identifying respondents for the South Asia Collective Survey and for helping with the translation of the survey into Nepali.

Pakistan

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Sri Lanka

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Note on the South Asia Collective

A group of human rights activists and organisations that dream of a just, caring and peaceful South Asia came together in December 2015 to document the condition of the region's minorities—religious, linguistic, ethnic, caste, and gender, among others—hoping this would help in bettering outcomes for South Asia's many marginalised groups. We call ourselves the South Asia Collective.

We have since been able to rally other like-minded groups and platforms to our cause. Building on this initial success, we have also begun experimenting with small-scale practical support to minority groups across borders, to nurture their capacity for better outcomes for minority communities, working at local and regional levels. And we are now exploring interventions for peacebuilding and dialogue, to challenge majoritarianism in the region that lies at the root of the problem.

This coming together of like-minded groups is particularly gratifying given the otherwise political environment in the region, which militates against any serious regional effort by state parties on minority and human rights. It is then left to civil society initiatives to try to pave the way in the hope for more formal efforts, going forward. Eventually, we want to see the establishment of a South Asia charter of minority and human rights, and regional and national mechanisms to enforce the same.

Founding members of the South Asia Collective are:

- Civil Society and Human Rights Network, Kabul
- Citizens Against Hate, Mumbai
- Law and Society Trust, Colombo
- Nagorik Uddyog, Dhaka
- Social Science Baha, Kathmandu

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Note on the Contributors

Elaine Alam is a social scientist and an international development and human rights professional. Her work on religious minorities, especially research, programming and advocacy in Pakistan, South Asia and globally emphasises the infringement of rights faced on a daily basis through the blasphemy laws and forced conversions in Pakistan. She holds a Masters in Governance, Development and Public Policy from the Institute of Development Studies (IDS) at the University of Sussex and a Postgraduate Diploma in Poverty Reduction-Policy and Practice from SOAS University of London. Her research has explored the marginalisation of religious minority women and how they navigate their environments of fear of violence through local ways of dispute resolution. Elaine has worked closely with international missions and policymakers of international governments, advocating and lobbying for human rights policies, particularly those related to religious minorities and women's rights.

Sayed Hussain Anosh is a human rights defender that has worked to promote and protect human rights in Afghanistan since 2012. His educational background in law, politics and human rights, along with his professional experience, has equipped him with the skills and expertise to lead the Civil Society and Human Rights Network (CSHRN), the most prominent umbrella institution for human rights organisations in Afghanistan. He is also a founding member and executive lead at Human Rights Defenders Plus (HRD+).

Apurwa Baral is a Research Officer at Social Science Baha. She has an LLM degree from the Fletcher School at Tufts University, with specialisations in human rights law and conflict resolution.

Farhan Hossain Joy has been working as a human rights researcher in the development sector in Bangladesh for the last four years. He is currently working with Nagorik Uddyog as an external consultant on issues of minority rights and climate

change. He also works as a research lead at Development Support Services (DSS), a research-based organisation that envisions a research-centric education system for all. His other works include conducting field and desk research in collaboration with various international organisations, including Amnesty International, Equality Now, Water Aid, among others. He holds a Masters in Economics from East West University, along with a Bachelors in Business Administration from the University of Dhaka.

Avantika Jhunjhunwala is a researcher and academic, trained in sociological study with a focus and expertise in ethnographic research, alongside other primary and secondary research. She holds an graduate degree from the Delhi University of Economics, University of Delhi.

Sakuntala Kadirgamar is the Executive Director of the Law and Society Trust, a human rights research and advocacy organisation in Colombo. She is a senior governance expert with extensive experience providing policy and technical advice on constitutions, governance reform, transitional justice, the design of electoral systems and political party reform, mainstreaming gender and social inclusion and the sustained promotion of human rights. She has worked in fragile states and post-conflict transitions in contexts of extreme political volatility, change and uncertain transitions. She has been called upon to play a key role in providing policy advice to defuse political and social tensions and to advance new governance and development initiatives that ensure the inclusion of diverse political factions, minorities and women. She has a Doctor of Philosophy in Jurisprudence from the University of Sydney and received her LLB from the University of Colombo and a BA in Social Sciences from the University of Reading, UK. She was the Senior Constitution Adviser at the International Institute for Democracy and Electoral Assistance (IDEA) and the Head of the Asia Programme (IDEA), based in Stockholm, Sweden. She has served as an adviser to the Mediation Support Unit of the United Nations (UN) as the Gender and Inclusion Adviser. She was also an Adviser at the National Dialogue Conference of Yemen and a Senior Constitutional Adviser

to the United Nations Political Office for Somalia and to the United Nations Development Programme (UNDP) in Nepal.

Sabber Kyaw Min is the Founder and Director of the Rohingya Human Rights Initiative (ROHRingya). Prior to this, he worked with the United Nations High Commissioner for Refugees as an interpreter for four years, as he speaks several languages such as Burmese, Rohingya, Rakhine, Urdu, Hindi and English. Being a Rohingya refugee himself, his aim is to advocate internationally for the rights of the persecuted Rohingya community and highlight human rights violations suffered by Rohingya in Bangladesh, India and Myanmar. As a provider of daily news updates, he works closely with international news agencies such as Al Jazeera, the British Broadcasting Corporation (BBC), German TV, The Telegraph, Arab News, Reuters News, etc. Sabber has been instrumental in leading conferences on various projects, including those related to education, research and the COVID-19 response. He has also worked closely with the UN Independent International Fact-Finding Mission on Myanmar to collect and preserve evidence of the war crimes committed in Myanmar since 2011.

Sajjad Hassan is a human rights researcher and trainer. He is the Convenor of the South Asia Collective.

Muhammad Saad is a graduate in International Relations with a particular interest in gender relations and non-traditional threats to human security.

Nabina Sapkota holds an MPhil in Social Work from Tribhuvan University. Her research interest lies particularly in political empowerment of minority women. Most notably, she worked as a regional coordinator of the South Asia Collective.

Abhimanyu Suresh is a human rights researcher with six years of experience working on issues of marginalisation, exclusion and accountability. He holds a Master of Laws (LLM) degree in International Human Rights Law from the University of Essex.

Mariyam Suleman is a researcher from Gwadar, Pakistan, focusing on Balochistan region and its socio-political, economic, and gendered issues. She holds a Master's degree in Gender and Development Studies from the Institute of Development Studies at the University of Sussex.

Samanwita Paul has recently completed her PhD on the Displacement and Politics of Representation of Rohingya Women Refugees in India from Jawaharlal Nehru University. Her areas of interest include refugee studies, political geography and feminist studies. She has published academic pieces in journals and editorials. Prior to this, she has worked extensively on issues pertaining to forced migrants in various refugee-focused and refugee-led organisations. She has been a part of several teams for field research and policy formulation about refugee groups. At present, she is engaged as a Teaching Fellow at the Social Sciences and Humanities Department in the Indraprastha Institute of Information Technology, Delhi, wherein she co-conducts courses on Social and Political Philosophy, Urban Space and Political Power and the Ethics and Governance of Artificial Intelligence.

Sudeshna Thapa is a human rights lawyer and holds an LLM in International Human Rights Law from Lund University, Sweden. She has previously worked as a research assistant to the United Nations Special Rapporteur on Human Rights and Toxics, involved, among others, in research related to the human rights implications of exposure to toxic and hazardous substances on particular groups, including workers and indigenous communities.

Abdul Rahman Yasa has worked extensively as a researcher and activist for human rights and democratic development in Afghanistan. His research interests include artificial intelligence and modern warfare, conflict studies, human rights and migration. Yasa holds a graduate degree in Security and Politics from the OSCE Academy in Bishkek, Kyrgyzstan, and completed a fellowship in humanitarian aid management from Ruhr Universität Bochum, Germany.

Abbreviations and Acronyms

AA	Arakan Army
ACBAR	Agency Coordinating Body for Afghanistan Relief and Development
AJK	Azad Jammu and Kashmir
AJMM	Anti-Junta Mass Movement
AL	Awami League
ANDSF	Afghanistan National Defence and Security Forces
ARSA	Armed Rohingya Salvation Army
ASEAN	Association of Southeast Asian Nations
ASSP	Anjuman-i-Sipah-i-Sahaba
BBC	British Broadcasting Corporation
BBS	Bodu Bala Sena
BCL	Bangladesh Chhatra League
BD	Bajrang Dal
BGB	Border Guard Bangladesh
BHBCUC	Bangladesh Hindu Buddhist Christian Unity Council
BJP	Bharatiya Janata Party
BNP	Bangladesh Nationalist Party
BSP	Burma Socialist Programme Party
CAA	Citizenship (Amendment) Act
CDC	Curriculum Development Centre
CDF	Chinland Defence Force
CDM	Civil Disobedience Movement
CEDAW	Elimination of all forms of Discrimination Against Women
CERD	Convention on the Elimination of All Forms of Racial Discrimination
CE	Common Era
CHT	Chittagong Hill Tracts

CHTC	Chittagong Hill Tracts Commission
CID	Criminal Investigations Department
CNF	Chin National Front
CRC	Convention on the Rights of the Child
CRPH	Committee Representing the Pyidaungsu Hluttaw
CSDS	The Centre for the Study of Developing Societies
CSO	Civil Society Organisation
EAO	Ethnic Armed Organisation
EU	European Union
FIDH	International Federation for Human Rights
FPTP	First-Past-the-Post
FT	Foreigners Tribunal
GSP+	General Scheme of Preferences Plus
HDI	Human Development Index
HRCP	Human Rights Commission of Pakistan
HRD	Human Rights Defender
ICCPR	International Covenant on Civil and Political Rights
ICESCR	International Covenant on Economic, Social and Cultural Rights
ICHR	Indian Council of Historical Research
ICT	Information and Communication Technology
ID	Identification
IDP	Internally Displaced People
ILO	International Labour Organisation
IMLI	International Mother Language Institution
INC	Indian National Congress
INGO	International Non-Governmental Organisation
IS	Islamic State
ISIS	Islamic State of Iraq and Syria
ISKP	Islamic State – Khorsan Province
J&K	Jammu and Kashmir
Ji	Jamaat-e-Islami
JUI-F	Jamiat Ulema-e-Islam (F)
KIO	Kachin Independence Organisation
KNPP	Karenni National Progressive Party
KNU	Karen National Union

KPK	Khyber Pakhtunkhwa
LEA	Law Enforcement Agency
LGBTIQA+	Lesbian, Gay, Bisexual, Transgender, Intersex, Queer or Questioning, Asexual
LLRC	Lessons Learnt and Reconciliation Commission
LTTE	Liberation Tigers of Tamil Eelam
MMDA	Muslim Marriage and Divorce Act
MP	Member of Parliament
NCHR	National Commission for Human Rights
NCPCR	National Commission for Protection of Child Rights
NCRC	National Commission on the Rights of Child
NCSW	National Commission on the Status of Women
NGO	Non-Governmental Organisation
NHRC	National Human Rights Commission
NHRCB	National Human Rights Commission of Bangladesh
NJP	Nepal Janata Party
NLD	National League for Democracy
NLSS IV	Nepal Living Standards Survey IV
NPHC	Nepal Health Professional Council
NPR	National Population Register
NRC	National Register of Citizens
NSA	National Security Act
NUG	National Unity Government
OBCs	Other Backward Classes
OIC	Organisation of Islamic Cooperation
OSH	Occupational Safety and Health
PDF	People's Defence Force
PECA	Pakistan Electronic Crimes Act
PPP	Pakistan People's Party
PR	Proportional Representation
PTA	Pakistan Telecommunication Authority
PTI	Pakistan Tehreek-i-Insaf
PTM	Pashtun Tahaffuz Movement
PWDs	Persons with Disabilities
RAB	Rapid Action Battalion

RPP	Rastriya Prajatantra Party
RSS	Rashtriya Swayamsevak Sangh
SAC	South Asia Collective
SAJC	South Asia Justice Campaign
SC	Supreme Court
SCs	Scheduled Castes
SDG	Sustainable Development Goals
SLFP	Sri Lanka Freedom Party
SLR	Sri Lankan Rupee
SNC	Single National Curriculum
STs	Scheduled Tribes
TLP	Tehreek-e-Labaik Pakistan
TNA	Tamil National Alliance
TNFJ	Tehriki-Nifaz-i-Fiqh-i-Jaafria
TNFP	Tamil National People's Front
UAPA	Unlawful Activities Prevention Act
ULA	United League of Arakan
UN	United Nations
UNAMA	United Nations Assistance Mission in Afghanistan
UNHCR	United Nations High Commissioner for Refugees
UNOCHA	United Nations Office for the Coordination of Humanitarian Affairs
UNODC	UN Office on Drugs and Crimes
UNP	United National Party
UPA	United Progressive Alliance
UPR	Universal Periodic Review
USCIRF	United States Commission on International Religious Freedom
USDP	Union Solidarity and Development Party
VHP	Vishwa Hindu Parishad

Introduction

Background

Given the alarmingly weak commitment of South Asian states to supporting and protecting the rights of their minorities—be they religious, ethnic, linguistic, caste- or gender-based—the latter consistently find themselves victims of exclusion and marginalisation. Now, more than ever, those caught in the crosshairs of antagonism borne out of differences in religion, ethnicity or caste confront the threat of state-led violence and exclusion.

Most countries in South Asia have long history of ethnic and religious tensions that continue to suppress minority voices in political, social and economic spaces. Fragmented politics, and the rise of jingoism further hinder the ability of minority groups in the region from accessing socio-political opportunities and achieving economic mobility. Moreover, hate and prejudice against vulnerable groups are entrenched in all the countries to the extent that they have infiltrated the top tiers of the state, leading to the enactment of economic and political policies and practices codifying anti-minority sentiments. Rising majoritarianism has usurped and supplanted any genuine progress made in advancing minority rights. Clear examples of this include how some states have weaponised blasphemy and anti-proselytisation laws to stifle dissenting minority opinions, even though their enforcement varies significantly from one country to another. Prejudice against minority groups also permeates the education and media sectors. Media content and educational curricula, both overtly and covertly, either misrepresent these groups or reinforce harmful stereotypes about them. The outcome is the normalisation of discrimination and apathy towards those already vulnerable.

Even when opportunities for their participation and represen-

tation are present, they are neither substantive nor sustainable. Furthermore, the growing political instability in the region and worsening socio-economic vulnerabilities often interfere with the ability of minorities to enfranchise themselves. Their task is made all the more arduous by the absence of any regional mechanism and the poor traction of international human rights in the region, to galvanise support for minority rights—effectively crippling any real possibility of change. In this context, this report examines different forms and manifestations of marginalisation in South Asia while also spotlighting the systemic barriers plaguing civil and political rights, economic opportunities and social cohesion in the region.

Who Are the Minorities in South Asia?

Barring a few exceptions, the minorities of one country in South Asia make up majoritarian communities in another, and the persecution as minorities is universal throughout the region. In Afghanistan, the minorities consist of Shia Hazaras, Ismaili Shias, Hindus, Sikhs, Jews and Baha'is. Those at the intersection of religion and ethnicity, such as Shia Hazaras, continue to be targeted by the *de facto* authorities as well as other actors and endure additional challenges to practising their religion. In Bangladesh, religious minorities comprise Hindus, Buddhists, Christians, Ahmadiyyas and smaller communities like Sikhs and Baha'is. The country is also home to two categories of ethnic minorities, including those living in the Chittagong Hill Tracts (CHT) and plainland ethnic groups that receive little, if any, protection from the state. India's many minorities—including Muslims, Christians, Buddhists, Baha'is, Dalits and Adivasis—experience compounding vulnerabilities under the current Bharatiya Janata Party (BJP)-led government. In particular, Christians and Muslims bear the brunt of prejudicial and discriminatory government policies, laws and actions. The situation is scarcely better for Adivasis and Dalits. Theravada Buddhists Bamar (also known as Burman) represent Myanmar's largest ethnic and linguistic majority and hold considerable economic, political and social influence. In contrast, the country's minority groups—Shan, Karen, Rohingya, Chinese,

Indian and Mon—face limited socio-political opportunities and are given minimal space in the national arena, often at the behest of the military state. However, no group suffers discrimination to the extent of the Rohingya Muslims, against whom violence has escalated into persecution since 2017.

Meanwhile, the Khas Arya—the dominant minority group in Nepal—loom large in the country’s economic, social and political spheres. Historically privileged, the group’s rise to power came at the expense of marginalising the country’s numerous ethnic groups. The state’s exclusionary governance extends to religious minorities as well; Muslims and Christians experience curtailed religious freedom due to anti-proselytisation laws and the activism of Hindu nationalist forces that continue to demand that Nepal revert to a Hindu nation. Pakistan’s ethnic minorities, comprising Sindhis, Pakhtuns/Pashtuns and Ismailis, confront under-representation in various state structures due to the discrimination and biases ingrained in both public and private life. As for religious minorities like Christians and Hindus, the situation is notably worse as they confront additional grievances. The state has also failed in its equitable treatment of groups with overlapping religious and ethnic identities, such as the Shia Hazaras and Ahmadiyyas, who face the brunt of the targeting. Likewise, through their privileging of the Sinhalese Buddhist majority, the Sri Lankan state has effectively limited Muslims (Moors and Malays) and Tamils (mostly Hindus) from accessing economic and political processes, whilst Muslims especially face increasing violence and denial of civil rights. Enduring tensions between majority Buddhists and minority Hindu Tamils continue on several fronts.

Left Out: Economic Participation of Marginalised Groups

In the social landscape of South Asia, groups are organised around caste, class, gender and ethnicity, with each compounding identity pulling them further down the social hierarchy. In India and Nepal, for instance, Dalits occupy the lowest position in the social hierarchy. Social discrimination seeps into policies as social hierarchies and power imbalances carry through into public office, restricting access to education, employment, and political

representation to minority groups. Likewise, in Bangladesh and Pakistan, social exclusion of religious minorities is reinforced by biased representation in school curricula. From superimposing teachings that undermine minority identities to extremes where they are depicted as outright threats, minorities—especially religious—remain on the fringes. Even when inclusive policies are enacted, their implementation is caught between societal biases and a lack of political will to implement changes. Consequently, discrimination worsens their economic vulnerabilities.

Across the region, economic progress has come at a heavy cost—reinforcing rather than reducing exclusion. In Bangladesh, for example, despite decades of growth, gains have been inconsistent. Land loss through underrepresentation in civil service and rising social hostilities have worked to corrode the economic security of Hindus, Christians and Buddhists. Similar patterns of economic exclusion follow minority groups across South Asia, arising from discriminatory labour laws, the overwhelming presence of minorities in informal sectors and their limited ownership of land and assets. For instance, the distribution of economic and financial assets mirrors the prevalent cultural, religious and caste-based hierarchies. As a result, Dalits, indigenous and ethnic minorities in these countries seldom possess even movable assets, let alone immovable ones. Another grim picture of the economic situation of minorities is painted by the fact that upper-caste Hindus in India hold nearly twice the household wealth of their minority counterparts. Exacerbating this issue is the rising unemployment rates among Muslims (35.5 per cent in 2023–24). Initiatives intended for minority groups are often exploited by dominant groups in many South Asian countries. Privileged groups in Nepal and India access lucrative employment and educational opportunities, and despite quotas in the civil service for those from minority backgrounds, they are often disadvantaged by early-life barriers that prevent them from being able to fully access affirmative action programmes. In India, additionally, a bevy of policy instruments aimed at cow protection and limiting meat consumption, together with the rise of majoritarian vigilante networks to enforce these, often extra-judicially, has resulted in Muslims as well as Dalits

Economic Representation and Participation: Insights from the South Asia Collective Survey

As part of this year's report, which focuses on the social, economic and political situation of minority communities, the South Asia Collective conducted a regional survey involving both experts and individuals from marginalised communities. Respondents were identified by country teams familiar with the local contexts and communities. The survey aimed to gather insights into the experiences and perspectives of minorities throughout South Asia. A total of 49 participants from Bangladesh, 53 from Pakistan, 95 from Afghanistan, 66 from India, 64 from Sri Lanka and 63 from Nepal contributed to the survey. Across South Asia, employment equality for minority groups is a grim picture. In India, only 21 per cent of respondents believe that minorities have equal access to jobs while 36 per cent responded with 'Somewhat' and 32 per cent with an outright 'No'. In Nepal, meanwhile, a significant 41 per cent believed that minorities do not have equal access to employment due to discrimination as well as a lack of education and skills.

In Afghanistan, the scenario is even more concerning, with a staggering 88 per cent of the respondents convinced that minorities are left out from job opportunities. Pakistan follows closely, with 72 per cent acknowledging employment discrimination—particularly against religious minorities. Bangladesh, at 69 per cent and Sri Lanka, at 63 per cent, also expressed significant concerns, especially about access for Hindu and Tamil communities, respectively.

Why So Unequal?

When asked why such inequality persists, the answers struck a familiar chord. Religious discrimination emerged repeatedly, particularly in Pakistan, India, Nepal and Bangladesh—where one's faith can still shut doors. In Sri Lanka and Afghanistan, ethnicity- and language-based bias was a recurring theme. A long list of litanies also appeared: lack of political representation, poor access to quality education and state neglect. Some even expressed fear of reprisal—suggesting that speaking up comes at a price, despite technically having policies to protect minorities. Additionally, respondents were quick to point out that what exists on paper does not always translate into practice.

engaged in animal husbandry and retail meat production and sale, to lose their traditional livelihoods.

The participation of Bangladesh's minorities in economic processes is equally fraught. Historical and structural barriers inherited from past generations continue to shape economic interactions among different groups. State-sponsored activities and land encroachment by dominant groups in the country add to these issues. In the CHT, for instance, where indigenous land ownership was around 95 per cent before 1947, it has dropped to 50–60 per cent by 2024, with indigenous and religious communities effectively displaced from their settlements. Additionally, the state's promotion of the Bengali Muslim identity works to subtly endorse economic discrimination against minority groups.

A similar ethno-majoritarian dynamic exists in Sri Lanka, where extensive state-led projects such as the Mahaweli Development Scheme, the multipurpose national development program that began in 1961, are closely tied to Sinhala-Buddhists. While Sinhala settlers have been moved to traditionally Tamil- and Muslim-majority areas since the colonial period, altering local demographics, state-driven development continues to displace Tamils and Muslims disproportionately, something also being attempted by authorities in Indian-Administered Kashmir. Whereas Bangladesh and Sri Lanka have used development and land policies as tools of majoritarian consolidation, the scenario in Pakistan is only marginally better. Despite the expansion of economic initiatives, minority experience widespread discrimination in both hiring and promotion. Their economic vulnerability is further reinforced by their limited access to education. These groups also face constant threats of blasphemy accusations, which often result in job loss, imprisonment and, in extreme cases, violent killings.

The situation is most acute in Afghanistan and Myanmar, where the paralysing humanitarian crisis has worsened and severely diminished economic opportunities—not only for minority groups. Economically, the decline in job opportunities in the formal sector in Myanmar has led to the rise in informal, low-wage employment. This has adversely impacted minority communities. Meanwhile, under Taliban rule, conditions have been particularly damaging to

women's participation in the economic sector, with an estimated loss of 25 per cent of jobs held by women. Strict prohibitions on women's education and employment in NGOs further highlight the compounded effects of gender and ethnic discrimination.

Minority Voices in the Socio-Political Sphere

Across South Asia, religious and ethnic minorities face serious challenges in participating in political, social, and cultural life. In all the seven countries covered by this report, majority communities dominate the state and public institutions. While the form and intensity of exclusion differ, the marginalisation of minorities through centralised power, discrimination and lack of meaningful inclusion are common.

Political non-participation and non-representation of minority groups in South Asia signal deliberate attempts by states in the region to censor their most vulnerable populations. Often, states knowingly and wilfully weaponise exclusionary tactics to undermine the concerns of minorities. Discriminatory citizenship laws, voter suppression, gerrymandering and state-led violence are significant trends throughout the region. A multitude of factors—ranging from institutional to legal and social—contribute to this debilitating condition.

In Afghanistan, the Taliban's takeover has dismantled all democratic institutions, forcing the state to revert to religious monolithism once more. The Taliban's reinstatement of its 1990s ethnic-based political system—made up exclusively of men from Pashtun backgrounds—and the re-imposition of Sharia law have effectively forced out ethnic and religious minorities' political participation from the public arena. As a result of the Taliban's suspension of the country's legal framework, any modest gains made in civil rights have come undone. Power is centralised in an unelected, all-male, all-Pashtun leadership. Elections have been abolished, and there is no space for minorities or women in governance.

Myanmar's situation is similar. Following the 2021 coup, the military junta has ruled with an iron fist. Myanmar's state structures are militarised and ethnically stratified, favouring

Burmans and excluding non-‘national races’ like the Rohingya—a case in point being the latter’s inability to obtain citizenship. While opposition forces like the National Unity Government (NUG) have emerged with some intent to include minorities, participation remains limited, and deep mistrust endures due to historical Burman dominance.

Issues regarding the acquisition of citizenship are also prevalent in India and Nepal. In India, advocacy groups have consistently raised concerns about the discriminatory intent behind legislation such as the Citizenship Amendment Act (CAA) and the National Register of Citizens (NRC), which aim to expedite citizenship for migrants from neighbouring countries, all the while excluding migrant Muslims from that same coverage. Likewise, until recently, Nepal’s Madheshis experienced hurdles in obtaining their citizenship—largely owing to their origins in Madhesh, a region with strong cultural, ethnic and identity ties to neighbouring India.

Beyond overt hostility, ethnic and religious minorities also end up excluded from essential electoral processes across the region. Many systemic hurdles affect such groups, particularly in Bangladesh, India and Pakistan. For instance, as evidenced in the campaign activities of the BJP leading up to the 2024 general election, Muslims, Christians and Sikhs who opposed their policies were labelled ‘anti-nationals’. In Bangladesh and Pakistan as well the electoral rights of minority groups are routinely undermined during elections. In more extreme cases, attempts are even made on their lives to prevent individuals from minority faiths from voting. This, in turn, has the unfortunate effect of diluting minority groups’ presence in federal and provincial legislatures.

In fact, when it comes to the political participation of minorities, their year-on-year representation in parliament has been declining across the region, with particularly low occupancy in key decision-making roles, despite introduction of electoral quotas in legislative bodies for minority groups in countries such as Nepal and Pakistan. It is often through these quotas that the region’s minorities are elected; however, since they largely do not transition into decision-making positions, this representation remains superficial.

Despite these challenges, South Asia has made strides in

recent years—evident in the increased adoption of initiatives for promoting inclusivity even if it has not fundamentally changed the nature of exclusion. Compared to their population, Muslims in India are woefully under-represented also in the military, judiciary and civil services. Bangladesh shows similar patterns—minorities, particularly indigenous groups and Hindus, are largely absent from high-level bureaucratic and military positions, and policy influence is minimal. In Sri Lanka, Tamils are marginalised from national institutions, including the military and judiciary, despite peace processes.

Even in countries with electoral democracy—India, Bangladesh, Nepal, Pakistan and Sri Lanka—majoritarianism continues to dominate. Muslim representation in India's Parliament is at a historic low, attributed both to ruling BJP denying them tickets but also the opposition increasingly shying from it, leading to a glaring absence from the executive, with no Muslim member in the central cabinet today. Likewise, in Bangladesh and Sri Lanka, minorities often serve as a vote bank rather than agenda-setters. Particularly in Sri Lanka, Tamil political participation exists but is severely undermined by limited devolution of power. While India, Bangladesh and Sri Lanka offer at least formal participation through elections, Afghanistan and Myanmar have functionally erased minority political representation through authoritarian rule.

Throughout the region, cultural participation is increasingly shaped by state-sponsored or tolerated majoritarianism, where national identity is equated with a dominant ethnic or religious group. Bangladesh, India and Nepal do this have begun institutionalising exclusion, while Myanmar and Afghanistan enforce it overtly and often violently. In India, the Hindutva narrative dominates public discourse, whereas in Bangladesh, Bengali Muslim identity supersedes all else. Likewise, in Sri Lanka, the Sinhala-Buddhist ideology drives state narratives in education and public life and is mobilised against Tamils and Muslims. Myanmar suppresses minority cultural practices by targeting Muslims—especially the Rohingya—for erasure. Afghanistan enforces a blanket ban on cultures other than Sunni-Pashtun, forcing non-Sunni children into religious indoctrination.

Political Representation and Participation: Insights from the South Asia Collective Survey

Asked if minority groups have the opportunity to participate in sub-national elections, an overwhelming 42 per cent of the respondents from Afghanistan said ‘No’, with only 17 per cent saying ‘Yes’. In India, 48 per cent believed that minority groups have the opportunity to participate in elections at all levels. However, a significant proportion—31 per cent—felt this was only somewhat true. Meanwhile, in Sri Lanka, an impressive 86 per cent thought participation in such elections was possible, with no one replying negatively and the rest answering ‘Mostly’. In Bangladesh, 39 per cent felt that minority groups could participate in sub-national governance. In Pakistan, 34 per cent believed it was possible, while 13 per cent answered ‘No’. While a majority of respondents from Nepal felt that participation is either fully (43 per cent) or mostly (19 per cent) possible, a significant proportion expressed doubt, believing that minority participation happens only occasionally (30 per cent) or not at all (8 per cent).

As for the question about whether minority voices are represented in the political arena, an overwhelming 79 per cent of the respondents in Afghanistan said they are not. In Bangladesh, it was 62 per cent saying ‘No’. In Sri Lanka, only 13 per cent believe they can participate, while 38 per cent reported a clear ‘No’. In Pakistan, 60 per cent stated that minority voices are not represented, with only 8 per cent saying they are. The majority of the respondents from Nepal feel that minority voices are not adequately represented in the political arena. Nearly half (47.6 per cent) said a definitive no, while 39.7 per cent believed minorities are somewhat represented. Only 9.5 per cent felt minorities are mostly represented.

Enabling Factors for Minority Participation in Elections

In the countries surveyed, respondents identified a range of factors that have allowed minority groups to participate in politics—though often only at a basic level. Constitutional guarantees such as the right to vote, the joint electorate and reserved seats for minorities were consistently cited as factors foundational to change. Moreover, respondents from India, Sri

Lanka and Nepal underlined the significance of legal safeguards, anti-discrimination laws, electoral changes and quota systems as catalysts of change, especially for Dalit and Adivasi groups and women's participation. In contrast, respondents from Bangladesh and Pakistan emphasised the importance of international pressure, increased access to media and technology and the ongoing work of human rights activists and grassroots groups as essential drivers of change. However, participation is often limited in practice. Respondents, especially in Pakistan, pointed out that while minorities may vote or contest reserved seats, they are excluded from meaningful leadership roles within broader political structures. High campaign costs and religious restrictions (e.g., barring non-Muslims from becoming president or prime minister) were all identified as hindrances.

Conflict and militarisation play a central role in upholding systems of exclusion. The legacy of the civil war in Sri Lanka and ongoing militarisation in Tamil regions suppress civic space and reinforce ethnic hierarchies. Myanmar and Afghanistan are in active conflict, where dissent is criminalised and minorities are frequently targets of state and non-state violence. In India, dissenting minority voices face legal persecution and social hostility. Bangladesh suppresses dissent through surveillance and political control but avoids militarisation in most areas, except the CHT.

Ideology and the drive to make the nation in the majoritarian image for political and economic control, however, undergirds much of this majoritarian thrust across South Asia: Sanatan Hindu supremacy in India (and potentially Nepal as well), Sunni Muslim supremacy in Afghanistan and Pakistan, and Buddhist supremacy in Sri Lanka and Myanmar.

In short, across all seven countries, minorities are severely underrepresented in state institutions, but the mechanisms differ—from violent exclusion and ethnic cleansing (Afghanistan and Myanmar) to soft exclusion through electoral manipulation or bureaucratic gatekeeping (India, Bangladesh, Sri Lanka, Pakistan and Nepal), although the boundaries are fast diluting, and violence

is increasingly becoming the norm throughout the region. Despite some constitutional protections or inclusion frameworks, or mitigating factors such as scale of minority populations and inherent diversity, coming in the way of unbridled majoritarianism, these factors often fall short in the face of from-the-top majoritarian politics and centralised state power.

From Margins to Mainstream

There is the pressing need to bolster the participation and representation of minority groups in the economic, political and social spheres across the region. Political exclusion, economic volatility and social ostracism have come together in a toxic mix to prevent minority groups from asserting their rights and unlocking their full economic potential. Often, both state and non-state actors have launched assaults on the civil rights of minorities under the guise of defending nationalism, religion or economic interests. History indicates that addressing these grievances will be a complex process. Recent evidence suggests that it will require dismantling barriers contributing to their marginalisation, including moving beyond tokenistic representation, empowering institutions that support true representation and safeguarding state and institutional memory. Specifically, achieving economic parity requires bridging financial disparities and this can only come about through the creation of heightened opportunities and increasing access to property and other financial resources.

While legislative measures, affirmative action and social security signal a move in the right direction, they are far from sufficient to guarantee the successful inclusion of minority groups in governance. The participation of minority groups in the region's political arena remains a work in progress, with numerous countries experiencing inadequate civil rights protection. Any attempt at ensuring the fair treatment and representation of minorities in South Asia will require commitments and collaboration among governments, civil society organisations, the media and international bodies. The flourishing of an inclusive society that enables minorities to fully engage in political, economic and social life calls for the reimagining of a state order based on equity. Only

then can minorities benefit from accessing the amenities of the state. Granted, structural discrimination and exclusion cannot be weeded out overnight, but consistent and steady efforts will gradually enable minority communities to enjoy rights on par with others. Highlighted below are specific recommendations that could be adopted by both state and non-state actors.

States

- Introduce electoral quotas and amend civil rights frameworks for fair political participation and representation.
- Repeal discriminatory laws and enact ones that guarantee substantive equality, particularly in areas of citizenship and religious freedom.
- Introduce and enforce affirmative action programmes in economic and employment sectors and implement fair employment policies to uplift marginalised communities.
- Guarantee equal access to quality education, healthcare and housing for minority groups on par with the dominant majority.
- Enact labour policies that encourage the formalisation of informal sectors and bring under state purview workers employed in these sectors.
- Strengthen law enforcement mechanisms to respond to hate crimes and ensure fair trial in holding perpetrators accountable.
- Revisit educational curricula to identify and subsequently rectify discriminatory and other forms of misrepresentation of minority groups.
- Uphold commitments arising under various international human rights bodies—like the International Covenant on Civil and Political Rights, the International Covenant on Economic, Social and Cultural Rights, the Convention on the Rights of the Child, and the Convention on the Elimination of All Forms of Discrimination Against Women—and transpose them into their domestic legal framework.
- Collect and regularly publish data on minority groups' access to political, economic and social rights.

Civil society

- Enhance efforts to track, record and publicise how authorities ensure that minorities, particularly religious, have access to rights and services.
- Raise awareness about participatory governance and minority rights at the grassroots level.
- Lobby for discriminatory legislation reform to protect the rights and freedoms of minority groups.
- Encourage fair media representation of minority groups to ensure the removal of harmful and stereotypical representation in popular culture.
- Monitor, document and report rights violations and hold governments and national human rights institutions accountable.

The UN and Wider International Community

- Encourage states to comply with their international human rights standards and ratify new and relevant rights standards.
- Provide technical support to states in holding perpetrators of human rights violations accountable.
- Support states in domesticating relevant international human rights standards.
- Ensure that states comply with their international human rights obligations.

Taliban War Against Minorities in Afghanistan

Abdul Rahman Yasa and Sayed Hussian Anosh

Research Summary

This report explores the worsening plight of ethnic and religious minorities in Afghanistan since the Taliban's return to power in August 2021. It provides a comprehensive analysis of the socio-political, economic and cultural challenges faced by groups such as the Hazaras, Tajiks, Uzbeks, Hindus and Sikhs, alongside broader systemic issues under the Taliban regime.¹

The study highlights how the Taliban's ethnically driven policies and actions have led to widespread human rights violations and abuses, including forced evictions, targeted killings, political exclusion and economic marginalisation. The situation is further exacerbated by the dismantling of legal frameworks and institutions that previously protected human rights, resulting in unprecedented levels of vulnerability for minorities, women and civil society actors.

The research draws from a mixed-methods approach, incorporating an online survey of 95 members of minority groups and experts, as well as extensive desk research from credible sources. Key findings include:

- Systematic discrimination and repression against minorities, with 98 per cent of the respondents of the study's survey

¹ Technically, there is no official and accurate census to scientifically prove which ethnic groups are majorities and minorities. However, some ethnic groups have been historically marginalized and denied of equal access to power, politics, and economic opportunities. The Taliban's policies are geared toward this and have destroyed some of the progress made in the past two decades. From a religious perspective, Muslims are the majority, with the Sunni Islam having the most followers in the country.

saying that minority groups are prone to discrimination in the workplace.

- Forced evictions are affecting thousands, often accompanied by the destruction of property and livelihoods.
- Political disenfranchisement occurs when minority groups are excluded from governance and decision-making processes.
- Economic exclusion through discriminatory employment practices and the Taliban's enforcement of not recruiting non-Taliban and discriminatory directives.
- Restriction of cultural and religious freedoms, including bans on ceremonies like Nowruz and forced assimilation policies targeting ethnic and religious minorities.

The report concludes that these systematic violations represent a continuation of Afghanistan's history of ethnic tensions and repression, now exacerbated under the Taliban's rule. It underscores the urgent need for targeted interventions by international actors, including targeted sanctions on Taliban leaders who are blamed for gross human rights violations, humanitarian aid and advocacy for minority rights to mitigate the ongoing humanitarian crisis.

Key recommendations of this report include:

- Strengthen international accountability for the Taliban by introducing an independent investigative mission, complementing the current UN Special Rapporteur for Afghanistan. Support the implementation of the recent International Criminal Court (ICC) arrest warrants for key Taliban leaders and ensure member states take decisive action to enforce these orders, including through targeted sanctions and international cooperation.
- Fund minority-focused education and livelihood programs in Afghanistan through local and international partnerships. Establish vocational training, scholarships, and mentorships while providing microfinance and startup grants. Ensure impact through community feedback and regular evaluations.
- Enhance international monitoring of aid distribution in Afghanistan by establishing an independent oversight body

that conducts regular audits, ensures transparency and prevents discrimination. Implement a standardised tracking system to verify that aid reaches vulnerable groups equitably, with periodic reporting to international organisations and donors.

- Advocate for a more inclusive political framework in Afghanistan to represent minorities and marginalised communities.

This report serves as a critical call to action for governments, international organisations and civil society to address the escalating humanitarian crisis and promote accountability, inclusivity and justice in Afghanistan.

Problem Analysis

Afghanistan has a long history of repression against ethnic and religious minorities, and the Taliban's return to power has only worsened this legacy. Under the Taliban's rule, all parts of the country have been impacted. However, certain ethnic and religious communities, including the Hazaras, Tajiks, Uzbeks, Hindus and Sikhs, as well as women and girls, have experienced systematic repression, including targeted killings, forced evictions and discrimination. Meanwhile, the Hazaras have experienced double layers of violence due to their distinct religious and ethnic identity. They are targeted by both the Taliban and other extremist groups, namely the Islamic State—Khorasan Province (ISKP), with the former being historically hostile towards this ethnic community.

In addition to direct violence, ethnic and religious minorities have been categorically excluded from key social, economic and political processes under the Taliban. With little representation in government and limited access to economic opportunities, these communities are now marginalised and remain powerless to influence decisions that affect their lives. And yet, the Taliban's dismantling of key legal and institutional protection mechanisms and their replacement with draconian decrees and orders amidst a closed civic environment aggravated the depth of injustice, and worsened the already humanitarian crisis, leaving ethnic and

religious minorities, as well as women and girls, more vulnerable than ever.

Over the last four decades, Afghanistan has been plagued by a never-ending conflict that has effectively dismantled the country's ability to thrive and restore stability. Ethnically motivated incentives remain at the centre of the myriad contributing factors for these protracted tensions. Ethnic conflict in Afghanistan is historically centred on which ethnic group would dominate the state and resources, and yet subordinate others. This ethnic-based politics was established by Abdur Rahman Khan in 1880, when the country was initially founded.² Similar dynamics persisted over the following periods and became a significant element in the Taliban's re-control of Afghanistan in August 2021. Since then, the Taliban has engaged largely in deliberate and systematic human rights violations.³ The policies it has introduced, and measures it has taken, are dragging the country into an unpredictable new phase of ethnic conflict, characterised by grave human rights violations.

Before the Taliban's rise to power in mid-2021, despite plenty of challenges, significant democratic gains had been made over the past two decades since the U.S.-led forces toppled the Taliban's first rule in late 2001. Among these gains were establishing democratic structures, albeit deficient, to promote and protect human rights, given the country's multi-ethnic, pluralistic character. The formation of a constitutional framework in 2004 largely guaranteed fundamental human rights, including a clear regard to Afghanistan's international human rights obligations. Article 22 of the Constitution, for instance, prohibited all kinds of discrimination and distinction among Afghanistan's citizens, underscoring equality in rights and duties before the law, regardless of gender.⁴ In addition to a plethora of other legal

2 Thomas Barfield, 'Afghanistan's Ethnic Puzzle: Decentralising Power Before the U.S. Withdrawal', *Foreign Affairs* 90, no.5 (2011): 57, <https://shorturl.at/zuwDK>.

3 Amnesty International, 'Afghanistan: Three Years of Taliban Rule and International Inaction Have Left Afghan Community with Little Hope', Amnesty International, August 15, 2024, <https://shorturl.at/SymVd>.

4 'Constitution of Islamic Republic of Afghanistan 2004', UN Women: Global Gender Equality Constitutional Database, March 6, 2024, <https://shorturl.at/iS9xN>.

reforms guaranteeing fundamental rights, a thriving media sector and civil society combined with several key democratic institutions that had emerged to facilitate the path to democracy and equal opportunities.

Yet, the Taliban's comeback two decades later in 2021 dramatically rolled back this hard-fought progress. The Taliban restored its 1990s ethnic-based political system of all-male, predominantly from the Pashtun ethnic group. This political system is mainly characterised by autocratic and patriarchal-totalitarian tendencies, personalised ethnic based governance, combined with a systematic disregard for the rule of law and human rights. In one of its earliest actions, after seizing power, the Taliban suspended the country's national constitution, which was the guarantor of certain fundamental rights. The regime has taken steps further to dismantle other legal frameworks and policies, among which are the Access to Information Law, Media Law, Political Parties Law, combined with certain institutions, such as the Afghanistan Independent Human Rights Commission, Ministry of Women Affairs, electoral institutions, both Houses of Parliament and removed the system of checks and balances and accountability mechanisms, vital institutions which once played a critical role in ensuring access to justice.

Instead, the Taliban imposed a system of repression through a tightly interlinked patchwork of written and verbal decrees, policies and systematised conduct that effectively impacted the life of all Afghans. Despite the enormous risk, human rights defenders (HRDs), journalists and activists, especially those from minority groups, have raised their concerns, defying the Taliban's draconian policies and practices, and have faced systematic violence.⁵ Certain ethnic and religious groups, among which include Hazaras, Tajiks, Uzbeks, Hindus, Sikhs and Jews, experienced widespread systematic discrimination and repression by the Taliban. Evidence indicates hundreds of families belonging primarily to Hazaras, Tajiks and Uzbeks have faced forced eviction, with their lands and other properties being taken and given to the Taliban affiliates

⁵ 'Afghanistan 2023', Amnesty International, accessed February 28, 2025, <https://shorturl.at/yqDv6>.

and members.⁶ The largest eviction, for example, took place across fifteen villages in Daikundi and Uruzgan provinces in September 2021, in which at least 2800 Hazara residents were forcibly displaced from their residential areas.⁷ Various accounts also testify to the Taliban's massive, targeted killings, enforced disappearances and other ethnically motivated persecution.⁸

Additionally, the Taliban has greatly undermined the country's cultural heritage and collective identity. The rough instances include forced confiscation and prohibition of books related to Afghanistan's ethnic history and Shia-Muslim sect, mandatory speaking Pashtu in government offices, one of many languages spoken in Afghanistan, withholding the Persian new year holiday known as Nowruz and certain religious ceremonies such as Muharram.⁹ Such actions have and continue to erode the country's social cohesion and present a grave threat to ethnic and religious identity.

Against this backdrop, this research examines the situation of ethnic and religious minorities under the Taliban since August 2021. It explores how the Taliban's rise to power is perceived by ethnic and religious groups, namely in their socio-cultural, economic and political lives. It also assesses some key drivers of ethnic violence in Afghanistan. To this end, this research places great emphasis on data collection to provide a thorough situational analysis. An online survey was conducted with 95 members of ethnic and religious groups, as well as experts with extensive contextual knowledge. An extensive body of literature, combining relevant research work, policies and reports, has also been reviewed to help delve into the subject.

6 Human Rights Watch, 'Afghanistan: Taliban Forcibly Evict Minority Shia', October 22, 2021, <https://rb.gy/x9r6zg>. Natiq Malikzada, 'Afghanistan's Future after the Taliban Takeover: Civil War or Disintegration', *Atlantic Council*, 1 March 2022, <https://rb.gy/ejvbie>.

7 Human Rights Watch, 'Afghanistan: Taliban Forcibly Evict Minority Shia', October 22, 2021, <https://shorturl.at/mBuR4>.

8 Afghanistan Analysts Network, 'Rawadari Report: Targeted and Extrajudicial Killings Surge under Taliban Rule', April 19, 2024, <https://shorturl.at/zDqLo>.

9 Joyana Richer and Belquis Ahmadi, 'Taliban's Attacks on Diversity Undermine Afghanistan's Stability', *United States Institute of Peace*, May 16, 2024, <https://shorturl.at/7cpte>.

Research Methodology

A mixed-methods approach, incorporating both qualitative and quantitative methods, were used for this study.

Desk Research includes extensive review of critical literature, such as reports from the UN Special Rapporteur (SR) on the situation of human rights in Afghanistan, outputs from civil society, think-tanks, and human rights groups. This also includes the Taliban's policies and directives introduced since its rise to power.

An Online Survey was conducted with 95 experts and members of minority groups with a view to navigate key problems faced by minorities in Afghanistan.

It is worth mentioning that full ethical considerations, including informed consent, were obtained and a no-harm approach was applied in the survey. All respondents' personal identities and sensitive information were kept confidential to ensure their safety. Participants were selected through a consultative process to ensure meaningful outcomes and inclusivity.

Of the 95 individuals surveyed, 40 per cent were aged 35 to 44, over 33 per cent were between 25 and 34, and 20 per cent were aged 45 to 54. The remaining 7 per cent consisted of individuals aged 18 to 24 and those 55 and above (Figure 1).

Regarding gender participation, just over 72 per cent of respondents were male, slightly more than 26 per cent were female and less than 1 per cent identified as third gender or chose not to disclose their gender (Figure 2).

Approximately 81 per cent of respondents were from urban areas, over 11 per cent from rural areas, and nearly 7.5 percent from suburban locations (Figure 3). Additionally, slightly more than 45 per cent were legal citizens residing in Afghanistan, while 52.6 per cent were refugees or living abroad. Lastly, around 2 per cent of respondents identified as stateless (Figure 4).

Figure 5 illustrates the ethnic participation of respondents, with Hazaras making the largest group at approximately 33 per cent of the total, followed by Uzbeks, Tajiks and other minority groups. Additionally, 21 per cent of respondents either identified themselves as LGBTQ+ or chose not to disclose their ethnicity.

Lastly, the questions were organised into three key areas of

Figure 1: Age And Gender Category Of Respondents

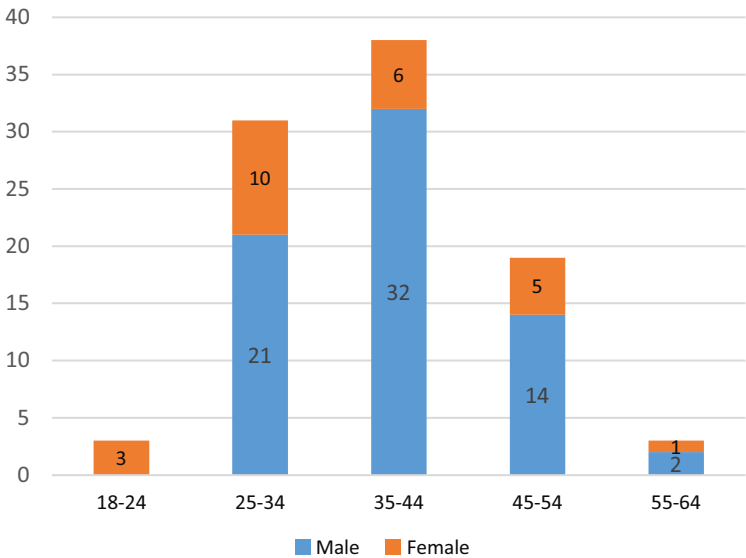
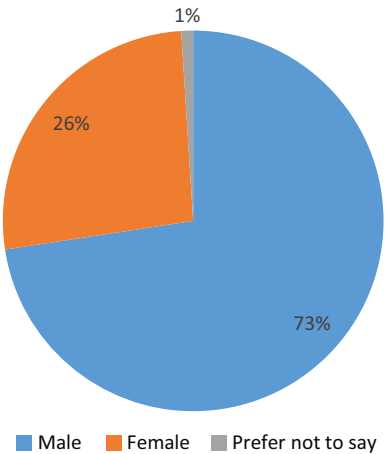


Figure 2: Respondents Gender Division



fundamental rights: socio-cultural rights, economic rights and rights to civic and political participation. Within each category, respondents also had the opportunity to share their overall views in a descriptive manner.

Figure 3: Location

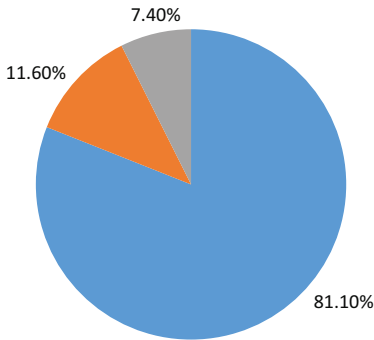


Figure 4: What Is Your Current Citizenship Status?

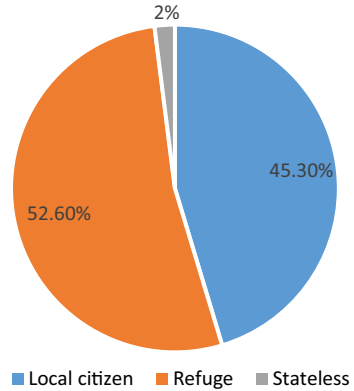
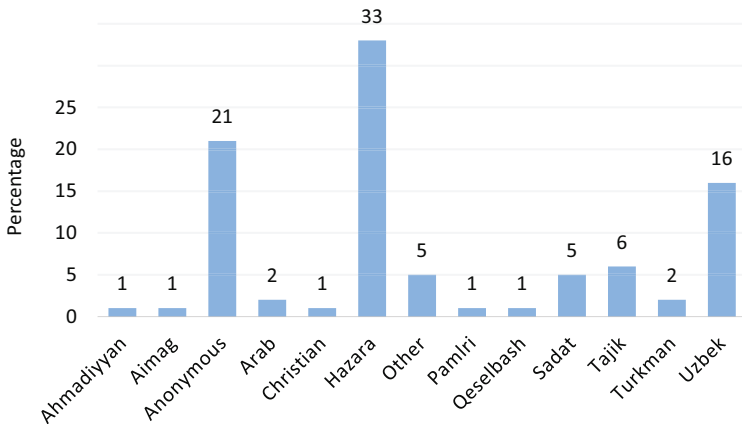


Figure 5: Ethnic Or Religious Division Of Respondents



Research Objectives

The overall objective of this study is to analyse the life of Afghanistan's minorities under the Taliban, with a view to reflecting on the challenges they face in their socio-cultural, economic and political participations. Since its rise to power, the Taliban has effectively abolished legal structures and reversed key human rights institutions. Therefore, studying the ramifications of these regressions, along with drivers, on minorities remains a significant aspect of this work.

Additionally, conducting desk research and beneficiary survey with 95 individuals from minority groups are also important parts of this work. This helps provide a list of feasible recommendations for various stakeholders to advocate and improve the situation for the country's ethnic and religious minority groups.

Research Significance

Several key aspects contribute to the significance of this research. First, this study explores how ethnicity has functioned as one key source of conflict in Afghanistan. In other words, Afghanistan's multi-ethnic character has been instrumentalised to shape ethnic politics. Second, this research provides an in-depth analysis of the Taliban's repressive treatment of ethnic and religious minorities within a long-established ethnic-centred politics. By examining the Taliban's systematic discrimination and violence, this study highlights the ongoing intensifying humanitarian crisis and specific vulnerabilities of minorities under the Taliban. This study is crucial to understand the broader implications of the Taliban's brutal policies on human rights, reflecting on the worsening conditions in which civic space is severely restricted and large segments of the society are culturally, economically and politically stripped of their fundamental rights. Finally, it highlights the pressing need for targeted interventions by various stakeholders to uphold human rights and reinforces the call for accountability and transparency in humanitarian aid to ensure equitable access for vulnerable groups, including ethnic and religious minorities, as well as women and girls.

Overview of Ethnic Divisions in Afghanistan

Afghanistan's Ethnic Puzzle: One Major Driver of Conflict

Afghanistan's 2004 Constitution listed the country's over 30 million population under several ethnic groups, such as Pashtuns, Tajiks, Hazaras, Uzbeks, Aimaqs, Turkmens, Baluch, Pashai, Nuristani, Aymaq, Arab, Qirghiz, Gujur, Barahui, and recognised other small

ethnic identities.¹⁰ Due to its multi-ethnic character, Afghanistan is often known as a land with demographically diverse cultures and languages. Given these diversities, none of the above-mentioned ethnic groups constitutes a majority. Instead, each ethnic group constitutes the majority in a region or spreads across provinces of Afghanistan.¹¹ For example, Pashtuns are concentrated in the south and east, Tajiks in the northeast and west, Hazaras in the central provinces and Uzbeks in the northwest. Nonetheless, disputes over who constitutes a majority in the country have long been a major source of conflict. The absence of nationwide accurate census data, determining the exact percentage of each ethnic group, has further added to the dilemma and thus fuelled inter-ethnic political contentions.

In fact, ethnicity has always been the centre of politics in Afghanistan, while noting other factors such as ideology, unfair resource distribution and conflict between urban and rural areas are significant too. Networks, parties and movements have historically been formed around ethnic identity, not only for domination over power and resources but also over subordination and territorial control. Ethnicity has also become a strong conduit of patronage and protection, especially during times of internal conflicts and the subjugation of smaller ethnic groups. Historically, such an understanding has existed for more than a century now, since the 1880s, when Abdur Rahman Khan came to the throne, and repressed all voices critical of his government, putting down more than 40 uprisings that killed more than 100,000 people.¹² He concentrated all political power in the capital Kabul, and ended the regional political autonomy that had formerly characterised Afghanistan.

Since then, the Pashtuns emerged as Afghanistan's politically, socially and economically privileged group, although the Tajiks ran some administrative level positions. Certain ethnic groups, such

¹⁰ 'Constitution of Islamic Republic of Afghanistan', UN Women: Global Gender Equality Constitutional Database, March 6, 2024, <https://shorturl.at/loxyR>.

¹¹ Thomas Barfield, 'Afghanistan's Ethnic Puzzle', 46.

¹² Thomas Barfield, 'Afghanistan's Ethnic Puzzle'.

as Uzbek, Aimaq and Turkmen leaders disappeared from public life, including from their home regions. The Hazaras, meanwhile, faced active discrimination. In the 1880s and 1890s, Abdur Rahman Khan carried out an extended campaign of violence against Hazaras, resulting in their mass killings, enslavement and forced displacement of approximately 60 per cent of the entire Hazara population.¹³ Distinct ethnic and religious identity has been among the major factors for these onslaughts against Hazaras that continue to a large extent to the present time.

Therefore, divisions along ethnic lines characterise politics and tensions in Afghanistan, and these have played a significant role in the re-emergence of the Taliban in 2021, which is predominantly a Pashtun movement. The Taliban, now controlling Afghanistan, already has an infamous human rights record, mainly from 1996 to 2001 when the group first ruled the country. During this time, the Taliban has engaged in widespread atrocities, among which stand the killing of thousands of people from other ethnic and religious communities. These acts of persecution included massacres of thousands of predominantly Hazara civilians in Mazar-e-Sharif during August and September 1998.¹⁴ The Taliban's return to power in 2021 sparked fears and traumatic memories for members of the Hazaras and other ethnic and religious groups.

Ethnicity and Discrimination During the Fallen Republic

The outcome of the 2001 Bonn Conference led to the establishment of a strong centralised republic system with the participation of the country's major ethnic and religious backgrounds. Although non-Pashtun participants of the Conference, from different ethnic groups, advocated for a less centralised and more representative political structure to accommodate the country's diverse ethnic makeup, the Conference's outcome resulted in a strong centralised Afghan state, with Hamid Karzai, an ethnic Pashtun, to run the

¹³ Mehdi J. Hakimi, 'The Afghan State and Hazara Genocide', *Harvard Human Rights Journal* 37, (2024): 82, <https://shorturl.at/2mePc>.

¹⁴ Barnett Richard Rubin, 'Constitutional Issues in the Afghan Peace Negotiations: Process and Substance', *The United States Institute of Peace*, November 13, 2020, <https://shorturl.at/MFHf3>.

executive power traditionally.¹⁵ This model of arranged marriage offered the president a vast constitutional power, including, among other things, the authority to appoint ministers, Supreme Court justices and all provincial and district-level officials. In ensuing years, its effectiveness was undermined by systematic corruption, a patron-client system based on ethnic chauvinism, which steadily marginalised ethnic and religious minorities.

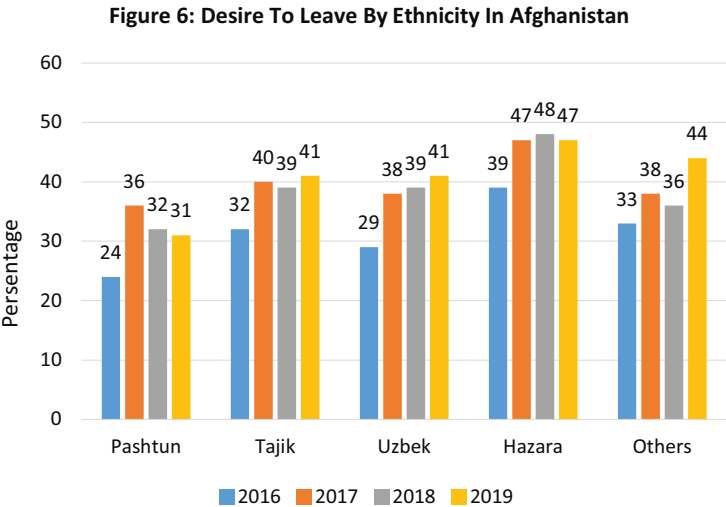
The 2014 presidential election, which ended Hamid Karzai's nearly two terms in office, gave a new surge in ethnic discrimination. Karzai's successor, President Ashraf Ghani and his shared-power holder, Abdullah Abdullah, formed a so-called National Unity Government, the outcome of a long-disputed fraudulent election. During his presidency, Ashraf Ghani made several controversial decisions that largely furthered the already existing political tensions among the country's ethnic groups. First, he took hard measures on the rights to freedom of association and protest that greatly impacted the ability of all and especially ethnic and minority groups. The decision came after three major protests took place between 2015 and 2017 in response to deteriorating security and economic conditions that were largely triggered by the drawdown of foreign troops in 2014. The massive protest known as the Tabassum Movement took place in 2015 when seven Hazara civilians were beheaded in Zabul province. One year later, in 2016, a suicide attack carried out by IS-KP targeted a civilian protest in Kabul that killed at least 80 people and wounded more than 200 others. The protesters, belonging to the Hazara ethnic and religious minority, were calling for justice and ending ethnic discrimination by the Ghani-led government. In 2017, after a truck bomb killed more than 150 people in Kabul, a large group of civilians marched towards the presidential palace to demand justice and security. The security guards, including President Ghani's security service men, opened fire on demonstrators that killed at least six of them. Shortly after, President Ghani put restrictions on the freedom of association and public protests.¹⁶

15 Barfield, 'Afghanistan's Ethnic Puzzle', 61.

16 Jennifer Brick Murtazashvili, 'The Collapse of Afghanistan', *Journal of Democracy*, 33, no. 1 (2022): 45.

Second, the non-Pashtun ethnic groups were largely sidelined during President Ghani’s two terms in office from 2014 until he fled the country following the Taliban’s takeover in August 2021. He deposed many officials from key positions and replaced them with his ethnic Pashtuns. For example, in 2017, a leaked memo from inside the presidential administration appeared to show government jobs being awarded expressly to keep control in the hands of Pashtuns. He also granted his ethnic Pashtun advisors ‘unprecedented executive power, which made them ‘de facto chief ministers, overriding the decision-making of the individuals appointed to these positions’.¹⁷ This ethnic-based attitude towards governance largely alienated other ethnic groups, especially the Hazaras, Tajiks and Uzbeks. In essence, the final days of Ashraf Ghani’s divisive and unpopular presidency marked the end of his tumultuous, polarising seven years in power, and his ideals of ethnic politics are now being fulfilled by the Taliban.

Despite tremendous opportunities for development over two decades since 2001, bad governance gave rise to ethnic



Source: The Survey of Afghan People 2019 by The Asia Foundation

¹⁷ Eisa Khan Ayoobi, ‘Philosopher King or Ethnonationalist?’, *Aljazeera*, February 5, 2018, <https://shorturl.at/psu0u>.

discrimination, political disenfranchisement, combined with a security and economic circumstance. This fuelled, among other consequences, a serious exodus of the young generation and skilled workers from the country. In 2015, Afghans were the second-largest population of refugees entering Europe, after those from Syria.¹⁸ A 2019 survey by the Asia Foundation also reveals that willingness to migrate was disproportionately higher among the Hazaras, Tajiks and Uzbeks. Figure 6 presents survey results from various ethnic and religious groups in response to the question: 'If given the opportunity, would you leave Afghanistan and live somewhere else or not?'

Impacts of the Taliban's Return on Minorities

Legal and Institutional Crisis and Targeting of Minorities

The Taliban's re-control of Afghanistan marked a significant regression, especially in human rights, plunging the country into a period of darkness and uncertainty. On September 7, 2021, the Taliban began establishing an all-male caretaker cabinet of predominantly Pashtuns. All key position holders are Taliban affiliates, many of whom are on the UN Security Council (1276) and individual member state's sanctions lists.¹⁹ Despite the Taliban's claim of diversity in its system of governance, only a few members in the rank are non-Pashtuns, often having symbolic roles. To date, women are absent in the Taliban's decision-making establishments.

Shortly after, the Taliban suspended the national constitution, and dissolved all independent oversight mechanisms and institutions, among which are the Afghanistan Independent Human Rights Commission, the Parliament, the Ministry of Women Affairs, and the Electoral Commission.²⁰ The Taliban has taken steps further to

18 Srinjoy Bose, Nematullah Bizhan, and Niamatullah Ibrahim, 'Youth Protest Movements in Afghanistan: Speaking Voice and Agency', The United States Institute of Peace, February 2019, <https://shorturl.at/OS7xG>.

19 'Situation of Human Rights in Afghanistan: Reports of the Special Rapporteur on the Situation of Human Rights in Afghanistan', UN Human Rights Council, September 6, 2022.

20 'Situation of Human Rights in Afghanistan: Reports of the Special Rapporteur on the Situation of Human Rights in Afghanistan'.

dismantle the existing legal framework, including the suspension of the Afghanistan Independent Bar Associations, an important institution that once played a key role in safeguarding legal rights, ensuring access to justice and fair trials.²¹ Other laws suspended are the Mass Media Law, Political Parties Law, Election Law and the Law on Peaceful Strikes and Demonstrations.

Instead, the Taliban introduced a gradual list of written decrees and verbal directives, often vague, to regulate people's daily lives. Around a hundred of these directives aimed at restricting women's and girls' rights to education, movement, healthcare and employment, among other things.²² The decisions by the Taliban have disproportionately impacted the lives of women and girls from ethnic and religious minorities, who are subjected to a double layer of discrimination.

Aside from these regressions, various reports attest to the Taliban's atrocities of killing civilians belonging to various ethnic and religious minorities, including Tajiks, Hazaras and Uzbeks. For example, an Amnesty International investigation indicated a cold-blooded killing of nine Hazara men in Malistan district of Ghazni province by the Taliban, only shortly after seizing power in this province in mid-2021. The investigation also reveals the killing of 13 Hazara men in Daykundi province of central Afghanistan at the hands of the Taliban in August 2021.²³

Hazaras have also been a primary target by the IS-KP. On September 13, 2024, 14 Hazara passengers were collectively shot dead by IS-KP affiliates in central Daykundi province. IS-KP affiliates had previously also carried out similar assaults on the Hazara community and openly declared a campaign to 'kill them wherever you find them'.²⁴ Various reports confirm the killing

21 Belquis Ahmadi et. al., 'Where is Afghanistan Three Years into Taliban Rule?', *The United States Institute of Peace*, 19 September 2024. <https://shorturl.at/4c9Sn>.

22 Ahmadi et. al., 'Where is Afghanistan Three Years into Taliban Rule?'.

23 Abdul Rahman Yasa, 'Human Rights in Afghanistan', *The Pacific Council Magazine*, October 19, 2021, <https://shorturl.at/146Oo>.

24 Freshta Abbasi, 'Attacks Target Afghanistan's Hazaras: Inadequate Protection Provided for Community Long at Risk', *Human Rights Watch*, April 30, 2024, <https://shorturl.at/ip5xO>.

of hundreds of Hazaras in suicide attacks in their education centres, marketplaces, religious sites and on public transport since the Taliban takeover.²⁵ IS–KP affiliates have often claimed responsibility for these attacks. According to findings by the United Nations Special Rapporteur on the situation of human rights in Afghanistan, at least seven attacks were carried out against the Hazara ethnic community between September 2023 and January 2024, indicating a concerning increase in comparison with the first nine months of 2023.²⁶ The SR also warned about the nature of these attacks against Hazaras that could bear the hallmarks of international crimes.

Taliban members and affiliates have also engaged in uncomfortable smear tactics and hate crimes against certain ethnic groups. For example, the SR said in his report that the Taliban ‘accused Hazaras of not being real Muslims, reflecting the deep-seated sectarian biases against this ethnic minority’.²⁷ This incident underscores the severe repercussions of Taliban policies on ethnic minorities, who are often targeted and brutalised based on their ethnic and religious identities.

Multiple verified accounts by Amnesty International also confirm the Taliban’s unlawful killings and mass arbitrary arrests of civilians from the Tajik ethnic community across Panjshir province.²⁸ Reports verify the execution of six to nine men in the Darah district of Panjshir province on September 22, 2022.²⁹ Similar targeted killings were also carried out in other areas in Panjshir, including Abshar, Khenj Bazarak and Rokha districts in 2022, in which dozens of civilians and former members of Afghan security forces lost their lives. The Taliban has committed war crimes

²⁵ The Diplomat, Gul Hassan Mohammadi, ‘The Plight of Hazaras under the Taliban Government’, *The Diplomat*, January 24, 2024, <https://shorturl.at/orzlg>.

²⁶ ‘Situation of Human Rights in Afghanistan: Reports of the Special Rapporteur on the Situation of Human Rights in Afghanistan’, pg. 9.

²⁷ ‘Situation of Human Rights in Afghanistan: Reports of the Special Rapporteur on the Situation of Human Rights in Afghanistan’.

²⁸ ‘Taliban’s cruel Attacks in Panjshir Province Amount to War Crimes of Collective Punishment’, Amnesty International, June 8, 2023, <https://shorturl.at/wwwzjV>.

²⁹ ‘Taliban’s cruel Attacks in Panjshir Province Amount to War Crimes of Collective Punishment’.

of collective punishment in Panjshir province, said Amnesty International in its 2023 report.³⁰ These are just a few cases of the many similar atrocities carried out by or occurring under the Taliban regime.

The condition for the country's already dwindling non-Muslim minorities, such as Hindus and Sikhs, has also deteriorated since 2021. These tiny communities have faced constant attacks and harassment from both the Taliban and IS-KP. The harassment of Sikhs at their central gurdwara (place of worship) in Kabul by the Taliban in late 2021 highlights the vulnerability of this small minority.³¹ In the 1980s, Afghanistan was home to over 100,000 Hindus and Sikhs families. However, due to years of conflict, their numbers have drastically dwindled, and with the Taliban now in power, only around 50 Hindu and Sikh families, primarily consisting of only men, remain in the country to safeguard their temples and other properties.³² Tragically, Afghanistan's last-known Jew also fled the country soon after the Taliban regained power.³³

Forced Eviction of Ethnic and Religious Groups

There are also various reports of ethnically driven forced eviction across certain provinces. In September 2021, around 700 Hazara families were forcibly evicted by the Taliban in the Pato district of central Daykundi province.³⁴ The Taliban-appointed governor in Pato district, Mullah Musafir, warned these families to immediately leave their homes, or risk losing their belongings. A month later, a similar forced eviction targeted hundreds of Hazara residents

³⁰ 'Taliban's cruel Attacks in Panjshir Province Amount to War Crimes of Collective Punishment'.

³¹ 'Afghanistan: Hindus and Sikhs', European Union Agency for Asylum, May 2024, <https://shorturl.at/6Mw8M>.

³² 'Situation of Human Rights in Afghanistan: Reports of the Special Rapporteur on the Situation of Human Rights in Afghanistan', 10.

³³ Freshta Negah and Abubakar Siddique, 'Forced to Dress Like a Muslim: Taliban Imposes Restrictions on Afghanistan's Sikh, Hindu Minorities', August 22, 2023, <https://shorturl.at/PjY15>.

³⁴ Gulamaiz Sharifi and Abubakar Siddique, 'Afghan Hazaras Fear the Worst After Forced Taliban Evictions', *Radio Free Europe*, October 6, 2021, <https://tinyurl.com/579kfadb>.

in southern Helmand and northern Balkh provinces.³⁵ However, the largest displacements have taken place across 15 villages in Daykundi and Uruzgan provinces, where the Taliban evicted at least 2400 Hazara residents in September 2021. The families relocated to other districts while leaving their belongings and crops behind as they were not granted permission to take them.³⁶

Reports also indicate that the Taliban settled disputes over land and livestock in favour of Kuchi communities, who are ethnically Pashtun with seasonal movement, and forced local Hazara communities to pay compensation for cases related to missing livestock dating back over 20 years.³⁷ Several instances of attacks by Kuchi/ nomad communities on the Hazara residents have been reported. Evidence also shows a mass destruction of properties, including vehicles, houses and crops belonging to Hazaras across several provinces, mainly in Maidan Wardak, Uruzgan and Daykundi provinces. For example, in August 2023, around 390 fruit trees belonging to Hazaras in Ju-e-Naw area of Khas district in Uruzgan province were destroyed by the Kutazai, an ethnically Pashtun tribe who enjoys the Taliban's support.³⁸

Meanwhile, on November 27, 2021, more than 1000 members of Uzbek and Turkmen ethnic communities also faced forced evictions across Darzab and Qush Tepa districts in northern Jowzjan province. The lands seized were mainly distributed to Taliban supporters and Kuchi members, as an alarming collective punishment.³⁹

In mid-September 2021, the Taliban also forcibly evicted hundreds of residents of a government-owned residential complex in the span of three days in Kandahar province. The property had

³⁵ 'Afghanistan: Taliban Forcibly Evict Minority Shia', Human Rights Watch, October 22, 2021, <https://tinyurl.com/mpac55ah>.

³⁶ 'Afghanistan: Taliban Forcibly Evict Minority Shia'.

³⁷ 'Afghanistan 2023', Amnesty International, accessed February 24, 2025, <https://tinyurl.com/bdhwhdz9>.

³⁸ 'Etlaat-e-Roz Newspaper, Hazaras Face Forced Eviction in Ju-e-Naw area of Khas District of Uruzgan (Persian)', August 14, 2023, <https://tinyurl.com/27t84ebk>.

³⁹ Zarif Nazar and Abubakar Siddique, 'Taliban Accused of Forcibly Evicting Ethnic Uzbeks, Turkmen in Northern Afghanistan', *Radio Free Europe*, December 9, 2021, <https://tinyurl.com/mr3wa7kv>.

been previously distributed by the fallen Republic government to civil servants in the province.⁴⁰

Forced eviction, which is defined as ‘the permanent or temporary removal of individuals, families, or communities against their will from their homes or land, without access to appropriate forms of legal or other protection’ is recognised as a crime against humanity or war crime under the Rome Statute of the International Criminal Court and the International Covenant on Civil and Political Rights.⁴¹ The forced evictions of families in Afghanistan are taking place at a time of record internal displacement driven by drought, economic hardship and conflict that has been highly exacerbated by the regime change in mid-2021. Based on statistics provided by the United Nations High Commissioner for Refugees, around 3.22 million internally displaced people are recorded in Afghanistan as of July 2024.⁴² And yet, the Taliban’s campaign of ethnically driven forced eviction further exacerbates the living conditions of the country’s ethnic and religious minorities.

Assault on Fundamental Rights

Socio-Cultural Rights

Socio-cultural rights in Afghanistan are systematically restricted by the Taliban, with many religious and cultural practices either banned or severely curtailed. The restrictions have had disproportionate impacts on certain ethnic and religious minority groups and women alike. For example, substantial evidence attests to the Taliban’s mistreatment and harassment of Salafist adherents, who have been facing arbitrary detention, forced disappearance, torture and summary execution. Often, the Taliban justifies its harassment by claiming that the individuals support the IS–KP.⁴³

40 Nazar and Siddique, ‘Taliban Accused of Forcibly Evicting Ethnic Uzbeks, Turkmen in Northern Afghanistan’.

41 *Forced Eviction: Special Rapporteur on the Rights to Adequate Housing* (United Nations Office of the High Commissioner, 2014).

42 United Nations High Commissioner for Refugees, Afghanistan Situation Update September 2024, <https://tinyurl.com/23jan35n>.

43 ‘Freedom in the World 2024: Afghanistan’, Freedom House, accessed January 24, 2025, <https://shorturl.at/UhOvU>.

Many Salafist religious institutions have been sealed, and their religious figures have been forced to conform to the Sunni Hanafi Islamic jurisprudence.⁴⁴ Christians, who are few in number, also face arrest and violence.⁴⁵

Similarly, members of Hazara's ethnic group, have faced systematic restrictions in exercising their socio-cultural rights. Among other things, restrictions have been imposed on the annual commemoration of Muharram, also known as Ashura. People are prohibited from displaying their religious symbols and rituals, and the mourning ceremonies of Muharram must be held in designated places of worship selected by the Taliban. Those who defy these restrictions are often harassed, arrested, and killed.⁴⁶ Moreover, Hazaras are often being targeted by the IS–KP affiliates because of their religion. For instance, mass casualty attacks against Hazaras included improvised explosive devices at a Shia Mosque in Pol-e-Khomri in October 2023, at a sports club in Dasht-e-Barchi, west of Kabul, later that month and targeting a public bus in the western part of Kabul in November 2023. These incidents are merely the tip of the iceberg targeting Hazaras. Such atrocities have often been carried out by the IS–KP affiliates and the Taliban over the past two decades, particularly since 2001.⁴⁷

Survey findings from this study also show increasing restrictions on ethnic and religious minorities, as well as on women who are banned from freely participating in many public events, including religious events, sports, and other culturally related activities. According to the survey, only about 12 per cent of respondents felt that minorities can engage in social and public life events. About 52 per cent of respondents said minorities are restricted from engaging in public events (Figure 7). Of course, social and cultural events that contradict the Taliban's narrow policies or challenge their restrictions are prohibited from being celebrated. The survey indicates that only a small percentage of respondents believe that

44 'Freedom in the World 2024: Afghanistan'.

45 'Freedom in the World 2024: Afghanistan'.

46 'Afghanistan International, Taliban Kills Young Shiite Man in Herat's Jebrael Township', July 13, 2024, <https://tinyurl.com/m7a8vj8k>.

47 Freshta Abbasi, 'Attacks Target Afghanistan's Hazaras', May 3, 2024, <https://shorturl.at/UXdkU>.

Figure 7: Are Minority Groups in Afghanistan Able to Participate In Public Life (eg. Social Gatherings, Festivities, Public Space)?

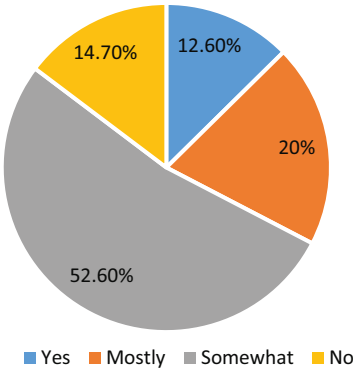
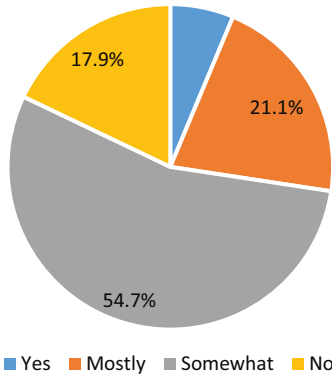


Figure 8: Are Minority Groups in Afghanistan Able to Participate in Different Organization (eg, Professional, Association, Clubs, Communoity Groups in Afganistan)?



minorities can engage in professional associations and community groups. Out of 95 respondents, less than 10 per cent said that minorities can exercise such rights (Figure 8). The Taliban has already banned certain rights related to professional associations, such as the Afghanistan Independent Bar Association.⁴⁸

Other cultural events, including the celebration of Nowruz, marking the Persian New Year calendar, have also been banned.

⁴⁸ The Law Society, 'Collapse of Justice System in Afghanistan Leaves Countless at the Mercy of the Taliban', October 16, 2023, <https://shorturl.at/dAHwL>.

In March 2023, the Taliban issued a written order to prohibit the celebration of Nowruz, calling it distorted and anti-Islam.⁴⁹ It is important to know that Nowruz was declared as a cultural tradition of the Intangible Cultural Heritage of Humanity of the United Nations in 2010.⁵⁰ Furthermore, the Taliban has also banned teaching of the Shia Jurisprudence of Islam from all education sectors and required that only the Sunni Jurisprudence of Islam be taught.⁵¹ Meanwhile, women are effectively prevented from visiting parks or leaving their homes unless absolutely necessary or else be accompanied by a male guardian, often referred to as a *Mahram*.⁵² In August 2024, the Taliban introduced a host of new dehumanising codes of conduct called 'vice and virtue' whereby women's voices have also been banned from being heard.⁵³

Regarding organisational rights, several factors have significantly limited these fundamental rights. According to the survey respondents, the biggest obstacles preventing minority groups from exercising their right to form or join social organisation and association include state-imposed restrictions, sense of exclusion, lack of interest and discrimination (Figure 9).

The Ismaili minority in Badakhshan province has faced similar coercive measures, with their children being forced to attend Sunni madrasas.⁵⁴ This form of forced assimilation aims to erase the distinct cultural and religious identities of minority groups, imposing a monolithic interpretation of Islam that suits Taliban ideology. Such policies deprive minority children of their right to education, cultural and religious heritage, further entrenching the cycle of marginalisation and discrimination. In yet another

49 Afghanistan International, 'Taliban Bans Nowruz in Hazara-dominated Provinces of Afghanistan', March 20, 2023, <https://tinyurl.com/5n8e6vae>.

50 United Nations: International Nowruz Day 21 March, <https://shorturl.at/1vZfQ>.

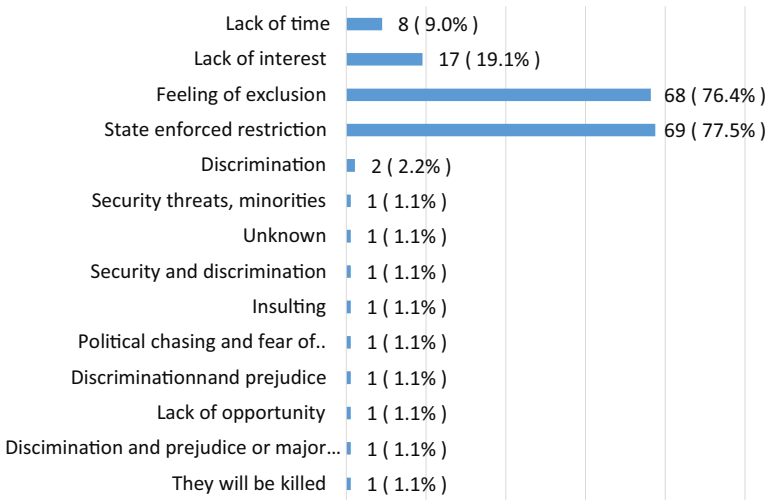
51 'Afghanistan 2023'.

52 Annie Kelly and Zahra Joya, 'Frightening Taliban Law Bans Women from Speaking in Public', *The Guardian*, August 26, 2024, <https://shorturl.at/uBBrf>.

53 Kelly and Joya, 'Frightening Taliban Law Bans Women from Speaking in Public'.

54 'Taliban in Badakhshan Forces Ismailis to Send Their Children to Sunni Religious Madrasas (Persian)', *Hasht-e-Subh Newspaper*, January 23, 2024, <https://tinyurl.com/36d6xhes>.

Figure 9. Which Of The Following Hinders Minorities’ Participation in Different Organisations (Eg. Professional Associations, Clubs, Community Groups)?



Note: Multiple responses

instance of regression, on February 3, 2023, the Taliban-appointed governor for the Nusay banned marriages between the followers of Shia and Sunni Islam in the province.⁵⁵

Furthermore, the Taliban imposed harsh, restrictive moral codes, such as forced attendance of men at congregational prayers, closure of businesses at prayer time, banning music and dance at weddings and holding Quranic recitation instead, approved beard length and hair style for men and dress code for both men and women. Non-Muslim minorities also reported that they were warned to comply with the Taliban’s moral code.⁵⁶ In 2023, the Taliban’s notorious Ministry for the Propagation of Virtue and the Prevention of Vice deployed teams in all the country’s 34 provinces to enforce the regime’s moral code.⁵⁷ These are just a few

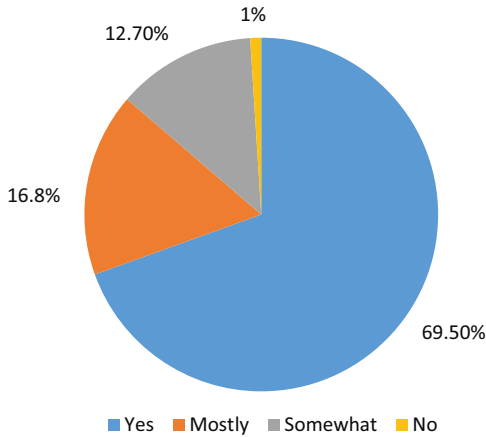
55 Hasht-e-Subh, ‘Taliban Ban Shia-Sunni Marriages in Badakhshan’s Nusay District’, February 3, 2023, <https://tinyurl.com/yf444jau>.

56 ‘Freedom in the World 2024: Afghanistan’, Freedom House, accessed January 21, 2025, <https://tinyurl.com/3h6j9xbn>.

57 House, ‘Freedom in the World 2024: Afghanistan’.

examples of the widespread, systematic social discrimination and exclusion that minority groups and women continue to face under the Taliban. The findings from the survey also indicate that around 70 per cent of respondents believe minority groups face different forms of social discrimination and exclusion (Figure 10).

Figure 10: Do Minority Groups in Afghanistan Face Any form of Social Discrimination or Exclusion?



The right to access to quality education has also been greatly limited since the Taliban takeover. While the education sector already faced significant challenges under the fallen republic, such as understaffing, lack of resources and corruption, the Taliban's control and cruel policies have pushed it to the brink of collapse. The prohibition of female teachers further deepened the already understaffed system and left many boys or male students with unqualified substitute male teachers or sometimes no teacher at all.⁵⁸ Female students have been banned from attending school after the primary level. This has left both male and female students with mental health problems, such as anxiety and depression, in a situation where mental health services are very difficult to obtain, particularly for minority groups, due to greater economic pressure.

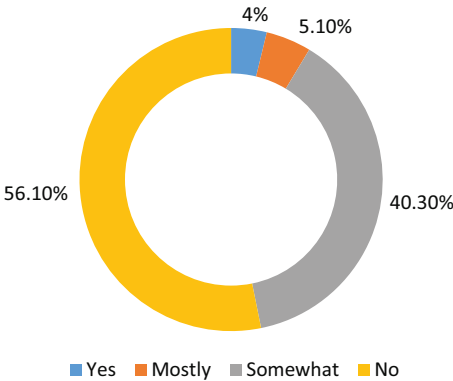
All these restrictions put crippling financial burdens on the

⁵⁸ 'Schools Are Failing Boys Too: The Taliban's Impact on Boys Education in Afghanistan', Human Rights Watch, December 6, 2023, <https://shorturl.at/MnEsj>.

educational system particularly the private educational sector, as it is unable to fund its services. As a result, it has led to the closure or downsizing of many educational institutions.⁵⁹ Also, a report by Human Rights Watch shows a growing increase of corporal punishment in schools under the Taliban, a long-standing matter of concern at Afghan schools.⁶⁰ Furthermore, the Taliban has conducted an ideologically driven overhaul of the curriculum, banning certain books, reducing key scientific subjects, and replacing them with radical religious studies.⁶¹

The survey findings also indicate that minority groups’ access to quality education has been limited. Over 40 per cent of respondents believe minorities have ‘somewhat’ limited access to quality education under the Taliban, while more than 56 per cent of them argued minorities have no access to quality education (Figure 11).

Figure 11: Do Minority Groups In Afghanistan Have Access To Quality Education?



The survey found several factors cited as key barriers to minorities’ access to quality education. These include, among other things, discrimination and prejudice, lack of government support, financial hardships, language barriers and culturally

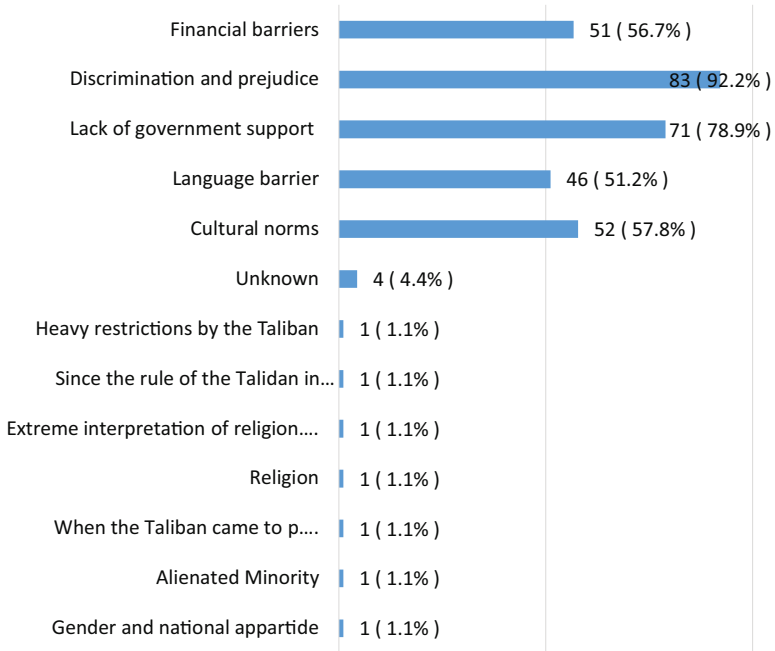
⁵⁹ ‘Schools Are Failing Boys Too: The Taliban’s Impact on Boys Education in Afghanistan’.

⁶⁰ ‘Schools Are Failing Boys Too: The Taliban’s Impact on Boys Education in Afghanistan’.

⁶¹ ‘Freedom in the World 2024: Afghanistan’.

imposed restrictions. Existing discrimination and the absence of government support were respectively considered as the largest two problems (Figure 12).

Figure 12: Which Of The Following Hinders Minorities' Access to Quality Education in Afghanistan? (Select All That Apply)



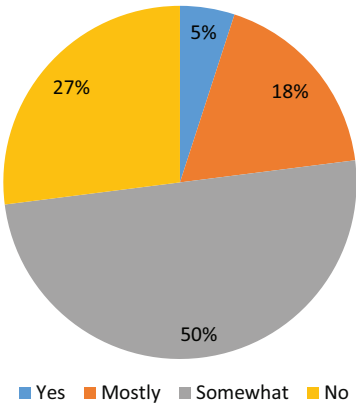
Note: Multiple responses

Like the education sector, Afghanistan's health sector is also in crisis. Although the health system was weakened before the Taliban's return, the regime's comeback significantly diminished the capacity of health services. Key factors contributing to this decline include the Taliban's ban on female education, including medical training, which has led to a severe shortage of female medical professionals, especially during a time when many of the country's skilled health workers were threatened and forced to flee the country. Additionally, the Taliban's restrictions on women's movement without male guardians have further hindered their

access to healthcare, with women from minority groups facing even greater difficulties in obtaining quality medical services.

Meanwhile, the survey results show that minority groups are particularly restricted in their access to quality healthcare services. Survey findings indicate that more than 27 per cent of respondents believe minority groups have no access to quality healthcare services, while nearly 50 per cent of them contended that their access is limited (Figure 13).

Figure 13: Do Mainority Groups in Afghanistan Have Access to Quality Healthcare?

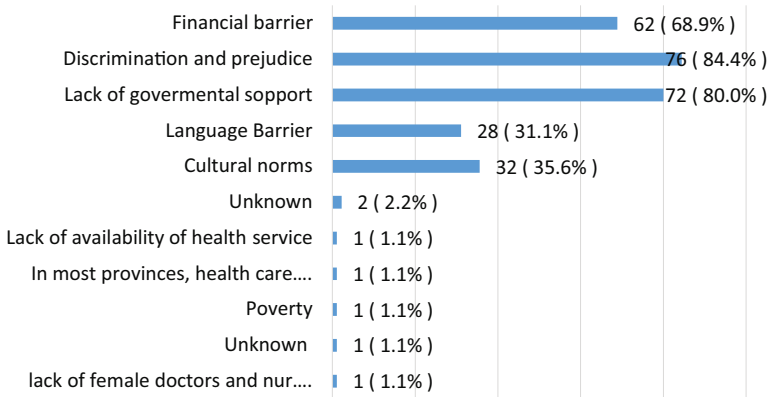


Several factors were cited as main barriers, impairing minorities’ access to quality healthcare services. The survey found that discrimination, lack of government support, financial problems, cultural norms and language barriers are the primary obstacles, preventing minorities’ access to quality healthcare facilities (Figure 14).

Civic and Political Processes

After power seizure, the Taliban set up the so-called Islamic Emirate of Afghanistan (IEA) and installed an all-male, ethnically homogeneous, unelected cabinet. This old-fashioned political system is mainly characterised by autocratic and patriarchal-totalitarian tendencies, personalised governance, combined with a

Figure 14. Which of the Following Hinders Minorities' Access to Quality Healthcare Services in Afghanistan? (Select All That Apply)



Note: Multiple responses

systematic disregard for the rule of law and human rights.⁶² The IEA is ruled by a so-called supreme leader, Mullah Hibatullah Akhundzada, who exercises ‘unchecked powers to rule by decree, and makes all appointments to state bodies’.⁶³ Within the IEA, there is no space for a legislative assembly or representative structure. Akhundzada’s directives and orders from ministers, often vague and inconsistent, are deemed as legislation and, therefore, compulsory to abide by. In essence, the Taliban is currently ruling what the UN Special Rapporteur termed ‘through fears and repressive policies’.⁶⁴

The Taliban dismantled the electoral commissions that had previously managed elections and revoked the relevant laws governing them. The regime’s leaders have strongly opposed any calls for an electoral system. As for political pluralism, the

⁶² Abdul Rahman Yasa, ‘Afghanistan’s HRDs in Exile: Navigating Challenges and Opportunities’, *Asian Forum for Human Rights and Development*, November 2024, 12.

⁶³ Rahman Yasa, ‘Afghanistan’s HRDs in Exile: Navigating Challenges and Opportunities’.

⁶⁴ Kate Clark, ‘A Worsening Human Rights Crisis: New Hard-hitting Report from UN Special Rapporteur’, *Afghanistan Analysts Network*, March 6, 2023, <https://shorturl.at/KUz33>.

IEA is exclusively composed of Taliban fighters. It is structurally exclusionist, politically totalitarian and ethnically uniform with zero tolerance to opposition. The Taliban has also deregistered all the country's political parties and abolished all the relevant legal frameworks regulating their activities.⁶⁵

Under Taliban rule, people cannot meaningfully exercise their political choice or question the status quo. The civic space has collapsed completely, and freedom of expression has eroded over three years of the Taliban's control of the country. 'The Taliban continue to arbitrarily arrest and detain individuals who were critical of their policies and leadership, with credible cases raising questions of enforced disappearance', said Special Rapporteur Richard Bennett.⁶⁶ In his observation in early 2024, he added that the Taliban's crackdown on civic space, often manifested itself through self-censorship, had disproportionately impacted ethnic and religious minorities, journalists, HRDs, women and girls. Protests, often led by women, defying the Taliban's misogynistic conduct and calling for gender equality, have been effectively repressed.⁶⁷ According to reports, the Taliban have resorted to various disproportionate use of force against the protesters. These include, among other things, the use of firearms, water cannons, stun guns, arbitrary arrests, enforced disappearances and the killing of protesters.⁶⁸ As a result, the CIVICUS Monitor rated Afghanistan's state of civic environment as closed in 2024. Figure 15 illustrates the closure of civic space in Afghanistan.

Ethnic groups, including religious minorities, face increasing political marginalisation, prejudice, and forced eviction by the Taliban. The ethnic composition of governance structures has been effectively reconfigured, including at the provincial and district levels, a change also confirmed by the Special Rapporteur. Based on his investigations, in provinces such as Bamiyan, Daykundi and

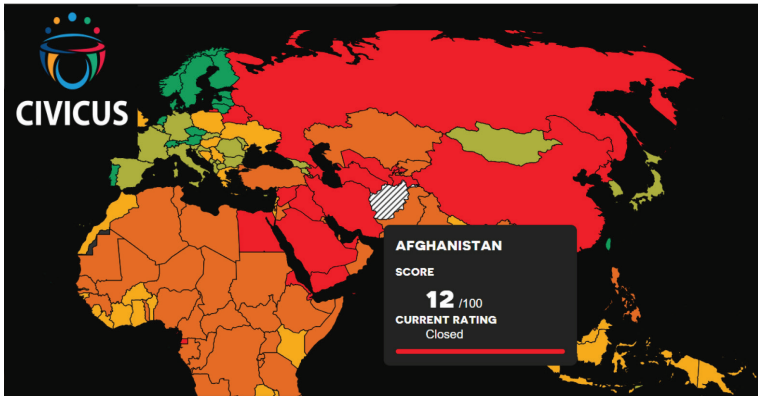
⁶⁵ The Economist Times, 'Afghanistan: Taliban Bans All Political Parties', August 17, 2023, <https://tinyurl.com/34u5wkn6>.

⁶⁶ 'Situation of Human Rights in Afghanistan: Report of the Special Rapporteur on the Situation of Human Rights in Afghanistan'.

⁶⁷ Ibid.

⁶⁸ Amnesty International, 'Afghanistan 2023', December 2023, <https://shorturl.at/Bok8l>.

Figure 15. Closure of Civic Space in 2024 in Afghanistan



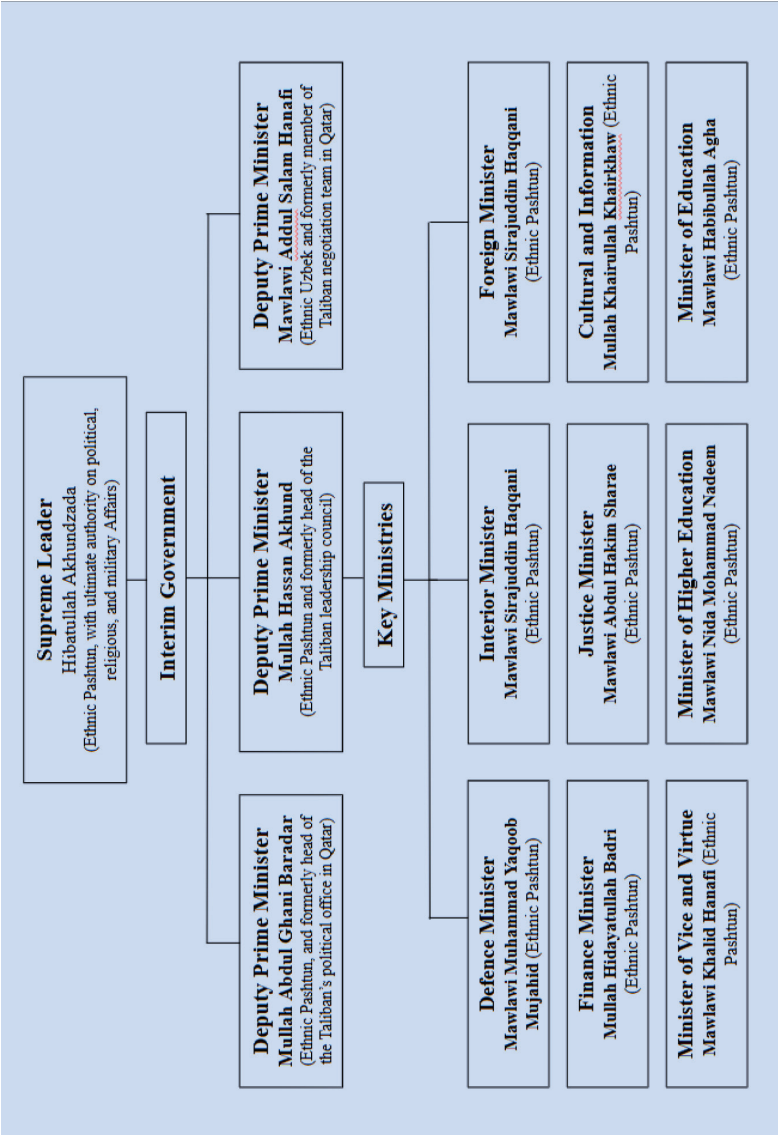
Source: CIVICUS Monitor available at: <https://tinyurl.com/bdzj5scb>.

Ghor, which are predominantly populated by ethnic Hazaras, the Taliban has replaced significantly numerous former government employees at all departmental levels, including at Bamiyan University and in municipalities, almost certainly due to their ethnic affiliation.⁶⁹ Similar ethnically motivated mass layoffs and removals from governmental positions have also taken place in other provinces to a large extent in which ethnic Turkmens, Uzbeks and Tajiks have been replaced by the Taliban's fighters. Therefore, the Special Rapporteur's finding testifies to minorities' low representation in public positions and currently almost all the Taliban's key senior positions are occupied by its ethnically Pushtun fighters, except for one Uzbek, one Tajik, one Nuristani one Hazara who enjoys a symbolic role. Figure 16 outlines ethnic composition of the Taliban's key ministries.

Survey results from minority groups further confirms their growing political marginalisation under Taliban rule. The findings show that approximately 95 percent of the respondents feel that minority voices are not adequately represented in the Taliban-run government (Figure 17). They also stressed on forming an inclusive system, as well as decentralisation of power to allow the public for greater national and local autonomy to decide

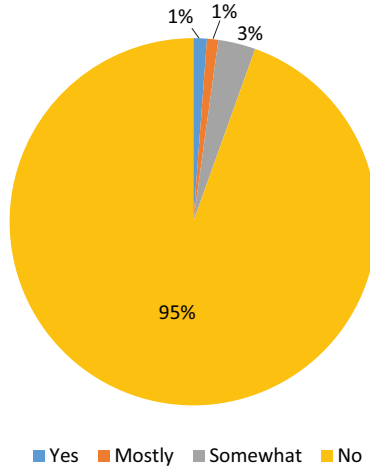
⁶⁹ Kate Clark, 'A Worsening Human Rights Crisis: New Hard-hitting Report from UN Special Rapporteur'.

Figure 16. Taliban’s Key Government Authorities



Source: BBC, available at: <https://tinyurl.com/mpkapw7h>.

Figure 17: Are Minority Voices Adequately Represented In The Political Area In Afghanistan?



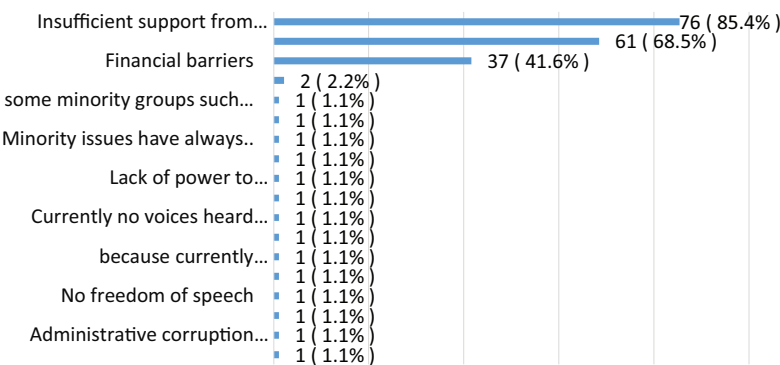
their fate and enjoy adequate representation in governance and politics.⁷⁰

Respondents identified several factors that hinder minorities' representation in the political sphere. These include, among other factors, a lack of genuine willingness for their inclusion in political processes, legal and administrative barriers and financial constraints (Figure 18).

Moreover, the survey indicates that minority groups are effectively restricted from exercising their associational and organisational rights, including forming or joining non-governmental organisations (NGOs) and any other interest groups that safeguard their rights or represent their interests. According to the survey results, around 95 per cent of respondents believed that minority groups lack the freedom to either join or establish any political association under the Taliban regime (Figure 19). Among the 95 respondents, less than three per cent stated that minority groups enjoy such rights. Respondents identified several factors hindering their ability to exercise their associational rights. The

⁷⁰ Respondents' views in the survey conducted with the Afghan ethnic and religious minorities and human rights experts between October and November 2024.

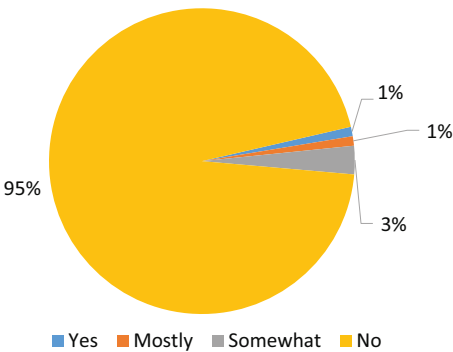
Figure 18: Which of the Following Hinders Representation of Minorities’ Voices in the Political Arena in Afghanistan? (Select All That Apply.)



Note: Multiple responses

main obstacles listed include the Taliban’s restrictive regulations, a lack of trust in the current system, ethnic-based totalitarianism, discrimination and a lack of financial and technical support.⁷¹ It is worth mentioning that, in August 2023, the Taliban officially announced a ban on all political parties and associations, claiming they have no justification to exist under Sharia law.⁷²

Figure 19: Do Minority Groups in Afghanistan Have the Freedom to Form and or Join Political Associations?

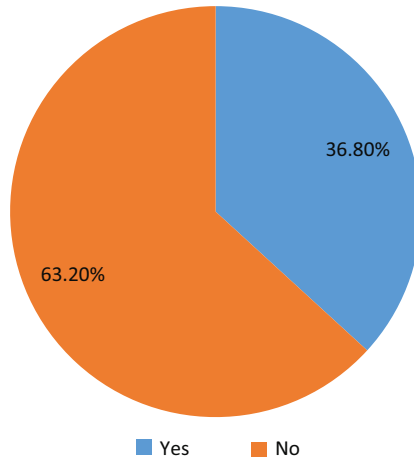


⁷¹ Respondents’ views in the survey conducted with the Afghan ethnic and religious minorities and human rights experts between October and November 2024.

⁷² Radio Azadi, ‘The Taliban Bans Political Parties in Afghanistan after

Furthermore, a majority of more than 63 per cent of respondents in the survey said they are unaware of any organisations or groups advocating for the rights of minority groups in Afghanistan. Only 36.8 per cent of the respondents believe to have knowledge of such advocacy groups operating inside the country (Figure 20). Importantly, many civil society organisations (CSOs), previously working for human rights, were forced to either stop their operations or leave the country because of the Taliban's policies and retaliatory actions, while a few remaining active in the country operate often in hiding or are underground.

Figure 20: Are You Aware of Any Minority Groups or Organisations Advocating for Minority Rights in Afghanistan?



Like CSOs, the media sector has also suffered extensively under the Taliban. Many media outlets were forced to terminate their operations due to the Taliban's repressive policies and financial shortages. In 2024 alone, 12 media outlets were closed, according to Reporters Without Borders (RSF). Those still operating are restricted in their work and in reporting on sensitive cases. Many journalists have fled the country. According to RSF, more than two-thirds of the 12,000 Afghan journalists in 2021 have left their profession.

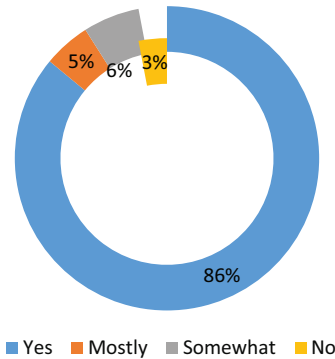
Declaring them Un-islamic', August 17, 2023, <https://shorturl.at/rBla3>.

Eight out of ten women journalists have had to stop working. A few journalists still working are subject to all kinds of restrictions, among which are a lack of access to official sources, abuse and harassment, while women journalists face double restrictions due to the Taliban’s overall gender-based discrimination directives.⁷³

Amid increasing marginalisation and restriction on their fundamental rights by the Taliban, a significant majority of the respondents expressed support for having reservations or quotas for minority groups. Of 95 respondents surveyed, around 86 per cent of them believed that a quota system would help them gain representation in political processes (Figure 21).

Nevertheless, because of the lack of reliable data on the proportion of different ethnic groups that make up Afghanistan’s population, implementing a quota system would be controversial. Previously, the Afghan Republic government allocated key government positions based on the census estimates, which led to significant tensions at the national level.

Figure 21: Should There Be Reservations/ Quotas For Minority Groups in Afghanistan?



Economic Participation

Afghanistan is experiencing the compounding implications of multi-layered decades-long conflicts, severe drought, food insecurity,

⁷³ Reporters Without Borders, ‘Three Years of Taliban Rule: The Violent Persecution of 141 Journalists Detained and Arrested in Afghanistan’, August 17, 2024, <https://shorturl.at/Q8hXU>.

climate-related disasters, earthquakes, floods, displacement and shortfalls in health services. The Taliban's rise to power, alarmingly exacerbated the humanitarian crisis. As of 2024, an estimated 23.7 million people, more than two-thirds of Afghanistan's population, are projected to require humanitarian assistance.⁷⁴ And yet, international humanitarian organisations are struggling to adequately respond to these crises due to significant shortages in financial resources, which has also been impacted by fresh conflicts in other parts of the world. Statistics from the International Organisation for Migration (IOM) show a shortfall of hundreds of millions of dollars for humanitarian assistance in 2024, leaving insufficient resources to address the critical needs of internally displaced persons, the local population and returnees from Iran and Pakistan amidst the ongoing humanitarian crisis.⁷⁵ The IOM reported that, out of an estimated 23.7 million people in need of humanitarian aid, only 8.2 million received assistance in 2024, which indicates significant gaps in protection measures.

Political instability has been the primary factor contributing to Afghanistan's reliance on international assistance and creating a growing dependency on foreign aid. Under the former republican regime, Afghanistan was one of the largest recipients of international aid, encompassing military support, medical assistance and funding to sustain the daily operations of state institutions. However, with the Taliban's rise to power, Afghanistan's central bank lost access to international banking systems, requiring humanitarian aid to be delivered in cash—a practice that heightens vulnerability and risks of fund mismanagement.

Economic discrimination, particularly against women, has intensified under the current regime, impacting nearly half the population. A 2023 report from the International Labour Organization (ILO) indicates that 25 per cent of jobs previously held by women have been eliminated entirely.⁷⁶ Restrictions

74 'Afghanistan Crisis Response Plan 2024', International Organization for Migration, April 26, 2024, <https://tinyurl.com/mrmrvzc7>.

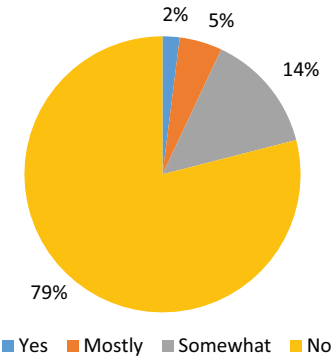
75 'Afghanistan Crisis Response Plan 2024',

76 'Women bear brunt of Afghanistan job losses', The International Labour Organization, March 6, 2023, <https://shorturl.at/d5R53>.

on education for girls above grade six and a ban on women’s employment have restricted their economic participation, deepening gender inequality across the country. On December 30, 2024, the Ministry of Economy warned all NGOs not to employ women, stressing that failure to comply with this order would lead NGOs to lose their license to operate in the country.⁷⁷ Previously, the Taliban had announced and imposed similar gender-based discriminatory policies, banning women from working for national and international organisations. This latest order, combined with other already imposed restrictions, including banning post-primary education for girls, women’s movement, and access to healthcare, has effectively deteriorated their socio-economic well-being. Yet, women from minority groups are being impacted far greater as they are being targeted both due to their gender and ethnic background.

A survey conducted with ethnic and religious minority groups reveals that approximately 79 per cent of respondents feel they lack equal opportunities to access employment and the job market under the Taliban (Figure 22).

Figure 22: Do Individuals Belonging to Minority Groups Have Equal Employment Opportunities Compared to the Majority Population in Afghanistan?

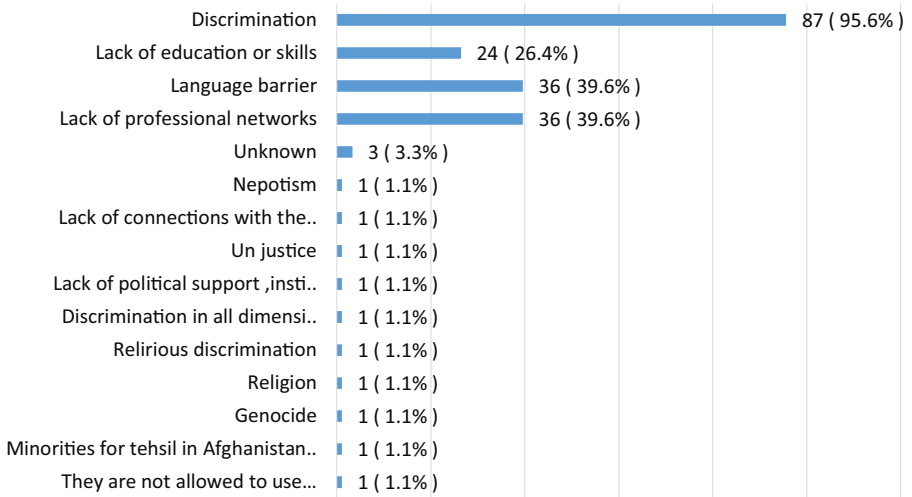


The survey identified several factors as key barriers limiting minorities’ access to equal employment and economic opportunities

⁷⁷ Aljazeera, ‘Afghanistan’s Taliban Rulers Say Will Close all NGOs Employing Women’, December 30, 2024, <https://shorturl.at/SYzWW>.

in Afghanistan. Nearly 96 per cent of respondents cited discrimination as the primary obstacle to gaining employment. Additionally, language barriers, lack of professional networks, restricted access to education, and nepotism were highlighted as significant challenges affecting minority groups' ability to enjoy equal employment opportunities (Figure 23).

Figure 23: What Barriers Do You Think Individuals Belonging to Minority Groups Face in Gaining Employment in Afghanistan? (Select All That Apply)



Note: Multiple responses

It is noteworthy that since regaining power, the Taliban have systematically excluded languages other than Pashto from educational and public institutions. Previously, Persian/Dari and Pashtu were recognised as Afghanistan's official languages. In regions where the majority of people spoke other languages, those languages were also officially acknowledged. However, the Taliban have now removed all languages other than Pashtu, marginalising even Dari, which is widely spoken. The Taliban's enforcement of Pashtu as the dominant language has severely disadvantaged non-Pashtu majority speakers, particularly ethnic minority groups, further diminishing their ability to secure employment.

Under the Taliban, key government positions, including lower-

ranking roles, are predominantly occupied by the regime's fighters, leaving little to no room for ethnic and religious minorities.⁷⁸ Many civil servants who were previously working at public offices at national and local governance have been largely dismissed and replaced by Taliban fighters. Those who have managed to retain their jobs face increasing discrimination and are often stigmatised as Western puppets or infidels.

The regime change in 2021 also triggered the withdrawal of foreign investments and a halt to foreign-funded development projects, coupled with a mass exodus of Afghanistan's skilled workforce. To fund its fighters and institutional operations, the Taliban has sought to attract local and regional investors by offering the country's mining reserves for auction. The analysis carried out by the Afghan Global Witness reveals that between August 2021 and February 2024, the Taliban issued at least 205 mining contracts to over 150 companies—a rate of more than one contract per week. According to the analysis, these contracts have often been signed with Chinese, Qatari, Turkish, Iranian and British companies and some local firms over the past three years.⁷⁹ Afghanistan has an estimated amount of nearly USD 1 trillion worth of natural minerals.⁸⁰

For a country ravaged by years of conflict, instability, and a high unemployment rate, foreign investment in mining could present itself as an economic lifeline, by providing direct employment opportunities, as well as jobs in ancillary sectors such as transportation, services and manufacturing. However, experts warn that the deep involvement of high-ranking Taliban officials in the mining sector, amid the absence of legal and institutional oversight, transparency and accountability, raises serious concerns about systemic corruption while undermining the country's mining landscape.⁸¹ This dynamic risks fostering 'state capture',

⁷⁸ *2022 Report on International Religious Freedom: Afghanistan* (The United States of America: United States Department of State, December 2022).

⁷⁹ 'Centre for Information Resilience, Afghanistan's Mining Sector under the Taliban', June 25, 2024, <https://shorturl.at/KL3V>.

⁸⁰ James Risen, 'U.S. Identifies Vast Mineral Riches in Afghanistan', *The New York Times*, June 13, 2010, <https://shorturl.at/EudEB>.

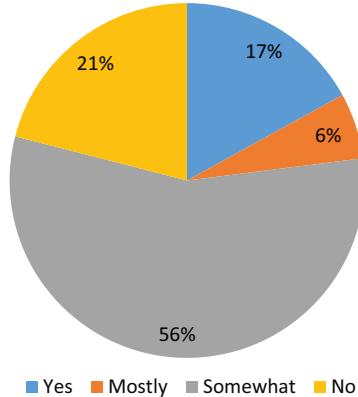
⁸¹ Centre for Information Resilience, 'Afghanistan's Mining Sector under

where public resources are monopolised by a small ruling elite.

⁸² The scepticism over transparency is mounting, whether the revenue generated from mining contracts will benefit the broader population, especially the country's deprived ethnic and religious minority groups, or be concentrated in the hands of a few Taliban ranking officials, their supporters and sympathisers.

These scepticisms are reinforced by the findings of the survey in which experts, members of minority groups, expressed concerns over their inability to engage freely in certain occupations and businesses. This also includes running for public offices and engaging in government development projects, including mining contracts, and NGOs. The survey shows only around 17 per cent of respondents believe in being able to pursue the occupations of their interest, and a vast majority of above 80 per cent argued they are not able to hold and engage in economic activities of their choice (Figure 24).

Figure 24: Are Individuals Belonging to Minority Groups Able to Engage in Any Profession or Trade of Choice In Afghanistan?



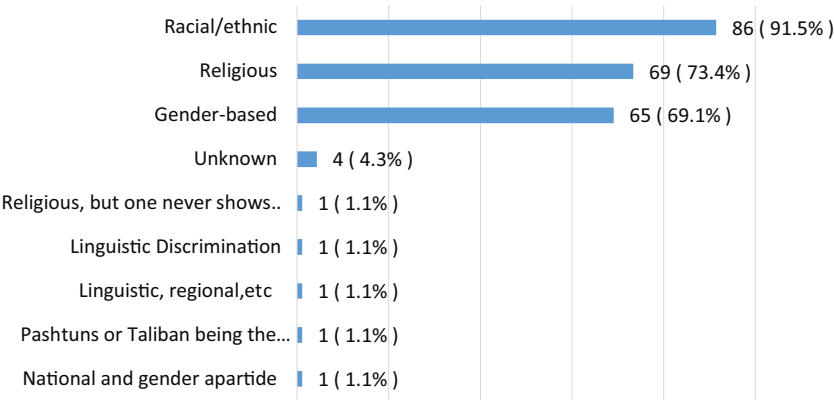
The respondents often cited several factors for their economic marginalisation, including various forms of discrimination,

the Taliban' July 25, 2024, <https://www.info-res.org/afghan-witness/reports/afghanistans-mining-sector-under-the-taliban/>.

⁸² Nadia Ahmad and Luke Danielson, 'The Benefits of Afghanistan's Mineral Riches May not Be so Forthcoming', *Aljazeera*, December 23, 2023, <https://shorturl.at/j9R95/>; Ziafatullah Saeedi, 'Afghan Anti-Corruption Expert, in Talks with BBC Persian', December 9, 2024, <https://shorturl.at/diFBa>.

nepotism and lack of transparency in employment application processes. According to the survey results, racial or ethnic discrimination, combined with religious and gender-based discrimination, are identified as significant obstacles to fair and equal participation in the market and access to economic opportunities. Ethnic and racial discrimination stands out as the most prevalent form of workplace discrimination, with 91.5 per cent of respondents highlighting it (Figure 25).

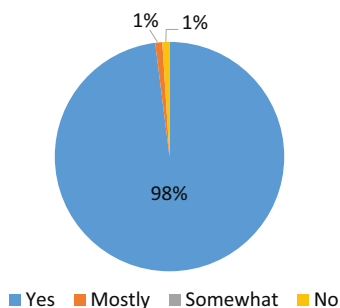
Figure 25: What Types of Discrimination are Individuals Belonging to Minority Groups Most Vulnerable to Facing? (Select All That Apply)



Note: Multiple responses

Survey findings also indicate that members of ethnic and religious groups frequently experience harassment, including sexual/physical and verbal abuse, in their workplaces under the Taliban. Based on the survey, about 98 per cent of respondents believe that minority groups are particularly vulnerable and face harassment from the Taliban and their supporters in the workplace. Additionally, women are the primary victims of gender-based harassment and intimidation by the Taliban (Figure 26). Similar concern has also been raised by the United Nations Assistance Mission in Afghanistan (UNAMA), which had previously warned about what it termed an ‘emerging

Figure 26: Are Individuals Belonging to Minority Groups Vulnerable to Facing Sexual/ Physical/ Verbal Abuse and or Harassment at The Workplace?



pattern of harassment' targeting its Afghan UN female staff.⁸³

Moreover, amidst growing economic hardships and inequalities, people hardly have access to banking services, including microfinance credit and financial loans for individuals and households. In fact, Afghanistan, as a country, remains a challenging environment for accessing reliable, transparent and low-cost financial services. Based on the report from Global Findex in 2017, only 15 per cent of adults had an account at any financial institution. This number has dropped to only 10 per cent in 2021, according to Global Findex.⁸⁴ Like many other areas, the banking sector in Afghanistan suffers from myriad challenges, among which are structural vulnerabilities and very limited international connectivity as a result of the Taliban's takeover of the country. The regime change has also greatly impacted the country's microfinance sector, often managed by a number of private microfinance banks that were previously offering small-sized financial loans and credits to households.

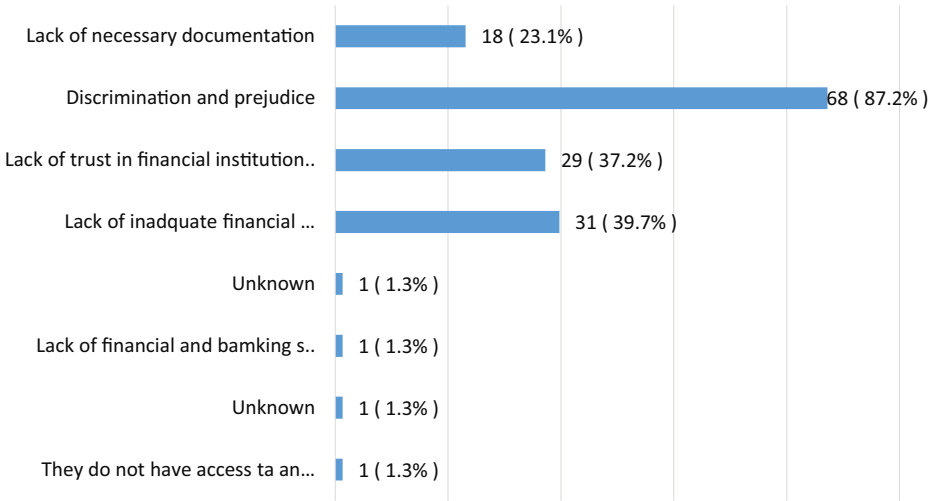
Considering this, ethnic and religious minorities often face difficulties obtaining banking loans and microcredits under the Taliban. The survey findings show that discrimination, lack of adequate financial services, lack of trust in financial institutions

⁸³ 'UN Warns Taliban against Harassing female UN Staff', DW, September 22, 2022, <https://shorturl.at/urc9w>

⁸⁴ 'Rethinking Payments in Afghanistan', World Bank Blogs, August 4, 2023, <https://shorturl.at/guqUw>.

and lack of necessary documentation are among several key factors impacting ethnic and religious minorities’ access to banking services under the Taliban (Figure 27). Additionally, it is important to note that the liquidity constraints and withdrawal limits from banking accounts caused by the Taliban’s power seizure have effectively eroded the public’s confidence in the banking system.⁸⁵

Figure 27: Which Of The Following Hinders Minority Groups’ Access to Financial Resources? (Select All That Apply)



Note: Multiple responses

Evidence also shows that Afghanistan has declined sharply in metrics of the global Human Development Index (HDI) due to the economic crisis, gender gaps, growing inequality, and multidimensional poverty, all of which have been exacerbated by the Taliban’s rule. The HDI of the United Nations Development Program provides a summary measure of average achievement in three basic dimensions of human development that include a long and healthy life, access to knowledge and a decent standard of living. Afghanistan’s HDI value for 2022 is 0.462 which puts the country in the low human development category, positioning

⁸⁵ ‘Rethinking Payments in Afghanistan’.

it at 182 out of 193 countries in the world.⁸⁶ The HDI emphasises that as the inequality in a country increases, the loss in human development also grows, an issue that Afghanistan has faced more acutely since 2021 than at any other time before.

Conclusion and Recommendations

This research concludes that ethnic and religious minorities have long suffered repression in Afghanistan, and the Taliban's rise to power in mid-2021 has only worsened their lives. The Taliban has engaged in massive human rights violations, particularly against ethnic and religious minorities. Certain minority groups, including Hazaras, Uzbeks, Tajiks, Jews, Hindus, Sikhs, Ismailis and Turkmen, have experienced systematic discrimination, discharge from national and subnational governance, forced eviction and other forms of violence by the Taliban.

The Hazara ethnic and religious minority has been particularly and disproportionately affected by the Taliban and IS–KP alike. They face targeted killings and attacks on their schools, mosques, cultural sites and public transports, often by IS–KP. However, the Taliban, as the de facto government, has failed or been unwilling to protect this historically persecuted ethnic and religious group, and has itself been responsible for many of the atrocities. The already non-Muslim dwindling minorities, such as Hindus and Sikhs, have also been subjected to religious discrimination and harassment, forcing many of them to flee the country.

Under the Taliban's all-male, ethnic-based governance, minority groups are effectively excluded from political and economic decision-making processes. In particular, the Hazaras have little to no representation in government, and their participation in key economic activities has also been effectively restricted. The exclusion has led to their further marginalisation and has negatively impacted their livelihoods and increased their vulnerability, amid an already pressing humanitarian crisis that was triggered largely in the aftermath of the Taliban's takeover.

Women faced a ban on their rights to education, employment

⁸⁶ *Afghanistan: Human Development Index* (New York: United Nations Development Reports, March 2004).

and public life. The Taliban's brutal policies of war against women and girls have curtailed their basic freedom and exposed them to further gender-based violence.

Lastly, ending the existing ethnically hegemonic mood in Afghanistan and ensuring diverse political and economic processes is largely a key to the current crisis and imperative for the country's stability. It requires internal reforms and international pressures. To urgently and effectively address the ongoing human rights catastrophe, a list of workable recommendations is provided below for various stakeholders.

Diplomatic Channels

- Impose targeted sanctions against Taliban leaders and affiliates responsible for human rights violations and abuses, enforcing travel bans, especially those already on the UN Security Council sanctions list.
- Make all diplomatic engagement with the Taliban conditional on independently verifiable improvements in human rights practices, including political inclusion of minorities and respect for women's and girls' rights.
- Collaborate with regional partners to pressure the Taliban diplomatically to cease persecution, forced evictions, and discrimination against minority groups.

International Community

- Support initiatives for the establishment of an inclusive political system that ensures all Afghan citizens, including minority communities and women, have equal opportunity and space to flourish.
- Establish a comprehensive accountability mechanism through the UN Human Rights Council to monitor, investigate, collect, preserve and analyse evidence of human rights violations and crimes under international law.
- Support ongoing investigations by the International Criminal Court (ICC) into potential crimes against humanity committed by the Taliban and IS-KP against ethnic and religious minorities.

- Urge donor countries to create robust oversight systems for humanitarian aid to ensure transparency and prevent Taliban interference or discrimination in aid distribution.

Humanitarian Aid Agencies

- Design livelihood training and support initiatives such as vocational education, small business grants and agricultural assistance to empower local communities, especially women and minorities to reinforce self-reliance and ensure sustainable long-term development based on the Agenda for Humanity and UN SDGs 2030.
- Develop and implement distance-learning programs and localised education hubs for women and minority groups to ensure access to education despite Taliban restrictions.
- Enhance emergency relocation programs to provide safe zones or expedited asylum pathways for at-risk individuals from vulnerable ethnic and religious groups.

Regional and International Human Rights Organisations and Donors

- Enhance their Afghanistan programme and focus because of systematic opposition and regression in the human rights situation in the country.
- Increase funding for Afghan-led civil society organisations, human rights defenders and advocacy groups to document abuses, provide aid and raise awareness internationally.
- Support regional partnerships to protect minorities' rights in Afghanistan.

A Look at Economic, Political and Social Representation of Minorities in Bangladesh

Farhan Hossain Joy

Context

2024 has been a historic year for Bangladesh, with the July 2024 student-led mass revolution overthrowing the 15-year-long Awami League regime. While the regime practically ruled unopposed for the last 15 years as they garnered some international recognition as the ‘Defenders of Minorities’, the glaring holes in this narrative have started to emerge after their sudden removal. New reports of minority rights violation cases during their rule, including land grabbing, destruction of places of worship, physical violence and oppression, have surfaced, after the new interim government took over.

The first half of 2024 was a saga of a rigged election that saw a continuation of the old regime. News of land grabbing and potential insurgency took centre stage in minority rights conversations. The week commencing August 5 was marked with concerning reports of violence against minority communities, with nearly a thousand cases of rights violation. The situation aggravated even further with some media cells from neighbouring countries running non-factual reports. Reeling from the violence in July and August, the mainstream media and concerned citizens are still trying to distinguish between cases that were communally motivated and the ones that were purely political.

To understand the deeply intricate situation of minority communities in Bangladesh, representation in the public sphere is of utmost importance. While individual cases and interactions

can truly highlight the pulse of the society, the long-term effects of marginalisation can only be assessed by looking at minorities' political, social and economic representation.

This chapter reflects the political, social and economic trends regarding the representation and status of minority communities in Bangladesh with a special focus on 2024. These communities, including religious, ethnic, linguistic, caste-based and gender minorities, face systemic challenges that limit their participation in national life. Despite constitutional guarantees of equality, there are persistent gaps in their inclusion and representation in Bangladesh's political, economic and social fabric. This study seeks to highlight these disparities and examine the underlying factors contributing to their marginalisation.

The chapter also includes findings from a survey of 49 professionals working in the development sector in Bangladesh. They enriched the study with their insightful opinions on the state minorities find themselves in. The experts also expressed their take on the access to political space, social inclusion and economic empowerment of different communities in Bangladesh.

In terms of political representation, the chapter will explore how minority communities have been used as political pawns rather than being genuinely represented in national decision-making processes. The focus will be on historical and contemporary political participation, voting behaviours and the role of minority leaders in shaping policies. In particular, the study will investigate the aftermath of the 2024 elections, and the potential role of the new interim government in addressing minority concerns in the general election it is mandated to hold.

In terms of the social aspect, the chapter will delve into the complexities of national identity, examining the tensions between Bengali nationalism and minority identities. It will also assess the status of indigenous cultures, their contributions and their exclusion from the national narrative. The challenges faced by minorities in terms of cultural recognition, religious freedom and representation in public discourse will also be addressed.

From the economic viewpoint, the chapter will analyse whether Bangladesh's rapid growth and economic policies have benefited

minority communities, focusing on issues like land ownership, employment and access to resources. Analyses of property ownership trends and population changes will help illuminate how these communities have fared over time, particularly in light of land loss, migration and economic disenfranchisement.

By examining political, social and economic trends vis-à-vis, the chapter aims to provide a nuanced understanding of the status of minorities in Bangladesh and offer recommendations for more inclusive policies and practices.

Introduction

To understand the backdrop of the 2024 revolution and the promise for a new Bangladesh, the minority question has to be looked at from the lens of the history of the nation. Often enough, especially in South Asian countries, the definition and categorisation of the minority communities are done through a westernised point of view. The main factor that can be attributed to this historic misreading is a lingering colonial mindset. Moreover, due to an oversimplified translation of complex local dynamics, the essence of the political, social and economic challenges often gets miscommunicated. This calls for a brief re-visitation of how minorities are actually defined in these three broad walks of life, and their historic presence over the years.

Bangladesh, with its cultural and social diversity, is home to several categories of minority communities. These communities are broadly categorised as religious, ethnic, linguistic, caste-based, intra-faith and gender minorities. In spite of their significant presence, they often find themselves marginalised or excluded from mainstream political, social and economic life. Each group has its distinct identity, yet many share common struggles regarding representation and rights. The next section is an overview of the major minority groups in Bangladesh, their socio-economic realities and the historical context. Additionally, insights into their population and regional distribution in contrast to each of the majority identities is touched upon.

Religious Minorities

With Islam being the religion of the majority population, religious minorities in Bangladesh consist of Hindus, Buddhists, Christians and some other very smaller communities. Although the constitution guarantees equal rights for all citizens, religious minorities have faced systematic exclusion and, at times, violence. This marginalisation has led to declining population shares, notably of the Hindu community, which was once a larger proportion of the population.¹

Hindus, or followers of Sanatana Dharma, constitute the largest religious minority in Bangladesh, making up approximately 8 per cent of the population.² Historically, Hindu presence in the region now known as Bangladesh is deep-rooted and stretches back thousands of years. The Bengal delta, part of ancient kingdoms like Magadha and Vanga, was a cradle for Hindu civilisation, with religious and cultural practices shaping the region for centuries.

The presence of Hinduism in Bengal predates recorded history, with evidence of Vedic rituals and religious practices stretching back to the Iron Age. During the Gupta Empire (320–550 CE), Bengal flourished as a centre of Hindu culture, witnessing the construction of temples and educational institutions. The Sen Dynasty (11th–12th century CE) was one of the last major Hindu dynasties to rule Bengal before the arrival of Muslim rulers. Under Vijay Sen and his successors, Hindu orthodoxy was maintained, and Hinduism remained dominant. However, the arrival of Bakhtiyar Khilji in 1204 CE ushered in Islamic rule, transforming the religious and political landscape of the region.³ Despite these changes, Hinduism continued to play a central role in Bengal's social fabric, particularly in rural areas where many Hindus maintained their

1 Bangladesh Bureau of Statistics, *Preliminary Report on Population and Housing Census 2022* (Bangladesh: Statistics And Informatics Division, Ministry Of Planning, 2022), January 31, 2024, https://bbs.portal.gov.bd/sites/default/files/files/bbs.portal.gov.bd/page/b343a8b4_956b_45ca_872f_4cf9b2f1a6e0/2024-01-31-15-51-b53c55dd692233ae401ba013060b9cbb.pdf.

2 Statistics and Informatics Division, *Preliminary Report Population and Housing Census 2022*.

3 Devdutt Pattanaik, 'The Hindu History of Bengal', Devdutt, May 7, 2023, <https://devdutt.com/the-hindu-history-of-bengal/>.

cultural practices and traditions. The arrival of the British East India Company after the Battle of Plassey in 1757 marked another pivotal moment for Hindus in Bengal, bringing significant shifts in the socio-political landscape. The 1905 Partition of Bengal, dividing the province into East Bengal and Assam (with a Muslim majority) and West Bengal (with a Hindu majority), significantly impacted the political influence of Hindus. While the Partition of Bengal was annulled in 1911, the communal tensions it created had lasting effects on Hindu-Muslim relations in the region. Large-scale migration of Hindus to India occurred after the partition of India in 1947 and again after the Indo-Pakistan War of 1965 due to rising communal tensions. However, things were the worst during Bangladesh Liberation War in 1971 when the Pakistani military committed wide-scale genocide against Hindus.⁴

The Hindu population in Bangladesh today has a slight concentration in the south-western and northern regions, including districts like Khulna, Jessore, Barisal and Rajshahi but is dispersed across all districts. Despite their wide distribution, the community has experienced a steady decline in population since the partition of India in 1947, primarily due to migration, communal violence and socio-political marginalisation.

Buddhists form the second-largest religious minority in Bangladesh, and have a history stretching back centuries. Buddhism flourished in Bengal during the reign of the Pala dynasty (8th–12th century CE), which was a major patron of the religion. Under the Palas, Bengal became a centre for Buddhist learning and culture, with numerous *viharas* (monastic complexes) such as the famed Somapura Mahavihara being constructed. These *viharas* were not only religious institutions but also centres of education, attracting scholars from across Asia. The influence of Buddhism extended beyond religion, impacting art, architecture and even the economy, as evidenced by coinage from the Pala period that bore Buddhist symbols. Though Buddhism's prominence in Bengal waned following the rise of Hindu and Islamic rulers, its legacy

⁴ International Commission of Jurists, *ICJ Review No. 8, 1972*, <https://www.icj.org/wp-content/uploads/2013/07/ICJ-Review-8-1972-eng.pdf>.

remains an important part of the region's cultural heritage.⁵

Today, Buddhists make up approximately 0.6 per cent of the total population of Bangladesh. The majority of the Buddhist population resides in the south-eastern regions of the country, particularly in the districts of Cox's Bazar, Bandarban and Rangamati.

Christians, a smaller yet historically significant group, make up approximately 0.4 per cent of the population. Christianity was introduced to Bengal by European missionaries during the British colonial period. Missionaries played a key role in establishing schools and hospitals, and Christian-run educational institutions remain prominent today, especially in urban areas.⁶

Ethnic Minorities

The term 'Adivasi' in South Asia, including Bangladesh, often refers to the ethnic minority groups who have traditionally lived in specific regions for centuries, long before the establishment of modern nation-states. However, the concept of indigeneity in the South Asian context differs from its Western usage. In Europe and the Americas, indigenous peoples are generally recognised as the original inhabitants of lands that were colonised by foreign settlers, often resulting in profound displacement and marginalisation. In contrast, South Asia, particularly Bangladesh, has seen a more complex and continuous process of migration, settlement and interaction among different communities.

While indigenous groups in the West were often displaced by European settlers, the case of Bangladesh does not neatly fit into this framework. Here, there is no single narrative of foreign 'settlers' colonising lands inhabited by ethnic minorities. Instead, the history of the region involves centuries of coexistence and interaction between such groups and the majority Bengali population. For example, while the Bengali people have dominated the plains and lowlands for centuries, various Adivasi groups have

5 Sukanta Sarkar, 'Growth of Buddhism in Bangladesh—An Overview', *A Journal of Asia for Democracy and Development* XI, no. 1 (July 2023).

6 S. A. M. Ziaul Islam, 'Christianity and Christianization in Bangladesh: Historical Perspectives', *Journal of Arts and Humanities* 29, no. 13 (December 2017): 161–176.

coexisted alongside them, particularly in the highland regions and northern plains. These dynamics make the European concept of indigenous rights and displacement less directly applicable in the Bangladeshi context, as there is no clear ‘settler’ versus ‘indigenous’ dichotomy. Instead, the region has seen a fluid mix of cultures and peoples sharing the same land for generations, though the question of land rights, autonomy and marginalisation remains central to the concerns of Bangladesh’s ethnic minorities.

The Chittagong Hill Tracts (CHT), located in south-eastern Bangladesh, is home to a unique and diverse range of ethnic minority groups, most notably the Chakma, Marma and Kuki-Chin peoples. The history of these groups in the CHT dates back centuries, with many accounts suggesting that the Chakma, Marma and other tribes migrated to the region from the neighbouring Arakan (now Rakhine state in Myanmar) and surrounding areas.⁷

The Chakma are the largest indigenous group in the CHT and have a distinct cultural and linguistic heritage. Historically, the Chakma were believed to have migrated from Arakan in the fifteenth century and established themselves in the Karnafuli river basin. The Marma, another significant group, also trace their ancestry to Arakan and share cultural and religious ties with the people from present-day Myanmar. Both groups primarily practice Buddhism and speak languages belonging to the Tibeto-Burman family. Their long-standing presence in the CHT has shaped the region’s unique identity, which is markedly different from the Bengali-majority areas of Bangladesh.

The Kuki-Chin groups, which include smaller tribes such as the Bawm, Lushai, Pangkho and Khumi, are predominantly Christian or animist in their beliefs. They live in the more remote and rugged areas of the CHT and are known for their distinct cultural practices and languages, which are also part of the Tibeto-Burman linguistic family. The arrival of the Kuki-Chin people in the CHT is believed to have occurred several centuries ago, following migrations from regions to the east, such as present-day Myanmar.

The CHT has been a region of significant tension between the

⁷ Minority Rights Group International, ‘Bangladesh’, Minority Rights Group, accessed January 30, 2025, <https://minorityrights.org/country/bangladesh/>.

ethnic minority population and the government of Bangladesh, particularly regarding land rights and autonomy. The 1997 CHT Peace Accord was a historic agreement intended to bring an end to decades of conflict between Bangladesh Army and Shanti Bahini, the armed wing of *Parbatya Chattagram Jana Samhati Samiti* (The political representation of the conflict).⁸ While the accord promised greater autonomy and recognition of indigenous land rights, its implementation has been inconsistent. Many indigenous people in the region still struggle with land dispossession, military presence and marginalisation perpetuating a cycle of economic exclusion and social tension.

In addition to the hill-dwelling indigenous groups, Adibasi communities of the Bangladesh plains also have a long history of residence in the country. These groups include the Santal, Garo, Oraon and Munda, among others. The Santal, one of the largest Adibasi communities in Bangladesh, predominantly reside in the Rajshahi and Dinajpur regions in the northwest, where they have lived for centuries. Historically, the Santals were primarily hunter-gatherers and agriculturalists, but over time, they were forced into marginalised labour roles due to land dispossession and social exclusion.⁹

The Garo people, who are found mostly in the Mymensingh and Sylhet regions, have lived in Bangladesh for generations. Many Garos practice Christianity, which was introduced to the community by European missionaries in the nineteenth century. Despite their long-standing presence, plainland Adibasi communities face significant challenges in terms of economic opportunity and political representation. Their lands have frequently been appropriated by powerful elites or the state, leaving them with little recourse to secure their livelihoods.

⁸ Parbatya Chattagram Jana Samhati Samiti, 'Chittagong Hill Tracts Accord of 1997', Parbatya Chattagram Jana Samhati Samiti, accessed January 30, 2025, <https://www.pcjss.org/cht-accord-of-1997/>.

⁹ 'New Bangladesh Report Examines Needs of Plainland Ethnic Groups', International Republican Institute, accessed January 30, 2025, <https://bitly.cx/C4QtS>.

Linguistic Minorities

While Bengali is the official language of Bangladesh, there are numerous linguistic minorities, mostly among the ethnic and indigenous communities. These groups maintain their own languages, which belong to various language families, such as Sino-Tibetan, Austro-Asiatic and Dravidian. For example, Chakma and Marma languages are spoken in the CHT, while languages like Santali and Garo are spoken in the northern plains.

Additionally, although Sylheti and Chittagongian could have been categorised as distinct languages centuries ago due to their unique linguistic features, they are now generally considered dialects of Bengali. Both Sylheti and Chittagongian retain distinctive phonetic and lexical features, but over time they have become more integrated into the broader Bengali linguistic framework, especially in terms of official recognition and daily use.¹⁰

Another notable minority group in Bangladesh is the Urdu-speaking Bihari community. The Biharis are descendants of Urdu-speaking migrants who moved to what was then East Pakistan during and after the partition of India in 1947. Many of them had originally come from Bihar and other parts of northern India, aligning themselves with the Muslim League and supporting Pakistan's creation. During the Bangladesh Liberation War in 1971, the Bihari community's support for Pakistan led to their marginalisation in independent Bangladesh. Following the war, they were rendered stateless, as neither Bangladesh nor Pakistan was willing to grant them full citizenship.¹¹

These linguistic minorities face significant challenges in preserving their languages, particularly as Bengali dominates the education system, administration and media. In some regions, indigenous languages are on the verge of extinction due to a lack of institutional support. This linguistic marginalisation reflects a broader issue of cultural assimilation and the erasure of minority identities.

¹⁰ 'Chittagonian, Sylheti Ranked Among 100 Most Spoken Languages', *Dhaka Tribune*, April 16, 2025, <https://www.dhakatribune.com/world/201627/chittagonian-sylheti-ranked-among-100-most-spoken>.

¹¹ E. Paulsen, 'The citizenship status of the Urdu-speakers/ Biharis in Bangladesh', *Refugee Survey Quarterly*, 25, no. 3 (2006), 54–69.

Caste-Based Minorities

Caste-based minorities in Bangladesh, particularly the Dalits, are among the most marginalised communities, with a history deeply rooted in the rigid caste system that originated in South Asia. The term ‘Dalit,’ meaning ‘oppressed’ or ‘broken,’ refers to communities that have historically been considered ‘untouchable’ within the traditional Hindu caste hierarchy. While the caste system is most closely associated with India, its impact has extended into neighbouring countries, including Bangladesh, where caste-based discrimination, though less rigid than in India, persists, especially in rural areas.¹²

During the British colonial period, the Dalit population in Bengal increased significantly as the British administration and plantation owners brought Dalits from India to work in various sectors. Many were recruited to work in the tea gardens of Sylhet and other north-eastern regions, while others were employed in urban areas for tasks considered impure by higher castes, such as sanitation work, sweeping and leather processing. The British colonial administration reinforced caste distinctions, assigning Dalits to menial labour and reinforcing their socio-economic marginalisation.

Today, most Dalits in Bangladesh remain employed in low-status occupations, and they often live in segregated communities. While some Dalits are Muslim, the majority are Hindu and are concentrated in areas such as Khulna, Jessore and parts of Dhaka. Despite efforts by civil society organisations to advocate for their rights, Dalits continue to face widespread discrimination in access to education, healthcare and employment opportunities. They remain one of the most economically disenfranchised groups in Bangladesh, often trapped in a cycle of poverty due to systemic exclusion and social marginalisation.

¹² *NGO Report: UPR Dalit Rights in Bangladesh* (International Dalit Solidarity Network, 2017), March 2018, <https://idsn.org/wp-content/uploads/2018/03/NGO-report-UPR-Dalit-rights-in-Bangladesh-2017.pdf>.

Intra-Faith Minorities

Within the Muslim majority, intra-faith differences have led to marginalisation of groups such as Shia Muslims and Ahmadiyyas. While most Bangladeshi Muslims are Sunni, the Shia community, primarily based in Dhaka and Chittagong, has a small but noticeable presence. The Ahmadiyya community, although recognised by the state, faces significant persecution from both religious extremists and parts of society. Anti-Ahmadiyya campaigns, calling for their official declaration as non-Muslims, have heightened in recent years, especially in rural areas.¹³

Gender and Sexual Minorities

The hijra community in Bangladesh has a long history, with roots tracing back to ancient South Asia, where they were often associated with spiritual and cultural roles. Traditionally, hijras were believed to possess special powers to bless or curse, and they often performed at births, marriages and other significant events giving their blessings. Over time, however, their societal role diminished, and they have been marginalised, facing discrimination and exclusion from mainstream economic activities. Today, many hijras in Bangladesh are forced to rely on begging, performing rituals or sex work for survival as they are frequently denied formal employment opportunities.¹⁴

In contrast to the recognition of ‘hijra’ in the constitution of Bangladesh, the broader LGBTQ+ community in Bangladesh faces significant legal and social challenges. Article 377 of the Bangladesh Penal Code, a colonial-era law, criminalises ‘unnatural offenses,’ which includes homosexual relations, effectively criminalising same-sex relationships. This law places LGBTQ+ individuals at risk of legal persecution, violence and harassment. Due to the severe stigma and legal restrictions, it is difficult to collect reliable data on the LGBTQ+ population, and many individuals remain closeted for

¹³ *Ignoring Executions and Torture: Impunity for Bangladesh’s Security Forces* (Human Rights Watch, June 2005), <https://www.hrw.org/reports/2005/bangladesh0605/3.htm>.

¹⁴ Md. Al-Mamun et al., ‘The Hijra Community in Bangladesh: Legal Recognition and Social Challenges’, *Heliyon* 8, no. 10 (October 2022).

fear of social ostracism, imprisonment or even physical harm. The criminalisation of LGBTQ+ identities and the associated risks create a climate of fear, making it challenging for these communities to seek support or live openly in Bangladesh.¹⁵

Literature Review

The subject of minority representation in Bangladesh has been a focus of research since the country's formation. Historically, Bangladesh has been shaped by its partition from India in 1947 and its independence from Pakistan in 1971. These events created a unique environment where ethnic and religious minorities faced systematic exclusion. Some of the earliest research on this topic came in the aftermath of independence, as scholars such as Rounaq Jahan began documenting the political alienation of ethnic minorities like the Chakma, Marma, and Santal. Jahan's work in 1973 highlighted how Bangladesh's nation-building efforts overlooked the role and rights of these communities, setting the tone for decades of exclusion.¹⁶

Moving into the late twentieth century, the economic and political disenfranchisement of the country's Hindu minority took centre stage. Researchers like Abul Barkat exposed how discriminatory laws, particularly the Vested Property Act, disproportionately affected the Hindu community. Barkat's studies demonstrated that this legislation allowed for the illegal seizure of Hindu-owned land, contributing to the systemic dispossession and impoverishment of the Hindu population over the decades.¹⁷

By the 2000s, the focus of research had broadened to include indigenous and religious minority groups. The CHT became a key area of study analysing the effects of land grabbing, militarisation and the ongoing denial of self-determination for indigenous

¹⁵ IRI Conducts Innovative Mixed-Method LGBTI Study in Bangladesh (Bangladesh: International Republican Institute), 2021.

¹⁶ Rounaq Jahan, *Bangladesh Politics: Problems and Issues*. (Dhaka: University Press Limited, 1973).

¹⁷ Abul Barkat, *The Vested Property Act and Its Consequences* (Dhaka: Bangladesh Law Digest, 2008).

communities.¹⁸ These studies demonstrated how, despite legal frameworks like the 1997 Peace Accord, the reality for minorities remained precarious, marked by economic disenfranchisement and political marginalisation.

Political exclusion has long been a central issue for minorities in Bangladesh, and it continues to be a point of concern today. Despite constitutional promises of equal representation, minorities, particularly religious ones, have seen minimal participation in government. Hindu, Christian and indigenous communities remain significantly under-represented in parliament and other political institutions. Meghna Guhathakurta's study from 2011 is one of the more detailed analyses on this topic, revealing that while religious minorities constitute approximately 10 per cent of the population, their presence in political positions has never been proportional to their population.¹⁹ This under-representation is not limited to elected positions. Ali Riaz's 2016 study on political Islam highlighted how Islamist forces, gaining momentum since the 1980s, further marginalised these communities, both electorally and administratively.²⁰

Religious minorities, particularly Hindus and Christians, are also frequent targets of violence and discrimination. Rights organisations like Ain O Salish Kendra (ASK) have documented hundreds of attacks on minority communities during times of political unrest, with perpetrators rarely held accountable. Social marginalisation is further exacerbated by systemic biases within law enforcement and the judiciary, which often fail to protect minority rights. The situation worsened during the 2024 mass revolution, when violence against minorities surged, raising alarms about their long-term security and representation in society.

Indigenous communities in the CHT face similar economic disenfranchisement. Willem van Schendel's research into the region's history of militarisation and land dispossession illustrates

18 Willem Van Schendel, *A History of Bangladesh* (Cambridge: Cambridge University Press, 2012).

19 Guhathakurta, Meghna, *Amidst the Winds of Change: The Hindu Minority in Bangladesh* (Dhaka: University Press Limited, 2011).

20 Riaz, Ali, *God Willing: The Politics of Islamism in Bangladesh*, (Dhaka: University Press Limited, 2016).

how economic exploitation has left indigenous groups with shrinking access to resources and opportunities.²¹ Government-led development projects, often carried out without consulting local populations, have worsened this situation, leading to further economic and social marginalisation.

In conclusion, minority rights have been studied extensively and findings consistently point to a pattern of political, economic, and social exclusion. Despite constitutional guarantees and international commitments, the practical reality for Bangladesh's minorities remains one of marginalisation. As the country faces new political and economic challenges in 2024, the representation of minorities in these spheres remains uncertain, demanding continued scholarly attention and advocacy.

Political Representation: A Pawn for Power

Political representation in Bangladesh has often been used as a strategic tool rather than a genuine commitment to addressing the concerns of minority communities. Over the decades, political parties have manipulated minority identities—whether religious, ethnic, or linguistic—to serve their own electoral interests. In recent years, particularly during the 2024 elections, these dynamics have become even more pronounced, raising concerns about the authenticity of minority representation.

The History of Minority Politics

The history of minority politics in Bengal is long and complex, shaped by centuries of religious and cultural diversity. During the Mughal tenure in Bengal, particularly under the *subadars* (provincial governors), Hindu-Muslim relations were marked by coexistence, although tensions occasionally surfaced. Subadars such as Shaista Khan maintained policies of relative religious tolerance, allowing Hindus to hold influential positions in the administration and military. However, there were periods of tension, particularly due to taxation on non-Muslims (*jizya*) and restrictions on certain Hindu practices. Despite these challenges, wealthy Hindu merchants

²¹ Van Schendel, *A History of Bangladesh*.

and *zamindars* continued to exert significant influence, especially in urban and economic hubs like Dhaka and Murshidabad. The Battle of Plassey in 1757 was a turning point for Bengal's political landscape and its minorities. The defeat of Nawab Siraj-ud-Daulah by Robert Clive of the British East India Company ended Mughal rule in Bengal and established British dominance. For 'upper-caste' Hindus, particularly Brahmins and Kayasthas, British rule brought new opportunities in the colonial administration, with many rising to prominence. However, British policies also deepened communal divisions by favouring Hindus in education and employment, sowing the seeds of religious-political polarisation that would later influence Bengal's political dynamics.²²

The 1905 Partition of Bengal, orchestrated by Lord Curzon, further exacerbated these tensions. Curzon divided Bengal into two provinces—East Bengal and Assam, with a Muslim majority, and West Bengal, with a Hindu majority. This decision was met with widespread opposition from Hindu leaders, who saw the partition as an attempt to weaken their political influence in Bengal. The Swadeshi movement, led by prominent figures like Surendranath Banerjee, called for the boycott of British goods and the reversal of the partition. Muslims, on the other hand, largely supported the partition as it gave them a political majority in East Bengal. The annulment of the partition in 1911 following intense protests by Hindus did little to heal the growing rift between the two communities.²³

The 1947 partition of India marked another turning point for minority politics in Bengal. Bengal was again divided, with West Bengal joining India and East Bengal becoming part of Pakistan. For the Hindu minority in East Bengal (later East Pakistan), this partition resulted in mass migration to India due to communal violence and economic marginalisation. While some Hindu leaders like Jogendra Nath Mandal initially supported the creation of

22 Masahiko Togawa, 'Hindu Minority in Bangladesh: Migration, Marginalization, and Minority Politics in Bengal', in *Minorities and the State: Changing Social and Political Landscape of Bengal*, ed. Abhijit Dasgupta, Masahiko Togawa and Abul Barkat (2022).

23 Van Schendel, *A History of Bangladesh*.

Pakistan, hoping it would provide protection for Dalits and other marginalised groups, the reality of life for Hindus in East Pakistan was marked by increasing insecurity and repression.²⁴

During the Pakistan era, the political landscape for minorities became more precarious. Hindus, Buddhists and other religious minorities faced systemic discrimination, especially in terms of property rights and political representation. The Vested Property Act, introduced during the Pakistan period, allowed the government to seize the property of those who had left for India, disproportionately affecting Hindus. Political representation for minorities dwindled, and their voices were marginalised in both local and national decision-making processes. The situation worsened during the Bangladesh Liberation War of 1971, when the Pakistani military targeted Hindus, resulting in widespread violence and displacement. Many Hindus fled to India, further reducing their numbers in what would become Bangladesh.

Following the independence of Bangladesh, the government under Sheikh Mujibur Rahman made significant strides toward protecting minority rights. The Constitution of 1972 established Bangladesh as a secular state, guaranteeing equal rights for all citizens regardless of religion. However, over the decades, secularism in the constitution has been amended, and Islam was declared the state religion in 1988 under the military rule of Hussain Muhammad Ershad, further complicating the situation for religious minorities. But the legal advancements for minority rights made remained largely in place

The Election and the Use of Minority Communities

The January 2024 general elections exposed the way political parties, especially the Awami League, continued to use minorities as pawns for electoral gain. The narrative that Hindu community, which represents the largest religious minority in the country, voted for the Awami League, reinforces a long-standing pattern in which Hindus are viewed as the party's dependable vote

²⁴ Sugata Bose, 'Partition of 1947: Partition or Unity of Bengal in 1947?', *The Daily Star*, August 14, 2022, <https://www.thedailystar.net/opinion/focus/news/partition-1947-partition-or-unity-bengal-1947-3095176>.

bank. However, other minority communities, such as Buddhists, indigenous groups and Dalits, remained indifferent, underscoring their alienation from the political process.²⁵

This pattern has its roots in the history of Bangladesh. The Awami League, since its inception, projected itself as the defender of secularism, a stance that initially appealed to religious minorities. However, over the years, secularism has been co-opted by electoral needs, and minorities have seen only limited tangible improvements in their status despite being used as symbols of the government's inclusive narrative. The situation worsened during the post-election violence in early 2024, when properties belonging to Hindus were attacked, and the government was slow to respond, revealing the gap between political rhetoric and actual protection for minority communities.

Representation of Minorities in Political Office

The trend of minority representation in parliamentary elections from 1970 (the last general election of East Pakistan) to 2024 reveals a fluctuating yet persistent struggle for political inclusion among religious minorities, primarily Hindus and Buddhists. In the 1970 election, held under Pakistan's rule, minorities accounted for a relatively high 10.65 per cent of MPs, largely due to the presence of concentrated Hindu populations in constituencies such as Khulna, Barisal and Chittagong Hill Tracts. However, after Bangladesh's independence in 1971, the 1973 election saw a drop in this minority representation to 5 per cent, as the new political environment began grappling with the challenges of nation-building and redefining the place of religious minorities. This decline in representation continued into the 1991 election, when MPs from minority communities accounted for only 4 per cent of parliament, reflecting the ongoing marginalisation of these communities during Bangladesh's transition to a multi-party democracy.

The 2001 election marked a significant low in minority

²⁵ 'Hindus in Bangladesh: Voting for Survival Amidst Limited Choice', *Organiser*, January 3, 2024, <https://organiser.org/2024/01/03/214169/world/hindus-in-bangladesh-voting-for-survival-amidst-limited-choice/>.

representation, with only 2.67 per cent of MPs coming from minority communities, partly due to rising communal tensions and political instability. However, the 2008 election saw a recovery, with 5.67 per cent of MPs from minority backgrounds, reflecting the Awami League's efforts to promote inclusivity and secure the support of religious minorities. In the 2024 election, minority representation stood at 5.71 per cent, with around 20 MPs from minority groups, including those elected through reserved seats.²⁶ This demonstrates a more concerted effort to ensure minority voices in national politics, though the numbers still suggest that minority communities continue to face barriers to achieving equal representation in parliament. These trends underscore the complex dynamics of minority politics in Bangladesh, where political inclusion has been influenced by both national policies and shifting communal relations over time.

Chandan Kumar Dhar, also known as Chinmoy Krishna Das Brahmachari, a former leader of the International Society for Krishna Consciousness (ISKCON) and spokesperson for Sammilita Sanatani Jagaran Jote, has been jailed by a Chattogram court on charges of disrespecting Bangladesh's national flag. The case, filed on October 31, accuses Chinmoy and 18 others in connection with an incident during a rally of the Hindu community on October 25. The rally, organised by the Sanatan Jagaran Mancha, reportedly saw youths placing a saffron-coloured flag over the national flag at a prominent monument in Chattogram. The arrest followed Chinmoy's detention by the Detective Branch of Police at Hazrat Shahjalal International Airport in Dhaka, and the case was filed by Firoz Khan, the former general secretary of the Mohora ward BNP (Bangladesh Nationalist Party). Firoz was later expelled from his party following the filing of the case. The event has sparked significant controversy, especially given the political and social dynamics involving religious groups and national symbols.

²⁶ 'Member of Parliament', Bangladesh Parliament, accessed January 30, 2025, <https://www.parliament.gov.bd/member-of-parliament>.

Voting Pattern: Right to Choose

Voting patterns among Bangladesh's minority communities have evolved significantly over time. During the 1947 partition of India, minorities were at the centre of the debate over whether Bengal should join Pakistan or remain united with India. East Bengali Hindus, particularly those in the leadership class like Jogendra Nath Mandal, played a crucial role in shaping the political landscape. Mandal, a Dalit leader, initially supported the creation of Pakistan, believing it would provide more opportunities for marginalised groups like Dalits. However, the failure of Pakistan's government to protect minorities led to a shift in Hindu support towards the nationalist movements in East Bengal, culminating in the 1971 war for independence.

Post-1971, the Hindu community in particular became closely aligned with the Awami League, a relationship that has persisted to this day. In the 2024 elections, the Hindu vote was crucial in securing the Awami League's victory, despite widespread disillusionment with the party's failure to protect minority rights in the years leading up to the election.

Historical Representation in Voting of Minorities: Trend Analysis

The voting behaviour of minority communities in Bangladesh has evolved based on historical events and shifting political landscapes. In 1947, during the Partition, many Hindus, particularly Dalits under Jogendra Nath Mandal, initially supported Pakistan, believing it would offer them protection from caste discrimination. However, systemic exclusion and violence soon led to widespread disillusionment. By 1971, during the Liberation War, Hindus and Buddhists overwhelmingly supported the Awami League, as they faced targeted violence under the Pakistani military. The newly independent Bangladesh, founded on secular principles, further cemented minority loyalty to Awami League.²⁷

In the subsequent decades, political shifts influenced minority engagement. By 1986, while Hindus continued to align with Awami

²⁷ Rounaq Jahan, 'Bangladesh in 1973: Management of Factional Conflict', *Far Easter Survey* 14, no. 2 (1974): 125–135, <https://online.ucpress.edu/as/article-abstract/14/2/125/20932/Bangladesh-in-1973-Management-of-Factional>.

League, indigenous groups became politically divided. Some sought regional autonomy in response to land disputes in the CHT, while others engaged with mainstream parties like Awami League and the Jatiya Party. The 1991 return to democracy saw Christians joining Hindus in backing Awami League, largely due to BNP's more nationalist and religiously conservative stance. Despite this, minorities remained politically marginalised.

The 2024 elections reinforced these trends, with Hindus overwhelmingly supporting Awami League. However, Buddhists and Christians showed political disengagement, frustrated by mainstream parties' failure to protect minority interests. Indigenous groups remained divided, with some pursuing autonomy while others engaged in national politics.

Are the Policies Fit to Serve?

Over the decades, various governments in Bangladesh have enacted policies aimed at protecting minority rights, but these policies have often been poorly implemented or ineffective. For example, the Chittagong Hill Tracts Peace Accord, signed in 1997, promised autonomy for indigenous communities in the CHT. However, more than 25 years later, the region remains heavily militarised, and land disputes continue to disenfranchise indigenous people.²⁸

The interim government of 2024, formed following the July revolution, has made some promises to improve minority representation, but it remains to be seen whether these will translate into meaningful change. The interim government includes a handful of minority advisors. Notably, Bidhan Ranjan Roy was appointed as the Minister of Primary and Mass Education on August 11, 2024. Another key appointment is Supradip Chakma, who has taken the position of Minister for Chittagong Hill Tracts Affairs.²⁹ However, their role in decision-making has been limited,

²⁸ Saraf Wasima, 'The Chittagong Hill Tracts Peace Process: A Review and Future Research Agenda', *Journal of Humanities and Social Science* 26, no. 10 (October 2021), 13–22 <https://www.iosrjournals.org/iosr-jhss/papers/Vol.26-Issue10/Ser-11/B2610111322.pdf>.

²⁹ '2 Newly Appointed Advisers Allocated Ministries', *Dhaka Tribune*, August 11, 2024, <https://www.dhakatribune.com/bangladesh/354395/2-newly-appointed-advisers-allocated-ministries>.

The result of the Bangladesh Civil Service (BCS) examination in October and the subsequent revision of it in December 2024 have brought to light significant concerns regarding the treatment of Hindu candidates and other minority groups in public service recruitment. According to the October Gazette, 262 Hindu candidates were initially successful, comprising 12.66 per cent of the total 2,068 successful candidates. Other minorities, including Bengali Buddhists, Christians and Chakmas, accounted for only 11 candidates. However, in the December Revised Gazette, the total number of successful candidates decreased to 1,896, with Hindu representation dropping sharply to 190 candidates (10.23 per cent). This reduction excluded 72 Hindu candidates, resulting in a rejection rate of 27.48 per cent, significantly higher than the 5.79 per cent rejection rate for Muslim candidates. Despite Hindus performing well in the BCS exam and representing a larger proportion of successful candidates than their 8 per cent share of the population, their high rejection rate suggests a pattern of systemic exclusion.

This trend raises serious concerns about the marginalisation of minorities in Bangladesh's public service. Critics argue that the disproportionate exclusion of Hindu candidates in the revised gazette reflects deliberate discrimination aimed at reducing their representation in state institutions. The broader implications extend to other minority groups, including Buddhists, Christians, and tribal communities, who collectively constitute a negligible fraction of successful candidates. This exclusion not only undermines fairness in the recruitment process but also perpetuates a systemic bias against minorities in Bangladesh. The reduction of minority representation, particularly Hindus, in the public sector raises questions about equity and inclusion in government employment and reflects a concerning trend of communal bias within state institutions.

and minority communities remain sceptical of the government's commitment to their welfare.

Globally, the 2024 revolution and its aftermath have attracted significant attention, particularly from India, whose media has portrayed the revolution as an opportunity for Bangladesh to further marginalise its minority populations. Indian news outlets, in particular, have pushed a narrative that the instability

in Bangladesh could lead to a rise in violence against Hindus, a move seen as an attempt to influence both Indian and Bangladeshi politics through the lens of minority rights.³⁰

Minorities in Politics: In the Eyes of Experts

The survey conducted among 49 experts, as part of this study, reveals a nuanced understanding of the challenges and opportunities for minority representation and participation in Bangladesh's political, social and economic spheres. Their insights, categorised into enabling factors, barriers, and necessary improvements, provide a roadmap for addressing systemic exclusion while promoting inclusive governance.

Enabling Factors for Minority Participation

A significant proportion of the experts (25 per cent) identified the equal civil and political rights enshrined in the constitution as a key enabler for minority groups' participation in local and sub-national elections. This includes the right to vote which has been ensured through voter registration drives and active advocacy campaigns. Some experts noted that while sexual minorities remain largely on the periphery of political participation, the progress made by other minority groups in securing valid voter IDs and participating in elections highlights the importance of institutional frameworks.

Approximately 15 per cent of experts emphasised the role of societal shifts toward secularism and the proactive involvement of civil society organisations. These experts highlighted the work of advocacy groups in raising awareness about minority rights and combating prejudice, particularly through public education campaigns in schools, mosques, temples and churches. For example, one respondent pointed out that building social harmony by removing discrimination at the family and community levels has significantly improved social acceptance of minorities.

³⁰ 'Global Outcry, Protests Erupt Worldwide Against Violence on Bangladeshi Hindus: Sheikh Hasina, New Government', *Times of India*, accessed March 8, 2025, <https://bitly.cx/x8Y9S>.

Barriers to Minority Representation

Experts identified tokenism and vote bank politics as major barriers to meaningful minority representation in political associations, with 30 per cent citing this issue. Minority groups are often perceived as tools for electoral gain rather than as stakeholders with genuine decision-making power. This practice, according to experts, discourages minorities from actively engaging in political associations or pursuing leadership positions.

Another 20 per cent of experts highlighted the fear of harassment, abuse and threats to personal safety as critical obstacles to minority participation. This issue is particularly pronounced among indigenous communities and religious minorities, who often face social ostracisation and economic repercussions for their political involvement. One respondent described the pervasive climate of fear and discrimination, noting that minorities frequently lack the networks and support systems required to navigate mainstream political spaces.

Recommendations for Enhancing Minority Participation

When asked about necessary improvements, 30 per cent of experts recommended constitutional reforms and affirmative action as critical steps toward ensuring minority participation in all spheres of life. These experts called for the immediate passage of an anti-discrimination law, as well as quotas in education, employment, and political representation. They emphasised that such measures would not only address structural inequalities but also promote inclusivity by creating pathways for minorities to access leadership roles.

Another 20 per cent advocated for education and skill development as key tools for empowering minority communities. They proposed the establishment of government-supported job training programmes tailored to the needs of minority groups, as well as scholarships and grants to encourage higher education. These experts argued that improving access to education would enhance economic opportunities for minorities, enabling them to break the cycle of poverty and exclusion.

The role of social and cultural reforms was emphasised by 15

per cent of experts, who identified the need for public education campaigns to foster greater awareness of minority rights and promote social harmony. These experts recommended integrating diversity training into school curricula and conducting sensitivity programmes in workplaces and public institutions. They argued that such initiatives would help dismantle prejudice and create a more inclusive society.

Social Representation: The Glaring Holes

Bangladesh, as a multicultural and multi-ethnic society, has long struggled with the social integration of its minority communities. While the country has made significant strides in economic and political development, the social marginalisation of minorities—whether religious, ethnic, linguistic, or gender-based—remains a pressing issue in 2024. These communities face systemic exclusion in various sectors, including culture, public discourse, education and social life manifesting in limited access to resources, participation in civil society and expression of identity. Despite constitutional guarantees of equality, social representation of minorities has glaring gaps that have persisted across generations.

On Nationalism: Bengali or Bangladeshi?

One of the most profound identity issues that minorities in Bangladesh face is the conflict between the Bengali and Bangladeshi nationalist narratives. The identity of Bangladesh is deeply rooted in the Bengali language and culture, which became the foundation for its independence movement. The ‘Bengali nationalism’ movement of the 1960s and 1970s was framed around the linguistic and cultural identity of the majority Bengali Muslim population. This effectively marginalised non-Bengali ethnic groups, non-Muslims and other linguistic minorities. The question of nationalism—whether Bangladesh should be seen primarily as a state for Bengali Muslims or as a more inclusive Bangladeshi identity that embraces its diverse communities—remains contentious.³¹

31 Afsan Chowdhury, ‘Being Bengali: The Myth of a Single Identity’, *New Age*, February 21, 2017, <https://www.newagebd.net/article/12183/being-bengali-the-myth-of-single-identity>.

For minorities in Bangladesh, especially in 2024, this debate is more relevant than ever. Indigenous communities such as the Chakma, Marma, Tripura and Santal, as well as the Hindu and Christian populations, often feel alienated by the dominant ‘Bangali’ narrative. This has long contributed to their exclusion from mainstream society. The conflict is not merely symbolic but has real consequences for social integration and identity. For instance, indigenous people from the CHT, who are not ethnically Bengali, see the state’s efforts to assimilate them into the ‘Bangali’ framework as an erasure of their culture. The increasing pressure on minorities to conform to a singular national identity has also been exacerbated by political rhetoric, especially from nationalist groups, who see the protection of Bengali Muslim identity as paramount to the survival of the nation.

In 2024, minority communities expressed growing anxiety about this cultural erasure. They often feel that the government’s efforts to promote Bengali nationalism, particularly during periods of political instability, have undermined their unique cultural identities. The state’s insistence on promoting a unified national identity fails to recognise the pluralism that exists within the country, leading many minorities to feel that their contributions and heritage are undervalued. This is especially apparent in the state’s recognition (or lack thereof) of indigenous festivals, languages and cultural practices.

Indigenous Culture in the Broader Bangladesh Context

Indigenous communities in Bangladesh, particularly those residing in the CHT and the northern plains, are among the most marginalised in terms of cultural recognition. Although these groups have rich traditions and cultural practices, their identities are often excluded from the national narrative. The Chakma, Marma, Tripura and Mro People, for instance, have their own languages, traditional customs and religions (primarily Buddhism and Hinduism), but these cultural elements are rarely celebrated in the broader Bangladeshi context.

In recent years, the younger generation of indigenous people, particularly through social media platforms, has tried to assert

The Kuki-Chin Insurgency of 2024

In 2024, Bangladesh witnessed a resurgence of separatist activities in the south-eastern region, particularly involving the Kuki-Chin community, an indigenous group residing in the Chittagong Hill Tracts (CHT). The Kuki-Chin National Front (KNF), a separatist group advocating for greater autonomy and recognition of indigenous rights, escalated its activities early in the year, leading to significant unrest in the region. The KNF's demands centred around land rights, political representation, and cultural autonomy, issues that had long been sources of tension between indigenous groups and the Bangladeshi state.

By March 2024, tensions reached a peak when the KNF launched a series of attacks on government installations and military outposts in the CHT. These attacks led to the deaths of several military personnel, sparking a robust response from the Bangladeshi government. On March 15, 2024, the government initiated a military operation aimed at neutralising the separatist threat. This operation, known as 'Operation Sunrise,' involved the deployment of thousands of troops to the CHT region, and the use of force quickly escalated.

During the months of March to May 2024, the military operations resulted in the deaths of at least 120 people, including both KNF combatants and civilians caught in the crossfire. According to local sources, dozens of indigenous villages were raided, and many homes were burned down as the military attempted to root out separatist fighters. Human rights organisations have reported that over 200 people were injured during these operations, with many civilians displaced from their homes due to the violence. By June 2024, the government declared that the KNF had been largely dismantled, though skirmishes continued in remote areas of the CHT.*

The use of force by the Bangladeshi government has been heavily criticised by both local and international human rights groups. Reports of extrajudicial killings, arbitrary detentions, and the destruction of civilian property have raised serious

* Maruf Hasan Rumi, 'Why Bangladesh's Kuki National Front is Cause for Concern', The Diplomat, April 29, 2024, <https://thediplomat.com/2024/04/why-bangladeshs-kuki-national-front-is-cause-for-concern/>.

concerns about the disproportionate nature of the response. The government, however, has defended its actions, citing national security and the need to maintain territorial integrity. The conflict has left deep scars on the Kuki-Chin community, and the long-standing grievances over land rights and cultural recognition remain unresolved, suggesting that tensions in the region may continue to simmer even after the military's withdrawal.

their cultural presence with more conviction.³² This has led to a resurgence of indigenous festivals like Biju, Boisabi and Wangala gaining attention in urban areas like Dhaka, although they remain largely confined to the indigenous community itself. The broader Bangladeshi society, while often expressing superficial support for multiculturalism, does not actively engage with indigenous issues, further deepening the divide between the state and indigenous populations.

The indigenous peoples' contribution to national life—through the preservation of biodiversity, cultural diversity and the promotion of unique arts and crafts—often goes unrecognised in mainstream discourses. This cultural marginalisation is reflected in policy decisions, where indigenous perspectives are largely absent. In 2024, indigenous leaders continue to demand that the state recognise their land rights, cultural autonomy and language in schools, but their voices remain largely unheard in the corridors of power.

Voice of Minorities in Public Affairs

The voices of minority communities in Bangladesh's public affairs, media and civil society remain subdued. In 2024, mainstream media coverage of minorities is still sparse, with a focus primarily on sensational events like communal violence or natural disasters in indigenous regions. When minorities are discussed in public discourse, it is often in a victimised context, framing them as passive actors rather than active contributors to society. This

³² 'Three-Day Boisabi Festival Begins in Khagrachhari', *Dhaka Tribune*, April 12, 2024, <https://www.dhakatribune.com/bangladesh/nation/343907/three-day-boisabi-festival-begins-in-khagrachhari>.

On January 15, 2025, ethnic minority students in Dhaka's Motijheel area came under attack while protesting in front of the National Curriculum Textbook Board (NCTB) building. The incident led to multiple injuries and subsequent arrests, drawing national attention to issues of minority rights and student activism in Bangladesh.

The attack took place when two opposing student groups gathered at the NCTB premises over a contentious issue in school textbooks. One group, Students for Sovereignty, was protesting against the inclusion of the term 'indigenous' and a historical map of undivided India in the textbooks. In contrast, Aggrieved Indigenous Students and People had arrived to demand the restoration of 'indigenous' references in the textbooks.

Tensions escalated when the indigenous students approached the NCTB premises. A scuffle ensued, leading to a violent attack on the indigenous students. According to reports, at least nine individuals sustained injuries, including Rupaiya Shreshtha Tanchangya, a member of the Anti-Discrimination Student Movement. The injured were taken to Dhaka Medical College Hospital for treatment.

Law enforcement officials intervened after the violence erupted, forming a barrier between the two groups. However, the attack continued until the police resorted to baton charges to disperse the crowds. Later in the evening, Law Adviser Asif Nazrul and Adviser Mahfuj Alam confirmed via Facebook posts that two individuals had been arrested in connection with the incident.*

* 'Current Affairs in Bangladesh', Prothom Alo English, January 16, 2025, <https://en.prothomalo.com/bangladesh/kt0m1m6xcr>.

narrative fails to capture the complexity and agency of minority groups, reinforcing stereotypes and their marginalisation.

For instance, Hindu and Christian communities, despite having a presence in educational institutions and the business sector, are under-represented in public offices, the media and academia. The absence of strong minority voices in these influential sectors means that their concerns are often overlooked. During times of political unrest, like the post-election violence of 2024, the voices of these communities are particularly marginalised, with reports

of vandalism of Hindu temples and attacks on indigenous villages receiving delayed or inadequate attention from both media and the state.³³

In the case of gender minorities, particularly the LGBTQ+ community and the hijra population, public participation is even more limited. Although hijras were recognised as a third gender in 2013, they remain one of the most marginalised groups in terms of social acceptance and representation. Discriminated against in nearly all aspects of life—from employment to healthcare—the hijra community is largely absent from public decision-making processes. Efforts by civil society organisations to bring LGBTQ+ issues into public discourse are often met with backlash, reflecting the deep-rooted social conservatism in Bangladesh.

Civil society organisations, such as Ain o Salish Kendra and BRAC, have played a crucial role in advocating for minority rights. However, their work is often limited to certain urban areas and fails to reach many rural minority communities who face even

Recent years have witnessed a surge in violence against Sufi shrines, particularly during periods of political instability. After the August 5, 2024 revolution, extremist groups targeted several *mazars* (resting place of historic Darvesh/Sufi/Awliya), destroying cultural landmarks and spreading fear among Sufi followers. In one instance, a 200-year-old shrine near Chittagong was set ablaze, while Sylhet's Darbesh Bari Mazar faced mob attacks and desecration. These incidents underscore the growing intolerance within sections of Bangladeshi society, fuelled by transnational Islamist ideologies and political polarisation.

greater barriers to social integration. In the digital age, younger members of minority groups are using social media to voice their concerns, but this has also made them targets of online abuse and harassment. Despite these challenges, the civil society continues to be a vital platform for minorities to assert their rights, even though the state's response has been largely indifferent.

³³ 'The Lack of Freedom for Minorities: Indicative of Institutional Issues', *The Daily Star*, August 7, 2024, <https://www.thedailystar.net/campus/news/the-lack-freedom-minorities-indicative-institutional-issues-3671641>.

Sufism and Other Islamic Sects in Bangladesh

Sufism, the mystical branch of Islam, has historically shaped the cultural and religious identity of Bangladesh through its emphasis on devotion, tolerance and inclusivity. Sufi shrines, or *mazars*, like those of Shah Jalal in Sylhet and Khan Jahan Ali in Bagerhat, are revered spaces, attracting people from various religious backgrounds. However, the rise of puritanical Islamic ideologies such as Wahhabism has led to increasing cultural attacks on Sufi traditions, with practices like shrine visitation and music denounced as un-Islamic.

Ahmadiyya Muslims also face persecution, with attacks on their mosques and community centres reflecting broader hostility toward diverse Islamic practices. These acts of violence highlight the erosion of Bangladesh's historically pluralistic Islamic identity.

Linguistic Identity Question

Language is central to the national identity of Bangladesh, and the promotion of Bengali as the official language has marginalised linguistic minorities across the country. Indigenous groups in the CHT, northern plains and north-eastern regions speak a variety of languages, including Chakma, Marma, Garo, Santali and Mro. Similarly, the Bihari community, primarily Urdu-speaking, continues to face marginalisation due to their linguistic difference from the majority Bengali population.³⁴

The suppression of linguistic diversity in Bangladesh has long been a challenge for minority groups. Schools, particularly in indigenous areas, rarely offer education in the local language, and students are forced to learn Bengali. This creates a significant barrier to educational success for many indigenous children, who grow up speaking their native language at home. The lack of institutional support for minority languages has led to concerns about the potential extinction of these languages in the coming decades, particularly as younger generations are increasingly forced to assimilate into Bengali-speaking environments.

The Bihari community, descendants of Urdu-speaking migrants

³⁴ 'The Language of Identity', *The Daily Star*, February 22, 2017, <https://www.thedailystar.net/op-ed/the-language-identity-1364392>.

from Bihar after the partition of India, has faced decades of discrimination, not only because of their linguistic identity but also their historical association with Pakistan. While the Biharis were granted citizenship in 2008, many still live in refugee camps, socially and economically marginalised. Their linguistic identity remains a point of contention, as Urdu is seen as a foreign language in the context of Bangladesh's nationalist movement, which was built around the preservation of Bengali.³⁵

In 2024, linguistic minorities expressed growing frustration with the state's failure to recognise their languages and incorporate them into the national education system. Indigenous leaders have repeatedly called for the implementation of mother-tongue education, which has been enshrined in both national policies and international agreements, but progress has been slow. Many feel that the state's unwillingness to promote linguistic diversity is part of a broader attempt to assimilate minority communities into the dominant Bengali Muslim identity.

Social Challenges Faced by Minorities in 2024

In August 2024, a widely reported incident in Natore, a district in northern Bangladesh, highlighted the persistent social challenges faced by religious minorities. A Hindu family's temple was vandalised, and their home attacked by a group of locals following a dispute over land ownership. Despite the family's attempts to seek protection, local authorities were slow to respond, and the perpetrators were not immediately arrested. This case is not isolated; incidents of communal violence, land grabs and religious discrimination against minority communities have become alarmingly common in recent years. The Natore incident underscores the fragile security and limited social protection that minority communities face, even as Bangladesh makes strides in economic and political arenas.³⁶

³⁵ 'Urdu-Speaking People in Bangladesh Seek Land Ownership for Rehabilitation', *New Age*, October 30, 2024, <https://www.newagebd.net/article/216340/urdu-speaking-people-in-bangladesh-seek-land-ownership-for-rehabilitation>.

³⁶ '205 Incidents of Persecution Against Minorities Since Aug 5: Oikya

One of the biggest challenges minorities face in Bangladesh is religious discrimination. Hindu, Buddhist and Christian communities frequently experience attacks on their religious institutions, harassment during religious festivals and obstacles in practicing their faith freely. This discrimination is often more pronounced in rural areas, where minority populations are smaller and less politically influential. For instance, temples and churches are sometimes targeted during times of political unrest, as seen after the 2024 elections, where violence erupted in certain districts, particularly in Hindu-majority areas. These communities also face societal exclusion, with limited avenues to address their grievances effectively.

Furthermore, social stigma and exclusion remain pervasive, particularly for gender and caste-based minorities. Communities like the hijras and Dalits face severe discrimination in employment, healthcare and education. hijras, despite being recognised as a third gender, are often excluded from mainstream economic activities and are forced into begging or sex work for survival. Similarly, Dalits, who are often relegated to menial labour, face widespread discrimination, especially in rural areas. Access to public services like education and healthcare remains limited for these communities, reinforcing cycles of poverty and social exclusion.

Integration in Societies: What the Experts Had to Say

The survey of 49 experts reveals valuable insights into the factors that facilitate or hinder the integration of minority communities into Bangladesh's social fabric. Their perspectives cover areas such as participation in organisations, social interactions, access to education and healthcare and the systemic barriers minorities face in building inclusive societies. This section synthesises their opinions, quantifying recurring themes and recommendations.

Participation in Organisations

About 25 per cent of experts highlighted education and awareness as critical factors that have helped minorities participate in

Parishad', *The Daily Star*, August 9, 2024, <https://www.thedailystar.net/news/bangladesh/news/205-incidents-persecution-minorities-aug-5-oikya-parishad-3673106>.

professional associations, clubs and community groups. The presence of community leadership and initiatives focused on building capacity and confidence were also noted by 15 per cent of experts. Some experts pointed out that minority participation is often determined by local histories and the emergence of modern occupations, with Hindus historically forming a dominant class in certain professional settings.

Another 10 per cent attributed this participation to the secular nature of many organisations in Bangladesh. These associations, such as professional groups and community clubs, were said to operate with objectives that do not conflict with major religious teachings, creating a relatively inclusive space for minority involvement. However, experts emphasised that such opportunities are often skewed toward more privileged minorities, while economically disadvantaged groups, such as Dalits and sexual minorities, face greater barriers.

Social Barriers and Discrimination

The challenges of integration extend deeply into societal attitudes, as highlighted by 30 per cent of the experts surveyed. Many described subtle but pervasive forms of discrimination, such as exclusion from social events, stereotyping and derogatory comments. For instance, some experts noted that minorities are often typecast into specific roles, such as women in beauty and caregiving jobs or men as chefs, with their broader capabilities dismissed. Others shared personal accounts of exclusion, such as being denied participation in public programmes, festivals or leadership roles due to their identity.

The issue of physical appearance also emerged, with 10 per cent of experts reporting experiences of stereotyping based on how minorities 'look'. For example, indigenous individuals shared instances where they were treated with respect when perceived as foreigners but faced disdain once their Bangladeshi identity was revealed. This reflects broader societal prejudices against ethnic minorities and their integration into mainstream culture.

Religious and Ethnic Discrimination

Approximately 20 per cent of experts noted the challenges faced by religious minorities, particularly Hindus and Muslims of specific sects, such as Shias and Ahmadiyyas. Verbal abuse, forced voting decisions and mockery of religious practices are common. A recurring example shared was the use of the slur ‘Malowan’ against Hindus, which perpetuates their stigmatisation. Similarly, ethnic minorities such as the Biharis often encounter barriers in securing housing or accessing basic services due to their Urdu-speaking identity.

Access to Education

Education emerged as a focal point for ensuring integration and upward mobility for minorities, with 30 per cent of experts identifying awareness and constitutional guarantees as enablers of access to education. Public education policies and government initiatives were credited for creating a relatively inclusive environment in schools. However, experts noted gaps in the implementation of these policies, particularly in rural and underprivileged areas where minorities often reside.

Some experts expressed concerns about the lack of targeted initiatives to address educational barriers specific to marginalised groups, such as indigenous children who face language and cultural challenges. Ten per cent of experts recommended the inclusion of diversity training in school curricula to foster greater understanding and acceptance of minorities from an early age.

Access to Healthcare

The responses regarding healthcare were mixed. While 20 per cent of experts noted that public hospitals are generally open to all citizens, others pointed out the profit-driven nature of private healthcare, which often marginalises economically disadvantaged minorities. Government health policies were praised for their inclusivity, but the practical reality of accessing quality healthcare remains uneven.

A significant challenge mentioned by 15 per cent of experts was the lack of cultural sensitivity in healthcare services. For instance,

indigenous and ethnic minorities often face communication barriers in hospitals, while women from minority communities may encounter additional gender-based discrimination. Experts recommended targeted interventions to improve access, such as culturally competent training for healthcare professionals and outreach programmes for minority communities.

Recommendations for Social Inclusion

Experts surveyed emphasised the importance of long-term strategies to ensure the integration of minorities into mainstream society. About 25 per cent of experts recommended public awareness campaigns to address prejudice and promote tolerance. They called for collaborations between government institutions and civil society organisations to implement such programmes effectively.

Additionally, 20 per cent of experts advocated for constitutional reforms and the introduction of an anti-discrimination law to provide legal safeguards against exclusion. These measures, coupled with grassroots movements to promote social harmony, were seen as essential for building an inclusive society. The experts also stressed the need to address intersectional barriers, such as those faced by women and LGBTQ+ individuals within minority groups, through targeted policies and advocacy.

Economic Representation: Is Bangladesh for Everyone?

Bangladesh has experienced impressive economic growth in the past few decades, often hailed as a development success story in South Asia. However, the benefits of this economic growth have not been distributed equally across its population. For minority communities—religious, ethnic and others—economic inclusion remains a significant challenge. While some minorities have managed to secure their economic foothold, the majority continue to face systemic barriers, which hinder their ability to participate fully in the country's growth story. In 2024, the question of whether Bangladesh's economic policies and structures serve all its citizens, particularly minorities, remains pressing.

This section explores economic inclusivity in Bangladesh,

analysing whether minority communities have benefited from the country's economic policies. It also includes a time-series analysis of the population trends and property ownership of both religious and ethnic minorities, illustrating patterns of land loss, displacement and economic challenges.

Religious Minority Population and Property Trend

The religious minority population in Bangladesh, particularly Hindus, Christians and Buddhists, has been on a steady decline since the Partition of India in 1947. The impact of migration, discrimination and violence has severely affected these communities' ability to maintain their property and economic stability. A detailed analysis of the population trend over the years reveals significant demographic shifts, with Hindus experiencing the sharpest decline.³⁷

In 1947, just before the Partition, Hindus constituted approximately 28 per cent of the population in East Bengal (now Bangladesh). By the time of Bangladesh's independence in 1971, this percentage had dropped to around 13–15 per cent, largely due to migration to India, triggered by religious violence and economic hardship. Over the next few decades, this percentage continued to decline, with the most recent estimates in 2024 suggesting that Hindus now make up approximately 8.5 per cent of the total population.

Christian and Buddhist communities, though smaller in number, have also experienced demographic pressures. Christians, whose ancestors were proselytized by European missionaries, currently make up around 0.4 per cent of the population, while Buddhists, primarily from the indigenous Chakma and Marma communities in the Chittagong Hill Tracts (CHT), constitute 0.6 per cent. The broader socio-economic challenges, diminishing birth rates, including land loss, migration and social marginalisation has led to the demographic decline of minorities.

The decline in the population of religious minorities is closely tied to the loss of property, particularly land. The Vested Property

³⁷ 'The Vested Property Act and Its Consequences', *The Daily Star*, May 15, 2008, <https://www.thedailystar.net/news-detail-36658>.

Act, originally enacted as the Enemy Property Act during the 1965 Indo-Pakistan war, allowed the government to seize property from those it considered enemies of the state—primarily Hindus. While the law has been amended, the legacy of land seizures has left many Hindu families economically disenfranchised.³⁸

According to research by Abul Barkat, in the early 2000s, over 1.2 million Hindu households were affected by the Vested Property Act between 1947 and 2006. An estimated 2.6 million acres of land were confiscated from Hindu families, drastically reducing their economic standing. Although recent governments have promised to return confiscated property, the process has been slow and fraught with bureaucratic obstacles, leaving many minority families without their ancestral lands. In 2024, this issue remained unresolved, with many Hindu families still fighting legal battles to reclaim their property.³⁹

Ethnic Minority Population and Property Trend over the Years

Ethnic minorities in Bangladesh, primarily the Chakma, Marma, Santal and Garo communities, have long faced economic marginalisation, particularly through land dispossession and forced displacement. The indigenous people of the CHT, for example, have been embroiled in decades-long conflicts over land rights, further exacerbating their economic disenfranchisement.

Population trends among ethnic minorities in Bangladesh show that their numbers have remained relatively stable in comparison to religious minorities, but their percentage of the total population has declined due to rapid population growth among the majority Bengali community. In 1971, indigenous peoples made up around 1.5 per cent of the population. Today, they represent 1-2 per cent, with the largest indigenous groups being the Chakma and Marma in the CHT and the Santal in the northern plains.

38 Shelley Feldman, 'The Hindu as Other: State, Law, and Land Relations in Contemporary Bangladesh', *South Asia Multidisciplinary Academic Journal* 13, no. 5 (2011).

39 Imtiaz Ahmed Sajal, 'From Enemy Property to Vested Property: Fifty Years of Public Suffering', *Bangladesh Law Digest*, accessed February 18, 2025, <https://bdlawdigest.org/from-enemy-property-to-vested-property-fifty-years-of-public-sufferings.html>.

Although the population of ethnic minorities has not declined as sharply as that of religious minorities, their economic position has weakened significantly over the years, particularly due to land loss and lack of access to resources. The displacement of indigenous communities due to state-led development projects and migration of Bengali settlers into their lands has been a key factor in their economic marginalisation.

Land is central to the identity and economy of Bangladesh's indigenous peoples. Historically, indigenous communities have had communal land ownership systems, which are not always recognised by the state. The Chittagong Hill Tracts Peace Accord of 1997 promised to restore land rights to indigenous people and grant them greater autonomy. However, the implementation of this accord has been inconsistent, and indigenous land continues to be threatened by Bengali settlers, who often receive preferential treatment from the government.⁴⁰

A study conducted by Willem van Schendel highlighted the dramatic reduction of indigenous land ownership in the CHT between 1947 and the present day. In 1947, indigenous people held around 95 per cent of the land in the CHT. By 2024, this figure had dropped to 50–60 per cent, as settlers have encroached on indigenous land, and the state has seized land for development projects, military installations, and resettlement initiatives.⁴¹

Discrimination in Employment and Education

Before the Quota Reform Movement of 2024, the government had reserved 10 per cent of public sector jobs for minority communities. However, this quota was often criticised for its limited enforcement, as minority candidates frequently faced systemic discrimination in recruitment processes. In many cases, these positions were left unfilled or given to individuals from the majority population due to the lack of proper oversight and accountability. Additionally, 1 per cent of government jobs were reserved for indigenous

⁴⁰ International Work Group for Indigenous Affairs, 'Chittagong Hill Tracts', International Work Group for Indigenous Affairs, accessed February 20, 2025, <https://iwgia.org/en/cht>.

⁴¹ Van Schendel, *The Chittagong Hill Tracts: Living in a Borderland*.

communities, but the actual representation of indigenous people in civil service has remained far lower than this target.

The Quota Reform Movement of 2024—which arose from widespread protests against perceived inequalities in the job recruitment process—led to significant changes in the way government quotas were structured. In the aftermath of the movement, the quota system was revised, reducing the overall percentage of reserved seats for minorities to 7 per cent. The government justified this change by arguing for a more merit-based recruitment process, though critics claim that the reduction further marginalised minority communities, making it even harder for them to secure public sector jobs.⁴²

In the education sector, minority students face similar challenges. While 5 per cent of seats in public universities are reserved for minority students, many remain excluded from higher education due to discrimination, language barriers and limited access to quality schooling at the primary and secondary levels. Indigenous students, in particular, struggle to succeed in the national curriculum, as mother-tongue education is rarely available. The hijra community and other marginalised gender groups also face significant obstacles in accessing educational opportunities due to social stigma and exclusion.

Despite these quota systems, minorities continue to face barriers in both employment and education, with many reporting that they are often bypassed for jobs or admissions in favour of majority candidates. The reduction of quotas following the 2024 movement has only deepened concerns about the lack of inclusivity in public sector employment and higher education. Without meaningful reforms and enforcement of existing policies, these communities will continue to be underrepresented in key sectors of the Bangladesh economy and society.

⁴² Anupreeta Das and Saif Hasnat, 'Bangladesh Court Ruling on Quota Sparks Debate', *The New York Times*, July 21, 2024, <https://www.nytimes.com/2024/07/21/world/asia/bangladesh-quota-court-ruling.html>.

Unemployment and Poverty

Unemployment rates among minority communities are significantly higher than the national average. In rural areas, where most indigenous and religious minorities reside, employment opportunities are often limited to agriculture, and many minority communities do not have secure access to land. According to the International Labour Organization (ILO), the unemployment rate for indigenous and religious minorities is around 15-20 per cent, compared to the national average of 4-6 per cent. This disparity is even more pronounced in the case of women from minority groups, who face additional barriers to employment due to gender and cultural discrimination.

Poverty levels among minorities are also disproportionately high. Forty per cent of the country's indigenous population lives below the poverty line, compared to 24 per cent of the general population. Religious minorities, particularly Hindus, also face higher rates of poverty due to historical land dispossession and discrimination in employment. This economic exclusion has led to cycles of poverty that persist across generations.⁴³

Economic Participation: Through Experts' Lenses

The survey among 49 experts provides an in-depth view of the factors influencing the economic participation of minorities in Bangladesh. Their insights reveal the structural enablers, barriers and disparities in access to employment, financial resources and overall economic opportunities. This section synthesises these perspectives, supported by quantitative analysis of recurring themes and expert recommendations.

Factors Supporting Equal Employment Opportunities

About 30 per cent of the experts emphasised the role of education as a critical factor in fostering equal employment opportunities for minority groups. Experts pointed out that access to quality education equips minorities with the skills and qualifications

⁴³ Ashek Mahmud and Md. Rafiqul Islam, 'Socio-Economic Challenges of Indigenous Communities in Bangladesh', *Jatiya Kabi Kazi Nazrul Islam University Journal*, no. 5 (July 2022): 828-835.

needed to compete in the job market. This is particularly true for religious minorities such as Hindus, who have historically had higher literacy rates and better access to formal education compared to other minority groups.

Another 20 per cent of experts highlighted the constitutional guarantees that safeguard equal employment opportunities. They noted that Bangladesh's Constitution prohibits discrimination in employment and ensures equal rights for all citizens, regardless of religion or ethnicity. Additionally, the post-1971 rejection of religion-based politics has created a relatively secular employment environment, where political parties avoid overtly religious agendas. This has contributed to a perception of inclusivity in many workplaces.

A smaller group of experts, 15 per cent, attributed the lack of workplace discrimination to the country's general sense of harmony and secular ethos. They argued that while barriers exist at earlier stages—such as accessing education or job networks—once employed, minorities typically do not face significant discrimination in the workplace.

Barriers to Economic Participation

Despite these enablers, systemic barriers continue to hinder the full economic participation of minorities. About 25 per cent of experts identified educational disparities as a key obstacle. Minority groups, particularly indigenous communities and Dalits, often lack access to quality education, which limits their employability and ability to secure higher-paying jobs. Experts noted that many of these barriers stem from socio-economic inequalities and geographic isolation, particularly in regions like the CHT.

Another 20 per cent highlighted the limited professional networks available to minorities. Without the necessary connections to navigate job markets, many minority individuals struggle to access formal employment opportunities. This challenge is particularly acute for economically disadvantaged groups, such as the Rohingya and displaced Bihari communities, who face additional barriers due to their lack of citizenship or legal documentation.

Experts also pointed to subtle forms of bias in recruitment

processes. About 10 per cent noted that while overt discrimination is rare, cultural and social stereotypes often limit the career advancement of minorities. For instance, certain groups, such as Dalits and sexual minorities, are frequently excluded from leadership roles or high-status positions.

Access to Financial Resources

Responses regarding access to financial resources were largely optimistic, with 30 per cent of experts noting that Bangladesh's banking and microfinance systems are inclusive and do not explicitly discriminate against minorities. The widespread availability of microcredit programmes, facilitated by organisations like Grameen Bank and BRAC, was cited as a major factor enabling minorities to access loans and other financial services.

About 15 per cent of experts highlighted the historical relationship between Hindu minority communities and the banking system. Unlike other groups, Hindus have traditionally embraced banking and financial services, partly due to their acceptance of interest-based transactions. This early adoption has contributed to their economic integration and access to financial resources.

However, 20 per cent of experts pointed out significant gaps in financial access for certain marginalised groups. Indigenous communities and Dalits, for example, often rely on non-government organisations (NGOs) for credit rather than formal banking institutions. Experts noted that these groups face additional barriers, such as landlessness and lack of collateral, which limit their ability to secure traditional loans.

Disparities in Employment Practices

Experts were divided on whether workplace discrimination against minorities is a significant issue. While 30 per cent of experts argued that workplace policies generally prohibit discrimination, others pointed out that systemic barriers exist at earlier stages, such as education and professional networking. For instance, Dalits and indigenous groups are often excluded from high-status professions due to social stigmas and limited access to resources.

One respondent noted that Hindus, who have historically

dominated certain professional sectors, face fewer barriers to employment compared to economically disadvantaged minorities. Another respondent observed that workplace discrimination is largely a mindset issue, with biases often rooted in societal attitudes rather than formal policies.

Recommendations for Economic Inclusion

When asked about ways to enhance economic participation, 35 per cent of experts emphasised the need for targeted education and skill development programmes. They suggested government-supported initiatives focused on job training and capacity-building for marginalised groups, particularly in rural areas. Scholarships, grants and access to higher education were also recommended as tools for empowering minorities to compete in the job market.

Another 20 per cent called for reforms in land ownership and resource allocation. They noted that resolving land disputes in the CHT and granting secure land rights to indigenous communities would significantly improve their economic prospects. The experts also recommended expanding social safety-net programmes to address the economic vulnerabilities of minority groups.

The experts further highlighted the importance of promoting minority-owned businesses through microfinance, low-interest loans, and networking opportunities. About 15 per cent advocated for affirmative action policies, such as quotas in employment and entrepreneurship programmes, to address historical inequities and ensure representation in high-status professions.

Recommendations

For the Government

1. Pass and Implement a Comprehensive Anti-Discrimination Law: The government should draft and pass a comprehensive anti-discrimination law that addresses issues of religious, ethnic, caste-based, and gender discrimination. This law should include specific protections for Hindus, Buddhists, Christians, indigenous people, and hijras, with clear mechanisms for enforcement.

2. Review and Amend the Vested Property Act: The Vested Property Act has been a major source of land dispossession for Hindu minorities. A thorough review and amendment process must be undertaken to ensure that remaining property claims are resolved swiftly and fairly, with an emphasis on returning seized land to rightful owners.
3. Full Implementation of the 1997 Chittagong Hill Tracts Peace Accord: The government should take steps to fully implement the CHT Peace Accord, including land dispute resolution, autonomy for indigenous communities and reduction of military presence in the region. Ensuring indigenous rights to land and resources must be prioritised to protect their livelihoods and cultural heritage.
4. Increase Representation of Minorities in Government and Policy-making Bodies: Representation of minorities in political offices and government institutions should be significantly increased to reflect their proportion of the population. Reserved seats for minority groups in parliament and local government should be implemented.
5. Ensure Independence and Fairness of the Judiciary: Strengthen the judiciary to operate independently of political influence, particularly in cases involving minority rights. An independent judiciary is crucial to addressing the legal grievances of marginalised communities, such as Dalits and indigenous peoples.
6. Address Religious Freedom and Protection: The government should pass stricter laws protecting religious freedom and take action against perpetrators of violence targeting minorities. Law enforcement agencies must be trained to deal with communal violence and discrimination cases effectively.
7. Educational Reforms: The curriculum in schools should be revised to promote inclusive education that teaches respect for minority cultures, languages, and religions. Educational materials must celebrate Bangladesh's diversity and contribute to reducing social discrimination.

For the Civil Society Stakeholders

1. **Engage in Policy Dialogues on Minority Rights:** Civil society organisations should initiate and participate in policy-level dialogues with the government, focusing on land rights, religious freedoms and educational access for minority communities. These dialogues should include indigenous leaders, Hindu representatives and representatives of other minority groups to ensure their voices are heard.
2. **Raise Awareness on Caste-Based Discrimination:** Organisations should advocate for public awareness campaigns on the issue of caste-based discrimination, particularly against Dalits. These campaigns should aim to dismantle social stigmas and promote inclusion in schools, workplaces and public institutions.
3. **Promote Legal Aid for Minorities:** The civil society must provide legal assistance to minority communities, especially in cases of land disputes, religious persecution, and workplace discrimination. Legal clinics or partnerships with human rights organisations should be created to ensure marginalised groups have access to justice.
4. **Foster Interfaith and Interethnic Dialogue:** To combat rising communal tensions, civil society organisations should foster interfaith and interethnic dialogues to build trust and cooperation between different communities. These dialogues should include religious leaders, community representatives and young people.
5. **Monitor and Report Violations:** The civil society should continue to monitor and report human rights violations against minority communities, especially in areas of land disputes, religious discrimination and exclusion from economic opportunities. This will help create pressure for accountability.

For the International Community

1. **Promote Diplomatic Engagement for Minority Rights:** The international community should engage with the Bangladesh government through diplomatic channels to encourage

better protection of minority rights. This can include offering technical assistance to strengthen legal frameworks protecting minorities and sharing best practices from other countries.

2. **Support Fact-checking Mechanisms:** In the wake of the July 2024 revolution, fake news and misinformation have become significant challenges. The international community, especially international media and fact-checking organisations, should collaborate with local media to strengthen fact-checking mechanisms and ensure that accurate information is disseminated. This is critical in preventing further communal tensions.
3. **Provide Humanitarian Assistance:** Where appropriate, international organisations should provide humanitarian assistance to displaced minorities, particularly in regions like the Chittagong Hill Tracts and areas affected by communal violence. Programmes should focus on land rehabilitation, educational support, and healthcare access for affected communities.
4. **Promote Minority Rights in Multilateral Forums:** International bodies like the United Nations, the Commonwealth, and South Asian Association for Regional Cooperation (SAARC) should continue to monitor and address minority rights issues in Bangladesh. Encouraging Bangladesh to meet its international human rights commitments, particularly those related to religious freedom and indigenous rights, is vital.
5. **Support Grassroots Advocacy Efforts:** International donors and NGOs should provide financial and technical support to grassroots organisations in Bangladesh that work to promote the rights of minority communities. Empowering local advocacy groups is crucial for creating long-term, sustainable changes in how minorities are treated within Bangladesh.

By focusing on these recommendations, Bangladesh can move towards a more inclusive, just and equitable society, where the rights and opportunities of minority communities are fully recognised and protected.

Conclusion

This report aims to provide a comprehensive analysis of the political, social and economic representation of minority communities in Bangladesh, with a particular focus on the challenges these communities face in 2024. Despite constitutional guarantees of equality, minorities—whether religious, ethnic, linguistic or caste-based—continue to face significant barriers to full participation in the country’s political, economic and social spheres.

Politically, minority groups, most notably Hindus have often been used as electoral pawns rather than being genuinely represented. While political parties may rely on minority votes during elections, this support does not always translate into meaningful political representation or policies that address their unique concerns. The 2024 interim government reflects this ongoing issue, as the inclusion of advisors and leaders from minority groups remains symbolic rather than substantive. Moreover, reform committees tasked with shaping the nation’s future continue to lack significant minority representation, leaving key issues like land rights, religious freedoms, and minority protections unresolved.

Socially, minorities in Bangladesh grapple with discrimination, exclusion, and threats to their cultural identity. Religious minorities, particularly Hindus and Buddhists, face attacks on places of worship, obstacles to practicing their faith, and ongoing tensions, particularly in times of political instability. Indigenous communities, especially in the Chittagong Hill Tracts (CHT), continue to fight for land rights and cultural recognition, while Dalits remain marginalised in employment, education and public services. The LGBTQ+ community faces threats of violence and legal subjugation due to colonial-era laws. These social challenges not only undermine the well-being of these communities but also perpetuate cycles of poverty and exclusion.

Economically, minorities face entrenched inequalities that prevent them from fully benefiting from Bangladesh’s rapid economic growth. Land dispossession continues to deprive Hindu and indigenous communities of their ancestral lands, while minorities remain underrepresented in both public and private sectors. Employment discrimination, limited access to education

and healthcare, and barriers to economic mobility further exacerbate their disenfranchisement.

In light of these findings, the report presents a set of detailed recommendations for the government, the civil society, and the international community. These recommendations emphasise the need for legal reforms, policy changes and active efforts to promote inclusivity and justice for minority communities in Bangladesh. By addressing these challenges head-on, Bangladesh has the opportunity to build a more inclusive society where all citizens—regardless of their religious, ethnic or social background—are afforded equal rights, protections and opportunities. As the country moves forward with the promise and vision of 2024 student-public mass uprising, ensuring that these recommendations are implemented will be crucial to achieving a more equitable and just future for all of its people.

From Marginalisation to Exclusion The Consequence of the Worsening Participation of India's Religious Minorities

Sajjad Hassan and Abhimanyu Suresh

Introduction

Ahead of India's 2024 General Election, the Hindu nationalist Bharatiya Janata Party (BJP), which has governed the country at the federal level and in a majority of its states since 2014, trumpeted three of its 'historic' accomplishments while in power: (i) the Citizenship (Amendment) Act (CAA), 2019, which fast-tracked the pathway to Indian citizenship for non-Muslims fleeing persecution in India's Muslim-majority neighbouring countries; (ii) the revocation of the semi-autonomous status of Jammu & Kashmir, which had previously been India's only Muslim-majority state; and (iii) the consecration of the Ram Mandir, a temple being built atop the site of a historical mosque that had been illegally razed by Hindu extremists in 1992.¹

Despite the realisation of these long-standing Hindu nationalist goals, and despite being ten years into an era of unprecedented Hindu majoritarian political and cultural domination, the BJP's election campaign was centred around manufacturing fear among India's Hindu majority. Incendiary rhetoric that demonised and dehumanised Muslims—India's largest minority—and accused opposition parties of conspiring on the former's behalf formed the core of the BJP's messaging.² Prime Minister Narendra Modi set the

1 Bharatiya Janata Party, 'Modi Ki Guarantee 2024: Phir Ek Baar Modi Sarkar', 2024, https://www.bjp.org/files/inline-documents/Modi-Ki-Guarantee-Sankalp-Patra-English_0.pdf.

2 South Asia Justice Campaign, 'UPDATE | General Elections | 16 March – 31

tone early, accusing the opposition Congress Party of ‘crossing the limits of appeasement’ and likening its electoral manifesto to that of the Muslim League, the pre-independence political party that had advocated for the participation and representation of the sub-continent’s Muslims and subsequently called for the establishment of Pakistan as a separate state.³ Later, Modi launched a direct attack on India’s Muslims, referring to them as ‘infiltrators’, among other pejoratives.⁴ A recurring theme in Modi’s subsequent speeches—along with outlandish claims that opposition parties would ‘snatch’ *mangalsutras*, buffaloes, houses and even spots in the national cricket team, to hand them over to Muslims—was India’s affirmative action regime, which he claimed would be diluted to benefit Muslims.⁵ At one election rally, Modi declared, ‘I want them (the Congress) to know, till the time I am alive, I will not let them give the reservation meant for Dalits, SCs, STs, and OBCs to the Muslims in the name of religion’.⁶

The reality, as we will show in this chapter, is that India’s Muslims, along with its Christians, have been firmly in the BJP’s crosshairs throughout its journey to political domination.⁷ In power, BJP governments have rolled out a series of discriminatory laws,

May, 2024 (Hate Speech Monitor)’, South Asia Justice Campaign, June 6, 2024, <https://southasiajusticecampaign.org/hate-speech-monitor/>.

3 ‘Congress Manifesto Reflects Agenda of Muslim League, Says PM Modi’, *The Times of India*, May 28, 2024, <https://timesofindia.indiatimes.com/india/congress-manifesto-reflects-agenda-of-muslim-league-says-pm-modi/articleshow/110485210.cms>.

4 Alex Travelli and Suhasini Raj, ‘Modi Calls Muslims “Infiltrators” Who Would Take India’s Wealth’, *The New York Times*, April 22, 2024, sec. World, <https://www.nytimes.com/2024/04/22/world/asia/modi-speech-muslims.html>.

5 South Asia Justice Campaign, ‘UPDATE | General Elections | 16 March – 31 May, 2024 (Hate Speech Monitor)’.

6 ‘No Reservation Based on Religion to Muslims as Long as I Am Alive, Says PM Modi in Telangana’, *The Times of India*, April 30, 2024, <https://timesofindia.indiatimes.com/india/no-reservation-based-on-religion-to-muslims-as-long-as-i-am-alive-says-pm-modi-in-telangana/articleshow/109732653.cms>.

7 For more on how Hindu nationalists pursued and consolidated political power in India, see South Asia Collective, ‘Ascendant Majoritarianism and the Threat to Minorities and Democracy in India’, in *Majoritarianism and Its Impact on Minorities*, South Asia State of Minorities Report 2023, 46–102, <https://thesouthasiacollective.org/wp-content/uploads/2024/05/south-asia-state-of-minorities-report-2023.pdf>.

policies and actions, targeting religious minorities' faith, practices, livelihoods as well as voting rights.⁸ There have also been increasing attacks against them by state actors, with instances of killings, illegal detention, custodial torture and arbitrary (and often punitive and collective) demolitions of property, among other serious human rights violations, including those by Hindu extremist non-state actors, now becoming commonplace.⁹ Alongside, the BJP has also refused to carry forward previous governments' efforts to document and address minorities' historical deprivations, and to treat them as legitimate recipients of targeted developmental support.

Despite this mistreatment of minorities, when the 2024 General Election concluded, the BJP emerged yet again as the largest single party in the Lok Sabha¹⁰, and formed a coalition government for the third consecutive time. Among the BJP's elected Members of Parliament (MPs) (240 out of 543, compared to 303 in 2019), there is not a single Muslim, Christian or Sikh, marking the first time in history that India's three main religious groups have no representatives among the ruling alliance.¹¹ The Modi government later inducted unelected Sikhs and Christians in the Council of Ministers, leaving Muslims as the only major minority group with virtually no say in the government of the day. An era of near-unfettered Hindu nationalist domination, and heightened marginalisation of Muslims to the fringes, thus appears set to continue. This unprecedented privileging of Hindu interests, accompanied by the persecution of minorities, led one scholar to remark that, since 2014, India has been a 'de facto Hindu *Rashtra* (Nation)', with Muslims in particular being relegated to the status of 'the new Untouchables'.¹²

8 South Asia Justice Campaign, 'Risk of Atrocities in India: An Assessment Based on UN Framework of Analysis for Atrocity Crimes', December 13, 2023, https://southasiajusticecampaign.org/wp-content/uploads/2024/06/ARA_India_December2023.pdf.

9 South Asia Justice Campaign, 'Risk of Atrocities in India', 20.

10 The elected lower house of the National Parliament.

11 Shanker Arnimesh, 'Modi Govt 3.0 Has 10 Dalit Ministers, 5 from Religious Minorities but No Muslims', *The Print*, June 10, 2024, <https://theprint.in/elections/modi-govt-3-0-has-10-dalit-ministers-5-from-religious-minorities-but-no-muslims/2124567/>.

12 Christophe Jaffrelot, *Modi's India: Hindu Nationalism and the Rise of Ethnic*

These trends and developments run contrary to the Modi government's paeans about inclusive governance by way of slogans like *sabka saath, sabka vikas* ('development for all, together'), 'unity in diversity' and 'leaving no one behind',¹³ to India's international human and minority rights obligations, and to India's own constitutional guarantees of equality and non-discrimination. As an early signatory of key instruments like the International Covenant on Civil & Political Rights (ICCPR) and the Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities (UN Declaration on Minorities), India is bound to respect, protect and fulfil its citizens' rights to take part in the conduct of public affairs, directly or through freely chosen representatives, and to access public services on equal terms, without discrimination.¹⁴ India is also bound to ensure the right of members of minority groups to individually and collectively enjoy their own culture, to profess and practice their own religion, and to use their own language.¹⁵ Further, minorities have the rights to, inter alia, participate effectively in cultural, religious, social, economic and public life¹⁶; to participate in decisions on national and regional levels concerning the minority to which they belong or where they live, and to participate fully in economic progress and development.¹⁷ Key individual rights, such as equality and non-discrimination before law, and other fundamental rights including equality of opportunity in matters of public employment and religious freedom, as well as group rights for religious and linguistic minorities, are also enshrined in the Indian Constitution, as are key socio-economic rights.¹⁸

Against this backdrop, it is imperative to examine the true state of minority participation in India, and of minority representation, a key instrument to ensure effective participation. The rest of

Democracy (Princeton, New Jersey: Princeton University Press, 2021), 443.

13 Government of India, 'Voluntary Pledges and Commitments in Accordance with United Nations General Assembly Resolution 60/251'.

14 International Covenant on Civil and Political Rights, 1966, Article 25.

15 International Covenant on Civil and Political Rights, 1966, Article 27.

16 UN Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities, 1992, Article 2.2.

17 UN Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities, Articles 2.4, 2.5 and 4.5.

18 The Constitution of India, 1950, Articles 14, 15, 16, 25–28, 29–30, 21a and 19g.

this chapter is organised as follows. In Section 2, we briefly document the current state of minority participation in economic, social, and public life, by highlighting their performance in key indicators relating to each of these spheres. In Section 3, we attempt to unpack factors driving minorities' poor participation, by examining the gaps within India's constitutional, legal and institutional framework, as well as the exacerbation of historical gaps under the BJP's current discriminatory regime, impacting the ability of minorities to advocate collectively for their interests and ensure better outcomes. We conclude, in Section 4, by underlining further the vicious cycle of poor agency and poor outcomes, and the impact of this exclusion on their lives. In Section 5, we offer a set of recommendations for governments, civil society, media and the larger international community.

Primary research for this report included analysis of legal and policy documents, as well as a key informant survey conducted in October–November 2024 among key stakeholders—journalists, academics and researchers, lawyers, activists and community mobilisers, as well as minority community members (See Box 2 for more on this survey). Secondary research included review of published material such as media accounts, civil society reports, official data and statistics and other scholarly works including surveys.¹⁹

The main focus of this report is India's religious minorities, particularly Muslims and Christians, who have faced heightened targeting by Hindu nationalists owing to their belief in 'non indigenous' faiths. Intersectionality with Dalits (members of so-called untouchable castes, officially designated as Scheduled Castes), Adivasis (members of indigenous tribes and communities, officially designated as Scheduled Tribes) and gender minorities too is explored, while retaining the core focus on religious minorities (See Box 1: Note on Population Composition).

¹⁹ We make repeated reference to a study by the Centre for Study of Developing Societies (CSDS), published in November 2024. See Christophe Jaffrelot and Hilal Ahmed, 'Indian Muslims: (Self-)Perceptions and Voting Trends in 2024', *Studies in Indian Politics* 12, no. 2 (November 12, 2024): 289–302.

Box 1: Note on Population Composition of India and Data Constraints

At the national level, India recognises six religious groups—Muslims (14.2 per cent), Christians (2.3 per cent), Sikhs (1.7 per cent), Jains (0.4 per cent), and Parsis (0.006 per cent)—as minorities, who together constituted about 19.3 per cent of the total population, as per the 2011 Census.

Table 1: Population composition of India, by religious group (in per cent)

Religious group	Share of total population (2011)
Hindus	79.8
Muslims	14.2
Christians	2.3
Sikhs	1.7
Buddhists	0.7
Jains	0.4
Others/Not Specified	0.9

Source: Census of India, 2011

Three-quarters (75 per cent) of all Indians, including religious minorities, are also reported to self-identify as belonging to one of three officially recognised social groups—SCs, STs, and Other Backward Classes (OBCs), who are entitled to various affirmative action benefits as per the Constitution. (This self-identification does not always reflect in official categorisation; for instance, the National Census does not allow Muslims and Christians to also be counted as SCs.)

Table 2: Population Composition of India, by Religious Group and Self-Identification as Belonging to Disadvantaged Social Group (in per cent)

	Self-Identification as SC	Self-Identification as ST	Self-Identification as OBC
Hindus	23	10	44
Muslims	3	2	55
Christians	21	29	26
Sikhs	38	0	19
Buddhists	88	9	1
Jains	3	0	12
All	21	10	44

Source: Pew Research Center, based on National Family Health Survey 2015ⁱ

ⁱ Stephanie Kramer, *Religious Composition of India* (Pew Research Center, September 2021).

India has not conducted an official headcount of its population since 2011. The decennial census scheduled for 2021 is yet to get underway, after reportedly being delayed due to the COVID-19 pandemic. The BJP-led government has also refused to heed long-standing demands for a caste census, apparently due to concerns over social cohesion. As a result, many of the figures cited in this report are outdated and/or estimates based on outdated surveys.

This is further compounded by inconsistencies in official data collection; for example, in the 2011 census, only Hindus, Sikhs, and Buddhists could be enumerated as members of SCs, while STs could include adherents of all religions. Additionally, many periodic official data are not adequately disaggregated by religious group. This unrectified data gap is a key constraint in assessing the true state of minority participation and representation, and in formulating policy responses.

Current Status of Minority Participation

Participation in Economic and Social Life

According to the Human Rights Measurement Initiative (HRMI), India's record at ensuring economic and social rights to its citizens is 'very bad', even after adjusting for its income level.²⁰ This failure has historically disproportionately disadvantaged India's Scheduled Castes (SC), Scheduled Tribes (ST), and religious minorities, particularly Muslims. A look at some of the latest-available data (See Box 1: Note on Population Composition and Data Constraints) on key socio-economic indicators underlines the extent of this deprivation.

Income, Poverty and Consumption: The incidence of urban income poverty as of 2004-05 was strikingly high among Muslims, India's most urbanised community, at 41 per cent. Income poverty among Christians and Sikhs was significantly below the national average, in both rural and urban areas (see Graph 1). This economic deprivation of Muslims is confirmed by more recent survey data

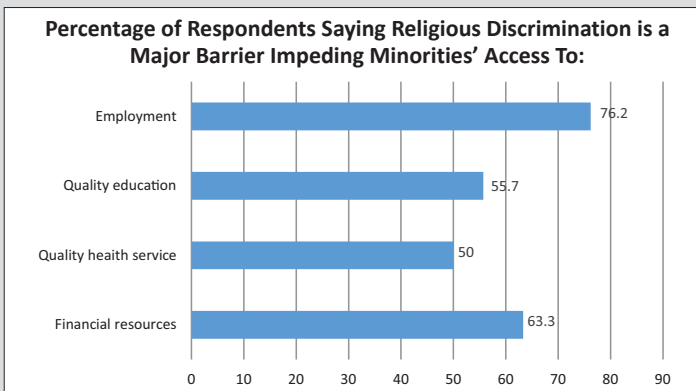
²⁰ A score of 'very bad' implies that a country has attained less than 70 per cent of the income-adjusted socio-economic benchmark. India has a composite socio-economic score (covering education, food, health, housing and work) of 67 per cent, meaning it has achieved only 67 per cent of what it is capable of achieving at its level of income. See 'HRMI Rights Tracker: India', HRMI Rights Tracker, accessed October 17, 2024, <https://rightstracker.org/country/IND>.

Box 2: South Asia Collective's Key Informant Survey on Participation and Representation of India's Religious Minorities

As part of our research, we undertook a survey among 66 key informants, including lawyers, researchers, activists and community mobilisers, covering the themes of participation and representation that are explored in detail in this report. Eighty per cent of those surveyed self-identified as belonging to religious minority communities, and included Muslims and Christians, as well as women, Dalits and Adivasis among them. The survey, which was rolled out in Hindi and English and carried out between October and December, 2024, appeared to confirm the key findings of our desk research, as well as those of other, similar perception surveys. A summary of key findings follows:

Economic and Social Participation

A vast majority of respondents identified discrimination as a major challenge restricting the scope of effective minority participation and representation in different spheres (see graph below). In accessing equal employment opportunities, other challenges identified by respondents included lack of education/skills (39.7 per cent), lack of professional networks (33.3 per cent), and lack of physical security (27 per cent). In accessing financial resources, lack of necessary documentation (43.3 per cent), lack of trust in financial institutions (33 per cent), and inadequate financial literacy (30 per cent) were identified as other key challenges. Financial barriers (51 per cent), lack of government support (44.3 per cent) and lack of security (31.1 per cent) were identified as other challenges hindering minorities' access to quality education. Financial barriers were also identified as the biggest challenge (53.3 per cent) hindering access to quality healthcare, with lack of government support (38.3 per cent) being another major factor.

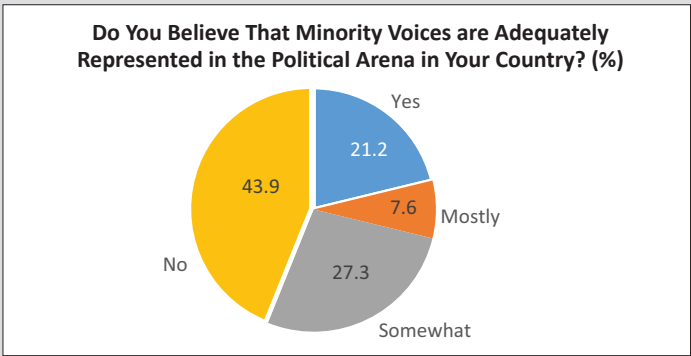


Additionally, 89.4 per cent of respondents agreed that religious minorities face some level of social discrimination and exclusion due to their religious identity.

Political Participation

Only 4.5 per cent of respondents stated that minorities do not have the opportunity to participate in elections, but lack of trust in the political system (43.9 per cent), discriminatory laws and legal barriers (42.4 per cent) and fear of harassment (37.9 per cent) were identified as major challenges hindering the full and effective political participation of minorities.

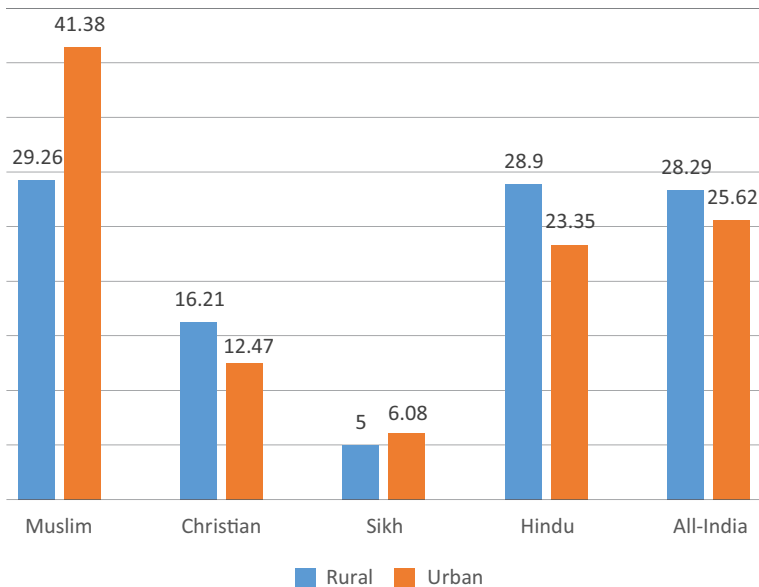
Additionally, only 21.2 per cent of respondents agreed that minority voices are adequately represented in the political arena. Active efforts at marginalisation by majoritarian groups (54.8 per cent) and insufficient support from political parties/lack of political will (51.6 per cent) were identified as the major reasons behind this inadequate representation.



Respondents expressed faith in minority-led civil society groups or organisations, with only 10.3 per cent stating that such organisations are not effective in protecting and promoting minority rights. Seventy-three per cent of respondents also expressed some faith in the leadership of these organisations. However, lack of political support (59.1 per cent) and fear of reprisal (50 per cent) were identified as major challenges hindering minority groups’ ability to organise collective action. Thirty-eight per cent of respondents agreed that their fear of reprisal from the state or by majoritarian/extremist groups was ‘significant’, with one respondent remarking that the potential for retaliation creates ‘a climate of fear that deeply impacts the strategies and choices of those involved in social movements’. Additionally, 71.2 per cent of respondents stated that internal divisions within minority communities are moderately or significantly affecting the scope for collective action.

from 2019, according to which average monthly consumption expenditure among Muslims (including ‘higher’ castes and classes) was at 79 per cent of the all-India average (see Graph 2). In terms of multi-dimensional poverty²¹, half of all SCs and a third of all Muslims and STs were estimated to be poor as of 2018.²² Only 15 per cent of ‘upper’ caste Hindus were poor by this measure²³ (see Graph 3).

Graph 1:
Incidence of Income Poverty Among Religious Groups (%)



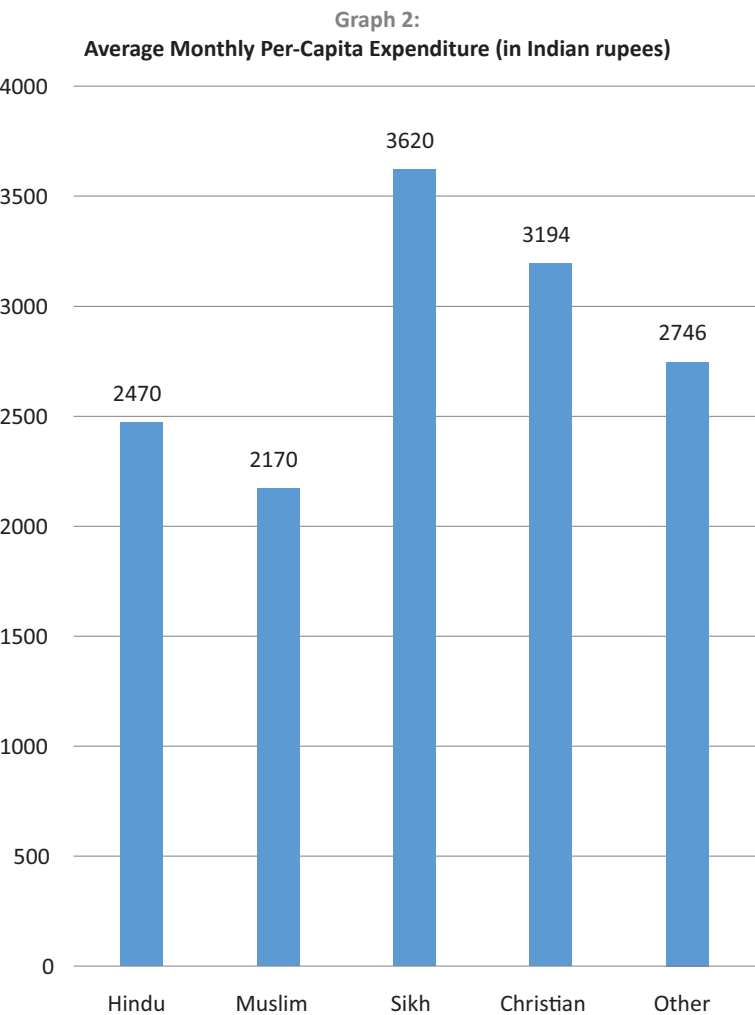
Source: Thorat (2013), based on NSSO Consumer Expenditure (2004–05)

Studies have confirmed that this disparity between Muslims and

²¹ Multi-dimensional poverty takes into account income, nutrition, health, education, living standards and assets.

²² Multi-dimensional poverty has shrunk further since then, but the Indian government body that formulates the index for the UN has stopped providing data disaggregated by socio-religious group.

²³ Ruhi Tiwari, ‘Every Second ST, Every Third Dalit & Muslim in India Poor, Not Just Financially: UN Report’, *The Print*, July 12, 2019, <https://theprint.in/india/every-second-st-every-third-dalit-muslim-in-india-poor-not-just-financially-un-report/262270/>.

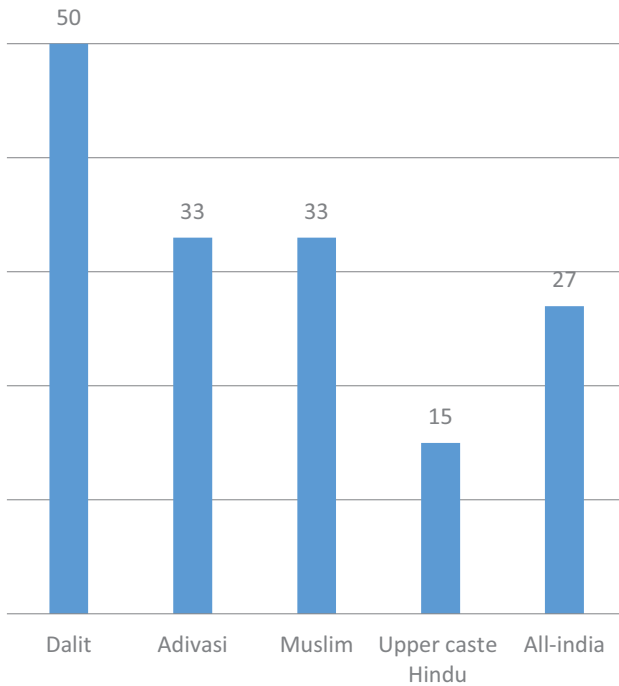


Source: All-India Debt and Investment Survey, NSS 77th Round (Jan-Dec, 2019)

other social groups has been widening in recent decades: in 2004-05, the per-capita income of Muslims was 81 per cent of that of all Hindus, and 108 per cent of that of SCs; by 2011-12, this had declined to 77 per cent and 98 per cent of the corresponding figures for all Hindus and Dalits, respectively.²⁴

24 Christophe Jaffrelot and Kalaiyarasan A., ‘Post-Sachar Indian Muslims: Facets of Socio-Economic Decline’, in *Marginalities and Mobilities among Indian*

Graph 3:
Multi-Dimensional Poverty in India, by Socio-Religious Group (%)

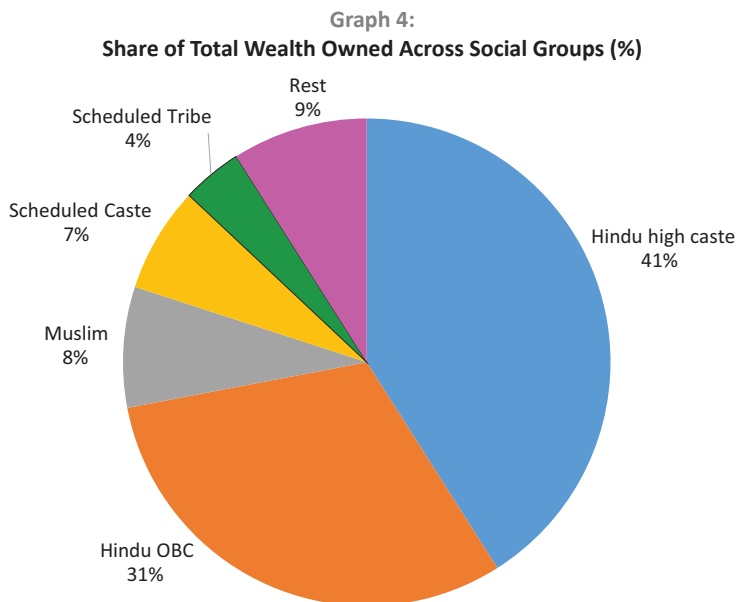


Global Multi-Dimensional Poverty Index, 2018

It is pertinent to note that these figures for Muslims include relatively better-off ‘higher’ castes and classes among them, implying that the extent of economic deprivation experienced by disadvantaged Muslim sub-groups could be worse than what the figures suggest.²⁵ These figures also do not account for regional disparities; for example, studies have shown that economic

Muslims: Elusive Citizenship, ed. Tanweer Fazal, Divya Vaid and Surinder S. Jodhka (New York and Oxon: Routledge, 2024), 21.

²⁵ Studies have shown that there is less inequality among Muslims compared to Hindus. The richest 20 per cent of Hindus control 59 per cent of total Hindu income, while the richest 20 per cent of Muslims control 54 per cent of total Muslim income. Muslim inequality (measured by Gini coefficient) is higher than Hindu inequality only in three states – Andhra Pradesh, Jammu & Kashmir, and Delhi. See Christophe Jaffrelot and Kalaiyarasan A., ‘Post-Sachar Indian Muslims: Facets of Socio-Economic Decline’, 30–32.



Source: Thorat et al (2020), Study Report on Inter Group Inequality in
Wealth Ownership in India

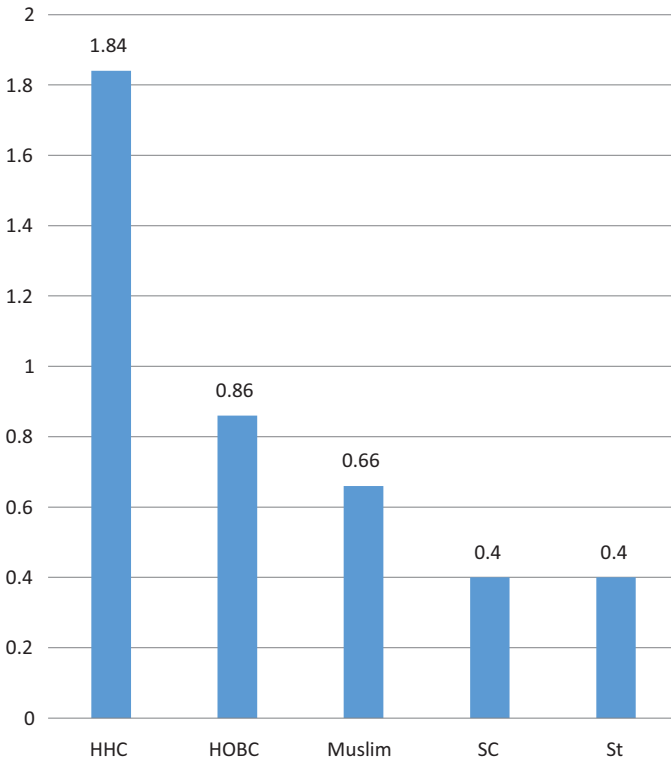
indicators for Muslims in southern Indian states (like Kerala and Tamil Nadu) are significantly better than those of Muslims in northern Indian states (like Uttar Pradesh and Bihar).²⁶

Asset Ownership: The economic disparity of Muslims, as well as the concentration of wealth among ‘higher’ caste Hindus, is further underlined by survey data relating to asset ownership in 2013. ‘Upper’ caste Hindus own wealth equivalent to almost double their share in the total number of households (See Graph 4). SCs and STs are the most disadvantaged groups, owning only around 40 per cent each of what they would have if wealth distribution was equitable, while Muslims (including ‘higher’ castes among them) owned around 66 per cent (see Graph 5).

Employment: India’s ongoing unemployment crisis too seems to be impacting minorities disproportionately. The overall employment rate was lowest among (all) Muslims (35.5 per cent) as of 2023-24, while it had declined the fastest among SCs (-6.36

²⁶ Jaffrelot and Kalaiyaran A., ‘Post-Sachar Indian Muslims: Facets of Socio-Economic Decline’, 23.

Graph 5:
Wealth Disparity Ratio Among Socio-Religious Groups
(a score of 1 implies wealth ownership perfectly proportionate to share of total households)



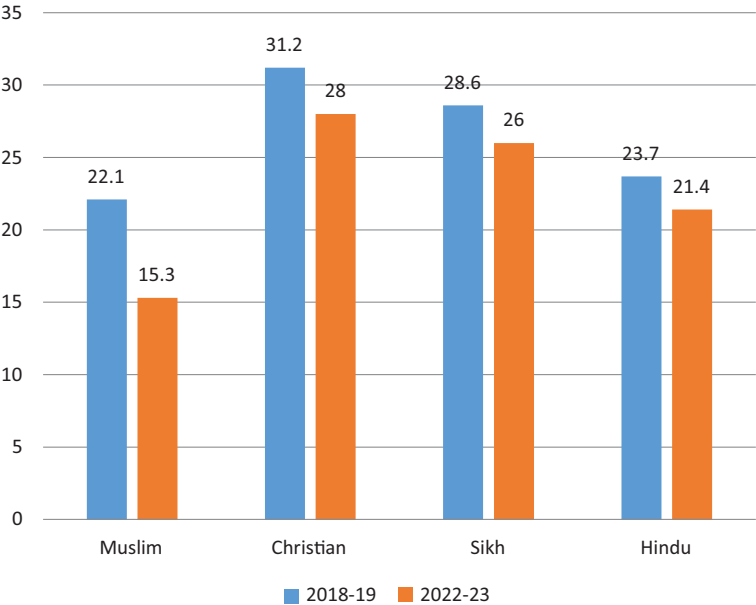
Source: Authors' calculation based on Thorat et al (2020)

per cent) since 2016-17.²⁷ The proportion of Muslims who were regular/salaried employees²⁸ was reported to have shrunk from 22.1 per cent in 2018-19 to 15.3 per cent in 2020-21, a much

²⁷ 'Explain Speaking: How Joblessness in India Has Hurt All Communities over the Last 8 Years, with None Better off in 2023-24', The Indian Express, May 23, 2024, <https://indianexpress.com/article/explained/explained-economics/explainspeaking-jobs-lok-sabha-elections-religion-castes-9347481/>.

²⁸ Defined as persons who work in others' farm or non-farm enterprises and receive salary or wage' Post-Sachar Indian Muslims: Facets of Socio-Economic Decline' on a regular basis. This definition is reported to include jobs that do not offer social security or formal contracts.

Graph 6:
Percentage Share of Workers in Regular Wage/Salary Employment



Source: Nikhil Rampal, based on various rounds of Periodic Labour Force Survey

sharper decline than for other religious groups²⁹ (see Graph 6). Studies have also confirmed the historical and continuing over-representation of Muslims in the informal sector, particularly in artisanal work, mechanics and petty trade, even relative to marginalised Hindu SCs.³⁰

Education: SCs, STs and (all) Muslims—and particularly the women among them—form the least literate sections of society (see Graph 7). While there have been positive trends in the enrolment of Muslim children at the primary and upper-primary levels of schooling, driven by strong performance in Kerala and Assam, enrolment of Muslims in higher education dropped by 9 per cent (around 179,000 students) between 2019-20 and 2020-21,

29 Nikhil Rampal, “‘India’s salaried Class’ Shrank during Covid, Muslims Hit Hardest, Govt Data Suggests’, *ThePrint*, August 16, 2022, <https://theprint.in/india/indias-salaried-class-shrank-during-covid-muslims-hit-hardest-govt-data-suggests/1077850/>.

30 Christophe Jaffrelot and Kalaiyarasan A., ‘Post-Sachar Indian Muslims: Facets of Socio-Economic Decline’, 33.

the only socio-religious group to witness an annual decline in recent decades.³¹

Other studies have provided further evidence of the growing disparities in recent years: as of 2017-18, only 14 per cent of Muslim youth (aged 21-35 years) had graduate degrees, compared to 18 per cent among SCs, 25 per cent among Hindu OBCs and 37 per cent among Hindu 'upper' castes; between 2011-12 and 2017-18, the relative gap between Muslim and SC youth increased from 1 percentage point to 4 percentage points.³² The scholars noted, 'What we see now is convergence between Hindu SCs and OBCs who experience greater mobility, while Muslims are being sidelined.'³³

Studies have also shown that Muslims who are classified as OBCs are the most likely to experience downward social mobility, compared to Muslim non-OBCs (aka 'higher' castes) as well as other Hindu groups.³⁴

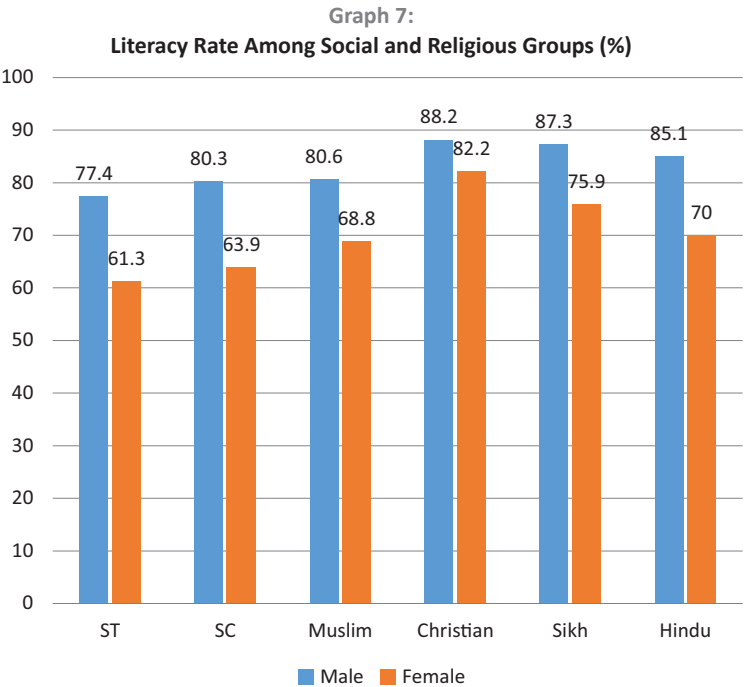
While much of this disparity is due to poor state commitments and the lack of targeted developmental policy, several studies have highlighted the role played by discrimination in driving these poor socio-economic outcomes.

31 Arun C Mehta, *The State of Muslim Education in India: A Data-Driven Analysis* (Education for All in India, 2023), <https://educationforallinindia.com/wp-content/uploads/2023/11/the-state-of-muslim-education-in-india-by-ArunCMehta-based-on-UDISEPlus-AISHE-2023.pdf>.

32 Jaffrelet and Kalaiyarasan A., 'Post-Sachar Indian Muslims: Facets of Socio-Economic Decline', 32.

33 Jaffrelet and Kalaiyarasan A., 'Post-Sachar Indian Muslims: Facets of Socio-Economic Decline', 32.

34 Mobility rate refers to the percentage of individuals who experience upward or downward movement in economic or occupational status compared to their parents, indicating intergenerational shifts in socio-economic conditions. According to a study of a cross-sectional data from 2014, 16.3 per cent of Muslim OBC men and 11.7 per cent of Muslim OBC women (and 11.1 per cent of Muslim non-OBC men and 12.6 per cent of Muslim non-OBC women) had experienced downward mobility compared to their parents. The corresponding downward mobility rates for all other social groups (including Hindu SC, ST and OBC, and the women among these) were all below 10 per cent. See Divya Vaid, 'Post-Sachar Indian Muslims: Facets of Socio-Economic Decline', in *Marginalities and Mobilities among Indian Muslims: Elusive Citizenship*, ed. Tanweer Fazal, Divya Vaid and Surinder S. Jodhka (New York and Oxon: Routledge, 2024), 96.



Source: Government of India, National Sample Survey (75th Round) (2020)

- In 2022, only 15.6 per cent of Muslims above the age of 15 were found to be engaged in regular salaried jobs, compared to 23.3 per cent for non-Muslims. An Oxfam study found that 68 per cent of this disparity—known as the employment gap—was attributable to religious discrimination.³⁵ A country-wide study between 2017 and 2018 found that job résumés with Muslim-sounding names were 11 per cent less likely to receive interview calls from private companies compared to those with Hindu-sounding names. Muslim women faced a 47 per cent lower chance of being called back compared to Hindu women in the same job categories.³⁶ Another study in

³⁵ Oxfam India, *India Discrimination Report 2022*, n.d., 29, <https://www.oxfamindia.org/knowledgehub/workingpaper/india-discrimination-report-2022>.

³⁶ Rakshitha Arni Ravishankar, 'Research: Muslim Women in India Face Hiring Bias for Entry-Level Roles', *Harvard Business Review*, September 30, 2022, <https://hbr.org/2022/09/research-muslim-women-in-india-face-hiring-bias-for-entry-level-roles>.

2023 highlighted how hiring in India still operates through informal, caste- and religion-based networks, with social networking significantly benefiting Hindus but offering no measurable advantage to Muslims.³⁷ The study further confirmed that Muslim women are the least likely to benefit from social capital in the labour market.³⁸

- A 2023 study of housing discrimination faced by marginalised groups found that 53 per cent of the gap between SCs and 'upper' caste households in accessing owned housing was attributable to caste-based discrimination, while 44 per cent of the gap between Muslims and 'upper' castes was attributed to religious discrimination.³⁹ In the rental market, 55.9 per cent of the housing quality gap between SCs and 'upper' castes, and 50.6 per cent of the gap between Muslims and 'upper' castes, were attributed to discrimination.⁴⁰ Other studies have also highlighted that anti-minority discrimination remains deeply rooted in the Indian housing market, marked by unwritten pacts among brokers and landlords to prevent Muslims in particular—and also SCs, STs and single women—from finding a place to reside.⁴¹ Such discrimination has led to spatial segregation and ghettoisation, and to the stigmatisation of Muslim-concentrated areas in particular as dens of crime and terrorism.⁴²

37 Yasser Razak Hussain and Pranab Mukhopadhyay, 'How Much Do Education, Experience, and Social Networks Impact Earnings in India? A Panel Data Analysis Disaggregated by Class, Gender, Caste and Religion', *Sage Open* 13, no. 4 (October 1, 2023).

38 Hussain and Mukhopadhyay, 'How Much Do Education, Experience, and Social Networks Impact Earnings in India? A Panel Data Analysis Disaggregated by Class, Gender, Caste and Religion'.

47 Vinod Kumar Mishra and Khalid Khan, 'Determinants of Discrimination in Access to Housing for Marginalised Social Groups in India', *Journal of Social Inclusion Studies* 9, no. 1 (June 1, 2023): 7–26.

48 Mishra and Khan, 'Determinants of Discrimination in Access to Housing for Marginalised Social Groups in India'.

41 Centre For Post Graduate Legal Studies, 'Housing Discrimination Project', accessed August 29, 2022, <https://jgu.edu.in/cpgls/housing-discrimination-project/>; 'End-of-Visit Press Statement, New Delhi, India, 22 April 2016', OHCHR, accessed August 29, 2022, <https://www.ohchr.org/en/statements/2016/04/end-visit-press-statement-new-delhi-india-22-april-2016>.

42 Rowena Robinson, 'Indian Muslims: The Varied Dimensions of Marginality',

Thus, by most available metrics, the socio-economic participation of marginalised religious minorities, particularly Muslims, is at par with or worse than that of SCs and STs.

There is significant disparity between the outcomes for these groups and those for ‘upper’ caste Hindus. Further, the categorisation of Muslims in the above data includes all castes and classes among them, hiding the true extent of deprivation experienced by those belonging to disadvantaged Muslim sub-groups. Contrary to Hindu nationalist claims, none of these marginalised groups are in a position to usurp the resources of the nation.

Participation in Government and in Public Life

According to experts surveyed by HRMI, India’s performance in respecting the right to effective participation in government is ‘bad’ as of 2023, down from ‘fair’ in 2020.⁴³ The survey also identified Muslims as the religious group most at risk of restrictions of this right. A look at the latest available data pertaining to representation of religious minority groups in various public institutions confirms the severe under-representation of Muslims. Other minority groups, such as Sikhs and Christians, benefited from their concentration in specific geographies, as well as access to affirmative action policies benefiting SCs and STs.

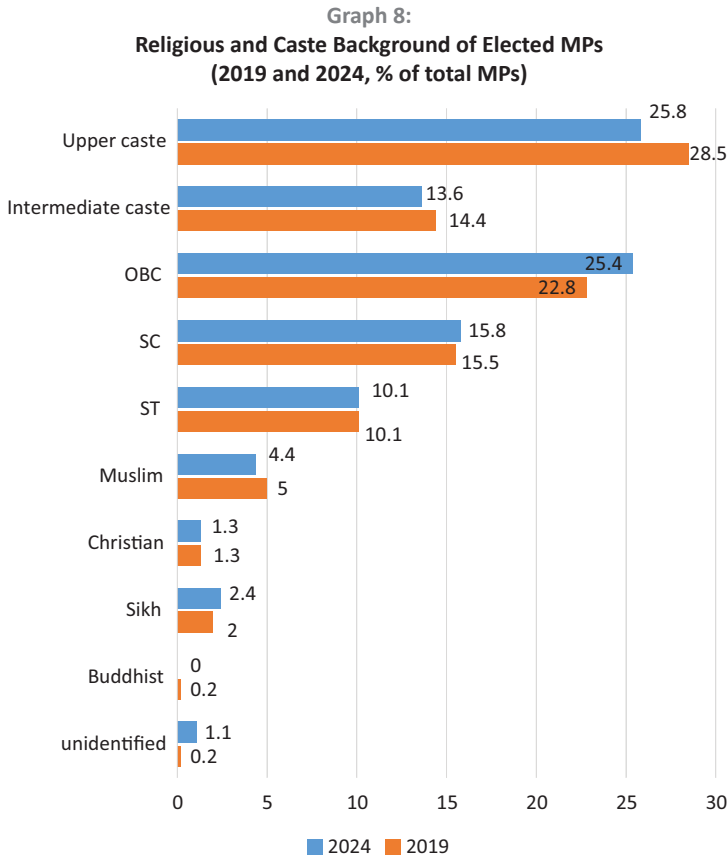
Parliament and Legislatures

Minority representation in the current (18th) Lok Sabha is mixed—the share of elected Sikh (2.4 per cent, not counting some who are also SCs) and Christian (1.3 per cent not counting some who are also STs) MPs were in line with or better than their share of the overall population, owing to the geographic concentration of these communities in certain states. Reserved seats continue to ensure that SCs and STs (and Sikhs and Christians among them,

Economic and Political Weekly 42, no. 10 (2007): 839–43.

⁴³ India’s score for the right to participation in government is 4.3 as of 2023, down from 6.4 in 2020. A score between 4 and 6 is classified as ‘bad’, while a score between 6 and 8 is classified as ‘fair’. See ‘HRMI Rights Tracker: India - Empowerment’, Human Rights Tracker, accessed October 22, 2024, <https://rightstracker.org/country/IND>.

respectively) are better represented⁴⁴ (Graph 8).

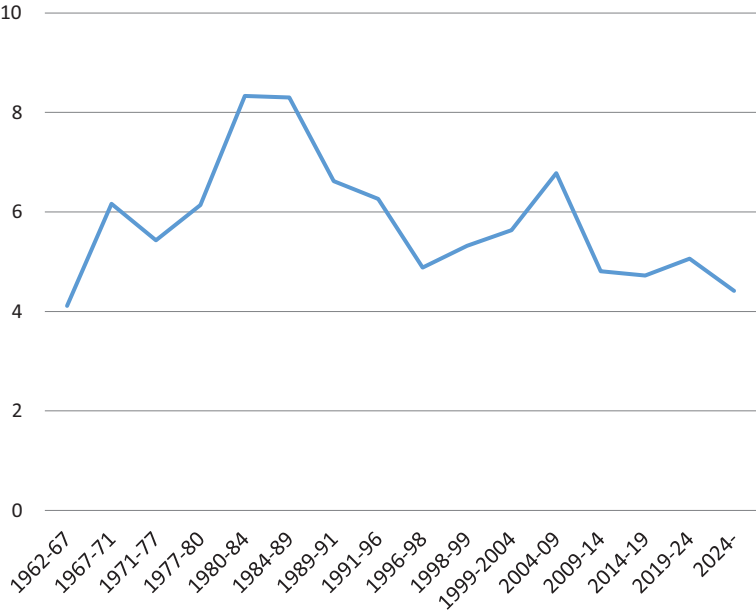


Source: Gilles Verniers, Caste and Community Break-up of the New Lok Sabha (2024)

Representation of Muslims, however, is at its lowest in six decades, at 4.4 per cent (24), down from 5.06 per cent in 2019 (Graph 9). Of the 24 elected Muslim MPs, 21 are from parties belonging to the opposition INDIA bloc, with the Congress (9) contributing the largest contingent of Muslim MPs. Muslims were

⁴⁴ For instance, most Sikh MPs, including two Sikh SCs, were elected from Punjab state, where Sikhs form the majority. Christians were elected mostly from India's southern and north-eastern states. At least two Christians are also reported to have been elected from ST-reserved seats in Jharkhand.

Graph 9:
Share of elected Muslim MPs in the Lok Sabha
(% of total elected MPs)



Source: Francis and Radhakrishnan, Eighteenth Lok Sabha has Lowest Share of Muslim MPs in Six Decades (2024)

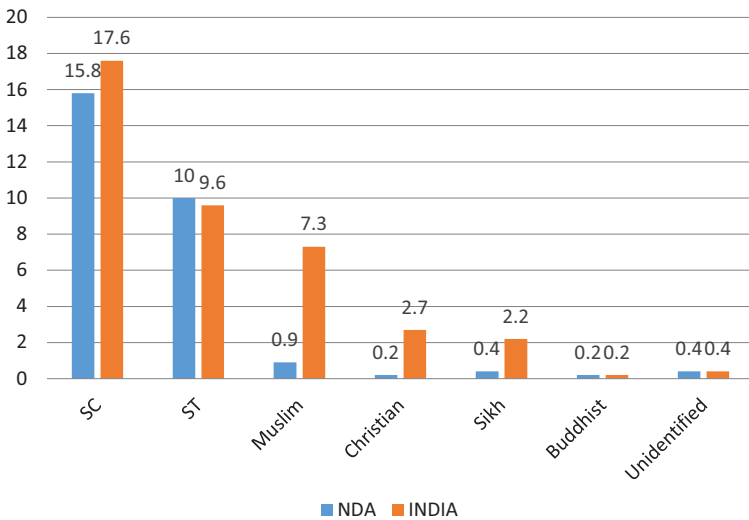
also severely under-represented among the candidates fielded by both the INDIA bloc and the BJP-led National Democratic Alliance (NDA) bloc (Graph 10).

As mentioned earlier, parties belonging to the ruling NDA do not have a single Muslim, Christian or Sikh MP among their ranks. Instead, the NDA’s elected contingent is dominated by ‘upper’ caste Hindus (33.2 per cent) as well as members of Other Backward Classes (OBCs) (26.2 per cent). SCs and STs accounted for 13.3 per cent and 10.8 per cent of the NDA’s elected MPs.⁴⁵

Muslim representation in state legislatures is similarly dire. In 12 states with sizeable Muslim populations, none have ever had Muslim representation commensurate to their share in the total

⁴⁵ Gilles Verniers, ‘Caste and Community Break-up of the New Lok Sabha’, *Hindustan Times*, June 7, 2024, <https://www.hindustantimes.com/india-news/caste-and-community-break-up-of-the-new-lok-sabha-101717726693069.html>.

Graph 10:
Minority Representation Among Candidates Fielded
(2024, % of total candidates nominated)



Source: Gilles Verniers, Caste and Community Break-up of the New Lok Sabha (2024)

population.⁴⁶ As of December 2020, in 10 states hosting 80 per cent of India's Muslims, only 5.7 per cent of the total MLAs were Muslim.⁴⁷

Bureaucracy, Police and Armed Forces

The share of Muslims in the top-level bureaucracy (Indian Administrative Service) and police machinery (Indian Police Service) has stagnated between 3-4 per cent since the 1960s.⁴⁸ The share of Muslims recruited into these services every year via the Union Public Service Commission (UPSC) exam too has remained

⁴⁶ Andhra Pradesh, Assam, Bihar, Delhi, Gujarat, Karnataka, Kerala, Madhya Pradesh, Maharashtra, Tamil Nadu, Uttar Pradesh and West Bengal. This list does not include the erstwhile Muslim-majority state of Jammu & Kashmir, Feyaad Allie, *The Representation Trap: How and Why Muslims Struggle to Maintain Power in India* (Working Paper), n.d., <https://www.feyaadallie.com/research>.

⁴⁷ Uttar Pradesh, West Bengal, Bihar, Maharashtra, Assam, Kerala, Karnataka, Rajasthan, Gujarat and Jharkhand. Christophe Jaffrelot, *Modi's India*, 417.

⁴⁸ Christophe Jaffrelot, *Modi's India*, 409.

around the same level.⁴⁹ In 2024, the share of Muslims recruited via the UPSC exam witnessed a slight increase, to 5 per cent, aided by the efforts of Muslim civil society organisations (CSOs) offering coaching services to prospective candidates.⁵⁰ These CSOs have increasingly been demonised by Hindu nationalists, who have accused them of engaging in ‘UPSC Jihad’.⁵¹

The record of Muslim representation is more variable in state-level civil services: for example, in 2015, only 1.14 per cent of the annual recruits in Maharashtra were Muslims, despite Muslims making up 11 per cent of the state population.⁵² The disparity is relatively lower in states like Kerala, where Muslims are entitled to reservations in public employment—as of 2024, Muslims, who make up 27 per cent of the state population, accounted for 13.5 per cent of the officers in the state government service.⁵³

Muslims have also been found to be similarly poorly represented in the lower and middle levels of the law enforcement machinery.⁵⁴ This has contributed to additional misperceptions about them. A nationwide survey of police personnel across the country in 2019 also confirmed the predomination of prejudicial attitudes: around half of all respondents reported that Muslims are likely to be ‘naturally prone’ to committing crimes, while over a third justified mob violence in cases of cow slaughter.⁵⁵

In the armed forces, the share of Muslims dropped from 32 per

49 Christophe Jaffrelot, *Modi's India*, 409.

50 Nootan Sharma, ‘Over 70% Jump in Muslim Civil Services Recruits. Four of Them Make It to Top 100’, *The Print*, April 17, 2024, <https://theprint.in/india/over-70-jump-in-muslim-civil-services-recruits-but-community-still-grossly-underrepresented/2044654/>.

51 Sameer Khan, ‘Is Performance of Muslim Candidates in UPSC Civil Services Exam Satisfactory?’, *The Siasat Daily*, September 27, 2021, <https://www.siasat.com/is-performance-of-muslim-candidates-in-upsc-civil-services-exam-satisfactory-2197998/>.

52 Christophe Jaffrelot, *Modi's India*, 411.

53 Arjun Raghunath, ‘Community-Wise Representation in State Government Services in Kerala Show Disparities: Report’, *Deccan Herald*, July 3, 2024, <https://www.deccanherald.com/india/kerala/community-wise-representation-in-state-government-services-in-kerala-show-disparities-report-3091190>.

54 Christophe Jaffrelot, *Modi's India*, 410.

55 Common Cause and Centre for the Study of Developing Societies, ‘Status of Policing in India Report 2019’, 2019, 119, https://www.lokniti.org/media/upload_files/SPIR%202019.pdf.

cent to around 2 per cent after Partition and independence, and has stagnated around the same level ever since.⁵⁶ In 2022, a news report revealed that India's external intelligence agency has never recruited even a single Muslim officer.⁵⁷

Judiciary

At the time of writing, India's 33-member Supreme Court had only one Muslim and Christian judge each. Of the 239 judges who have previously served in the SC, only 17 (7.1 per cent) were Muslims. The share of Muslim judges in state-level High Courts (HC) too have historically been similarly poor.⁵⁸

Participation in Religious and Cultural Life

In this section, in the absence of standardised and disaggregated indicators of participation in religious and cultural life, we briefly review India's performance in recent international indices on religious freedom. We also highlight recent trends relating to cultural erasure, and the portrayal of religious minorities in mass media.

Religious Freedom and Freedom of Cultural Expression

In 2014, the United States Commission on International Religious Freedom (USCIRF) recommended—for the fifth year in a row—to the US government that India be designated as a 'country of particular concern'.⁵⁹ The report cited escalating violations of religious freedom, including, inter alia, discriminatory laws targeting religious minorities, destruction of minorities' religious sites, other forms of suppression of religious minorities' cultural heritage and Indian authorities' tolerance—and fostering—of

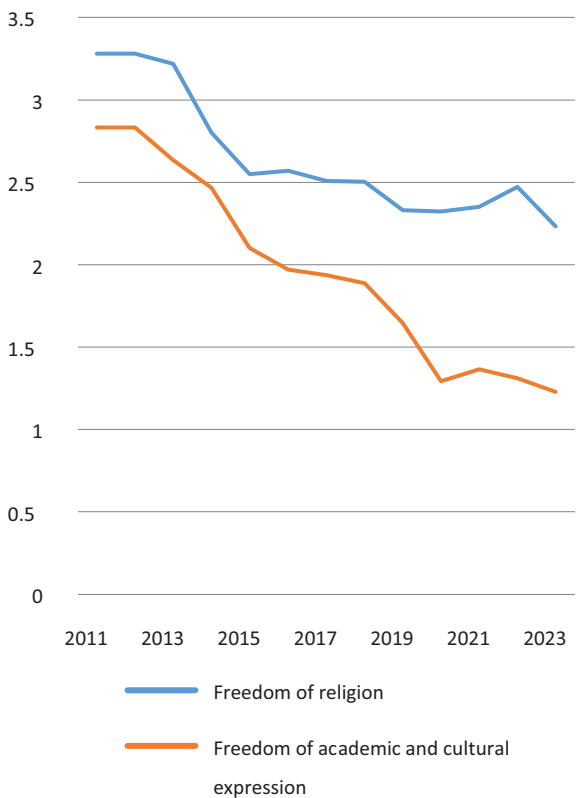
56 Christophe Jaffrelot, *Modi's India*, 411.

57 Saikat Datta, 'Muslims And Sikhs Need Not Apply', *Outlook*, February 5, 2022, <https://www.outlookindia.com/national/muslims-and-sikhs-need-not-apply-news-233087>.

58 Christophe Jaffrelot, *Modi's India*, 412.

59 United States Commission on International Religious Freedom, 'India', in *Annual Report 2024*, 2024, <https://www.uscifr.gov/sites/default/files/2024-05/India.pdf>; Sema Hasan, *India Country Update: Increasing Abuses Against Religious Minorities in India* (United States Commission on International Religious Freedom, 2024), <https://www.uscifr.gov/sites/default/files/2024-05/India.pdf>.

Graph 11:
Repression of Religious Freedom and Cultural Expression in India
(Score guide: 4 – Fully respected by authorities;
3 – Mostly respected; 2 – Somewhat respected;
1 – Weakly respected; 0 – Not respected)



Source: V-Dem Indices, 2011-2023

anti-minority hate speech and incitement.⁶⁰

The declining space for religious and cultural expression is also reflected in V-Dem’s Democracy Indices, which have noted a declining trend since the BJP assumed power in 2014 (Graph 11).

According to another report, in 2021, India had the second highest level of religiously motivated social hostilities anywhere

⁶⁰ United States Commission on International Religious Freedom, ‘India’; Sema Hasan, ‘India Country Update: Increasing Abuses Against Religious Minorities in India’.

in the world, after Nigeria, due to the recurrence of religiously motivated mob violence, property damage and hate rhetoric, targeting Muslims and Christians.⁶¹

Hindu Nationalist Erasure of Minority Contributions to History and Culture

Scholars have also noted ongoing Hindu nationalist efforts to erase Muslims' contributions to India's history, society and culture, and to privilege Hinduism in the public sphere. These have included, inter alia, i) ongoing efforts—using polarisation, violence, and the judicial process—to 'reclaim' minorities' places of worship, such as the Babri Masjid mosque in Ayodhya; ii) rewriting school textbooks to downplay the contributions of India's Muslim rulers, and also vilify them and iii) the systematic rechristening of geographic locations to erase their connection to Muslim history.⁶²

Portrayal of Religious Minorities in Mass Media

Reporters Without Borders (RSF) has noted that the production of media content and distribution in India, in both print and television, is increasingly concentrated in the hands of a few, with many leading outlets at both the national and regional levels being controlled by individuals with direct political ties to the BJP, or by corporate conglomerates who have been openly supportive of the BJP.⁶³ The coverage of religious minorities by these pro-BJP media outlets, which are by far the most widely consumed, has been found to be overwhelmingly negative and in line with Hindu nationalist narratives.⁶⁴

61 Samirah Majumdar and Sarah Crawford, 'Religious Restrictions around the World' (Pew Research Center, March 2024), https://www.pewresearch.org/wp-content/uploads/sites/20/2024/03/PR_2024.3.5_religious-restrictions_REPORT.pdf.

62 For more on ascendant majoritarianism and the Hindu nationalist erasure of minority cultural contributions, see our 2023 Report: South Asia Collective, 'Ascendant Majoritarianism and the Threat to Minorities and Democracy in India'; Jaffrelot, *Modi's India*.

63 Reporters Without Borders, 'Media Ownership Monitor: Who Owns the Media in India?', June 29, 2019, <https://rsf.org/en/news/media-ownership-monitor-who-owns-media-india>.

64 For more on popular media narratives on religious minorities, see our 2021 and 2023 Reports: South Asia Collective, 'India's Other Pandemic: Anti-Minority

Threat perception about Muslims and Christians is particularly amplified.⁶⁵ Ordinary Muslims are routinely branded ‘jihadis’ and ‘terrorists’. For instance, in March 2020, at the beginning of the COVID-19 pandemic, India’s Muslims were falsely accused of engaging in ‘corona jihad’ and willingly spreading the SARS-CoV-2 virus. Minorities are also routinely characterised as demographic expansionists—against Christians, this has involved trumpeting the unfounded charge of uncontrolled ‘forceful conversions’, whereas Muslims are routinely falsely accused of engaging in ‘love jihad’⁶⁶ to convert Hindu women to Islam en masse.⁶⁷

This predomination of anti-minority narratives in popular media is unsurprising. A 2021 survey of 218 individuals in leadership positions at 121 media outlets across print, TV and digital platforms confirmed that 87.6 per cent were filled by ‘upper’ caste Hindus, while 12.4 per cent were OBCs.⁶⁸ While religious affiliation was not specifically examined in the study, this appears to confirm the minuscule to non-existent religious minority representation in managerial and editorial positions in India’s mass media outlets.

Thus, religious minorities, particularly Muslims, are significantly under-represented in India’s public institutions,

Disinformation, Hate, and Incitement to Violence and Discrimination’, in *Hate Speech Against Minorities*, South Asia State of Minorities Report, 2021, <https://thesouthasiacollective.org/wp-content/uploads/2022/01/SASM2021.pdf>; South Asia Collective, ‘Ascendant Majoritarianism and the Threat to Minorities and Democracy in India’.

65 South Asia Justice Campaign, ‘Risk of Atrocities in India: An Assessment Based on UN Framework of Analysis for Atrocity Crimes’, 41–43.

66 A discredited conspiracy theory that alleges a massive plot by Muslim men to seduce and convert Hindu women to Islam, and even recruit them into Islamist terror groups.

67 Onaiza Drabu, ‘Who Is the Muslim? Discursive Representations of the Muslims and Islam in Indian Prime-Time News’, *Religions* 9, no. 9 (September 2018): 283; Sunil Belladi and Hannah Sarasu John, ‘Representation of Indian Christians and Their “Othering” in Mainstream Indian Cinema, a Critical Evaluation’, *International Journal on Minority and Group Rights* 1, no. aop (April 1, 2024): 1–19.

68 Oxfam India, ‘Who Tells Our Stories Matters: Representation of Marginalised Caste Groups in Indian Media’, October 2022, <https://www.oxfamindia.org/knowledgehub/workingpaper/who-tells-our-stories-matters-representation-marginalised-caste-groups-indian-media>.

severely inhibiting their ability to effectively participate in decision-making, and to participate on equal terms in economic progress and development. Attacks on their religious and cultural practices further compound this marginalisation. In the next section, we delve deeper into the structural and institutional factors that have historically impaired the participation and representation of religious minorities, and how these trends have accelerated under the present BJP regime.

Drivers Behind the Poor Participation of Minorities

Next, we review the driving factors behind the poor participation of India's minorities. In Section 3.1, we briefly highlight the lasting impacts of India's Partition. In Sections 3.2 and 3.3, we examine policy-level factors driving the marginalisation and exclusion of minorities, including legal and institutional barriers, as well as their active marginalisation and exclusion under the current Hindu nationalist-dominated regime. In Section 3.4, we examine some challenges inhibiting the ability of minorities to organise and advocate collectively for better outcomes.

The lasting Impacts of Partition

In the early twentieth century, during the final few decades of colonial rule, contestations over arrangements for power-sharing between Hindus and Muslims splintered the Indian independence movement. The objections of the ostensibly secularist but Hindu-dominated Indian National Congress (INC), which dominated the political landscape, to special mechanisms and safeguards for minority representation—including those introduced by colonial authorities—fuelled the rise of the Muslim League, which advocated for the political rights of the sub-continent's Muslims. The Indian freedom movement eventually culminated in 1947, when independence was formalised, after the Muslim-majority parts of Punjab and Bengal provinces were allocated to the newly formed state of Pakistan.

The Partition of India impacted and continues to colour the fate of independent India's minorities in the following ways:

- Migration to Pakistan resulted in a sharp reduction in the share of Muslims in India, from 24.3 per cent to 9.8 per cent of the population, while the share of Hindus increased from 66.9 per cent to 84.1 per cent.⁶⁹ Sikhs, whose share in the overall population increased from 1.47% to 2%, benefited from their concentration in Punjab province, where they formed the majority.
- The horrors of Partition—when hundreds of thousands of Muslims, Hindus and Sikhs were killed in a series of massacres—contributed to a significant deepening of anti-Muslim sentiment in India. This further emboldened the powerful Hindu nationalist movement, which views Hindus as India's primary citizens, and portrays minorities—particularly adherents of 'foreign' faiths like Islam and Christianity—as not merely outsiders, but also threats to India.⁷⁰ Hindu nationalists, including many who were accommodated within the INC fold, leveraged anti-minority sentiments to extract several key concessions from so-called secularist leaders when the Constitution was drafted.
- Significant numbers of educated Muslim families migrated to Pakistan, as did those who were part of—and were well represented in—the colonial-era civil service and armed forces.⁷¹ Muslims' reduced numbers and diminished economic and political influence, along with heightened anti-Muslim sentiment, greatly weakened their ability to negotiate for mechanisms to ensure equitable representation. Concerns over missionary activities provided the context for resistance against Christians.

As will be detailed further in the following sections, these factors

69 While Muslims were widely distributed across the subcontinent, major Muslim clusters were present in Punjab (now split between India and Pakistan), Bengal (now split between India and Bangladesh), United Provinces (now the Indian province of Uttar Pradesh), Hyderabad (now in India) and the North-West Frontier Province (now in Pakistan), among other regions.

70 Christophe Jaffrelot, *Modi's India*, 12.

71 Omar Khalidi, *Muslims in Indian Economy* (New Delhi: Three Essays Collective, 2006), 224.

continue to have detrimental effects on the full and effective participation of minorities in economic, social, cultural, religious and public life in independent India.

Gaps in the Constitutional and Legal Framework vis-à-vis Minority Participation and Representation

The Constitution of India, adopted in 1950, has been described as ‘accommodationist’ with respect to diversity along the axes of religion, caste, tribe and language, albeit differentially.⁷² Key provisions with implications for the ability of minorities to participate effectively in economic, social, cultural, religious and political life, and for the adequate representation of minority voices in official bodies, include:

1. Fundamental Rights⁷³ for All Citizens: A set of legally enforceable ‘fundamental’ rights are guaranteed to all citizens, including, inter alia, guarantees of equality and non-discrimination before law⁷⁴; equal opportunities in employment and appointment to public offices, and prohibition of discrimination⁷⁵; life and liberty⁷⁶ (Article 21); speech and expression, assembly, association, and movement⁷⁷. Also specifically recognised as fundamental rights are the rights to education, and the freedom to practice or carry on any profession/occupation/trade/business.⁷⁸

Fundamental rights are not absolute—the State is empowered to impose ‘reasonable restrictions’ on them in the interest of public order, morality and health; national security, sovereignty, and integrity; etc.

A specialised law, the Scheduled Castes (SC) & Scheduled

72 Rochana Bajpai, ‘Why Did India Choose Pluralism? Lessons from a Postcolonial State’, *Accounting for Change in Diverse Societies*, April 2017, 6.

73 For a more detailed analysis of the weaknesses in India’s legal and constitutional framework vis-à-vis civil, political, social, economic and cultural rights, see our 2022 Report: ‘Weakening Human Rights Commitments and its Impact on Minorities’.

74 The Constitution of India, Articles 14–18.

75 The Constitution of India (1950), Articles 16.1–2.

76 The Constitution of India, Articles 21.

77 The Constitution of India, Articles 19–21.

78 The Constitution of India, Articles 21a, 19g.

Tribes (ST) Prevention of Atrocities (SC/ST PoA) Act, prohibits and penalises, inter alia, hate crimes and discrimination against members of SC and ST groups. There is, however, no comprehensive legislation covering all individuals, to supplement the constitutional guarantee of non-discrimination, a key weakness in India's legislative framework.

2. Affirmative Action Benefits: A set of affirmative action benefits, including reservations in public employment and education, are guaranteed to members of various 'untouchable'/ Dalit caste and to indigenous and tribal groups that make up SCs STs), as well as to members of Other Backward Classes (OBCs) and Economically Weaker Sections (EWSs).

However, at the national level, members of religious minority communities are denied access to these benefits, unless they also belong to social groups that are classified as belonging to SC, ST, OBC or EWS categories. The prospects for religious minorities accessing these benefits were further diluted in 1950, when a Presidential Order restricted inclusion in the list of SCs only to Hindu groups, effectively denying the Dalits among Muslims and Christians the opportunity to avail any affirmative action benefits or to enjoy the protections of the SC/ST PoA Act.

At the provincial level, some states have managed or attempted to accommodate Muslims and Christians within other quotas, in whole (as in Kerala, where all Muslims are entitled to a sub-quota within the OBC quota) or in part (in the form of similar sub-quotas for limited Muslim and Christian groups, present in several states), based on their social and educational backwardness.⁷⁹ While progressive, these state-level policies do not address the exclusion of Dalit Muslims and Christians from the affirmative action regime.

India's courts have largely been hostile to the idea of reservations based solely on religion, insisting instead that they must also meet tests of educational and social backwardness. For instance, an

⁷⁹ Faizan Mustafa, 'Expert Explains: A Brief History of Religion-Based Reservations in India; the Question of Muslims' Inclusion', *The Indian Express*, May 7, 2024, <https://indianexpress.com/article/explained/explained-law/expert-explains-the-muslim-quota-question-9312311/>.

executive order issued by the INC-led central government in 2012 providing a sub-quota (within the OBC quota) at the national level for all religious minorities was quashed by the Andhra Pradesh High Court. Efforts by civil society groups at the Supreme Court to expand the SC list to include Muslim and Christian Dalits have not yielded tangible results so far, and continue to face resistance from the government.⁸⁰

Studies have confirmed the contrasting impacts of this exclusionary regime: between 1960–69 and 1985–89, marginalised SCs and STs experienced substantial upward mobility due to affirmative action policies, while Muslims experienced downward mobility.⁸¹ The continued denial of benefits to large sections of marginalised religious minorities is a significant factor driving their poor performance in indicators of economic and political participation.

3. Electoral System: The Constitution provides for universal adult suffrage and prohibits discriminatory exclusion from electoral rolls.⁸² The colonial-era system of separate electorates were replaced with the system of joint electorates, whereby all eligible voters regardless of religion may vote for any candidate. SCs and STs are entitled to reserved seats in the national Parliament, state legislatures, and in local government. Direct elections to all seats are conducted under the first-past-the-post (FPTP) system, whereby the candidate with the highest number of votes in each constituency wins.

As highlighted in Section 2 of this chapter, reserved seats have ensured that SCs and STs enjoy better political representation vis-à-vis other marginalised groups, while the denial of such seats has disadvantaged Muslims. Muslims have also been particularly

80 'Govt: Christianity, Islam Don't Have "Backwardness", Converts Can't Get SC Tag', *The Times of India*, November 12, 2022, <https://timesofindia.indiatimes.com/india/govt-christianity-islam-dont-have-backwardness-converts-cant-get-sc-tag/articleshow/95460846.cms>.

81 Sam Asher, Paul Novosad and Charlie Rafkin, 'Intergenerational Mobility in India: New Measures and Estimates across Time and Social Groups', *American Economic Journal: Applied Economics* 16, no. 2 (n.d.): 66–98.

82 The Constitution of India, Articles 325–326.

detrimentally impacted by the adoption of the FPTP system, which inherently favours larger voting blocs. The spatial distribution of Muslims is such that they form a minority in 97 per cent of India's parliamentary constituencies, leaving Muslim political parties overly reliant on cross-group alliances to secure a plurality of votes.⁸³ As a result, Muslim parties have tended to enjoy electoral success only in regions with a significant concentration of Muslims. Majoritarian consolidation of Hindu votes by the BJP—and the reluctance of so-called secularist parties to alienate Hindu voters by nominating Muslim candidates—has further limited the prospects for effective representation of Muslims.⁸⁴

In addition to this systemic barrier, elections in India have also historically been marred by reports of systematic denial of voting rights to several vulnerable sections, particularly Muslims, Dalits and Christians.⁸⁵ In Assam state, hundreds of thousands of Bengali-speaking linguistic minorities, mostly Muslims, have been officially designated as 'doubtful voters' and denied voting rights for several decades.⁸⁶

4. Religious Freedom Rights: The Constitution guarantees the fundamental right to freedom of religion, which includes the freedom of conscience and to practice and propagate religion, the right of religious denominations to establish institutions for religious and charitable purposes, the prohibition of payment of taxes for the promotion of any religion, and the prohibition of religious instruction by the state in educational institutions wholly funded by the state.⁸⁷ Religious freedom is subject to public order, morality and health, and to other fundamental rights.

⁸³ Adnan Farooqui, 'Political Representation of a Minority: Muslim Representation in Contemporary India', *India Review* 19 (2020): 153–75.

⁸⁴ Farooqui, 'Political Representation of a Minority: Muslim Representation in Contemporary India'.

⁸⁵ Independent Panel for Monitoring Indian Elections, 'Electoral Integrity in India - An Agenda for Change: Learnings from the 2024 General Election', Briefing Paper, August 2024, <https://indiaelectionmonitor.org/wp-content/uploads/2024/08/IPMIE-Briefing-Paper-Final.pdf>.

⁸⁶ Independent Panel for Monitoring Indian Elections, 'Electoral Integrity in India'.

⁸⁷ The Constitution of India, Articles 25–28.

The scope for religious freedom in India—already far short of international standards⁸⁸—has since been substantially diluted. In the 1960s, after a provincial government-appointed committee found evidence of mass conversions taking place due to inducements like ‘free gifts of books and education’ being offered to vulnerable communities, several provinces enacted laws making it difficult for Christian missionaries to proselytise and convert others.⁸⁹ The Supreme Court later upheld the constitutional validity of these laws, holding that the right to ‘propagate’ religion did not include the right to convert a person to another religion.⁹⁰ This interpretation directly enabled the enactment of further statutes, now in place in 12 states, effectively criminalising religious conversions out of Hinduism, while ostensibly being framed as protections against coerced conversions.

Over the years, the Supreme Court has also developed the ‘essential religious practices’ doctrine, which has effectively limited the scope of religious freedom to acts and practices that are ‘integral’ or ‘essential’ to a religion, whose absence would result in a ‘fundamental change’ in the character of that religion.⁹¹

These dilutions have had a significant impact on the ability of minorities, particularly Christians and Muslims, to effectively participate in religious and cultural life, in addition to enabling violence against them.

5. Group Rights f Religious and Linguistic Minorities: Group rights guaranteed to religious and linguistic minorities include: i)

⁸⁸ According to international law, the *forum internum* elements of religious freedom, which includes the right to have or adopt a religion, are to be unconditionally protected, unlike in the Indian Constitution.

⁸⁹ Madhya Pradesh Dharma Swatantrya Adhiniyam, 1968; Orissa Freedom of Religion Act, 1967.

⁹⁰ *Rev. Stainislaus v. State of Madhya Pradesh*, No. 1977 AIR 908, 1977 SCR (2) 611 (*Supreme Court of India* January 17, 1977); *The ruling extending the right to propagate to non-citizens was in Ratilal Panachand Gandhi v. State of Bombay*, No. AIR 1954 SC 388 (*Supreme Court of India* March 18, 1954).

⁹¹ *Commissioner of Police & others v. Acharya Jagadishwarananda Avadhuta & another*, No. 12 SCC 770 (*Supreme Court of India* March 11, 2004).

the right of minority groups to ‘conserve’ their ‘distinct language, script or culture’; ii) prohibition of denial of admission to state-maintained/aided educational institutions, on the basis of religion, race, caste or language; iii) the right of minority groups to establish and administer educational institutions of their choice, and the freedom of minority-managed educational institutions from discrimination in receiving aid from the state.⁹²

6. Other Key Majoritarian Provisions in the Constitution:

Also important to note are several provisions in the Constitution that have directly contributed to the marginalisation of religious minorities:

- **Cow-Protection Provisions:** A non-justiciable provision (Article 48) in the Constitution urges the state to endeavour to prohibit the slaughter of cattle. This provision was included after debates in the Constituent Assembly that were cloaked in economic terms, claiming that cows—that many Hindus consider an article of faith—were vital for India’s economic interests.⁹³

Encouraged by this provision, several post-independence provincial governments enacted statutes prohibiting the slaughter of cattle.⁹⁴ When these early laws were challenged for being in violation of the fundamental rights to religious and occupational freedom, the Supreme Court upheld their validity. While considering the question of freedom of religion, it argued that cow slaughter is not mandatory in Islam.⁹⁵ When considering the question of freedom of occupation, the court shrouded its pronouncement in economic terms, holding that so long as cattle are useful to

⁹² The Constitution of India, Articles 29–30.

⁹³ ‘Constituent Assembly Debates on 24 November, 1948’ (New Delhi, November 24, 1948).

⁹⁴ Aakar Patel, ‘Artifice for the Holy Cow’, in *Our Hindu Rashtra: What It Is, How We Got Here* (Chennai: Westland Publications), 2020).

⁹⁵ *Sudhi Ranjan Das, Mohd. Hanif Quareshi & Others v. State of Bihar*, No. 1958 AIR 731, 1959 SCR 629 (Supreme Court of India April 23, 1958).

the economy, banning their slaughter is justifiable.⁹⁶ Another Supreme Court ruling in 2005 held that all cattle are ‘useful’ so long as they produce dung and urine for manure.⁹⁷

These statutes, now present in 22 states, have significantly impacted the economic participation of Muslims engaged in the cattle trade, especially in the leather and meat industries, as well as dairy farming and allied industries, in addition to enabling violence against them, and their criminalisation.

- **Constitutional Backing for Personal Law Reform:** The Constitution does not explicitly lay out provisions regarding personal law, enabling a system whereby different religions in India are governed by different family and personal laws that address matters of marriage, divorce and inheritance, among other issues. However, a non-enforceable directive calls upon the state to endeavour to secure for all citizens a Uniform Civil Code throughout India.⁹⁸

The Indian Constitution is, thus, secularist in spirit, without expressing an explicit preference for any religion. Key individual rights and guarantees of non-discrimination are accorded to all citizens, while religious and linguistic minorities are entitled to a limited set of group rights, mainly in the cultural realm. However, India’s post-independence leaders adopted a form of ‘soft secularism’, privileging Hinduism and Hindus in many ways, while maintaining a veneer of secular impartiality.⁹⁹ The early manifestations of this ‘soft secularism’—such as the denial of affirmative action benefits and other specific protections to religious minorities, the ‘smuggling in’¹⁰⁰ of other Hindu nationalist values into the constitutional and legal framework and the judicial backing for the erosion of constitutional promises—heavily stacked the odds against India’s already-disadvantaged religious minorities, particularly Muslims,

⁹⁶ Sudhi Ranjan Das.

⁹⁷ *State of Gujarat v. Mirzapur Moti Kureshi*, 534 SCC (Supreme Court of India 2005).

⁹⁸ The Constitution of India, Article 44.

⁹⁹ Abhinav Chandrachud, *Republic of Religion: The Rise and Fall of Colonial Secularism in India* (Penguin Books, 2020), 21.

¹⁰⁰ Patel, ‘Artifice for the Holy Cow’.

and contributed to them being further marginalised in the economic, social, cultural, religious and political spheres.

Minorities have also historically been impacted by the absence of any significant, targeted, state-led action to ensure better outcomes in economic and social rights. The Sachar Committee, appointed by the Congress-led government in 2005, was the first significant state-led effort to acknowledge and address this gap. The Committee found that the deprivations faced by Muslims were on par with, and often worse than, those experienced by India's SCs and STs. A limited range of measures was later announced, targeted at all religious minorities, including, inter alia, special development and social inclusion initiatives, as well as enhanced access to credit and education. Subsequent analyses of these measures, however, revealed that they were poorly designed, poorly targeted and carried out in a weak institutional environment marked by poor implementation capacity.¹⁰¹

Alongside, a slew of draconian legislations—such as the Armed Forces (Special Powers) Act (AFSPA), the Unlawful Activities (Prevention) Act, the National Security Act (NSA), and the Jammu & Kashmir Public Safety Act (PSA)—have historically been used by the state to crush dissent and to silence political opposition. They have particularly been abused against minorities.¹⁰² Over the decades, India's judiciary has upheld the constitutional validity of all these legislations, and largely tolerated their abuses by the state, leading to a history of executive abuse and poor rule of law, in addition to contributing to the marginalisation of minorities.¹⁰³

Since 2014, as we will see in the subsequent section, these trends have all deepened further and morphed into discrimination and persecution.

101 Government of India, 'Report of the Post-Sachar Evaluation Committee', (New Delhi: Cabinet Secretariat, 2014).

102 For more, see our 2020 report: 'Closing Civic Space in India: Targeting Minorities Amid Democratic Backsliding', in *Minorities and Shrinking Civic Space*, South Asia State of Minorities Report (South Asia Collective, 2020), <https://thesouthasiacollective.org/wp-content/uploads/2022/01/SASM2020.pdf>.

103 For more, see 'Rhetoric v Reality: India, International Human Rights, and Minorities', in South Asia State of Minorities Report, 2022: Weakening Human Rights Commitments and Its Impact on Minorities, South Asia Collective, 2022, 56, <https://minorityrights.org/app/uploads/2023/12/sasm2022.pdf>.

Heightened Anti-Minority Persecution Under the BJP Regime

The current post-2014 era of Hindu nationalist political domination has been marked by heightened, majoritarian, and discriminatory state policies, practices, and rhetoric against minorities, as well as persistent anti-minority incitement and violence by non-state actors.¹⁰⁴ These trends have been particularly pronounced in states with significant Muslim concentrations, such as Uttar Pradesh and Assam, where they account for 19.3 per cent (38.5 million) and 34.2 per cent (10.7 million) of the total population, respectively.¹⁰⁵ Other hotspots of anti-minority targeting have included, among others, Madhya Pradesh, Uttarakhand, Haryana, Rajasthan, Karnataka and Maharashtra.

Key developments and trends, including the hardening of previous trends, that have directly impacted the scope of economic, social, cultural, religious and political participation of minorities include:

Attempts to Politically Disenfranchise Minorities

- **Religious Test for Citizenship:** In 2019, India enacted ‘fundamentally discriminatory’ changes to its citizenship regime, fast-tracking the pathway to citizenship for individuals from India’s Muslim-majority neighbouring countries, so long as they belong to non-Muslim faiths.¹⁰⁶ This unprecedented introduction of a religious test for citizenship, the government announced, would be used in combination with the National Register of Citizens (NRC) process in Assam state, and a potential nationwide replication of the NRC. The NRC, a long-running administrative exercise overseen by India’s Supreme Court to identify ‘illegal’ migrants that had culminated in 2019 with the exclusion of 1.9 million state

104 For a detailed exploration of the contemporary political and cultural manifestations of Hindu majoritarianism, see ‘Ascendant Majoritarianism and the Threat to Minorities and Democracy in India’.

105 Government of India, ‘Census of India’, 2011.

106 ‘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>.

residents, has the potential to cause the large-scale political exclusion of the state's Muslims.¹⁰⁷ Assam, which also conducts a parallel Foreigners Tribunal (FT) process through which minorities continue to be declared 'foreigners' and lodged in prison-like detention centres, is already seeing this exclusionary citizenship regime play out. In July 2024, the Assam government directed the border police to refer only Muslims to FTs.¹⁰⁸

A nation-wide NRC, already announced by the BJP government, could potentially put Muslims across India at the risk of disenfranchisement.¹⁰⁹

- **Revocation Of Jammu and Kashmir's Constitutional Safeguards:** Jammu and Kashmir (J&K), the contested territory that has been the site of a long-running separatist movement as well as an international armed conflict with neighbouring Pakistan, was previously the only Muslim-majority state that had been accorded special constitutional safeguards.¹¹⁰ In 2019, India incarcerated J&K's political (both unionist and separatist) leadership en masse and downgraded the region to the status of a Union Territory (UT) governed directly by the federal government. During a six-year period¹¹¹ marked by virtually no political representation of locals, Indian authorities introduced legal changes to the region that have, inter alia, expanded electoral rolls to include non-locals and also enabled them to purchase land, sparking fears of demographic change. Elections to the UT legislative

107 'The Final Count: Tracking the National Register of Citizens in Assam', Scroll.in, <https://scroll.in/topic/56205/the-final-count>, accessed August 4, 2024.

108 'Assam Govt Directs Border Police to Stop Sending Cases of Non-Muslims to Foreigners Tribunals', *Maktoob*, July 15, 2024, <https://maktoobmedia.com/india/assam-govt-directs-border-police-to-stop-sending-cases-of-non-muslims-to-foreigners-tribunals/>.

109 'India to Implement Nationwide Citizenship Count', *Al Jazeera*, November 20, 2019, <https://www.aljazeera.com/news/2019/11/20/india-to-implement-nationwide-citizenship-count>.

110 Provisions in the Indian Constitution had granted special privileges to the erstwhile state, according to its legislature, inter alia, autonomy over internal administration, and the authority to define and affix protections for permanent residents of the state.

111 The state's elected state legislature had been dissolved in 2018.

assembly were finally held in September-October 2024, but only after curtailing the powers of the elected legislature and the Chief Minister.¹¹²

- **Gerrymandering Constituency Boundaries Disadvantaging Muslims:** In August 2023, India finalised the delimitation of parliamentary and legislative constituencies in Assam state. Discrepancies during the process included several constituencies where Muslim voters and ST voters had previously played a decisive role being designated as reserved for SC candidates, significantly disadvantaging these groups, as was seen during the 2024 general election.¹¹³ Similarly, the delimitation of constituencies in J&K in 2022 was criticised for privileging the Hindu-majority Jammu region at the expense of Muslim-majority Kashmir, and subsequently enabled the BJP to increase its seat count in the legislative assembly following elections in September-October 2024.¹¹⁴

There are widespread concerns that India's next national-level delimitation exercise, scheduled for 2026, will replicate these patterns, to the undue benefit of Hindu nationalist interests and to the detriment of marginalised groups, including women, as well as India's southern states.¹¹⁵

112 Hilal Mir, 'Kashmir Finally Gets Elected Government with Limited Powers', *Anadolu English*, October 16, 2024, <https://www.aa.com.tr/en/asia-pacific/kashmir-finally-gets-elected-government-with-limited-powers/3363955>.

113 Rokibuz Zaman, "No Muslim Can Win, Now or in the Future": In Assam's Barpeta, Delimitation Fears Confirmed', *Scroll.in*, May 6, 2024, <https://scroll.in/article/1067465/no-muslim-can-win-now-or-in-the-future-in-assams-barpeta-delimitation-fears-confirmed>.

114 Abhishek Jha, 'Did Delimitation Change the Electoral Game in Jammu and Kashmir?', *Hindustan Times*, October 9, 2024, <https://www.hindustantimes.com/india-news/jammu-and-kashmir-results-did-delimitation-change-the-electoral-game-in-jk-101728411603455.html>.

Amitabh Sinha and Deeptiman Tiwary, 'Why the Delimitation Exercise Is Seen as a Political Battle between the BJP and the Rest', *The Indian Express*, September 28, 2023, <https://indianexpress.com/article/explained/explained-politics/womens-reservation-bill-political-issue-of-delimitation-8957721/>; 'What the 2026 Delimitation Process Has in Store For Indian Muslims', *NewsClick*, August 16, 2023, <https://www.newsclick.in/what-2026-delimitation-process-has-store-indian-muslims>.

- **Other Violations of Minorities' Right to Exercise Franchise:** India's 2024 General Election was marred by multiple instances of minority voters being denied the right to vote. Reported violations included multiple instances of Muslim voters being physically assaulted and restrained from voting by police officials (in Uttar Pradesh) and being arbitrarily struck off voter rolls (in Gujarat).¹¹⁶

Attempts to Dilute Affirmative Action Benefits

As mentioned in Section I of this chapter, the BJP's campaign messaging during the 2024 general election centred around unfounded claims that opposition parties were conspiring to dilute the extant affirmative action regime to the detriment of the SC/ST/OBC communities and the benefit of Muslims.¹¹⁷ In fact, the BJP in power has diluted the limited state-level benefits that had accrued to Muslims. In 2023, the BJP-led government in Karnataka scrapped a sub-quota¹¹⁸ that had previously been granted to Muslims and reallocated it to two politically influential Hindu castes.¹¹⁹ At the national level, the BJP-led central government has attempted to stymie legal efforts by religious minority advocacy groups to include Christian and Muslim Dalits within the list of SC groups who are entitled to benefits.¹²⁰

Also noteworthy is the amendment of the Constitution in 2019 to extend affirmative action benefits to a new sub-category, 'Economically Weaker Sections' (EWS), to be availed by those not belonging to groups designated as SCs, STs, or OBCs. While

116 Independent Panel for Monitoring Indian Elections, 'Electoral Integrity in India - An Agenda for Change: Learnings from the 2024 General Election'.

117 South Asia Justice Campaign, 'UPDATE | General Elections | 16 March – 31 May, 2024 (Hate Speech Monitor)'.

118 Under the larger OBC quota in public education and employment.

119 Sharath S. Srivatsa, 'Why and How Was the 4% Reservation for Muslims under the OBC Category Scrapped in Karnataka?', *The Hindu*, March 28, 2023, <https://www.thehindu.com/news/national/karnataka/explained-why-and-how-was-the-4-reservation-for-muslims-under-the-obc-category-scrapped-inkarnataka/article66673107.ece>.

120 'SC Status Can't Be given to Dalits Who Converted to Islam & Christianity: Centre to SC', *The Print*, December 7, 2022, <https://theprint.in/india/sc-status-cant-be-given-to-dalits-who-converted-to-islam-christianity-centre-to-sc/1253617/>.

religious minorities may also claim these benefits, those above the maximum income threshold are now forced to compete for a reduced pool of spots.

Exacerbation of Historically Poor Efforts Aimed at Minority Upliftment

The BJP has also attempted to erase the limited gains of targeted development policy aimed at minority upliftment. The federal government has discarded the Sachar Committee-recommended focus on community-oriented preferential policies in favour of area-based development, ostensibly targeting underdeveloped districts across the country.¹²¹ The government's latest Union Budget allocated to the Ministry of Minority Affairs a mere 0.07 per cent of the total outlay.¹²² It has also significantly reduced or discontinued several scholarship schemes for minority students in school and higher education.¹²³ Recent economic missteps of the BJP-led government—such as the demonetisation of currency in 2016 and the disorganised implementation of the Goods & Services Tax (GST)—are also known to have disproportionately impacted those employed in the informal sector, where Muslims are over-represented. At the time of writing, the BJP was pushing through legislation to expand state control over *waqfs* (Islamic property endowments), raising fears among many Muslims that their

121 For more, see 'India - Unable to Protect; Reluctant to Promote', in *South Asia State of Minorities Report 2018: Exploring the Roots*, South Asia Collective, New Delhi, 2018; Also see Jaffrelot and Kalaiyaran A., 'Post-Sachar Indian Muslims: Facets of Socio-Economic Decline'.

122 'Union Budget 2025-2026', National Portal of India, February 1, 2025, <https://www.india.gov.in/spotlight/union-budget-2025-2026>.

123 'Padho Pardesh Scheme Discontinued by MoMA', *BusinessLine*, January 14, 2023, <https://www.thehindubusinessline.com/money-and-banking/padho-pardesh-scheme-discontinued-by-moma/article66373781.ece>; 'Centre Shuts Down Maulana Azad Education Foundation After Funds Slashed For Minority Schemes', *NewsClick*, February 29, 2024, <https://www.newsclick.in/centre-shuts-down-maulana-azad-education-foundation-after-funds-slashed-minority-schemes>; Arshi Qureshi and Qurutulain Rehbar, 'How Modi Govt Ended Or Slashed Financial Aid To Minority School, Higher Education & Foreign Study Schemes', *Article 14*, January 20, 2023, <https://article-14.com/post/how-modi-govt-ended-or-slashed-financial-aid-to-minority-school-higher-education-foreign-study-schemes--63ca053b22ae2>.

historical mosques, graveyards and schools will be subject to legal disputes.¹²⁴

Weaponisation of Anti-Conversion and Cow Protection Laws Against Minorities

In states where BJP is in power, India's anti-conversion and cow protection statutes have become key tools to persecute and further marginalise religious minorities.

Since 2017, eight states governed by the BJP have strengthened regulations on religious conversions, proscribing religious conversions by means of force, coercion, fraud and other prohibited means as non-bailable offences with reversed burden of proof, punishable by up to life imprisonment in some states. Most of the newly enhanced or enacted laws also contain restrictive conditions on inter-religious marriages. The laws in some states, like Uttar Pradesh (2020), are framed explicitly as being aimed at curbing 'love jihad'.

Similarly, BJP governments have also weaponised India's cow protection laws. Since 2014, several states have enhanced and expanded these laws, reversing the burden of proof, and prescribing harsher punishments, up to life imprisonment in some states. In effect, these laws impose dietary restrictions on non-Hindus, in addition to restrictions on their economic choices. Several states have also empowered violent cow 'vigilante' groups to function in a quasi-official manner and assist with the implementation of these laws, with immunity.

These laws have directly enabled the harassment of minorities by police and Hindu 'vigilante' groups working jointly, in addition to enabling violence against them. Dozens of Muslims and Christians continue to be incarcerated under these laws every month.

Other Patterns of State-Led And State-Supported Discrimination and Violence Against Minorities

The above-enumerated trends are in addition to a range of other patterns of state-led violence that have impacted the physical

¹²⁴ 'Why Indian Muslims Worry About Modi Plan for 14 Billion Endowments', *Al Jazeera*, December 6, 2024, <https://www.aljazeera.com/features/2024/12/6/waqf-bill-why-indian-muslims-worry-about-modi-plan-for-14bn-endowments>.

integrity and other civil, political, economic, social and cultural rights of religious minorities. These have included:¹²⁵

- Extra-judicial killing campaigns carried out by police forces in states like UP and Assam, where killings of alleged criminals—disproportionately Muslims—have been openly endorsed by the respective Chief Ministers.
- The use of excessive force against civilian protesters, particularly if the protests are led by Muslims or other minorities.
- The mass arbitrary detention of Muslim protest leaders, along with journalists and other human rights defenders, who are also routinely criminalised using anti-terror legislation that enables prolonged incarceration. Also increasingly subject to criminalisation and arrests are Muslims and Christians manifesting their faith, including those engaging in public prayers, despite public displays of faith not being prohibited in India.
- A spike in violent hate crimes against Muslims, Christians, and Dalits by Hindu extremist non-state actors, including some who have been found to have close links to the BJP. There have also been recurring episodes of targeted mass violence against minorities, often mischaracterised as ‘riots’, usually led by Hindu extremist actors, and marked by common patterns such as meticulous planning, one-sided nature of violence, the destruction of minority religious symbols, and the complicity of state actors. These patterns have recurred against the backdrop of a significant spike in anti-minority hate and incitement to discrimination, hostility, and violence by powerful Hindu religious figures and political figures linked to the BJP.
- Systematic, state-led targeting of minority economic interests, particularly those of Muslims. Notably, the enforcement of provincial-level cattle protection laws has

125 Summarised from South Asia Justice Campaign, ‘Risk of Atrocities in India: An Assessment Based on UN Framework of Analysis for Atrocity Crimes’, 74, if not cited otherwise.

become increasingly draconian in recent years. In states like UP, police officials have been accused of carrying out extrajudicial ‘encounter’ shootings of alleged violators, and also invoked repressive national security legislation against them.¹²⁶ The UP government has also carried out a concurrent crackdown on ‘illegal’ slaughterhouses. These actions have reportedly driven thousands of Muslims and Dalits out of the meat, leather, and animal husbandry sectors, in addition to leading to the closure of hundreds of Muslim-owned businesses, without fair hearing.¹²⁷ At the time of writing, state-led efforts to economically marginalise minorities were also gaining ground in the food and hospitality sector, driven by the unfounded *thook* (spit) jihad¹²⁸ conspiracy theory, which authorities in two states (UP and Uttarakhand) have cited to introduce permanent measures mandating, inter alia, the public display of owners’ and managers’ names and personal details at eateries, and punitive measures against eateries employing ‘illegal foreign citizens’.¹²⁹ Such measures serve the twin purpose of normalising and deepening anti-Muslim conspiracy theories and hate, as well as enabling

126 South Asia Justice Campaign, ‘Cow Slaughter Laws and Vigilante Violence in India’, Briefing Notes, n.d., https://southasiajusticecampaign.org/wp-content/uploads/2024/11/BN_2024-6_CowSlaughterLaws.pdf; Saurav Das, ‘Extrajudicial Killings May Be Frequent in India’s Most Populous State’, New Lines Magazine, August 5, 2024, <https://newlinesmag.com/reportage/extrajudicial-killings-may-be-frequent-in-indias-most-populous-state/>; Manish Sahu, ‘In Uttar Pradesh, More than Half of NSA Arrests This Year Were for Cow Slaughter’, The Indian Express (blog), September 11, 2020, <https://indianexpress.com/article/india/in-uttar-pradesh-more-than-half-of-nsa-arrests-this-year-were-for-cow-slaughter-6591315/>.

127 Human Rights Watch, ‘Violent Cow Protection in India: Vigilante Groups Attack Minorities’, February 18, 2019, <https://www.hrw.org/report/2019/02/18/violent-cow-protection-india/vigilante-groups-attack-minorities>.

128 An unsubstantiated conspiracy theory that alleges an organised plot by Muslims to endanger Hindus by spitting in and contaminating their food. See Alishan Jafri, “Thook Jihad” Is the Latest Weapon in Hindutva’s Arsenal of Islamophobia, *The Wire*, November 20, 2021, sec. Communalism, <https://thewire.in/communalism/thook-jihad-is-the-latest-weapon-in-hindutvas-arsenal-of-islamophobia>.

129 ‘Uttar Pradesh, Uttarakhand: India States’ Plans to Punish Spitting in Food Spark Controversy’, *BBC News*, October 28, 2024, <https://www.bbc.com/news/articles/cvg0dq8q5klo>.

the easy identification and targeting of Muslim workers and Muslim-owned businesses by Hindu extremists. More localised temporary bans on the operation of meat shops and other vendors continue to be routinely imposed by authorities at locations across the country, particularly near Hindu places of worship during religious festivities.

Alongside, there have also been concerted efforts by Hindu extremist non-state actors to economically marginalise minorities. During episodes of violence, minority-owned businesses are often singled out for destruction, leaving crippling economic impacts persisting for generations, and leading to further ghettoisation, further undermining economic interests. Even in times not marked by violence, Hindu extremists have continued to brazenly organise boycott campaigns targeting Muslims and Christians, targeting street vendors to small businesses, and even large industrial houses and Bollywood actors.

- Increasing barriers in access to education for minorities. Islamic madrassas, a crucial avenue of primary education for poor Muslim children across the country, have faced massive crackdowns in multiple BJP-led states, while being denigrated as dens of terrorism. Tens of thousands of madrassas have reportedly been closed down by authorities in recent years, particularly in states like UP and Assam.
- Targeting of minority places of worship by and with the support of state authorities. These have included instances of Muslim and Christian places of worship being arbitrarily demolished, as well as Hindu nationalist actors making legal claims over historical mosques, alleging that they stand atop historical Hindu temples. Mosques and churches have also been focal points during episodes of religious violence orchestrated by Hindu extremists, and are often singled out for vandalism and destruction.
- The failure of authorities to act on serious violations, resulting in impunity for both state and non-state perpetrators. In BJP-governed states, authorities have tended to collectively punish and criminalise Muslims. In

recent years, this has taken the form of arbitrary demolition of homes, businesses and religious buildings of minorities. The targets of such actions—celebrated as ‘bulldozer justice’ by the BJP’s leaders and supporters—which have rendered thousands homeless and deprived of their livelihoods, have included victims of mass violence, as well as others accused of crimes seen as impacting Hindus. Civil society groups have documented the profound economic, physical and psychological repercussions faced by affected communities due to these actions, ranging from health challenges due to loss of shelter, joblessness due to the destruction of livelihoods, and debt due to the financial impact, and the stigma associated with being victims of such violence and being rendered homeless.¹³⁰

Read together, these trends and developments confirm the systematic mistreatment of India’s Muslims and Christians by the BJP-ruled federal government and by BJP-led state governments across the country, and by powerful Hindu nationalist actors. This persecution is increasingly and actively driving them to the fringes of economic, social, cultural, religious and political life, and crippling their ability to lay their claim as full and equal citizens.

Challenges to Collective Action by Minorities Seeking Change

In addition to the policy gaps in India’s institutional framework detailed in the previous two sections, and the BJP’s weaponisation and exacerbation of these gaps to further exclude minorities, there are several other factors that have historically debilitated their ability to collectively advocate for and demand better outcomes. Some of these factors are explored in this section.

Impact of Majoritarian Narratives and Societal Discrimination

As detailed earlier, distrust of religious minorities has run deep in Indian society since the time of its independence. The portrayal of religious minorities as fundamental threats to India by playing up

¹³⁰ Amnesty International, ‘Bulldozer Injustice in India’, 2024, <https://www.amnesty.org/en/documents/asa20/7613/2024/en/>.

the fears of the Hindu majority remains a cornerstone of Hindu nationalist messaging and political strategy, as evident from the BJP's 2024 General Election campaign. Muslims, Christians and Sikhs—when in opposition to the BJP's policies—attempting to assert their rights continue to be portrayed as existential threats to India, and termed disloyal 'anti-nationals', 'traitors', demographic expansionists, and as members or sympathisers or armed extremists and separatist groups.¹³¹ The domination of India's broadcast media landscape by pro-BJP corporate interests, as well as the BJP's sophisticated social media operations, have contributed to this messaging becoming the mainstream narrative in contemporary India.¹³²

As a result, majoritarian and anti-minority attitudes have potentially hardened even further. Surveys confirm widespread support among the majority Hindu population not just for the BJP and its policies, but even for formerly fringe conspiracy theories like the 'love jihad' bogey.¹³³ A nation-wide survey published in November 2024 revealed that over a quarter of all Hindus (including 30 per cent of Dalits and 28.5 per cent of Adivasis among them) fully or 'somewhat' disagreed with the notion that Muslims are equally patriotic as other Indians.¹³⁴ Forty-seven per cent of Hindu respondents 'fully' or 'somewhat' agreed that Muslims are 'unnecessarily appeased or pampered'.¹³⁵ Other surveys have also confirmed denial, particularly among significant sections of 'upper' caste Hindus, that religious and caste minorities face discrimination.¹³⁶ In the November 2024 survey, over 60 per cent of

131 South Asia Justice Campaign, 'Risk of Atrocities in India: An Assessment Based on UN Framework of Analysis for Atrocity Crimes', 39.

132 South Asia Justice Campaign, 'Risk of Atrocities in India: An Assessment Based on UN Framework of Analysis for Atrocity Crimes', 39.

133 For more on the increasing predominance of majoritarian attitudes, see "Ascendant Majoritarianism and the Threat to Minorities and Democracy in India".

134 There were significant regional disparities in the responses to this question. For example, only 18.1 per cent of Hindu respondents in south India disagreed with the idea. See Christophe Jaffrelot and Hilal Ahmed, 'Indian Muslims'.

135 Jaffrelot and Ahmed, 'Indian Muslims'.

136 Pew Research Center, 'Religion in India: Tolerance and Segregation', June 29, 2021, <https://www.pewresearch.org/religion/wp-content/uploads/>

Hindu respondents claimed that Muslims are equally safe as other citizens, while nearly 65 per cent of Muslims responded that they are not.¹³⁷ The cycles of anti-minority violence, now reported all too frequently from across India, are bound to harden these majoritarian sentiments, while also exacerbating economic and social disparities.

India's religious minorities, thus, are being left to fend for themselves in an increasingly hostile and discriminatory environment, with little to no societal acknowledgement of the denial of their rights, let alone support for their efforts to engage in meaningful collective action.¹³⁸

Elite Support for Authoritarian Governance Model

As mentioned in previous sections, India's recent and escalated slide towards majoritarianism has been accompanied and enabled by the BJP's adoption of an authoritarian governance style, marked by the weakening of key institutions, including the judiciary, independent media and civil society.¹³⁹ Scholars have noted that unlike Western populist movements, where authoritarian leaders exploit working-class economic distress, India's authoritarian shift has been largely elite-driven.¹⁴⁰ The BJP's rise has been actively facilitated by the urban middle class, particularly Hindu 'upper' castes, as well as corporate elites, who see Hindu nationalist rule as a shield against demands for economic redistribution and social justice.¹⁴¹ This continued embrace of the BJP by powerful economic interests remains a significant challenge for marginalised minorities to engage in collective action.

[sites/7/2021/06/PF_06.29.21_India.full_report.pdf](#).

137 Jaffrelot and Ahmed, 'Indian Muslims', In our key informant survey, 89.4 per cent of respondents stated that religious minorities face some level of social discrimination and exclusion due to their religious identity.

138 There was, however, significant Hindu support (54 per cent for the idea that Dalit Muslims should also be given reservations in government jobs in the SC category; Jaffrelot and Ahmed, 'Indian Muslims'.

139 For more on democratic backsliding in India, see 'Ascendant Majoritarianism and the Threat to Minorities and Democracy in India'; 'Closing Civic Space in India: Targeting Minorities Amid Democratic Backsliding'.

140 Patrick Heller, 'The Social Roots of the Authoritarian Turn in India', in *Routledge Handbook of Autocratization in South Asia*, ed. Sten Widmalm, New York: Routledge, 2022, 115–126.

141 Heller 'The Social Roots of the Authoritarian Turn in India'.

Challenges to Minority Political Mobilisation

Non-BJP political parties such as the Congress, as well as regional players like the Samajwadi Party (SP), have historically offered limited and often tokenistic support for religious minorities. Scholars have noted how even during its era of political domination, the Congress' approach towards minorities was largely paternalistic and often antagonistic, avoiding genuine empowerment.¹⁴² This legacy has continued, with so-called secular parties remaining hesitant to field Muslim or Christian candidates due to concerns over alienating Hindu voters, a substantial chunk of which has mobilised around the BJP.¹⁴³ This reluctance to prioritise minority representation was evident during the 2024 general election, when the number of Muslim candidates nominated by non-BJP secular parties dropped to 78 from 115 in 2019 (see Section 2)

While some political parties that advocate for the interests of minorities—such as the Indian Union Muslim League (IUML) in Kerala—continue to be effective pressure groups in the regions they are concentrated in, those that have sought a larger national-level role—like the All India Majlis-e-Ittehadul Muslimeen (AIMIM)—have faced increasing pushback from the BJP's narrative machine and even violence, as well as apathy from so-called secular party alliances.¹⁴⁴

The trend that has persisted as a result is the mobilisation of minority votes behind parties seen as being the best bets to keep the BJP in check. For instance, in the 2024 general election, the Muslims of Assam who traditionally voted for the All India United Democratic Front (AIUDF), which represents Muslim interests, were reported to have largely voted for the Congress. Similarly, Christian voters in Kerala, as well as the northeastern Christian-

142 Pratinav Anil, *Another India: The Making of the World's Largest Muslim Minority, 1947–77*, Hurst Publishers UK, 2023.

143 Over half the respondents to our key informant survey (51.6 per cent) identified insufficient support and lack of political will from so-called secularist parties as a major factor driving poor minority representation.

144 This corresponds with regional differences in public faith in political leaders from the Muslim community, highlighted by the 2024 CSDS survey. 38.1 per cent of respondents (of all faiths) from India's northern, Hindi-speaking belt felt that Muslims lack 'honest and committed leaders', while only 24.3 per cent of south Indian respondents felt the same; Jaffrelot and Ahmed, 'Indian Muslims'.

majority states of Meghalaya and Nagaland, consolidated behind the Congress.

While this tactical voting by minorities for parties has led to some limited successes in impinging the BJP's electoral heft, it has done little to improve minority representation. Emerging research, in fact, suggests that India's Hindu nationalist-dominated socio-political milieu has resulted in a situation where increased political representation of Muslims may be leading to worse political outcomes in the future. A win by a Muslim political candidate usually leads to i) Hindu majoritarian consolidation in subsequent elections and ii) increased divisions among Muslims, due to perceptions of unmet expectations and activation of sub-identities such as caste and sect.¹⁴⁵

Alongside, Hindu nationalists too have attempted to leverage internal divisions among and within minority groups, further exacerbating the challenges of collective political action. For instance, the support of some Christian sects in Kerala—including one which had previously propagated the Islamophobic 'love jihad' conspiracy theory—is reported to have contributed to the BJP's strong performance in some parts of that state in the 2024 general election. The BJP has also attempted, unfruitfully so far, to splinter the Muslim vote by courting 'Pasmanda'¹⁴⁶ Muslims. A respondent to our key informant survey summarised the challenges posed by internal divisions within minority communities: 'In India, internal divisions within minority communities, such as caste, sect and class, often hinder their ability to organise collectively. Caste-based discrimination among Dalit Christians or the Sunni-Shia divide within Muslims can create fragmented voices, making it difficult to unite on common issues. Class disparities also lead to differing priorities, with wealthier segments focusing on elite concerns while the marginalised struggle for basic needs. These divisions are often exploited by political forces'.

Concerningly, these challenges may be driving further poor participation by minorities, particularly Muslims, in the political

145 Feyaad Allie, 'The Representation Trap: How and Why Muslims Struggle to Maintain Power in India (Working Paper)'.

146 An umbrella term used to refer to Dalit, Tribal and backward class Muslims.

process—the 2024 CSDS survey found that while the proportion of Muslim citizens who voted in the general election increased from 60 per cent in 2019 to 62 per cent, it has been much lower than the national average since 2014.¹⁴⁷

Pushback Against Minority Civil Society Mobilisation

Historically, India's civil society has played a crucial role in driving and institutionalising welfare reforms, and in ensuring the effective implementation of social policies.¹⁴⁸ A slew of minority-led and minority-focused CSOs have worked on, inter alia, awareness-raising about rights and entitlements, advocating for better representation in governance structures, and in documenting and pursuing accountability following episodes of anti-minority violence.¹⁴⁹ The record of these minority-led efforts has historically been mixed, due to state apathy, as well as Hindu nationalist pushback.¹⁵⁰

Since the BJP's rise to power, civic space in India has become significantly more repressed, with CSOs facing increasing restrictions and bureaucratic scrutiny, in addition to surveillance, threats and harassment. The pushback against minority-led civil society mobilisation has been particularly pronounced: for instance, the anti-CAA/NRC mass movement led by Muslim women and students, in late 2019, was branded by the BJP as a movement of 'traitors' and 'urban Naxals', and culminated in the eruption of mass violence against Muslims, resulting in large-scale loss of life and property. Sikh farmer-led protests in late-2020, as well as various Christian faith-based organisations, have also faced state crackdowns. In Kashmir, since 2019, civic space has been all but closed.¹⁵¹

147 Christophe Jaffrelot and Hilal Ahmed, 'Indian Muslims'.

148 Anindita Adhikari and Patrick Heller, 'Civil Society, the State and Institutionalizing Welfare Rights in India', *World Development* 182 (2024).

149 Yamini Aiyar and Meeto Malik, 'Minority Rights, Secularism and Civil Society', *Economic and Political Weekly* 39, no. 43 (2004): 4707–11.

150 Yamini Aiyar and Meeto Malik, 'Minority Rights, Secularism and Civil Society'.

151 For more on shrinking civic space and the impact on minorities, see: 'Closing Civic Space in India: Targeting Minorities Amid Democratic Backsliding'.

While minority-led civil society organisations and movements—including many led by women¹⁵²—remain active and central to resisting the BJP's persecution and politics of hate, they are forced to operate in an increasingly repressive environment, greatly inhibiting their ability to ensure better participation. Over 75 per cent of the respondents to our key informant survey claimed that they feared reprisal from the state or by majoritarian/extremist groups while advocating for minority rights.

In sum, the combination of social hostility, alienation by mainstream political parties, and the increasingly repressive environment for political and civil society mobilisation, has significantly inhibited minorities' ability for collective action, and limited their scope for economic, social, and political mobility, restricting them to a perpetual cycle of poor agency and poor participation.

Conclusion

India's reputation as a pluralistic and inclusive state has always been riddled with contradictions.

Scarred by the legacy of Partition, significant sections of India's post-independence leadership were deeply distrustful of minorities, particularly Muslims and Christians. The Constitution they adopted, while being largely accommodative of group differences despite being secular in character and grounded in individual rights, had majoritarian undercurrents. Despite laying out the world's most extensive affirmative action programme, India denied its religious minorities access to these benefits. While maintaining an impartial and secularist façade, the treatment of marginalised religious minorities was differentiated, paternalistic, and often antagonistic, and any talk of—or targeted policy toward—their social, economic, and political upliftment was largely tokenistic. Even guaranteed constitutional rights were subsequently eroded, aided by India's judiciary. Thus, Indian Muslims' efforts to participate effectively and equitably in social, economic, and public life, and to ensure that their voices are

¹⁵² Laila Kadiwal, 'Critical Feminist Resistance to the Politics of Hate in India', in *Globalisation, Societies and Education* 21, no. 5 (2023): 734–53.

represented in the institutions of power, were handicapped by institutional discrimination, right from the start.

This systemic exclusion was sustained by successive governments' failure to treat marginalised minorities as legitimate recipients of targeted developmental aid. The ascendancy of the BJP, which had dismissed the Sachar Committee and its recommendations to pursue community-oriented preferential policies as 'appeasement', has rolled back even these limited gains. Its deliberate under-investment in minority welfare threatens to compound the socio-economic deprivations faced by Muslims.

Today, the post-independence veneer of impartial secularity has been replaced by active persecution, amid an era of unprecedented majoritarianism and significant democratic backsliding. India's historically marginalised Muslims now seem to be dealing with a vengeful state determined to push them even further to the fringes, and to force them to live as second-class citizens in a 'de facto Hindu *Rashtra* (Nation)', with little say in decisions that impact their lives.

The implications of this systematic mistreatment of India's Muslims—the largest-scale persecution of any minority group anywhere in the world—are grave. Economically marginalised and often denied access to jobs, education and public services on equal terms, many are likely to remain mired in poverty, with little hope of upward mobility. This exclusion deepens as systemic violence, social discrimination and hostile majoritarian attitudes isolate them further from the larger national consciousness. And the continued lack of political representation leaves them vulnerable to even more state-led persecution. Only with meaningful, targeted efforts to dismantle deeply embedded systems of discrimination can this vicious cycle—where marginalisation leads to deprivation, and deprivation leads to further marginalisation—be broken. If left unchecked, India risks further eroding its democratic foundations, its international credibility and, most dangerously, irreparably damaging its social fabric.

Recommendations

For the Indian Government

- Enact a comprehensive anti-discrimination legislation, ensuring protection for religious minorities in employment, education and housing, backed by robust enforcement mechanisms, as also recommended by the UN Human Rights Committee in September 2024. Constitute an adequately empowered Equal Opportunity Commission to address the grievances of victims of discrimination.
- Extend existing affirmative action policies to include marginalised sections among Muslims and Christians, including those who have converted to these religions, as also recommended by the UN Human Rights Committee.
- Review the existing first-past-the-post electoral system, and consider shifting to a more representative system that is suitable to a country with the diversity of India.
- Begin addressing data gaps by immediately conducting the pending decennial census, and ensuring that collected data is adequately disaggregated to cover religious and other minorities. Ensure similar disaggregation in all other government datasets, including those pertaining to poverty, employment and education.
- Eliminate anomalies in the current delimitation procedure, and introduce provisions to protect minority interests, prevent gerrymandering and prohibit political parties from gaining undue advantage.
- Take immediate steps to curb incitement, hate crimes and mob violence, ensuring accountability for both state and non-state actors involved in such actions.
- Remove anomalies in the legislative framework that advantage majorities to the detriment of religious minorities, including discriminatory laws such as the Citizenship (Amendment) Act (CAA), state-level cattle slaughter and anti-conversion statutes, as well as other laws such as the Unlawful Activities (Prevention) Act, that are disproportionately invoked against minorities, as also

recommended by the UN Human Rights Committee.

For Opposition Parties

- Raise concerns about discrimination and marginalisation of vulnerable groups, including religious minorities, in debates in parliament and in public communications.
- Where in power, implement recommendations of the Sachar Committee and its follow-up committees.
- Prioritise better representation of religious minorities in candidate selection and governance, ensuring that their voices are heard in decision-making.
- Where in power, expand state-level social welfare schemes, specifically targeting marginalised religious minorities for development aid, scholarship, economic empowerment and social inclusion initiatives and resume measures for better minority access.
- Actively challenge discriminatory government policies through legal avenues and support grassroots mobilisation against anti-minority state policies and actions.

For Domestic and International Civil Society

- Improve efforts to document and publicise human rights violations and discrimination against India's religious minorities, ensuring that these abuses and violations gain international visibility.
- Build inclusive coalitions across religious and caste lines to strengthen advocacy for minority rights, with particular emphasis on expanding legal aid networks to support those facing state persecution.
- Lobby for the reinstatement of minority-targeted development schemes and create independent mechanisms to monitor their implementation.

For UN Actors, Particularly Human Rights Bodies

- Ensure timely review of India's adherence to its International Covenant on Economic, Social and Cultural Rights (ICESCR) obligations, and its ratification of ICESCR provisions, as

well as other associated international treaties such as the conventions of the International Labour Organization.

- Increase pressure on the Indian government through existing UN mechanisms to ensure compliance with other international human rights mechanisms.
- Increase pressure on the Indian government to establish an office of the OHCHR in India.
- Provide technical assistance to India on implementing inclusive policies, while emphasising the need for protection and promotion of minority rights in all areas of governance.
- Support local civil society to carry out work with minorities for improved minority outcomes and participation of minorities in political, economic and social arenas.

Representation and Participation of Minorities in Myanmar Economic and Political

Samanwita Paul and Sabber Kyaw Min

Introduction: Post-coup Myanmar

Three years since Myanmar's military staged a coup, strangling democratic reforms, the country is on the brink of failed statehood. Insurgent groups, pro-democratic forces and ethnic militias are resisting the junta forces, which has resulted in tens of thousands being killed and millions more displaced.¹ The movement can now be characterised as a civil war with violent clashes between local and regional militias and the military. At present, it has assumed the form of a low-intensity protracted civil war between the Tatmadaw, as the Myanmar army is known, and a people's army supported by the opposition formed of the National Unity Government (NUG) and the various ethnic armed organisations (EAOs).

Merely a decade ago, Myanmar's peaceful transition to democracy was being lauded globally. However, the military coup in 2021 ended illusions of political progress, and the country has returned to its military reign of terror. The overturning of the democratically elected government was met with widespread peaceful protests. But the military, with Senior Gen. Min Aung Hlaing at the helm of affairs, used the most brutal repression tactics in the face of such resistance. This prompted the pro-democracy forces to take up arms and form coalitions with militias which had

¹ Hannah Beech and Weiwei, Cai, 'What's Happening in Myanmar's Civil War? ', *The New York Times*, April 20, 2024, <https://www.nytimes.com/interactive/2024/04/20/world/asia/myanmar-civil-war.html>.

been fighting for the rights of the ethnic minorities over the last few decades. Based on the analysis of the Armed Conflict Location and Event data (ACLED) project, the sheer number and variation of the resistance groups make Myanmar one of the most fractured countries in the world.² The ACLED also documented that since the coup, almost 50,000 people have been killed, of which almost 8000 were civilians. In addition, more than 26,500 people have been detained in the last three years by the junta for being a part of the resistance forces.³ Myanmar's military has resorted to airstrikes and the use of cluster ammunitions in zones where rebel forces have gained a significant stronghold. This has resulted in almost 2.8 million people being displaced since the coup, with almost 18 million people in need of humanitarian assistance.⁴

Myanmar is one of the most ethnically diverse nations in the world. Although the Bamar ethnic group makes up about two-thirds of the total population of the country, the region contains almost 135 officially recognised ethnic minority groups. These are grouped into eight major national ethnic races, which include Karen, Shan, Mon, Chin, Kachin, Rakhine and Karenni.⁵

Research Gap: Statement of the Problem

Ethnic alliances in Myanmar at present are fluid and complex. Governance in Myanmar seems to be extremely diversified and varied with several parallel governance structures running regionally, nationally and locally. While several studies are documenting the present-day conflict in Myanmar, very few have been able to conceptualise what does participation and representation mean in this ever-growing complexity.

² 'Myanmar: Resistance to the Military Junta Gains Momentum', Conflict Watchlist, February 1, 2024, <https://acleddata.com/2024/02/01/myanmar-momentum-from-operation-1027-threatens-military-rule/>.

³ Political Prisoners Post-Coup, 'Assistance Association of Political Prisoners (Burma)', accessed July 20, 2024 <https://aappb.org/>.

⁴ 'Myanmar is Being Suffocated by an Illegitimate Military Regime', CCPR Centre, July 18, 2024, <https://reliefweb.int/report/myanmar/myanmar-hrc-56-myanmar-being-suffocated-illegitimate-military-regime>.

⁵ 'World Directory of Minorities and Indigenous Peoples: Myanmar Communities', Minority Rights Group International, November 2020, <https://minorityrights.org/country/myanmarburma/>.

Following from this, the present study attempts to understand the various conceptualisations of minority representation and participation in this dynamic and complex political landscape.

Research Objectives

- Based on the research question, the objectives of the study include:
- To study the extent of the lack of participation problem (in political, economic and social arenas);
- To trace the historicity in minority representation and participation in Myanmar—its implications and its manifestations in the present-day conflict;
- To analyse the manner in which the representation and participation of minority groups have manifested in the present-day conflict in Myanmar.
- To assess the impact of such volatile political situation on the participation of the ethnic minorities in Myanmar—socially, economically and politically.
- To document the consequences of such a situation for South Asian and Southeast Asian neighbours of Myanmar.

Data Sources

Data sources pertaining to the study include secondary sources like census data, data published by the Myanmar's Department of Labour, International Labor Organization (ILO), along with academic literature, published reports, documentaries and media and non-governmental organisations (NGOs) reports. Primary sources include key informant interviews conducted with academics, members of civil society organisations, political leaders, leaders of ethnic organisations, etc.

Methodology

For tracing the history of minority representation, literature documenting the history of Myanmar state formation, and discourses on Myanmar citizenship were consulted. Along with this, the country's Constitution and the subsequent amendments have been studied. Recent studies conducted on ethnic identity

and the nature of ethnic conflicts in post-coup Myanmar have been referred to for understanding the manner in which the representation and participation of minority groups have manifested in the present-day conflict in Myanmar. Key informant interviews with academics, members of civil society organisations (CSOs) and spokespersons/leaders of ethnic minority groups were conducted to understand the impact of the situation on the ethnic minority groups. An analysis based on published materials was made to assess the future for ethnic minorities, the role of neighbouring countries of Myanmar and the steps that can be taken to mitigate the ongoing crisis.

Conceptualising Participation and Representation

Before we delve into the context of Myanmar, it is imperative that we define participation and representation theoretically and conceptualise the manner in which it has been used in the present study. Participation entails acts which are intended to influence the behaviour of those in positions of power to influence or make decisions. Participation can therefore broadly be defined as ‘acts by those not formally empowered to make decisions—the acts being intended to influence the behaviour of those who have such decisional power. And successful participation refers to those acts that have (at least in part) the intended effects’.⁶ Participation entails certain key issues, which include, but are not limited to, the following. First, the primary aim is to influence the decisions taken by decision-makers. It makes clear that in issues where the decision-makers take a decision on policies on the basis of their own beliefs and values, the demands from the political participants are not taken into consideration. Second, participation is not confined to ceremonial instances wherein one can express one’s position as a participant, such as marching in parades, working in community projects, voting, etc. Third, participation may not be targeted at any particular government level. It can be targeted towards any personnel who exercise some degree of discretion in the handling of the situation. Fourth, developing an understanding of participation

⁶ Sidney Verba and Nie Norman, *The Modes of Democratic Participation: A Cross-National Comparison* (Sage Publications 1971), 55.

makes it pertinent to refer to the nature of interactions between citizens and decision-makers. Therefore, in order to understand participation and its effects, it is important to study both the participants and the decision-makers. Finally, participation is aimed towards those who are empowered to make decisions, and this is not limited to government officials. It can include 'families, schools, organizations and other non-governmental institutions to which individuals belong'.⁷

Participation is important in the context of individuals and the degree of autonomy they can exercise. An individual who does not have the chance to participate is, in some sense, deprived of their membership (citizenship status). Participation ensures that each group has autonomy in setting its own goals or demanding its own set of recommended policy changes, and goals do not override those of another group. However, policies arising out of political participation always tend to cater to the demands of those with a greater degree of political access compared to those who have less political access. One of the preconditions affecting participation would be the resources that are available to the participants. The resources may be either physical or social in nature. The material resources would include 'money, control over jobs, land, or other resources'.⁸ The availability of these resources to individuals and their usage must be considered in the context of participation. Social resources would include 'people or organizations that one can manipulate and can get to support one in a political act'.⁹ In this context, it is also necessary to consider the dispersal or the cumulativeness of the resources. If resources of all kinds are concentrated in the hands of one individual or a group of individuals, then 'the distribution of participation in a society is likely to be badly skewed'.¹⁰ On the other hand, decision-makers

7 Verba and Norman, *The Modes of Democratic Participation: A Cross-National Comparison*, 55–57.

8 Verba and Norman, *The Modes of Democratic Participation: A Cross-National Comparison*, 63.

9 Verba and Norman, *The Modes of Democratic Participation: A Cross-National Comparison*.

10 Verba and Norman, *The Modes of Democratic Participation: A Cross-National Comparison*.

are likely to be less responsive if they are entitled to autonomous decisions regarding the resources at their disposal. Defining the indicators of political participation is a difficult task, mostly due to the multiplicity of the forms of participation and the complexity of the goals. Broadly, the measures of participation in the political process would constitute data on voter turnout, data on state and local elections as forms of electoral participation. In turn, forms of electoral participation would entail being party workers, election campaigners, electoral candidates, involvement in the selection of electoral candidates and as individuals or members of groups who actively participate in such activities.

A citizen is 'a member of a political community who enjoys the rights and assumes the duties of membership'.¹¹ Citizenship as a concept is believed to be a legal status composed of three main dimensions: civil, political and social rights. As a part of such rights, a citizen is free to act according to the law and has the right to claim protection from the law as and when the need arises. Citizens are considered political agents as actively participating in the society's political institutions, and lastly as members of a political community with a distinct identity.¹² Individual political acts constitute what Easton calls *inputs* into the process of decision-making for the territorial community.¹³ Electoral acts of participation are extremely important on three counts: first, their universality of access, secondly, their equality of influence and lastly, the privacy and the 'irresponsibility' of the participant act.¹⁴

Representation, on the other hand, is devised as a mechanism to promote the interests of a large number of uninformed citizens over a variety of issues. In a representative system, individuals are elected (or appointed) to serve as spokespersons of the people they

¹¹ 'Citizenship', Stanford Encyclopaedia of Philosophy, accessed May 27, 2018, <https://plato.stanford.edu/entries/citizenship/>.

¹² 'Citizenship and political life', University of Cambridge, accessed on May 27, 2018, <https://www.socanth.cam.ac.uk/directory/research-themes/citizenship-political-life/view>.

¹³ Stein Rokkan, 'Mass suffrage, secret voting and political participation', *European Journal of Sociology/Archives Européennes de Sociologie* 2, no. 1 (1961): 132.

¹⁴ Rokkan, 'Mass suffrage, secret voting and political participation'

represent.¹⁵ Broadly, the term representative denotes an agent or a spokesperson who acts on behalf of their believed principles, an individual with shared characteristics with a group of people and with shared identities with the group.¹⁶ The very premise of representation is based on the fact that the represented are not present. Pitkin postulates that broadly, there are four types of representation.¹⁷ These are: authorised representation wherein the representative has legal sanction; descriptive representation where the representative stands for a group by virtue of sharing similar characteristics such as a race, sex, ethnicity or residence; symbolic representation wherein the leader stands for imagined ideas pertaining to a nation; and substantive wherein the aim is to advance the policies and interests of a particular group. Pitkin's work on descriptive representation is a sufficient criterion in the process of political representation. But it was largely Phillip's work on the politics of presence which argued that if democratically representative decisions were to be made, the participation of key groups was mandatory during political deliberations.¹⁸

Based on the above discussion, in the context of post-coup Myanmar, participation has been analysed here as the nature of resources available to individuals—economic, political or social. Representation, on the other hand, presents its own set of complexities in the context of Myanmar. In the presence of two parallel governance structures at the national level and several regional/local structures operating at smaller scales, the study aims to look into the manner in which the diverse ethnic groups feel about the nature of their presence within such governance mechanisms.

15 Robin Lauermann, *Constituent perceptions of political representation: How citizens evaluate their representatives* (Springer, 2013).

16 A H Birch, *Key Concepts in Political Science: Representation* (1971).

17 Hanna Pitkin, *The concept of representation*, (The United States of America: University of California Press, 2023)

18 Anne Phillips, *The Politics of Presence: Issues in Democracy and Group Representation* (London: Oxford Press, October 1995).

Nature of Participation in Post-Coup Myanmar

Economic Participation

The total population of Myanmar was estimated at 54.6 million people in 2023 based on the latest census figures and estimates from Trading Economics.¹⁹ The labour force participation rate for 2023 was 44.82 per cent.²⁰ Based on the labour market update by the ILO, published in 2023, it can be seen that the labour market in Myanmar is still in the process of recovering from the shocks of the 2021 military coup. The civil and political conflict is one of the key reasons for rising public debt, negative trade balance and an ever-rising inflation. Employment numbers have not kept pace with population growth. As a result, there has been a significant fall in the employment-to-population ratio from the pre-crisis period. The employment-to-population ratio in 2022 (54.5 per cent) was almost 8.2 per cent below that in 2017. ILO also reports that the employment-to-population ratio tends to be even lower in conflict-prone zones in Myanmar.²¹ This can also be attributed to the decrease in job opportunities in the public sector following the coup. While the share of individuals with higher education in agriculture rose, the share of employment in wage jobs reduced from 36.8 per cent in 2017 to 28.9 per cent in 2022.

The Labour Force Participation Rate (LFPR), which stood at 64 per cent in 2017, dropped by 5.4 percentage points to 58.6 per cent in 2022.²² The ILO report also highlights that not only are the number of jobs available decreasing in Myanmar, but the quality of jobs has also experienced a significant decline. This also indicated that for a lot of people, self-employment was the major source for generating income despite meagre returns. This also indicates that there has been an overall rise in informal employment in the country. ILO

¹⁹ 'Myanmar Population', Trading Economics, accessed February 28, 2025, <https://tradingeconomics.com/myanmar/population>.

²⁰ 'Myanmar Labor Participation Rate 1991–2025', macro trends, accessed February 10, 2025, <https://bitly.cx/8CjSG>.

²¹ *A Growing Crisis: Work, Workers, and Well-being in Myanmar* (World Bank, 2023).

²² *A Growing Crisis: Work, Workers, and Well-being in Myanmar*.

estimates also highlight that there has been a significant reduction in labour productivity. Between 2017 and 2020, while there was a consistent rise, the dip in labour productivity was significant between 2021 and 2022, with a dip of 8 percentage points in the first half of 2021 and later 2 percentage points within the first half of 2022.²³

World Bank findings showed that high-quality human capital was being misallocated to the least productive sectors. Workers with more education and more years of work experience were turning to low-value-added sectors such as agriculture. From 2017 to 2022, the share of highly educated individuals in agriculture rose by 11 per cent. This included many workers formerly employed in the public sector. Job losses due to the coup were rarely followed by associated entitlements. ILO's survey highlighted that almost 42 per cent of workers were laid off following the coup, without any prior notice, with only 29 per cent receiving any form of severance pay.

In the case of women, the impact of this has been especially adverse. The drop in the employment-to-population ratio in the case of women has been double between 2017 and 2022. With job losses in both the public and private sectors, the female unemployment rate increased fivefold to 10.2 per cent in 2022. This also prompted an increased gap in the employment ratio and LFPR between men and women. Job losses for women could mainly be traced to the garment manufacturing sector and the tourism and hospitality sector. The ILO report also highlighted that the severance pay for men was almost 42 per cent higher than that of women.

ILO employment assessments also highlighted that employment in key sectors such as construction, garments, accommodation and food industry declined by almost 31 per cent, 27 per cent and 30 per cent, respectively. Labour market disruptions in the form of extensive work stoppages, job suspensions and sudden dismissals were also reported to have impacted thousands of workers in the service sectors such as public administration, banking and healthcare. While the manufacturing sector seemed

²³ *A Growing Crisis: Work, Workers, and Well-being in Myanmar.*

to be undergoing some form of fragile recovery in the first half of 2023, the sector continues to suffer from challenges due to unreliable power supply, high input and transportation prices and shortage of intermediary inputs. Manufacturing exports also reported a decline of 11 per cent in the first five months of 2023. Construction sector indicators, such as the number of building permits issued and imports and/or production of steel and cement, show improvement along with an increase in prices, indicating an overall uptrend in the sector. However, several large projects are reportedly stalled with the departure of foreign companies, the drop in foreign investments and trade-related restrictions.²⁴ While tourist arrivals have also shown signs of recovery very recently, international tourist arrivals were still at around 20 per cent of the pre-pandemic level, which is in sharp contrast to Myanmar's neighbours in the ASEAN region. This has a direct bearing on the entire tourism value chain comprising travel agencies, hotels and accommodation providers, food and beverage services, among others. Like in the garment sector, a number of international firms in the tourism sector have announced their exit from Myanmar, citing security concerns and regulatory challenges. Employment prospects in these dominant sectors do not look good.

The 2023 World Bank study also highlighted that there was a fall in the share of agricultural employment for both men and women between 2017 and 2022. While the share of employment in the manufacturing sector declined for men, male employment shares in mining, construction, and the aggregate services sector increased. For women, employment shares in manufacturing, mining and construction sectors recorded a one-percentage-point increase each, whereas the share of employment in the services sector increased by 6 percentage points. The report notes that the rise of services sector employment for both women and men cannot generally be associated with a positive structural transformation reflecting movement to higher value-added sectors, primarily because the bulk of growth in service sector jobs has been in the

²⁴ *Myanmar Economic Monitor: A Fragile Recovery* (World Bank, 2023).

wholesale and retail trade segment. Such sectors are typically low-wage and low-productivity.²⁵

The coup has triggered an economic crisis, exacerbating existing inequalities and making it even harder for marginalised communities to access basic necessities like food, healthcare and education. It has further compounded the problem for ethnic minorities in Myanmar. As informed by a key informant interviewed as part of the South Asia Collective.

There is no doctor in Rakhine, people are using the medicine which was brought from Bangladesh, now people are suffering to get medicine as there is no doctor here, all medical clinic are closed here, people are hardly getting medicine here the one who can't afford are dying due to lack of medical treatment.

Political Participation

Since the first few weeks of the February 2021 coup, ethnic armed groups have been playing a crucial role between the regime and the political opposition. Since the violence following the coup, political alignments of the ethnic armed organisations (EAOs) have shifted dramatically. Shortly after the coup, ethnic armed groups suspended all forms of political negotiations with the regime. The responses were varied, and while some have distanced themselves from the political resistance entirely, others have sheltered dissidents, provided military training and have engaged with the National Unity Government (NUG) politically. Currently, Myanmar's ethnic conflicts have assumed a form which is both complex as well as dynamic. Ethnic armed groups were forced to make difficult strategic decisions under the strong pressure from their grassroots supporters to escalate the fight with the military.²⁶ More than a million people have fled abroad as refugees, while hundreds of thousands remain internally displaced. A recent study conducted by the United Nations Human Rights documents that,

²⁵ *Asia-Pacific Employment and Social Outlook 2022: Rethinking sectoral strategies for a human-centred future of work* (International Labour Organization, November 2022).

²⁶ 'Myanmar's Coup Shakes up its ethnic conflicts', International Crisis Group, January 12, 2022, <https://www.crisisgroup.org/asia/south-east-asia/myanmar/myanmars-coup-shakes-its-ethnic-conflicts>.

as far as human rights are concerned—economic, social, civil, political and cultural— Myanmar has regressed profoundly since the coup. Civilians have been targets of attacks, victims of targeted and indiscriminate artillery barrages and air strikes, extra-judicial executions, torture and arson.²⁷ As revealed by a key informant:

The recent intensification of the conflict between the Arakan Army and the Myanmar military has subjected the Rohingya community to yet another wave of genocide. Thousands of innocent Rohingya civilians have been forcibly recruited into the conflict, leaving many homeless and trapped within Arakan. While some have managed to escape to Bangladesh, many tragically perished in the Naf River during their desperate attempts to flee the ongoing violence.

Following the coup, there has also been a split in the Bamar majority. While one group aligned with the military junta, the other, much larger group joined hands to form the interim government and entered into alliances with the ethnic minority organisations. However, in consensus democracies, the chances of reform are always risky. Institutionally, the dominant majority, i.e. the Buddhist Bamar groups, shall have the power to block any form of lasting institutional changes. However, a closer inspection of the policies of the peak institutions post the Myanmar coup showed that opposition institutions have been inherently more politically and ethnically diverse than those in 2010. This prompted a shift in the political discourse from democratic federalism with centralised control to federal democracy with a centrifugal dynamic. These changes reveal that the previous arrangements, which facilitated a centralised authoritarian state controlled by the Bamar majority, are undergoing a change to make space for several ethnic minority groups in Myanmar.²⁸

²⁷ ‘Two Years after the coup, Myanmar faces unimaginable regression, says UN Human Rights Chief’, UNHCR, January 27, 2023, <https://www.ohchr.org/en/press-releases/2023/01/two-years-after-coup-myanmar-faces-unimaginable-regression-says-un-human>.

²⁸ Roman David and Ian Hollidad, ‘Two Concepts of Federalism in Myanmar: How the 2021 Military Coup Reshaped Political Discourse and Opposition

From Ethnic Grievances to Constitutional Control

The inter-relationship between ethnicity and conflict has a long history in Myanmar. The Myanmar state's inability to address the grievances of the ethnic minorities has led to a proliferation of this conflict. As a consequence of this, the country deals with scores of non-state actors and armed groups which run parallel governance structures in the peripheries of the country.²⁹ As militarisation and insecurity increase in the border areas of the country, thousands of people are forced to take up arms either for or against the state, with armed groups operational in such areas.

On August 30, 2003, Prime Minister General Khin Nyunt announced that Myanmar's military junta, the State Peace and Development Council (SPDC), would undertake a 'seven-point roadmap for democracy'.³⁰ *The roadmap called for the reconvening of a constitutional convention that was suspended in 1996, the drafting of a new constitution for the nation, the adoption of the constitution in a national referendum, the holding of nationwide parliamentary elections and the transfer of power from the SPDC to a new government.*³¹ In accordance with Khin Nyunt's roadmap, the SPDC restarted the constitutional convention on May 17, 2004.³² *On April 9, 2008, the SPDC released the draft of the new constitution and announced that a national referendum to approve it would be held on May 10, 2008. However, the devastating Cyclone*

Institutions', *Publius: The Journal of Federalism* 53, no. 2 (2023): 278–300.

29 *Identity Crisis: Ethnicity and Conflict* (Myanmar: International Crisis Group, August 2020).

30 'Burma Announces Democracy Roadmap', *Kaladin News*, August 31, 2003, <https://www.burmalibrary.org/sites/burmalibrary.org/files/obl/docs/KP2003-08-31.htm>.

31 Khin Nyunt's 'roadmap' was first mentioned in the SPDC-run *New Light of Myanmar* on September 5, 2003, in an article headlined, 'Roadmap of Myanmar to Democracy Explained in Taninthayi Division'. The seven steps or stages of that roadmap were first published in the *New Light of Myanmar* on September 23, 2003, in an article headlined, 'Seven Future Policies and Programmes Clarified by the Prime Minister are National Programmes to Ensure Emergence of Peaceful Modern and Developed Nation; Successful Holding of the National Convention is of Paramount Importance for the State Mass Rally in Support of Prime Minister's Clarification on Seven-Stage Roadmap held in Mandalay'.

32 'National Convention Reconvenes in Nyaunggyapin Camp in Hmawby Township', *New Light of Myanmar*, May 18, 2004, <https://www.burmalibrary.org/sites/burmalibrary.org/files/obl/docs/NLM2004-05-18.pdf>.

Nargis struck central Myanmar on May 2, 2008, killing more than 100,000 people.³³ *Initially, the SPDC announced the constitutional referendum would proceed as planned, but on May 6, it decided to delay voting until May 24, 2008, for most of the townships around Yangon and in seven of the townships in the Irrawaddy region. On May 29, 2008, the SPDC announced the official results of the national referendum, claiming that 98.12 per cent of the 27,288,827 eligible voters had cast their votes and that 92.48 per cent had voted in favour of the adoption of the constitution.*³⁴ *The official results were, however, widely regarded as fraudulent. The SPDC held the first parliamentary elections in accordance with the new 2008 constitution on November 7, 2010. Although Aung San Suu Kyi's National League for Democracy (NLD) and many ethnic minority political parties either were banned or boycotted the elections, more than 30 political parties fielded candidates, including nearly 20 ethnic minority political parties. Despite allegations of voter suppression, stuffed ballot boxes, and other election irregularities, the SPDC announced that the pro-military Union Solidarity and Development Party (USDP) had won 259 of the 325 contested seats in the People's Assembly and 129 of the 168 contested seats in the National Assembly of the new Union Parliament.*³⁵ The Union Parliament convened for the first time on January 31, 2011. It selected SPDC Prime Minister General Thein Sein as President and former SPDC Secretary-1 Tin Aung Myint Oo and Dr. Sai Mauk Kham, an ethnic Shan member of the USDP, to serve as the new government's two Vice Presidents.³⁶ On March 31, the SPDC formally transferred power to the Union Government, completing its "seven-point roadmap for democracy."

Various provisions in the 2008 constitution guarantee that the Tatmadaw would remain the dominant power in the new Union

33 Michael Martin and Rhoda Margesson, *Cyclone Nargis and Burma's Constitutional Referendum* (Congressional Research Service, June 2008).

34 'Myanmar Ratifies and Promulgates Constitution', *New Light of Myanmar*, May 30, 2008, <https://www.burmalibrary.org/docs5/NLM2008-05-30-text.pdf>.

35 *Burma 2010 Election Recap* (ALTSEAN Bulletin, November 2010).

36 Michael Martin and Derek Mix, *U.S. Policy Towards Burma: Issues for the 112th Congress* (CRS Report R41971, August 2011), <https://crsreports.congress.gov/product/pdf/R/R41971>.

Government. The constitution divided Myanmar into seven ethnic states—Chin, Kachin, Kayah, Kayin, Mon, Rakhine and Shan—and seven divisions—Ayeyawady, Bago, Magway, Mandalay, Sagaing, Taninthayi and Yangon. It also established a bicameral Union Parliament (*Pyidaungsu Hluttaw*) with a National Assembly (*Amyotha Hluttaw*), in which each State or Region has an equal number of seats, and a People's Assembly (*Pyithu Hluttaw*), in which each township is allocated one seat. In addition, 25 per cent of the seats in each chamber of the Union Parliament were reserved for 'Defence Services personnel' who are appointed by the Commander-in-Chief. These provisions meant that pro-military political parties need only win 25 per cent of the contested seats in each chamber for the Tatmadaw to control the Union Parliament. In addition, the 2008 constitution made it impossible to amend the constitution without the support of the Defence Services personnel in the Union Parliament.

The constitution also gave the appointed Defence Service personnel in the Union Parliament the power to nominate one of the three candidates for President, as well as the guarantee that their candidate will at least become one of the two Vice Presidents. Under the constitution, the Commander-in-Chief effectively selects the Ministers of Border Affairs, Defence and Home Affairs, and he has authority over all of the nation's security forces, including the military, Myanmar Police Force (MPF) and Border Guard Forces (BGFS). Finally, six of the 11 members of the powerful National Defence and Security Council, which has the power to declare a national emergency and transfer all legislative, executive and judicial power to the Commander-in-Chief, are either active military officers or selected by the Commander-in-Chief.

For the first five years of the Union Government, it seemed that Myanmar's political transition was largely going in accordance with the Tatmadaw's vision. However, a closer examination of events reveals underlying problems, especially with regard to Myanmar's ethnic minorities and the EAOS.

Having experienced a reversal of its political fortunes in the parliamentary elections, the Tatmadaw's efforts to end the nation's long-standing, low-grade civil war and solidify the legitimacy of

the 2008 constitution were also largely unsuccessful. The ‘peace process’ initiated by former President Thein Sein and then adopted by Aung San Suu Kyi stalled after some early progress and effectively collapsed. Fighting between the Tatmadaw and several of the EAOs gradually—but unevenly—intensified after the transfer of power to the Union Government in 2011 and peaked in 2019 before the outbreak of the COVID-19 pandemic in early 2020. The Tatmadaw’s traditional tactic of seeking ceasefires with some of the EAOs, while launching major offensives against others, was not working as well as in the past, as several major EAOs were winning on the battlefield and refusing to accede to the Tatmadaw’s unacceptable ceasefire conditions.

The overwhelming victory of Aung San Suu Kyi’s NLD in the 2015 parliamentary elections marked a clear deviation from the Tatmadaw’s preferred path for Myanmar’s political development, but also demonstrated the importance of ethnic minorities and the EAOs in the nation’s political dynamics. For the 2020 elections, some of the ethnic minority parties launched an unsuccessful campaign to challenge the NLD’s dominance in the seven states, but the election outcome once again demonstrated the political importance of ethnic minority voters and the EAOs.³⁷

Although the results of the 2010 parliamentary elections were consistent with the SPDC’s goal of the Tatmadaw retaining control of both the civilian and military side of the Union Government, the voting was marred by credible allegations of election fraud and other voting irregularities. According to ALTSEAN, ‘The election process was met by widespread condemnation inside and outside Burma, with the significant exception of ASEAN and China’.³⁸ In a statement released by the White House on election day, US President Barack Obama stated, ‘The November 7 elections in Burma were neither free nor fair, and [they] failed to meet any of the internationally accepted standards associated with legitimate elections.’

³⁷ Michael Martin, ‘The Importance of Ethnic Minorities to Myanmar’s Future’, STIMSON, June 3, 2021, <https://www.stimson.org/2021/the-importance-of-ethnic-minorities-to-myanmar-future/>.

³⁸ *Burma 2010 Election Recap*.

While the USDP succeeded in securing a majority in both chambers of the Union Parliament, the results in four of the seven ethnic states showed serious cracks in the Tatmadaw's strategy. In Chin State, the Chin Progressive Party won four of the 12 seats in the National Assembly and two of the nine seats in the People's Assembly, while the Chin National Party, the political party associated with the Chin EAO, also won two seats in the People's Assembly. In Mon State, the All Mon Regional Democratic Party (AMRDP) won four of the 12 seats in the National Assembly and three of the ten seats in the People's Assembly. In Rakhine State, the Rakhine Nationalities Development Party (RNDP) won seven of the 12 seats in the National Assembly and nine of the 17 seats in the People's Assembly.

The results were more complex in Shan State, where five separate ethnic minority political parties won seats, while voting was cancelled for five of the 51 seats in the People's Assembly. The Shan Nationalities League for Democracy (SNLD) won 18 seats out of 51 in the People's Assembly and three out of 12 seats in the National Assembly. The Pa-O National Organization (PNO) won three seats in the People's Assembly and one seat in the National Assembly. The Wa Democratic Party (WDP) won two seats in the People's Assembly and one seat in the National Assembly. The Ta'ang National Party (TNP) won one seat in each chamber of the Union Parliament, and the Inn National Development Party won one seat in the People's Assembly.

The poor results of ethnic minority political parties in Kachin, Kayah and Kayin States can be attributed to two factors. First, some of the more popular parties boycotted the elections. Second, the SPDC's election commission disqualified some of the ethnic minority parties which had sought to participate in the elections. Overall, the 2010 election results indicated that the Tatmadaw and the USDP were very unpopular with Myanmar's ethnic minorities.

The 2015 parliamentary elections saw a reversal of the fortunes of the Tatmadaw's USDP, as Aung San Suu Kyi's NLD emerged as the apparent victor, securing nearly 80 per cent of the contested seats. A more detailed look at the results, however, discloses that ethnic minorities were both major factors in the NLD's victory and

an indicator that support of Aung San Suu Kyi and the NLD among ethnic minorities was far from universal. Not surprisingly, the NLD virtually swept almost all of the seats in the seven divisions, winning 82 of the 84 seats in the National Assembly and 198 of the 202 seats in the People's Assembly. The results, however, were more mixed in the seven states. In Rakhine State, the Arakan National Party won 12 of the 17 seats in the People's Assembly and ten of the 12 seats in the National Assembly. Five ethnic parties won seats in Shan State, led by the SNLD, which took 12 seats in the People's Assembly and three seats in the National Assembly. Ethnic party candidates also won seats in Chin, Kachin and Mon States. The NLD did win 57 of the seats for the seven states in the People's Assembly and 53 of the seats for the seven states in the National Assembly. However, the NLD's success may in part be attributable to the 'first past the post' rules of the election. With more than 50 ethnic minority parties contesting in the 2015 parliamentary elections, the ethnic minority votes were split across competing parties, allowing NLD candidates to win with a plurality of the votes cast. In some districts, the combined votes for ethnic minority candidates exceeded the total of the winning NLD candidate.

Voting was cancelled in parts of Kachin and Shan States, and seven seats in the People's Assembly were left vacant. The Union Election Commission (UEC), whose members were chosen by President Thein Sein, claimed that either conditions in these areas were unsafe due to the ongoing fighting between the Tatmadaw and the EAOs or UEC officials were unable to compile voter registration lists due to the actions of EAOs. However, there were indications that the Thein Sein government expected ethnic minority candidates to win the seats if the voting had been permitted in those areas.

In addition, the UEC disenfranchised the Rohingya population in Rakhine State, a significant break from the practice in the 1990 and 2010 elections. This decision by President Thein Sein and the UEC may have facilitated the success of the ANP in Rakhine State.

The 2020 elections were quite similar to the 2015 elections, both in terms of how they were conducted and their outcome, despite the NLD's control over the UEC and the election process. The UEC

cancelled voting for 15 seats in the People's Assembly and seven seats in the National Assembly for northern Rakhine State, blaming the fighting between the Arakan Army (AA) and Tatmadaw for the decision. The Rohingya were again denied the right to vote, while most potential Rohingya voters had fled to Bangladesh in late 2017 to escape the attacks by the Tatmadaw. Several ethnic minority candidates were disqualified, and some ethnic minority political parties complained of discriminatory election decisions by the UEC.

As in 2015, the NLD won in a landslide, capturing 258 seats in the People's Assembly and 138 seats in the National Assembly, a net gain of three seats in each chamber. However, most of the NLD's success occurred in the seven divisions; the party's fortunes were more mixed in the seven ethnic states. The NLD won all the division seats in the National Assembly and all but three of the Division seats in the People's Assembly. However, the ANP and the Arakan Front Party won almost all of the seats in Rakhine State. The SNLD gained seats in Shan State in both chambers. In Kayah State, the Kayah State Democratic Party (KSDP) won seats in both chambers, the first time a Karenni ethnic party had won seats in the Union Parliament.

The results of the 2015 elections placed the regime in a precarious position. The NLD won with an overwhelming majority. This was basically done to justify the legitimacy of the regime, which was otherwise under threat. The growing popularity of this idea of Buddhist nationalism within the NLD is also one of the major hindrances to the inclusion of minority ethnic groups. Most of the extremist monks consider the ethnic groups residing along the borders as a threat to the spread of Buddhism. And an attack on them is not opposed by the military, the extremist monks and even some factions of the NLD.³⁹ In early 2016, Ibrahim had foretold that Myanmar met all the preconditions to prompt a genocide.⁴⁰

39 Andrew RC Marshall, 'Myanmar gives official blessing to anti-Muslim monks', *Reuters*, June 27, 2013, <https://www.reuters.com/article/world/special-report-myanmar-gives-official-blessing-to-anti-muslim-monks-idUSBRE95Q04F/>.

40 Azeem Ibrahim, *The Rohingyas: inside Myanmar's genocide* (London: Oxford University Press, 2016), 129–130.

Along slightly similar lines but on a much larger scale, the Burmese military, police and ethnic Rakhine armed groups attacked Rohingya-inhabited villages to hunt for perpetrators of the August 25, 2017, attack. The Armed Rohingya Salvation Army (ARSA)⁴¹ had attacked 30 police posts and an army base. The pattern of retaliation by the Burmese military could be considered a textbook example of ‘ethnic cleansing’.⁴² Sr. Gen. Min Aung Hlaing, the then army commander, referred to the military operations as ‘unfinished business’.⁴³ Corroborating the accounts given by the refugees, satellite imageries of the time showed widespread fires in Northern Rakhine State encompassing the townships of Rathedaung, Buthidaung and Maungdaw. Official figures indicate that almost 700,000 had fled to Bangladesh during the time seeking refuge.⁴⁴ However, the Burmese government justified the military action as counter-terrorism operations. They asserted that the people killed were mostly suspected militants. Militants and Rohingyas were alleged to have set fire to their own houses in the Northern Rakhine.⁴⁵ At present, the extent and nature of the abuses, damage, destruction and massacres by the military and state security forces is widely characterised as ‘genocidal’.⁴⁶

Following the general elections of November 2020, wherein Aung San Suu Kyi’s NLD won a landslide victory, the military

41 The Armed Rohingya Salvation Army (ARSA) is considered as an insurgent group active in the Northern Rakhine State of Myanmar.

42 Ethnic cleansing can be defined as a purposeful policy designed by one ethnic or religious group to remove by violent and terror-inspiring means the civilian population of another ethnic or religious group from certain geographic areas.

43 James Hookway, ‘Myanmar says clearing of Rohingya is Unfinished Business from WWII’, *The Wall Street Journal*, September 2, 2017, <https://www.wsj.com/articles/myanmar-army-chief-defends-clearing-rohingya-villages-1504410530>.

44 ‘Primitive People: The untold story of UNHCR’s historical engagement with the Rohingya refugees’, Humanitarian Practice Network, accessed March 21, 2022, <https://odihp.org/magazine/primitive-people-the-untold-story-of-unhcrs-historical-engagement-with-rohingya-refugees/>.

45 ‘Burma: Rohingya describe Military Atrocities’, Human Rights Watch, September 8, 2017, <https://www.hrw.org/news/2017/09/09/burma-rohingya-describe-military-atrocities>.

46 Green P. et. al., *Myanmar’s Annihilation of the Rohingya* (International State Crime Initiative, 2018).

seized control over the administration.⁴⁷ The opposition, which is backed by the military, had been demanding a re-run of the election on grounds of 'errors of neglect' and 'violation of laws and procedures'.⁴⁸ However, it failed to offer any evidence justifying the same. Military commander-in-chief Min Aung Hlaing assumed power with the coup. And he is believed to have been wielding significant political influence and power over the Tatmadaw even during the 'democratic years' of the Myanmar State. Subsequent to the junta takeover in February 2021, the country erupted in protests in the form of the Campaign for Civil Disobedience (CDM). The military adopted the most brutal repression tactics and tried to curb the protestors with live fire, water cannons and rubber bullets. The movement can now be characterised as a civil war with violent clashes between local and regional militias and the military.

Colonial Roots of the Conflict

Burmese independence brought along its wake civil war wherein ideological or communalist banners were used to instigate the masses into taking up arms. Like most post-colonial states, Burmese nationalism was born out of the refusal to accept the alleged inferiority of colonised people. It was based on assertions that the Burmese road to modernisation did not essentially mean the loss of its cultural identity.⁴⁹ However, identical to most other nationalist accounts, it produced exclusion, marginalisation and the justification of excessive state violence as collateral. In modern nation-states, citizenship is fundamentally linked with producing the 'constitutive outsiders'.⁵⁰ Those people who were not *taing-yin-tha* (national races) were asked to present their credentials on an individual basis. Any declarations of the collective right to political membership were not tolerated.⁵¹ In the case of Burma,

47 'Myanmar: What has been happening since the 2021 coup?', *BBC*, February 1, 2022, <https://www.bbc.com/news/world-asia-55902070>.

48 'Myanmar: Aung San Suu Kyi's party wins majority in elections', *BBC*, November 13, 2020, <https://www.bbc.com/news/world-asia-54899170>.

49 Parth Chatterjee, *Nationalist thought and the colonial world: a derivative discourse?* (Zed Books, 1986), 30.

50 Peter Nyers, *Rethinking refugees: Beyond state of emergency* (Routledge, 2013).

51 Nick Cheesman, 'How in Myanmar "national races" came to surpass

this 'otherness' was not merely limited to being in opposition to the idea of citizenship but rather occupied a significant position on discussions regarding the delineation of citizenship.⁵²

Given the situation, Prime Minister U Nu invoked *taing-yin-tha* to denote a unified statehood. The history of Burmese citizenship inevitably leads to the notion of *taing-yin-tha* in Myanmar. Although loosely translated, *taing-yin-tha* means 'national races',⁵³ to be more precise, it involves all those communities who had permanently settled in the country before 1823.⁵⁴ General Ne Win's rise to power with the 1962 coup led to a radical, quasi-socialist transformation of the country and the economy. Ne Win latched onto the idea of indigenous races to justify his stance on the nationalisation of the economy. At present, the 1982 citizenship law puts ethnicity at the heart of national belongingness. The 1982 Burmese Citizenship Law categorised four types of citizenship: citizen, associate citizen, naturalised citizen and foreigner.⁵⁵ The concept of *taing-yin-tha* was put to use here, and each ethnic group was designated specific categories based on their residence in Burma before 1823.⁵⁶ In line with this, the 1990s saw *taing-yin-tha* gain a new perspective. In addition to the idea of a single united political community that resisted enemies both inside and outside, it also proclaimed that national races who were residing in backwards areas and were still primitive in their means were in 'need of guidance'.⁵⁷ This inclusion justified the use of force and military campaigns against those armed groups which were

citizenship and exclude Rohingya', *Journal of Contemporary Asia* 47, no. 3 (2017): 461–483.

52 Arash Abizadeh, 'Does collective identity presuppose another? On the alleged incoherence of global solidarity', *American political science review* 99, no. 1 (2005): 45–60.

53 Anthony Ware and Costas Laoutides. *Myanmar's 'Rohingya' conflict* (London: Oxford University Press, 2018).

54 Robert H Taylor, *Refighting old battles, compounding misconceptions: The politics of ethnicity in Myanmar today* (Institute of Southeast Asian Studies, 2015).

55 Ibrahim, *The Rohingyas: inside Myanmar's genocide*.

56 Nicholas Cheesman, 'The Right to Have Rights', in *Communal Violence in Myanmar* (Myanmar: Myanmar Knowledge Society, 2015), 123–145.

57 Mathew Walton, 'The "wages of Burman-ness": Ethnicity and Burman privilege in contemporary Myanmar', *Journal of Contemporary Asia* 43, no. 1 (2013): 127–129.

operating in the border areas under the banner of a specific racial group in those regions.⁵⁸ Ferguson observes that around the same time, the junta started saying there were about '135 national races' residing in Myanmar. However, there was no valid taxonomy behind the statement or the process by which Junta arrived at the number.⁵⁹

The political liberalisation of Myanmar brought along with it much greater political and social freedoms. But it did very little to reduce the centrality of politics and ethnicity in the society. Ethnicity, in fact, came to be the central feature of the general elections in 2010. Out of the 47 parties which had applied for registration, almost two-thirds were tied to specific ethnic minorities.⁶⁰ This notional move towards democracy, however, did very little to alter the military's hold over resources and most of the mineral wealth. Most of the mineral-rich territories were owned and controlled by the ethnic minority groups, and the conflict between these organisations and the military dates back to almost seven decades. Research suggested that the advent of electoral democracy had only exacerbated the ethnic dimensions of the conflict.⁶¹ The winner-takes-all electoral system left minority parties with very little representation and hence limited electoral or political leverage. As a result, ethnic communities were increasingly frustrated with electoral democracy, which they saw as failing to represent minorities.

The 2008 Constitution of the Republic of the Union of Myanmar allowed for the limited return of democracy. The power, at least notionally, was to be moved from the military to an elected civilian government. The exclusivist definition of citizenship was retained, and so was the Emergency Immigration Act of 1974. This meant

58 Martin Smith, *Burma: Insurgency and the politics of ethnicity* (Zed Books, 1991).

59 Jane M. Ferguson, 'Who's Counting?: Ethnicity, Belonging, and the National Census in Burma/Myanmar', *Journal of the Humanities and Social Sciences of Southeast Asia* 171, no. 1 (2015): 1–28.

60 2010 Myanmar General Elections: Learning and Sharing for the Future', Centre for Peace and Conflict Studies, April 2011.

61 'International Crisis Group, Identity Crisis: Ethnicity and Conflict in Myanmar', Crisis Group, August 28, 2020, [Identity Crisis: Ethnicity and Conflict in Myanmar](#) | Crisis Group

that only those who had been residing in Myanmar prior to 1823 could apply for citizenship. The Preamble to the 2008 Constitution refers to the people of Myanmar not as citizens but rather as ‘national people’ residing in mutual harmony and solidarity. Thus, invoking the mythical unity of different groups and blatantly ignoring any forms of ethnic diversity.⁶² The outsider was therefore indispensable to the image of the citizen. Being a citizen fundamentally meant all those objective criteria that the outsider failed to meet.⁶³ This meant that *taing-yin-tha* came to surpass citizenship as a means of membership in the political community of Myanmar. Membership in *taing-yin-tha* was important in the sense that it was linked to governance over territories. Ethnic groups such as the Mon, Karen, Karenni, Shan, Kachin, Chin and Rakhine were eligible to have self-administered zones, provided they commanded a majority in two adjacent townships.⁶⁴ The conflict, therefore, ideally revolves around claims over indigeneity, claims over governance and collective rights rather than individual civil and political rights.

Implications of the Conflict for Ethnic Minorities

Since the February 2021 coup, there has been a complex patchwork of regional, local and national alliances and governance structures where representation and participation move beyond their formal domains. A recent online study conducted by a Stanford graduate shows that there is a very high level of trust amongst the ethnic minority communities in the NUG. Ethnic communities seem to be confident of the fact that, should it come to power, the NUG shall prioritise the needs, demands and interests of the ethnic groups. The attempt to ensure representation of the ethnic minority communities in the interim NUG has served to solidify this trust amongst the people towards the NUG. The study shows that in

62 Ian Holliday, ‘Addressing Myanmar’s citizenship crisis’, *Journal of Contemporary Asia* 44, no. 3 (2014): 404–421.

63 Anupama Roy, *Mapping citizenship in India* (London: Oxford University Press, 2010).

64 Thawngmung and Ardeth Maung, ‘The politics of indigeneity in Myanmar: competing narratives in Rakhine state’, *Asian Ethnicity* 17, no. 4 (2016): 527–547.

order to retain its support and trust amongst the people, the NUG needs to enter into more concrete collaboration with the EAOs.⁶⁵

Ethnic minorities were completely aware that they differ ideologically, and the road ahead needs several negotiations and alterations for them to achieve equal status. Many, like the Shan and the Karen, voiced their concerns that the NLD continued to adhere to the top-down Burmanization practices without really challenging the fundamental policy differences among the major stakeholders involved. This would give rise to rifts and political factions even if the NUG manage to capture political power. For instance, the NUG seemed to be more concerned about the exclusionary and aggressive policies of the Shan without really taking into consideration the oppression meted out by the Bamar majority towards them. Similarly, while an increasing number of people have expressed their sympathies towards the Rohingyas, very few people are in favour of incorporating a representative from the community in the government.⁶⁶ Contrastingly, most ethnic Chin residents of the Paletwa township in Myanmar's west relied on the protection offered by the military in the face of the violence unleashed by the AA in the region. Without taking into consideration these regional power dynamics, the success of the NUG government seems almost improbable in the current political climate of Myanmar.⁶⁷ A recent address by the NUG chief sought to solidify these alliances:

We emphasise the paramount importance of unity and collective strength for the Spring Revolution. The core essence of the revolution is the complete eradication of the military junta and the establishment of a new federal democratic

65 Kim Jiwon, 'Navigating Political Upheaval: Rebel governance and trust dynamics in post-coup Myanmar', September 19, 2023, <https://www.theigc.org/blogs/navigating-political-upheaval-rebel-governance-and-trust-dynamics-post-coup-myanmar>

66 'The NUG's Rohingya policy: Campaign statement' or genuine reform?', *Frontier Myanmar*, July 15, 2021, <https://www.frontiermyanmar.net/en/the-nugs-rohingya-policy-campaign-statement-or-genuine-reform/>.

67 Thawngghmung, Ardeth Maung and Khun Noah, 'Myanmar's military coup and the elevation of the minority agenda?', *Critical Asian Studies* 53, no. 2 (2021): 297–309.

nation. Issues such as authority, jurisdiction, and territorial sovereignty of individual groups are secondary when compared to the overarching goal of the people's liberation and wellbeing. The responsibility to overthrow the military junta does not rest solely on the NUG but also with all ethnic revolutionary organizations (EROs). The revolution is not merely about the liberation of a single ethnic group; it is about achieving nationwide freedom. Our efforts must expand broadly and inclusively until we reach that goal.⁶⁸

As mentioned previously, lasting support in favour of the NUG can only be ensured if they are able to garner the trust and the support of these numerous EAOs operational across the region. the NUG needs to assure that it is genuinely willing to share political power, not just in the future but also in the interim. At the same time it needs to achieve a precarious balance between valuing the ethnic political parties and civil society groups while extending their support to the EAOs.

⁶⁸ 'NUG Acting President's New Year State of the Union Address', Mizzima, January 2, 2025, <https://eng.mizzima.com/2025/01/02/17890>.

Economic, Political and Social Participation and Representation of Minorities in Nepal

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Introduction

Although the Constitution of Nepal, 2015 introduced a new era of inclusion, including transforming Nepal from a unitary one to a three-tiered federal state in furtherance of that goal,¹ minority communities remain under-represented in the country's economic, social and political spheres. Dalits, Adibasi Janajatis (indigenous groups), Madheshis and religious minorities encounter significant barriers, including discrimination based on cultural identity, language, caste/ethnicity, region, religion and gender. These groups lag behind the privileged Khas Arya community, particularly males, who dominate the socio-economic sphere, employment, land rights, education, health and political representation.² Minorities are also disproportionately disadvantaged when it comes to social capital and participation in governance.³ This is largely due to

1 Bipin Adhikari, Deepak Thapa, Bandita Sijapati and Sudeshna Thapa, *From Exclusion to Inclusion: Crafting a New Legal Regime in Nepal* (Kathmandu: Social Science Baha and Himal Books, 2022).

2 Phanwin Yokying, 'The State of Social Inclusion in Nepal: A Study of Time Allocation (SOSIN-SOTA)', Laser pulse, accessed on August 7, 2024, <https://bitly.cx/hMLY>.

3 Central Department of Anthropology, *State of Social Inclusion in Nepal: Nepal Social Inclusion Survey 2018* (Central Department of Anthropology, Tribhuvan University: Kathmandu, 2020); Prabin Kumar Yadav, 'Why does Nepal fail to protect minority rights?', April 28, 2023, <https://bitly.cx/R89M>.

the exclusionary social and state practices as well as the lack of a robust national legal framework.⁴

Economic Representation and Participation of Minorities

Ethnic and religious minorities in the country face challenges in their pursuit of economic participation and representation. Compared to groups such as Dalits, Adibasi Janajatis, Madheshis and religious minorities, the dominant minority group—the Khas Arya⁵—continue to outperform in various economic indicators, including education, employment, income and representation in civil service.

Literacy Status

The 2021 Census had shown that the literacy rate among hill castes (i.e., the Khas Arya) is the highest at 83.3 per cent. This contrasts with the Madhesh/Tarai Caste, who have a lower literacy rate of 70.1 per cent. The Hill Dalit group has a literacy rate of 75.7 per cent, which is somewhat lower than the Mountain/Hill Adibasi Janajati group and still lower than the national average of 76.2. In stark contrast, the Tarai Dalit group has a much lower literacy rate of 51.9 per cent, highlighting significant educational challenges faced by this group.⁶

According to the fourth Nepal Living Standards Survey (NLSS), 2022/23, Nepal's literacy rate had reached 77.4 per cent. The Kathmandu Valley, which hosts the capital, has a significantly high literacy rate of 89.6 per cent. Conversely, the province of Madhesh, where the majority of Madheshis and Muslims reside, had the lowest literacy rate at 68.3 per cent, with female literacy even lower at just 59.9 per cent.⁷

4 Yadav, 'Why does Nepal fail to protect minority rights?'

5 Khas Aryas consists of Bahun, Chettri, Sanyasi and Thakuri hill caste groups.

6 Pitamber Sharma and Bhim Prasad Subedit, *Nepal's Social Demograph: Revisited* (Kathmandu: SSB Press, forthcoming).

7 Pratyencha Koirala, 'Nepal's literacy rate reaches 77.4 percent', *myRepublica*, June 26, 2024. <https://myrepublica.nagariknetwork.com/news/nepal-s-literacy-rate-reaches-77-4-percent/>.

Table 1: Ethnic Groups Employment by Sector (%)

	Government	Financial Institutions	Non-Financial Institutions	Non-Profit Institutions	Household	Others	Total
Hill Caste	40.5	42.9	24.6	45.6	19.5	9.8	24.5
Madheshi/Tarai Caste	10.7	6.1	17.5	4.1	14.9	34.4	16.5
Mountain/Hill Adibasi Janajati	24.3	29.9	30.1	25.6	25.0	11.4	26.1
Tarai Adibasi Janajati	6.9	10.9	11.2	9.4	15.4	10.8	12.1
Hill Dalit	10.6	4.7	9.2	8.7	11.9	2.0	9.5
Madheshi/Tarai Dalit	2.8	2.6	2.6	5.1	8.0	24.8	6.3
Religious/ Linguistic Group	4.1	2.9	4.6	1.6	5.4	6.6	4.8
Others/Not Stated	0.0	0.0	0.2	0.0	0.1	0.1	0.1
Total	100.0	100.0	100.0	100.0	100.0	100.0	100.0

Note: The categorisation of castes/ethnic groups follows Pitamber Sharma, Some Aspects of Nepal's Social Demography (Kathmandu: Himal Books, 2014), and Harka Gurung, Social Demography of Nepal (Kathmandu: Himal Books, 2001).

Source: NLSS IV 2022/23.

Employment Opportunities

Nepal's economy comprises formal and informal sectors, with the share of the informal sector higher in the national economy.⁸ The Hill Castes are employed in large proportions in the formal sector, while ethnic and religious minorities are overrepresented in informal employment.⁹ According to the Right to Employment Act, 2018, the Government of Nepal, along with provincial and local governments, is required to implement employment programmes that prioritise women, Dalits and other disadvantaged groups.¹⁰ However, employment data from the 2021 Census reveals that Tarai Dalits have remained the most disadvantaged, with an employment rate of 4.5 per cent.

Data reveals that there is significant representation of Hill Caste groups in government jobs and the formal employment sectors, while Tarai Dalits have the lowest representation in the same. The primary income sources for most minority households include day labour, livestock sales, pensions/social security and vegetable sales.¹¹ Minorities hold only a small share of white-collar jobs in Nepal's private sector, which accounts for 85.6 per cent of employment in the country.¹² Even within minorities, Muslim-minority households are dependent on the lowest-paying work, along with Tarai Dalits, who have an even higher dependency on casual labour.¹³

8 Badri Narayan Shah, 'Home-based workers and their ownership in Nepal', *Patan Pragya* 7, no. 1 (2020): pg. 256, <https://www.nepjol.info/index.php/pragya/article/view/35250/27592>.

9 *Diagnostic report on the extent, circumstances, causes, factors and nature of informality in Nepal* (Nepal: 2022, ILO), pg. 66-67, https://www.ilo.org/sites/default/files/wcmsp5/groups/public/@asia/@ro-bangkok/@ilo-kathmandu/documents/publication/wcms_884823.pdf.

10 Right to Employment Act, 2018, Section 8(1).

11 Kishor Atreya et al, 'Dalit's livelihoods in Nepal: income sources and determinants', *Environment, Development and Sustainability* 25, (2022): pg 12629–12657.

12 Abishek Jha, 'Absence of Dalits in the private sector', *The Kathmandu Post*, January 4, 2024, <https://kathmandupost.com/columns/2024/01/03/absence-of-dalits-in-the-private-sector>.

13 Mukta S. Tamang, Yogendra B. Gurung, Binod Pokharel and Meeta S. Pradhan, *State of Social Inclusion In Nepal* (Nepal: Central Department of Anthropology, Tribhuwan University, 2018).

In a survey undertaken for this paper with 63 participants, consisting of respondents from minority communities and minority rights experts, the majority (41%) believed that minorities do not have equal access to employment opportunities due to discrimination and lack of education and skills. While 44.4 per cent believed that individuals belonging to minority groups are somewhat vulnerable to discrimination at the workplace, only a small number (4.8%) said that they do not face discrimination. On the question regarding forms of discrimination, racial/ethnic and religious discrimination were identified by 85 per cent and 80 per cent of respondents, respectively, as significant forms of discrimination, whereas gender-based discrimination was a concern for smaller groups (18.3 per cent).

Social Protection and Welfare Schemes

Nepal's 2015 Constitution guarantees social and economic rights in a progressive manner. Constitutional rights to social protection are classified into three main categories, with specific rights for the vulnerable and marginalised falling under the second category. For instance, the poor, disabled, single women, children, Dalits, and members of endangered ethnic groups are eligible for social security benefits (Article 43). Dalits are also granted unique political, social and economic rights under the Constitution. These rights include the provision of land and housing for those who need it, as well as health and social security benefits and educational scholarships.¹⁴

A small study conducted among around 400 street vendors in the Kathmandu Valley, of whom 66 per cent belonged to religious and ethnic minorities, showed a grim picture of the human rights situation. They experience occupational safety and health (OSH) challenges, including a lack of vending space and goods confiscations.¹⁵ In addition, studies have also suggested that informal waste workers generally hail from marginalised social groups and ethnic minorities in Nepal and are subjected to the

14 Bala Ram Acharya, 'Social Protection Policy and Its Response in Nepal', *Humanities and Social Sciences Journal* 14, no.1 (2023).

15 Amit Gautam et al, *Safeguarding the Rights of Street Vendors in Kathmandu* (Kathmandu: United Nations and Social Science Baha, 2025).

stigma surrounding the nature of cleaning and sanitation work and discrimination based on caste, ethnicity and religion.¹⁶

The Labour Act, 2017, entrusts the responsibility of ensuring the occupational health and safety of employees to employers.¹⁷ However, women from Dalit and indigenous communities are found to be working in home-based work like handloom, knitting, yarn making and other traditional handicrafts. They face multiple challenges and constraints due to occupational health and safety issues, very low average earnings and undervalued contribution.¹⁸ A huge proportion of minorities involved in home-based work suffer from exploitation and deprivation of fundamental rights.¹⁹

Further, social vulnerability to natural hazards is particularly high in areas that have concentrations of Dalit and minority populations.²⁰ However, Nepal's current social protection policies make no provisions to assist families hit by disasters and are insufficient to address low-income and vulnerability.²¹ And while policies do exist to include informal sector workers in the national social insurance programme, implementation remains poor, disproportionately impacting minority groups, as informality rates are the highest among groups such as the Dalits and Muslims.²² Compounding these issues is the fact that a citizenship certificate is necessary to qualify for social security, while a sizeable population, mostly Madheshis, continues to lack citizenship.²³

16 Rudra Gautam and Umesh Upadhyay, *Garbage Cleaning Community and Child Labour in Nepal: A Report of GEFONT Study on Socio-economic Condition of Sweeper Community* (Kathmandu: GEFONT, 2001).

17 The Labour Act, 2017, Sections 12, 68 and 69.

18 Badri Narayan Shah, 'Home-based workers and their ownership in Nepal', *Patan Pragya* 7, no. 1 (2020).

19 Shah, 'Home-based workers and their ownership in Nepal'.

20 26 Sanam K. Aksha, Luke Juran, Lynn M. Resler and Yang Zhang, 'An Analysis of Social Vulnerability to Natural Hazards in Nepal Using a Modified Social Vulnerability Index', *International Journal of Disaster Risk Science* 10, (2019), pg. 103–116.

21 Niti Foundation, *Policy Landscape of Social Protection*.

22 Ministry of Labour, Employment and Social Security, *Diagnostic Report on the Extent, Circumstances, Causes, Factors and Nature of Informality in Nepal* (Nepal: Ministry of Labour, Employment and Social Security, 2022).

23 Bala Ram Acharya, 'Social Protection Policy and its Response in Nepal'.

Civil Service Policy Framework

Nepal's laws include provisions to ensure the representation of minorities and women in political bodies and the bureaucracy, aiming to meet minimum inclusion requirements. In fact, the federal Civil Service Bill under discussion proposes that the proportion of seats reserved for minority groups and women in Nepal's civil service be increased from the current 45 per cent to 49 per cent.²⁴ While reservations have been ensuring the increment of women and other disadvantaged people's representation in the civil service of Nepal, very rarely are women, Janajati, Madheshi, Dalits and PWDs able to enter the service without reserved quotas.²⁵ This is evident from the fact that in the civil services, more than 61 per cent belong to Hill Caste (Khas Arya) groups (30 per cent)²⁶ Data reveals that only 0.6 per cent of civil service positions are occupied by Muslims and 2.5 per cent by Dalits, compared to their population shares of 4.6 per cent and 11.72 per cent, respectively.²⁷ Likewise, Khas Arya women alone make up about 76 per cent of the allocated women's seats, reflecting a broader over-representation. Similarly, Khas Arya occupy 88 per cent of undersecretary-level positions and above, despite comprising only 30.1 per cent of the population.

Of 3675 positions recommended for permanent appointments in 2022/23, in both assistant and officer levels, Khas Arya comprises more than half. Madheshi/Tarai caste and Mountain/Hill Adibasi Janajati accounted for 15.56 per cent and 15.43 per cent, while Dalits and Tarai Adibasi Janajati had a smaller representation at 5.47 per cent and 5.41 per cent. This highlights the ongoing disparities in employment opportunities across different caste communities.²⁸

Critics often argue that reservations have placed barriers to the

24 The Civil Service Bill, 2023–2024, Section 3(11).

25 Baburam Bhul, 'Representative bureaucracy: The Nepalese perspective', *Prashasan Nepalese Journal of Public Administration* 52, no. 1(2021).

26 Mukta S. Tamang et al, *State of Social Inclusion in Nepal*.

27 Divya Rana and Vibhav Pradhan, 'Fixing a flawed quota system', *The Kathmandu Post*, September 21, 2022, <https://kathmandupost.com/columns/2022/09/20/fixing-a-flawed-quota-system>.

28 64th Yearly report ublic service Commission (Kathmandu: Public Service Commission, 2023), pg. 35-36.

Table 2: Total Appointments in the Fiscal Year 2022–2023

Caste Group	Total Employment	Total (%)
Hill Caste	2067	56.2
Madhesh Tarai Caste	572	15.5
Mountain/Hill Adibasi Janajati	567	15.4
Tarai Adibasi Janajati	199	5.4
Dalit	201	5.4
Others/Not Stated	69	1.8
Total	3675	100

Source: Public Service Commission Report, 2023.

meritorious and allowed unqualified individuals into positions, and only certain privileged groups within marginalised groups have been taking advantage of it.²⁹ However, no evidence-based studies have been conducted to prove that only people from economically well-off Dalit families have entered the civil service through the reservation system.³⁰

Poverty and Landlessness Among Minority Communities

Despite legal provisions guaranteeing land and housing rights for marginalised groups, implementation remains inadequate.³¹ Minorities are less likely to own land, with landlessness as high as 44 per cent among Dalits in the Tarai region, and approximately 80 per cent of Nepal’s Adibasi Janajati have marginal landholdings.³² This issue is further complicated by a Supreme Court ruling that prohibits the government from allocating land within national parks and forest areas to the landless.³³ Given that nearly a quarter

29 JB Biswokarma, ‘Nijamatima “tarmara”kai ekadhikar’ (Exclusive dominance of creamy layer in civil service)’, *Kantipur*, August 23, 2024, <https://ekantipur.com/opinion/2024/08/23/monopoly-of-tamara-in-civil-service-48-46.html>.

30 Pritha Poudyal, ‘Perception of dalits who entered civil service through reservation system in Nepal’, *Journal of Management and Development studies* 31, no. 1 (2022).

31 The Constitution of Nepal, 2015, Article 51(j).

32 Oxfam GB, *Fighting Inequality in Nepal: The Road to Prosperity* (Oxford: OXFAM, 2019).

33 Abhaya Raj Joshi, ‘Nepal court rules protected areas and forests off-limits for land distribution’, *Mongabay*, May 30, 2024, [Nepal court rules protected areas and forests off-limits for land distribution \(mongabay.com\)](https://www.mongabay.com/news/land-use/2024/05/30/nepal-court-rules-protected-areas-and-forests-off-limits-for-land-distribution/).

of the country now has protected status,³⁴ the ruling adds to the plight of the marginalised community, most of whom consider some of these protected areas to be their ancestral home.³⁵ For instance, Botes and Musahars from around the Chitwan National Park, who depend on fishing for their traditional livelihoods, have been displaced and frequently labelled ‘poachers’ and ‘smugglers’ following the park’s designation as a protected area. Similarly, the establishment of Bardiya National Park has displaced the Tharu community living in and around the area, depriving them of access to their land and natural resources and preventing them from occupying, clearing, reclaiming, cultivating and harvesting crops, despite the creation of a ‘buffer zone’ intended to benefit local communities.³⁶ Forced evictions have also led to loss of livelihood and homes. Such groups are often also subjected to severe forms of violence, including assaults on their persons.³⁷ Such a situation persists even in the face of decades of revisions to Nepal’s constitution, laws, policies and system of governance.³⁸

Data from the NLSS IV (2022/23) indicates persistent poverty among most minority groups. While only 15.9 per cent of the Hill caste groups are classified as poor, all but Mountain/Hill Adibasi Janajati and Madheshi/Tarai castes exceeded the national average of 20.7 per cent. Thus, 30.2 per cent Hill Dalits are poor while the situation was even more precarious for the Madheshi/Tarai Dalits, of whom a staggering 44.2 per cent lived below the poverty line.³⁹

34 Being a mountainous country,

35 International Institute for Environment and Development, ‘Conservation and discrimination: case studies from Nepal’s national parks’, April 13, 2022, <https://www.iied.org/conservation-discrimination-case-studies-nepals-national-parks>; LAHURNIP and NIWF, *Violation of Indigenous Peoples’ Human Rights in Chitwan National Park of Nepal* (Nepal: LAHURNIP and NIWF, 2020).

36 International Institute for Environment and Development, ‘Conservation and discrimination: case studies from Nepal’s national parks’.

37 Indigenous Peoples Rights International, *Indigenous Peoples in protected areas in Nepal: A country report on criminalization and violation of subsistence occupation and customary rights* (Baguio City, Philippines: Indigenous Peoples Rights International, 2021).

38 Katie J. M. Baker and Tom Warren, ‘WWF Admitted “Sorrow” Over Human Rights Abuses’, BuzzFeed News, November 25, 2020, [WWF Admits “Sorrow” Over Human Rights Abuses](https://www.buzzfeednews.com/article/katiebak/wwf-admits-sorrow-over-human-rights-abuses) ([buzzfeednews.com](https://www.buzzfeednews.com)).

39 National Living Standard Survey, 2022–23.

Table 3: Poverty Distribution Among Caste/Ethnic Groups in Nepal

Caste/Ethnic Group	Percentage below Poverty Line
Hill Caste	15.9
Madheshi/Tarai Caste	20.6
Mountain/Hill Adibasi Janajati	17.5
Tarai Adibasi Janajati	23.4
Hill Dalit	30.2
Madheshi/Tarai Dalit	44.2
Religious/Linguistic Group	27.6
Others/Not Stated	19.6
National Average	20.7

Source: NLSS 2022–23

Indigenous People’s Policy Framework

In line with its international commitments under the Indigenous and Tribal Peoples Convention, 1989 (ILO Convention 169) and the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP), Nepal’s constitution guarantees the inclusion of indigenous nationalities (i.e., Adibasi Janajati in Nepal) in decisions concerning their communities while also ensuring their rights to protect and promote their identity, tradition and culture through special provisions for opportunities and benefits.⁴⁰ At the same time though, the National Parks and Wildlife Conservation Act (NPWCA), 1973 confers authority onto the government of Nepal to declare national parks and conservation areas.⁴¹ However, this provision does not address the question of land acquisition or the compensation that should be offered, conflicting with Article 25 of the Constitution, which stipulates that private property can only be acquired by the government for public purposes if compensation is provided. The NPWCA also fails to align with ILO Convention 169 and the UNDRIP, particularly regarding the rights of indigenous communities over their lands, territories and natural resources.

Members of the Janajati communities have long been opposing different hydropower development projects—such as the Magar in Badarkuna, Tanahu; Bhote Singa in Lungbangba, Sankhuwasabha;

40 The Constitution of Nepal, 2015, Articles 32(3) and 51(j) 8.

41 The National Parks and Wildlife Conservation Act, 1973, Section 3.

and the Sunuwar living along the Likhu river area—citing threats to their ancestral lands and livelihoods and, most importantly, failure to adhere to the principle of free and prior informed consent.⁴² In more egregious cases, such as with the Upper Tamakoshi Hydro Power Project, tensions between indigenous group members and law enforcement escalated to the point of aggression against the community, leading to arrests and even the deployment of security forces to suppress protests.⁴³ Despite ongoing advocacy, these communities continue to struggle for fair compensation and recognition of their rights.

Elsewhere, a group of indigenous artists, activists and researchers took part in a nine-day-long ‘Indigenous Art Resistance in Mundhumy Mukkumlung’ in September of 2024 in support of the Mukkumlung Joint Struggle Committee, which is opposed to the construction of a cable car system to the Pathibhara temple, sacred not only to the local Limbu but also Hindus and Buddhists.⁴⁴ The primarily Limbu-led committee has been arguing that the construction will destroy ‘sacred religious, cultural and spiritual places as well as natural resources, environment and ecology’.⁴⁵

Political Participation and Representation of Minorities

The 2015 Constitution was expected to reform the governance system by increasing minority participation and representation

⁴² Minority Rights Groups International, ‘Nepal: The cost of hydropower—dispossessing indigenous Magar communities of land and water’ (Nepal: Minority Rights Groups International, 2023); Dev Kumar Sunuwar, ‘Hydropower Projects on Likhu River Fail to Obtain Consent from Indigenous Communities in Nepal’, *Cultural Survival*, February 16, 2021, accessed September 12, 2024, <https://www.culturalsurvival.org/news/hydropower-projects-likhu-river-fail-obtain-consent-indigenous-communities-nepal>.

⁴³ ‘Local People Agree to Lift Obstruction on Lapsiphedi Substation’, *Spotlight*, September 12, 2023, <https://www.spotlightnepal.com/2023/09/12/local-people-agree-lift-obstruction-lapsiphedi-substation/>.

⁴⁴ ‘Mukkumlung sanrakshana aikyabaddata janaunena mundhumi Mukkumlungm adibasi kala pratirodh’ (Indigenous Art Protest at Mundhumi Mukkumlung to Show Solidarity for the Preservation of Mukkumlung), *Shilapatra*, September 11, 2024, <https://shilapatra.com/detail/144772>.

⁴⁵ Kapuri News, ‘Pathibhara Mukkumlungma kebulcar nirmanko bibad baljhidai’ (Controversy Over Cable Car Construction at Pathibhara Mukkumlung Intensifies), *Kapuri News*, January 26, 2023, <https://kapurinews.com/news/2023/01/26/19960.html>.

in the political sphere. While electoral quotas have led to some progress, significant challenges remain. The exclusion of minority groups from the top party leadership, the persistence of social discrimination within the political space, and issues related to citizenship continue to undermine their efforts to achieve meaningful participation and representation.

Asked if minority voices are adequately represented in the state's political apparatus, an overwhelming 46.7 per cent of the respondents in the online survey conducted for this paper responded with a 'No', standing in stark contrast to the 3.2 per cent of respondents who said 'Yes'. Among those who answered 'No', the leading reason they identified for such a deficit was lack of political will (95.1 per cent), followed by financial barriers (54.1 per cent), and legal and administrative obstacles (42.6 per cent). Similarly, asked whether minority groups in the country have an equal opportunity to participate in local and subnational elections, 42 per cent believed they did, while 7.9 per cent said they did not, suggesting that while complete exclusion from the political arena is rare, substantive participation is only partial. Moreover, the majority (50.8 per cent) of respondents reported that minority groups do have the freedom to form or join political associations while a significant portion (27 per cent) believed that this freedom was only 'Somewhat' practised.

Electoral Reforms and Emerging Concerns

Prior to the provision of electoral quotas introduced in the Interim Constitution of 2007, the country's many marginalised groups—including Adibasi Janajati, Dalits, Madheshis, Tharus and Muslims—had limited access to political spaces, much less representation within different tiers of government. The 2015 Constitution carried over the proportional representation (PR) system with its fixed quotas for different population groups as a way to bolster the presence of minority groups in both the federal parliament and provincial assemblies.⁴⁶ But despite the PR system being promoted as a vehicle for socio-political change, the efficacy

⁴⁶ The House of Representatives Elections Act, 2017, Section 26(3); The State Assembly Elections Act, 2017, Section 26(3).

of the PR system itself has been called into question as political parties only adhere to the ‘nominal standard’ set by the laws and are unwilling to further inclusion beyond this point.⁴⁷

Meanwhile, a 2017 amendment to the extant election law introduced more stringent conditions, setting a threshold of 3 per cent of the overall vote share in federal elections and 1.5 per cent in provincial elections to qualify for PR seats.⁴⁸ Critics claim that this stipulation impacts smaller fringe parties which advocate for minority groups or causes, because their electoral bases are likely to be smaller and, as a result, are likely to be unable to meet the legal threshold. For instance, in the 2022 House of Representatives election, only a few significant ‘national’ parties, which included the Communist Party of Nepal (Unified Marxist-Leninist) (hereafter CPN-UML), Nepali Congress, CPN (Maoist Centre), and four others, were able to garner the requisite 3 per cent of the vote share.⁴⁹ Further concerns are being raised by a new draft bill to amend the existing election law, proposing raising the threshold to 5 per cent at the federal level and 3 per cent at the provincial.

Moreover, by setting aside electoral quotas for Khas Aryas—the dominant group of the country—its intended purpose to serve the most underserved communities has now been diluted.⁵⁰ The Supreme Court recently rebuked political parties in this regard, stating that equitable representation is a necessity that reflects the ‘spirit of the Constitution’ and must be respected.⁵¹ In a similar

47 Binod Ghimire, ‘Political parties continue to abuse proportional representation system’, *The Kathmandu Post*, September 21, 2022, <https://kathmandupost.com/politics/2022/09/21/political-parties-continue-to-abuse-proportional-representation-system>.

48 Binod Ghimire, ‘New push for a law to raise vote threshold to secure PR seats’, *The Kathmandu Post*, August 11, 2024, <https://kathmandupost.com/politics/2024/08/11/new-push-for-a-law-to-raise-vote-threshold-to-secure-pr-seats>.

49 Ghimire, ‘New push for a law to raise vote threshold to secure PR seats’.

50 Simone Galimberti, ‘Debating the discourse of discrimination against Dalits with JB Biswokarma’, *Nepal Live Today*, May 2, 2023, <http://bitly.ws/EnrW>; Tika R Pradhan, ‘Inclusion of Dalits, disadvantaged groups still negligible’, *The Kathmandu Post*, April 12, 2023, <https://kathmandupost.com/national/2023/04/12./inclusion-of-dalits-disadvantaged-groups-still-negligible>.

51 Binod Ghimire, ‘Court orders parties not to abuse proportional

vein, in early 2023, the National Assembly unanimously passed a resolution instructing the government to guarantee proportional representation across all structures of the government and to combat discrimination against Dalits in both private and public life.⁵² Despite this, Dalit representatives have accused the government of paying scant attention to the matter, as evidenced by the limited action taken to implement the two decrees. However, the issue extends beyond just the manipulation of the PR system and also covers political parties' unwillingness to field minority candidates under the FPTP system.⁵³ Much of their motivation is rooted in systemic biases. For instance, despite legislation such as the Caste-Based Discrimination and Untouchability (Offence and Punishment) Act of 2011, as well as constitutional provisions protecting and promoting Dalit rights and social justice, exclusion-based inequality persists in the public sphere, particularly aimed at Dalits.⁵⁴ While these legal protections attempt to correct historical wrongs to level the playing field, entrenched societal norms continue to undermine representation and reinforce social hierarchies.⁵⁵ This is evidenced by incidents of even Dalit members of parliament being subjected to caste-based discrimination in their social undertakings.⁵⁶

Since the provisions related to the PR part of the election do not apply to the FPTP system, parties have limited incentive to field

representation system', *The Kathmandu Post*, March 14, 2024, <https://bit.ly/ws/3fVQD>.

52 Binod Ghimire, 'Successive governments ignore directives on Dalit representation', August 5, 2024, <https://kathmandupost.com/politics/2024/08/05/successive-governments-ignore-directives-on-dalit-representation>.

53 'Election Result', Election Commission Nepal, accessed February 18, 2025, <https://election.gov.np/en/page/result-hor>; Tej Bahadur Sunar, 'Situation of Women and Marginalized Groups Representation in the Elected Institutions in Nepal: Analysis of Federal and Provincial Election 2022', *Global Scientific Journals* 11, no. 2 (2023): 2789.

54 Mom Bishwakarma, 'Democratic politics in Nepal: Dalit political inequality and representation', August 2016, *Asian Journal of Comparative Politics* 2(4); The Constitution of Nepal, 2015, Articles 41, 51(j) and 40.

55 Mom Bishwakarma, 'Democratic politics in Nepal'.

56 Nepal team, 'SAC Bulletin #9 (1 March to 10 June, 2023)', The South Asia Collective, accessed October 31, 2024, <https://thesouthasiacollective.org/bulletins/sacbulletin9#np>; Nepal team, 'SAC Bulletin #10', The South Asia Collective, accessed October 31, 2024.

candidates from marginalised backgrounds. In fact, political parties avoid selecting Dalit and Janajati candidates in elections for fear of upsetting their traditional voter base.⁵⁷ This hesitancy finds further breeding ground in minority candidates' own concerns about their electability. Their hesitation stems from a long history of exclusion from political experiences needed to succeed in elections. Caste hierarchies especially impact vote consolidation for minority candidates; views of the perceived 'inferiority' of Dalits mean that 'upper-caste' individuals are less likely to support candidates from Dalit and other marginalised backgrounds. Similarly, the scattered nature of minority settlements reduces the group's ability to consolidate votes. Past experiences have shown that an urban-rural divide further affects the influence of Adibasi Janajati and Dalit candidates. In fact, election results indicating that they perform significantly better in rural areas.⁵⁸ Another significant barrier to participation in elections—even as voters—is some minority groups' lack of government documentation. Current citizenship laws require individuals to furnish proof of Nepali descent, a requirement that is often challenging for groups like the Dalits and Madheshis to meet.⁵⁹ Even when minority groups secure candidacy, they frequently face systemic obstacles, including financial barriers and the dominance of Khas Arya leadership on the way to political office.⁶⁰

Minority Inclusion Within Political Party Leadership

The historical dominance of the Khas Arya in governance and political leadership has long concentrated power in the hands of

57 Tika R Pradhan, 'Parties shortchange Dalits, women and Janajatis', *The Kathmandu Post*, October 12, 2022, <https://kathmandupost.com/politics/2022/10/12/parties-shortchange-dalits-women-and-janajatis>; Khanal et al, *Dalit Representation in National Politics of Nepal*.

58 Adibasi Janajatis' local election representation close to share of population, but with variations within; Dalits and women the most under-represented in Parliament.

59 Kallol Bhattacharjee, 'The controversy around Nepal's new citizenship law', *The Hindu*, August 21, 2022, <https://www.thehindu.com/news/international/explained-the-controversy-around-nepals-new-citizenship-law/article65793954.ece>.

60 Tika R Pradhan, 'New House of Representatives to be less inclusive', *The Kathmandu Post*, 30 November 2022, <https://kathmandupost.com/national/2022/11/30/new-house-of-representatives-to-be-less-inclusive>.

a select few. This has been accomplished through a combination of monopolising top leadership positions within political parties and enacting legislation, such as the Political Party Act of 2017, which allows for ambiguous interpretation in the formation of ethnicity-based political parties.⁶¹ Illustrative of this fact is the structure of political parties' central committees, all of which are packed with individuals from the Khas Arya background.⁶² When examining the top leadership of political parties in Nepal, only in seven marginal ones are headed by Dalits;⁶³ these parties have little to no presence at the national level. In fact, since the 2022 election, only seven political parties have earned the status of being a 'national party': the Nepali Congress (NC), the CPN-UML, the Communist Party of Nepal (Maoist Centre) (CPN-MC), the Rashtriya Swatantra Party (RSP), the Rashtriya Prajatantra Party (RPP), the Janata Samajbadi Party, Nepal (JSPN) and the Janamat Party (JP).⁶⁴ Apart from the last two small parties which were more focused on the Tarai and hence have a structure quite different, in the five bigger political parties, more than half the central committees in all were Khas Arya.⁶⁵ In the central committee of the NC, 8.2 per cent were Dalits; in the CPN (UML), 6.6 per cent; in the CPN (MC), 10.7 per cent; in the RSP, 5 per cent, and in the RPP, 2 per cent. Adibasi Janajatis and Madheshis did not fare much better. In the NC, only 22.2 per cent were Adibasi Janajati and 15.2 per cent Madheshi; in the CPN (UML), 21.3 per cent and 12 per cent; in the CPN (MC), 22.8 per cent and 10.9 per

61 The Political Party Act, 2017; Shushav Koirala, 'Linking the Nepali state with its minorities', *Asia and the Pacific Policy Society*, November 15, 2021, <https://bitly.cx/h8grc>.

62 Ghamber Nepali, 'Politics of Marginalization: How Caste Affects Political Career of Dalits in Nepal', *Dhaulagiri Journal of Sociology and Anthropology* 18, (2024): 38–47).

63 That is the Bahujan Shakti Party, Nepal Dalit Party, Nepal Matribhumi Party, Saamajik Ekata Party, Bahujan Samaj Party and the Scientific Socialist Communist Party of Nepal.

64 'Seven parties secure national party status so far: Election Commission', *The Kathmandu Post*, December 2, 2022, <https://tkpo.st/3VI2Jym>.

65 Minraj Paudel, Bhanu Bhakta Pandey and Rajendra Kumar Pokhrel, 'Comparison of Political Inclusion in Nepal between the Elections of 2017 and 2022', December 2022, *JMC Research Journal* 11(1):49-64, <http://dx.doi.org/10.3126/jmcrcj.v11i1.59260>.

cent; in the RSP, 25 per cent and 7.5 per cent; and in the RPP, 27.7 per cent and 7.9 per cent.

Election Results: Key Trends and Patterns

Federal, provincial and local elections in Nepal have all shown that as the dominant minority in the country, the Khas Arya have considerable hold over elected positions. This comprise 31.2 per cent of the population⁶⁶ but occupied 47.2 per cent of all seats in the House of Representatives (HoR) following the 2022 election.⁶⁷ Notably, 57.5 per cent of those elected through the FPTP system were Khas Arya as were 31.8 per cent elected under the PR system—a political tool purportedly designed to boost representation for the less privileged groups. This trend becomes even more striking when considering that only one Dalit candidate was elected through the FPTP system compared to 15 Dalits through the PR system.⁶⁸ In total, Dalits made up only 5.8 per cent of the total HoR members—well below their 14 per cent share of the population⁶⁹ and a drop from 6 per cent in 2017. This discrepancy begins as early as the candidate selection stage under the FPTP system. Of the total 2412 FPTP candidates, a sizable 1046 were Khas Arya compared to only 101 Dalits. This imbalance is more pronounced when examining the national-level parties, with CPN (UML) and CPN (Maoist Centre) fielding only one and two Dalit candidates, respectively.⁷⁰ Even more strikingly—28 Dalit candidates had to run independently. The situation is considerably worse for women from minority communities, who were fielded in only nominal numbers by political parties in the 2022 election cycle despite a higher candidate-to-win ratio.⁷¹

66 National Statistics Office, *National Population and Housing Census 2021: National Report* (Kathmandu: Government of Nepal, 2023).

67 Election Commission Nepal, 'Election Result'; Sunar, 'Situation of Women and Marginalized Groups' Representation in the Elected Institutions in Nepal', 2790.

68 Pradhan, 'New House of Representatives to be less inclusive'.

69 National Statistics Office, *National Population and Housing Census 2021: National Report*.

70 Biswokarma, *Contradiction Between the Principle of Proportional Representation and Election Results*.

71 Nishan Khatiwada, 'Voices Grow for Fair Representation of Women

Table 4: House of Representative Election Results 2022

Caste/Ethnicity	First-Past-the-Post (FPTP)			Proportional Representation (PR)			Total		
	Male	Female	Total	Male	Female	Total	Male	Female	Total (%)
Khas Arya	91	4	95	8	27	35	99	31	130 47.3%
Adibasi Janajati	33	2	35	5	26	31	38	28	66 24.0%
Madhesi	25	2	27	4	13	17	29	15	44 16.0%
Dalit	1		1	7	8	15	8	8	16 5.8%
Tharu	6	1	7	1	5	6	7	6	13 4.7%
Muslim				3	3	6	3	3	6 2.2%
Total	156	9		28	82		184	91	275

Source: Election Commission and Dignity Initiative, 2022, <https://bit.ly.ws/3fBNd>.

Although the second-largest group in the HoR, Adibasi Janajati representation there is only 24 per cent. This group is more evenly represented through both the FPTP (21.2 per cent) and PR (28.1 per cent) systems. The presence of Madheshis (16 per cent), Tharus (4.7 per cent) and Muslims (2.1 per cent), respectively, are all below their population strength. Muslims found representation solely through the PR system. For the Dalit and Madheshi communities, this is a noticeable decline in representation—a decrease of 1 per cent and 1.18 per cent, respectively, compared to the 2017 elections.⁷²

Provincial assemblies echo representation in the federal parliament. Of the total representatives in all seven provincial legislatures, the Khas Aryas account for 42.7 per cent of the seats.

The pattern is similar in mayoral posts in local bodies, as 47.9 per cent of all mayors/ chairs are Khas Aryas. They are followed by Adibasi Janajati at 29.34 per cent and Madheshis at 15.94 per cent. Dalit, Tharu and Muslim presence is quite minimal. Trends for the deputy mayor/ vice-chair are not much different. At the ward level, representation along ethnic lines has improved for Dalit women, due to electoral quotas mandating their inclusion.⁷³ However, at the ward chairperson level—arguably a stronger indicator of organic inclusion, given the absence of quotas—representation remains heavily skewed. Of the 6743 elected ward chairpersons, 44.3 per cent are Khas Arya, followed by Adibasi Janajati (30.1 per cent). Madheshis hold 15.8 per cent of these positions, while Tharus and Muslims hold 4.7 per cent and 2.8 per cent, respectively. Dalits, remain the most underrepresented, with just 2.2 per cent.

Electoral boundaries

The electoral boundary changes introduced by the new 2015 Constitution raised concerns about gerrymandering and the

as Major Elections Near', *The Kathmandu Post*, 13 August 2022, <https://kathmandupost.com/politics/2022/08/13/voices-grow-for-fair-representation-of-women-as-major-elections-near>; Sabrina Singh, *Qualitative Impact of Electoral System on Women's Representation* (Kathmandu: Daayitwa).

⁷² Election Commission Nepal, 'Election Result'; Sunar, 'Situation of Women and Marginalized Groups' Representation in the Elected Institutions in Nepal', 2783.

⁷³ The Local Level Election Act, 2017, Section 26.

Table 5: Representation of Various Caste/Ethnicity In Seven Provincial Assemblies

Caste/Ethnicity	First-Past-the-Post (FPTP)			Proportional Representation (PR)			Total		
	Male	Female	Total	Male	Female	Total	Male	Female	Total (%)
Khas Arya	155	5	160	13	62	75	168	67	235 42.7%
Adibasi Janajati	75	6	81	9	59	68	84	65	149 27.1%
Madheshi	55	2	57	6	24	30	61	26	87 15.8%
Dalit	2	1	3	4	24	28	6	25	31 5.6%
Tharu	18		18	1	9	10	19	9	28 5.1%
Muslim	11		11	1	8	9	12	8	20 3.6%
Total	316	14	330	34	186	220	350	200	550

Source: Election Commission and Dignity Initiative, 2022, <https://bitly.ws/3fBNd>.

Table 6: Local Level Election 2022 in Key Local Government Positions

Caste/Ethnicity	Mayor & Chairperson			Deputy Mayor and Vice-Chairperson			Ward Chairperson		
	Male	Female	Total	Male	Female	Total	Male	Female	Total
Khas Arya	346	15	361	103	247	350	2968	25	2993
Adibasi Janajati	214	7	221	68	149	217	2005	26	2031
Madheshi	118	2	120	7	103	110	1056	9	1065
Dalit	8	0	8	2	11	13	145	2	147
Tharu	28	1	29	2	43	45	313	5	318
Muslim	14	0	14	3	15	18	187	2	189
Total	728	25	753	185	568	753	6674	69	6743

Source: Election Commission and Dignity Initiative, 2022, <https://bitly.ws/3fBNd>.

potential erosion of representation for marginalised groups. Critics have argued that Nepal's 275-member House of Representatives is structured such that it favours the hill and mountain regions, whose populations account for less than half of Nepal's total population, but account for 100 of the 165 seats.⁷⁴ In contrast, the Tarai region, home to more than 50 per cent of the country's population, competes for only 65 seats. This has created a scenario wherein the hill and mountain regions have access to a greater share of parliamentary seats relative to their population size. Adding to this challenge, the constitution mandates that constituency boundaries can only be redrawn every 20 years.⁷⁵ As a result, current boundaries—based on the 2011 census—are fixed until 2027. However, the 2022 census since has already shown unequal population growth across Nepal, with larger growth in the Tarai region. This implies that the 2011-based delimitation is outdated.⁷⁶ The adoption of the seven-province model also were viewed as efforts to dilute influence of some larger ethnic groups.⁷⁷ Hence, ethnically significant groups, such as the Magars and Tharus, were split into different provinces rather than allowed to form a majority within a single province.

Citizenship: Key Issues and Concerns

Historically, some minority groups have struggled for citizenship and, through it, broader political recognition and rights. For instance, Madheshis and Dalits have been kept out of political life largely owing to the former's cultural and identity ties to India and the latter's status as a group belonging to the lowest rung of Nepali society. Although the new constitution was expected to alleviate these challenges, it has made little to no difference. The 2015 Constitution carries provisions that grant children of a Nepali father and a foreign mother to immediately pass citizenship by

74 Sarbari Deysarkar, 'The Madesi Citizenship And The New Constitution: Emerging Questions', *Proceedings of the Indian History Congress* 76, (2015): 686–692.

75 The Constituion of Nepal, 2015, Article 275.

76 National Statistics Office, *National Population and Housing Census 2021: National Report*.

77 Mahendra Lawoti, 'Constitution and Conflict: Mono-ethnic federalism in a Poly-ethnic Nepal', (2016).

‘descent’.⁷⁸ However, children of Nepali mothers and foreign fathers are subjected to more exacting requirements. This lopsidedness in the law makes it more difficult for Nepali women, particularly Madheshi women married to Indian men, to pass on citizenship to their children.⁷⁹ A recent amendment to the Citizenship Act of 2006 has made it simpler for foreign women married to Nepali men to obtain citizenship, removing the previously proposed seven-year period.⁸⁰ Additionally, it allows children of parents who obtained citizenship through birth, rather than descent, to receive citizenship as well. This move is critical for people of Madheshi heritage, who have suffered disproportionately under previous discriminatory laws.⁸¹ However, the amendment has remained caught in political deadlock, with detractors raising concerns that it would allow foreign entities—particularly those of Indian origin—to obtain citizenship. As a result, the previous president had declined to authenticate the changes to the citizenship law.⁸²

Social Participation and Representation of Minorities

Historical Context

The hierarchical order of the Hindu varna system was first legally established in Nepal through the Muluki Ain (Country Code) in 1854.⁸³ It legitimised caste-based discrimination and codified legal procedures and codes of practice based on categories of purity and pollution and the ascribed positions of various social groups in

⁷⁸ The Constitution of Nepal, 2015, Article 11(2).

⁷⁹ Jivesh Jha, ‘Madhesis are angry, worried and misinformed about the citizenship law’, *myRepublica*, accessed October 1, 2024, <https://myrepublica.nagariknetwork.com/news/madhesis-are-angry-worried-and-misinformed-about-the-citizenship-law/>.

⁸⁰ Shristi Karki, ‘Nepal’s Citizenship Amendment Bill Explained’, *Nepali Times*, June 9, 2023, <https://bitly.cx/FXO3>.

⁸¹ Karki, ‘Nepal’s Citizenship Amendment Bill Explained’.

⁸² Tika R Pradhan and Purushottam Poudel, ‘President rejects citizenship bill, tramples on the constitution’, *The Kathmandu Post*, September 21, 2022, <https://kathmandupost.com/national/2022/09/21/president-rejects-citizenship-bill-tramples-on-the-constitution>.

⁸³ Andras Hofer, *The Caste Hierarchy and the State in Nepal: A Study of the Muluki Ain of 1854* (Kathmandu: Himal Books, 2004), 9.

the caste hierarchy.⁸⁴ Socio-cultural customs and identities were dependent on the culture of elites in power, who sat at the top of the order, such that ethnic populations responded by imitating and adopting the cultural characteristics of those in power.⁸⁵ The Panchayat era, meanwhile, was characterised by a clear state imposition of the culture of high-caste *parbatiya* (hill-native) Hindus such that being Nepali was made synonymous with practising Khas Arya customs and traditions and internalising the ethos of dominant groups.⁸⁶ Several official measures, such as the requirement to wear Khas Arya dress for official purposes, the state's adoption of the one-language policy, and public political cultural symbols such as the annual Durga Puja or Dashain rituals, were part of this process of forced homogenisation.⁸⁷ Enforced assimilation, under the garb of national unity and harmony, legitimised this exclusion of the cultures and practices of indigenous and minority ethnic groups so that any claims to ethnic distinctiveness and identity were perceived to be anti-national.⁸⁸

Towards the end of the Panchayat regime, however, ample resentment from ethnic communities towards such homogenising efforts, along with the democratic movement of 1990, led the country towards the beginning of the path to social inclusion. Marginalised and minority communities together succeeded in establishing Nepal as a 'multi-ethnic and multi-lingual state' in the 1990 Constitution, and the following decade proved to be transformative in the rise of debates around social inequality and

84 Rajan Khatiwoda, Simon Cubelic and Axel Michaels, *The Mulukī Ain of 1854: Nepal's First Legal Code* (Heidelberg: Heidelberg University Publishing, 2021).

85 Joanna Pfaff-Czarnecka, 'Vestiges and Visions: Cultural Change in the Process of Nation-Building in Nepal', in *Nationalism and Ethnicity in a Hindu Kingdom*, eds. David N. Gellner, Joanna Pfaff-Czarnecka and John Whelpton (Amsterdam: Harwood Academic Publishers, 1997).

86 Richard Burghart, 'The Formation of the Concept of Nation-State in Nepal', *The Journal of Asian Studies* 44, no. 1 (November 1984), 101–125.

87 Bikash Gupta, 'One hat to rule them all: the dhaka topi and the subjugation of minority cultures in Nepal', *The Record*, January 10, 2021, <https://bit.ly.ws/3fWrk>; Pfaff-Czarnecka, 'Vestiges and Visions: Cultural Change in the Process of Nation-Building in Nepal'.

88 Joanna Pfaff-Czarnecka, 'Vestiges and Visions: Cultural Change in the Process of Nation-Building in Nepal'.

cultural discrimination.⁸⁹ While the constitution provisioned for the establishment of political parties and for public displays of religions other than Hinduism, in the post-1990 period, the Adibasi Janajati movement made significant attempts to revive their own cultural practices, histories, languages and religions through cultural politics.⁹⁰ The movement proposed that Nepal be a secular state instead of a Hindu one, that the national language, dress, holidays, etc, not come only from Hill Caste culture.

State Efforts Towards Minority Inclusion and Representation

Some steps such as allocating funds for programmes specifically aimed at Dalits and Adibasi Janajatis were taken during the 1990s in order to reduce social inequalities, but the Maoist insurgency is generally understood to be the driving force behind the state's consideration of issues of social participation and representation since social marginalisation was what had largely prompted the conflict.⁹¹ The years of conflict from 1996 to 2006 saw several proposed reforms that aimed to address issues related to religion, gender, ethnicity and class through legal, cultural and economic changes in the country.

When Nepal was declared a secular state in 2006, followed by the safeguarding of various rights including the right to equality and the right against discrimination based on caste, ethnicity, region, religion and gender in the Constitution of 2015,⁹² much hope for equality and fair representation for religious and ethnic minorities developed in the social landscape of the country. The Constitution guaranteed the right to language and culture, ensuring and emphasising every community's right to preserve and foster their language, culture, script, cultural heritage and civilisation.⁹³

89 Bipin Adhikari et. al., *From Exclusion to Inclusion: Crafting a New Legal Regime in Nepal* (Kathmandu: Social Science Baha and Himal Books, 2022), 6–7.

90 Cultural politics involves activities through which indigenous nationalities define and promote cultural practices of their own communities. See Susan I. Hangen, *The Rise of Ethnic Politics in Nepal: Democracy in the Margins* (Oxon: Routledge, 2010).

91 Adhikari et.al, *From Exclusion to Inclusion: Crafting a New Legal Regime in Nepal*.

92 The Constitution of Nepal, 2015, Article 4.

93 The Constitution of Nepal, 2015, Article 32(3).

The state's intent to promote and foster minority communities' socio-cultural identities and practices are evident in its efforts to protect minorities and cater to their needs through various strategies such as anti-discrimination laws,⁹⁴ facilitation of multilingual education during early years for children of ethnic minorities,⁹⁵ and public holidays for festivals associated with religious and ethnic minority communities. Public holidays were previously primarily given on Hill Hindu festivals.⁹⁶ However, after the declaration of Nepal as a secular state, these have included Christmas, Eid, new year celebrations according to different indigenous calendars, and Chhat that is generally celebrated by Madheshis along with a host of others, thus recognising the significance of these festivals for the respective communities while also representing them in the national cultural space.⁹⁷

Remnants of the Past and New Cultural Exclusions

Minority expression of culture and their representation in the national socio-cultural space through the provision of access and opportunities that promote and foster their growth is a pertinent factor in encouraging social equality. However, as noted by Joanna Pfaff-Czarnecka, 'pluralism does not preclude inequality'.⁹⁸ Despite the state's attempts to recognise diversity and allow it to thrive, these have provided only a semblance of social and cultural inclusion. In the survey conducted for this report, only 4.8 per cent of the respondents believed that minority groups did not face any social exclusion or discrimination in the country. A systemic

94 Caste-Based Discrimination and Untouchability (Offence and Punishment) Act, 2011.

95 Indra Mani Rai, 'Multilingual Education in Nepal: Policies and practices', *Siksha Biannual Educational Journal* 2, no. 47 (2018), 131–143; 'Multilingual instruction mode in schools is better, report says', *The Kathmandu Post*, July 14, 2023, <https://bitly.cx/1d4m>.

96 Mahendra Lawoti, 'Racial Discrimination Toward the Indigenous Peoples in Nepal: Nongovernment Report for the Third World Conference Against Racism', Paper presented at the *National Conference of the NPC, Kathmandu, 2001*.

97 Ministry of Home Affairs, 'Holiday List', Nepal Gazette 5, no. 54 (2024), <https://bitly.cx/cwRCnj>.

98 Joanna Pfaff-Czarnecka, 'Vestiges and Visions: Cultural Change in the Process of Nation-Building in Nepal', 461.

domination of the Khas-Arya and Hindu culture, a remnant of a historical past that attempted to represent Nepal as a homogenous whole, thus persists. This is evident in continual caste-based discrimination against Dalits: in access to public spaces⁹⁹ and temples,¹⁰⁰ in the non-execution of equal cultural rights provided to them,¹⁰¹ and in the continued existence of practices associated with untouchability,¹⁰² all of which were also corroborated by responses in the survey which asked to elaborate on discriminatory and exclusive practices with examples. A majority of respondents reported caste discrimination, with examples of untouchability and restrictions from certain public and religious spaces as well as difficulty finding rented accommodations.

Discrimination and marginalisation based on ethnicity, language, cultural differences and religion continue to pervade. Members of minority religious communities have reported that local authorities turned a blind eye to encroachment on their burial properties by Hindu neighbours.¹⁰³ Furthermore, proselytisation continues to be legally prohibited in Nepal with violations resulting in imprisonment of up to five years and a fine of up to NPR 50,000 (USD 369),¹⁰⁴ such that news on detentions of Christians accused of proselytisation continues to surface¹⁰⁵ but more importantly, reports also state that the persecution of Christians has been

99 Gauri Nepali, 'Lying to survive: Dalits in urban life', *Record Nepal*, April 20, 2019, <https://bitly.cx/GW86Q>.

100 Mitra Pariyar, 'Dashain and Dalits', *The Kathmandu Post*, October 16, 2023, <https://bitly.cx/fYUJv>; National Dalit Commission, *Annual Report 2077/78* (Lalitpur: National Dalit Commission, 2021).

101 'Jilla Samanwe Samti Upa-pramukh Bhanchin: Marepachi Pani Dalit Mathi Bibhed Huncha' (Dalits are Discriminated Even After Death), *Onlinekhabar*, April 4, 2023, <https://www.onlinekhabar.com/2023/04/1287758>.

102 'No-one cares: Descent-based discrimination against Dalits in Nepal', Amnesty International, accessed February 21, 2025, <https://www.amnesty.org/en/documents/asa31/7980/2024/en/>; Tika R Pradhan, 'The caste struggle: Discrimination rife despite laws in place', *The Kathmandu Post*, June 4, 2022, <https://bitly.cx/RGRt>.

103 United States Department of State, *Nepal 2022 International Religious Freedom Report* (United States: 2022), <https://bitly.cx/FGde>.

104 The exchange rate is for November 7, 2024.

105 'Nepali Christians face trial under stringent anti-conversion law', *UCANews*, April 5, 2024, <https://bitly.cx/A6bo>.

rampant and unchecked.¹⁰⁶ Moreover, the prohibition of cow slaughter and related hearings¹⁰⁷ and arrests,¹⁰⁸ political leaders regularly and very publicly embracing Hindu beliefs, symbols, and celebrations,¹⁰⁹ and the various ostentatious celebrations around the Ram temple inauguration in India which were followed by unrest and hostility against religious minorities in the Terai region in Nepal,¹¹⁰ point to the pervasiveness of Hindu hegemony across public social and cultural life. Pressure and surveillance from Hindu extremists both within and outside the country have thus put the livelihoods and religious and cultural freedoms of minority religious groups at considerable risk.¹¹¹

Adibasi Janajatis, too, face the consequences of this environment having been repeatedly misrepresented in the national census,¹¹² and having to hold back on performing their traditional customs and rituals due to Hindu cultural domination.¹¹³ In addition, their representation in public institutions, media and newsrooms have

106 Open Doors International/World Watch Research, *Nepal: Full Country Dossier* (Open Doors International, 2024), <https://www.opendoors.org/en-US/research-reports/country-dossiers/WWL-2024-Nepal-Full-Country-Dossier.pdf>.

107 Shiva Hari Gyawali, 'Criminalization of cow-slaughter is a tool of caste terror', June 14, 2019, <https://www.recordnepal.com/criminalization-of-cow-slaughter-is-a-tool-of-caste-terror>.

108 'Three arrested for calf slaughter in Bhaktapur', *myRepublica*, April 30, 2024, <https://bitly.cx/XbR9fT>.

109 Shubhanga Pandey, 'Nepal's Hindutva Moment', *Jacobin*, June 16, 2024, <https://jacobin.com/2024/06/nepal-hindutva-religion-constitution-india/>; Birat Anupam, From India to China, Nepal's Maoist Prime Minister Displays His Hindu Diplomacy, *The Diplomat*, March 13, 2024, <https://bitly.cx/ruTN>; Chiara Letizia, 'Secularism and Statebuilding in Nepal', in *Two Steps Forward One Step Back: The Nepal Peace Process*, eds. Deepak Thapa and A. Ramsbotham (London: Conciliation Resources, 2017).

110 Gopal Dahal, 'Sunsari's Hindu-Muslim dispute linked to the temple of Ayodhya', *Himal Khabar*, April 16, 2024, <https://thesouthasiacollective.org/bulletins/sac-bulletin-11-january-to-may-2024/#pk>.

111 Mara Malagodi, 'Holy Cows and Constitutional Nationalism in Nepal', *Asian Ethnology* 80, no. 1 (2021): 93–120; 'Nepal: Increasing pressure from both government and Hindu extremists', *Open Doors*, May 14, 2024, <https://bitly.cx/TP3VY4>.

112 Ganesh Rai, 'Repeated misstatements in census data', *Kantipur*, June 6, 2023, <https://ekantipur.com/news/2023/06/06/168603399108632292.html>.

113 ICJ, *Challenges to Freedom of Religion or Belief in Nepal: A Briefing Paper* (July 2018), 22.

been found to be incredibly low,¹¹⁴ such that the socio-cultural identities and ideologies of minority groups are bound to be underrepresented. Studies have shown that individuals from minority groups felt stereotypically represented in mainstream media as outsiders or as being culturally abnormal,¹¹⁵ highlighting the role that media and public discourses play in the identity construction and alienation of minorities. Individuals from minority groups have also come out and expressed their frustration regarding the racism they experience throughout their social lives such that those with names that sound Tibetan even choose to give their children typically Nepali names and surnames.¹¹⁶ Members of these communities are thus forced to deny their ethnic identities and heritage in order to survive and participate in Nepali society due to the prejudiced lenses they are viewed from.

The Madheshi community also continues to be defined as a group hailing originally from India and thus abused regularly on social media¹¹⁷ and off of it¹¹⁸ with racial slurs such as *dhoti*¹¹⁹ and *bhaiya*¹²⁰ as well as instigations for them to ‘go back to India’. Individuals from the community are thus subjects of abuse based on their regional identity, such that the term ‘Madheshi’ has been

114 Kundan Aryal, ‘Diversity in the Newsroom’, *The Rising Nepal*, December 4, 2024, <https://old.risingnepaldaily.com/opinion/diversity-in-the-newsroom#>; ‘Voice of the Entire Nation’, *Nepali Times*, May 3, 2023, <https://nepalitimes.com/news/voice-of-the-entire-nation>.

115 Guru Prasad Poudel, ‘Representation and Identity Construction of Ethnic Minorities from Discourses in Government Media’, *Shiksha Shastra Saurabh: The Journal of Educational Research* 21, (2018): 91–99, <https://www.nepjol.info/index.php/sss/article/view/35101>.

116 Dorje Gurung, ‘Oh, What’s in A Name’, October 11, 2017, <https://www.dorjegurung.com/blog/2017/10/oh-whats-in-a-name/>.

117 Aditi Jha, ‘Euta Katha: Namitho Bhedbhav ko, posted July 3, 2023, by the Storytellers’, YouTube, 12:30, <https://www.youtube.com/watch?v=2t8xKYV7KWU>.

118 Sushant Nepali, ‘How language reflects social and racial prejudices against Madhesh’, *myRepublica*, 2023, <https://bitly.cx/kkDlh>; The Instagram post includes a photo of a member from the Madheshi community with the description sharing her experiences of being labelled as a ‘dhoti’ in Nepal (@thefproject.nepal, July 16, 2021), <https://bitly.cx/W69k8I>.

119 The term refers to a piece of cloth used as a lower garment for males and is tied around the waist, typically worn in India.

120 The term denotes ‘brother’ in Hindi, a language primarily used in Northern India.

contorted into ‘Madhise’ to be used as a derogatory slur. Their representations in Nepali movies and television are also bound by cultural stereotypes, while similar reports have been made about Adibasi Janajati characters as well.¹²¹

Likewise, the prevalence of Nepali as the primary language of communication in the public space and the predominant exclusion of indigenous languages from the media further marginalises minority groups from participating and being represented in general public discourse, also leading to an abandonment of ethnic languages as evident from a majority of Nepal’s population reporting Nepali as their mother tongue.¹²² While the right to primary education in one’s mother tongue in the 2015 Constitution has been welcome, the lack of a coherent understanding and execution of such a guarantee across the country¹²³ is a serious oversight in the attempt to equalise opportunities for children of ethnic minorities and to preserve indigenous languages and cultures. When asked if minority groups had access to quality education, only 7.9 per cent of respondents in the online survey gave a definitive ‘Yes’ and 63 per cent of the respondents believed that language barriers and social/cultural prejudices were some of the major hindrances to this access. The lack of ethnic cultural representation is also visible in the focus on Hindu symbols and mythological characters in Nepali subject textbooks, such that despite an effort to include diversity in terms of ethnicity and religion in educational materials, the inclusion remains superficial.¹²⁴

121 Ankit Khadgi, ‘When it comes to portraying ethnicity, Nepali pop culture still depends on stereotypical tropes’, *The Kathmandu Post*, July 16, 2020, <https://tkpo.st/2Wmif6K>; Srizu Bajracharya, ‘Does blackface have a place in Nepali comedy? Probably not’, *The Kathmandu Post*, September 1, 2019, <https://bitlycx/1Tl44>.

122 National Statistics Office, *National Population and Housing Census 2021: National Report* (Kathmandu: Government of Nepal, 2023).

123 ‘Multilingual instruction mode in schools is better, report says’, *The Kathmandu Post*, July 14, 2023, <https://bitly.cx/1d4m>.

124 Apurwa Baral, Sanjit Shrestha and Sudeshna Thapa, ‘State of Implementation of International Human Rights Standards in Nepal and the Implications for Minorities’, in *Weakening Human Rights Commitments and Its Impact on Minorities*, (Kathmandu: SAC, 2023), <https://thesouthasiacollective.org/wp-content/uploads/2023/03/SASM2022.pdf>.

Cultural symbols associated with the Hill Castes continue to manifest in the Nepali cultural space as evident in most political leaders' championing of the *daura-suruwal* during official events, despite its reputation as a hegemonic symbol of enforced unity from the Panchayat era.¹²⁵ A look into most tourism and Nepali culture-related articles also reveals *daura-suruwal* and *dhaka topi* as the national attire for men and the *gunyo-cholo* or *sari* for women, with only a cursory mention of the variety of ethnic dresses worn in the country.¹²⁶ Similarly, a 'dal-bhat' hegemony pervades the conversation about what Nepali cuisine consists of, where the state continues to identify rice and lentils as the 'staple' 'Nepali' meal¹²⁷ and social media is rife with content claiming momo as the best Nepali food.¹²⁸ Such ignorance of the culinary diversity that exists in the country is evident in the approximately five million views received by a video that debates how eating or pronouncing 'momo' a certain way defines one's Nepaliness.¹²⁹

Minority Participation and Making Space For Themselves

Increasing efforts from indigenous and minority groups have taken place, however, to amplify their histories, knowledge and culture so as to participate and represent themselves and their communities better in the social domain.¹³⁰ While almost 97 per

125 Pinki Sris Rana, 'Daura Suruwal: The evolution of Nepal's official dress', *Nepali Times*, July 6, 2024, <https://nepalitimes.com/multimedia/dauraa-suvaal>.

126 Juliana Marchian, 'Dressing like a local in Nepal', *Inside Himalayas*, July 11, 2022, <https://www.insidehimalayas.com/dressing-like-a-local-in-nepal/>; 'Brief History of the National Dress of Nepal', *Hop Nepal*, April 28, 2022, <https://www.hopnepal.com/blog/brief-history-national-dress-nepal>.

127 'Discover a world of flavors in Nepal, from wholesome dal-bhat to popular momos & more', Nepal Tourism Board, accessed August 5, 2024, <https://ntb.gov.np/things-to-do/food-&-culinary>.

128 The Instagram post includes a short clip showing two men from the Nepali diaspora rating their preference for the top three Nepali food with momo being placed at no.1. (@minority_report, August 20, 2024), <https://bitly.cx/mrDw>.

129 The Instagram post includes a short clip showing two men from the Nepali diaspora debating whether it is pronounced 'momo' or 'momos' (@minority_report, June 20, 2024), <https://bitly.cx/PIlfl1>.

130 Dev Kumar Sunuwar, 'Indigenous Television: A Voice for Marginalized Indigenous Peoples in Nepal', *Cultural Survival*, November 21, 2021, <https://www.culturalsurvival.org/news/indigenous-television-voice-marginalized-indigenous-peoples-nepal>; Dev Kumar Sunuwar, 'Indigenous Language Journalism in

cent of the survey respondents said that minorities are able to participate in public life in Nepal to some degree, such efforts are most noticeable in the preservation of indigenous food cultures, language, art and heritage. Cookbooks representing the ethnically diverse cuisines of the country, projects aiming to preserve indigenous food heritage,¹³¹ and festivals like ‘Indifluence’ that hosted cuisines from Tharu, Sunuwar, Magar, Tamang, Limbu, Chhantyal and Newar communities may prove to be critical points of departure to challenge and reconsider stereotypically accepted national food symbols. Similar efforts are being made to preserve indigenous ethnic languages and a variety of Nepali scripts such as Nepal, Bhujinmol and Nepalbhasa by youth groups who conduct classes and workshops on these,¹³² as well as through community-led initiatives such as nepalbhasa.org which is working to preserve Nepalbhasa or the Newa language by documenting and preparing an online dictionary as well as developing an app for the same.¹³³ Furthermore, young individuals are finding creative ways to express their unique identities as was done in Nepal’s first *Awadhi* rap called ‘*Dhaka-Dhoti*’.¹³⁴ Likewise, others are promoting knowledge about the attires adorned by different ethnic communities in Nepal through sketches on social media that are accompanied by descriptions of the life and culture of the respective communities.¹³⁵

Nepal: A Vital But Challenged Landscape’, Cultural Survival, July 18, 2024, <https://www.culturalsurvival.org/news/indigenous-language-journalism-nepal-vital-challenged-landscape>; Aarai Ray, ‘A vocal champion of indigenous rights’, the Kathmandu Post, April 20, 2024, <https://kathmandupost.com/art-culture/2024/04/22/a-vocal-champion-of-indigenous-rights>.

131 ‘Preservation of Indigenous Food Heritage in Nepal’, British Council, accessed August 6, 2024, <https://cultural-protection-fund.britishcouncil.org/projects/preservation-indigenous-food-heritage-nepal>; Draupadi Subedi, *Indigenous food practices within RERP working areas* (Kathmandu: Government of Nepal & IFAD, 2023) https://rerp.moics.gov.np/storage/download_file/oayVvOIBoUyCGdgzg3gvlIdY724MyT7kuGBcCzPm.pdf.

132 See <https://www.facebook.com/callijatra/>.

133 See <https://www.nepalbhasa.org/>.

134 Ankit Khadgi, ‘When art meets activism: How “Dhaka-Dhoti”, Nepal’s first Awadhi rap, came to be’, *The Kathmandu Post*, July 28, 2020, <https://bitly.cx/mZC580>.

135 The Instagram post includes a set of three photos, the first one being an illustration of a couple from the Sunuwar community, the second one illustrating a dish from their cuisine, and the third one giving a brief description of the

Corresponding strides have also been made to preserve indigenous cultural practices such as that of brewing the Newari 'aylā',¹³⁶ while other initiatives continue to work with indigenous food heritage by bringing in ingredients and recipes from a variety of different communities.¹³⁷ Also transparent is a growing momentum towards the protection and revival of indigenous art¹³⁸ and heritage¹³⁹ that indicates an increased impetus among minority communities seeking to make space for themselves. Art centres and spaces alike are progressively more focused on bringing to the forefront and archiving cultural and heritage materials that are deeply connected to local and ethnic communities while making sure to interact with pertinent social issues like caste, indigeneity, gender and more.¹⁴⁰ Workshops on the traditional Tibetan Buddhist *thangka* paintings, the Newa *paubha* paintings and miniature mask painting, as well as the showcasing of films and documentaries that focus on indigenous stories, culture and land, are proof of such endeavours.¹⁴¹ These spaces permanently host art exhibitions

community (@taragaonnext, November 10, 2024), <https://bitly.cx/xDnd>; The Instagram post includes a set of three photos, the first one being an illustration of a couple from the Limbu community, the second one illustrating a dish from their cuisine, and the third one giving a brief description of the community (@taragaonnext, November 5, 2024), <https://bitly.cx/pgtQsT>.

136 'Rhizomas', MFA Kathmandu University, 99, <https://kuart.edu.np/wp-content/uploads/2024/07/MFA-Catalogue.pdf>.

137 Thomas Heaton, 'This restaurant is challenging the notion that Nepali food is just momos and dal bhat', *The Kathmandu Post*, April 1, 2019, <https://bitly.cx/HFVM>.

138 Dev Sunuwar and Anoj Tharu, 'A Tradition Under Threat: Tattoo Arts of Indigenous Women in Nepal', *Cultural Survival*, May 31, 2023, <https://bitly.cx/5wT1S>; 'Preservation and revival of Maithil women's wall painting and sculpting arts', British Council, accessed August 6, 2024, <https://bitly.cx/8HbHFW>.

139 'Towards Protecting the Cultural Heritage in the High Himalayas of the Shey Phoksundo National Park of Dolpo', British Council, accessed August 7, 2024, <https://cultural-protection-fund.britishcouncil.org/projects/high-himalayas-shey-phoksundo-national-park-dolpo>.

140 Ankit Khadgi, 'How an art centre is preserving—and questioning—Nepal's culture', *The Kathmandu Post*, February 24, 2022, <https://bitly.cx/TAP2yR>; Taragaon Next, <https://taragaonnext.com/>.

141 'WORKSHOP : Preservation of Traditional and Contemporary Paubha and Thangka', Taragaon Next, <https://taragaonnext.com/events/workshop-preservation-of-traditional-and-contemporary-paubha-and-thangka/>; 'INDIFLUENCE : Mask painting workshop', Taragaon Next, <https://taragaonnext.com/events/indifluence-mask-painting-workshop/>.

around cultural identity by young artists, and recent art series have even prompted dissent against stereotypical ideas about marginalised minority groups such as the Tharu people.¹⁴² Through such art exhibitions, young artists challenge prevailing narratives about their communities and amplify the voices of marginalised groups, highlighting the broader social dynamics that influence their visibility and participation in society. The social and spatial accessibility of minority communities—and, by extension, their participation and representation in Nepali society—depends not only on their resilience and struggle to preserve their rights, identities and culture, but also on the state’s support for their efforts and the broader society’s willingness to acknowledge their truth and presence.

Way Forward

While legal frameworks prohibit economic, social and political exclusion of vulnerable groups, attitudes toward minorities—particularly Dalits—continue stigmatisation associated with their ‘caste’ and undermine their status and dignity. This prejudice carries through in public life, creating systemic barriers to their participation and broader representation. For instance, despite constitutional and electoral quota guarantees for minority groups in the country, significant disparities exist in their implementation. Further challenges arise due to limited availability of data, political apathy towards minority concerns and curtailed civil society involvement. Without addressing these fundamental challenges, representation and involvement in the economic, social and political spheres would likely be superficial. Any success necessitates the participation of diverse viewpoints, which are required not only for long-term results but also for cultivating a justice-based society. In this regard, the following suggestions are offered for each of the relevant stakeholders.

¹⁴² Sanjib Chaudhary, ‘Art series sheds light on the marginalization of indigenous Tharus in Nepal’, Global Voices, May 27, 2020, <https://globalvoices.org/2020/05/27/art-series-sheds-light-on-the-marginalization-of-indigenous-tharus-in-nepal/>.

To the Government:

- Collect disaggregated data on marginalised groups to inform policies for inclusion.
- Develop economic policies that ensure equitable access to resources for minorities in the education, healthcare and financial sectors.
- Ensure compliance with minority quotas in civil service, law enforcement and other government agencies, and establish an evaluation system that supports the advancement of minorities into decision-making roles.
- Initiate legal reforms to ensure fair representation in the national parliament, provincial assemblies and local levels.
- Utilise oversight mechanisms to ensure that policy implementation is consistent with legal and constitutional commitments to inclusion.
- Strengthen the power and authority of mandate-specific commissions and provide adequate resources.

To Political Parties:

- Implement internal policies promoting minority inclusion in decision-making roles and ensure diversity in ticket distribution for direct election.
- Carry out outreach efforts specifically engaging minority communities to encourage awareness and political participation.
- Develop training and capacity-building programmes for minority leaders holding political office at all levels of government.

To Civil Society:

- Raise advocacy efforts for awareness about the rights of minorities and provide capacity-building training(s) for politicians and civil servants with minority backgrounds.
- Act as a watchdog by monitoring and recommending inclusive policies to the government and political parties.

Pakistan: The State of Economic, Political and Social Participation

Elaine Alam

Pakistan is a country with a rich mosaic of religious, ethnic, and gender diversity, shaped by centuries of cultural, historical, and political influences. Despite the nation's commitment to equality, as enshrined in its Constitution, the socio-economic and political inclusion of minorities remains a critical issue. Religious minorities such as Christians, Hindus, Ahmadiyyas, and Sikhs, along with ethnic minorities like the Baloch, Pashtuns, and Hazaras, continue to face systemic challenges. Furthermore, gender minorities, including women and transgender individuals, experience compounded discrimination across economic, social, and political spheres. These intersecting forms of marginalisation significantly affect the development of an inclusive and representative state.

This report aims to explore the current state of the political, social, and economic participation of minorities in Pakistan, focusing on the challenges, disparities, and ongoing efforts for improvement. It examines the role of religious, ethnic, and gender minorities in Pakistan's modern landscape, highlighting the barriers that impede their integration into mainstream society and the opportunities for progress. The findings are intended to provide a comprehensive understanding of the complex dynamics that affect minority participation and the implications for Pakistan's development as a diverse and inclusive nation.

In any society, the inclusion of minority groups is essential for fostering equality, social justice, and sustainable development. Minority participation not only enhances the socio-economic fabric of a country but also strengthens its political institutions by promoting diversity of thought and representation. However,

the exclusion and marginalisation of minorities leads to social fragmentation, economic inequality, and political instability. In Pakistan, the equitable participation of minorities remains critical for national cohesion, democratic governance, and economic progress.

The Constitution of Pakistan guarantees equal rights for all citizens, including protection from discrimination based on religion, ethnicity, or gender. However, in practice, the full realisation of these rights has remained elusive for many minority groups. Persistent socio-political inequalities, economic disparities, and legal limitations continue to hinder the participation of these communities in national life. In this context, an in-depth examination of the current situation of Pakistan's minorities is crucial for understanding the root causes of exclusion and for identifying pathways to greater inclusion.

The primary objective of this report is to assess the extent of minority participation in Pakistan's economic, social, and political spheres. This report specially examines the economic participation of minorities, focusing on their access to employment, entrepreneurship opportunities, and economic mobility; analyses the social participation of minorities, including their access to education, healthcare, social services, and cultural inclusion, while exploring the impacts of discrimination, prejudice, and legal challenges; and assesses political participation of minorities, including representation in government, policy-making processes, and participation in civic engagement, while highlighting the effectiveness of quota systems and the role of minority leadership in the political landscape. By addressing these three areas, the report aims to contribute to a broader understanding of the systemic issues affecting minority participation and to offer potential policy recommendations to improve inclusivity in Pakistan.

This report also utilised a short primary questionnaire survey to take stock of the impressions of academics, government officials, religious minority representatives, and human rights defenders on economic, social, and political representation of minorities.

Religious minorities in Pakistan, including Christians, Hindus, Ahmadiyyas, and Sikhs, constitute roughly 4 per cent of the total

population. Despite their small proportion, these communities have historically contributed to the country’s social, cultural, and economic development. However, they often face systemic discrimination, social marginalisation, and legal obstacles. Pakistan’s blasphemy laws, in particular, have been used as tools of persecution against religious minorities, creating an environment of fear and insecurity. Economic exclusion, limited access to quality education, and under-representation in the political sphere are among the primary challenges faced by religious minorities.

Based on our primary outreach and responses received, the following is the profile of respondents:

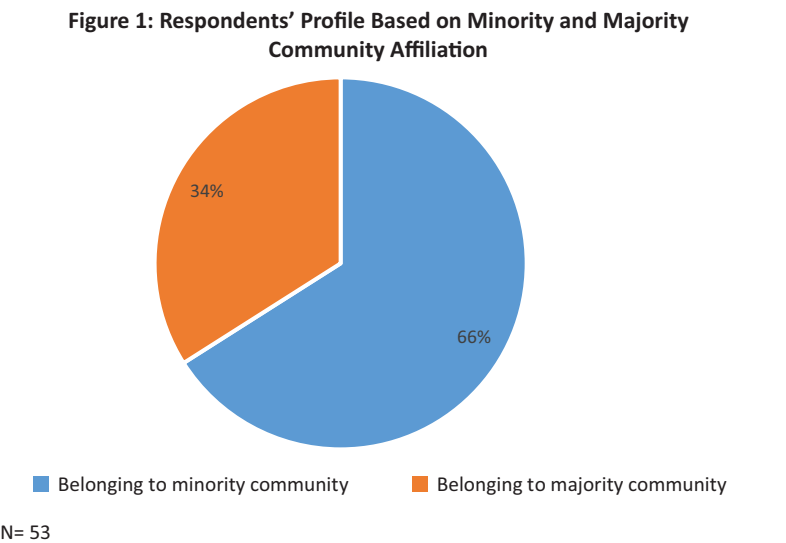


Figure 1: Respondent’s profile based on their affiliation with minority or marginalised groups. The survey also asked respondent’s to indicate their minority ethnic affiliation, the overwhelming majority were Christian followed by Hindu, Ahmadi, transgender women, and Ismaili groups.

Ethnic minorities, such as the Baloch, Pashtuns, Sindhis, Muhajirs, and smaller groups like the Hazaras and Kalash, have distinct cultural and linguistic identities that have historically shaped Pakistan’s regional dynamics. However, the economic and

political marginalisation of these groups, particularly in conflict-prone regions such as Balochistan and Khyber Pakhtunkhwa, has led to deep-seated grievances. Despite Pakistan's diverse ethnic landscape, ethnic minorities continue to face exclusion from key aspects of national development. Economic underdevelopment in minority-dominated regions, social stigmatisation in urban areas, and political alienation hinder their full participation in national life.

Gender minorities, including transgender individuals and women from religious and ethnic minorities, face multi-layered discrimination in Pakistan. Although recent legal reforms, such as the Transgender Persons (Protection of Rights) Act of 2018, have sought to improve the inclusion of transgender people, societal prejudices and implementation challenges persist. Subsequently, multiple petitions were filed in the Federal Shariat Court challenging the Act's compatibility with Islamic teachings. In May 2023, the Court ruled that sections related to self-perceived gender identity and the right of inheritance were not in conformity with Islamic principles, leading to the annulment of these provisions.

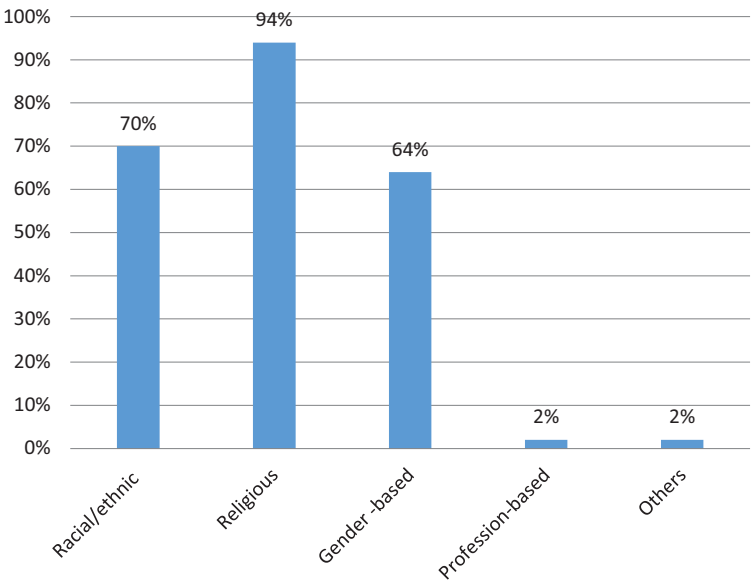
Transgender individuals continue to face widespread discrimination in employment, healthcare, and social services, with many relegated to marginalised forms of work. Women, particularly from religious and ethnic minority communities, face compounded challenges of gender inequality, economic exclusion, and restricted access to education and political participation. Forced conversions, early marriages, and gender-based violence remain significant issues affecting minority women.

In 2024, the situation of minorities in Pakistan reflects a complex interplay of historical, socio-political, and economic factors that have contributed to their marginalisation. Some of the key challenges that impede the economic, social, and political participation of minorities include:

- Economic exclusion: Limited access to quality education, discriminatory employment practices, and restricted economic mobility are major barriers for minorities in Pakistan.

- **Social marginalisation:** Discrimination, social stigma, and legal challenges, such as the misuse of blasphemy laws, continue to marginalise religious minorities, ethnic groups, and gender minorities, limiting their participation in society.
- **Political under-representation:** Despite reserved seats for minorities in national and provincial assemblies, their political influence remains limited. Many minority representatives face structural constraints that hinder their ability to advocate for substantial policy reforms. The political representation of religious minorities, though visible, remains largely symbolic. Genuine participation in mainstream politics and meaningful representation in decision-making positions are still far from being achieved.
- **Security and violence:** Minority groups, particularly religious and ethnic minorities, continue to be targets of sectarian violence, extremist attacks, and forced conversions, which further exacerbate their exclusion from economic, social, and

Figure 2: Discrimination Types that Minority Groups are Most Vulnerable to Facing



Note: Multiple responses.

political life. Religious and ethnic minorities face insecurity both in life and in death, as graveyards belonging to the Ahmadiyya and Kalash communities are regularly desecrated.

According to the respondents/experts, the most severe form of discrimination is based on religion, followed by racial/ethnic and gender-based (Figure 2). Since both religious and racial and ethnic ideology takes precedence in most of Pakistani society, women face intersectional discrimination because of their gender as well as their religious and/or racial/ethnic group identity.

Political Participation

This section will analyse the current status of minority representation in Pakistan's political system, identify barriers that hinder greater participation, and explore initiatives that aim to foster an inclusive political environment. Through targeted reforms and increased advocacy, Pakistan can ensure that its minorities play a more significant role in shaping the nation's democratic future.

Political Representation

The under-representation of religious, ethnic and gender minorities in local, provincial, and national legislative bodies is a reflection of broader socio-political exclusion.¹ While Pakistan's electoral system reserves seats for minorities in the National Assembly and provincial assemblies, these positions offer limited influence over policy-making, and minority communities often lack a meaningful voice in governance. The current structure limits their influence on legislative processes and policy formulation, as their numbers are low relative to the overall population. This under-representation is most apparent in legislative assemblies, where minority groups are relegated to a limited number of seats, effectively curtailing the capacity to influence decision-making. The Constitution itself is important to note that Pakistan's political system is inherently

¹ Tan, N. and C Preece (2021), 'Ethnic quotas, political representation and equity in Asia Pacific', *Representation*, 58(3), 347–371. <https://doi.org/10.1080/00344893.2021.1989712>.

biased, as Article 41(2) and Article 91 of the Constitution² restricts key positions such as the president, prime minister, and speaker of the National Assembly to Muslims dominated by elite capture, leaving minorities excluded from the highest offices in the state.³ Article 41 (2) states: ‘A person shall not be qualified for election as President unless he is a Muslim’ and Article 91 states: ‘After the election of the Speaker and the Deputy Speaker, the National Assembly shall, to the exclusion of any other business, proceed to elect without debate one of its Muslim members to be the Prime Minister’, leaving little room for religious minorities—who are often economically disadvantaged—to participate meaningfully in mainstream politics. Their representation largely depends on the two major political parties, and when in power, they tend to align with the party agenda rather than advocating for the rights and interests of the minority communities they represent in parliament.

About a third of the respondents/experts feel that there is opportunity for minority groups to seek representation through elections while about the same number of respondents felt that the minority groups can sometimes participate for elections (Figure 3). Only about one-fifth of the respondents felt that they are mostly able to participate in the elections. This paints a dismal picture of the minority groups’ ability to participate in the elections, which would ensure that their voices are heard in the state assemblies.

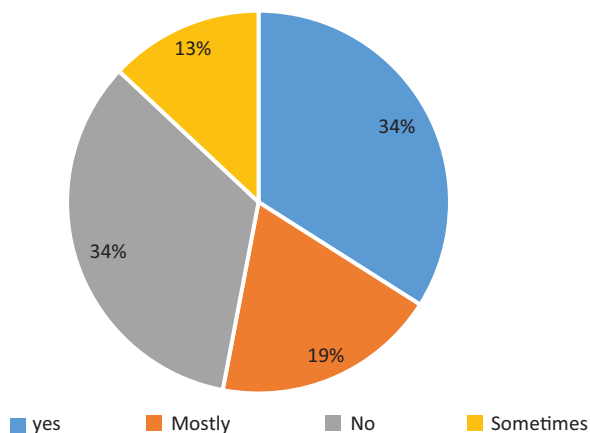
Despite the picture painted above, one of the respondents felt that the results of the reservation policies, efforts by civil society organisations, and growing use of social media have enabled the minority groups to participate in elections:

The participation of minority groups in local and sub-national elections in my country has been driven by a combination of legal protections, advocacy efforts, and societal changes. Anti-discrimination laws and electoral reforms, such as reserved seats or quotas, have ensured representation for minorities in local

² *Constitution of the Islamic Republic of Pakistan, 1973.*

³ ‘Pakistan: Religious minority representation in political process conspicuously absent’, Asian Human Rights Commission, September 2, 2016, <http://www.humanrights.asa/news/ahrc-news/AHRC-STM-130-2016/>.

Figure 3: Opportunity for Minority Groups to Participate in Elections (Local and Sub-National)



N= 53

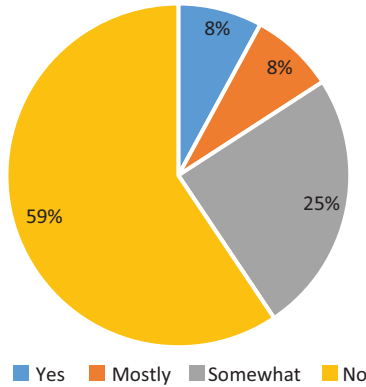
governance. Additionally, measures like multilingual ballots and voting assistance have made the electoral process more accessible, removing barriers for marginalised communities. Grassroots organisations and civic education campaigns have also played a crucial role in empowering minorities to understand their rights and actively engage in the democratic process. Moreover, the growing inclusion of minority candidates by political parties has inspired greater participation, as voters see their communities represented in leadership roles. Social and cultural shifts, along with media representation, have further normalised minority engagement in politics, reducing stigma and encouraging broader involvement. Economic mobility and the use of technology, such as social media for organising and advocacy, have also amplified minority voices in local elections, creating a more inclusive and participatory political landscape.

However, only 8 per cent of the respondents feel that minority voices are represented in the political arena, but 60 per cent of them feel that their voices are mostly represented (Figure 4). A quarter of them feel that their voices are somewhat represented

in the political arena. This inability of the minority voices to be represented in the political arena is mainly due to the structure of the political representation system through elections in Pakistan, where the minority reservation quota is not sufficiently large enough to represent their voices, besides the systemic repression of the minorities in all spheres of society.

An analysis of the allocation of seats within the National

Figure 4: Representation of Minority Voices in the Political Arena



N= 53

Assembly, provincial assemblies and the local government system makes the extent of this under-representation evident. Article 51 of the Constitution of Pakistan specifies a total of 336 seats in the National Assembly, which include those reserved for non-Muslims and women.⁴ Of the total 336 seats in the National Assembly, only 10 seats are reserved for religious minorities, constituting a mere 2.98 per cent of the overall representation. Khyber Pakhtunkhwa has a designated allocation of 55 seats, representing 16.37 per cent of its total for ethnic minorities, while Balochistan is allocated 20 seats, accounting for 5.95 per cent of its representation. There are 60 seats reserved for women, and designated seats exist for other gender minorities in the National Assembly.

Minorities are similarly under-represented in the country's

⁴ The Constitution of the Islamic Republic of Pakistan, 1973.

four provincial assemblies.⁵ Of the total 371 seats in the Punjab Assembly, Pakistan's largest provincial assembly by population, only 8 seats are reserved for religious minorities, constituting a mere 2.1 per cent of the total while 66 seats are reserved for women, representing only 18 per cent of the total seats. In the 168-member Sindh Assembly, 9 seats are allocated for religious minorities, accounting for 5.36 per cent the total, while 29 seats are reserved for women. The Khyber Pakhtunkhwa Assembly has a total of 124 seats, with only 3 seats reserved for religious minorities, representing 2.42 per cent of the total while 22 seats are reserved for women. Of the 65 seats in the Balochistan Assembly, 3 are reserved for religious minorities, making up 4.62 per cent of the total seats and 11 seats are designated for women. Notably, 1 of the 3 seats reserved for religious minorities is currently vacant.⁶

Reserved seats for women in Pakistan are intended to address historical disenfranchisement and systemic barriers, such as religious restrictions, social norms, and violence⁷ although the allocation of seats does not inherently guarantee protection of women's rights and interests or dismantling of cultural barriers, as achieving these goals requires comprehensive social, economic, and political reforms. Given that women often face challenges in securing elected positions, the establishment of reserved seats serves as a critical mechanism to bridge this gap, enabling them to influence policy- and decision-making processes.⁸

While the allocation of these seats was not explicitly time-bound, it was intended to facilitate the political inclusion of religious and gender minorities. The goal was to integrate them into legislative assemblies, gradually dismantle systemic barriers, and ultimately ensure their full participation in decision-making bodies. However,

⁵ 'International Foundation for Electoral Systems', National Assembly of Pakistan, accessed January 4, 2025, <https://www.na.gov.pk/en/content.php?id=2>.

⁶ 'Provincial Assembly of Balochistan', Members of Assembly, accessed January 4, 2025, <https://www.pabalochistan.gov.pk/list-members>.

⁷ 'Proportion of seats held by women in parliament in Pakistan', accessed January 4, 2025, <https://www.statista.com/statistics/730579/pakistan-proportion-of-seats-held-by-women-in-national-parliament/>.

⁸ *National Report on The Status of Women In Pakistan, 2023-A Summary* (United Nations Women, 2023).

even after six decades, religious and gender minorities continue to face significant challenges in securing elected positions, with limited representation in policy- and decision-making spaces. In terms of other gender minorities, despite the legal recognition of transgender individuals in Pakistan, they currently do not have any reserved seats in any level of the government.⁹ A recent plea in the Peshawar High Court highlighted the need for allocated seats for transgender persons, emphasising that while seats are reserved for women and religious minorities, the same consideration is absent for this community. Advocates argue that establishing representation is crucial for safeguarding the rights of transgender individuals and ensuring their voices are included in the legislative processes.¹⁰

With regard to representation of minorities in local governments, Article 32 of the Constitution guarantees the participation of marginalised groups, including women and religious minorities, in local government elections.¹¹ Local government in Pakistan has undergone significant reforms, notably with the introduction of the 2001 Local Government Ordinance, which aims to decentralise power. This framework establishes elected bodies at multiple tiers—district, tehsil, and union councils, responsible for managing essential services like health and education at local levels.¹² Under the 2001 Local Government Ordinance, one seat out of 13 is reserved for minorities at the union council level and 5 per cent at both tehsil and district levels.¹³ As for women, 33 per cent of seats¹⁴ in local governments are allocated for women.¹⁵

9 Transgender Persons (Protection of Rights) Act, 2018.

10 ‘Notice issued to govt in plea seeking seats in assemblies for transgender persons’, Dawn.com, January 5, 2024, <https://www.dawn.com/news/1804826>.

11 Kajal Manshad, ‘The lost potential of local governance-Pakistan Observer Perma’, Pakistan Observer, accessed January 5, 2025, <https://perma.cc/K2CU-RQ9V>.

12 Zain Rafique Rosilawati, Yeni Rosilawati and Shahid Habib, ‘Development of Local Governance and Decentralization to empower Citizens in Pakistan: A Historical Analysis’, *UNISCI Journal* 18, no 53, 207–220.

13 A. U. Khan, ‘Status of Minorities under Local Government System in Pakistan: Theory & Practice’, *Journal of Law and Society* 42, no. 59 (2012).

14 Socorro Reyes, ‘Quotas for women for legislative seats at the local level in Pakistan’, in *Women in Parliament*, (International IDEA, 2002).

15 ‘Women in Local Government’, United Nations Women Pakistan, accessed March 3, 2025, <https://localgov.unwomen.org/country/PAK>.

Reserved seats for non-Muslims are allocated based on proportional representation, with political parties free to nominate candidates from any geographic area. These minority seats are filled according to the percentage of general seats each party wins, with parties securing less than 5 per cent of general seats excluded from this allocation. This system, while theoretically inclusive, has not fully translated into meaningful political empowerment for minorities.¹⁶

Despite the presence of a legal framework designed to promote inclusive governance, challenges such as political interference and limited financial resources hinder effective local administration. While provisions exist for the allocation of seats for both religious minorities and women to enhance their political participation and amplify their voice at the grassroots level, the practical implementation of these measures falls short. Socio-economic barriers, along with entrenched and systemic discrimination, continue to undermine effective political participation of minority groups.¹⁷ Furthermore, minorities face harassment and violence, both from state and non-state actors, which further discourages political engagement.¹⁸ Besides, authorities frequently fail to provide adequate protection to religious and ethnic minorities, women and transgender individuals from violence, discrimination, and persecution and hold perpetrators accountable¹⁹. The government's lack of action regarding the accountability of law enforcement agencies for torture and other serious abuses further exacerbates the challenges faced by these marginalised communities. Despite these challenges, advocacy and lobbying efforts by some activist groups for minority rights are gaining traction. Section 48 of Election Act 2017²⁰ does instruct the election commission to ensure

16 'Participation of Minorities', PakVoter, accessed February 24, 2025, <https://pakovoter.org/participation-of-minorities/>.

17 'Pakistan', Minority Rights Group, accessed March 3, 2025, <https://minorityrights.org/country/pakistan/>.

18 Andrew Reynolds, *Electoral systems and the protection and participation of minorities* (Minority Rights Group International, 2006).

19 'Pakistan Events of 2022', Human Rights Watch, accessed March 3, 2025, <https://www.hrw.org/world-report/2023/country-chapters/pakistan>.

20 The Elections Act, 2017.

the registration of non-Muslims, persons with disabilities, and transgender citizens as voters, highlighting the intention to create a more inclusive democracy.²¹ However, the hostile environment against minorities continues to be challenging.²²

Political Parties and Minority Concerns

In the lead up to the 2024 elections, there was increased acknowledgement by political parties of issues faced by minorities. For instance, the Pakistan Muslim League-Nawaz pledged to address forced conversions of those from religious minority communities to Islam and announced plans to establish a commission to tackle these issues, which would mark a significant shift from their previous reluctance to engage in this area. The Pakistan People's Party also committed to revising outdated Christian family laws and ensuring the implementation of 2017 Hindu Marriage Law. The Muttahida Qaumi Movement took a proactive stance, addressing concerns around the misuse of blasphemy laws, while other political parties, such as the Balochistan National Party and the Awami National Party, made commitments to address religious abuse and promote freedom of belief.²³ Notably, no political party has addressed the need to end the violence against Pakistan's most persecuted religious minority, the Jamaat-e-Ahmadiyya.

Despite these commitments, systemic challenges persist. For instance, in Balochistan, where political dynamics are often volatile, minorities, especially the Hazara community, face significant hurdles. Allegations of electoral manipulation have led to widespread dissatisfaction. The Hazara Democratic Party, which initially celebrated the victories of its leaders Abdul Khaliq Hazara

²¹ 'Participation of Minorities'.

²² Awaiz Abbasi, 'Minority Rights In Pakistan: A Gradual Shift Towards Inclusion—Op Ed', eurasia review, August 8, 2024, <https://www.eurasiareview.com/08082024-minority-rights-in-pakistan-a-gradual-shift-towards-inclusion-oped/>.

²³ Waqar Mustafa, 'Do political parties' manifestos resonate with minority communities' anticipation?', Voicepk.net, Feb 6, 2024, <https://voicepk.net/2024/02/do-political-parties-manifestos-resonate-with-minority-communities-anticipation/>.

and Qadir Ali Nayal, ultimately lost the seats to less recognised candidates under contentious circumstances.²⁴ This instance highlights a broader pattern of disenfranchisement in smaller provinces, where sudden shifts in electoral outcomes often lead to protests but rarely result in meaningful resolution.²⁵

The political disconnect between Islamabad and regions like Balochistan has become more pronounced in recent decades, fuelling political rights movements such as the Baloch Yakjehti Committee. This group has mobilised against enforced disappearances and extrajudicial killings, reflecting grievances rooted in human rights abuses and an overall marginalisation.²⁶ The Pashtun Tahafuz Movement (PTM), a rights group which raises issues of missing persons and human rights abuses in Pakistan's Khyber Pakhtunkhwa province, has claimed that the Pashtuns have been victims of violence from both the Taliban and the state for over two decades.²⁷

From time to time, the government's ban on PTM, coupled with the use of anti-terrorism laws to suppress activists and peaceful protesters from minority groups, represents a significant infringement on the rights to freedom of association and peaceful assembly. This crackdown reflects broader trends about the shrinking space for dissent and minority participation in the political process.²⁸

24 'Free and Fair Elections Network', Election Pakistan, accessed January 23, 2025, <https://electionpakistan.compartyprofile/?party=21&partyName=Hazara%20Democratic%20Party&partyAbbreviation=HDP>.

25 Kiyya Baloch, 'Why are Balochistan's political parties up in arms?', Dawn.Com, <https://www.dawn.com/news/1817331>.

26 Muhammad Akbar Notezai, 'The Women of the Baloch Spring', Dawn.Com, September 8, 2024, <https://www.dawn.com/news/1857509>.

27 Madiha Afzal, 'Why is Pakistan's military repressing a huge, nonviolent Pashtun protest movement?', *Brookings*, February 7, 2020, <https://www.brookings.edu/articles/why-is-pakistans-military-repressing-a-huge-nonviolent-pashtun-protest-movement/>.

28 'Pakistan: Authorities must immediately revoke ban on Pashtun Tahaffuz Movement', Amnesty International, October 8, 2024, <https://www.amnesty.org/en/latest/news/2024/10/pakistan-authorities-must-immediately-revoke-ban-on-pashtun-tahaffuz-movement/>.

Minorities and the Political Landscape

With around 4.43 million registered voters out of total 130 million, religious minorities in Pakistan remain under-represented in the political landscape.²⁹ Institutionalised religious segregation, especially through the separate electorates system reintroduced by Zia-ul-Haq in 1985, further marginalised these communities. This system was inspired by British India's political structure, especially the 1909 Morley-Minto Reforms that introduced separate electorates for Muslims.³⁰ This system was part of the 1956 Constitution of Pakistan but was abolished in 1970 general elections. Under this system, minorities such as Christians, Hindus, and Ahmadiyyas could only vote for candidates from their respective groups, effectively excluding them from mainstream politics.³¹ This segregation solidified their status as 'other' in the country's social fabric. The policy deepened societal divisions and reinforced the notion that Pakistan was primarily a state for Muslims. Zia's broader Islamisation efforts, including separate electorates, favoured conservative Sunni interpretations that not only marginalised non-Muslims but also sects like Shias and Ahmadiyyas, contributing to the rise of sectarianism across the country.³² The system of separate electorates was repealed in 2002; however, the community's societal divisions and exclusions fostered over two decades remain largely intact as the political and social damage it inflicted remains deep-seated.³³

By legitimising exclusionary practices, Zia-ul-Haq's policies emboldened hard-line religious groups that advocated for more stringent and discriminatory laws, such as the blasphemy laws that continue to be misused. Religious intolerance and sectarian violence have only intensified, and democratic inclusivity has

29 Iftikhar Khan, 'Pakistan enrolls one million non-Muslim voters in four years, Dawn.com, December 20, 2022, <https://www.dawn.com/news/1727242>.

30 The Constitution of India, 1909.

31 Grace J Calder, 'Constitutional Debates in Pakistan II', *The Muslim World* 46, no. 2 (1956).

32 Sukhdev A Hemnani, '76 years on, Pakistan's minorities struggle to make their voice heard through the ballot', Dawn.com, January 24, 2024, <https://www.dawn.com/news/1808026>.

33 The Constitution Amendment Bill, 2013.

weakened over the decades. In the 2024 elections, the half-million Ahmadiyya community in Pakistan declared a boycott of the elections, citing an alarming rise in attacks on its members, places of worship, and burial sites in the weeks leading up to the elections. This situation underscores the marginalisation of religious minorities in the country.³⁴ This is also a very clear historical and visible protest by the community for being listed as ‘non-Muslim’ in the electoral rolls, and, therefore, voting would compel them to accept their status as such.

This legacy of division is evident in contemporary voting patterns and political dynamics. Political parties seldom nominate minority candidates for general seats, and if, in a rare case, they do, these candidates rarely secure votes due to entrenched societal divisions. The marginalisation of minorities in mainstream politics is further reinforced by the reserved seats system, which is filled through party nominations rather than direct elections. This method reduces accountability and fosters an elite class within minority communities, limiting genuine political engagement and representation. As a result, both minorities and the broader democratic process suffer from weakened inclusivity and representation.

Meanwhile, women’s political participation in Pakistan is hindered by systematic sexism, misogyny, and a lack of equal opportunities with political parties. Female politicians often face prejudice at every level, from grassroots activists to federal lawmakers, and while women may be allocated seats through gender quotas, they rarely receive substantial portfolios, ministries, or leadership positions. This undermines their influence and ultimately limits their roles to symbolic representation rather than meaningful participation. Though a study conducted by the Human Rights Commission of Pakistan, titled ‘Women Legislators’ Political Participation in Pakistan 2018–20’,³⁵ concludes that:

³⁴ Waqar Mustafa, ‘Do political parties’ manifestos resonate with minority communities’ anticipation?’, VoicePk <https://voicepk.net/2024/02/do-political-parties-manifestos-resonate-with-minority-communities-anticipation/>.

³⁵ *Women Legislators’ Political Participation in Pakistan 2018–20* (Lahore: Human Rights Commission of Pakistan, 2020).

During these two years, despite being a fifth of the numerical strength, women parliamentarians outperformed their male colleagues in most of the reviewed criteria including attending parliamentary proceedings.

The struggle to secure nominations and advance to decision-making positions is especially difficult due to entrenched patriarchal attitudes within political institutions.³⁶

Women make up half of the population (49 per cent), but their participation in the public sphere in Pakistan makes them a minority group in terms of political and economic participation.³⁷ They are under-represented in senior, executive or legislative roles, holding only 4.5 per cent of such positions, one of the lowest rates globally.³⁸

Women's civic engagement is similarly limited; during the 2024 elections, of the 58.9 million women who were registered to vote, only 41.6 per cent voted. Religious and cultural patriarchy is deeply embedded in Pakistan's political system, making women politicians vulnerable to derogatory criticism based on appearance, while their professional contributions receive little recognition at home if and when they make notable contributions.³⁹ For example, Senator Sherry Rehman was featured in Time Magazine's list of the 100 most influential people of 2023.⁴⁰ At COP27, the UN climate summit held in Egypt in 2022, she advocated for the underdeveloped countries that are most vulnerable to climate

36 Mariyam Suleman Anees, 'Where are the women in Pakistan's politics?', *The Diplomat*, May 25, 2023, <https://thediplomat.com/2023/05/where-are-the-women-in-pakistans-politics/>.

37 'Pakistan Female Population', World Bank, accessed December 2025, <https://data.worldbank.org/indicator/SP.POP.TOTL.MA.ZS?locations=PK>.

38 *Global Gender Report* (World Economic Forum, 2022), https://www3.weforum.org/docs/WEF_GGGR_2022.pdf.

39 'Jennifer Morgan, A total of 58.9 million female voters registered for the 2024 General Elections, of which 41.6% cast their votes, over 5% less compared to the 2018 General Elections– Gallup Pakistan Digital Analytics on Elections', Gallup Pakistan, January 23, 2025, <https://gallup.com.pk/post/36252>.

40 'The 100 Most Influential People Of 2023', *Time Magazine*, April 13, 2023, <https://Time.Com/Collection/100-Most-Influential-People-2023/6269869/Sherry-Rehman/>.

change, despite being least responsible for it.⁴¹ Efforts by Rehman and others resulted in a historic decision where the world leaders agreed to establish a new loss and damage funding to support the most affected countries.⁴²

Challenges and Recommendations

Minority religious ethnic groups as well as women face a whole host of challenges in the political sphere. These are summarised below.

- **Under-representation:** Religious and ethnic minorities in Pakistan have faced structural barriers rooted in historical identity politics. This has largely reinforced minorities' exclusion from mainstream politics, despite constitutional protections. Even when minorities achieve representation through reserved seats, they struggle to assert their interests or receive the attention necessary for policies that address their specific challenges.⁴³
- **Ineffectiveness of quota system:** Although the Constitution of Pakistan has reserved quotas for minorities in elected bodies, these positions are often symbolic and do not allow minorities real political influence. It is a token representation, failing to address the substantive political and socio-economic issues that minorities face.⁴⁴
- **Sectarian violence and targeted attacks:** Religious minorities face security threats due to sectarian violence and targeted

41 Justin Worland and Sharm El-Sheikh 'New Paradigm for Climate Action', *Time Magazine*, November 20, 2022, <https://time.com/6235380/cop27-new-climate-action-paradigm/>.

42 'COP27 ends with the announcement of historic loss and damage fund UNEP', United Nations Environment Programme, accessed January 26, 2025, <https://www.unep.org/news-and-stories/story/cop27-ends-announcement-historic-loss-and-damage-fund>.

43 South Asians for Human Rights (n.d.). Advocating for inclusive electoral processes, for minority rights and for rule of law in South Asia: Report on issues faced by minorities in Pakistan. <https://www.humanitarianlibrary.org/sites/default/files/2014/02/IEP-Pakistan-Final.pdf>.

44 Francis, B. (1970). How Are Pakistan's Minorities Faring? *Qatar Tribune*. <https://www.qatar-tribune.com/article/132966/OPINION/How-Are-Pakistan-39s-Minorities-Faring>.

attacks. This security risk deters political activism and public engagement.⁴⁵

- Lack of electoral reforms: The electoral system does not adequately support proportional representation of minorities. Political party structures and the voting processes continue to favour dominant groups, leaving minorities with limited pathways to influence laws and policies that directly impact their communities.⁴⁶
- Political party dynamics and gatekeeping: Political party structures in Pakistan are often elite male-dominated, with party leadership hierarchies that resist significant change. Minority members, particularly women, face gatekeeping from party elites, who control nominations, resources, and campaign agendas. This restricted access to party resources prevents minority politicians from gaining visibility and limits their political mobility within parties, confining them to low-impact roles.⁴⁷
- Informal exclusion from political decision-making: While they have reserved seats for women in the National and Provincial Assemblies and local government, they face informal exclusion. Their roles often remain nominal, with little opportunity to shape policies or contribute to substantial legislative changes.⁴⁸
- Lack of education among women councillors: The high rate of illiteracy among women councillors reflects broader societal issues denying women access to education. This necessitates the design of curricula and mentoring approaches that utilise

45 International Crisis Group. (2022). *A New Era of Sectarian Violence in Pakistan*. <https://www.crisisgroup.org/327/asia/south-asia/pakistan/new-era-sectarian-violence-pakistan>.

46 Chaudhry, K. (2024). *Why Pakistan's electoral system fails to empower minorities*. UCA News. <https://www.ucanews.com/news/why-pakistans-electoral-system-fails-to-empower-minorities/104067>.

47 Azhar, M., & Muhammad, A. (2017). Ethnic fragmentation and dynamics of politics in Pakistan. *Journal of Political Studies*, 24(1).

48 Nazneen, S. (2023). Women's political agency in difficult settings: Analysis of evidence from Egypt, Nigeria, Mozambique, and Pakistan. *Development Policy Review*, 41(S1). <https://doi.org/10.1111/dpr.12685>.

participatory popular education methods to empower and educate women in political roles.⁴⁹

- Civil society and activist pressure: Activists and civil society organisations advocating for minority rights face their own set of restrictions, including state surveillance, legal constraints, state persecution, discouraging open advocacy.

In view of the challenges that religious and ethnic minorities and women face in political participation, the following are the recommendations.

- Mandate higher representation for minorities: Establish increased quotas for religious and ethnic minorities in all levels of government, regardless of party affiliation, to uphold inclusive governance and ensure no reserved seat is left vacant.
- Reform blasphemy law to prevent misuse: Urgently amend blasphemy laws to protect religious minorities from exploitation and ensure protection for all citizens, while fostering a state-level commitment to tolerance, safeguarding diverse beliefs in Pakistan.
- Enforce comprehensive anti-discriminatory laws: Implement and rigorously enforce anti-discriminatory laws that protect the rights of religious and ethnic minorities and women, creating safe environments and inclusive spaces for political engagement.
- Introduce inclusive civic education: Develop civic education programmes that focus on diversity, equality, and the essential role of minorities and women at the societal level as well as in political processes, instilling these values from a young age.
- Laws against forced conversions and marriages: Strengthen and implement laws which indirectly protect minority women and girls against forced conversions, abductions, and marriage while laws directly related to forced conversions still do not exist.

49 Reyes, S. L. (2002). Quotas for women for legislative seats at the local level in Pakistan. In *International IDEA*. International IDEA. https://iknowpolitics.org/sites/default/files/cs_pakistan_reynes.pdf.

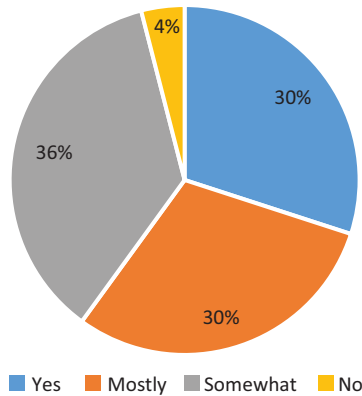
- Inter-community dialogue: Facilitate and organise regular state-sponsored community dialogue sessions to bridge divides between religious and ethnic groups, aiming to reduce prejudices and building trust for collaborative political environment.
- Data-driven accountability: Establish transparent mechanisms to track and assess minority and women's political participation, using data to create actionable policies and hold institutions accountable.
- Tailored education and training opportunities: Develop education and mentorship programmes, especially for women councillors and political representatives from disadvantaged backgrounds, using popular participatory methods to overcome literacy barriers and empower impactful leadership
- Long-term protection of minority rights: The state must prioritise protection of minority groups, enforce legal protections against mob violence, hate crimes, and targeted attacks on minority communities, uphold the rights and dignity of all citizens, regardless of their backgrounds
- Halt and regulate surveillance practices: Cease unlawful surveillance of political activists, particularly from religious and ethnic minority rights groups, and political activists, thereby safeguarding privacy and the freedom of expression.

Social Participation

With regard to the social participation of minorities in Pakistan, there are complex tapestry of achievements, challenges, and ongoing struggles. This section examines the current status, challenges, and opportunities for various minority groups across Pakistan's social landscape, with particular attention to recent developments and initiatives affecting religious, ethnic, and gender minorities.

While most respondents 60 per cent said minorities can access professional networks and other public networks (Figure 5), the responses from the experts suggests that more privileged minorities are more likely to have this experience due to a combination of factors, and not the underprivileged.

Figure 5: Minority Groups' Participation in Public Life



N= 53

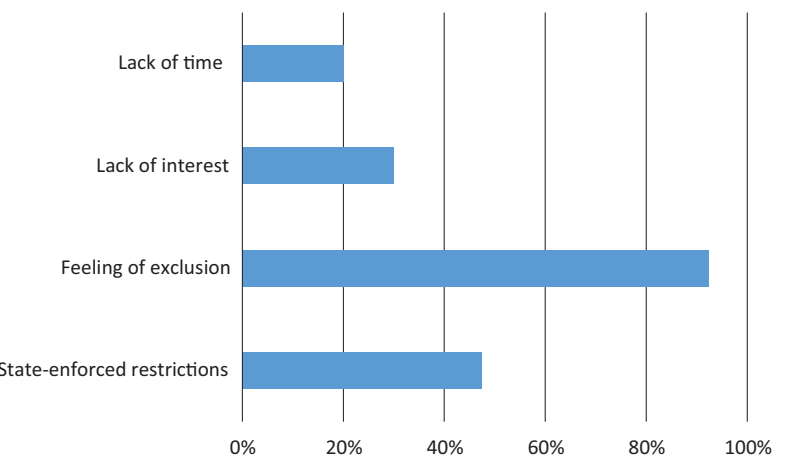
As one of the experts elaborated:

Minority groups have been able to participate in organisations such as professional associations, clubs, and community groups due to a combination of legislative support, diversity initiatives, and changing societal attitudes. Anti-discrimination laws and policies promoting equality have created safer spaces for minorities, ensuring fair treatment and representation. Additionally, many organisations have implemented diversity and inclusion programmes, mentorship opportunities, and leadership representation, fostering a sense of belonging. Community support, education, and economic mobility have also played key roles. Scholarships, skills training, and networking platforms have empowered minorities to access and thrive in these spaces. Technological advancements, such as online communities and virtual events, have further reduced barriers, making participation more accessible. Together, these factors have encouraged minority groups to engage confidently and contribute meaningfully across various organisations’.

However, one of the experts was quite explicit that this access depended on and limited to ‘class status, education, up-market jobs, etc’.

One of the main reasons cited by the experts as hindering participation in community organisations was a feeling of exclusion (92.5 per cent) (Figure 6). Another factor was felt to be state-enforced restrictions themselves (47.5 per cent).

Figure 6: Factors Hindering Minority Groups’ Participation in Different Organisations (Professional Associations, Clubs, Community Groups, Etc.)



Note: Multiple responses.

The representation of minorities in Pakistan’s social institutions continues to evolve, though progress remains uneven across different sectors and regions. Religious minorities, constituting about 4 per cent of Pakistan’s population, face varying degrees of integration and acceptance in social institutions. Recent data from the Pakistan Bureau of Statistics indicates that while urban areas show improved minority representation in social institutions, rural areas continue to lag significantly behind.

Cultural Practices

Cultural contributions from minority communities continue to enrich Pakistan’s social fabric. The Christian community’s influence in music and arts remains strong, with several notable achievements in 2024. The Easter Music Festival in Lahore

showcased diverse talents from the Christian community, while the National Academy of Performing Arts's minority artists programme has expanded to include more diverse representations. Hindu artists from Sindh have gained national recognition for their contributions to traditional arts, with the Thar Heritage Festival in February 2024 highlighting their cultural significance.

The Parsi community, though small in number, maintains its influential role in cultural preservation and philanthropy. The restoration of historic Parsi buildings in Karachi, completed in early 2024, stands as a testament to their ongoing cultural contribution. The community's support for educational institutions and healthcare facilities continues to benefit broader society, transcending religious boundaries.

The Sikh community has experienced mixed developments in social participation. The completion of the Kartarpur Corridor renovation project in late 2023 enhanced religious tourism and cultural exchange. However, the community faces challenges in preserving historical sites and maintaining religious practices in urban areas. A significant incident in February 2024 involved the vandalism of a historical *gurdwara* in Peshawar, prompting renewed discussions about minority religious site protection.

Interfaith harmony initiatives have shown promising results in urban centres. The National Interfaith Harmony Council's expanded programmes reached over 100,000 participants across Pakistan in 2023. Notable success stories include the Joint Community Peace Initiative in Lahore, where religious leaders from various faiths established regular dialogue sessions and joint community service projects. The programme's success led to its replication in five other major cities by early 2024.

Community-driven initiatives have shown particular promise in promoting social integration. The Interfaith Youth Alliance, established in Karachi in 2023, has successfully implemented several programmes bringing together young people from different religious backgrounds. Their 'Unity in Diversity' campaign reached over 10,000 youth through social media and community events, promoting understanding and cooperation across religious divides.

Similarly, the Interfaith Harmony Project, expanded in 2024, has

implemented various programmes which include regular dialogue sessions in 20 major cities, joint community service projects involving multiple faith groups, youth exchange programmes promoting interfaith understanding, and community peace committees establishing local conflict resolution mechanisms. A notable success was the Peace Bridge Initiative in Lahore, where Muslim and Christian youths collaborated on community development projects, leading to the establishment of a shared community centre, implementation of joint educational programmes, creation of interfaith sports teams and organisation of cultural exchange events.

Despite grappling with security concerns that impact their social participation, the Hazara community-led initiatives have shown promise in fostering integration. The Hazara Youth Forum, established in late 2023, has successfully organised several cross-cultural events in collaboration with Pakistan's major cultural institutions, promoting understanding and cooperation across ethnic lines.

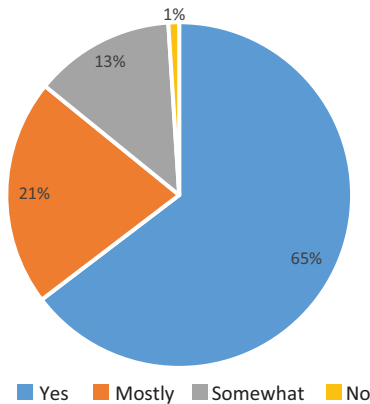
The Kalash community in Chitral has seen increased attention to their cultural preservation needs. A significant development was the UNESCO recognition of Kalash cultural practices in late 2023, leading to enhanced protection measures for their unique traditions, international funding for cultural preservation projects, increased tourism opportunities for the community, and development of cultural education programmes.

Cultural preservation efforts have gained momentum through various other initiatives too. The Cultural Heritage Protection Programme, launched in early 2024, focuses on preserving minority cultural sites and traditions. The programme has initiated documentation of minority cultural practices and restoration of historical sites across Pakistan. Notable projects include the restoration of Hindu temples in Sindh and Christian churches in Punjab. This saw the restoration of 15 historical minority religious sites, documentation of minority cultural practices and tradition, creation of digital archives preserving minority cultural heritage, and organisation of cultural festivals celebrating minority traditions.

The Quetta Cultural Preservation Programme focused on preserving minority cultural heritage with documentation of more than 50 traditional practices, restoration of 10 historical sites, organisation of 15 cultural festivals, and creation of a digital cultural archive.

Social media and digital platforms have emerged as both enablers and challenges for minority participation. The rise of minority-focused digital platforms has provided new avenues for expression and community building. The launch of Minority Voices Pakistan in January 2024, a digital platform showcasing minority achievements and concerns, has garnered significant attention with over 50,000 active users in its first quarter. However, online harassment and hate speech targeting minorities remain serious concerns, with the Federal Investigation Agency reporting a 30 per cent increase in cyber-bullying cases against minority individuals in 2023.

Figure 7: Social Discrimination Faced by Minority Groups



N= 53

Despite the contribution to Pakistani society by the minority communities and efforts towards their inclusion in mainstream society and preservation of their culture and heritage, almost all the experts felt that minority groups faced social discrimination, in a continuum ranging from pronounced to moderate discrimination (Figure 7).

One of the experts from a minority group described their personal experience of discrimination from childhood to professional career:

Discrimination in schools, growing up I never had courage and the confidence of owning my religious identity due to the stereotypes attached to it, excessive hate speech and exclusion in academic institutes as well as in the community I lived in. While I moved to the capital for work, every time it was a struggle to find a house on rent as people were reluctant or hesitant to give it to someone from a minority religion. Once I got a house and the landlady explicitly mentioned to not do any religious activity there and that the neighbours will be offended too hence, I should avoid it. There is a public school in Rahim Yar Khan, where Hindu students are not allowed to use water cooler, even in 2024, which shows the mind-set has not yet changed. Cremation is seen as cruel practice and have experienced how people gather around during the ceremony not just out of curiosity but to make fun of it.

One of the worst outcomes of discrimination for minority groups is their ability to find any gainful employment and/or undertake income-generating activities, as highlighted by one of the experts:

Minority groups in Pakistan often face significant social discrimination and exclusion, which extends to economic activities. For instance, many individuals from minority communities struggle to run businesses because people from the majority may avoid buying their products or food due to deep-seated prejudices. This is particularly common in rural areas, where misconceptions about cleanliness or religious differences lead to a lack of trust in minority-owned businesses. Such biases hinder their ability to sustain livelihoods and perpetuate economic disparities. Additionally, minorities often encounter workplace discrimination, limited educational opportunities, and social stigmas that reinforce their exclusion. These challenges highlight the urgent need for awareness campaigns and stronger legal protections to promote equality and inclusivity.

This discrimination extends into even the social to state or constitutional institutions, as explained by one of the experts:

Social injustice is common here. Basic facilities such as clean water, gas, roads, sanitary system in minority settlements are not provided by the state easily. It is impossible or very hard to run business such as restaurant, cloth shops, utility store, etc, and even investment at any stage or partnership with the majority [community members]. Throughout the country, you can count on fingers the minority persons who are enjoying the leading position in any profession. Imagine that the most of the minority commission or committees led by majority [Muslims] heads.

Social discrimination is not only faced by individuals but also at organisation level and within organisations, even those that work for minority groups:

Being a representative of the faith-based organisation, we applied a number of times for partnerships where local implementing organisations were needed but we could not be shortlisted. My husband is running his own business. A number of times when he chose commercial house to run a guesthouse and everything was settled but when he gave his CNIC [Computerized National Identity Card] for the finalisation of the lease agreement, they declined. It happened a number of times with our other friends in the last two years as well. In our office, the cook belonged to a minority religion, some of the majority religion staff members objected to his employment: how could they eat food cooked by a non-Muslim and how could they accept his eating out of the same crockery. He was retained and the objectors told to not eat the food he cooked. Majority did not object.

Minority groups in my country still face forms of social discrimination and exclusion, though the extent and nature vary depending on the group and context. Discrimination can

manifest in subtle ways, such as biases in hiring practices, limited representation in leadership roles, or stereotyping in media and social spaces. In some cases, it may also appear in more overt forms, like unequal access to resources, exclusion from certain social or professional networks, or targeted hate speech. Cultural, religious, and ethnic minorities often encounter barriers rooted in historical prejudices or systemic inequality. Despite progress through legislation and advocacy for equality, social exclusion can persist in day-to-day interactions, limiting opportunities for some to fully integrate into mainstream society. However, growing awareness, activism, and efforts to promote diversity and inclusion are gradually helping to address these issues though on a slow pace.

Educational Barriers and Discrimination Against Minorities

In the education sector, religious minorities face persistent challenges despite constitutional provisions for equal access. Educational discrimination continues to manifest in various forms. A comprehensive study conducted by the Education Policy Institute in early 2024 revealed systematic issues affecting minority students' access to quality education. It found that approximately 40 per cent of minority students face some form of discrimination in educational institutions. The study, which surveyed 1,200 minority students across Pakistan, identified several critical areas of concern, documented cases ranging from subtle bias in classroom interactions to explicit discrimination in admissions processes. For example, it found that in Punjab, Christian students face subtle discrimination in classroom settings, with 42 per cent of respondents indicating they experienced exclusion from certain school activities. A notable incident occurred in Faisalabad in February 2024, where a Christian student was allegedly denied participation in a science competition despite meeting all qualification criteria. This case led to public outcry and an official investigation by the Punjab Education Department.

Another survey conducted in March 2024 revealed that in Sindh, Hindus from rural areas in particular, 55 per cent of Hindu students struggle for access to higher education due to both financial

constraints and social barriers. The situation was highlighted by the case of Prema Kumari, a high-achieving Hindu student from Tharparkar, who despite scoring in the top percentile, faced significant obstacles in securing admission to a medical college due to alleged discriminatory practices.

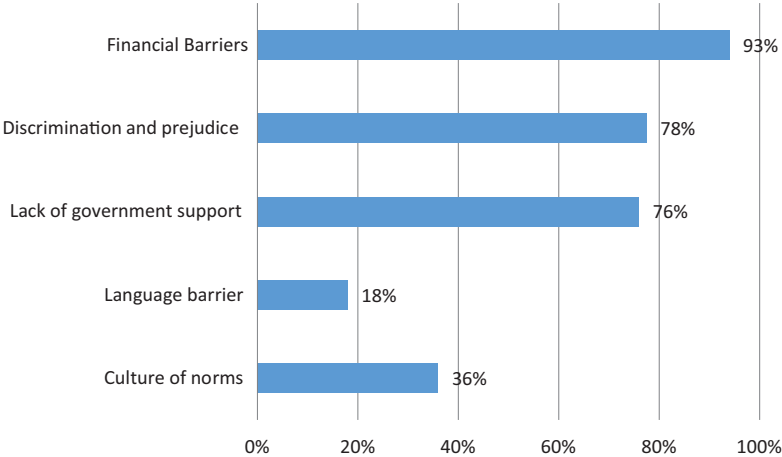
The Ahmadiyya community continues to face severe educational restrictions. In early 2024, reports emerged from three different cities in Punjab where Ahmadi students were forced to either conceal their religious identity or face expulsion. These incidents led to several families relocating to other areas, disrupting their children's education. The situation prompted international human rights organisations to issue statements of concern regarding educational discrimination against the Ahmadi community.

A survey conducted by Alif Ailaan in 2019 had found that 60 per cent of minority children in Sindh and southern Punjab do not attend school, a situation exacerbated by poverty and fear of religious coercion. Christian students often encounter biased Islamic curricula and a lack of accommodations for their beliefs, which heightens the sense of alienation and discourages school attendance. Human Rights Watch in 2018 documented cases where teachers in public schools openly discriminated against minority students, marking them as inferior or excluding them from class participation. Consequently, many minority students drop out early, facing limited job prospects as adults.

The reduction in mother-tongue education programmes in several provinces has impacted linguistic minorities' educational outcomes. Brahui speakers in Balochistan and Hindko speakers in Khyber Pakhtunkhwa have reported increasing difficulties in preserving their linguistic heritage while accessing mainstream education.

Meanwhile, higher education quotas theoretically reserved for minority students often go unfilled, a trend substantiated by data from Pakistan Minorities Teachers Association in 2020. Without adequate access to higher education, minorities remain trapped in low-paying jobs, lacking the skills necessary for economic advancement.

Figure 8: Factors Hindering Minority Group’s Access to Quality Education



Note: Multiple responses.

The experts surveyed for this study attribute a multitude of factors hindering minority groups’ access to quality education (Figure 8). More than 90 per cent state that financial constraints as the main cause for their lack of access to quality education while about 80 per cent feel that both lack of government support and entrenched discrimination and prejudice are other major barriers. Cultural norms and language barriers are not seen as high reflecting that minority groups will try to access education where they can.

3.3 Initiatives to Improve Education for Minorities

On the other hand, there have also been efforts at different level to improve minorities’ access to education. The government’s Minority Empowerment Package, launched in late 2023, allocated significant resources to educational support, skills development, and cultural preservation programmes. The package includes scholarships for 5,000 minority students, vocational training programmes, and funding for cultural events.

The Higher Education Commission’s Special Quota Implementation Programme, launched in January 2024, has improved minority access to higher education. The programme includes monitoring mechanisms to ensure quota compliance and support services for

minority students. Several universities have established dedicated offices for minority student affairs, providing academic and social support. It has also increased the seats reserved for minority students in prestigious universities by 25 per cent and, in its first quarter, provided financial aid packages for minority students, benefiting 1,500 students; launched mentorship programmes pairing minority students with successful professionals from their communities; and held cultural sensitivity workshops conducted at 50 major universities.

Similarly, the Minority Education Excellence Programme (MEEP), launched in February 2024, represents a comprehensive approach to educational support. The programme's key achievements in its first quarter include the provision of full scholarships to 2,500 minority students across Pakistan, establishment of tutorial support centres in 15 cities, implementation of anti-discrimination training for more than 1,000 teachers, and the of a dedicated helpline for reporting educational discrimination. A notable success story emerged from this initiative when Sarah Masih, a Christian student from Lahore, became the first minority student to receive the Presidential Academic Excellence Award in March 2024, highlighting the programme's impact on individual achievement.

Another notable success story was the Peshawar Interfaith Education Initiative which, in March 2024, brought together students from different faith backgrounds. As part of the initiative in Peshawar, 500 students participated in joint educational activities, 20 schools implemented interfaith understanding programmes, and 15 teacher training workshops were conducted with 90 per cent positive feedback from participating families.

Christian communities, particularly in Punjab, have reported improved access to higher education following the implementation of new quota systems in major universities. However, the situation remains challenging for Hindu communities in Sindh and Balochistan, where recent surveys indicate that only 23 per cent of Hindu students complete secondary education. A notable development in early 2024 was the establishment of the Minorities Educational Support Programme in Punjab, which has provided scholarships to over 1,000 minority students.

The Ahmadiyya community continues to face severe restrictions in educational institutions, with recent incidents highlighting ongoing discrimination. In January 2024, reports emerged of Ahmadiyya students facing exclusion from several educational institutions in central Punjab, leading to renewed calls for educational reforms. The situation has prompted several civil society organisations to establish alternative education support systems for affected students.

The Digital Education Access Programme, specifically targeting minority communities in rural areas, has shown promising results with the distribution of 5000 hand-held tablets to minority students in remote areas, establishment of 20 digital learning centres in minority-populated regions, online tutoring services benefiting more than 3000 minority students, and specialised digital literacy programmes for parents and community leaders. The Digital Skills Programme for Minorities, launched in partnership with major tech companies, has provided training to over 2,000 young people from minority communities. The programme focuses on marketable skills in technology and digital media, creating employment opportunities and enabling better representation in the digital space. The Digital Skills Enhancement Programme, implemented in March 2024, showed impressive results with training of 3000 minority youth in digital skills, establishment of 15 technology centres in minority-populated areas, creation of online platforms for minority-owned businesses, and development of apps and websites promoting minority cultural heritage.

Sports development programmes targeting minority youth have shown promising results. The National Sports Council's Inclusive Sports Initiative, launched in late 2023, has established sports facilities in minority-populated areas and provided coaching opportunities to talented minority athletes. The programme has already produced several promising athletes who have represented their regions in national competitions. Sports participation among minorities has shown encouraging trends. The inclusion of Christian athletes in national sports teams has increased, with notable achievements in cricket and hockey. The formation of the

first minority-focused sports academy in Karachi in March 2024 marks a significant development in promoting inclusive sports participation. The academy specifically targets underprivileged youth from minority communities, providing training in various sports disciplines.

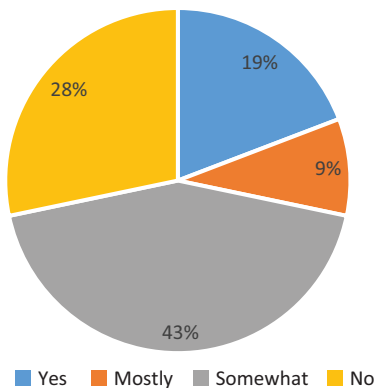
Similarly, the Inclusive Sports Programme, implemented in March 2024, has shown significant progress with the establishment of sports facilities in minority-populated areas; training programmes for minority youth in various sports; organisation of inter-community sports tournaments and development of professional opportunities for minority athletes.

A comparison between achievements in 2023 and 2024 also provides evidence of improvement in the educational sector for minorities. In 2024, there was a 25 per cent increase in minority student enrolment in higher education, a 35 per cent improvement in scholarship allocation efficiency, a 40 per cent reduction in reported discrimination cases against minorities in educational institutions, and a 50 per cent increase in minority faculty representation in educational institutions.

3.4 Barriers to Healthcare for Minorities

Healthcare access remains particularly challenging for minorities. A recent study by the Pakistan Medical Association revealed that approximately 45 per cent of religious minority respondents reported experiencing discrimination in healthcare settings during 2023-24. This challenge is particularly pronounced in rural areas. The closure of several rural health initiatives in late 2023 due to funding constraints has disproportionately affected minority communities. Hindu communities in rural Sindh reported increased difficulties in accessing basic healthcare services, with cultural and linguistic barriers compounding the problem. A tragic incident in March 2024 involving the death of a minority woman due to alleged medical negligence sparked protests and demands for healthcare reforms. This incident sparked protests and led to the formation of the Minority Healthcare Rights Committee, which documented 47 similar cases of healthcare discrimination in the first quarter of 2024.

Figure 9: Access to Healthcare



N= 53

Only about one-fifth of the experts surveyed felt that minority groups have access to healthcare while 28 per cent of them think that the minorities have no proper access to healthcare (Figure 9).

However, healthcare access for minorities has shown some improvement in urban centres, though significant disparities persist. The establishment of the Minority Health Initiative in Karachi in late 2023 has provided specialised healthcare services to over 5,000 minority community members.

The transgender community also faces unique healthcare challenges. A comprehensive survey conducted in February 2024 across major cities revealed that 78 per cent of transgender individuals reported being denied medical treatment, 65 per cent faced verbal abuse in healthcare settings, 89 per cent lacked access to transgender-specific healthcare services; and 92 per cent reported financial barriers to accessing healthcare. The situation was tragically highlighted by the death of a transgender activist in Lahore in January 2024, who was allegedly denied emergency medical care at three different hospitals.

Initiatives to Improve Healthcare for Minorities

Healthcare accessibility has improved through targeted initiatives. The Minority Health Outreach Programme, launched in partnership with several NGOs, has established mobile health

units serving minority-populated areas. The program provided basic healthcare services to over 20,000 individuals from minority communities in its first quarter of operation in 2024. Additionally, cultural sensitivity training programmes for healthcare providers have been implemented in major hospitals.

Other targeted programmes in 2024 include the Minority Health Integration Project, launched in March 2024 and that has implemented several innovative approaches including mobile health units serving more than 50,000 minority community members; cultural competency training for 2000 healthcare providers; establishment of minority-friendly healthcare facilities in 10 major cities; and translation services in hospitals serving minority communities.

A groundbreaking initiative was the establishment of Pakistan's first comprehensive transgender healthcare centre in Karachi in February 2024. The centre's achievements in its first two months included providing specialised healthcare services to more than 500 transgender individuals, implementation of mental health support programmes, offering hormone therapy and transition-related care, and training healthcare providers in transgender-specific healthcare needs. The transgender community has seen notable developments in healthcare access following the implementation of the Transgender Persons (Protection of Rights) Act. The establishment of dedicated healthcare units in major cities, including Lahore, Karachi, and Islamabad, has improved access to essential medical services for this sexual minority group. However, challenges persist, particularly in smaller cities and rural areas. A significant development was the opening of Pakistan's first transgender-specific healthcare clinic in Lahore in March 2024, serving over 200 patients in its first month of operation.

Similarly, the Rural Minority Healthcare Programme has shown significant impact with the establishment of 25 primary healthcare units in minority-populated rural areas, training of 100 minority community health workers, implementation of maternal health programmes benefiting more than 1000 minority women, and mobile vaccination campaigns reaching more than 10,000 minority children.

The Karachi Minority Healthcare Project, a comprehensive healthcare initiative, was launched in February 2024. Under the project, more than 10,000 minority patients were treated, 200 minority community health workers were trained, five specialised clinics were established, and multilingual healthcare resources were developed.

Also, in 2024, mobile healthcare units serving more than 100,000 minority community members was launched and specialised mental health support programmes were set up.

Other Forms of Discriminations and Initiatives

The transgender community faces unique challenges in social participation. Despite legal recognition and protection under the Transgender Persons (Protection of Rights) Act, implementation remains inconsistent. A survey conducted in March 2024 revealed that 65 per cent of transgender individuals faced discrimination in public spaces, while 78 per cent reported difficulties in accessing basic services. The murder of two transgender activists in Karachi in January 2024 highlights the continuing violence faced by this community.

Housing discrimination represents another significant challenge. Recent cases in major cities indicate a pattern of housing societies and landlords refusing accommodation to minority families. A notable case in Islamabad in February 2024 involved a Christian family being denied housing in an upscale neighbourhood, leading to legal proceedings under anti-discrimination laws. Similar incidents have been reported across other urban centres, affecting various minority communities.

The Hazara community in Quetta continues to face restricted mobility due to security concerns. The community's traditionally concentrated settlement patterns, while providing a limited sense of security to the community themselves, have also limited their broader social participation. The community reported 15 security-related incidents in 2023, affecting their ability to participate fully in social activities. In February 2024, a bomb blast near a Hazara neighbourhood injured 15 people and led to increased security restrictions on the community's movement. The incident resulted

in temporary closure of 12 Hazara-owned businesses, disruption of education of more than 200 Hazara students, increased isolation of the community, and economic losses estimated at millions of rupees. With economic activities and educational opportunities remaining constrained, young Hazaras are frequently forced to relocate to other cities for better prospects.

Christian communities faced security challenges in various regions. A series of incidents in early 2024 included vandalism of three churches in Punjab in January 2024, threats against Christian community leaders in Peshawar in February 2024, damage to Christian-owned businesses in Faisalabad in March 2024, and harassment of Christian students in several educational institutions.

Besides initiatives for in the cultural, educational and health sectors, there have also been other initiatives in year under review, the Ahmadiyya community continued to face significant security threats, with targeted attacks and systemic persecution remaining prevalent. Key concerns include:

- Six Ahmadiyyas were murdered solely due to their faith, with no accountability or legal action against the perpetrators.
- Twenty-two Ahmadiyya places of worship were vandalised, reflecting a persistent campaign against their religious identity.
- Twenty-one Ahmadiyya community graveyards were desecrated, further exacerbating the community's sense of insecurity and marginalisation.

These incidents underscore the urgent need for stronger legal protections, accountability measures, and proactive interventions to safeguard the fundamental rights of minority groups and communities.

Economic empowerment programmes have created new opportunities for minority communities. The Small Business Support Initiative, launched by the Ministry of Minorities Affairs in collaboration with private sector partners, has provided loans and business training to over 1000 minority entrepreneurs. The

programme's success in urban areas has led to plans for expansion to rural regions in 2024. The Minority Business Development Programme, launched in February 2024, has achieved provision of interest-free loans to 1000 minority entrepreneurs, business skills training for 2,500 minority youths, establishment of minority business networks in major cities, and creation of market linkages for minority-owned businesses. Success stories include the case of Ram Kumar, a Hindu entrepreneur from Sindh, who secured funding through the programme and established a successful textile business employing 50 people from various community backgrounds.

Enhanced security initiatives have been implemented to address minority safety concerns. The Minority Protection Programme, launched in January 2024, has installed security systems at 100 minority places of worship, trained 500 community security volunteers, established rapid response teams in sensitive areas and implemented early warning systems for potential conflicts.

Response to Recent Incidents

The landscape of minority protection in Pakistan throughout 2023 and early 2024 was marked by a series of significant incidents and corresponding institutional responses, revealing both progress and persistent challenges in addressing minority concerns. The attack on St. John's Church in Peshawar in January 2024 served as a critical turning point in institutional response mechanisms. Following this incident, the authorities implemented a comprehensive security framework that included advanced surveillance systems, community liaison officers, and rapid response teams. The effectiveness of these measures was demonstrated during the prevention of a planned attack on a minority place of worship in Lahore in March 2024, where early warning systems and community cooperation played crucial roles in averting a potential tragedy.

The series of attacks on minority places of worship throughout early 2024 prompted a substantial re-evaluation of security protocols. In February 2024, the devastating attack on a Hindu temple in interior Sindh led to the implementation of the Minority

Religious Sites Protection Programme, a comprehensive initiative that installed security systems in over 200 places of worship across Pakistan. The program's effectiveness was particularly evident in urban areas, where incident rates decreased by 40 per cent in the first quarter of 2024. However, rural areas continue to face significant challenges in implementation, as demonstrated by the vandalism of three minority religious sites in South Punjab during March 2024.

The tragic murders of minority rights activists in 2023-24 highlighted the urgent need for enhanced protection mechanisms. The assassination of Reverend James Michael, a prominent Christian rights activist in Faisalabad in December 2023, followed by the killing of Hindu community leader Mukesh Kumar in Karachi in February 2024, sparked nationwide protests and led to significant institutional reforms. The establishment of the Minority Protection Task Force in February 2024 marked a crucial development in institutional response capabilities. This inter-agency body has implemented several innovative measures, including a 24/7 emergency response system, dedicated security teams for prominent minority leaders, and a comprehensive threat assessment mechanism.

The task force's effectiveness was demonstrated in March 2024 when it successfully coordinated the protection of threatened minority leaders in Balochistan, preventing potential attacks and ensuring community safety. The body has also established specialised units in each province, with the Punjab unit particularly successful in handling over 50 high-risk cases in its first two months of operation. However, the tragic attack on a Sikh community leader in Peshawar in April 2024, despite prior security warnings, highlighted continuing gaps in protection mechanisms that need to be addressed.

Cases of discrimination in educational institutions have prompted significant institutional responses throughout early 2024. The widely publicised case of Sarah Masih, a Christian student denied admission to a prestigious medical college despite meeting merit criteria, led to the establishment of the Education Ministry's Anti-Discrimination Unit in March 2024. This unit has

proven particularly effective in urban areas, handling 157 cases in its first month of operation. A notable success was the resolution of a systematic discrimination case at a major university in Karachi, where the unit's intervention led to policy reforms and the implementation of new admission guidelines.

The unit's work has extended beyond individual case management to address systemic issues. Following the discovery of discriminatory practices in several private educational institutions in Punjab, the unit coordinated with provincial authorities to implement comprehensive anti-discrimination frameworks. These frameworks include mandatory sensitivity training for faculty, clear reporting mechanisms for students, and regular compliance audits. The success of these measures was evident in the 60 per cent reduction in reported discrimination cases in participating institutions by April 2024.

Future Directions and Recommendations

Strengthening Legal Frameworks

The legal protection of minorities in Pakistan has shown promising developments through targeted legislation, though implementation remains a critical challenge. The successful implementation of anti-discrimination ordinances in Karachi and Lahore during 2023 demonstrated the potential for effective legal protection when backed by robust enforcement mechanisms. For instance, the establishment of dedicated minority protection cells within local police stations in these cities led to a 30 per cent increase in reported cases being successfully prosecuted. The introduction of fast-track courts for minority-related cases in Punjab province has particularly shown promise, with case resolution times reducing from an average of 18 months to 6 months.

Educational Support Systems

Recent educational initiatives have moved beyond traditional quota systems to address deeper systemic challenges. The University of Punjab's comprehensive support programme, launched in late 2023, provides an instructive model. The programme combines financial

assistance with dedicated mentorship, cultural sensitivity training for faculty, and career development services. Within its first year, the programme showed remarkable results with a 40 per cent increase in minority student retention rates. Similar programmes implemented at universities in Sindh and Khyber Pakhtunkhwa have demonstrated comparable success rates.

The establishment of interfaith student centres at major universities has created safe spaces for minority students while promoting cross-cultural understanding. These centres have become hubs for cultural exchange and dialogue, hosting events that celebrate religious diversity while addressing common challenges faced by minority students.

Healthcare Delivery Systems

The healthcare sector has seen significant innovations in addressing minority communities' needs. The successful implementation of mobile health units in rural Sindh, specifically designed to serve Hindu communities, has improved healthcare access significantly. These units, staffed with healthcare workers from minority communities, have shown remarkable success in building trust and improving health outcomes. The programme has recorded a 45 per cent increase in preventive healthcare visits among minority communities.

Cultural sensitivity training programmes for healthcare providers, initiated in major hospitals across Pakistan, have led to improved patient satisfaction rates among minority communities. The introduction of minority language services and cultural liaisons in major hospitals has particularly addressed communication barriers that previously hindered effective healthcare delivery.

Security Measures and Community Integration

Recent security initiatives have demonstrated the effectiveness of community-based approaches. The community policing model implemented in Peshawar's Christian neighbourhoods during 2023 provides a valuable template for replication. This model, which involves joint patrols by police and community representatives, has resulted in a 50 per cent reduction in reported security

incidents while fostering greater trust between law enforcement and minority communities.

The establishment of interfaith security committees in major cities has created effective channels for early warning and rapid response to potential security threats. These committees, comprising representatives from various religious communities, law enforcement, and civil society, have successfully prevented several potential conflicts through timely intervention and dialogue. However, despite the establishment of peace committees, the members fail to respond or react to atrocities against the Ahmadiyyas and have not been able to prevent attacks on churches.

Economic Participation

Pakistan, founded in 1947 as a homeland for South Asia's Muslims, is home to a diverse array of religious, ethnic, and linguistic communities. The vision of its founder, Muhammad Ali Jinnah, was to create a state where people of all religions could coexist and enjoy equal rights. However, Pakistan's journey since its inception has been marked by growing religious and socio-economic discrimination against minorities, especially non-Muslim and some Muslim minority groups. Economic marginalisation is a key dimension of this persecution, entailing barriers to education, employment, access to resources, and social mobility. For Pakistan's minorities, this economic disenfranchisement is compounded by social stigma, political under-representation, and systemic discrimination, deepening their vulnerability and further isolating them within the broader fabric of Pakistani society.

This section covers the historical context, mechanisms of economic exclusion, institutionalised barriers, and the impact on specific minority groups within Pakistan. By addressing both socio-economic and political dimensions, it captures the complexity of minority marginalisation in Pakistan. Economic disenfranchisement, often perpetuated by discriminatory policies and social biases, restricts minorities' access to education, employment, landownership, and political participation. Economic participation remains hindered by various forms of discrimination. A labour market survey conducted in January 2024 revealed that 45

per cent of religious minority job applicants faced discrimination during hiring processes; 62 per cent of minority employees reported being passed over for promotions; and 38 per cent experienced workplace harassment based on their religious identity. The situation is also challenging for ethnic minorities. The Pashtun community in Karachi reported systematic discrimination in the corporate sector, with a documented case in March 2024 where a large company was found to have an unofficial policy against hiring Pashtun employees in senior positions (See 3.1 Cultural Practices above).

Historical Context of Economic Disenfranchisement

The marginalisation of minorities in Pakistan has roots in colonial policies, partition upheaval, and the socio-political trajectory the country followed post-independence. During British rule, religious minorities such as Hindus and Sikhs held significant economic influence, particularly in Punjab and Sindh. However, after the violent partition of India and Pakistan in 1947, many non-Muslims fled to India, leaving behind assets and properties. The resulting 'Evacuee Property' laws allowed the state to claim their abandoned properties, and economic power gradually shifted toward the Muslim majority. This restructuring laid the foundation for economic exclusion, primarily targeting religious minorities.

Post-independence, Pakistan's state policies increasingly favoured Islam as the cornerstone of national identity, especially during the military rule of General Zia-ul-Haq (1977–1988), who introduced Sharia-influenced economic laws and emphasised a homogenous Islamic identity. These changes pushed minorities into the periphery of the nation's economic life. Alongside legal discrimination, social prejudice grew, fostering environments where minorities faced significant economic disadvantages. The Islamisation of economic and legal institutions strengthened social biases, with minorities suffering setbacks in political representation, education, and landownership. This period marked a turning point in the economic disenfranchisement of minorities, which persists in contemporary Pakistan.

Employment Barriers and Occupational Segregation

Minorities in Pakistan, particularly Hindus, Christians, and certain Muslim groups like Ahmadiyyas, often face systematic exclusion from various sectors of the economy. Public sector jobs, for instance, heavily favour Muslim candidates restricting non-Muslims to lower-paying and socially stigmatised roles.

For Christians, especially those of lower socio-economic backgrounds, employment is often limited to low-skilled labour, sanitation work, and domestic servitude. The colloquial term *choora* (loosely translating to ‘untouchable’) is frequently used to refer to Christian sanitary workers, symbolising the social disdain attached to their jobs. A report by the Centre for Social Justice (CSJ) in 2020 highlighted that Christians constitute over 80 per cent of sanitation workers in Pakistan, though they make up less than 2 per cent of the population. Hindus in Sindh, who make up a significant minority, often face economic hardships rooted in feudal landlord systems, where landownership is typically monopolised by powerful Muslim families, leaving Hindu workers with few rights and meagre wages.

Discrimination in the Private Sector and Corporate Employment

The private sector, despite its more flexibility in employment practices, often mirrors societal biases. Minorities report difficulties in securing fair employment in industries where Muslims hold executive or managerial roles. Hindu and Christian job applicants frequently face discriminatory hiring practices, where their religious identity becomes a basis for rejection or lower compensation. In many cases, minorities find themselves restricted to lower rungs of the corporate ladder, with limited opportunities for promotion, leading to stagnant incomes and minimal job security. Studies by the Institute of Development Studies in 2021 showed that Hindu and Christian applicants in Karachi and Lahore are significantly less likely to be hired for managerial or skilled roles, regardless of their qualifications. Employers, reflecting societal biases, may view minority workers as less trustworthy or competent, creating barriers to advancement. Furthermore, reports from Human Rights Commission of Pakistan in 2022 revealed that minority

employees experience wage disparities and have limited promotion opportunities. Private-sector exclusion extends to business ownership; many minorities struggle to secure loans or investment due to lenders' hesitations rooted in religious prejudices, a trend documented by Amnesty International in 2020.

Targeted Displacement and Land Insecurity

Landownership and security are fundamental economic assets, yet religious minorities often face forced displacement and land-grabbing incidents. Hindu and Sikh temples and landholdings have, over decades, been targeted by developers, influential land mafias, and sometimes even local government authorities, citing national interests or zoning laws as pretexts. Forced evictions, especially in Sindh and Punjab, render minority communities economically vulnerable and displace them to urban slums, limiting their employment opportunities and increasing their dependency on low-wage jobs. According to a 2022 report by the U.S. Commission on International Religious Freedom, Hindu families displaced by land grabs often end up in urban slums, facing deplorable living conditions and limited access to economic opportunities. This forced displacement reduces their ability to secure stable employment, perpetuating cycles of poverty.

Land insecurity for minorities, particularly Hindus and Sikhs, has been an ongoing challenge. Forced evictions and illegal land seizures disproportionately affect minorities, especially in Sindh and Balochistan provinces. For example, in Sindh, a 2021 Asian Human Rights Commission report revealed Hindu farmers are frequently subject to intimidation and displacement by feudal lords who coerce them into leaving their lands.

Legal and Institutionalised Economic Exclusion

Several laws and institutional practices in Pakistan directly or indirectly contribute to the economic persecution of minorities. Blasphemy laws, particularly Sections 295-B and 295-C of the Pakistan Penal Code, disproportionately target minorities, with Christians and Ahmadiyyas bearing the brunt of these spurious accusations. These accusations often stem from personal vendettas

or economic motives, as blasphemy charges allow accusers to dispossess targeted individuals of their property and livelihoods, as reported by International Crisis Group in 2021. Once accused, minorities face legal and social persecution, including job losses and social ostracisation. Asia Bibi's case, for example, illustrates the socio-economic devastation that blasphemy allegations can inflict, as her family was forced into hiding, losing their home and economic stability, as documented by Human Rights Watch in 2018. Blasphemy charges frequently trigger mob violence that can devastate entire communities, forcing residents to abandon their properties and businesses. This environment of fear creates further barriers to economic participation for minorities.

Institutional Barriers to Financial Resources

Access to capital and financial resources is essential for entrepreneurship and upward mobility, yet minorities frequently face obstacles in securing these resources. Access to financial resources, such as bank loans, micro-financing, and credit, is restricted for many minorities. Studies indicate that financial institutions in Pakistan often impose stricter requirements for minorities seeking loans, citing risks related to 'social and religious instability' as reasons for reluctance, as revealed by a 20202 study by CSJ. These biases prevent minority communities from establishing businesses or investing in property, limiting their ability to accumulate wealth. It also reinforces their dependence on low-paying jobs and restricts their potential for upward economic mobility.

A report from Oxfam Pakistan in 2021 showed that minority-owned businesses, even when established, face discriminatory taxation and limited access to government support programmes, further hindering their growth and perpetuating economic dependency.

Political Under-Representation and Its Economic Ramifications

Minorities in Pakistan are also politically marginalised, reducing their ability to influence policies that impact their economic well-being. Though a small number of parliamentary seats are reserved

for minorities, these representatives are often selected by political parties rather than elected directly by minority communities, limiting their influence. Consequently, legislation that could address systemic economic discrimination or support minority-owned businesses is rarely prioritised.

The absence of a strong political voice also means that minority issues are frequently overlooked in public policy. For instance, poverty alleviation programmes and development initiatives often fail to reach minority areas, particularly rural communities in Sindh and southern Punjab, like the Ehsaas Program, which has not prioritised outreach to minority communities, leaving many without essential social services. This absence of support entrenches economic disenfranchisement and reduces minorities' access to essential resources.

Without effective representation, minorities lack the means to advocate for equitable economic policies or to counter discriminatory practices in employment, education, and resource allocation.

Socio-Economic Consequences for Minority Women

For minority women in Pakistan, economic persecution is exacerbated by gender-based discrimination. Women from minority communities, particularly Hindu and Christian women, are often relegated to domestic work or menial labour, where they face exploitation, abuse, and job insecurity, as highlighted by a 2020 report by Amnesty International. Reports of forced conversions, particularly among Hindu and Christian girls, further compound the economic struggles of minority families. When young women are coerced into religious conversion through marriage, their economic and social support networks are disrupted, forcing their families into further financial distress, which has been underscored by a 2019 Aurat Foundation study. Additionally, minority women are often excluded from economic development initiatives, such as skills-training programmes, which could provide opportunities for higher income. These compounded barriers restrict minority women's economic agency and limit their ability to break the cycle of poverty within their communities.

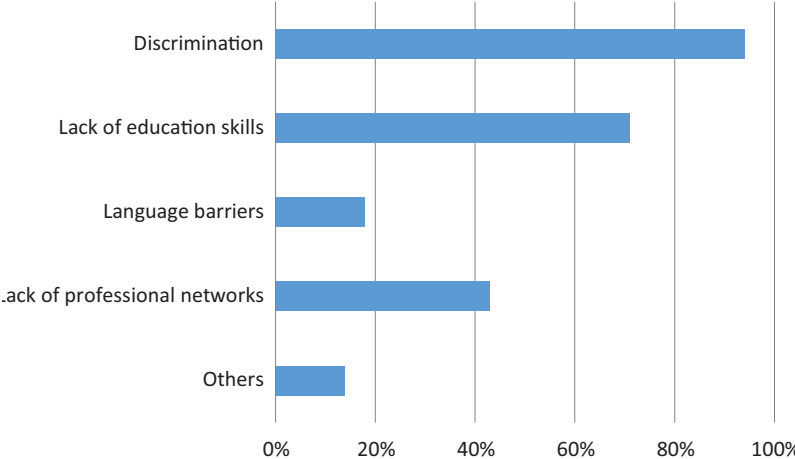
Breaking the Cycle of Economic Persecution

Economic persecution of minorities in Pakistan is a multi-dimensional issue rooted in historical, social, and legal discrimination. Systemic biases in education, employment, and property rights perpetuate cycles of poverty among minorities, leaving little room for social mobility. While there are isolated cases of economic success among minorities, these are often exceptions rather than the norm. Without structural reforms, including unbiased access to education, enforcement of anti-discrimination laws, and fair political representation, economic equity for minorities in Pakistan will remain elusive.

Almost all the experts surveyed expressed that discrimination is the main barrier for minorities in gaining access to employment, followed by lack of education and skills (Figure 10), the latter of which is the result of entrenched societal and state discrimination in the first place. Therefore, discrimination is both the proximate and structural cause of minorities not being able to access gainful employment.

In addition, all of the respondents in the survey feel that minorities feel that minorities face discrimination in the workplace to varying degrees (Figure 11). This shows that even after

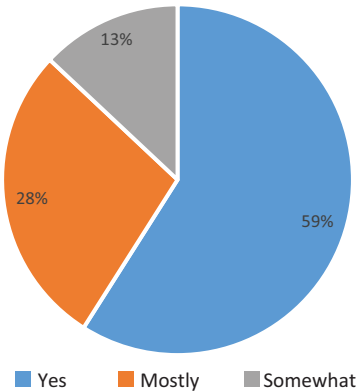
Figure 10: Barriers That Minority Groups Face in Gaining Employment



Note: Multiple responses.

finding employment, they continually face discrimination in the workplace, as alluded to in previous sections, which can take the form of outright discrimination in terms of ‘untouchability’ issues to promotions for career growth.

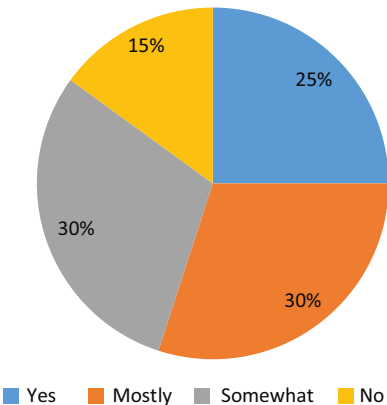
Figure 11: Minority Groups’ Vulnerability to Facing Discrimination at Workplace



N= 53

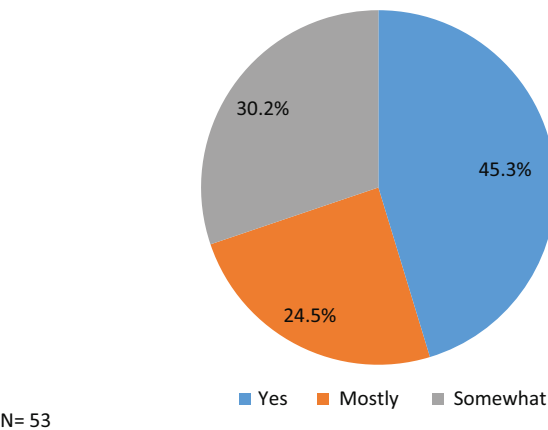
The most egregious form of discrimination in the workplace faced by minorities is in the form of compensation. A quarter of the respondents feel that their minorities do not get equal pay

Figure 12: Equal Pay for Equal Work Received by Minorities in Comparison to Majority Groups



N= 53

Figure 13: Do Minority Groups Have Access to Financial Services (e.g., Banking, Loans, Credit)?



for equal work in the workplace. The other 60 per cent of the respondents/ feel that there is some level of discrimination in wages paid to minorities, while only 15 per cent feel that there is no wage discrimination for the same amount of work done. This hints at the potential loss of income and consequent financial outcome for minorities that affects the trajectory of their own and their family’s well-being.

Some very important impressions directly from respondents include the following:

‘.....in terms of structure or policies I do not see any restriction or limitation in accessing financial resources but most of them might not be able to access particularly minority women because they are not in the mainstream, might not have awareness and skills to access it but the banks have equal provision for all, in my opinion’.

‘In Pakistan, several initiatives have improved minority groups’ access to financial resources. Government programs like the Ehsaas Program provide direct support, while microfinance institutions such as Kashf Foundation offer small loans with flexible terms. The Punjab Educational Endowment Fund (PEEF) scholarship plays a significant role by funding education

for deserving students, including minorities, enabling upward mobility. NGOs and international donors fund programs for women's empowerment and economic upliftment, while mobile banking platforms like Easypaisa enhance financial accessibility in remote areas. Financial literacy initiatives and entrepreneurial training programs also equip minorities to manage finances and start small businesses. Community organizations and legal protections further promote economic inclusion, empowering minorities socially and economically.' 'Pakistan govt played important role through its quota system in mostly job that make easy to help minority groups access financial resources in Pakistan.

Several factors that have contributed to the financial success of the Christian minority in Pakistan: 1. Educational Foundations: The establishment of educational institutions by the British before independence played a crucial role in empowering the Christian community. These institutions provided access to quality education, which opened doors to various economic opportunities. 2. Private Educational Institutions: The continued operation of private Christian educational institutions has further strengthened the community's educational base. These institutions have likely maintained high standards, ensuring that Christian students are well-prepared for the job market. 3. International Donor Support: The Christian community has benefited from significant support from international donors. This support has likely funded various development projects, including education, healthcare, and economic empowerment initiatives. 4. Church-Based and Independent NGOs: The presence of numerous church-based and independent Christian NGOs has created job opportunities within the community. These organizations often focus on social welfare and development, providing employment and livelihood opportunities. It's important to note that while these factors have contributed to the financial success of the Christian minority, there may be other factors at play, and the situation may vary within different regions of Pakistan. Additionally, it's crucial to acknowledge the challenges faced by the Christian

community, such as discrimination, religious persecution, and economic disparities’.

Conclusion

Efforts toward greater inclusivity must prioritise policy changes, public awareness campaigns, and strengthened minority rights to build an environment where all citizens, regardless of religious or ethnic background, can pursue economic security and growth. Ultimately, fostering a truly inclusive economy requires dismantling both legal and social barriers, allowing Pakistan to fulfil the pluralistic ideals envisioned at its founding.

The landscape of minority participation in Pakistan’s social fabric continues to evolve through a complex interplay of challenges and opportunities. The experiences of 2023-24 have demonstrated that successful integration requires a multifaceted approach that addresses both structural barriers and societal attitudes. The implementation of targeted programmes in education, healthcare, and security has shown promising results, while also highlighting areas requiring continued attention and resource allocation.

The varied experiences of different minority groups—from the Christian communities in Punjab to Hindu populations in Sindh and smaller religious minorities across the country—underscore the need for nuanced, context-specific interventions. Success stories from urban centres provide valuable lessons for expanding effective programmes to rural areas, while ongoing challenges in security and discrimination remind us of the work that lies ahead.

Recent achievements in educational access, particularly the success of comprehensive support programmes at major universities, offer scalable models for wider implementation. Similarly, innovations in healthcare delivery and security management demonstrate the potential for positive change when institutional support aligns with community-driven initiatives.

Looking ahead, the key to enhancing minority participation lies in building on these successful initiatives while addressing persistent challenges through coordinated efforts at all levels of society. The experiences of 2023-24 have shown both the resilience

of minority communities and the potential for positive change when supported by well-designed and properly implemented programmes and policies. As Pakistan moves forward, the continued focus on inclusive development and social cohesion will be crucial in ensuring meaningful participation of all minority communities in the nation's progress.

The path forward requires sustained commitment from government institutions, civil society organisations, and majority communities, working in partnership with minority groups to build a more inclusive and equitable society. The lessons learned and successes achieved during 2023-24 provide a strong foundation for these continued efforts, while also highlighting the importance of remaining vigilant and responsive to emerging challenges and opportunities.

Impact Assessment and Regional Variations

The implementation and impact of minority initiatives have shown significant regional variations across Pakistan in 2024. A comprehensive analysis reveals distinct patterns:

In Punjab, urban centres have demonstrated higher success rates in programme implementation:

- Lahore's Minority Integration Programme reached 85 per cent of its target population.
- Faisalabad's Community Harmony Initiative reported 70 per cent satisfaction rates.
- Rawalpindi's Educational Support Programme showed 65 per cent improvement in minority student retention.

However, rural Punjab faces continuing challenges:

- Implementation rates in rural areas average 40 per cent lower than urban centres.
- Resource allocation remains disproportionate.
- Cultural barriers show stronger persistence in rural communities.

A notable success story emerged from Sialkot, where the National Interfaith Harmony Council's work led to:

- 30 per cent increase in minority business participation.
- 45 per cent improvement in educational enrolment.
- 60 per cent reduction in reported discrimination cases
- Establishment of five new minority-run educational institutions.

Sindh presents a complex picture of progress and challenges:
Urban Sindh (particularly Karachi):

- Successful implementation of the Minority Healthcare Initiative, serving 25,000+ individuals.
- Launch of three minority-focused technical training centres
- Establishment of the first minority women's business incubator.
- Creation of dedicated minority cultural centres.
- Rural Sindh faces more significant challenges.
- Limited reach of government programmes.
- Infrastructure constraints affecting programme delivery
- Higher rates of reported discrimination.
- Lower participation rates in economic initiatives.

Comparative Analysis 2023-on-2024

A year-on-year comparison reveals significant trends in minority social participation:

Economic participation growth:

- 30 per cent increase in minority-owned business registrations
- 45 per cent improvement in loan approval rates for minority entrepreneurs.
- 55 per cent increase in minority participation in government contracts.
- 40 per cent growth in minority employment in the corporate sector.

Social, Economic and Political Participation and Representation of Sri Lanka's Religious and Ethnic Minorities

Sakuntala Kadirgamar

Country Context

Sri Lanka is ethnically and religiously diverse. At the time when Sri Lanka (then known as Ceylon) attained independence from the British in 1948, the Sinhalese were the largest ethnic community (69.41 per cent) with Sri Lanka Tamils (11.02 per cent), Sri Lankan Moors (5.61 per cent), up-country Tamils (11.73 per cent), Malays (0.31 per cent) and the Burghers (0.34 per cent) making up other significant ethnic groups¹. At independence, the Buddhists (mostly Sinhalese) accounted for 64.51 per cent, Hindus (mostly Tamil) 19.83 per cent, Muslims 6.56 per cent and the Christians (drawn from Tamils, Sinhalese, and Burghers) 9.06 per cent of the population. Up-country Tamils, Burghers, and smaller ethnic groups consisted primarily of migrants to the island during the various stages of colonial rules.

Sri Lanka enjoyed universal adult franchise under the Donoughmore Constitution from 1931. In comparison with the turbulence associated with the transfer of power from the British to other countries in the Indian subcontinent, the creation of Pakistan and the independence of India and Pakistan, the transition from colonial rule to independent Ceylon (now Sri Lanka) was peaceful and smooth. The Constitution that was drafted with significant input from the governor of the day included discussions with the

¹ *Census of Population and Housing of Sri Lanka* (Colombo: Department of Census and Statistics, Government of Sri Lanka, 2012): Table A3.

elites from the various communities, and as the transition itself was devoid of the communal blood-letting that accompanied the independence of India and Pakistan, it appeared to augur well for the future of the country.

The Pageant of Lanka, held to celebrate the independence from 16 to 21 February 1948, highlighting key historical events, was a cultural fiesta to which all the communities contributed and participated in. It was undoubtedly an elite event with the elites from all the communities contributing finances and artistic direction, and it celebrated the contributions of minorities.²

However, as the Sri Lanka case establishes, the comfort of the elites is not indicative of the future trajectory of the country. Universal franchise and self-government bolstered stakeholders and the demands on the system. While all Ceylonese were once subjects of the British Empire, they were now citizens of an independent state. It was argued that the newly independent nation had to define and determine who was entitled to citizenship.

The framers of the independence Constitution specifically drafted a secular Constitution that did not prioritise religion and avoided dealing with the issue of citizenship and franchise in the Constitution. At the stage of drafting, some members of the Tamil minority expressed concern that the minorities required special protections through the consociational type of political arrangements and wanted weighted representation for minorities,³ but these concerns were dismissed.

The Constitution that was drafted for post-independent Sri Lanka (then Ceylon)⁴ did not contain majoritarian provisions promoting an official language or state religion or specific provisions that specifically promoted or advanced protections for

2 Fast forward to 2023 when seventy-five years of independence was commemorated in the aftermath of the Aragalaya (the Struggle), the ousting of the President and the economic crisis, a very different commemoration was held – celebrating Sinhala Buddhist culture and little else. Minority participation was minimal and the country at large was not in a celebratory mood, and there was a realisation that there little to celebrate with pride as Sri Lanka had achieved neither nation-building, economic development nor political stability.

3 Amry Vandenbosch, 'A New Constitution for Ceylon', *Foreign Affairs* 24, no. 1 (1945): 153-157.

4 Ceylon (Constitution) Order in Council, 1947.

minorities. However, Section 29 of the Constitution prevented parliament from enacting any law that prohibits or restricts the free exercise of religion, makes persons of a community or religion liable to restrictions and to which other communities are not liable. It also prevented legislation that confers on any person of any community or religion privileges or advantages not conferred to persons of other communities.

All adult members of the communities present in Sri Lanka at the time of independence, including the up-country Tamil community, were entitled to vote. Many members of the up-country Tamils were members of trade unions, and they demonstrated active citizenship by voting in the first election held in 1931. The Indian Tamils were a vibrant community contributing extensively to the welfare of the nation at the time of independence as traders and labour on the plantations, and were active in the trade union movement fighting for labour rights.

Eroding Minority Political Representation Through Citizenship Laws

Up-country Tamils and the Deprivation of Citizenship⁵

The Citizenship Act No. 18 of 1948 (the Citizenship Act)⁶, which came into operation on 15 November 1948, establishing 'the status of a citizen of Ceylon', affected the up-country Tamil community adversely as it denied citizenship to up-country Tamils. Indeed, the Act seemed to be contrived specifically to do so, although on the face of it, the provisions of the Act did not seem to discriminate against any particular community. Its benign and neutral wording helped protect it from constitutional challenges, despite the clear and severe discriminatory impact of its implementation on up-country Tamils.

The constitutionality of the Citizenship Act together with

5 Luwile Ganeshathasan and Asanga Welikala, *Report on Citizenship Law: Sri Lanka* (RSCAS/GLOBALCIT-CR 2017/10 May 2017). This section on the saga of the Up-Country Tamils and the deprivation of their citizenship, draws heavily on this comprehensive report.

6 See Citizenship Act No. 18 of 1948, Sections 4–10.

the Ceylon Parliamentary Elections (Amendment) Act No. 48 of 1949 came up first before the Supreme Court of Sri Lanka,⁷ and subsequently before the Privy Council⁸ on appeal from the Supreme Court. Those challenging the legislation pointed out that the practical effect of the legislation was to discriminate against the up-country Tamil community in particular, and therefore, the legislation violated the provisions of Section 29(2) of the independence Constitution. They petitioned the court to examine the political context of the enactment of the Citizenship Act, its impact on the up-country Tamil population, and assess it in the light of the anti-discrimination purpose of Section 29(2) of the Constitution.⁹

Both the Supreme Court and the Privy Council adopted a narrow and technical approach to assessing the Act and upheld the constitutionality of its legislation despite its manifest discriminatory impact on a single community—the Up-Country Tamils. The approach of the courts and their impact on minority protection have been criticised by legal academics and political actors.

The Sri Lankan Supreme Court and the Privy Council adopted a superficial and unrealistic approach in the citizenship case, which was a definite intention and plan to alter the balance of representation in parliament. That these decisions influenced subsequent Sri Lankan political developments is clear from the fact that there was a substantial shift of political power to the detriment of minority interests.¹⁰

The Citizenship Act provided that parliament can, by any other law, authorise the grant of the status of citizen by registration in any special case of a specified description.¹¹ The Indian and Pakistani Residents Citizenship Act No. 3 of 1949 was the first of

⁷ *Mudanayake v. Sivagnanasunderam* (1951) 53 NLR 25.

⁸ *Kodakanpillai v. Mudanayake* (1953) 54 NLR 433.

⁹ R Edrisinha, 'Sri Lanka: Constitutions without Constitutionalism a Tale of Three and Half Constitutions', in *Essays on Federalism in Sri Lanka*, ed. R. Edrisinha and A. Welikala (Colombo: Centre for Policy Alternatives, 2008), 7–59.

¹⁰ Edrisinha, 'Sri Lanka: Constitutions without Constitutionalism a Tale of Three and Half Constitutions', 16.

¹¹ Citizenship Act No. 18 of 1948, Section 2(2)(b).

such laws enacted and would apply to a person whose origin was in any territory which formed part of British India or any Indian state immediately prior to the passing of the Indian Independence Act 1947 by the parliament of the United Kingdom. This law provided a pathway for such a person or their descendants who had uninterrupted residence in Sri Lanka immediately prior to January 1, 1946, for a specified period of time, and had uninterrupted residence from that day to the date of the application, to apply for registration as a citizen.¹²

Registration as a citizen was conditional on that individual being able to satisfy the authorities that s/he had a lawful means of livelihood.¹³ The process of submitting applications, which was prescribed by regulations, was also extremely technical and complicated, with multiple application forms for different categories with subtle distinctions and a technical process of attestation.¹⁴ Application forms were in English, which meant that a vast majority of up-country Tamils could not complete the forms without assistance.

Applications covering nearly 824,000 persons were submitted, but due to the above-mentioned constraints, many applications were incomplete. The procedure to inquire into the applications and process them was also complicated and carried out by hostile commissioners who appeared determined to reduce the number of successful applicants.¹⁵ In several cases that progressed to the Supreme Court, the Court made adverse remarks on the conduct of the commissioners, noting that the inquiries were not conducted in accordance with the principles of natural justice, and commissioners were intentionally eliciting evidence to reject applications.

Thousands were rendered stateless, and eventually, as a result

12 Indian and Pakistani Residents (Citizenship) Act No. 3 of 1949, Section 3.

13 Indian and Pakistani Residents (Citizenship) Act No. 3 of 1949.

14 Yogeswary Vijayapalan, *Endless Inequality: The Rights of the Plantation Tamils in Sri Lanka* (United Kingdom: Mayan Vije Limited, 2014), 64, cited in Luwie Ganesathasan and Asanga Welikala, 'Report on Citizenship Law: Sri Lanka'.

15 P.P. Devaraj, Interview Tamils of Recent Indian Origin and Citizenship (Sri Lanka: 2012).

of various bilateral negotiations with the Government of India, numbers were agreed upon to receive either Indian or Sri Lankan citizenship.¹⁶ But there were still several thousands in the limbo of statelessness, and they were victimised during the bouts of anti-Tamil violence that plagued Sri Lanka.

The issue of statelessness came to be viewed not simply as a bilateral issue between India and Sri Lanka but as a human rights violation with regional and broader significance, and it was an embarrassment to Sri Lanka as it was raised in several international forums. Eventually, it was resolved by the Grant of Citizenship to Persons of Indian Origin Act, enacted in 2003.¹⁷ The Ceylon Workers' Congress (CWC) was active in canvassing support and with support from the United Nations High Commissioner for Refugees (UNHCR), citizenship was granted to all those who had not been able to apply or were rejected under the previous Acts.

After decades of bitter and divisive debate on who was a Sri Lankan, the law was passed with unanimous support in the Sri Lankan Parliament. The 2003 Act granted citizenship to any person of Indian origin who has either been a permanent resident of Sri Lanka since 1964 or is a descendant of such a resident. The Act simplified the application process and built in timelines for officials to deliver the required certification.

In 1911, Malaiyaha Tamils (previously referred to as Indian Tamils and as plantation Tamils) constituted roughly 13 per cent of Ceylon's population. Sri Lanka's most recent census, published in 2012, shows that they now comprise just above 4 per cent of the population. This lower figure could also be partly due to some

¹⁶ According to the terms of the Sirima-Shastri Pact of 1964 and the Sirimavo-Gandhi Agreement of 1974, India was to grant citizenship and repatriate to India 600,000 up-country Tamils living in Sri Lanka. However, as set out in the preamble of Grant of Citizenship to Persons of Indian Origin Act (GCA) 1986, only 506,000 of the 600,000 persons applied to the Indian High Commission in Sri Lanka for Indian citizenship. The remaining 94,000 persons applied for Sri Lanka citizenship. The preamble of GCA 1986 further stated that the Government of India had given an under taking to complete the granting of Indian citizenship to these 506,000 persons, within six to eight months of the date of enactment of that Act.

¹⁷ Grant of Citizenship to Stateless Persons (Special Provisions) Act No. 39, 1988, Section 2.

Malaiyaha Tamils registering their status as Sri Lankan Tamil, often due to fear of being discriminated against. However, there is no doubt that the numbers of the community were decimated through the forced repatriation of many through the implementation of citizenship laws.

Despite the issue of statelessness among the up-country Tamil community being resolved legislatively, their exclusion from political life and denial of basic rights and freedoms for several decades has left a majority of them economically deprived and socially vulnerable.¹⁸ For decades, they were reliant on the political leadership of the Ceylon Workers Congress (CWC) to negotiate for their interests with few representational options.

Now as citizens, albeit socially and economically marginalised citizens, they have struggled to reinstate their identity and place in Sri Lanka, memorialising their journey into the country, their struggles and contributions to the economy on which Sri Lanka's prosperity depended.¹⁹ In 2023, the Malaiyaha Tamils commemorated their presence in the country for over 200 years with a long march as an ethnic group of Tamil people who have lived in Sri Lanka for over 200 years. Special efforts are required to ensure that they have access to health, education and sustainable livelihoods and that they are not confined to the plantation economy to which they were originally tied.

The Politics of Language and Its Impact on Minorities

Undoubtedly, the passage of citizenship laws created apprehension among the minorities who believed that this could have a domino effect and create the pathway for other discriminatory laws. In 1956, Prime Minister S. W. R. D. Bandaranaike secured a landslide victory on his promise to promote socialism and champion the rights of the Sinhala Buddhist majority. He argued that the Sinhala Buddhists were sidelined during the colonial era by the

¹⁸ This section draws on the comprehensive study of the citizenship laws and its impact on up-country Tamils by Ganeshathasan and Welikala, *Report on Citizenship Law Sri Lanka*.

¹⁹ Jeevan Ravindran, *Malaiyaha Tamils' Long March to Equality in Sri Lanka* (Nepal: Himal South Asia, December 2023).

British, who favoured the ethnic Tamil minority, English-speaking Burghers and the Christian community, and this was reflected in public-sector employment and the profile of the professional elites of the country.

The Official Language Act (No. 33 of 1956), commonly known as the Sinhala Only Act, making Sinhala the only official language of the country was resisted by the Tamil minority, who believed that it violated a pre-independence understanding that the colonial language of English would be replaced by two national languages, i.e., Sinhala and Tamil. The Tamil minority recognised that they would be edged out of public-sector employment, and it would also undermine their status as co-inhabitants of the country. The passage of the Sinhala Only Act was also accompanied by a broader 'Sinhala-Buddhist' nationalism, with political leaders calling for corporations and high public offices to be filled by 'Sinhala Buddhists', thus sidelining other religious communities as well. This was the most overt declaration of majoritarianism and was resisted by the Tamil minority, leading to the first bout of ethnic riots in 1956 and later in 1958.

Burghers, descendants of the Dutch, and the most westernised ethnic group in Sri Lanka, who made up 3 per cent of the population in 1981, have since decreased to 0.04 per cent at present. Mass emigration of Burghers followed the implementation of the official language policy. During the British colonial government, more importance and acceptance were given to the English-medium education in Sri Lanka, and the Burghers were fluent in English. They also preferred the adoption of the English language over Sinhala. With the Sinhala-only language policy, they recognised there would be increasing rates of unemployment for the Burgher minority who were not familiar with Sinhalese.²⁰

The Tamil community also resisted this Act for the same reasons and more. They believed that they were co-nationals in Sri Lanka, although a numerically smaller community, and that

20 M.H.D.A.S.S.N. Masakkara, 'The Fading Identity of Burgers - with Special Reference to the Impact of Sinhala Culture on Burgers in Kurunegala Region', *International Journal of Scientific and Research Publications (IJSRP)* 11, no. 7 (July 2021): 705–11.

both languages were indigenous and should be adopted. Tamil resistance to this Act led to their demands for a federal system of government where they would manage the provinces where they constituted a majority with a degree of autonomy and use the Tamil language as the language of administration. Prime Minister S. W. R. D. Bandaranaike agreed to this and signed the Bandaranaike–Chelvenayaga Pact in 1957, but in the face of political opposition by the Buddhist priests and the parliamentary opposition, he abrogated it. However, his willingness to sign the pact undermined his authority among the ultra-nationalist ranks, and it led to his assassination by a Buddhist priest in the same year.

His widow, Sirimavo Bandaranaike, who assumed leadership of the political party that he founded assured her voter base that ‘more of the same’ socialist and nationalist policies would follow under her leadership, and in the next decade, there was more contestation with the minorities, especially the Catholics and Christian communities associated with the takeover of church-run schools.

While the Tamil community protested vehemently against the language policy, there was a sense of resignation among the Burgher community, who believed that in the face of this majoritarian nationalism, there was no place for them in the newly independent Sri Lanka. During the 1950s and through to the 1960s, there was significant migration of the Burghers who left Sri Lanka for the United Kingdom, Australia and Canada. Many Tamil professionals, especially doctors, engineers and teachers, also migrated to work in Africa and also to the United Kingdom, the US and Australia. This was the first wave of Tamil migration, and the numbers were eclipsed by subsequent migrations in the aftermath of the pogrom of July 1983 and the civil war, which led to Tamils seeking asylum in the West and also many fleeing to India in precarious small boats to escape the violence.

The language policy continued to disadvantage the Tamil minorities, and piecemeal accommodations were made through policies such as those permitting the ‘reasonable use of Tamil’ in areas where a large Tamil population lived, i.e., in the Northern and Eastern Provinces. However, this was not properly

implemented, and for Tamils who sought employment in the government administrative service, the language policy was an economic death knell.

Politics of Language and Education: The Continued Erosion of Minority Rights

Language issues in Sri Lanka are crucial for understanding minority participation in political, economic, and social spheres. Despite concessions, the Sinhala-only policy had long-term negative consequences for Tamil-speaking children, as proficiency in the Sinhalese language under the Sinhala Only Act became a prerequisite for employment in the public sector.

In 1971, a system of 'standardisation' was introduced in universities, favouring Sinhalese applicants over many qualified Tamil students.²¹ The systematic effects of Sinhala-only policy have continued to have repercussions up to the present day, with Tamils being disproportionately impacted; Tamil activists have grave concerns with the unequal distribution of financial and human resources, which results in poorly equipped and understaffed Tamil medium schools. In addition, there has been noticeable under-representation of Tamils in institutions responsible for policy making, curriculum preparation, textbook production and the political appointments of school principals. Finally, Tamil-medium teaching material is criticised for its poor quality and strong Sinhalese cultural bias.²²

The cumulative impact of the 1972 republican constitution, the aggressive implementation of the language policy, and standardisation of university entrance examination results further discriminated against Tamils. State-sponsored colonisation schemes which put many Sinhalese settlers into Tamil areas caused further distress, reducing economic and livelihood opportunities for Tamils in what they saw as their traditional homelands and also changing the demographics of these areas,

21 S. Anuzsiya, 'Standardization in the University Admissions and Ethnic Crisis in Sri Lanka', *Proceedings of the Indian History Congress*, 57 (1996): 799–807.

22 B. Sørensen, 'The Politics of Citizenship and Difference in Sri Lankan Schools', *Anthropology & Education Quarterly* 39, no 4 (2008): 423–443.

which impacted the electoral representation of Tamils in these areas. At the time of independence, Tamils were approximately 66 per cent of the population in the Eastern Province, but today they represent a third of the population. Gradually, groups from both communities moved towards extremism. With the creation of the Tamil United Liberation Front (TULF) and the rise of several resistance groups, the idea of a separate state became the dominant discourse among the Tamils and prevailed for the next two decades. The Liberation Tigers of Tamil Eelam (LTTE), founded in 1976, waged a civil war for the next two and half decades.

Eroding Minorities' Right to Equality of Religions and Religious Participation

Religion is closely intertwined with ethnicity in Sri Lanka where the majority of Buddhists are Sinhalese; most Hindus are Tamil and being Muslim encompasses both an ethnic and religious identity. The Christian community includes Roman Catholics, traditional Protestants and non-traditional or evangelical Christians, and includes both Sinhalese and Tamil groups.

Many Buddhists resented what they saw as the privileged status of the Christian community, which received patronage during the British colonial period, and they believed that the status of Buddhism was undermined during this period and that independence did not address this adequately. The need to make changes in language laws prioritising Sinhala was soon accompanied by the rhetoric of the need to advance Sinhala Buddhists. Linking language and religion, thus, became the basis of 'Sinhala Buddhist' nationalism, which became a forceful ideology and was used in full throttle during elections.

Under the British colonial regime, Catholics and Christians enjoyed a privileged position in the field of education. By 1939, Catholics and other Christians, who comprised only 6.25 per cent of the population, obtained 73.2 per cent of the government grant for denominational schools, whereas Buddhists, Hindus and Muslims, who constituted 93.7 per cent of the population, received just 26.3 per cent of the grant. This policy not only intensified the

feelings of discrimination among Sinhala Buddhists but also set the stage for the rise of Sinhala Buddhist nationalist sentiment.

After the July 1960 general election, Sirimavo Bandaranaike was elected premier, leading the Sri Lanka Freedom Party (SLFP) which was committed to advancing Sinhala Buddhist nationalism and a socialist economy. She undertook a series of controversial issues that included the takeover of private schools, the nationalisation of banks, insurance companies and petroleum products, establishing greater state intervention in the economy.

Despite her own education at a leading Catholic girls' school, Sirimavo Bandaranaike's first move was the takeover of the private schools, most of which were run by Catholic and Anglican churches and other minority communities (Muslims and Hindus), which also ran denominational schools. The schools run by the church received assistance from the state and the Catholic Church appeared to have negotiated tacit understandings that these schools would not be taken over by the state. However, she was determined that the takeover of church-run schools was necessary to align with the national free-education-for-all policy. Although the takeover of church-run schools by the government antagonised the church and the Catholic community, the Schools Takeover Act in 1960 was passed in parliament with a majority of members, but with the United National Party (UNP) and the Federal Party sitting in the opposition, voting against it. The Catholic Church was mobilised to resist the Schools Takeover Act, and many Catholics, at the instigation of the Catholic Church, protested against it. Some Catholics protested that this amounted to religious discrimination, even persecution, and forcibly occupied schools, and many schools in Catholic areas had to be closed.

However, leftist Catholics in Catholic-dominated areas persuaded the poorer sections of the community that it was in their larger interest to be within the state-run system—political ideology trumping religious fervour—and with the Catholic community divided on this issue, the religious discrimination dimension of the policy was muted and the Church too gave up its struggle.

The Status of Religious Minorities under the Constitution

As stated previously, the Constitution of 1948 did not recognise any religion and made a reference through Section 29 to protect individuals from discrimination. The Section was so vague that it could not be used to protect up-country Tamils from disenfranchisement. However, with the sweeping electoral victory with a two-thirds majority in Parliament of Mrs Bandaranaike in 1972, she was given a mandate to draft a new Constitution, and she expressed the intention to reverse the previous order which was associated with colonialism. On top of the agenda was the discussion on religion and language rights, with the determination that the status of Buddhism and the Sinhala language should be constitutionalised.

Ironically, many members of the Constitutional Assembly stated that Section 29 did not provide protection for the Buddhists who constituted the majority. A robust debate on the religion question took place, and three significant amendments were proposed. At one end of the spectrum was the advocacy for constitutional recognition of Buddhism to stronger language that assured a 'rightful place' that sufficiently protects Buddhist interests. An amendment that replicated language on Buddhism stated in the Kandyan Convention declaring that 'the Religion of the Buddha to be inviolable and an obligation on the state to protect and maintain its rites, ministers and places of worship' was proposed.

At the other end of the spectrum was an amendment for a secular Constitution, raised by the representatives of the Ceylonese Tamils. They proposed a secular Constitution where Buddhists, Hindus, Muslims and Christians would all feel equal before the law and the Constitution.²³ In the discussions, it was pointed out that there was a fundamental difference in granting rights to the Buddhist religion itself and granting fundamental rights to individuals of non-Buddhist faiths. A Muslim member of the ruling coalition proposed a centrist position, calling for equal recognition of all religions, recognising and stating that Hinduism, Islam and Christianity have all played important roles for a section of people

²³ *The Constituent Assembly of Sri Lanka* (March 1971), 954.

in this country, whilst agreeing to the special status granted to Buddhism in view of the island's historical Buddhist culture.²⁴

Eventually, the language settled upon in the Constitution was that Buddhism would have the 'foremost place' and thus, for the first time in Sri Lanka's constitutional history, religion entered into the constitutional discourse. Although this provision was considered a compromise between secularism and Buddhist majoritarianism, it left the relationship between Buddhism and other religions ambiguous.²⁵

A further irony was that the Constitution was drafted by a minister with a commitment to Marxism, but apparently, he and others recognised that the political context called for this compromise. Thus, Buddhism would receive state patronage, while the other religions were only protected under the fundamental rights chapter in the Constitution. This was a significant departure from Section 29(2), and this attitude towards the status of Buddhism has dominated institutional discourse ever since.

The Buddhism clause was considered to be unconventional in a multi-religious state and was potentially divisive and disrespectful as it lumped those who professed other religions into the category of 'the Other'.²⁶ Scholars, religious leaders and practitioners recognised that despite the fundamental rights guarantees for the minority religions that included freedom to manifest one's religion or belief in worship, practice and teaching, there was room for conflict. When the state recognised Buddhism as occupying the 'foremost place' and its obligation to 'protect and foster' Buddhism, in practice, the nature of the protection that it awarded to 'others' was no constitutional recognition at all. It left the followers of Hinduism, Christianity and Islam in a grey zone.²⁷

24 *The Constituent Assembly of Sri Lanka*

25 Benjamin Schonthal, 'Buddhism and the Constitution: The Histography and Post-colonial Politics of section 6', in *The Sri Lankan Republic at 40: Reflections on the Constitutional History, Theory and Practice*, ed. Asanga Welikala (Centre for Policy Alternatives, 2012), (n. 23) 217.

26 Nihal Jayawickrema, 'Reflections on the Making and the Content of the 1972 Constitution: An Insider's Perspective', in *The Sri Lankan Republic at 40: Reflections on the Constitutional History, Theory and Practice*, ed. Asanga Welikala (Centre for Policy Alternatives, 2012), (n. 4), 107.

27 Ayesha Wijayalath, *Constitutional Contestation of Religion in Sri Lanka*, NUS

Under the governments of both S.W.R.D. Bandaranaike and his wife Sirimavo Bandaranaike, Sinhala Buddhism was prioritised to the extent that employment and promotions, in the public service and, over time, recruitment of minorities to the police and armed forces was greatly reduced. Today, minority presence in these institutions, is greatly reduced and their presence in the armed forces is marginal.

In 1977, Mrs Bandaranaike was defeated and a new government was ushered in, also with a sweeping majority. The elections of 1977 were also accompanied by a bout of post-election violence, initially targeting the members and supporters of the defeated government, and then it rapidly turned into anti-Tamil violence. The new government headed by J. R. Jayawardene and the United National Party (UNP) acknowledged the need to address the deteriorating relations between the Sinhala Buddhist majority and the Tamil community, as the elections were contested by Tamil parties expressing a commitment to securing a separate state for the Tamils encompassing the Northern and Eastern Provinces of Sri Lanka.

The new government claimed a mandate to draft a new Constitution, using the procedure of amending the 1972 Constitution. In effect, it was replaced in its entirety with new institutions and processes, such as the executive presidency and a system of proportional representation to replace electoral constituencies elected on the basis of a first-past-the-post electoral system. The 1978 Constitution constitutionally enshrined Sinhala as the official language and Article 9 states that '[t]he Republic of Sri Lanka shall give Buddhism the foremost place, and it shall be the duty of the State to protect and foster the Buddha Sasana, while assuring to all religions the rights granted by Articles 10 and 14(1) (e)'. The Constitution also declared Sri Lanka to be a unitary state and, so in one fell swoop, the Constitution not only ignored but declined to address the main grievances of the Tamil minority, i.e., their demands for language rights, religious freedoms, recognition of the Northern and Eastern Provinces as their homelands and their right to regional autonomy.

Along with these constitutional foundations, in the years following the passage of the 1978 Constitution, Sinhala Buddhist nationalism was actively promoted and referenced regularly by all political parties for electoral gain. The gentle spirituality of Buddhism found no place in the militarised culture that prevailed during the civil war.

The intensification of the conflict between the Tamil separatist groups and the government of Sri Lanka led to a continuous flow of refugees to India, and it catalysed support for the Tamils of Sri Lanka among the Tamils of South India who regarded them as co-nationals. The treatment of Tamils in Sri Lanka became a political issue in Tamil Nadu and led to the active intervention of the central government of India. In 1987, Rajiv Gandhi, prime minister of India, intervened and coerced the government of Sri Lanka to sign the Indo-Sri Lanka Accord that laid the framework for the Thirteenth Amendment to the constitution that provided for provincial councils to be established through which power was devolved to the provinces and provided for the initial merger of the Northern and Eastern Provinces as one unit as the mechanism to address the Tamil minority's clamour for autonomy. The provincial councils were to be responsible for police powers and the power to manage provincial lands and raise some revenue through land taxes, but this was bitterly contested in the courts, and over time, many obstacles were placed to prevent the full implementation of the provincial councils. Eventually, even elections for provincial councils were not held and they have come to be dismissed as white elephants to be eliminated.

In 2015 after presidential elections, when constitutional reform surfaced again as the need of the times, the status of Buddhism and devolution of powers and autonomy to the minorities were contested again. The opportunity to reform a Constitution that had been the harbinger of authoritarianism and enabled corruption and nepotism was missed altogether when these contentious issues became the central issues.

The erosion of protections for religious minorities progressed over the years, creating a deep sense of alienation among the minorities. In later years, the Hindus and Muslims were targeted

during the bouts of violence that accompanied elections, and more infamously in mass pogroms held in July 1983 against the Tamils and later against the Muslims in areas such as Aluthgama and Digana. The Easter Sunday bombing by Muslim extremists in 2018 raised more suspicion towards all Muslims and galvanised expressions of hatred and directed violence towards them. This period saw Buddhist monks behaving in a less-than-holy manner and even subjecting Christian priests and Muslims to gratuitous violence with state agencies, including the police, looking on and doing little to protect religious minorities.

The Continued Grievances of the Religious Minorities

Following constitutional status accorded to Buddhism as the 'foremost religion', the law recognises four religions: Buddhism, Islam, Hinduism and Christianity. There is no registration requirement for the central religious bodies of these four groups. However, new religious groups, including groups affiliated with the four recognised religions, must register with the government to obtain approval to construct new places of worship, sponsor religious workers, including missionaries and obtain visas and immigration permits for them, to operate schools and apply for subsidies for religious education.²⁸

Religious organisations may also seek incorporation by an act of parliament. This requires a simple majority voting in favour and affords religious groups state recognition.²⁹ Individual cabinet ministries handled religious affairs with each of the four recognised religions. But from 2020, the Prime Minister heads a ministry managing the religious concerns of each of the 'other' major religions.

Despite this benign framework, Christian groups stated that they experienced major difficulties in complying with local officials' registration requirements to build churches and to worship as a community. Getting land deeds, especially in the north and the east (where many churches and temples were destroyed in the conflict),

²⁸ *Country Policy and Information Note Sri Lanka-Religious Minorities* (2021).

²⁹ *2020 Report on International Religious Freedom: Sri Lanka* (United States of America: United States State Department, May 2021), 7-8.

was challenging and building new ones required the consent of the local community or the local Buddhist temple, and local councils often opted not to approve the construction of new religious buildings. Church leaders said they repeatedly appealed to local government officials and the ministry responsible for religious affairs for assistance, with little success.³⁰ This was confirmed by Ahmed Shaheed, the United Nations Special Rapporteur on Freedom of Religion or Belief, who undertook a visit to Sri Lanka in August 2019, during which he spoke with a variety of government officials, civil society organisations, research institutions and representatives of a variety of religious organisations. In the preliminary findings of the 'Report of the Special Rapporteur on freedom of religion or belief on his visit to Sri Lanka' (2020), the Special Rapporteur noted that 'minority communities complain that the registration process is opaque and slow; that registration requirement is not clear and is a cumbersome process, and that it also results in monitoring and harassment by local police and authorities'.³¹

The government funds and supports religious schools by the Buddhist community while those run by other religious communities are privately funded, placing pressure on the communities themselves and philanthropists from within the community and alumni to support private religious education.

In 2003, religious rights under the Constitution were elaborated more clearly and to the detriment of minority religions, with the courts holding that the freedom of religion guaranteed under the Constitution did not include the right to proselytise. In its Special Determination No. 19 of 2003, the Supreme Court decided that the propagation and spreading of a religion other than Buddhism 'would not be permissible as it would impair the very existence of Buddhism or the Buddha Sasana'. The majority community enjoys greater protections and freedoms to express their beliefs, as seen in the 2004 Menzinger Sisters case, which involved a challenge to the incorporation of a Catholic order of nuns. In this case, the

³⁰ 2020 Report on International Religious Freedom: Sri Lanka.

³¹ Also see *Preliminary findings of Country Visit to Sri Lanka by the Special Rapporteur on freedom of religion or belief* (Colombo: OHCHR, August 2019).

Supreme Court ruled that the Constitution does not guarantee the right to propagate religion and that promoting Christianity could undermine Buddhism's existence.³²

In 2018, it was held that the right 'to propagate' one's religion was not protected by the Constitution. However, the decision of 2003 seems to suggest that it would be acceptable if one were to propagate Buddhism.

The rise of Sinhala Buddhist nationalist sentiment, which began in the mid-19th century, flourished in the post-independence era and is central to the marginalisation of minority groups in Sri Lanka. But, after the civil war, it took a more virulent form under the successive regimes under the Rajapaksa presidencies. A hate campaign led by the extremist organisation Bodu Bala Sena (BBS) has targeted Muslims, focusing on their social practices such as dress codes, prayer rituals and *halal* slaughter of animals. Founded and run by Buddhist monks, the BBS positions itself as a politically active group involved in various campaigns nationwide, claiming support from nearly 80 per cent of Sri Lanka's monks. According to Benjamin Schonthal, 'except for one lay member, who also serves as the organisation's lay coordinator, all of the other members of the organisation's executive committee are Buddhist monks from the deep south of Sri Lanka'.³³ Over the years, the BBS has represented a trend of increasingly politicising Buddhism as a rallying point for the protection of the Sinhala Buddhist ethnic majority.³⁴ They received political patronage from President Gotabaya Rajapaksa, who assigned the lead monk of BBS to lead a task force, and spearheaded the 'One Country One Law' campaign, specifically targeting the recognition of Muslim personal laws. The BBS have

32 'CPIN - Sri Lanka - Religious Minorities', Assets UK, accessed August 6, 2024, https://assets.publishing.service.gov.uk/media/612dfef08fa8f53dd0d601b7/Sri_Lanka_-_Religious_Minorities_-_CPIN_-_v2.0_-_August_2021.pdf.

33 Benjamin Schonthal, 'Configurations of Buddhist Nationalism in Modern Sri Lanka', in *Buddhist Extremists and Muslim Minorities: Religious Conflict in Contemporary Sri Lanka*, ed. John Clifford Holt (New York: 2016).

34 K. T. Silva, 'Gossip, Rumor, and Propaganda in Anti-Muslim Campaigns of the Bodu Bala Sena', in *Buddhist Extremists*, ed. J.C. Holt (Oxford Scholarship Online), (2006) 1–242. Also see B.W. Shirley, *Violence, Identity, and Alterity Post-War Rhetoric of Sri Lanka's Bodu Bala Sena* (2015).

also attacked Christian priests and enjoyed impunity.³⁵

After the end of the civil war, which left the Tamils battered and leaderless and without a clear aspirational political ideology beyond survival, Muslims have been subjected to unrelenting harassment in the media and on social media and their businesses and mosques were also targeted and subjected to violence. With the Easter Sunday bombing in 2018, this intensified, and many young men were arrested under the Prevention of Terrorism Act (PTA) and detained indefinitely. Their schools and madrasas were subjected to additional surveillance and even closure.³⁶ During the COVID-19 pandemic, the government took the stance that all dead bodies had to be cremated on the grounds that it was necessary to protect the soil and groundwater from contamination. The government held fast to this policy despite scientists and experts confirming that there was no evidence to support this view and fully realising that this caused great distress to the Muslim community.³⁷

In the aftermath of the civil war, there has also been a rise in the number of charismatic evangelical churches that has mushroomed and they complained of facing challenges in establishing places of worship, with obstacles placed against their activities by the government, the Sinhala Buddhist minority, and by established churches, which fear their presence in making inroads into their congregations.³⁸

35 Alan Keenan, 'One Country, One Law: The Sri Lankan State's Hostility toward Muslims Grows Deeper', *International Crisis Group*, accessed January 30, 2025, [https://www.crisisgroup.org/asia/south-asia/sri-lanka/"one-country-one-law"](https://www.crisisgroup.org/asia/south-asia/sri-lanka/)-sri-lankan-states-hostility-toward-muslims-grows-deeper.

36 'NGR Regime's Crusade against Madrasas', April 28, 2021, <https://www.ft.lk/columns/NGR-regime-s-crusade-against-madrasas/4-716901>.

37 'Sri Lanka: Covid-19 Forced Cremation of Muslims Discriminatory: Baseless Public Health Claims Smokescreen for Persecuting Minority', Human Rights Watch, January 18, 2021, <https://www.hrw.org/news/2021/01/18/sri-lanka-covid-19-forced-cremation-muslims-discriminatory>.

38 'Sri Lanka Among 25 Nations with High Religious Restrictions, India Tops List: Data', *Ada Derana*, Jan 3, 2025; Also see 'Sri Lanka: Summary Report on Religious Freedom', (National Christian Evangelical Alliance of Sri Lanka, May 2017).

The Impact of Agrarian Development Policies and State Colonisation Policies on Majority-Minority Relations

Development policies and Sinhala-Buddhist nationalism have been closely intertwined in post-independence Sri Lanka, and colonisation schemes have been central to this agenda. Although initially presented as a strategy to alleviate land-hunger and increase self-sufficiency in agriculture, the first such scheme in Gal Oya in eastern Sri Lanka, which moved Sinhala peasants into areas populated by Tamils and Muslims, led to the first ethnic confrontation in 1956 post-independent Sri Lanka. Coming on the heels of the citizenship laws and the Sinhala only language policy, it was regarded by Tamils as a strategy to further marginalise them by changing the demographics of areas that were predominantly populated by the minorities and reducing their access to lands and livelihoods. Indeed, the population figures have since shifted in the Eastern Province to be equally balanced between the Tamils, Muslims and Sinhala settler community.³⁹

The Mahaweli Development Scheme, conceptualised in 1961 and accelerated in 1977, completed most headworks by 1995. It was the largest multipurpose national development programme in the history of Sri Lanka. While it was ostensibly designed to increase hydropower, create access to more irrigated land and peasant settlements, it had the additional impact of furthering ethnic conflict and grievances, and was further described as 'peasant politics' that has pursued the project of a Sinhala-Buddhist nationalism under the guise of high modernist development.⁴⁰ Sinhalese settlers were moved to sparsely populated areas in the northern and eastern

³⁹ According to the 2012 census (the first census since the end of armed hostilities), the total population of Sri Lanka is 20,359,439, of which Sinhalese are 15,250,081 (74.9 per cent), the Sri Lankan Tamils 2,269,266 (11.2 per cent), Sri Lankan Moors (Muslims) 1,892,638 (9.3 per cent), and the Up-Country or Indian Tamils 839,504 (4.1 per cent). *Census of Population and Housing of Sri Lanka 2012* (Colombo: Department of Census and Statistics (2012), Government of Sri Lanka, 2012), Table A3. Also see Balasundrampillai, P., 'Some Aspects of Population Change in Sri Lanka (1946-1971)', *Sri Lankan Journal of South Asian Studies* 2, no. 2 (December) 1982.

⁴⁰ T. Kelegama and B. Korf B, 'The Lure of Land: Peasant Politics, Frontier Colonization and the Cunning State in Sri Lanka', *Modern Asian Studies* 57, no. 6 (2023).

dry zones, and it served to expand the settlement frontier, making these settlers ‘frontiersmen’ of the Sinhala-Buddhist nation.⁴¹ The Gal Oya and Weli Oya schemes were deeply resented by the Tamils and Muslims, fearing they would be made minorities in their own territories, and heavily opposed these schemes.

In the mid-1980s, a highly controversial settlement of Sinhalese started rather surreptitiously. After a previous attempt to settle 40,000 Sinhalese at Maduru Oya River in the Batticaloa district in eastern Sri Lanka had been abandoned due to public pressure, these potential settlers, mobilised by a Buddhist monk, Dimbulagala, were relocated to settle in Manal Aru (later to be renamed in Sinhalese as Weli Oya which is a translation of the Tamil term for ‘sand river’).⁴²

During the war, many Tamils and Muslims were displaced and could not return to their homes due to the military occupation of these areas, which were demarcated as high-security zones. During the conflict, the LTTE too was responsible for expelling the Muslim minority from Jaffna, thereby impacting sub-minority representation.

Large numbers of Tamils migrated during the war, seeking asylum in countries such as Canada, Australia, the United Kingdom, the US, and in Europe. Many others fled to India and have remained there, living in uncertain conditions. A new generation of Tamils was born in India without ever having lived in Sri Lanka.

Changing Dynamics of Minority Representation and Participation in the Course of Sri Lanka’s Civil War

In the aftermath of the pogrom of July 1983, many Tamils fled to the north, with many writers commenting that ‘the Tamils are voting with their feet’. By moving to the north, they were realising the intentions of the Liberation Tigers of Tamil Eelam (LTTE) to consolidate a Tamil state. Others took the opportunity to migrate or seek asylum in countries sympathetic to their plight, and many

41 Kelegama and B. Korf B, ‘The Lure of Land: Peasant Politics, Frontier Colonization and the Cunning State in Sri Lanka’.

42 Kelegama and Korf B, ‘The Lure of Land: Peasant Politics, Frontier Colonization and the Cunning State in Sri Lanka’.

simply fled to India, risking their lives by crossing in small boats.⁴³ Migration had an impact on the population figures, and it had a continued negative impact in the course of three decades of conflict.

The immediate impact of the pogrom of July 1983 was the government's decision to pass the Sixth Amendment to the Constitution, which prohibited even the verbal non-violent advocacy of separatism. Parliamentary representatives of the Tamils distanced themselves from militant organisations, maintaining that while they aspired to a separate state, they opted for canvassing for it through parliament. The government believed that this legitimised the militant groups, and this amendment forced all the parliamentarians and public officials to swear allegiance to the unified state. The Tamil parliamentarians believed that this would erode their standing within the community and declined to do so, vacating parliament for several years till the Indo-Sri Lanka Accord of 1987 and peace talks made it possible for them to re-enter parliament. Their absence from parliament effectively ceded leadership over the Tamils to the LTTE.

In the aftermath of the pogrom of July 1983, India facilitated talks between the Government of Sri Lanka and the militants. At the talks held in Thimpu, Bhutan, in 1985, Tamil militant groups collectively articulated a set of four 'cardinal principles' as the basis of a new constitutional settlement. These were: the recognition of the Tamils of Sri Lanka as a distinct nationality; the recognition of a Tamil traditional homeland in the North and East; the recognition of the inalienable right of self-determination of the Tamil nation; and the recognition of the right to full citizenship and other fundamental democratic rights of all Tamils, who look upon the island as their country. While the Thimpu talks failed as the government rejected all but the last principle, the conflict escalated with more Tamils fleeing to South India and an economic blockade imposed on the North, creating more suffering. India intervened, dropping food into Jaffna and signalled its intent to intervene more directly in bringing the conflict to an end.

The marginalisation of the minorities, through citizenship

⁴³ Manohari Velamati, 'Sri Lankan Tamil Migration and Settlement: Time for Reconsideration', *India Quarterly* 65, no. 3 (September 2009), 271–294.

and language laws, was the factor that led to the principal Tamil demand for the decentralisation of power and for recognition that they were a distinct national group populating the northern and eastern areas of the island and for territorial autonomy in those areas within the framework of a federal Sri Lankan Constitution. Throughout the post-independence years, this issue dominated politics in Sri Lanka, and by the 1970s, the failure to address this through federal autonomy led Tamil nationalism to call for a separate Tamil state in the north and east. By the 1980s, the unresolved claims to power-sharing reached a situation of serious armed conflict between the state and Tamil militant groups.

To meet the demands of the Tamils for territorial autonomy in the northern and eastern areas of the island, a recognition of the countervailing demands of the Sinhala community to preserve the unitary character of the Sri Lankan state and prevent secession, the Indo-Sri Lanka Accord attempted to square this circle.

Central to the Indo-Sri Lanka Accord, reluctantly signed by the government of Sri Lanka under the leadership of President J. R. Jayawardene and Prime Minister Rajiv Gandhi in 1987, was the commitment of the government of Sri Lanka to amend the Constitution through the Thirteenth Amendment to provide for a degree of autonomy to the provinces as a mechanism to address the ethnic conflict and the government of India to rein in the Tamil militants and ensure that they would give up the armed struggle for a separate state.

The Thirteenth Amendment was drafted without any consultation with the major stakeholders (the Sri Lankan parliament, the Tamil parties and even the militant groups). The genesis of the Thirteenth Amendment to the Constitution and the setting up of provincial councils was linked to the Indo-Sri Lanka Accord, and so it was created in a context of conflict and mistrust. India was to underwrite the Accord by ensuring that the militants were disarmed. India dispatched a military contingent to this effect. The presence of the Indian Peace Keeping Force became a sore issue for both the Tamil militants and the Sri Lankan population and was an embarrassment for the government of Sri Lanka, which was seized with the idea of protecting the sovereignty of Sri Lanka, regarding

the devolution of power as a negation of the people's sovereignty.

The Thirteenth Amendment, providing for provincial councils, faced unenviable challenges. It was expected to assure the Tamils that it provided for a meaningful devolution and administrative powers and regional autonomy, while assuring the Sinhalese that the unitary state was not impaired, that sovereignty was not diluted through power sharing. The constitutional and legal provisions in the Thirteenth Amendment to the Constitution and the Provincial Councils Bill were bound by the political agreement arrived at between the governments of Sri Lanka and India, and Tamil political parties and militant groups in the process of negotiations.⁴⁴

It had to ensure the Tamil nationalist claim to an area of historical habitation (or traditional homeland) would be accommodated. This could not be done explicitly, but by merging the Northern and Eastern Provinces into a single administrative unit for the purposes of devolution under the Thirteenth Amendment, it created a *de facto* territorial unit. The merger was linked to the government being satisfied that the militants had surrendered their weapons. Thus, the Accord and the provincial councils were a response to the political pressures of the times.

The proposed scheme of devolution made changes to the official language policy (with Sinhala and Tamil regarded as national languages and English as the link language) and established provincial councils that enjoyed some legislative and administrative powers. The Accord also provided for the 'merger' of the Northern and Eastern Provinces into a single territorial, political, and administrative unit and this commitment was reflected in Article 154A (3), introduced by the Thirteenth Amendment, which stated that parliament may by law provide for two or three adjoining provinces to form one administrative unit with one elected provincial council, one governor, one chief minister and one board of ministers, and for the manner of determining whether such provinces should continue to be administered as one administrative

44 Asanga Welikala, 'Devolution under the Thirteenth Amendment: Extent, Limits, and Avenues for Reform', *CPA Working Papers on Constitutional Reform*, no. 10 (November 2016).

unit or whether each such province unit should constitute a separate administrative unit.

The Thirteenth Amendment was challenged in the Supreme Court with petitioners stating that it impacted some entrenched provisions in the Constitution and should be approved not only by a majority of two-thirds in parliament (which the government whip could ensure) but also by the people in a referendum, a procedure that the governments of Sri Lanka and India wished to avoid.

The Court's judgement reflected the unease and divisions associated with the Accord and the Bill.^{45 46} With regard to legislative power, the majority of Supreme Court judges reviewing the Amendment and the Provincial Councils Bill held that although there is a 'sphere of competence' in which provincial councils are empowered to legislate (i.e., in relation to the subjects set out in the Provincial Council List and the Concurrent List), as this power was neither exclusive nor coordinated with that of the central parliament, the legislative power that was devolved, as well as the subjects over which that power could be exercised, was entirely subordinate to the 'sovereignty of Parliament'. Therefore, parliament could at any time alter or take away the legislative powers devolved to provincial councils. Moreover, although parliament had to follow certain special procedures in doing so, such as prior consultation with provincial councils, these were held to be merely procedural restraints.

With regard to executive power, the majority held that the president remains supreme in regard to all executive functions. The governor exercised executive powers in relation to subjects that were devolved as a 'delegate' of the president, and in consideration of all the functions of the governor and the board of ministers, the Court was of the view that, the president remains supreme or sovereign in the executive field and the provincial council is only a body subordinate to him.

The majority also held that the Bills do not devolve judicial power on the provincial councils and that they do not make any change in the structure of the Courts or the judicial power of the people.

⁴⁵ The Thirteenth Amendment, 1987, Amendments 326–327.

⁴⁶

They observed that the proposed High Courts of the provinces have only limited jurisdiction, that the appellate authority of the Supreme Court and the Court of Appeal remain unimpaired, the administration of the judicial service remains with the centre and that, '[v]esting of this additional jurisdiction in the High Court of each Province only brings justice nearer home to the citizen and reduces delay and cost of litigation'.

The Provincial Councils Bill pleased neither the Tamils nor the Sinhalese, and in the years to follow, it had to contend with the mindset of the central government bureaucracy that did not permit it to be minimally effective.

In 2006, members of a political party hostile to the Accord, the provincial councils, and unsympathetic to the Tamil minority's aspirations filed a fundamental rights petition asking the apex court to declare that the proclamations issued by former President J. R. Jayewardene in September 1988, enabling the merger of the Northern and Eastern Provinces to be one administrative unit administered by one elected council, as null and void. The petitioners argued that the merger did not give the petitioners and other inhabitants of the Eastern Province an opportunity to exercise their right to vote at an election for membership of the Provincial Council of the Eastern Province, and it thus denied their right to equality and equal protection under the law. They demanded a separate provincial council for the East after the de-merger of the two provinces. Ironically, the Court refused to entertain intervening petitions filed by some Tamils of the East.⁴⁷

A five-judge bench headed by the Chief Justice Sarath N. Silva ruled that the merger of Northern and Eastern Provinces of the island in 1987 was 'invalid'. The Court noted that the merger was made by the then-President J. R. Jayewardene under Emergency Regulations, even though neither of the conditions mentioned in Section 31(1)(b) of the Provincial Councils Act No. 42 of 1987 was met. The two conditions were cessation of hostilities and surrender of arms by all militant groups. The Court observed that the merger

⁴⁷ N. Manoharan, 'Sri Lanka: The Issue of Northeast De-Merger', Institute of Peace and Conflict Studies, 2006, <https://www.ipcs.org/commselectphp?articleNo=2165>.

was in ‘excess of the powers reposed in the President’ and only parliament was competent to decide on such a subject.

Since its enactments, the provincial councils have been stymied from performing their functions, starved of resources, confronted with obstacles at every turn, and faced a central government that made decisions relating to the provinces as if the authorities in the province did not exist. A Supreme Court ruling restraining the president from such actions led to the impeachment of Sri Lanka’s first female Chief Justice, who dared to stand counter to the executive.

The government’s proposed law, the Divineguma (Uplifting Lives) Bill, sought to vest devolved economic and financial power in relation to community-level development with the central government. Several parties had filed action before the Supreme Court, on this occasion, but unlike on previous occasions, the Supreme Court stepped in to prevent further erosion of provincial authorities’ powers.

A Supreme Court bench headed by the Chief Justice decided that as the Divineguma Bill was not in conformity with the Constitution, it could be passed only with a two-thirds majority in parliament and also the approval of the people at a referendum. The Court opposed the legislation on various grounds, including its undermining of devolution of powers to the provincial councils.

It held that the proposed Divineguma Bill takes away powers and responsibilities that have been reserved for provincial councils. Many of the powers vested in provincial councils by the Thirteenth Amendment have been non-functional due to the lack of economic resources and the non-devolution of those powers to them. For instance, the central government has taken back powers over local-level business taxation. The government continued with its centralising policies and did not devolve even limited police and land powers. The provincial governments were rendered powerless, but the framework legislation existed, which a future and potentially determined provincial council could use, and the government was determined to avoid this by emasculating all the provincial councils. The Thirteenth Amendment to the Constitution gave with one hand, and the Divineguma Bill was

seeking to take it away with the other hand.⁴⁸

Although the law establishing provincial councils was associated with the Indo-Sri Lanka Accord, the Indian government does not intervene consistently and forcefully on this matter.

The Aftermath of the Civil War: Ascendancy of the Ruling Party, Militarisation and Continued Mobilisation of Sinhala Buddhism and Increased Vulnerability of Minorities

Riding high on his reputation as the 'leader who ended the civil war', the Mahinda Rajapaksa government (2005–2015) advanced Sinhala Buddhist nationalism most aggressively in the post-war period. This period was marked by human rights abuses, suppression of dissenting voices, a rise in corruption and erosion of checks and balances on government. All of this was justified and enabled as the political narrative was human rights and checks and balances on presidential power, which undermined Sinhala Buddhist nationalism, the place of Sinhala Buddhists in society, and prevented the Rajapaksa government from focusing on post-war economic development. The development paradigm, too, was increasingly militarised with the army playing a significant role in business, urban development and agriculture.

The Tamil minority felt defeated after the war in many ways. They were leaderless, and there was no galvanising political message to give them cohesion. Survival was their immediate focus. The status of missing persons, accountability for war crimes was the focus, but to date, 25 years after the end of the war, they do not feel that their issues have been redressed despite several commissions of inquiry and discussions on transitional justice mechanisms. The report on the achievement of the Office of Missing Persons is thin.⁴⁹ As a consequence of the war, the armed forces were expanded, and in peacetime, they were strategically posted in the Northern and Eastern provinces, where they were an intimidating surveillance team.

48 Jehan Perera, *Political Challenges in Post-War Sri Lanka* (20 December 2012).

49 '2023-2025 Strategic Road Map', Office on Missing Persons (OMP), accessed January 30, 2025, https://www.moj.gov.lk/images/OMP/Docs/Strategic_Road_Map.pdf.

In this context, the Eighteenth Amendment to the Constitution was presented by the government and passed in 2010, enabling the president to run for a third term. The Eighteenth Amendment to the Constitution repeals the two-term limit and important checks on the exercise of executive power introduced by the Seventeenth Amendment. The Eighteenth Amendment to the Constitution grants the president unfettered power to make all key public service appointments, and it undermined the powers of the independent constitutional commissions and the mandates of the provincial councils.

Both the substance and the process of enactment of the Eighteenth Amendment to the Constitution were criticised. It entrenched an already over-powerful executive presidency, consolidated authoritarianism, and was clearly motivated by political bias. The process by which it was passed, without debate and discussion and the dubious arguments presented to legitimise it using the language of democracy to undermine democratic procedures, was reprehensible.⁵⁰

The role of the judiciary in this context, too, proved that it was not a consistent protector of constitutionalism. The petitioners against the amendment argued that the proposed abolition of the two-term limit established by Article 31(2) contained in Clause 2 of the Bill would affect the sovereignty of the people and the manner of its exercise. The Court rejected the petitioners' substantive argument that the abolition of the term limit affected the sovereignty of the people and the manner of their exercise of executive power in such a way as to require their approval at a referendum. It, therefore, upheld the Eighteenth Amendment Bill in the following terms:

The amendment of Article 31(2) of the Constitution by no means would restrict the said franchise. In fact, in a sense, the amendment would enhance the franchise of the People granted to them in terms of Article 4 (e) of the Constitution since the Voters would be given a wide choice of candidates including a

50 Rohan Edrisinha and Aruni Jayakody, eds., *The Eighteenth Amendment to the Constitution: Substance and Process* (Colombo: Centre for Policy Alternatives, March 2011).

President who had been elected twice by them. It is not disputed that the President is directly elected by the People for a fixed tenure of office. The constitutional requirement of the election of their President by the People of the Republic, strengthens the franchise given to them under Article 4 of the Constitution.⁵¹

The judiciary did not recognise the constitutional and political manipulations associated with the Bill and stated that the Bill did not require approval at a referendum.

When the next presidential election was held in 2015, the electorate did indeed speak out, and Mahinda Rajapaksa was defeated. The election of Maithripala Sirisena as executive president in 2015, along with the coalition United National Front for Good Governance (UNFGG) led by the United National Party, raised hopes for change among Sri Lanka's minorities as well as citizens and civil society activists committed to democracy and good governance. However, the *Yahapalana* government (i.e., the Good Governance government) disappointed on many fronts and the coalition government collapsed. It failed to rein in corruption or provide leadership to the constitution-reform movement and process; it did pass the Nineteenth Amendment to the Constitution to reduce some of the presidential powers in anticipation of a deeper constitutional reform process, but that did not fulfil its mandate to abolish the executive presidency. President Sirisena attempted a constitutional coup and sacked Prime Minister Ranil Wickremasinghe and declared Mahinda Rajapaksa to be prime minister. This coup proved to be untenable as the majority of parliamentarians did not support it. Mahinda Rajapaksa was compelled to retreat.

The Easter Sunday bombing of Christian churches and tourist hotels in 2018 paved the way for the more authoritarian regime under Gotabaya Rajapakse in 2019. It also signalled a fresh wave

⁵¹ Asanga Welikala, 'The Eighteenth Amendment and the Abolition of the Presidential Term Limit: A Brief History of the Gradual Diminution of Temporal Limitations on Executive Power since 1978', in Rohan Edrisinha and Aruni Jayakody (eds), *The Eighteenth Amendment to the Constitution: Substance and Process*, 128.

of persecution of the Muslims and a heightened sense of grievance among the Christians that little was being done to bring the perpetrators to book. Information was leaked that the authorities were warned of the likelihood of such an attack and did little to prevent it, hoping that the blame would stick on others. The mobilisation of Sinhala Buddhist nationalism and an increased militarisation of the government took place under Gotabaya Rajapakse. As discussed previously, under his regime during the pandemic, Muslims were subjected to additional sufferings through his cremation policy, and through arbitrary arrests of Muslims under the PTA and with law enforcement turning a blind eye to the harassment of Muslims and the random violence meted out to them. Muslim women and their dress, the food restrictions on Muslims, all of these became subjects of hate speech in the press and on social media. He fostered majoritarian supremacy and left a divisive legacy.⁵²

The ousting of the Gotabaya Rajapakse regime in 2022, following mass protests during the economic crisis, brought renewed aspirations for minorities after years of discrimination and violence despite the end of the conflict. His temporary replacement was Ranil Wickremasinghe, who worked to stabilise the economy by agreeing to a structural adjustment programme mediated by the International Monetary Fund. The impact of this programme on the poor was profound and the key electoral issue.

At the presidential election of 2024, Anura Kumara Dissanayake was elected. He campaigned on an anti-corruption platform, and the National People's Power (NPP) received an overwhelming parliamentary majority, securing two-thirds of the vote. The elections reflected some elements of minority confidence and a significant feature is that the NPP was able to field Tamil candidates who secured seats in Jaffna, a bastion of Tamil nationalism.

⁵² Dilrukshi Handunnetti, 'The Divisive Legacy of Sri Lanka's Gotabaya Rajapaksa', July 15, 2022, <https://www.aljazeera.com/news/2022/7/15/the-divisive-legacy-of-gotabaya-rajapaksa-sri-lanka>; also see Brahma Chellaney, 'The Fall of Sri Lanka's House of Rajapaksa', *The Strategist*, Project Syndicate, 2022, <https://www.aspistrategist.org.au/the-fall-of-sri-lankas-house-of-rajapaksa/>.

Prospects for Change

The legacy of Sri Lanka's civil war, characterised by large-scale displacement, lack of accountability for extrajudicial killings, sexual violence and the militarisation of public life, continues to impact the north and east of the country, where many minorities reside. Furthermore, historical and cultural narratives are promoted through the country's education curriculum, government programmes and the media. This reinforces the notion that Sri Lanka is not a plural society but a Sinhala Buddhist nation. This stream of discourse impacts many aspects of government policies, resource allocation and opportunities for people based on their religion and ethnicity.

Professor Farzana Haniffa, a Sri Lankan sociologist, refers to 'minoritisation' in post-independence Sri Lanka.⁵³ It is the process of rendering one or more communities as lesser, and minor, through legislation, economic and other policies and cultural marginalisation. In Sri Lanka, Tamils and Sinhalese are not portrayed as citizens entitled to equal rights but as historical enemies, interlopers and exploiters.

This active minoritisation has been accompanied by an equally active majoritarianism policy, a policy that supports majority entitlement, stemming from their rights as the numerically superior group, along with state-supported historical narratives of their place in history and society. Mobilising majority support around the majoritarian project required uncritical support, and this contributed to the Sinhala majority not holding successive governments to account for their many ill-conceived policies and governance and administrative failures. Most dangerous was the civic failure to hold governments to account for corruption, human rights violations and nepotism, which corroded the body politic over the years.

Ironically, Sri Lanka's economy went into free fall; when Sri Lanka celebrated 75 years of independence, there was much soul-searching as to what the country had gained. Nation-building

⁵³ Farzana Haniffa, 'Pandemic Malevolence: Sri Lanka's Compulsory Cremation Policy and Its Muslim Victims', in *Pandemic War-Time: Dispatches from Occupied Lands*, ed. Ather Zia (American Ethnologist, 2023).

could not go hand in hand with active policies of majoritarianism and minoritisation.

Where Do Minorities Stand in Sri Lanka Today?

As much as a glass can be validly presented as ‘half full/ half empty’, a recent perception and opinion survey among 64 experts and members of the marginalised community conducted during this project noted several interesting findings.

On economic participation, 18.8 per cent of the respondents polled believed that minorities enjoyed equal employment opportunities, 34.4 per cent believed they mostly had equal opportunities and 46.9 per cent were sceptical. The most significant barriers to employment for minorities are language barriers, followed by discrimination, lack of professional networks and educational skills. While 42.2 per cent of the respondents believed that minorities could engage in any occupation, trade or business, 47.8 per cent had degrees of reservations. Only 12.5 per cent of respondents believed that minorities are not vulnerable to workplace discrimination.

The respondents believed that the types of workplace discrimination experiences were mostly on the grounds of race/ ethnicity, followed by religious discrimination and gender-based discrimination. About 23 per cent of respondents did not believe that minorities face sexual/physical/verbal abuse or harassment at the workplace, with over 70 per cent believing that they faced degrees of abuse and harassment. About 61 per cent believed that minority groups have access to financial services and credit.

The survey yielded interesting comments on the impact of the language policies, with respondents commenting that the victims of the Sinhala Only Bill were the young Sinhalese, who are now weak in English and cannot advance without English language skills or self-educate through the internet.

On social participation, 51.6 per cent of the respondents believed that minorities could participate in public life through social gatherings, festivities and public life. And 59 per cent believed that minorities can participate in professional associations, clubs and community groups. About 71 per cent of the respondents believed that minorities face degrees and some forms of social exclusion and

discrimination based on language. This question generated several respondent comments, where they noted that: the Malaiyaha Tamils face discrimination in the courts, they are discriminated against and denied access to land and Muslim women wearing hijabs suffer discrimination and exclusion. The Easter Sunday attacks led to increased social discrimination against Muslims, and close to Martyrs' Day, when Tamils wanted to commemorate their war dead, they suffered discrimination.

Some 39 per cent believe that minorities have access to quality education and 32.8 per cent believe that they mostly have access to quality education. Access is impeded due to financial barriers, lack of government support, language barriers, discrimination and prejudice and cultural norms. Similarly, 35.9 per cent believe that minorities have access to quality healthcare, and 39.1 per cent believe that they mostly have access to quality healthcare.

On political participation, 85.9 per cent of the respondents believe that minorities have access to participation in politics. This is supported by the strong democratic culture, enabling legal framework, and the bloc votes that the minorities exercise. However, they also clarified that the minorities may not participate in elections due to their lack of trust in the political system, because they feel their votes don't matter, and also due to a lack of information. While 37.5 per cent do not believe that minority voices are adequately represented in the political arena, the majority believe that there is varying degrees of representation.

Recommendations

The survey yielded many recommendations for improving the social, economic and political participation of minorities.

- There must be recognition of the fact that the project to marginalise one community and prioritise another has no place in nation-building.
- Improving the status of minorities requires targeted and sustained efforts.
- The focus must be on substantive equality.

- There should be initiatives for social integration in schools.
- The national language policy must be implemented while improving the language capacities of all communities.
- Power must be devolved with provisions of proper resources and support.
- There must be support for specialised human rights institutions and a rights-conscious judiciary.
- Grassroots organisations and NGOs that enhance minority participation must be supported.
- There is a strong need for an affirmative action plan for the Malaiyaha Tamil community.
- A new way of envisioning society and the roles and responsibilities of its citizens is needed.

It is hoped that Sri Lanka at this juncture will make the required changes to the Constitution to establish democratic pluralism, respect for and protection of human rights and that the value of a plural and democratic society through civic education.

State of South Asian Minorities 2024

Manesh Shrestha

Afghanistan

Since the Taliban took over the country in August 2021, the people of Afghanistan have had severe restrictions in exercising their human rights. This trend continued in 2024. Religious minorities, particularly Shia Hazaras, continue to be targeted by the *de facto* authorities and The Islamic State—Khorasan Province (ISK-P) in Afghanistan, and face restrictions on practising their religion, often at the risk of their lives. The Taliban's extreme interpretation of Islamic Sharia law has curtailed the rights of girls and women. Crackdown on dissent and the civil society and muzzling of the independent media also continued during the period under review.

In its August 2024 report, the United States Commission on International Religious Freedom (USCIRF) said that under the Taliban, 'there has been a continual decline in religious freedom conditions' with Hindus, Sikhs, Christians, Ahmadiyya Muslims and Shia Muslims 'disproportionately affected'.¹ It estimates that there are 40 Sikhs and 50 Hindus living in Afghanistan, with a 'significant' number fleeing the country after the Taliban came to power in 2021.² Their lands were confiscated, but there are efforts underway to have their seized lands returned, with the Taliban

¹ Sema Hasan, Country Update: *Afghanistan; Religious Freedom Under Taliban-Controlled Afghanistan* (Afghanistan: 2024, United States Commission on International Religious Freedom), <https://www.uscifr.gov/sites/default/files/2024-08/Afghanistan%20Country%20Update%202024.pdf>.

² Hasan, *Afghanistan; Religious Freedom Under Taliban-Controlled Afghanistan*.

announcing the formation of a commission to return land and properties.³ According to the USCIRF, as the Taliban maintains that there are no Christians in Afghanistan, with financial rewards announced for those reporting on Christians, they are forced to practice their faith in private.⁴

Shia Muslims, who make up a religious minority of Afghanistan's population, continue to be persecuted, often with the loss of lives, during the period under review. The Hazara ethnic group, which makes up the majority of the Shias, were particularly targeted.⁵ According to a report from November 2024, in the 39 months since the Taliban came to power, 61 targeted attacks against Shia Muslims, including targeted shootings, summary killings and explosions, have claimed 473 lives and injured 681. Of these, 12 have been attributed to the Taliban, 16 to the Islamic State of Khorasan Province (ISKP), one to Kuchi nomads, and the remaining 32 remain unclaimed.⁶

In January, in an explosion in a minibus in the predominantly Shia Hazara area of Kabul, five persons were killed and 18 injured. The Islamic State of Khorasan Province (ISKP) claimed responsibility for the attack as part of their 'And kill them wherever you find them campaign'.⁷ In April, a bus carrying primarily Hazaras was attacked in Kabul with a magnetic bomb killing one and injuring three.⁸ Also in April, six persons, including a child, were killed

3 Fidel Rahamati, 'India welcomes Taliban's gesture to return properties of Hindus and Sikhs in Afghanistan', *The Khamma Press News Agency*, April 13, 2024, <https://www.khaama.com/india-welcomes-talibans-gesture-to-return-properties-of-hindus-and-sikhs-in-afghanistan/>.

4 Hasan, *Afghanistan: Religious Freedom Under Taliban-Controlled Afghanistan*.

5 Hasan, *Afghanistan: Religious Freedom Under Taliban-Controlled Afghanistan*.

6 Bismellah Alizada, 'Genocidal Attacks and hate speech against Shia Hazaras under Taliban rule', *Kabul Now*, November 10, 2024, <https://kabulnow.com/2024/11/genocidal-attacks-and-hate-speech-against-shia-hazaras-under-taliban-rule/>.

7 United Nations Assistance Mission in Afghanistan (UNAMA), *Update on human rights situation in Afghanistan: January – March 2024* (Afghanistan: 2024, UNAMA), https://unama.unmissions.org/sites/default/files/human_rights_update_march_2024_engf.pdf.

8 'Blast claimed by ISIS kills one in Afghan capital', *Alarabiya News*, April 21, 2024, <https://english.alarabiya.net/News/world/2024/04/21/blast-claimed-by-isis-kills-one-in-afghan-capital->.

when an armed member of ISKP fired at a Shia Hazara mosque in western Herat Province.⁹ In an incident that triggered widespread condemnation, on September 14, Hazara men were killed in the bus they were travelling in Daikundi province when they were returning from a pilgrimage in Iraq; ISKP claimed responsibility for the killings.¹⁰ On November 10, Sufi men, who practice a mystical branch of Islam, were killed when an unidentified gunman opened fire while they had gathered for a weekly ritual in a religious shrine in Baghlan province.¹¹

Afghanistan's *de facto* authorities continue to restrict religious minorities from practising their religion. From the start of Muharram, a Shia religious festival in July, the Taliban imposed strict restrictions on Shia observances across Afghanistan, significantly curbing traditional commemorations banning public gatherings, display of flags and symbols and distribution of refreshments.¹² In Kabul, Ghazni and Herat, Taliban agents forcibly removed flags and banners and threatened violence and imprisonment for those violating these restrictions. In Herat, at least two Shias were arrested for violations.¹³ Objections to the Taliban's edict can lead to the loss of life as a Shia man was killed in Herat province for criticising restrictions on celebrating the festival.¹⁴ In another incident, also in July, seven people were

9 Feresta Abbasi, 'Attacks Target Afghanistan's Hazaras', Human Rights Watch, 2024, <https://www.hrw.org/news/2024/05/03/attacks-target-afghanistans-hazaras>.

10 Feresta Abbasi, 'Afghanistan's Hazara community needs protection', Human Rights Watch, May 3, 2024, accessed on January 30, 2025, <https://www.hrw.org/news/2024/05/13/afghanistans-hazara-community-needs-protection>.

11 'Ten killed in Sufi shrine in northern Afghanistan', *Kabul Now*, November 22, 2024, <https://kabulnow.com/2024/11/ten-killed-in-attack-on-sufi-shrine-in-northern-afghanistan/>.

12 'Taliban restrictions on Muharram processions continue across Afghanistan', *Kabul Now*, July 11, 2024, <https://kabulnow.com/2024/07/talibans-restrictions-on-muharram-processions-continue-across-afghanistan/>.

13 'Taliban impose restrictions as Shias begin to observe Muharram', *Kabul Now*, July 7, 2024, <https://kabulnow.com/2024/07/taliban-impose-restrictions-as-shias-begin-to-observe-muharram/>.

14 'Taliban kills man in Herat for protesting Muharram restrictions', *Kabul Now*, July 13, 2024, <https://kabulnow.com/2024/07/taliban-kills-man-in-herat-for-protesting-muharram-restrictions/>.

injured when an unidentified man threw a grenade at a Muharram ceremony in Sar-e-Pol province.¹⁵

Hazaras and minorities have also been targeted in other ways. In the name of redevelopment, homes were destroyed in Kabul predominantly belonging to Hazaras and Tajik minorities, according to an investigation.¹⁶ Hazaras have also been displaced elsewhere. In July, Hazaras were forced to pay 15 million Afghanis, of the 30 million demanded of them, to Pashtuns for 700 acres of land Hazaras have claimed ownership over in Uruzgan province.¹⁷ In June, the Taliban's Directorate of Education in Bamiyan province ordered the removal of Jafar Shia religious textbooks from the school curricula aiming to eliminate Shia jurisprudence from the province's education system. The effort has been seen as part of the Taliban's broader campaign to suppress Afghanistan's socio-cultural diversity and impose a monolithic, Sunni identity on the country.¹⁸ Hazaras also continue to be harassed as more than 40 of them were detained over the murder of a Shia cleric in Uruzgan province in July despite the cleric's wife claiming to have seen her husband's killers, who she said were Pashtuns but her testimony was deemed invalid as she was a woman.¹⁹

The Taliban's draconian measures restricting women from living their lives continued during the period under review. While the *de facto* authorities' Ministry for the Propagation of Virtue and the Prevention of Vice activities to enforce their edicts severely

¹⁵ 'At least seven people injured in attack on Shias in northern Afghanistan', *Kabul Now*, July 19, 2024, <https://kabulnow.com/2024/07/at-least-seven-people-injured-in-attack-on-shias-in-northern-afghanistan/>.

¹⁶ Mark Townsend, Jessica Purkiss and Fahim Abed, 'Revealed: the truth behind the Taliban's brutal 'regeneration' programme', *The Guardian*, November 18, 2024, <https://www.theguardian.com/global-development/2024/nov/18/revealed-the-truth-behind-the-talibans-brutal-kabul-regeneration-programme>.

¹⁷ 'Taliban wants cash to settle land dispute; threaten eviction of Hazaras if unpaid', *Afghanistan International*, August 3, 2024, <https://www.afintl.com/en/202408035413>.

¹⁸ Fatima Faramarz, 'In an effort to create a monolithic Sunni Afghanistan, the Taliban removes Shia textbooks from Bamiyan schools', *Kabul Now*, June 7, 2024, <https://kabulnow.com/2024/06/35960/>.

¹⁹ 'Taliban detains over 40 Hazaras in Uruzgan in connection with Shia cleric's murder', *Afghan International*, July 25, 2024, <https://www.afintl.com/en/202407251697>.

impinge on the exercising of basic human rights and fundamental freedoms of all Afghanis, they have a ‘discriminatory and disproportionate impact on women’ interfering in the public and private lives.²⁰ A May report of the United Nations Human Rights Council highlighted ‘the system of discrimination, segregation, disrespect for human dignity and exclusion’ resulting in the ‘rejection of [women and girls] full humanity’ since the Taliban took over the country.²¹ There has been a curtailment on women’s right to work as there are only limited areas in which they can work and must be accompanied by a male guardian to go more than 72 kilometres away from home, the report added.

In March, when the new school year started, there were no Afghan girls in high schools following the Taliban ban on girls studying beyond grade six, the only such restriction in the world.²² According to one United Nations estimate, the Taliban has deprived at least 1.4 million girls from receiving education, with an 80 per cent drop in the number of girls going to school since it came to power.²³

Between June 2023 and March 2024 alone, 52 edicts were issued restricting the rights of women and girls, according to the UN Human Rights Council report. In August 2024, further restrictions were put on women’s freedoms when a new set of morality laws were announced, which made it mandatory for women to veil their bodies, including their faces, in public at all times and barred women to sing, recite or read aloud in public as a woman’s voice

20 United Nations Assistance Mission in Afghanistan (UNAMA), *De Facto authorities’ Moral Oversight in Afghanistan: Impacts on Human Rights* (Afghanistan: 2024, UNAMA), 2024, https://unama.unmissions.org/sites/default/files/moral_oversight_report_english_final.pdf.

21 United Nations Human Rights Council (UNHRC), *The phenomenon of an institutionalized system of discrimination, segregation, disrespect for human dignity and exclusion of women and girls—Report of the Special Rapporteur on human rights in Afghanistan* (Afghanistan: 2024, UNHRC), <https://bitly.cx/tnRT>.

22 UNAMA, *Update on human rights situation in Afghanistan: January – March 2024 update* (Afghanistan: 2024, United Nations Assistance Mission in Afghanistan), https://unama.unmissions.org/sites/default/files/human_rights_update_march_2024_engf.pdf.

23 ‘Taliban “deliberately deprived” 1.4 million girls of schooling: UN’, *Al Jazeera*, August 15, 2024, <https://www.aljazeera.com/news/2024/8/15/taliban-deliberately-deprived-1-4-million-girls-of-schooling-un>.

is deemed intimate. The decree also barred women from looking at men who are not related to them by blood or marriage.²⁴ The psychological toll of the Taliban's inhuman restrictions lies heavily on women and girls. In July, a 19-year-old woman took her own life by hanging after her release from imprisonment in Bamiyan province for allegedly violating the Taliban's strict dress code.²⁵ Released women prisoners in Afghanistan have highlighted the 'horrible torture' of women inmates in Taliban prisons.²⁶

However, Afghan women have continued to defy restrictions placed on them in different ways despite the risks such defiance carries, including imprisonment and torture. In March, on International Women's Day, small demonstrations with women holding signs highlighting the situation of women were held in private spaces in different locations across the country.²⁷ Despite a ban on beauty parlours that came into force in July 2023, clandestine beauty parlours continue to operate.²⁸ Underground schools for teenage girls are also in operation despite a ban on girls to go to school after the age 11.²⁹

During the period under review, space for media continued to shrink, and any kind of defiance of restrictions and of opposition to Taliban rule continued to be suppressed. A November 2024 United Nations Assistance Mission in Afghanistan (UNAMA)

24 'The Taliban publish vice laws that ban women's voices and bare faces in public', *The Associated Press*, August 24, 2024, <https://apnews.com/article/afghanistan-taliban-vice-virtue-laws-women-9626c24d8d5450d52d36356ebff20c83>.

25 'Young woman abused by Taliban takes her life in Bamiyan', *Kabul Now*, July 28, 2024, <https://kabulnow.com/2024/07/young-woman-abused-by-taliban-takes-her-life-in-bamiyan/>.

26 'Freed women's rights activist reveals 'horrifying torture' in Taliban's prisons', *Afghanistan International*, March 1, 2024, <https://www.afintl.com/en/202403010391>.

27 'Afghan women stage rare protests braving Taliban reprisals', *Al Jazeera*, March 8, 2024, <https://www.aljazeera.com/news/2024/3/8/afghan-women-stage-rare-protests-braving-taliban-reprisals>.

28 Maisam Iltaf, "Still beautiful": How secret beauticians defy Taliban's repression', *Kabul Now*, September 5, 2024, <https://bitly.cx/Dzfr1>.

29 Ahmad Mukhtar, 'The Taliban banned Afghan girls from school 1,000 days ago but some brave young women refuse to accept it', *CBS News*, June 7, 2024, <https://www.cbsnews.com/news/taliban-girls-school-ban-afghanistan-1000-days-underground-schools/>.

report entitled 'Media Freedom in Afghanistan' covering the period between August 2021 and September 2024 said there were human rights violations 'affecting 336 journalists and media workers—including 256 instances of arbitrary arrest and detention, 130 instances of torture and ill-treatment and 75 instances of threats and intimidation'. Often, there seems to be an ambiguity regarding what is permissible and what is not, leading to 'pervasive self-censorship', according to the report. A case of the point was the detention of a journalist in February 2024 in Samangan Province for allegedly requesting an official for comments regarding a protest by hotel and restaurant owners over a tax increase. Other detainees included three radio journalists in Khost Province in April for broadcasting music and receiving calls from female listeners during live radio programmes.³⁰ According to another report, 25 journalists were arrested or detained during the period under review.³¹

Additionally, the Taliban has also shut down 12 media outlets—eleven television stations and one radio station—in 2024 for various offences, including airing political discussions that the Taliban does not seem fit and affiliated to political parties; three more radio stations were temporarily shut down, according to Reporters Without Borders. For the Taliban, music, fiction, depiction of live creatures and news commentary are considered transgressive.³² Media outlets operating from outside Afghanistan have also fell under the Taliban's ire. The Taliban jammed the frequency of Afghanistan International Television and urged journalists in the country not to cooperate with the station.³³

Besides media personnel, the Taliban killed and detained other individuals from the civil society and former members of the Afghan National Defence and Security Forces (ANDSF) during

30 UNAMA, *Media Freedom in Afghanistan* (Afghanistan: 2024, United Nations Assistance Mission in Afghanistan), https://unama.unmissions.org/sites/default/files/unama_report_on_media_freedom_in_afghanistan.pdf.

31 'Afghanistan: press freedom at its lowest point as Taliban closed 12 media outlets in less than a year', Reporters Without Borders, December 20, 2024, accessed on January 30, 2025, <https://shorturl.at/flRgt>.

32 'Afghanistan: press freedom at its lowest point as Taliban closed 12 media outlets in less than a year'.

33 UNAMA, *Media Freedom in Afghanistan*.

the period under review. Ahmad Fahim Azimi, who advocated for the education of girls, was released in October after 11 months of detention.³⁴ A former policewoman, Sabro Rezaie, and her two sisters were arrested in Daikundi province in June for allegedly ‘abusing and criticising Taliban on Facebook’ during her tenure under the previous government and the arrest was seen as the ‘Taliban’s relentless campaign of arresting, torturing or killing former members of the previous government and armed forces despite the group declaring a general amnesty’.³⁵ While there were at least 38 instances of arbitrary arrests and detention, at least 10 instances of torture and ill-treatment, verbal threats and at least four extrajudicial killings of former government officials and former ANDSF members between January and March, there were at least 60 such instances between April and June and 24 between July and September 2024, according to the UNAMA.³⁶ In October, Abdul Rauf Mohataj, a former Afghan general, was run over by a Taliban vehicle in Kabul while he was out for a morning walk.³⁷ In December, the United Nations Secretary-General reported at least five killings, arbitrary arrests and detentions and four instances of torture and ill-treatment of former government officials and former ANDSF members.³⁸

34 ‘Taliban releases education activist after 11 months of captivity’, *Kabul Now*, September 26, 2024, <https://kabulnow.com/2024/09/taliban-releases-education-activist-after-11-months-of-captivity/>.

35 ‘Taliban detains former female police officers and her sisters in Daikundi province’, *Kabul Now*, June 17, 2024, <https://kabulnow.com/2023/06/taliban-detains-former-female-police-officer-and-her-sisters-in-daikundi-province/>.

36 UNAMA, *Human rights situation in Afghanistan: January – March 2024 Update*, *Human rights situation in Afghanistan: April – June 2024 Update*, *Human rights situation in Afghanistan: July – September 2024 Update* (Afghanistan: 2024, United Nations Assistance Mission in Afghanistan).

37 ‘Former military general killed in Taliban vehicle attack in Kabul’, *Kabul Now*, October 13, 2024, <https://kabulnow.com/2024/10/former-military-general-killed-in-taliban-vehicle-attack-in-kabul/>.

38 United Nations General Assembly Security Council (UN GA, SC), *The situation in Afghanistan and its implications for international peace and security – Report of the Secretary-General* (Afghanistan: 2024, UN GA, SC), <https://rb.gy/c8dta6>.

Bangladesh

Following a major political upheaval that changed the political and social landscape of the country, Bangladesh is trying to find an effective political dispensation that will uphold democratic institutions as well as ensure access to justice for its citizens, including those belonging to different minority groups. The year started with an election in January that saw a continuation of power for the ruling Awami League, but following a popular uprising led by students, the government of Prime Minister Sheikh Hassina was overthrown in August after 15 years in power, forcing her to resign and flee the country. In November, the leader of the country's interim government said an estimated 1500 people died, most of them in the hands of security forces, during protests that led to her ouster on August 5.³⁹ However, a December 22 government update put this figure at 858 while the list is still being updated.⁴⁰ According to a United Nations preliminary analysis, 250 were killed in the two days after Sheikh Hasina fled the country.⁴¹ Meanwhile, the United Nations Office of the High Commissioner for Human Rights (UN OHCHR) has sent a fact-finding mission to the country to investigate alleged human rights violations between July 1 and August 15, 2024.⁴²

While there were attacks on religious and other minorities during the reign of the Awami League government, including targeted violence along with denial of economic and social rights, there have been reports of escalation of attacks on Hindus, with over 2000 reported since August 5.⁴³ However, it is difficult to

39 'Around 1,500 killed in Bangladesh protests that ousted PM Hasina, *Reuters*, November 17, 2024, <https://bitly.cx/95rTW>.

40 'Govt updates uprising death toll, it's 858', *The Daily Star*, December 25, 2024, <https://bitly.cx/wEHZ>.

41 United Nations Office of the High Commissioner for Human Rights (UN OHCHR), Preliminary analysis of recent protests and unrest in Bangladesh (Bangladesh: 2024, UN OHCHR), <https://bitly.cx/38u2r>.

42 UN OHCHR, *OHCHR Fact-finding Team on Bangladesh (FFTB)* (Bangladesh: 2024, UN OHCHR), <https://www.ohchr.org/en/hr-bodies/hrc/fft-bangladesh/index>.

43 "Over 2,000 attacks on Hindus since August 4": Minorities hold massive rally in Bangladesh', *Mint*, November 4, 2024, <https://bitly.cx/S7O0P>.

establish whether these attacks actually took place and if they were, were religiously motivated or politically or were the results of personal vendetta since Hindus traditionally supported the secular Awami League party.⁴⁴ For example, the reports of the house of Bangladesh cricket team player Liton Das, a Hindu, being set on fire turned out to be untrue.⁴⁵ Similarly, reports of the house of singer Rahul Ananda, another Hindu, being deliberately set due to his religious identity on fire was also untrue.⁴⁶

Even before the political upheaval in August, there were attacks on religious minorities with instances of violations of individual liberties, along with threats to their religious and cultural practices. Particularly vulnerable were the Hindu, Ahmadiyya, and indigenous communities, who faced violent attacks, property destruction, and institutional discrimination. As in the past years Hindu places of worship were attacked under various pretexts during the period under review. In January, an armed group of 50 to 60 people entered a temple in Tangail district, vandalised the temple and attacked those inside, injuring 15, including women.⁴⁷ In March, idols of a Hindu temple in Barisal district were vandalised by some unidentified persons who forcefully entered the Hindu locked temple in Barisal District breaking the window and vandalising the idols of several Hindu deities.⁴⁸ Also in March, tensions arose following the construction of a mosque on land

44 Mehedi Hasan Marof, ‘“Our lives don’t matter” Bangladeshi Hindus under attack after Hasina exit, *Al Jazeera*, December 12, 2024, <https://bitly.cx/ONjfJ>; Krutika Pathi, Al Emrun and Sohna Ganguly, ‘The violence in Bangladesh after Hasina’s ouster stirs fear within the country’s Hindu minority’, *The Associated Press*, August 13, 2024, <https://bitly.cx/c3Cut>.

45 ‘Liton Das, ‘Bangladesh cricketer’s [sic] house set on fire by protesters? Here is the truth behind viral videos’, *The Economic Times*, August 6, 2024, <https://bitly.cx/NGa0>.

46 “Setting fire to Rahul Ananda’s house has no connection with religion”, *Prothom Alo*, August 13, 2024, <https://en.prothomalo.com/entertainment/music/sopwf9jnz1>.

47 ‘Bangladesh Hindu-Buddhist-Christian Unity Council condemns attack on Tangail temple’, *Dhaka Tribune*, January 20, 2024, <https://bitly.cx/ovpg>.

48 Anisur Rahman Shwapan, ‘Idols at Barisal Kali temple vandalized’, *Dhaka Tribune*, March 10, 2024, <https://www.dhakatribune.com/bangladesh/nation/341482/idols-at-barisal-kali-temple-vandalized>.

belonging to a Hindu temple in Dinajpur district.⁴⁹ Muslims have also faced the brunt of the animosity between the two religious groups. In April, two Muslim siblings, aged 21 and 15, were lynched to death and five others were injured on suspicion of their involvement in setting fire to a temple in Faridpur district. All seven were labourers constructing a neighbouring wash block.⁵⁰

Communal animosity was not limited to Muslim-Hindu incidents. Tensions arose in Bandarban district in the Chittagong Hill Tracts after two banks were looted by the Kuki-Chin Nationalist Front, a separatist group, on 2 and 3 April and the seizing of arms from a government paramilitary group, Ansar. A subsequent crackdown led to arrests of at least 56 individuals, mostly innocent, from the area. Among those arrested included women, two of them pregnant, college students and government employees.⁵¹

But it was in the aftermath of the fall of the regime that violence against minorities spiked. As mentioned earlier, it is difficult to ascertain how many of the incidents were provoked by religious sentiments and how many by personal vendetta and political animosity.⁵² Meanwhile, there have been widespread reports in Indian media on attacks on Hindus quoting Indian government sources⁵³, which Bangladesh, in turn, has claimed to be exaggerated.⁵⁴ According to the inter-religious group

49 Md Faruk Hossain, 'Mosque being built on land of Kantajew Temple in Dinajpur', *Dhaka Tribune*, March 23, 2024, <https://bitly.cx/S86Y>.

50 Md. Rashedul Hasan, '2 lynched over alleged link to Faridpur temple fire', *Dhaka Tribune*, April 19, 2024, <https://www.dhakatribune.com/bangladesh/nation/344358/2-lynched-over-alleged-involvement-in-faridpur>.

51 '54 men-women of Bawn villagers arrested in Ruma, most of them innocent', *Hill Voice*, April 10, 2024, <https://hillvoice.net/en/2024/04/54-men-women-of-bawn-villagers-arrested-in-ruma-most-of-them-innocent/>; 'Robbery at two banks in Thanchi after Ruma', Prothom Alo, April 3, 2024, <https://bitly.cx/V0ix>.

52 Shahdat Swadhin, 'The political instrumentalization of Bangladesh's Hindu community', *The Diplomat*, November 16, 2024, <https://bitly.cx/cLgqT>; Saif Hanat and Mujib Mashal, 'Sorting fact from fiction as fear engulfs Bangladesh's Hindus', *The New York Times*, December 24, 2024, <https://www.nytimes.com/2024/12/24/world/asia/bangladesh-hindus.html>.

53 Piyush Mishra, '2,200 cases of violence against Hindus in Bangladesh: Government', *India Today*, December 20, 2024, <https://bitly.cx/3W7X>.

54 'India-Bangladesh relations sour as tensions rise over attacks on Hindu minority', *The Guardian*, December 5, 2024, <https://bitly.cx/XcyD>; 'India media

Bangladesh Hindu Buddhist Christian Unity Council, between 4 and 20 August alone 2010, incidents of communal violence took place, nine persons were killed, 38 injured, 69 places of worship were attacked, and 915 homes and 953 businesses were attacked, looted or set on fire.⁵⁵ Meanwhile, the Bangladeshi human rights group Ain O Salish Kendra maintains that between January and November 2024, there were 138 incidents of violence against individuals belonging to religious minorities, 368 attacks on houses of religious minorities, 78 attacks on statues and 82 people belonging to religious minorities were injured in various incidents. It also reported that three people were killed—two Hindus and one Ahmadiyya—during the period in incidents of violence targeting religious minorities.⁵⁶ The Bangladesh government itself says that 88 cases of communal violence were filed between 5 August and 22 October, and 70 were arrested in connection with the cases.⁵⁷

Following the immediate aftermath of the fall of the previous regime, there were widespread attacks on minorities across the country.⁵⁸ According to a preliminary United Nations report on Bangladesh, on 5 and 6 August, Hindu houses and properties were attacked in 27 of the country's 64 districts.⁵⁹ For example, in various places in the Jashore District, 50 houses of Hindus were attacked, torched, looted and robbed, and at least 25 shops vandalised and goods were looted; in Dinajpur District, at least 40

report on violence against Hindus misleading: CA press wing', *Daily Observer*, December 21, 2024, <https://www.observerbd.com/news/503853>.

55 'Report: 2010 incidents of communal violence occurred from August 4 to 20 in Bangladesh' *Dhaka Tribune*, September 20, 2024, <https://bitly.cx/RLVyf>.

56 'Violence against religious minorities January-November 2024', Ain o Salish Kendra, December 10, 2024, <https://www.askbd.org/ask/2024/12/10/violence-against-religious-minorities-jan-nov-2024/>.

57 '70 arrested, 88 cases filed over communal violence between Aug 5-Oct 22', *The Daily Star*, December 10, 2024, <https://bitly.cx/UAzAV>.

58 Meenakshi Ganguly, 'Vandalism, attacks follow Bangladesh Prime Minister's exit', Human Rights Watch 2024, <https://www.hrw.org/news/2024/08/08/vandalism-attacks-follow-bangladesh-prime-ministers-exit>; Saif Hasnat and Qasim Nauman, 'Hindus in Bangladesh face attacks after Prime Minister's exit', *The New York Times*, August 7, 2024, <https://www.nytimes.com/2024/08/07/world/asia/bangladesh-politics-unrest.html>.

59 UN OHCHR, *Preliminary analysis of recent protests and unrest in Bangladesh* (Bangladesh: 2024, UN OHCHR), <https://bitly.cx/ZxsQ>.

shops of minorities were vandalised and looted, and 10–15 houses vandalised. Also in August, an Ahmadiyya mosque was attacked and torched.⁶⁰ According to one news report, between 5 and 11 August, attacks in Hindu communities were reported in Faridpur, Munshiganj, Sylhet, Sunamganj, Shariatpur, Barishal, Bogura and Satkhira districts, but there were also instances of Muslim clerics and students stepping forward to protect Hindus and their properties.⁶¹ A temple within Dhaka college premises was vandalised in August, which led to the formation of a probe commission.⁶² With the rise of the attacks on Hindus, their properties and Hindu temples, the head of the interim government, Muhammad Yunus, visited Dhakeshwari temple in Dhaka on August 13 and reassured the Hindu community of the government's support, called for unity between different religious groups and the need for patience⁶³ and again on October 12 on the occasion of Durga Puja.⁶⁴ Amid tensions in Bangladesh, the celebrations of Durga Puja, the biggest festival of the Hindus, were muted. There were reports of incidents taking place during the festival, including a Molotov cocktail thrown at a puja venue in Dhaka.⁶⁵ There were also reports of demands for money to allow celebrations to continue without disruption.⁶⁶

The growing number of attacks on religious minorities, particularly Hindus, brought about protests not only in Bangladesh

60 'Ahmadiyas face attacks in Bangladesh', *New Age*, August 6, 2024, <https://www.newagebd.net/post/country/241831/ahmadiyas-face-attacks-in-bangladesh>.

61 'Attacks on Hindus: Mostly political, personal rivalries at its core', *The Business Standard*, August 11, 2024, <https://www.tbsnews.net/bangladesh/attacks-hindus-mostly-political-personal-rivalries-its-core-913796>.

62 Probe body formed to investigate idol vandalism at Dhaka College', *The Daily Star*, August 19, 2024, <https://bitly.cx/CVFI>.

63 'Yunus: All are equal before law, no chance to create division', *Dhaka Tribune*, August 13, 2024, <https://www.dhakatribune.com/bangladesh/354600/yunus-ensuring-human-rights-freedom-of-speech>.

64 'Yunus visits Dhakeshwari temple', *The Daily Star*, October 12, 2024, <https://www.thedailystar.net/news/bangladesh/news/yunus-visits-dhakeshwari-temple-3725926>.

65 Julhas Alam and Al Emrun Garjon, 'Hindus in Bangladesh celebrate their largest festival under tight security following attacks', *The Associated Press*, October 12, 2024, <https://apnews.com/article/bangladesh-durga-puja-hindu-festival-violence-3e87b4d3702308687aeee43854da03eb>.

66 'Durga Puja celebrations muted amid attacks on Hindus in Bangladesh', *Deccan Herald*, October 8, 2024, <https://bitly.cx/2e4V5>.

but in India and the US too. In August, there was a protest in Dhaka against attacks on Hindu properties and temples in different parts of the country.⁶⁷ In October, a mass rally was held by Hindus in Chittagong demanding government action against repression of minority communities.⁶⁸ In November, there was another protest in Chittagong over the arrest of a Hindu monk, Chinmoy Krishna Das,⁶⁹ for disrespecting the Bangladeshi flag during the October rally⁷⁰. In yet another example of tensions between India and Bangladesh following the fall of the Awami League rule, India was quick to express ‘deep concern’ over the arrest, with Bangladesh expressing ‘utter dismay’ at the arrest being ‘misconstrued in certain quarters’.⁷¹ Following the denial of bail for Das, there were clashes in which one Muslim was killed.⁷² A protest rally was held near the Bangladesh High Commission in New Delhi in December, demanding an end to ‘reported attacks’ on Hindus.⁷³ A protest was also held outside the White House in Washington DC in December, demanding the protection of minorities in Bangladesh.⁷⁴ On the last day of 2024, news broke that the number of Hindu candidates in the Civil Service examination were disproportionately decreased under the allegation of wrongful employment.⁷⁵

67 ‘Hindus stage demo in Shahbagh protesting attacks on minorities’, *The Business Standard*, August 9, 2024, <https://www.tbsnews.net/bangladesh/hindus-stage-demo-shahbagh-protesting-attacks-minorities-913031>.

68 ‘Hindus hold mass rally in Chittagong seeking justice’, *Dhaka Tribune*, October 25, 2024, <https://bitly.cx/9puI>.

69 Pimple Barua ‘Protests erupt in Chittagong over Chinmoy detention’, *Dhaka Tribune*, November 25 2024, <https://www.dhakatribune.com/bangladesh/nation/366256/chinmoy-krishna-brahmachari-detained-protests>.

70 Anbarasan Ethirajan and Neyaz Farooque, ‘India and Bangladesh spar over monk’s arrest’, *BBC*, November 27, 2024, <https://www.bbc.com/news/articles/cwy5v79qpeko>.

71 Ethirajan and Farooque, ‘India and Bangladesh spar over monk’s arrest’.

72 Ethirajan and Farooque, ‘India and Bangladesh spar over monk’s arrest’.

73 ‘Hundreds protest in Delhi against atrocities on Hindus, other minorities in Bangladesh’, *The New Indian Express*, December 11, 2024, <https://www.newindianexpress.com/cities/delhi/2024/Dec/10/hundreds-protest-in-delhi-against-atrocities-on-hindus-other-minorities-in-bangladesh-2>.

74 ‘Protest erupts outside White House over violence against Hindus in Bangladesh’, *The Economic Times*, August 11, 2024, <https://bitly.cx/Egutr>.

75 ‘Marginalization of Minorities: Hindu Candidates Face High Rejection Rates in Bangladesh’s Latest BCS Examination’, *The Bengal speak*, January 2, 2025, <https://thebengalspeak.com/news/hindu-candidates-face-high-rejection-rates-in->

Away from the attacks on Hindu minorities, there were also clashes reported in the Chittagong Hill Tracts between indigenous groups and Bangalis in September in which at least three people were killed, 17 injured and numerous businesses and homes of indigenous people were killed. Violence erupted after a Muslim man was lynched on suspicion of stealing a motorcycle.⁷⁶ The violence once again highlighted the need for a lasting solution of the situation in the Chittagong Hill Tracts and the failure of past attempts at resolution.⁷⁷

India

Marginalisation and persecution of religious minorities, in particular of Muslims, with arbitrary killings, in the hands of both state and non-state actors, targeted attacks, including on properties, restrictions on the practice of religion, demonisation, denial of right to livelihoods and widespread discrimination in various forms, continued in India under the Hindu nationalist Bharatiya Janata Party (BJP) in 2024. The consecration of the Ram Mandir in Ayodhya, where a mosque stood previously, in January further established Hindu hegemony in the country, leading to

bangladeshs-latest-bcs-examination.

76 S. Bashu Das, '3 killed, 17 injured in Khagrachari violence', *Dhaka Tribune*, September 20, 2024, <https://bitly.cx/rsW0s>; Abu Jakir, Rezaul Karim Rony, 'Clashes erupt in Bangladesh's Chittagong Hill Tracts', *The Diplomat*, September 23, 2024, <https://thediplomat.com/2024/09/clashes-erupt-in-bangladeshs-chittagong-hill-tracts/>.

77 Tasin Mahadi 'Chittagong Hill Tracts: The need for comprehensive solutions', *Dhaka Tribune*, September 23, 2024, <https://www.dhakatribune.com/opinion/op-ed/359389/chittagong-hill-tracts-the-need-for-comprehensive>; Urmi Chakma, Raqib Chowdhury, Arif Kabir, 'CHT unrest: Communal violence and the politics of misrepresentation', *The Daily Star*, October 6, 2024, <https://www.thedailystar.net/opinion/views/news/cht-unrest-communal-violence-and-the-politics-misrepresentation-3720396>; Dr. Pranab Kumar Panday, 'Unravelling the Puzzle in the Chittagong Hill Tracts', *Modern Diplomacy*, September 30, 2024, <https://modern diplomacy.eu/2024/09/30/unravelling-the-peace-puzzle-in-the-chittagong-hill-tracts/>; 'Bangladesh: MRG condemns renewed violence and hate speech against indigenous peoples'; Minority Rights Group, September 24, accessed on January 22, 2025, <https://minorityrights.org/bangladesh-mrg-condemns-renewed-violence-and-hate-speech-against-indigenous-peoples/>.

increased fear among Muslims in the country.⁷⁸ The lead-up to the general elections in seven phases between April 19 and June 1, was marked by a spike in religious polarisation and anti-minority hate speech, including incitement to discrimination, hostility, and violence. The BJP's election campaign centred around sectarian rhetoric, seemingly intended to dehumanise Muslims and manufacture fear among India's Hindu majority.⁷⁹ The announcement of the election results, which saw the BJP emerge as the biggest party but lose its absolute majority in parliament, led to further discrimination and violence against the minority group.⁸⁰ Besides incidents of violence and abuse of rights centred around these two events, there were innumerable others targeting religious minorities throughout the year.

On January 22, 31 years after Hindu extremists led by senior leaders of the BJP illegally destroyed the historical Babri Masjid mosque that had stood in Ayodhya, Uttar Pradesh for over 500 years, Prime Minister Narendra Modi led the consecration⁸¹ for a

⁷⁸ Aishwarya S. Iyer, 'Ayodhya's Muslims confront grief and anxiety as Ram Temple inauguration nears', *CNN*, January 20, 2024, <https://edition.cnn.com/2024/01/20/asia/ayodhyas-muslims-anxiety-ram-temple-inauguration-intl-hnk/index.html>; Yasmeen Serhan, 'India is unveiling its controversial temple of Ram', *Time*, January 22, 2024, <https://time.com/6564070/india-modi-temple-ram/>; Ziya Us Salam, 'The message the Ram Temple sends Muslims like me', *Time*, January 20, 2024, <https://time.com/6564244/india-ayodhya-ram-temple-muslims/>.

⁷⁹ HRW, 'India: Hate speech fueled Modi's election campaign', Human Rights Watch, August 14, 2024, accessed on December 20, 2024, <https://www.hrw.org/news/2024/08/14/india-hate-speech-fueled-modis-election-campaign>; Soutik Biswas, 'India election: Modi's divisive campaign rhetoric raises questions', *BBC*, May 10, 2024, <https://www.bbc.com/news/world-asia-india-68982352>; Rhea Mogul, 'Modi's Muslim remarks spark "Hate speech" accusations as India's mammoth election deepens divide', *CNN*, April 22, 2024, <https://edition.cnn.com/2024/04/22/asia/india-modi-muslim-hate-speech-allegations-intl-hnk/index.html>.

⁸⁰ Yashraj Sharma, "'Eid means mourning": Muslims lynched in India after shock election result', *Al Jazeera*, June 25, 2024, <https://www.aljazeera.com/features/2024/6/25/eid-means-mourning-muslims-lynched-in-india-after-shock-election-result>; Greeshma Kuthar, 'Peace eludes Manipur even after defeating BJP over ethnic violence', *Al Jazeera*, June 12, 2024, <https://www.aljazeera.com/news/2024/6/12/peace-eludes-indias-manipur-even-after-defeating-bjp-over-ethnic-violence>.

⁸¹ Hannah Ellis Petersen and Aakash Hasan, 'Modi inaugurates Hindu temple on site of razed mosque in India', *The Guardian*, January 22, 2024, <https://www>.

temple constructed at the same site. The construction of the temple, formally overseen by a trust set up by the Indian government, was enabled by a Supreme Court verdict in 2019, which had ended a longstanding legal dispute by handing over the site of the demolished mosque to Hindu parties, despite also finding that the destruction of the mosque was an illegal act, and also despite the absence of conclusive archaeological evidence that a Hindu temple had ever stood at the site. The ceremony marked the culmination of Hindu nationalists' decades-long Ram Janmabhoomi (Birthplace of Lord Ram) movement, which had sought to replace the erstwhile mosque with a temple honouring Lord Ram, a deity who many Hindus believe was born at the same site. This 'achievement'—described by Prime Minister Modi as the 'dawn of a new era' for India and by critics as further cementing India's Hindu-supremacist turn—was a major poll plank of the BJP during the 2024 general election, despite legal prohibitions on seeking votes in the name of religion. The consecration ceremony was followed by reports of violence against Muslims across the country⁸² including Mumbai, where properties belonging to Muslims were arbitrarily demolished by authorities, following clashes between Hindus and Muslims.⁸³ The consecration provided the context for anti-Muslim incitement and violence by Hindu extremists in at least eight states, leading to dozens (if not hundreds) of injuries. The violence and authorities' response followed the same template seen across the country in recent years: Hindu extremists, usually linked to BJP-allied Hindu nationalist groupings such as the Bajrang Dal, used *shobha yatras* (religious 'glory' processions) as a pretext to shout offensive slogans—often including direct incitement to violence—at Muslim-concentration localities, sparking communal clashes. Authorities, particularly in BJP-governed states, unfairly

theguardian.com/world/2024/jan/22/modi-inaugurates-hindu-temple-on-site-of-raised-mosque-in-india.

82 HRW, 'India: Violence marks Ram Temple inauguration', Human Rights Watch, January 31, 2024, accessed on December 20, 2024, <https://www.hrw.org/news/2024/01/31/india-violence-marks-ram-temple-inauguration>.

83 Tanya Dutta, 'Sectarian violence erupts in Mumbai over Ram Temple in Ayodhya', *The National*, January 24, 2024, <https://www.thenationalnews.com/world/asia/2024/01/24/ram-temple-ayodhya-mumbai-mira-road/>.

and disproportionately targeted Muslims, portraying them as the perpetrators, and subjecting them to collective punishment in the form of mass arrests and arbitrary demolition of Muslim-owned homes and businesses.⁸⁴

There were reports of at least 63 people belonging to religious minority groups being killed by the state and non-state actors in 2024.⁸⁵ These included the extrajudicial killing of a 23-year-old Muslim man in an allegedly staged ‘encounter’ by police in Muzaffarnagar, Uttar Pradesh.⁸⁶ According to one analysis, since the BJP government came to power in March 2017 in Uttar Pradesh, 207 have been killed in police encounters up to September 5, 2024, with Muslims forming a disproportionate number of the victims⁸⁷.

As in previous years, tensions over the demolition of mosques provided the pretext for authorities to shoot at and kill Muslim protesters. In February, six persons, including five Muslims, were killed after police opened fire at protesters in Haldwani, Uttarakhand, after authorities demolished a mosque and adjacent madrasa, apparently without following due process. Two dozen civilians and more than 100 police personnel were also injured in the clashes.⁸⁸ In November, five Muslim men were killed after police opened fire at protesters in Sambhal, Uttar Pradesh, amid a court-mandated survey of the Mughal era Shahi Jama Masjid mosque.⁸⁹ The mosque is one of three built during the reign of the

⁸⁴ SAJC, ‘India Persecution Tracker 2024/1’, South Asia Justice Campaign, 2024, accessed on December 4, 2024 <https://southasiajusticecampaign.org/ipt2024-1/>.

⁸⁵ SAJC, ‘India Persecution Tracker | 2024 | Overview’, South Asia Justice Campaign, 2024, accessed on 3 January 2025, <https://southasiajusticecampaign.org/ipt2024/>.

⁸⁶ Ghazala Ahmed, ‘Police kill 23-year-old Muslim in UP: Family refutes theft accusation, encounter killing claims’, *Maktoob Media*, January 27, 2024, <https://bitly.cx/7jON>.

⁸⁷ Rohit Kumar Singh, ‘Perception vs Reality: Encounter deaths fall under Yogi 2.0 rule’, *Hindustan Times*, September 14, 2024, <https://www.hindustantimes.com/cities/lucknow-news/perception-vs-reality-encounter-deaths-fall-under-yogi-2-0-rule-101726249289660.html>.

⁸⁸ Arbab Ali, ‘“Killed by police bullets”: Deadly clash scars Muslims in India’s Haldwani’, *Al Jazeera*, February 13, 2024, <https://www.aljazeera.com/features/2024/2/13/killed-by-police-bullets-deadly-attacks-on-muslims-in-indias-haldwani>.

⁸⁹ ‘Who actually fired at Muslim men in UP’s Sambhal?’, *The New Indian*

first Mughal emperor Babur in the sixteenth century, the Babri Masjid, demolished in Ayodhya in 1992 and where Ram Mandir was built and consecrated in January being one of the other two.⁹⁰ The survey in Sambhal was the latest in a series of similar surveys by authorities in BJP-ruled states, prompted by Hindu groups' attempts to challenge the ownership of the properties in question, using the legal process. Such efforts have continued despite the presence of a law that prevents the conversion of the religious character of buildings, enacted after the demolition of the Babri Masjid. A 2022 ruling by the Indian Supreme Court (SC) had created a pathway for claimants to circumvent the ban. The ruling is being increasingly used by Hindu groups to file claims against multiple historical mosques, claiming they were once temples. In December, the SC issued a nationwide directive temporarily staying, but not preventing, suits seeking similar surveys.⁹¹

The previously reported trend of Muslims' property being arbitrarily (and often punitively) demolished or confiscated by authorities continued in 2024. In January, in the immediate aftermath of the consecration of the Ram Mandir in Ayodhya, at least 55 buildings in Muslim-concentration localities in Mumbai were demolished.⁹² In February, police in Alwar, Rajasthan, demolished 12 houses of Muslims over allegations of cow slaughter and sale of beef.⁹³ Demolitions of Muslim homes also took place in Assam and Madhya Pradesh for alleged conversion, selling beef and leading protests and encroachment, rendering innumerable

Express, November 26, 2024, <https://bitly.cx/gtxua>.

⁹⁰ Samiran Mishra, '16th century mosque, a city on fire: Sambhal violence explained', *NDTV*, November 25, 2024, <https://bitly.cx/axCWf>.

⁹¹ Bharat Bhushan, 'Misusing a Judicial Observation to Unearth Temples under Mosques Will Lead to Disaster', *Deccan Herald*, 29 November 2024, <https://bitly.cx/xhr6>; 'SC Halts All Mandir-Masjid Cases until 1991 Act Verdict', *Hindustan Times*, December, 13, 2024, <https://bitly.cx/EeJo>.

⁹² Ayanaba Banerjee, 'Demotions at Mumbai's Mira Road: "You throw a stone at me, I'll demolish your house"', *The Moonknayak*, February 3, 2024, <https://bitly.cx/L4Rgh>; Mumbai: Bulldozers reach Muhammad Ali Road too, razing 40 structures; Opp call "BJP's message to Muslims", *Maktoob Media*, January 25, 2024, <https://bitly.cx/wXkWL>.

⁹³ Ghazala Ahmad, 'Rajasthan authorities demolish homes, vandalise crops on 44 acres of land, accusing Muslims of illegal beef sale', *Maktoob Media*, February 21, 2024, <https://bitly.cx/wXkWL>.

homeless.⁹⁴ In June, authorities began the demolition of nearly 2000 houses in the predominantly Muslim Akbar Nagar locality in Lucknow, Uttar Pradesh, to make way for a river beautification and rejuvenation project.⁹⁵ On October, 20, Muslims' homes were demolished in Baraich, Uttar Pradesh, following Hindu-Muslim clashes which in turn were fuelled by the killing of a Hindu man when he removed a green flag atop a Muslim's house and replaced it with a saffron one.⁹⁶ SC intervention late in the year—first in the form of a temporary stay on all demolitions without its prior permission, and later in the form of detailed guidelines to be followed by authorities in future—would slow but not halt this trend, with authorities in BJP-governed states continuing to issue eviction notices to Muslims.

There were also at least 15 killings of Muslims by non-state actors across the country under various pretexts.⁹⁷ While an exhaustive listing and description of such killings is beyond the scope of this brief, the following is a snapshot of a variety of such incidents. In June, three Muslim men were beaten to death by a mob in Chattisgarh when they were transporting cattle to a market in neighbouring Odisha state.⁹⁸ In August, in Haridwar, Uttarakhand, a 24-year-old man died after he was thrown into a pond by members of the Cattle Protection Squad of the state police who claimed he drove his scooter into the pond while trying to escape to avoid arrest for smuggling beef—of which no proof was found.⁹⁹ Another example of a tragedy caused by cow vigilantism

⁹⁴ 'Punitive demolitions and attachment of property', South Asia Justice Campaign, June -August, 2024, <https://bitly.cx/8bAqP>.

⁹⁵ 'Thousands in distress as demolition drive begins in Lucknow's Akbar Nagar', *Maktoob Media*, June 11, 2024, <https://bitly.cx/8P17>; 'Over 1,200 illegal structures razed in Lucknow's Akbar Nagar in demolition drive', *India Today*, June 19, 2024, <https://bitly.cx/643e>.

⁹⁶ Arbab Ali, "Where will I go": Hindu man dead, Muslims in India's Bahraich face attack', *Al Jazeera*, October 24, 2024, <https://bitly.cx/PtFzN>.

⁹⁷ 'India Persecution Tracker | 2024 | Overview'.

⁹⁸ 'Third Muslim man dies in hospital after attack over suspected cattle smuggling', CSW, June 19, 2024, <https://www.csw.org.uk/2024/06/19/press/6251/article.htm>.

⁹⁹ 'Uttarakhand: Muslim youth thrown into pond, killed by Cattle Protection Squad, alleges family; police deny', *Maktoob Media*, August 28, 2024, <https://bitly.cx/ubryE>.

in the country was the death of a 55-year-old Muslim woman in Bijnor, Uttar Pradesh, from a ‘panic attack’ when police raided her house on suspicion of storing beef—again of which no evidence was found.¹⁰⁰ A Muslim cleric was beaten to death by three masked men in Ajmer, Rajasthan state in April.¹⁰¹ A Muslim man died in police custody in Pulwama, Kashmir, in June with his family alleging that he died of torture.¹⁰² In August, a Muslim man accused of gang rape of a 14-year-old died in police custody in Nagaon, Assam, with the police saying he died when he jumped into a pond to escape.¹⁰³ Also in Nagaon, Assam, two Muslim brothers were shot dead in a wildlife sanctuary on suspicion of being poachers by forest guards in June.¹⁰⁴ A Muslim man was killed and 17, mostly police personnel, were killed in Kadamtala, Tripura state, in October during clashes between Hindus and Muslims after a Muslim car driver refused to pay a subscription for celebration of Durga Puja, a major Hindu festival.¹⁰⁵

Besides Muslims, members of other minority groups were also killed by state and non-state actors during the period under review. In February, at least one person was killed and dozens injured, after police forces in BJP-ruled Haryana used excessive force against Sikh farmer-protesters demanding a minimum legal guarantee for crop prices. The protesters were targeted using batons, tear gas

100 ‘UP: 55-year-old Muslim woman dies after police barge into her home searching for beef’, *Maktoob Media*, August 28, 2024, <https://maktoobmedia.com/india/up-55-year-old-muslim-woman-dies-after-police-barge-into-her-home-searching-for-beef/>.

101 ‘Imam beaten to death by three masked assailants in Ajmer Mosque’, *Maktoob Media*, April 27, 2024, <https://bitly.cx/M9rx>.

102 ‘“Framed in Drug case”: Family of Pulwama man who died in police custody alleges torture’, *The Wire*, June 7, 2024, <https://thewire.in/government/pulwama-police-torture-custodial-death>.

103 Sukrita Baruha, ‘Assam rape accused dies in custody, cops say jumped into pond’, *The Indian Express*, August 25, 2024, <https://bitly.cx/0grM>.

104 ‘Two Muslim men in Assam’s Nagaon shot dead by forest guards, CM Himanta orders probe’, *The Wire*, June 27, 2024, <https://thewire.in/news/two-muslim-men-in-assams-nagaon-shot-dead-by-forest-guards-cm-himanta-orders-probe>.

105 Arshad Ahmad, ‘“Hindus have changed”: A sleepy Indian state becomes anti-Indian tinderbox’, *Al-Jazeera*, July 12, 2024, <https://www.aljazeera.com/features/2024/12/7/hindus-have-changed-a-sleepy-indian-state-becomes-anti-muslim-tinderbox>.

and proscribed pellet-firing shotguns.¹⁰⁶ Also in February, at least two Kuki-Zo protesters were killed and around 25 injured outside a police complex in Churachandpur, Manipur, after police opened fire at a mob demanding the revocation of an order suspending a Kuki police officer. Police claimed that they initially used tear gas to disperse the mob, which was reportedly attempting to storm the complex. In November, 10 Kuki-Zo individuals, including a minor, were shot and killed by security forces, in what locals claimed was a staged ‘encounter’ against civilians, an account that appeared to have been supported by the findings of autopsy reports.¹⁰⁷ BJP-ruled Manipur has been rocked by violence, claiming more than 200 lives, between members of the predominantly Hindu Meitei community and the predominantly Christian Kuki-Zo tribes since May 2023 and sporadic violence continues.¹⁰⁸ A 17-year-old Dalit boy was killed in Rampur, Uttar Pradesh, in February amid clashes between villagers belonging to the Dalit and ‘higher’ caste Kurmi communities and police when clashes broke out over the installation of a board with the image of B.R. Ambedkar, a Dalit leader and social reformer. Witnesses alleged that the boy died of an injury sustained from police firing, while police claimed that the boy was killed in cross-firing between the clashing villagers.¹⁰⁹

106 Namita Singh, ‘One dead amid police violence as Indian farmers resume March on Delhi’, *The Independent*, February 21, 2024, <https://www.independent.co.uk/asia/india/india-farmers-protest-tear-gas-police-b2499834.html>; Puja Das, ‘Farmers leaders to meet union ministers after police use pellet guns, tear gas on protesters’, *Mint*, February 14, 2024, <https://bitly.cx/zdsinx>; Himanshi Dahiya, ‘Medical report busts police claim “No pellet guns used” against farmers’, *The Quint*, February 20, 2024, <https://bitly.cx/5fOw>.

107 ‘Manipur: 10 Suspected Hmar Insurgents Killed in Jiribam District, One CRPF Jawan Hurt’, *Deccan Herald*, November 11 2024, <https://bitly.cx/ww1rf>; Nikita Jain, ‘Manipur: Shot in Back, Right Eyes Missing, Say Autopsy Reports of 10 Kuki-Zo Men Killed in “Gunfight”’, *Maktoob Media*, December 4, 2024, <https://maktoobmedia.com/india/manipur-shot-in-back-right-eyes-missing-say-autopsy-reports-of-10-kuki-zo-men-killed-in-gunfight/>.

108 Tora Agrawal, ‘Two dead, scores injured after police open fire in India’s Manipur state’, *Reuters*, February 16, 2024, <https://www.reuters.com/world/india/two-dead-scores-injured-after-police-open-fire-indias-manipur-state-2024-02-16/>; ‘Manipur: Three killed in separate incidents, one trying to loot weapons, amid fresh tensions’, *Scroll*, February 14, 2024, <https://scroll.in/latest/1063707/manipur-three-persons-killed-in-separate-incidents-amid-fresh-tensions-in-state>.

109 Manish Sahu, ‘Row over board with Ambedkar image: Dalit teen killed in

An Adivasi Christian woman was killed in Chattisgarh in June, allegedly by her relatives who reportedly disputed her claim to family land following her conversion to Christianity.¹¹⁰

During the review period, there were innumerable cases of arbitrary detentions of members of religious minority communities, particularly Muslims. There were arrests of Muslims in the run-up to and after the consecration of Ram Mandir in Ayodhya, such as in Jammu and Kashmir,¹¹¹ Telengana,¹¹² Gujarat¹¹³ and Maharashtra.¹¹⁴ Between June and August, more than 25 Muslims were arbitrarily arrested on charges such as offering Eid prayers on government land, waving the Palestinian flag during the Muharram procession, speaking to a Hindu girl and social media posts.¹¹⁵ On August 28, Muslims, including 9 women, were separated from their families and taken to a detention camp in Assam shortly after they were declared non-citizens by a Foreigners Tribunal, a quasi-judicial body of which there are 100 in the state.¹¹⁶

Rampur chash, 4 cops among 23 booked', *The Indian Express*, February 29, 2024, <https://indianexpress.com/article/cities/lucknow/row-over-board-with-ambekar-image-dalit-teen-killed-in-rampur-clash-4-cops-among-23-booked-9187122/>.

110 'Christian Woman Murdered by Relatives Wielding Axe, Face Smashed with Stones', *Morning Star News*, July 4, 2024, <https://www.christianpost.com/news/christian-woman-murdered-by-relatives-wielding-axe-face-smashed.html>.

111 'Jammu and Kashmir: Two arrested for social media posts on Babri Masjid', *Maktoob Media*, January 26, 2024, <https://maktoobmedia.com/india/jammu-and-kashmir-two-arrested-for-social-media-posts-on-babri-masjid/>.

112 'Telengana: Muslim teen paraded naked during Ram temple celebrations, sent to jail', *Maktoob Media*, January 27, 2024, <https://maktoobmedia.com/india/telangana-muslim-teen-paraded-naked-during-ram-temple-celebrations-sent-to-jail/>.

113 Tarushi Aswani, 'Gujarat police "rough up accused", arrest Muslims after skirmish during Ram Temple yatra', *The Wire*, January 28, 2024, <https://thewire.in/communalism/gujarat-ram-mandir-yatra-muslims-arrested>.

114 'Reports of goons forcing Muslim youth to say Jai Shri Ram in Mumbai, Maharashtra', Citizens for Justice and Peace (CJP), January 31, 2024, <https://cjp.org.in/reports-of-goons-forcing-muslim-youth-to-say-jai-sri-ram-in-mumbai-maharashtra/>.

115 '25+ arrested or detained across the country on various pretexts', South Asia Justice Campaign, September, 2024, accessed on January 5, 2025, https://southasiajusticecampaign.org/wp-content/uploads/2024/09/IPT_2024-4_Arrests-Muslims.pdf.

116 Sumir Karmakar, 'Assam: 28: declared foreigners', Bengali Muslims detained, sent to transit camp, *Deccan Herald*, September 2, 2024, <https://bitly.cx/QtXHE>.

Persecution of religious minorities using discriminatory laws like the anti-conversion law and cow protection law continued during 2024. India's anti-conversion laws, active in 12 states, continued to be invoked against Christians as well as Muslims. For example, in Uttar Pradesh, in June, 13 Christians, including four pastors, were arrested,¹¹⁷ and in July, three Christians were arrested over allegations of religious conversions.¹¹⁸ Police arrested 28 Christians (including 20 women) from a prayer meet in Rajasthan in July for alleged forced conversions.¹¹⁹ According to the United States Commission on International Religious Freedom, states frequently 'enforce such laws under the pretext of preventing so-called 'love-jihad'—a conspiracy theory that claims Muslim men target and seduce Hindu women for conversion to Islam—while in effect targeting inter-faith relationships'.¹²⁰ Meanwhile, according to the Delhi-based United Christian Forum, between January and November 2024, there were a record 745 attacks on Christians in India, excluding those in Manipur, where inter-ethnic violence has been ongoing since last year.¹²¹

Arbitrary arrests were also made under India's cow protection laws, which are active in 20 of India's 28 states.¹²² Examples of arrests include: in June, 24 were held on charges of killing cows and oxen in Seoni, Madhya Pradesh;¹²³ in November, six were arrested in Bharuch, Gujarat, on charges of stealing a pregnant cow

117 '13 Christians jailed in Northern Indian state', *Union of Catholic Asian News*, June 26, 2024, <https://www.ucanews.com/news/13-christians-jailed-in-northern-indian-state/105521>.

118 '7 Indian Christians accused of violating conversion law', *Union of Catholic Asian News*, July 16, 2024, <https://bitly.cx/ice1o>.

119 'Over 25 people detained on alleged forced conversion, ruckus complaint in Rajasthan Bharatpur', *Deccan Herald*, July 6, 2024, <https://www.deccanherald.com/india/rajasthan/over-25-people-detained-on-alleged-forced-conversion-ruckus-complaint-in-rajasthans-bharatpur-3094710>.

120 Sema Hasan, *Increasing Abuses Against Religious Minorities in India* (India: 2024, USCIRF), <https://www.uscifr.gov/sites/default/files/2024-10/2024%20India%20Country%20Update.pdf>.

121 'Record 745 attacks on Christians in India', *Newsreel Asia*, December 25, 2024, <https://www.newsreel.asia/articles/attacks-christians-india-2024-record-ucf>.

122 Hasan, *Increasing Abuses Against Religious Minorities in India*.

123 '24 held for killing cows and oxen in Madhya Pradesh; Police say conspiracy to slaughter them hatched in Nagpur', *The Hindu*, June 28, 2024, <https://bitly.cx/P4J6L>.

and slaughtering;¹²⁴ and also in November three were arrested in Meerut, Uttar Pradesh on charges of slaughtering bulls.¹²⁵ In Uttar Pradesh, police authorities enforcing the state's cow protection law shot at and injured at least 54 Muslim individuals in allegedly staged 'half-encounters'—typically entailing suspects sustaining bullet injuries in the knees and leg before being formally arrested by police officials in the presence of media.¹²⁶

The past year also saw the introduction of new discriminatory laws and directives, as well as revisions to previously existing laws or their replacement in several states to make them more stringent. In September and October, authorities in Uttar Pradesh and Uttarakhand announced policy measures giving credence to 'spit jihad', an unfounded conspiracy theory alleging an organised plot by Muslims to endanger Hindus by spitting in and contaminating their food—UP is reportedly planning to enact a new law, while Uttarakhand has invoked existing provisions, to crack down on Muslim employees at eateries.¹²⁷ In July, Uttar Pradesh introduced more stringent amendments to the anti-conversion law, which makes the offence liable to life imprisonment (up from up to 10 years earlier) and allows anyone to make complaints of conversion (rather than just victims earlier).¹²⁸ In August, the Chief Minister of Assam said that his government plans to enact a law to address 'love jihad', by imposing life imprisonment for individuals

124 Brijesh Doshi, 'Six arrested in Gujarat for stealing cow', *India Today*, November 4, 2024, <https://www.indiatoday.in/india/story/pregnant-cow-stolen-in-gujarat-bharuch-6-arrested-for-slaughtering-it-2627926-2024-11-04>.

125 'Three Delhi men arrested in UP's Meerut for alleged cow slaughter', *The Observer Post*, November 9, 2024, <https://theobserverpost.com/three-delhi-men-arrested-in-ups-meerut-for-alleged-cow-slaughter/>.

126 'India Persecution Tracker | 2024 | Overview'.

127 Jyoti Punwami, 'Yogi Adityanath's Pseudo Ordinance Is a Ploy for Religious Targeting', *Deccan Herald*, accessed on January 15, 2025, <https://www.deccanherald.com/opinion/yogi-adityanaths-pseudo-ordinance-is-a-plot-for-religious-targeting-3246572>; 'Uttarakhand Govt Issues Guidelines to Prevent "Spit Jihad", with Fines up to ₹1 Lakh', *Hindustan Times*, October 17, 2024, <https://bitly.cx/SrD6f>.

128 'UP passes stringent amendments to anti-conversion law; allows any person to file complaint in conversion cases', *Maktoob Media*, July 30, 2024, <https://bitly.cx/ZM2YD>.

found guilty of coercing someone into marriage with the intent of religious conversion. He also announced plans to introduce a new domicile policy, restricting eligibility for government jobs only to individuals born in Assam and regulations requiring the Chief Minister's consent for land transactions between Hindus and Muslims.¹²⁹ In April, Gujarat mandated that Hindus must seek prior permission from authorities before converting to Buddhism, Jainism or Sikhism.¹³⁰ In February, Assam passed the Assam Healing (Prevention of Evil Practices) Bill making the practice of healing of any disease or disorder not based on science illegal despite different communities having traditional methods of healing.¹³¹ The replacement of colonial era criminal laws with three new laws (Indian Penal Code, 1860 with Bharatiya Nyaya Sanhita, 2023 Indian Evidence Act, 1872 with Bharatiya Sakshya Adhiniyam, 2023 and Code of Criminal Procedure, 1882 with Bharatiya Nagarik Suraksha Sanhita, 2023) that came into effect in July has brought about fears of its misuse¹³², particular against religious minorities.¹³³ Following up on the BJP's intention to 'implement a Universal Civil Code (UCC) to overrule existing personal laws that are highly integrated with religious belief',¹³⁴ in February, the BJP-ruled Uttarakhand state became the first state in India to repeal all religion-based family laws and enact a UCC¹³⁵ replacing different

129 'Will curb land sales to Muslims, law soon for life term in "love jihad" cases: CM Himanta Biswa Sarma', *The Indian Express*, August 5, 2024, <https://indianexpress.com/article/india/assam-law-love-jihad-domicile-policy-govt-jobs-himanta-biswa-sarma-9494734/>.

130 Sema Hasan, *Increasing Abuses Against Religious Minorities in India* (India: 2024, USCIRF), pg. 4, <https://www.uscifr.gov/sites/default/files/2024-10/2024%20India%20Country%20Update.pdf>.

131 Utpal Parasar, 'Assam assembly passes legislation banning magical healing, opp raises doubts', *The Hindustan Times*, February 26, 2024, <https://bitly.cx/g7m8>.

132 'Concerns as India replaces criminal era laws with new criminal codes', *Al Jazeera*, July 1, 2024, <https://bitly.cx/QRNTt>; Amnesty International, *India: Authorities must immediately repeal repressive new criminal laws* (India: 2024, Amnesty International), <https://bitly.cx/g5VD>.

133 Nadeem Khan, 'New criminal laws: Eroding civil liberties and targeting minorities in India', *Maktoob Media*, July 20, 2024, <https://maktoobmedia.com/opinion/new-criminal-laws-eroding-civil-liberties-targeting-minorities-in-india/>.

134 Hasan, *Increasing Abuses Against Religious Minorities in India*.

135 Kautilya Singh, 'President gives approval, Uttarakhand all set to become first state to have UCC', *The Times of India*, March 13, 2024, <https://bitlycx/5ak7H>.

religious different family and personal laws that address matters of marriage, divorce and inheritance, among other issues. There has been widespread criticism of the law from different religious minority groups.¹³⁶ The Indian government also plans to amend the Waqf Act, which regulates properties donated by Muslims for religious, educational or charitable purposes. Currently, each state has a Waqf board responsible for managing such properties. The proposed amendments seek to give the government greater overall control over Waqf boards and could potentially enable the state takeover of Waqf properties. The amendments are now under the consideration of a joint parliamentary committee.¹³⁷

Incidents of torture of members of minority groups were also reported during the period under review. These included a 12-year-old madrasa student being beaten inside a police station in Ranchi, Jharkhand, in January,¹³⁸ a Muslim youth who was beaten and a stick inserted in his 'sensitive part' on suspicion of cow slaughter in Badaun, Uttar Pradesh in January;¹³⁹ a Sikh farmer-protester abducted and tortured in Haryana in February¹⁴⁰; and a video of a policeman kicking Muslim men while they were offering public prayers by the side of the road in Delhi in March became viral.¹⁴¹ Some died from police torture: a 45-year-old Dalit farmer died in

136 Murali Krishnan, 'India: Why is a civil code stirring controversy?', *DW*, February 13, 2024, <https://www.dw.com/en/india-why-is-a-civil-code-stirring-controversy/a-68245692>; Hasan, *Increasing Abuses Against Religious Minorities in India*.

137 'Waqf committee meetings become battleground of contesting claims', *The Hindu*, September 8, 2024, <https://bitly.cx/PJOs>.

138 Sher Hiba Khan, "'All skull cap wearers are terrorists': 12-year-old madrasa student allegedly assaulted in Jharkhand", *The Observer Post*, January 6, 2024, <https://theobserverpost.com/all-skull-cap-wearers-are-terrorists-12-year-old-madrassa-student-allegedly-assaulted-by-police-in-jharkhand/>.

139 'UP: Police torture Muslim youth in Badaun on suspicion of cow slaughter', *Clarion India*, January 5, 2024, <https://bitly.cx/TvoU>.

140 Kusum Arora, 'Haryana police picked up my son from Punjab, beat him up mercilessly: Mother of youth injured in Khanauri', *The Wire*, February 26, 2024, <https://thewire.in/agriculture/haryana-police-picked-up-my-son-from-punjab-beat-him-mercilessly-mother-of-youth-injured-at-khanauri>.

141 'Court orders Delhi police to file report on policeman who kicked Muslims at prayer', *The Wire*, March 17, 2024, <https://thewire.in/communalism/court-orders-delhi-police-to-file-report-on-policeman-who-kicked-muslims-at-prayer>.

police custody after police beat him in Bareilly, Uttar Pradesh;¹⁴² a 44-year-old Dalit man, who worked as a cook, died when he reached home after police beat him in Villupuram, Tamil Nadu;¹⁴³ and two Dalit men died from police torture after they had been arrested over a quarrel in Rajkot, Rajasthan in April.¹⁴⁴

There were also widespread attacks on Muslims and Christians under cow protection and anti-conversion laws by Hindu non-state actors, often with the collusion of authorities, during the period under review.¹⁴⁵ Attacks on Muslims also took place around Baqr Eid, which fell on 17 June, including in Telangana¹⁴⁶ Odhisa,¹⁴⁷ Himachal Pradesh,¹⁴⁸ and Jodhpur.¹⁴⁹ The violence against Hindus in Bangladesh after the fall of the Sheikh Hasina regime in August saw 'retaliatory' attacks on Muslims in various

142 Kanwardeep Singh, 'Dalit man dies in UP police custody, 2 cops suspended', *The Times of India*, April 14, 2024, <https://bitly.cx/1AmBY>.

143 Krithika Srinivasan, 'Custodial torture alleged in Dalit man's death in Tamil Nadu', *The New Indian Express*, April 19, 2024, <https://www.newindianexpress.com/states/tamil-nadu/2024/Apr/19/custodial-torture-alleged-in-dalit-mans-death-in-tamil-nadu>.

144 Gopal B. Katesiya, 'Dalit man dies in Rajkot, family alleges torture by police', *The Indian Express*, April 17, 2024, <https://indianexpress.com/article/cities/ahmedabad/dalit-man-dies-in-rajkot-family-alleges-torture-by-police-9274224/>; 'Days after death of Dalit man, his friend also dies due to "police torture" in Rajkot', *The Indian Express*, April 26, 2024, <https://indianexpress.com/article/cities/ahmedabad/rajkot-dalit-man-death-friend-police-torture-9289968/>.

145 SAJC, '132+ injured in other violent assaults by Hindu extremists across India', South Asia Justice Campaign, June – August, 2024, accessed on December 20, 2024, https://southasiajusticecampaign.org/wp-content/uploads/2024/09/IPT_2024-4_Violent-Assaults-.pdf.

146 N. Rahul, 'Communal clashes in Telangana after Hindutva "cow vigilantes" disrupt cattle transport before Bakrid', *The Wire*, June 17, 2024, <https://thewire.in/politics/communal-clashes-in-telangana-after-hindutva-cow-vigilantes-disrupt-cattle-transport-before-bakrid>.

147 Ashutosh Mishra, 'Odhisa: Balasore communal violence emerges as Majhi government's first major challenge', *The Wire*, June 18, 2024, <https://thewire.in/communalism/balasore-communal-violence-first-challenge-majhi-government>.

148 Kaushik Raj, 'Hindu mob who proved mob against Muslim shopkeepers in Himachal are still out, spreading Islamophobia', *Article 14*, July 2, 2024, <https://article-14.com/post/hindu-men-who-provoked-mob-against-muslim-shopkeepers-in-himachal-are-still-out-spewing-hate-66837192d2ab0>.

149 '51 arrested in Jodhpur communal clash', *The Indian Express*, June 23, 2024, <https://indianexpress.com/article/india/51-arrested-in-jodhpur-communal-clash-9409282/>.

places, including Delhi, Uttar Pradesh and Odisha.¹⁵⁰

Elections in India provided the pretext for a spike in religious polarisation and anti-minority hate speech, including incitement to discrimination, hostility and violence. Hate speech is a tactic that has long been used by Hindu nationalists to persecute religious minorities. In 2023, according to a report of India Hate Lab, a Washington DC-based research group released in February, there were 668 hate speech events targeting Muslims in India, with three BJP-ruled states—Maharashtra, Uttar Pradesh and Madhya Pradesh— accounting for 43 per cent of them with a spike, accounting for nearly half of the total for the year, between August and November when legislative elections were held in a number of states.¹⁵¹ The BJP's general election campaign in 2024 centred around sectarian rhetoric, seemingly intended to dehumanise Muslims and manufacture fear among India's Muslims.¹⁵² Prime Minister Narendra Modi led the way. During an election rally in Rajasthan in April, he referred to India's Muslims as 'infiltrators' and 'those with more children', and accused the opposition Congress Party of conspiring to snatch wealth from Hindus and redistribute it to Muslims.¹⁵³ Different versions of this narrative—

150 Abhisekh Kumar, 'Muslim migrant workers branded as "Bangladeshi", "revenge attacks" in Delhi, UP, Odisha', *The Wire*, August 19, 2024, <https://thewire.in/communalism/muslims-migrant-workers-branded-as-bangladeshi-revenge-attacks-in-delhi-up-odisha>; Sujit Bisoyi 'Workers in Odisha rounded up by BJP men on suspicion of being from Bangladesh are West Bengal natives, say police', *The Indian Express*, August 12, 2024, <https://indianexpress.com/article/india/bjp-men-detain-construction-workers-suspicion-bangladeshi-origins-9508712/>; 'Maharashtra: Snow pelting during protest to protect Hindus in Bangladesh', *Maktoob Media*, August 17, 2024, <https://maktoobmedia.com/india/maharashtra-stone-pelting-during-protest-to-protect-hindus-in-bangladesh/>.

151 India Hate Lab, *Hate Speech Events in India – Report 2023* (India: 2024, India Hate Lab), <https://indiahatelab.com/2024/02/25/hate-speech-events-in-india-2023-annual-report/>.

152 'India: Hate speech fueled Modi's election campaign', Human Rights Watch, 2024, accessed on December 20, 2024, <https://www.hrw.org/news/2024/08/14/india-hate-speech-fueled-modis-election-campaign>; 'Four anti-Muslim claims dominating India's election: What's the Truth', *Al Jazeera*, May 25, 2024, <https://www.aljazeera.com/news/2024/5/25/four-anti-muslim-claims-dominating-indias-election-cycle-whats-the-truth>.

153 'Modi accused of hate speech for calling Muslims "infiltrators" at Indian election rally' *PBS News*, April 23, 2024, <https://www.pbs.org/newshour/world/>

of the opposition conspiring on behalf of Muslims – continued to be parroted throughout the election, including by Prime Minister Modi himself,¹⁵⁴ as well as other senior BJP leaders, including India’s Home Minister,¹⁵⁵ Defence Minister¹⁵⁶ and Sports Minister.¹⁵⁷ According to the South Asia Justice campaign, between 16 March, when the general election was officially notified, and 29 May, when the campaign ended, there were 380 instances of hate speech, all of which ‘appeared to violate’ India’s domestic law and about a fifth international law. Among the top offenders were the Prime Minister, the Home Minister and the chief ministers of Uttar Pradesh, Assam and Uttarakhand, all three ruled by the BJP.¹⁵⁸ Despite complaints of violations, India’s election authorities failed to take decisive action, issuing only broad directives instead of using their plenary powers to act against individual violators of election laws and codes of conduct.¹⁵⁹

Even after the elections, hate speech and incitement of violence by BJP leaders continued. Noteworthy has been the continuation of anti-Muslim rhetoric by Assam Chief Minister Himanta Sarma, who has doubled down on his attacks against the state’s ‘Miya’ Muslim (Bengali-speaking) community. Since June, Sarma has engaged in fear-mongering over the increase in the state’s Muslim population, blamed Muslims for involvement in ‘criminal activities’

modi-accused-of-hate-speech-for-calling-muslims-infiltrators-at-indian-election-rally.

154 ‘PM reiterates ‘steals Mangsutra’ jibe during rally: “Congress want to take of mothers, sisters...”, *Mint*, April 22, 2024, <https://bitly.cx/4NYHF>.

155 “Will country run on basis of Sharia?” Amit Shah says Congress “outsourced” manifesto to minorities and Left’, *CNBC TV18*, May 2, 2024, <https://bitly.cx/U9QD>.

156 Sravasti Dasgupta, ‘In Mohammad Akhlaq’s Dadri locals rally against BJP, religious polarisation’, *The Wire*, April 25, 2024, <https://thewire.in/politics/in-mohammad-akhlaqs-dadri-locals-rally-against-bjp-religious-polarisation>.

157 “We gave all rights to Muslims, equally...”: Anurag Thakur slams Congress at Public rally in Himachal Pradesh’, *The Times of India*, April 27, 2024, <https://bitly.cx/CDK8>.

158 SAJC, ‘India Hate Speech Monitor’, South Asia Justice Campaign, 2024, accessed on December 20, 2024, <https://bitly.cx/fDTs>.

159 Arpan Rai, ‘India’s election watchdog expresses “concern” but does not suspend Modi over “anti-Muslim” hate speech’, *The Independent*, May 23, 2024, <https://www.independent.co.uk/asia/india/modi-hate-speech-indian-elections-2024-congress-b2550109.html>.

and accused a Muslim-run university of engaging in ‘flood jihad’ and causing floods in Assam.¹⁶⁰ Even in opposition-ruled states, the ire of the Hindu nationalists involved in hate speech has led to fear amongst Muslims.¹⁶¹ In Jharkhand, a state governed by a regional party, the BJP’s campaign in legislative elections conducted in November attempted to pit members of indigenous tribes against Muslims, who were once again portrayed as ‘infiltrators’.¹⁶²

The general elections also saw widespread voter suppression¹⁶³ with instances of minority voters reportedly being denied the right to exercise their franchise. In Sambhal, Uttar Pradesh, dozens of Muslim voters alleged that they were assaulted and denied the right to vote by police personnel.¹⁶⁴ In Devbhumi Dwarka, Gujarat, over 700 Muslim fishermen were denied the right to vote after their names were arbitrarily deleted from the electoral rolls.¹⁶⁵ In Mathura, Uttar Pradesh, the voter slip required to vote was reportedly not given to several Muslim voters, effectively barring them from voting.¹⁶⁶ Also, in Uttar Pradesh, there were complaints that Muslim women left polling

160 ‘Hate speech: CM Himanta Sarma claims Muslim population in Assam now 40% says “matter of life and death”, *Maktoob Media*, July 17, 2024, <https://bitly.cx/BTPly>; Gulam Jeelani, ‘Muslim-owned university accused of “flood jihad” by Himanta Biswa shines among country’s top 200’ *Mint*, August 14, 2024, <https://bitly.cx/jaLL>.

161 Samriddhi Sakunia, ‘Muslims “in constant fear” amid hate campaign in India’s Himachal Pradesh’, *Al Jazeera*, October 17, 2024, <https://www.aljazeera.com/news/2024/10/17/muslims-in-constant-fear-amid-hate-campaign-in-indias-himachal-pradesh>.

162 ‘Modi’s Party Told to Take down Campaign Ad Targeting Muslims’, *The Independent*, November 20, 2024, sec. Asia, <https://www.independent.co.uk/asia/india/jharkhand-election-bjp-campaign-video-muslims-b2650443.html>.

163 Arbab Ali and Nadeem Sarwar, “Minority exclusion”: Are Indian Muslims facing voter suppression? *Al Jazeera*, June 1, 2024, <https://www.aljazeera.com/features/2024/6/1/india-election-fairness-concerns-amid-muslim-vote-suppression-allegations>.

164 ‘Muslims in UP’s Sambhal “not allowed” to cast vote, thrashed by cops’, *The Daily Siasat*, May 7, 2024, <https://bitly.cx/2pm5u>.

165 Gopal B. Katesiya, ‘After the houses were razed, names of 700 fishermen deleted from voters’ lists’, *The Indian Express*, May 7, 2024, <https://bitly.cx/uKZoa>.

166 Ayush Tiwari, ‘In Mathura Muslims say they were denied their vote. No complaints in Hindu areas’, *Scroll*, April 30, 2023, <https://scroll.in/article/1067215/in-mathura-muslims-say-they-were-denied-their-vote-no-complaints-in-hindu-areas>.

booths without voting because police forced them to remove their veils.¹⁶⁷

Other instances of discrimination against and harassment of Muslims during the period under review included denial of right to livelihoods: Muslim traders in Pithoragrh district asked to close shop and leave town in March,¹⁶⁸ in October, Muslim traders given up to the end of the year to leave in Chamoli, Uttar Pradesh,¹⁶⁹ eviction of Muslim traders at a fair to promote local products in Damoh, Madhya Pradesh in November,¹⁷⁰ and the fleeing of 16 Muslim traders from Nahan, Himachal Pradesh after the arrest of a Muslim trader and the looting of his shop in June.¹⁷¹ In July, authorities in Uttar Pradesh and Uttarakhand asked eateries along the Hindu pilgrimage Kanwar Yatra route to display the names of proprietors in an apparent attempt to ease the boycott of Muslim traders.¹⁷² The Supreme Court subsequently blocked the order¹⁷³, but in September, Uttar Pradesh Chief Minister Yogi Adityanath directed eateries across the state to display names of proprietors,

167 “Scared Muslim voters by removing their veils”: Samajwadi Party writes to UP CEO ahead of bypolls; BJP hits back’, *The Times of India*, November 19, 2024, <https://bitly.cx/8wNf>.

168 Avaneesh Mishra, ‘Uttarakhand police intervene after many Indian Muslims are told to leave town’, *The Indian Express*, March 9, 2024, <https://indianexpress.com/article/india/uttarakhand-muslim-traders-dharchula-9222473/>.

169 Kalyan Das, ‘Uttarakhand: Traders in Chamoli town tell Muslims to leave by Dec 31’, *The Times of India*, October 19, 2024, <https://bitly.cx/pBM0w>.

170 Anurag Dwary, ‘Muslim traders claim they were evicted from Madhya Pradesh fair’, *NDTV*, November 18, 2024, <https://bitly.cx/U9Tmw>.

171 Gafira Qadir, ‘Muslim leaders in HP’s Nahan say over a dozen businessmen fled town after Hindutva attack, vow to resist Islamophobia’, *Maktoob Media*, June 23, 2024, <https://maktoobmedia.com/india/muslim-leaders-in-hps-nahan-say-over-a-dozen-businessmen-fled-town-after-hindutva-attack-vow-to-resist-islamophobia/>.

172 ‘Muzzafarnagar police order restaurants to display owners’ name along Kanwar Yatra Route; Akhilesh slams order’, *The Economic Times*, July 18, 2024, <https://bitly.cx/Kqg2>; ‘UP orders nameplates of shops on Kanwar yatra route; Uttarakhand follows amid massive row’, *Muslim Mirror*, July 19, 2024, <https://muslimmirror.com/up-orders-nameplates-for-shops-on-kanwar-yatra-route-uttarakhand-follows-amid-massive-row/>.

173 Meryl Sebastian and Dilnawaz Pasha, ‘India court blocks order for eateries to display owners’ names’, *BBC*, July 22, 2024, <https://www.bbc.com/news/articles/czrj18yp489o>.

operators and managers to allegedly check food adulteration.¹⁷⁴ Cow vigilantism has also led to deprivation of livelihoods, with Muslim dairy farmers in north India set to quit husbandry for fear of violence against them on charges of cow smuggling.¹⁷⁵

There were also instances of Muslims being denied education. A seven-year-old boy was expelled from a private school in Amroha, Uttar Pradesh, for bringing non-vegetarian food to school in September.¹⁷⁶ In Bijnor, Uttar Pradesh, a college sent Muslim students home for wearing the hijab in August.¹⁷⁷ Such hijab bans were also reported in Karnataka¹⁷⁸ and Maharashtra¹⁷⁹ where the ban was subsequently upheld by the court.¹⁸⁰

Despite the diminished strength of the BJP in the 2024 general elections, it continues to uphold Hindutva and the situation for India's minorities, particularly Muslims, appears to have deteriorated further since June when the election results were announced. India's domestic mechanisms largely continue to fail to ensure accountability for the violations against religious minorities. In fact, Hindu nationalists appear to have become emboldened in the period under review; within 10 days of the results, authorities in Delhi sanctioned the prosecution of prominent writer Arundhati Roy and academic Showkat Hussain over allegedly contentious

174 Manish Sahu, 'Al eateries must display names of owners: Yogi Adityanath', *The Indian Express*, September 25, 2024, <https://bitly.cx/gdTI>.

175 'Northern Indian Muslim dairy farmers live in fear as "gaurakshaks" apply for gun licenses: Report', *Deccan Herald*, July 28, 2024, <https://www.deccanherald.com/india/northern-indian-muslim-dairy-farmers-live-in-fear-as-gaurakshaks-apply-for-gun-licences-report-3125646>.

176 'Amroha authorities probing "expulsion" of 7-year-old Muslim student over non-veg tiffin', *The Wire*, 2024, <https://thewire.in/communalism/uttar-pradesh-biryani-non-veg-muslim-boy-expelled>.

177 'Muslim students sent home by Uttar Pradesh college for wearing hijab', *Maktoob Media*, August 13, 2024, <https://maktoobmedia.com/india/muslim-students-sent-home-by-uttar-pradesh-college-for-wearing-hijab/>.

178 'Karnataka: Muslim girl asked to not wear hijab to school, after students protested wearing saffron shawls', *Sabrang India*, March 11, 2024, <https://sabrangindia.in/karnataka-muslim-girl-asked-to-not-wear-hijab-to-school-after-students-protested-wearing-saffron-shawls/>.

179 'Hijab ban part of dress code, not against Muslims, Mumbai college tells SC', *The Hindustan Times*, June 19, 2024, <https://bitly.cx/Cwitq>.

180 'Bombay High Court upholds hijab ban at Mumbai college, says "Doesn't violate..."', *NDTV*, June 26, 2024, <https://bitly.cx/opTPr>.

speeches they had made in Kashmir in 2010.¹⁸¹ Separately, police registered a case against three journalists relating to an incident from 2020, when they were allegedly assaulted by a Hindu mob while reporting on the mass violence against Muslims in Delhi.¹⁸² And for the first time ever in India's history, there is not a single elected Muslim, Christian, or Sikh parliamentarian in the ruling alliance.¹⁸³

Myanmar

With the armed conflict between the Myanmar state and different groups, that intensified after the February 2021 coup, continuing during the period under review, this survey on the situation of minorities in Myanmar during 2024 provides a broad focus on general human rights abuses, including killings of civilians, arbitrary detentions, the humanitarian situation, the complexities of the ethnic issue and other related developments rather than descriptions of particular incidents of abuse of the rights of minorities.

The humanitarian and human rights situation in Myanmar continued to be catastrophic during the period under review. The intensification of the conflict between the state and various armed minority groups after the military coup of February 2021¹⁸⁴ showed no signs of abating. In fact, by various measures, it worsened.¹⁸⁵

181 "Delhi L-G grants prosecution sanction against Arundhati Roy under UAPA", *Business Standard*, June 14, 2024, <https://bitly.cx/L5ij>.

182 'Journalists with The Caravan face retaliatory police investigation in India', Committee to Protect Journalists, June 10, 2024, <https://cpj.org/2024/06/journalists-with-the-caravan-face-retaliatory-police-investigation-in-india/>.

183 'Zero representation of over 250 million Indians: No Christian, Muslim, Sikh MPs in NDA', *Maktoob Media*, June 9, 2024, <https://maktoobmedia.com/india/zero-representation-of-over-250-million-indians-no-muslim-christian-sikh-mps-in-nda/>.

184 SAC, *South Asia State of Minorities Report 2023: Majoritarianism and Its Impact on Minorities* (Myanmar: 2024, The South Asia Collective), Pg. 103–129, <https://thesouthasiacollective.org/wp-content/uploads/2024/05/south-asia-state-of-minorities-report-2023.pdf>.

185 'Continued conflict leaves Myanmar mired in crisis', *Al Jazeera*, October 30, 2024, <https://www.aljazeera.com/news/2024/10/30/continued-conflict-leaves-myanmar-mired-in-crisis-un>.

According to a United Nations report, more than 6000 civilians have been killed since February 2021, and more than 21,000 of those that were arrested since remaining in detention;¹⁸⁶ torture those in detention is pervasive, and 1853 people, including 88 children and 125 women, have died in custody as of August.¹⁸⁷ Arrests and detentions increased when the military, pushed to the back foot, announced compulsory conscription in February.¹⁸⁸

While the end of the armed conflict is not in sight, despite the gains that minority groups have made against the army¹⁸⁹ and the army calling for talks in September, which was ignored,¹⁹⁰ the situation is not likely to improve in the immediate future for the various minority groups.¹⁹¹ For example, a report published in October highlighted the potential complex situation of minorities within subnational territories even if an ethno-federalism were to be adopted in post-conflict Myanmar.¹⁹² Further, the situation of

186 United Nations Office of the High Commissioner for Human Rights (UN OHCHR), *Myanmar: UN experts urge “course correction” as civilian deaths exceed 6,000* (Myanmar: 2024, UN OHCHR), <https://www.ohchr.org/en/press-releases/2024/12/myanmar-un-experts-urge-course-correction-civilian-deaths-exceed-6000>.

187 UN OHCHR, *Report on human rights situation in Myanmar* (Myanmar: 2024, UN OHCHR), <https://www.ohchr.org/en/press-briefing-notes/2024/09/report-human-rights-situation-myanmar>.

188 ‘CNA explains: Why Myanmar introduced compulsory military service?’ *Channel News Asia*, August 29, 2024, <https://bitly.cx/vxRPb>.

189 Koh Ewe, ‘How Myanmar’s civil war could actually end’, *Time*, October 31, 2024, <https://time.com/7160736/myanmar-coup-civil-war-conflict-timeline-endgame-explainer/>.

190 Myanmar military urges anti-coup forces to give up struggle and join talks’, *Al Jazeera*, September 27, 2024, <https://www.aljazeera.com/news/2024/9/27/myanmar-military-urges-anti-coup-forces-to-give-up-struggle-and-join-talks>.

191 Myo Thazin Nwe, Hpan Ja Brang, Emily Fishbien, “Like we are trapped”: Minorities suffer amid conflict in Myanmar’s Rakhine’, *Al Jazeera*, October 4, 2024, <https://www.aljazeera.com/news/2024/10/4/like-we-are-trapped-minorities-suffer-amid-conflict-in-myanmars-rakhine>; ‘Breaking Away: The Battle for Myanmar’s Rakhine State’, International Crisis Group, August 27, 2024, accessed on January 30, 2025, <https://www.crisisgroup.org/asia/south-east-asia/myanmar/339-breaking-away-battle-myanmars-rakhine-state>.

192 Isabel Chew and Jangai Jap, *Identities and Politics of Ethnicity in Post-coup Myanmar*, (Myanmar: 2024, International Institute for Democracy and Electoral Assistance), <https://www.idea.int/sites/default/files/2024-10/identities-and-politics-of-ethnicity-in-post-coup-myanmar.pdf>.

the Rohingya Muslim minority continues to pose serious questions in a largely Buddhist country, as evident from their situation in Rakhine State, where the Arkhan Army has, at present, driven back the junta forces.¹⁹³

During the period under review, the Myanmar Armed Forces (MAF) restored widespread airstrikes across the country as its ground forces continued to be pushed back on different fronts. Airstrikes and artillery in 12 of the country's 14 states killed 1769 civilians in 2024,¹⁹⁴ more than the combined total of the previous three years in such strikes, with Rakhine state, home to the persecuted Muslim Rohingya, the worst hit. There was daily shelling between January and April—at an average of six per day and totalling 819—and during this period, 359 civilians, including 61 children, were killed.¹⁹⁵ In a series of airstrikes on different sites, including camps for internally displaced persons, in early September, 26, including 10 children, were killed.¹⁹⁶ By October, the number of civilians killed in airstrikes had reached 540, including 109 children.¹⁹⁷ In November, 12 more were killed in Kachin and Shan states.¹⁹⁸ According to one count, between August and November, 240 civilians were killed in the country in airstrikes, and at the end of December, 20 more died in airstrikes across the

193 International Crisis Group, 'Breaking Away: The Battle for Myanmar's Rakhine State', International Crisis Group, August 27, 2024, accessed on January 30, 2025, <https://www.crisisgroup.org/asia/south-east-asia/myanmar/339-breaking-away-battle-myanmars-rakhine-state>.

194 'Air, artillery strikes set grim benchmark for civilian casualties in Myanmar 2024', *Radio Free Asia*, December 31, 2024, <https://www.rfa.org/english/myanmar/2024/12/31/myanmar-year-of-airstrikes/>.

195 Yasin Gungor, 'Myanmar junta airstrikes kill 359 civilians in 4 months', *Anadolu Ajansi*, May 24, 2024, <https://www.aa.com.tr/en/asia-pacific/myanmar-junta-airstrikes-kill-359-civilians-in-4-months/3229452>.

196 Aung Naing Soe, 'Myanmar military kill dozens in heaviest airstrikes since 2021 coup', *The Guardian*, October 8, 2024, <https://www.theguardian.com/global-development/2024/oct/08/myanmar-military-airstrikes>.

197 'Myanmar airstrikes indiscriminately target civilians a rights group says in a new report', *The Associated Press*, March 23, 2024, <https://apnews.com/article/myanmar-airstrikes-civilians-targeted-rights-group-report-2c4671374ede56ba12d0200484946379>.

198 Hein Htoo Zan, 'More Myanmar junta airstrikes target Kachin and Shan civilians', *The Irrawaddy*, November 18, 2024, <https://www.irrawaddy.com/news/burma/more-myanmar-junta-airstrikes-target-kachin-and-shan-civilians.html>.

country.¹⁹⁹ Activists say the airstrikes particularly target schools, hospitals and religious sites.²⁰⁰ In October, the head of the United Nations Independent Investigative Mechanism for Myanmar said there have been airstrikes on internally displaced people's camps, markets, schools and temples in different parts of the country.²⁰¹

Besides killing civilians in airstrikes, the junta has also executed prisoners, with a couple executed in September, and more than 100 of the thousands of political prisoners have been sentenced to death.²⁰² Those in detention continue to die for various reasons as well. In January alone, 48 people died in detention, which amounts to more than one a day.²⁰³ Torture and ill-treatment of detainees are pervasive, with reports of detainees 'being forced into stress positions for prolonged periods, being suspended from the ceiling without food or water; being forced to kneel or crawl on hard or sharp objects; use of snakes and insects to instil fear; beatings with iron poles, bamboo sticks, batons, rifle butts, leather strips, electric wires, and motorcycle chains; asphyxiation; mock executions; electrocution and burning with tasers, lighters, cigarettes, and boiling water; spraying of methylated substances on open wounds; cutting of body parts and pulling of fingernails; deprivation of sleep, food and water. There are also credible and disturbing reports of sexual violence, including rape, and sexualised torture or ill-treatment, including forced nudity in front of others.²⁰⁴ At least

199 Hein Htoo Zan, 'Junta's new year airstrikes kill at least 20 throughout Myanmar', *The Irrawaddy*, January 3, 2024, <https://www.irrawaddy.com/news/burma/juntas-new-year-airstrikes-kill-at-least-20-throughout-myanmar.html>.

200 Hein Htoo Zan, 'More Myanmar junta airstrikes target Kachin and Shan civilians', *The Irrawaddy*, November 18, 2024, <https://www.irrawaddy.com/news/burma/more-myanmar-junta-airstrikes-target-kachin-and-shan-civilians.html>.

201 'Briefers urge Third Committee to address unmet needs of people, election concerns in conflict-torn Myanmar, act on neglected crisis', United Nations, 29 October, 2024, <https://press.un.org/en/2024/gashc4421.doc.htm>.

202 'Rights group warn Myanmar military executing more anti-coup activists', *Al Jazeera*, 2024, <https://www.aljazeera.com/news/2024/9/24/rights-groups-warn-myanmar-military-executing-more-anti-coup-activists>.

203 UN OHCHR, *Myanmar: human rights situation has "morphed into never-ending nightmare"* says Turk (Myanmar: 2024, UN OHCHR), <https://bitly.cx/uz8fm>.

204 UN OHCHR, *A/HRC/57/56: Situation of human rights in Myanmar—Report of the United Nations High Commissioner for Human Rights – Advanced unedited*

759 people, including 58 women, 31 boys and two girls, have died after being detained by military units during the reporting period. These figures represent 41 per cent of the 1853 individuals who credible sources have verified as having died in military custody since the start of the crisis in 2021. Many of these individuals have been verified as dying after interrogation, due to ill-treatment or denial of access to adequate healthcare thereafter.²⁰⁵

Given the complex nature of the ethnic mix in Myanmar, ethnic armies gaining ground²⁰⁶ has brought to the surface animosities between ethnic groups in different states. For example, the gains of the ethnic Arkhan Army in Rakhine state in southwestern Myanmar have meant that smaller ethnic groups like Maramagi and Kaman feel threatened.²⁰⁷ As for the Muslim Rohingyas, the army has started luring them to their side to fight against the Arakhan army²⁰⁸ and are caught in the crossfire and now persecuted by the Arkhan Army.²⁰⁹ Many are opting to flee the fighting to Bangladesh, where they face a different set of challenges.²¹⁰ According to Human Rights Watch, in the few months up to September, 18,000 had fled to Bangladesh, and another 10,000 were at the border with the Bangladeshi authorities pushing them back. There are nearly a million Rohingyas living in camps in Bangladesh who started arriving in 2017.²¹¹ Such conflicts between

version (Myanmar : 2024, UN OHCHR), <https://www.ohchr.org/en/documents/country-reports/ahrc5756-situation-human-rights-myanmar-report-united-nations-high>.

205 UN OHCHR, *A/HRC/57/56: Situation of human rights in Myanmar*.

206 Koh Ewe, 'How Myanmar's civil war could actually end', *Time*, 2024, <https://time.com/7160736/myanmar-coup-civil-war-conflict-timeline-endgame-explainer/>.

207 Myo Thazin Nwe, Hpan Ja Brang and Emily Fishbien, "Like we are trapped": Minorities suffer amid conflict in Myanmar's Rakhine', *Al Jazeera*, October, 4, 2024, <https://www.aljazeera.com/news/2024/10/4/like-we-are-trapped-minorities-suffer-amid-conflict-in-myanmars-rakhine>.

208 Nwe, Brang and Emily Fishbien "Like we are trapped".

209 Hannah Beech, 'Tormentors change but not the torment', *The New York Times*, December 28, 2024, <https://www.nytimes.com/2024/12/28/world/asia/myanmar-rohingya-abuse.html>.

210 'Bangladesh: New Rohingya refugees lack protection, aid', Human Rights Watch, September 25, 2024, Accessed on January 31, 2025, <https://www.hrw.org/news/2024/09/25/bangladesh-new-rohingya-refugees-lack-protection-aid>.

211 'Bangladesh', United Nations High Commission for Refugee, 2024, accessed

ethnic groups fighting the Myanmar army have also been evident in Shan State, Chin State and Sagaing region. Besides, since the coup, the number of armed groups across the country has risen considerably from about 200 to several hundred.²¹² On the other hand, in Shan, Rakhine and Kachin states, the military seems to be 'provoking inter-ethnic tensions by employing ultra-nationalist militias and forcibly recruiting members of ethnic communities to attack each other's'.²¹³

Despite the call by the Myanmar junta in September for a political settlement leading and inviting different groups for talks in the lead-up to general elections, the United Nations Secretary-General Special Envoy to Myanmar, appointed in April, said she has doubts over any immediate reconciliation and the army's ability to hold elections²¹⁴ as it seems to have less than half the country under its control.²¹⁵ Besides, according to the Special Envoy, the proliferation of criminal networks involved in arms production and trade, human trafficking and drug manufacturing and trafficking has made the situation of crime 'out of control'.²¹⁶

The fighting in Myanmar has also led to the internal displacement of a large number of people. According to the United Nations, as of September, nearly three and half million people were internally displaced in the country, and more than three million have been displaced since the coup due to the fighting between the army

on December 20, 2024, <https://www.unhcr.org/countries/bangladesh>.

212 Su Mon, 'Between cooperation and competition: The struggle of resistance groups in Myanmar', Armed Conflict Location and Event Data, November 26, 2024, <https://acleddata.com/2024/11/26/between-cooperation-and-competition-the-struggle-of-resistance-groups-in-myanmar/>.

213 UN OHCHR, *Myanmar: human rights situation has "morphed into never-ending nightmare"* says Turk' (Myanmar: 2024, UN OHCHR), <https://bitly.cx/8r23>.

214 'UN envoy says she met with Myanmar Junta boss', *The Irrawaddy*, October 30, 2024, <https://www.irrawaddy.com/news/myanmars-crisis-the-world/un-envoy-says-she-met-with-myanmar-junta-boss.html>.

215 Maung Kavi, 'Myanmar junta's preliminary census report covers less than half the country', *The Irrawaddy*, January 2, 2025, <https://www.irrawaddy.com/news/burma/myanmar-juntas-preliminary-census-report-covers-less-than-half-the-country.html>.

216 'Briefers urge Third Committee to address unmet needs of people, election concerns in conflict-torn Myanmar, act on neglected crisis', United Nations, October 29, 2024, <https://press.un.org/en/2024/gashc4421.doc.htm>.

and ethnic armed organisations.²¹⁷ In 2024, most displacements took place in Rakhine state, which has witnessed intensification of fighting since October 2023; northwestern Myanmar has seen more than 1.7 million displaced since 2021 due to clashes between the two sides and the burning of civilian homes in Chin, Magway, Mandalay and Sagiang; southeast Myanmar hosts 1 million internally displaced, with the humanitarian crisis worsened by severe monsoon flooding; in Kachin and northern Shan states in the northeast the number of internally displaced rose by 30 per cent in the past year, and the closure of the border gates with China and of trade routes within the country in the area has worsened the situation in this part of the country.²¹⁸

Following the announcement of compulsory conscription in February, large groups of ‘military-aged’ men have reportedly been held or detained at checkpoints or targeted in police operations with local administrators preparing lists of ‘eligible’ individuals for the military. Besides potential army recruits, the army continues to detain anyone deemed associated with anti-military groups, and they are often tried in military-controlled courts. Journalists have also been detained under the Counter-Terrorism Law and the Penal Code and often handed heavy sentences. According to the United Nations, between April 2023 and June 2024, 14 media persons were detained, taking the number of detentions of this group since the coup to 194. There has also been a crackdown on social media posts, for which more than 300 were detained during this period.²¹⁹

Women, girls and Lesbian, Gay, Bi-sexual, Transgender, Queer and Intersex (LGBTQI) people throughout Myanmar have been targets of sexual and gender-based violence by the army and the resistance forces during the fighting since the coup and also during

217 UNHCR, *UNHCR Myanmar operational update, July – September 2024* (Myanmar: 2024, United Nations High Commission for Refugees), <https://reliefweb.int/report/myanmar/unhcr-myanmar-operational-update-july-september-2024>.

218 United Nations Office for the Coordination of Humanitarian Affairs (UN OCHA), *Myanmar Humanitarian Update No. 42* (Myanmar: 2024, UN OCHA) https://myanmar.un.org/sites/default/files/2024-11/OCHA%20Myanmar%20-%20Humanitarian%20Update%20No.%2042_%20final.pdf.

219 UN OHCHR, *A/HRC/57/56: Situation of human rights in Myanmar*.

the period under review.²²⁰ Although the actual number could be much higher, according to a report from a Myanmar women's rights group, 492 incidents of sexual assault have been documented since the coup up to June 2024, including 13 cases where women have been raped and then murdered. Women are often abused in front of their husbands and family members. According to the report, in October, more than 100 junta soldiers sexually assaulted and raped more than 50 women held hostage over three days in Budalin of Sagiang region.²²¹

The question of the extent of ethnic diversity in Myanmar is complex. One part or the other of the country has witnessed armed conflict over ethnicity and autonomy since its independence from the British in 1948.²²² Bamar make up the majority with more than 60 per cent, while no other group make up more than 10 per cent of the total population. The former is concentrated in the central part of the country, while other minority groups are in the east and west²²³ where fighting have also been heaviest since the coup. To make the issue more complex, it is not clear how many ethnic groups there are in the country with the British counting as many as 135, but questions remain about classification. In terms of proportion of the total population, the Karen population is the largest with nearly 7 per cent, the Shan 5 per cent, while the Rakhine/Arakan

220 United Nations Human Rights Council (UN HRC), *Courage amid crisis: gendered impacts of the coup and the pursuit of gender equality in Myanmar* (Myanmar: 2024, UN HRC), <https://www.ohchr.org/sites/default/files/documents/hrbodies/hrcouncil/sessions-regular/session56/a-hrc-56-crp-8.pdf>.

221 'Nearly 500 cases of sexual assault against women in Myanmar's conflict', *Radio Free Asia*, November 6, 2024, <https://www.rfa.org/english/myanmar/2024/11/06/myanmar-women-sexual-assault/>.

222 'Identity Crisis: Ethnicity and Conflict in Myanmar', International Crisis Group, August 28, 2020, <https://www.crisisgroup.org/asia/south-east-asia/myanmar/312-identity-crisis-ethnicity-and-conflict-myanmar>; Jangai Jap and Constant Courtin, *Deciphering Myanmar's Ethnic Landscape: A Brief Historical and Ethnic Description of Myanmar's Administrative Unit* (Myanmar: 2022, International Institute for Democracy and Electoral Assistance), <https://www.idea.int/sites/default/files/publications/deciphering-myanmars-ethnic-landscape.pdf>.

223 Jangai Jap and Constant Courtin, *Deciphering Myanmar's Ethnic Landscape: A Brief Historical and Ethnic Description of Myanmar's Administrative Unit* (Myanmar: 2022, International Institute for Democracy and Electoral Assistance), <https://bitly.cx/Tp0yo>.

make up 4.3 per cent, and each of the remaining ethnic minorities is estimated to represent 2 per cent of the population or less.²²⁴

Given that ethnicity has been the driving force in the ongoing fighting in the country, it is important that without a lasting reconciliation over the issue, peace will continue to evade the country. This is easier said than done. Even if genuine autonomy is granted to the existing seven minority states – Shan, Kachin, Chin, Karen, Mon, Rakhine, Karenni (Kayah)—questions will remain over the status of other ethnic groups within these states. For example, several non-Shan people within Shan want their own states, and Kachin themselves are a minority in Kachin.²²⁵ Some idea of how the people of Myanmar see themselves in terms of nationality, ethnicity and religion, their policy preferences and political attitudes towards their neighbours belonging to different ethnicities was provided by a recent survey, the results of which were published in October. People want equality between the dominant Barmars and other titular groups, but such equality also needs to extend to other smaller ethnic groups, according to the study. The people of Myanmar accept the country's diversity and are willing to live in harmony, the survey found.²²⁶ It is up to the junta how the country moves forward.

Nepal

During the period under review, incidents of discrimination against Dalits continued; there were some incidents creating fear among religious minorities from the Hindu majority; the consecration of the Ram Mandir in Ayodhya, India, in January as well as other incidents created tensions between Hindu and

224 Jap and Courtin, *Deciphering Myanmar's Ethnic Landscape*.

225 Bertil Linter, 'The future of Myanmar: Ethnic diversity or ethnic strife?', *The Irrawaddy*, 2024, <https://www.irrawaddy.com/opinion/guest-column/the-future-of-myanmar-ethnic-diversity-or-ethnic-strife.html>.

226 International IDEA, Isabel Chew and Jangai Jap, *Identities and Politics of Ethnicity in Post-coup Myanmar* (Myanmar: 2024, International Institute for Democracy and Electoral Assistance) <https://www.idea.int/sites/default/files/2024-10/identities-and-politics-of-ethnicity-in-post-coup-myanmar.pdf>.

Muslim communities in the southern part of the country bordering India; same-sex couples continue to face hurdles despite legal provisions allowing such marriage; and there were reports of freedom of the press.

Despite constitutional and legal provisions banning discrimination against Dalits and Supreme Court (SC) orders ensuring their fundamental rights²²⁷ the situation of Dalits, who make up more than 13 per cent of the country's population, remains precarious in terms of exercising their rights. An Amnesty International report in May said discrimination against Dalits is 'systemic' and 'entrenched', the Caste-based Discrimination and Untouchability (Offence and Punishment) Act, 2011 contains gaps, there is a distrust in the justice system's ability to provide justice to victims of caste-based discrimination and women and girls are more severely impacted as a result of discrimination.²²⁸ In December, a protest was held in Surkhet, the capital of Karnali province, where 29 per cent of the population are Dalits, demanding the passage Dalit Empowerment Bill by the provincial assembly as it has been languishing for the last six years.²²⁹ Meanwhile, there were numerous incidents of discrimination both from state and non-state actors during 2024, and only a snapshot of such incidents is presented here.

One area of discrimination often leading to threats, violence and even murder, as in the case of six people being killed in May 2020,²³⁰ is inter-caste relationships. A married couple of a Dalit man and a 'high caste' woman had to flee to Kathmandu

227 Anamika Tamang, 'Supreme Court to implement rights for Dalits', *Nepal News*, February 1, 2022, <https://www.nepalnews.com/index.php/s/nation/supreme-court-to-implement-rights-for-dalits>.

228 Amnesty International, 'No One Cares': *Descent-based Discrimination Against Dalits in Nepal* (Nepal: 2024, Amnesty International), <https://www.amnesty.org/en/documents/asa31/7980/2024/en/>.

229 Jagatdal Janala BK, 'Demand for Dalit bill passage spark protest at Chief Minister's office', *Insec Online*, December 18, 2024, <https://inseconline.org/en/news/demand-for-dalit-bills-passage-sparks-protest-at-chief-ministers-office/>.

230 SAC, *South Asia State of Minorities Report 2023: Majoritarianism and Its Impact on Minorities* (Nepal: 2024, South Asia Collective), <https://thesouthasiacollective.org/wp-content/uploads/2024/05/south-asia-state-of-minorities-report-2023.pdf>.

from Rupandehi District after receiving threats from the wife's family.²³¹ The police in Kathmandu mistreated a woman from Kailali District for marrying a Dalit man.²³² According to a report of the Kathmandu-based Feminist Dalit Organisation (FEDO), an advocacy group, published in June, Dalit women in inter-caste marriages are subjected to several forms of violence. Social stigmatisation, legal complications, prevalent domestic violence, physical abuse and mental torture they encounter underscore entrenched caste discrimination. The study also illustrates that legal recourse is inadequate, with most of the cases involving both types of marriages, 'higher caste' female marrying with the 'lower caste' male and 'lower caste' female marrying with 'higher caste' male remaining unresolved or poorly addressed.²³³

Cases of verbal abuse of Dalits over their caste status, often leading to violence, were also reported during the period under review. In July, in the Kaski District, a group of men vandalised a Dalit man's house after he complained about such abuse during a volleyball game, and filing complaints of such incidents with the police is not easy.²³⁴ Dalit leaders themselves are also not exempt from discrimination, as evidenced by an event in Jhapa District, where a leader from the ruling political party lodged a complaint against another leader for hurling caste-based slurs during an argument.²³⁵ In September, Dalit rights activists organised a press conference demanding legal action against those responsible for the circulation of a video that contained derogatory remarks

231 Sushil Darnal, 'Caste discrimination still rife in Nepal', *The Annapurna Express*, September 24, 2024, <https://theannapurnaexpress.com/story/50611/>.

232 Sushil Darnal, 'The problem of caste-based discrimination and untouchability in Nepal', *myRepublica*, July 22, 2024, <https://myrepublica.nagariknetwork.com/news/problem-of-caste-based-discrimination-and-untouchability-in-nepal>.

233 Feminist Dalit Organisation (FEDO), *Violence against Dalit Women in Inter-caste Marriage* (Nepal: 2024, FEDO), <https://fedonepal.org/wp-content/uploads/2024/06/Executive-Summary-English-Final.pdf>.

234 Sanjaya Ranabhat 'Attack on Dalit family: complaint registered ten days after incident', *Insec Online*, August 8, 2024, <https://inseconline.org/en/news/attack-on-dalit-family-complaint-registered-ten-days-after-incident/>.

235 Parbat Portel, 'Dalit ex-chief of district body alleges caste-based abuse', *The Kathmandu Post*, April 11, 2024, <https://kathmandupost.com/province-no-1/2024/04/11/dalit-ex-chief-of-district-body-alleges-caste-based-abuse>.

against Dalit communities. However, activists reported that they are being pressurised towards coercive reconciliation.²³⁶ Other forms of discrimination against Dalits include the continued practice of the banned agricultural bonded labour system known as haruwa-charuwa, under which individuals, mostly belonging to the Dalit community, 'continue to endure controlled, restricted and forced labour, often receiving insufficient wages', according to the human rights group INSEC.²³⁷ Similarly, the issue of rehabilitation of Haliyas, mostly Dalits who worked in the form of agricultural bonded labourers in western Nepal, remains incomplete even after the system was declared illegal in 2008. In September, a memorandum highlighting that the agreement between the government and Haliyas signed in 2008 is yet to be fully implemented was sent to the Prime Minister.²³⁸ Furthermore, exclusion faced by Dalits is still evident through incidents such as the continued segregation of water resources where Dalits are forced to fetch water from old contaminated well, while non-Dalits in their close proximity have piped water access directly into their homes, in Chakhlekhola of Olanai village, in Sudurpaschim province—a reminder that despite legal progress, caste discrimination persists.²³⁹

The growth of Hindu extremism in India continues to be felt in Nepal, with religious leaders of different faiths expressing concern that politically motivated attacks are starting to be seen in Nepal.²⁴⁰ There were reports of clashes between Hindus and Muslims when Muslims started offering prayers in land belonging to a public

236 'The Dalit union organisations demand legal action against those who engage in caste discrimination' *Ijalas Daily*, August 12, 2024, <https://www.ijalas.com/?p=65698>.

237 INSEC, *Modern Bonded Labour: The Plight of Haruwa-Charuwa in Madhesh* (Nepal: 2024, INSEC), https://inseconline.org/en/wp-content/uploads/2024/02/69-73_Province_Chapter4.2_2024_Province%202.pdf.

238 Sher Bahadur Bhandari, 'Memorandum to Prime Minister highlighting 16-year delay in Haliya rehabilitation', *Insec Online*, September 9, 2024, <https://inseconline.org/en/news/memorandum-to-prime-minister-highlighting-16-year-delay-in-haliya-rehabilitation/>.

239 Arjun Shan, 'well for dalits, a stream for non-dalits', *Kantipur*, December 7, 2024, <https://ekantipur.com/news/2024/12/07/a-well-for-dalits-a-stream-for-non-dalits-47-58.html>.

240 'Nepal's religious leaders urge harmony', *Nepali Times*, February 5, 2024, <https://nepalitimes.com/news/nepal-s-religious-leaders-urge-harmony>.

school in Dhanusha District, bordering India, in June.²⁴¹ In another incident, the alleged use of ‘indecent’ language against Prophet Mohammad led to a Hindu-Muslim clash in Banke district, bordering India.²⁴² The repercussions of the consecration of the Ram Temple in Ayodhya, India, in January, were felt in Nepal too, according to a Nepali-language news report²⁴³ when Hindutva groups such as Bajrang Dal and Hindu Samrat Sena took out a procession took place in Harinagar Rural Municipality, Sunsari district and placed flags engraved with ‘Jai Shree Ram’ and ‘Om’ on trees and electric poles. The situation turned hostile after local Hindu-Muslim groups clashed over reports of Muslim women removing the said flags, despite no evidence to support it. To deescalate the situation, the Ward-3 chairperson called on members of both religious groups for an informal mediation, in which both groups agreed to not take matters into their own hands and to pursue legal action if evidence of wrongdoing surfaced. However, after one Jeevan Mehta, a resident of Gautampur village in Harinagar Rural Municipality, released a video on social media inciting violence, a mob assaulted him while he was dropping his sister off at her examination centre, despite attempts by police officials present in the exam centre to stop the assault. In response, the victim’s uncle and a local politician uploaded a video on social media urging members of their religious community to ‘seek revenge’. Similarly, on 5 April, the Nepal Kusuwaha Kalyan Samaj District Committee, Sunsari, made a statement regarding the incident, branding the aggressors ‘Muslim extremists’ and also criticising the police and local authorities for their inaction. They further threatened to stage an institutionalised protest if action was not taken against

241 ‘Land jihad in Nepal: Muslims forcibly perform Nawaz on government land and start constructing wall, mob attacks Hindus and police for stopping construction’, OpIndia, June 12, 2024, <https://www.opindia.com/2024/06/land-jihad-in-nepal-muslims-forcibly-perform-namaz-on-govt-land-later-construct-a-wall/>.

242 ‘Call for Hindu state worries religious minorities’, *Union of Catholic Asian News*, April 12, 2024, <https://www.ucanews.com/news/call-for-hindu-state-worries-nepals-religious-minorities/104769>.

243 ‘Ayodhyako mandir sanga jodieko Sunsari ko Hindu-Muslim bibad (trans. Hindu-Muslim dispute of Sunsari district connected to the Ayodhya temple)’, *Himalkhabar*, April 16, 2024, <https://bitly.cx/8DME>.

the culprits. On the same day, a mob of around five to six hundred vandalised the Harinagar Rural Municipality, resulting in a massive loss of property. The situation escalated, forcing law enforcement to fire six rounds of ammunition into the air after Harinagar Rural Municipality Chairperson Gafar Ansari issued a warning that the Muslim community would retaliate. To curb the growing unrest, Sunsari chief district officer (CDO) issued a prohibitory order at noon the same day in all Harinagar Rural Municipality wards, as well as wards 1 and 7 of Dewangunj Rural Municipality. By then, the unrest had spread to neighbouring regions, prompting the CDO to issue an indefinite curfew in the interest of public peace and security in Harinagar, Dewangunj, Koshi and Bhokraha rural municipalities, as well as Inaruwa Municipality. When protests continued into April 6, an all-political party meeting was called, reaching a six-point conclusion that included forming an inquiry committee investigating the attack. The following day, a mediation was held under the aegis of the CDO and police chief, attended by local stalwarts. Conflict eventually ensued, with attendees' vehicles nearly vandalised, again leading to police interference and injuring a number of people, including law enforcement officials. The situation only improved after Harinagar Chairperson Ansari issued a press release on 8 April calling for 'peace' and promising an independent probe into the incident. Additionally, the National Religious Federation Conference, held for two days with the participation of over 200 Hindu religious leaders, in December, declared 3 Asoj²⁴⁴ (August–September) as a black day to be observed annually as a fasting protest by all the Hindus until secularism is abolished.²⁴⁵

There have also been reports broader tensions and legal challenges facing Christian groups in Nepal during the period under review. In April, the Federal Ministry of Home Affairs issued

244 3 Asoj according to Nepali calendar is the day when the Constitution of Nepal was promulgated. Every year constitutional day is observed on 3 Asoj. It falls in the month of September.

245 'Ayodhya ko mandir sangha jodiye ko Sunsari ko Hindu-Muslim vivadha (trans. Decision of religious conference: observe black day on October 3, fasting movement until secularism is abolished)', *onlinekhabar*, December 21, 2024, <https://bitly.cx/N8wr>.

a circular²⁴⁶ directing officials to monitor the activities of foreign nationals and tighten restrictions on proselytisation in all 77 districts of Nepal. In response, two Christian organisations released a statement condemning the government for encroaching upon the Christian community's religious freedoms.²⁴⁷ In July, in Dhangadi, Kailali district, authorities partially demolished a building used by the South Korean Protestant group, Nepal Life Word Mission, citing it as an 'illegal structure' lacking proper approval, violating a 35-day notice norm for illegal structures.²⁴⁸

After Nepal's Supreme Court ordered authorities to register same-sex marriage in June 2023 and the first same-sex marriage was registered in November 2023, there are still legal hurdles for recognition of such couples.²⁴⁹ However, there have also been reports of registrations of same-sex marriage in Bardiya district²⁵⁰ Prime Minister's remarks during the youth conclave in August went viral on social media, igniting disappointment and disillusionment among Lesbian, Gay, Bi-sexual, Transgender, Queer, Intersex and Asexual (LGBTQIA+) individuals and activists, who had hoped that the government would be their strong ally in fighting for their rights.²⁵¹ Although the Foreign Minister emphasised that Nepal has been able to set an example in protecting gender minority rights,²⁵²

246 'Home ministry instructs district authorities to closely monitor religious conversions', *The Kathmandu Post*, April 13, 2024, <https://kathmandupost.com/national/2024/04/13/home-ministry-instructs-district-authorities-to-closely-monitor-religious-conversions>.

247 'Christian groups oppose Nepal's "curbs" on religious activities', *Union of Catholic Asian News*, accessed on April 15, 2024, <https://bitly.cx/lKNt5>.

248 'Nepali Christians slam demolition of Korean missionary building', *Union of Catholic Asian News*, August 1, 2024, <https://www.ucanews.com/news/nepali-christians-slam-demolition-of-korean-missionary-building/105908>.

249 Swetchhya Raut, 'Nepal: Same sex couples face hurdles on road to recognition', *DW*, July 10, 2024, <https://www.dw.com/en/nepal-same-sex-couples-face-hurdles-on-road-to-recognition/a-69620274>.

250 Prakash Poudel, 'First same-sex marriage registered in Bardiya', *Insec Online*, February 15, 2024, <https://inseconline.org/en/news/first-same-sex-marriage-registered-in-bardiya/>.

251 Aarati Ray, 'Prime Minister Oli's remarks on LGBTQIA+ issue rattles members of the community', *The Kathmandu Post*, September 3, 2024, <https://bitly.cx/HsLqa>.

252 'Nepal sets example in protecting minority rights', *The Kathmandu Post*, December 17, 2024, <https://bitly.cx/K54xu>.

sexual minorities continue to face other legal hurdles like receiving citizenship certificates indicating their gender.²⁵³ On the other hand, public objectification makes them subject to sexual and physical harassment in public places, and the absence of employment opportunities is making their lives complex, as reported by sexual minorities in Janakpur.²⁵⁴

During the review period, women in different parts of the country were accused of practising witchcraft. A 70-year-old woman was accused of practising witchcraft in Mahattori District in May after four members of a family fell sick for 10 days. But after the accused complained to the police and an arrest was made, the case was settled through reconciliation.²⁵⁵ Similarly, a 28-year-old indigenous Tharu woman was brutally beaten on charges of being a witch in December, forcing her out of the house by community members, including her relatives. She was severely injured and required hospitalisation.²⁵⁶ Four individuals were arrested in connection with the incident.²⁵⁷

Media freedom was under threat in 2024 with 60 incidents of violations of press freedom, an increase compared to the past few years, reported in 2024.²⁵⁸ A Dalit journalist was killed by a mob in Kailali District in November after accusing him of stealing a goat.²⁵⁹ Significant among threats to journalists was the threat

253 Aarati Ray, 'Trans community's relentless struggle for legal recognition', *The Kathmandu Post*, July 15, 2024, <https://bitly.cx/uPA1>.

254 Aarati Ray, 'Complexity of transgender life in Jankapur', *The Kathmandu Post*, November 17, 2024, <https://kathmandupost.com/province-no-2/2024/11/17/complexity-of-transgender-life-in-janakpur>.

255 Mamata Bishwakarma, 'Complaint filed against accused for alleging witchcraft', *Insec Online*, May 1, 2024, <https://inseconline.org/en/news/complaint-filed-against-accused-for-alleging-witchcraft/>.

256 Arjun Shah, 'Women brutally beaten on witchcraft accusation', *Kantipur*, December 25, 2024, <https://ekantipur.com/news/2024/12/25/a-woman-was-brutally-beaten-for-being-a-witch-27-34.html>.

257 Mainamoti Chaudhary, 'Accused arrested for beating woman under allegation of witchcraft', *Insec Online*, December 20, 2024, <https://inseconline.org/en/news/accused-arrested-for-beating-woman-under-allegation-of-witchcraft/>.

258 Parbati Saud, 'Increase in press freedom violations in 2024: Federation of Nepali Journalists', *Insec Online*, January 1, 2025, <https://inseconline.org/en/news/increase-in-press-freedom-violations-in-2024-federation-of-nepali-journalists/>.

259 'FNJ condemns killing of journalist Bhul', *The Rising Nepal*, November 13,

issued on social media to two journalists by the mayor of Dharan Sub-Metropolitan City, Sunsari district, in December over an investigative news report on his arbitrary style of running the administration of the city.²⁶⁰ Other incidents include the personal secretary of a former provincial minister from Karnali threatening a journalist over a news item in January;²⁶¹ an elected official beating up a journalist in Sunsari in October;²⁶² and six youths assaulting a woman journalist in Dharan, Sunsari district in July, with the six subsequently arrested and charged.²⁶³

There were also positive reports on the issue of minority rights in Nepal during the period under review. In April, the first international LGBTQIA+ tourism conference was hosted in Kathmandu, aiming to tap into the global pink market. The conference discussed ways to attract tourists from LGBTQIA+ communities from around the world.²⁶⁴ Pride parades were held in various places, including Kathmandu, where a notable event took place during the Gaijatra festival in August, with significant participation from gender and sexual minorities.²⁶⁵ A public girls' school in Kathmandu, Kanya Mandir Secondary School,

2024, <https://risingnepaldaily.com/news/51885>; 'Media Action Nepal condemns journalist's deliberate murder, calls for immediate justice', *Media Action Nepal*, 2024, <https://mediaactionnepal.org/media-action-nepal-condemns-journalists-deliberate-murder-calls-for-immediate-justice/>.

260 Dharan Mayor Sampang threatens journalist', *Himal Press*, 2024, <https://en.himalpress.com/dharan-mayor-sampang-threatens-journalist/>.

261 Nanda Singh, 'Death threat to journalist for writing news', *Insec Online*, December 4, 2024, <https://bitly.cx/aFNcZ>.

262 Jaya Krishna Yadav, 'People's representative accused of beating journalist', *Insec Online*, October 27, 2024, <https://inseconline.org/en/news/peoples-representative-accused-of-beating-journalist/>.

263 Jaya Krishna Yadav, 'Accused arrested for assaulting journalists', *Insec Online*, July 18, 2024, <https://inseconline.org/en/news/accused-arrested-for-assaulting-journalists/>.

264 Sangam Parsai, 'Nepal sets sight on multi-billion-dollar LGBTIQ tourism Market', *The Kathmandu Post*, April 21, 2024, <https://kathmandupost.com/money/2024/04/21/nepal-sets-sight-on-multi-billion-dollar-lgbtiq-tourism-market>.

265 'Sexual and gender minorities organize Nepal Pride Parade in Kathmandu (in pictures)' *myRepublica*, June 8, 2024, <https://myrepublica.nagariknetwork.com/news/sexual-and-gender-minorities-organize-nepal-pride-parade-in-kathmandu-in-pictures/>.

has allocated a dedicated prayer space for its Muslim students so as to allow them to pray comfortably, not having to rush home for *namaz* and thus be able to focus on their exams. The school has also allowed them to dress comfortably in hijabs and engage in extracurricular activities without compromising their religious practices.²⁶⁶

Pakistan

During the period under review, religious minorities, particularly Ahmadiyyas, Christians and Shias, continued to be attacked in the Sunni-majority country. A flashpoint was also Balochistan in the southwest of the country where the minority ethnic Baloch have been fighting security forces for decades. That religious minorities are not sufficiently represented in elected bodies and often barred from voting during elections also came to light when Pakistan held general elections in February. Killings on accusations of blasphemy also continued in 2024, and legal cases also registered against individuals blasphemy were often found to be provoked by personal animosity rather than by actual such acts.

In March, a local Ahmadiyya leader was shot dead by two unidentified gunmen on motorcycles when he was out for a morning walk in Bahawalpur, Punjab.²⁶⁷ In June, a 19-year-old religious student shot dead two members of the Ahmadiyya community in Phalia of Mandi Bahauddin district, Punjab, in separate incidents within 20 minutes of each other after listening to speeches against the community on the internet.²⁶⁸ In July, an Ahmadiyya dentist was killed at his clinic by two unidentified gunmen who came on a motorcycle in Gujarat district Punjab.²⁶⁹ In December, an Ahmadi

266 Shamshad Ahmed, 'Inclusiveness not just theory in this school', *Nepali Times*, April 2, 2024, <https://nepalitimes.com/here-now/inclusiveness-not-just-theory-in-this-school>.

267 Imran Gabol, 'Ahmadi leader shot dead by unknown assailants in Bahawalpur: Police', *Dawn*, May 4, 2024, <https://www.dawn.com/news/1819133>.

268 Imran Gabol, 'Two Ahmadiyya community members slain in Phalia', *Dawn*, June 9, 2024, <https://www.dawn.com/news/1838707>.

269 Ayaz Gul, 'Gunmen kill Ahmadi minority doctor in Pakistan', *VOA*, July

man was killed with an axe while he was visiting his brother in his shop in Rawalpindi, Punjab.²⁷⁰ Also in December, an Ahmadi leader was killed by two gunmen on a motorcycle while he was returning home from prayers after they asked him his identity in Mirpurkhas, Sindh.²⁷¹ In February, 50 ‘religious extremists’ attacked an Ahmadi place of worship with hammers, shovels and sticks, assaulted women and seriously injured a young man attacking him with hammers and sticks in Kotli, Azad Kashmir.²⁷²

According to a May 2024 report of the National Human Rights Commission of Pakistan, a state body, between 1984, when Ahmadis identifying themselves as Muslims became a criminal offence, and September 11, 2023, 280 Ahmadis were killed and 415 assaulted for their faith. The report also recorded more than 200 instances of their places of worship being violated during the period. The Commission called on the government to ensure that Ahmadis enjoy the same fundamental rights as other citizens, including the ‘freedom to propagate and practice their faith’.²⁷³ The United Nations, in July, called for the ‘effective protection’ of the Ahmadiyya community, including their places of worship, in the face of ‘extrajudicial killings, arbitrary arrests and detentions, attacks on places of worship and curtailment of free expression, peaceful assembly and association’.²⁷⁴

Yet another instance of the discrimination of the Ahmadiyya

27, 2024, <https://www.voanews.com/a/gunmen-kill-ahmadi-minority-doctor-in-pakistan/7715217.html>.

270 ‘Ahmadi man killed in religiously motivated attack’, CSW, December 9, 2024, <https://www.csw.org.uk/2024/12/09/press/6388/article.htm>.

271 ‘Local Ahmadi leader shot dead in Naukot’, *Dawn*, December 14, 2024, <https://www.dawn.com/news/1878603>.

272 ‘Attack on Ahmadi worship place in Kotli Azad Kashmir, women tortured’, *Voicepk*, February 12, 2024, <https://voicepk.net/2024/02/attack-on-ahmadi-worship-place-in-kotli-azad-kashmir-women-tortured/>.

273 NHRC, *Situation Report: Monitoring the Plight of Ahmadiyya Community* (Pakistan: 2024, National Human Rights Commission), <https://www.nchr.gov.pk/wp-content/uploads/2024/04/Ahmadiya-Report.pdf>.

274 ‘Pakistan: Experts urge immediate end to discrimination and violence against Ahmadis’, United Nations Office of the High Commissioner for Human Rights, July 25, 2024, accessed on January 23, 2025, <https://www.ohchr.org/en/press-releases/2024/07/pakistan-experts-urge-immediate-end-discrimination-and-violence-against>.

community in Pakistan was highlighted during the general elections of February 2024, which the Ahmadis boycotted because their names were listed in a separate voter list of only Ahmadis. A statement representing the community said, 'This discriminatory treatment based on religion is a deliberate attempt to disenfranchise Ahmadi citizens from the electoral process for all intents and purposes and thus denying them their right to vote'.²⁷⁵ Hindus too face challenges in exercising their electoral franchise, with only 1.777 million Hindus registered as voters out of a population of 4.77 million, with lower caste Hindus particularly impacted by this exclusion.²⁷⁶

The period under review saw a significant increase in violence in the restive province of Balochistan. Between January 1 and December 20, 2024, 296 people, including civilians and military personnel, were killed and over 500 injured in 563 reported attacks.²⁷⁷ On 25 and 26 August alone, 70 people, including 23 civilians, were killed, with the armed Baloch Liberation Army claiming responsibility.²⁷⁸ The ethnic Baloch have felt marginalised for a long time and demanded more autonomy while security forces continue to suppress with violence, with more than 6000 people have disappeared and 2766 killed since December 2016.²⁷⁹ Despite being rich in gas and mineral reserves, 70 per cent of its population are classed as 'multidimensionally poor', and the Baloch people

275 Abid Hussain, "Why single use out?" Pakistan's Ahmadi minority boycotts election, again', *Al Jazeera*, February 6, 2024, <https://www.aljazeera.com/news/2024/2/6/why-single-us-out-pakistans-ahmadi-minority-disassociates-from-polls>.

276 'Special: Minority rights and electoral dynamics in Pakistan', *Colombo Gazette*, February 28, 2024, <https://bitly.cx/zN65I>.

277 Kiyya Baloch, 'Balochistan in 2024: The Year of the Women', *Dawn*, December 31, 2024, <https://www.dawn.com/news/1881455>.

278 Farzana Shaikh, 'Why brute force will not end Pakistan's Balochistan insurgency', *Chatam House*, September 3, 2024, <https://www.chathamhouse.org/2024/09/why-brute-force-will-not-end-pakistans-balochistan-insurgency>.

279 "I only protest. I want to go to school": the childhoods lost in Pakistan when loved ones "disappeared", *The Guardian*, April 23, 2024, <https://www.theguardian.com/global-development/2024/apr/23/i-only-protest-i-want-to-go-to-school-the-childhoods-lost-in-pakistan-when-loved-ones-are-disappeared>.

accuse the Pakistani state of appropriating its province's wealth.²⁸⁰ According to a report from India, Balochistan wants to secede from Pakistan and create an independent country with parts of Iran and Afghanistan, where the Baloch people live.²⁸¹

Another flashpoint in 2024 was Kurram in Khyber Pakhtunkhwa Province in the northwest of the country bordering Afghanistan. More than 150 people were killed between July and October in at least four different clashes between Sunni and Shias, and hundreds of families fled the district over land disputes that go back decades but have intensified since the Taliban took over power in Afghanistan in 2021.²⁸² On November 21, 52 Shias, including six women, were killed when gunmen fired on vehicles carrying Shias. This led to another bout of clashes between the two sects, leaving a total of at least 130 people dead and 200 injured over a 10-day period.²⁸³

The period under review witnessed the widespread abuse of the blasphemy law, which can be punishable by death, to trap a lot of youths by accusing them of blasphemy, as a result of which they have to face court cases. Vigilante groups have been found to be behind this trend.²⁸⁴ The Council of Islamic Ideology said in October that different 'religious outfits' were manipulating Islamic laws.²⁸⁵ The misuse of Pakistan's blasphemy laws to settle personal scores came to the fore during the period under review. In March, an Anti-terrorism Court in Faisalabad in Punjab province acquitted

280 Farzana Shaikh, 'Why brute force will not end Pakistan's Balochistan insurgency', Chatam House, September 3, 2024, <https://www.chathamhouse.org/2024/09/why-brute-force-will-not-end-pakistans-balochistan-insurgency>.

281 Nirupama Subramaniam, 'Massacres in Balochistan: Pakistan's nightmare just got worse', *Newslandry*, August 27, 2024, <https://www.newslandry.com/2024/08/27/massacres-in-balochistan-pakistans-nightmare-just-got-worse>.

282 'Hundreds flee sectarian violence in north-west Pakistan', *The Guardian*, November 23, 2024, <https://bitly.cx/FRMnY>.

283 'Death toll from sectarian violence in northwest Pakistan rises to 130', *Al Jazeera*, December 1, 2024, <https://www.aljazeera.com/news/2024/12/1/death-toll-sectarian-violence-northwest-pakistan-rises>.

284 'Pakistan 'vigilantes' behind rise in online blasphemy cases', *Dawn*, October 14, 2024, <https://www.dawn.com/news/1865168/pakistan-vigilantes-behind-rise-in-online-blasphemy-cases>.

285 Kalbe Ali, 'Religious groups misusing Islamic laws: Council of Islamic Ideology chief', *Dawn*, August 30, 2024, <https://www.dawn.com/news/1855604>.

two brothers who had been accused of burning the Quran in August 2023 and incarcerated. The court found that two individuals who had a personal grudge against the brothers had plotted to implicate them. Rumours of the burning had led to a mob of as many as 5000 vandalising dozens of Christian homes and churches in Jaranwala, Punjab.²⁸⁶

Mob lynchings and extrajudicial killings on accusations of blasphemy, however, continued. In May, police in Sargodha, Punjab, rescued a Christian man from a lynch mob over accusations of blasphemy, which in fact, according to the Human Rights Commission of Pakistan, was the result of a personal grudge. The victim, however, died nine days later due to injuries. In June, a mob killed a tourist over an accusation of desecration of the Quran in Swat, Khyber Pakhtunkhwa, even after the police rescued him by storming the police station and setting it on fire.²⁸⁷ There were also extrajudicial killings over blasphemy in 2024. In September, a police constable shot dead a Muslim man in detention on accusation of blasphemy at a police station in Quetta, Balochistan Province²⁸⁸ and a Muslim doctor suspected of blasphemy was killed by the police in an alleged 'encounter' when he and his 'accomplices' opened fire on the police in Mirpurkhas, Sindh Province. His body, after it was handed over to the family, was taken away by a mob and burnt. Later when some Hindus recovered the body from being completely burnt, the Hindus were threatened.²⁸⁹ Even

286 'Brothers "framed" for Jaranwala desecration freed after acquittal' *Dawn* March 2, 2024, <https://www.dawn.com/news/1818463/brothers-framed-for-jaranwala-desecration-freed-after-acquittal>.

287 Xari Jalil and Ahmad Saeed 'Sargodha: Christian man critical after mob attack', *Voicepk*, May 25, 2024, <https://voicepk.net/2024/05/sargodha-christian-man-critical-after-mob-attack/>; Fazal Khaliq 'Man killed by mob in Swat's Madyan over alleged Quran desecration: DPO', *Dawn*, June 20, 2024, <https://www.dawn.com/news/1840866>.

288 Saleem Shahid, 'Cop shoots blasphemy suspect in Quetta lock up', *Dawn*, September 13, 2024, <https://bitly.cx/womdc>.

289 Qamaruddin, A. B. Arisar, 'Blasphemy suspect killed in 'police encounter'', *Dawn*, September 20, 2024, <https://www.dawn.com/news/1859927/blasphemy-suspect-killed-in-mirpurkhas-police-encounter>; 'Hindus in Pakistan's Sindh province living in fear following blasphemy incident involving a murdered doctor', *Deccan Herald*, October 9, 2024, <https://www.deccanherald.com/world/hindus-in-pakistans-sindh-province-living-in-fear-following>

when charges are brought against suspected perpetrators of such killings, families are intimidated into withdrawing charges, as in the case of the killing of a Christian man in 2023 in Sialkot, Punjab Province.²⁹⁰

In response to the ongoing violence and discrimination against religious minorities, Pakistan's parliament adopted a resolution in June, urging the government to ensure the safety and security of all citizens, including religious minorities.²⁹¹ However, experts argue that these efforts will remain ineffective unless there are structural changes, including the repeal or amendment of discriminatory blasphemy laws.²⁹²

Besides religious and ethnic minorities, as many as eight,²⁹³ with some reports claiming 11,²⁹⁴ journalists were also killed in different parts of the country in 2024. In June, a journalist who had apparently been facing death threats from terrorists was pulled out of the car he was travelling in Khyber, Khyber Pakhtunkhwa and killed amid a hail of bullets.²⁹⁵ Another was killed in July in Nowshera, Khyber Pakhtunkhwa when gunmen in motorcycles fired at him while he was travelling in a car;²⁹⁶ another was gunned down in Mastung, Balochistan in September.²⁹⁷ The last of these killings in 2024 was

-blasphemy-incident-involving-a-murdered-doctor-3226340.

290 'Family of slain Christian in Pakistan receives death threats', *Morning Star News*, April 3, 2024, <https://bitly.cx/MHb5>.

291 'NA adopts resolution condemning lynchings', Ministry of Information and Broadcasting, June 23, 2024, <https://moib.gov.pk/News/62483>.

292 'Pakistan: Experts urge immediate end to discrimination and violence against Ahmadis', United Nations Human Rights Office of the High Commissioner, July 25, 2024, accessed on January 23, 2025, <https://www.ohchr.org/en/press-releases/2024/07/pakistan-experts-urge-immediate-end-discrimination-and-violence-against>.

293 'Pakistan: Punjab journalist shot and killed by motorcycle attackers', International Federation of Journalists', December 13, 2024, <https://www.ifj.org/media-centre/news/detail/category/press-releases/article/pakistan-punjab-journalist-shot-and-killed-by-motorcycle-attackers>.

294 Ayaz Gul, 'Pakistan braces for deadliest year for journalists, setting grim record', *VOA*, September 15, 2024, <https://www.voanews.com/a/pakistan-braces-for-deadliest-year-for-journalists-setting-grim-record/7785263.html>.

295 Ibrahim Shinwari, 'Journalist Khalil Jibran gunned down in Landi Kotal', *Dawn*, June 20, 2024, <https://bitly.cx/eqBE>.

296 'Journalist shot dead in Nowshera', *Dawn*, July 15, 2024, <https://www.dawn.com/news/1845812>.

297 Saleem Shahid, 'Journalist gunned down in Mastung', *Dawn*, September 5,

of a journalist while he was distributing newspapers in Taranda Muhammad Panah, Punjab in December.²⁹⁸

There were also cases of abduction of girls and forced conversions to marry them to Muslim men during the period under review. In March, a 13-year-old Christian girl was abducted while she was out in the market with her mother, forcibly converted to Islam and then married to her abductor in Multan, Punjab.²⁹⁹ Similarly, in September, a 16-year-old Hindu girl was abducted, from her village, Hunguru, in Sindh province, taken to a seminary, converted into Islam and married off to a much older man. When her parents went to the seminary, they were refused to see their daughter.³⁰⁰ The United Nations has urged Pakistani authorities to protect girls from minority religious groups from forced religious conversions and forced marriage.³⁰¹

Sri Lanka

During the period under review, tensions between the majority Buddhists and minority Hindu Tamils and Muslims continued on issues ranging from temple land and dress code to amendment to law related to Muslims. The trend of gross human rights violations, including assaults and persecution of minority groups,

2024, <https://www.dawn.com/news/1857019>.

298 Pakistan: Punjab journalist shot and killed by motorcycle attackers', International Federation of Journalists, December 13, 2024, <https://www.ifj.org/media-centre/news/detail/category/press-releases/article/pakistan-punjab-journalist-shot-and-killed-by-motorcycle-attackers>.

299 Khasib Nawab, 'Pakistan: Family of abducted 13-year-old Christian girl in Multan challenges forced conversion', *Eurasia Review*, March 25, 2024, <https://www.eurasiareview.com/25032024-pakistan-family-of-abducted-13-year-old-christian-girl-in-multan-challenges-forced-conversion/>.

300 'Pakistan: 16-year-old Hindu girl, abducted, converted to Islam, and married off to older man', *Zee News*, September 12, 2024, <https://zeenews.india.com/world/pakistan-16-year-old-hindu-girl-abducted-converted-to-islam-and-married-off-to-older-man-2792427.html>

301 United Nations, 'Pakistan: UN experts alarmed by lack of protection for minority girls from forced religious conversions and forced marriage', United Nations Human Rights, Office of the High Commissioner, April 11, 2024, accessed on January 23, <https://www.ohchr.org/en/press-releases/2024/04/pakistan-un-experts-alarmed-lack-protection-minority-girls-forced-religious>.

arbitrary arrests, concerns over the tens of thousands of enforced disappearances and efforts at bringing issues related to the decades-long civil war to a closure also continued. The conservative stance against sexual minorities also came to the fore in 2024.

The Anti-Terrorism Bill to replace the much-criticised Prevention of Terrorism Act of 1979 was unveiled in parliament in January 2024, but it faced criticism with petitions filed against it. Under the bill, anyone can be deemed a ‘terrorist’ and is undemocratic, according to the petitioners.³⁰² The Supreme Court in February asked that the government make amendments to the bill as some of its provisions go against the country’s constitution and permit wide powers to the President as well as law enforcing authorities like the police, which is undemocratic.³⁰³ Besides, according to the Supreme Court, the definition of the term ‘terrorism’ needs to be changed.³⁰⁴ The United Nations had also come down on the bill that, though it is an improvement on the law it seeks to replace, does not adhere to international human rights standards.³⁰⁵

While the Anti-Terrorism Bill languishes, Sri Lanka’s parliament in January passed the Online Safety Act. The new Act, which gives a government commission power to assess and remove content that it deems inappropriate, has come under widespread criticism both within and outside the country as it could be misused and is against freedom of expression. There are also fears that provisions

302 ‘Sri Lanka’s main opposition files petition against anti-terrorism bill’, *Economy Next*, January 22, 2024, <https://economynext.com/sri-lankas-main-opposition-files-petition-against-anti-terrorism-bill-148211/>; ‘PTA victim poet challenges ATB in SC’, *The Daily Morning*, January 24, 2024, <https://www.themorning.lk/articles/Ccn1CFpw7EOV9kr9yJQ0>.

303 ‘Sri Lanka’s top court rules anti-terror bill needs national referendum unless amended’, *The Week*, February 20, 2024, <https://bitly.cx/wi6Lv>; ‘Questions and Answers: Anti-Terrorism Bill’, Centre for Policy Alternatives, March 2024, <https://www.cpalanka.org/wp-content/uploads/2024/03/ATB-FAQ-V6-2.pdf>.

304 Yohan Perera and Ajith Siriwardana, ‘Supreme Court determination on Anti-Terrorism Bill’, *Daily Mirror*, February 21, 2024, <https://www.dailymirror.lk/front-page/Supreme-Court-determination-on-Anti-Terrorism-Bill/238-277448#>.

305 ‘UN experts say Sri Lanka’s counter-terrorism bill fails to heed their recommendations, status quo fundamentally unchanged’, United Nations Office of the High Commissioner for Human Rights (UN OHCHR), October 18, 2024, accessed on January 23, 2025, <https://www.ohchr.org/en/press-releases/2023/10/un-experts-say-sri-lankas-counter-terrorism-bill-fails-heed-their>.

of the Act could stoke religious animosity since there is a lack of clarity on the terms used in it, including the term ‘wounding the religious feeling of another person’.³⁰⁶ Following criticisms by both the general public and media companies, an amendment to the Online Safety Act was made in August, but not all controversial provisions were amended.³⁰⁷

Other legislations also drew controversy during the period under review. Civil society organisations fear that the new NGOs (Registration and Supervision) Bill would curtail their freedom and allow the government to interfere with their work.³⁰⁸ Similarly, the proposed bill for the Commission for Truth, Unity and Reconciliation has also come under criticism as it was prepared without any consultation with civil society organisations and victim/survivor families. Although Sri Lankans wanted an effective mechanism to foster truth and reconciliation in the aftermath of the civil war that ended 15 years ago, human rights scholars have demanded Sri Lanka halt plans for the proposed Commission. These objections are premised on their lack of faith in ‘independent’ commissions, many of which have failed and have a dismal record of delivering justice.³⁰⁹ Commenting on these various controversial legislations,

306 ‘Sri Lanka Parliament passes bill to regulate online content’ *Al Jazeera*, January 24, 2024, <https://bitly.cx/jfY08>; Kelly Ng, ‘Sri Lanka’s controversial internet safety law comes into force’, *BBC*, February 1, 2023, <https://www.bbc.com/news/world-asia-68163414>; ‘Sri Lanka: Online Safety Act major blow to freedom of expression’, Amnesty International, January 24, 2024, accessed on January 23, 2025, <https://www.amnesty.org/en/latest/news/2024/01/sri-lanka-online-safety-act-major-blow-to-freedom-of-expression/>; Ambika Satkunanathan, ‘No reprieve from Supreme Court: Online Safety Bill and Anti-Terrorism Bill’, *Daily FT*, October 23, 2024, <https://www.ft.lk/columns/No-reprieve-from-Supreme-Court-Online-Safety-Bill-and-Anti-Terrorism-Bill/4-759358>.

307 ‘Online Safety Bill amended’, *The Sunday Times*, August 11, 2024, <https://sundaytimes.lk/online/news-online/Online-Safety-Bill-Amended/2-1146532>; ‘Cabinet nod to gazette and table revised Online Safety Bill for Parliament Approval’, *Daily FT*, July 24, 2024, <https://www.ft.lk/news/Cabinet-nod-to-gazette-and-table-revised-Online-Safety-Bill-for-Parliament-approval/56-764643>.

308 Sumudu Chamara, ‘Drafting new NGO law: NGOs Secretariat denies US involvement, only feedback’, *the morning*, May 16, 2024, <https://www.themorning.lk/articles/okCR5ankVS7kyyHQyTt>.

309 Harsa Gunasena, ‘Commission for Truth, Unity, and Reconciliation in Sri Lanka—A Bill’, *Daily FT*, January 17, 2024, <https://www.ft.lk/columns/Commission-for-Truth-Unity-and-Reconciliation-in-Sri-Lanka-A-Bill/4-757435>;

the United Nations in August raised concerns ‘including in relation to vague definitions of offences, broad powers conferred on the authorities to enforce the laws, disproportionate penalties, and inadequate or absent judicial oversight’.³¹⁰

A case in point is the failure of various state commissions the failure of the Office of Missing Persons to locate a single missing person even after years and despite this, it advertised in May to fill a position to help in its quest.³¹¹ In February, Tamil Rights Group (TRG), which is working on enforced disappearances in Sri Lanka, said that many challenges and concerns remain and called for international intervention. The TRG also presented a joint statement³¹² on behalf of eight victim organisations from the North and East of Sri Lanka.³¹³ The long-drawn-out process of investigating enforced disappearances in Sri Lanka from the 1970s was highlighted also by a United Nations report of May 2024. According to the report titled ‘Accountability for Enforced Disappearances in Sri Lanka’, although there are no authoritative figures on the number of enforced disappearances in the country, which began in the early 1970s in operations against the left-wing Sinhala Janata Vimukhti Peramuna (JVP) insurgency, expert estimates put the figure at tens of thousands with the security forces responsible for more than 90 per cent of them.³¹⁴ The various commissions of inquiry formed by the Sri Lankan government in

‘Human rights scholars demand Sri Lanka halts plan for proposed TRC’, *Daily Mirror*, May 16, 2024, <https://bitly.cx/Chvyu>.

310 UN OHCHR, A/HRC/57/19: *Situation of Human Rights in Sri Lanka—Comprehensive Report of the United Nations High Commissioner for Human Rights—Advanced Unedited Version* (Sri Lanka : 2024, UN OHCHR), <https://bitly.cx/zZ9v>.

311 ‘OMP looks to hire more people, despite not finding a single forcibly disappeared Tamil’, *Tamil Guardian*, May 6, 2024, <https://bitly.cx/Xj8J>.

312 Association for Relatives of Enforced Disappearances (ARED), *Association for Relatives of Enforced Disappearances Ambarai Appeal 2024* (Sri Lanka: 2024, ARFED), <https://www.tamilrightsgroup.org/wp-content/uploads/2024/03/ARED-Amparai-APPEAL-Feb2024.pdf>.

313 Ilankai Tamil Sangam, ‘TRG: Addressing Enforced Disappearances in Sri Lanka’, Ilankai Tamil Sangam, February 29, 2024, accessed on December 20, 2024, <https://sangam.org/trg-addressing-enforced-disappearances-in-sri-lanka/>.

314 UN OHCHR, *Accountability for Enforced Disappearances in Sri Lanka* (Sri Lanka :2024 , UN OHCHR), <https://bitly.cx/MQTuq>.

the past have been largely ineffective, and the efforts by the current Office of Missing Persons are limited to collecting information regarding cases rather than ‘clarifying the fate and whereabouts of disappeared persons’, according to the report. The August United Nations report on the situation of human rights in the country noted that the ‘failure of the Sri Lankan State to specifically recognise victims’ suffering, to acknowledge the military and other security forces’ role in the commission of gross human rights violations, and to address violations committed in the past and present, has been a key obstacle to the rule of law, democracy, and good governance and that ‘fundamental changes are needed for advancing accountability, reconciliation, and preventing future human rights violations and the abuse of power’.³¹⁵

Gross human rights violations, including loss of lives, continued during the period under review. According to the Human Rights Commission of Sri Lanka, there were seven deaths in police custody in 2024, as of April 4, 2024. There were 24 such deaths in 2023.³¹⁶ The Commission told the United Nations there were 21 cases of extrajudicial killings (with such killings praised in parliament³¹⁷), 1342 cases of arbitrary arrests, 2845 cases of torture and 675 complaints of degrading treatment between January 2023 and March 2024.³¹⁸ The state’s Yukthiya operation directed against drug dealers and users has been criticised for the uncontrolled powers given to the police and low accountability to protect against abusers.³¹⁹ Under the operation that began in December 2023, more

315 UN OHCHR, *A/HRC/57/19: Situation of Human Rights in Sri Lanka – Comprehensive Report of the United Nations High Commissioner for Human Rights – Advanced Unedited Version* (Sri Lanka: 2024, United Nations Office of the High Commissioner for Human Rights), <https://bitly.cx/PGZqd>.

316 Sahan Tennekoon, ‘Custodial deaths: 24 in 2023, 7 so far in 2024’, *the morning*, April 4, 2024, <https://bitly.cx/3RsLs>.

317 ‘Normalising extrajudicial killings’, *Daily FT*, July 15, 2024, https://www.ft.lk/ft_view_editorial/Normalising-extrajudicial-killings/58-764244.

318 UN OHCHR, *A/HRC/57/19: Situation of Human Rights in Sri Lanka – Comprehensive Report of the United Nations High Commissioner for Human Rights – Advanced Unedited Version* (Sri Lanka : 2024, United Nations Office of the High Commissioner for Human Rights), <https://www.ohchr.org/en/documents/reports/ahrc5719-situation-human-rights-sri-lanka-comprehensive-report-united-nations>.

319 Human Rights Watch (HRW), *Sri Lanka: Stop abusive anti-drug operation*

than 111,000 had been arrested as part of the operation of which nearly 4,472 were still in detention as of May 11, 2024.³²⁰ Despite concerns over human rights abuses of the operations,³²¹ in July, the police launched the second phase of Yukthiya with the support of the army.³²² The Minister of Public Security in April went so far as to tell officers of the notorious Special Task Force of the Sri Lankan police that they could shoot suspects on sight³²³ following which the Bar Association of Sri Lanka urged the President to remove the minister for his controversial remarks in contravention to the country's Constitution.³²⁴

Complaints of human rights violations to the Human Rights Commission of Sri Lanka included assault by the police of a Tamil man in Mannar in April when he asked for his mobile phone, which had been seized earlier in the month, detention and torture of a Tamil student in the hands of the police in February,³²⁵ a Tamil man assaulted after being called to a police station in Puliyanikulam in May.³²⁶

The allocation of land in the Northern and Eastern provinces remains a sensitive issue for the Tamil and Muslim minorities. Land taken over by the army during the civil war is being returned,

and release those arbitrarily detained (Sri Lanka: 2024, HRW), https://www.hrw.org/sites/default/files/media_2024/01/240112%20Sri%20Lanka%20-%20Joint%20statement%20on%20Yukthiya.pdf.

320 "Yukthiya": Over 111,000 suspects arrested so far in anti-drug operation', *Ada Derana*, May 11, 2024, <https://www.adaderana.lk/news.php?nid=99147>.

321 'Human rights commission raises concerns over "Yukthiya" Operation in Sri Lanka', *Right to Life*, accessed on January 23, 2025, <https://www.right2lifelanka.org/human-rights-commission-raises-concerns-over-yukthiya-operation-in-sri-lanka/>.

322 'Sri Lanka police launch second phase of operation "Yukthiya"' *Ada Derana*, July 4, 2024, <https://www.adaderana.lk/news.php?nid=100282>.

323 "Use your weapon without fear" – Sri Lankan minister tells Special Task Force', *Tamil Guardian*, April 27, 2024, <https://www.tamilguardian.com/content/use-your-weapon-without-fear-sri-lankan-minister-tells-special-task-force>.

324 'BASL calls for dismissal of Tiran over controversial statement', *FT Daily*, April 30, 2024, <https://www.ft.lk/front-page/BASL-calls-for-dismissal-of-Tiran-over-controversial-statement/44-761194#>.

325 'Sri Lankan police assault Tamil man after he asked for return of mobile phone', *Tamil Guardian*, April 10, 2024, <https://www.tamilguardian.com/content/sri-lankan-police-assault-tamil-man-after-he-asked-return-mobile-phone>.

326 'Tamils demand justice over Sri Lankan police assault', *Tamil Guardian*, May 7, 2024, <https://bitly.cx/QeMHO>.

but there are complications such as secondary ownership disputes, continued military presence, access routes under military control, involvement of one or more military actors like the Archaeology Department, Mahaweli Authority, Forest Preservation and Wildlife Preservations Departments, and police. This has led to ethno-religious tensions, and sometimes, people are not allowed to perform their religious rites.³²⁷ The provincial councils do not function as the government has not held elections for them, and thus minorities do not have elected representatives to defend their rights at the provincial councils. Mega development projects in the Northern and Eastern provinces are proposed without consulting stakeholders, undermining the land rights of the minorities.³²⁸ There are concerns that the Tamil minority's religious sites are intentionally being declared archaeological sites to restrict access to them. Noting the restriction on religious minorities over the right to practice their religion, Human Rights Watch, in July, accused Sri Lankan authorities of conducting a 'campaign' to deny Hindus and other religious minorities access to places of worship with the Department of Archeology, the military and the police in a 'concerted strategy assailing the culture and practices' of religious minorities.³²⁹ Land belonging to Tamils has been taken over by the army on the pretext of security purposes, and the land rights said to be assured under the 13th amendment of the constitution remain unrealised, leaving Tamils frustrated.³³⁰ In May, the Mullaitivu Magistrate court urged Sri Lanka's Wildlife Department to reconsider its case against 130 Tamils in the North-

327 UN OHCHR, A/HRC/57/19: *Situation of Human Rights in Sri Lanka – Comprehensive Report of the United Nations High Commissioner for Human Rights – Advanced Unedited Version* (Sri Lanka: 2024, UN OHCHR), <https://bitly.cx/V5yfx>.

328 Pamodi Waravita, 'Large-scale development: Land rights in the north and east under threat?', *the morning*, June 23, 2024, <https://www.themorning.lk/articles/dVvdHBmGxregxitbEAFc>.

329 'Sri Lanka: Authorities target religious minorities', Human Rights Watch, July 28, 2024, accessed on January 24, 2025, <https://www.hrw.org/news/2024/07/28/sri-lanka-authorities-target-religious-minorities>.

330 Jehan Perera, 'Land and police powers required for genuine devolution', *the morning*, April 2, 2024, <https://www.themorning.lk/articles/0YKxsNgL3iXOVps7IXd3>.

East. Residents assert that their lands should not be demarcated as wildlife reserves in a bid to deprive them of their lands.³³¹

Controversies over land include the building of Buddhist shrines illegally. Tamil residents of Thaiyiddy, Jaffna have been demanding the removal of a Buddhist shrine built illegally on land occupied by the Sri Lankan military as 12 acres of land surrounding the shrine are owned by 14 farming families but are currently occupied.³³² Meanwhile, religious minorities are restricted from practising their religion. In February, access to seven of the 21 Hindu temples was given access in the high-security Jaffna area in the north of the country, but worshippers were cleared for the visit by district and divisional officials after they provided their names and other details and had to use the transportation provided by the army.³³³ In March, eight civilians were arrested while performing religious rites at an ancient temple on false allegations of trespassing at a restricted archaeological site in Nedunkerny.³³⁴ In the same month, the government announced that it would raid all places of worship that are not registered.³³⁵

In yet another sign of persecution of religious minorities, in May, the examination results of 70 girls who took their high school examination in Trincomalee in January were withheld because they wore a shawl allegedly covering their ears. Examination rules require that students' ears must be uncovered while sitting for examinations to prevent cheating, but this is 'violates the students' right to freedom of religion and further entrenches discrimination

331 'Mullaitivu court tells SL govt to re-examine case against 130 Tamils', *Tamil Guardian*, May 6, 2024, <https://www.tamilguardian.com/content/mullaitivu-court-tells-sl-govt-re-examine-case-against-130-tamils>.

332 'More protests in Thaiyiddy over illegally constructed Sinhala Buddhist shrine', *Tamil Guardian*, April 23, 2024, <https://www.tamilguardian.com/content/more-protests-thaiyiddy-over-illegally-constructed-sinhala-buddhist-shrine>.

333 'Sri Lankan army grants "conditional access" to occupied land in Jaffna', *Tamil Guardian*, February 21, 2024, <https://www.tamilguardian.com/content/sri-lankan-army-grants-conditional-access-temples-occupied-land-jaffna>.

334 Jehan Perera, 'Land and police powers required for genuine devolution', *The Morning*, April 2, 2024, <https://www.themorning.lk/articles/0YKxsNgL3iXOVps7lXd3>.

335 Apsara Rodrigo 'Sri Lanka planning to raid unregistered places of worship', *Economy Next*, March 11, 2024, <https://economynext.com/sri-lanka-planning-to-raid-unregistered-places-of-worship-154081/>.

widely experienced by Muslims in Sri Lanka', according to Human Rights Watch.³³⁶ Subsequently, in July, the Human Rights Commission of Sri Lanka followed a suo motto inquiry into the incident and stated that the covering of the head is protected under the right to freedom of religion of the constitution and the girl's right to education was violated.³³⁷

Other instances of discrimination faced by minorities were also brought to light during the period under review. In August, a member of parliament from the Tamil Progressive Alliance (TPA) called for the removal of the label 'Indian Origin' for upcountry Tamils. He asserted the community want to be recognised as Sri Lankans and not as Indian Origin Tamils. While the community is of recent Indian origin, they want to move away from that past and be recognised and accepted as Sri Lankans.³³⁸ The Muslim Marriage and Divorce Act continues to be controversial. In July, the long-awaited amendments to the Act were placed with the Attorney General. Muslim women's rights activists have been demanding a comprehensive reform of the Act, but they are anxious about the multiple delays and the lack of transparency associated with progressing this key piece of legislation. Muslim women's groups have declared that they are not ready to accept 'piecemeal' reforms. On the other hand, there is opposition from within the conservative sections of the community against any amendments.³³⁹

The Gender Equality Bill was presented by the Women, Child Affairs and Social Empowerment Minister in May to promote and facilitate gender equality and to improve the status of men, women and transgender minorities by supporting measures to identify and eliminate systemic causes of gender inequality in policies, programmes and services. But the Supreme Court's determination

336 'Sri Lanka blocks exam results over Muslim head covering', Human Rights Watch, June 26, 2024, Accessed on January 24, 2025, <https://www.hrw.org/news/2024/06/26/sri-lanka-blocks-exam-results-over-muslim-head-coverings>.

337 'Trinco Muslim girls A/L exam incident: HRC SL opines that attire worn covering ears, protected', *the morning*, July 12, 2024, <https://www.themorning.lk/articles/PaljkKM3uUmOVJ5z5xwP>.

338 'Ganesan wants "Indian Origin" label removed from upcountry Tamils', *Daily Mirror*, August 7, 2024, <https://bitly.cx/PC7ov>.

339 Pramodi Waravita, 'MMDA amendments with AG', *the morning*, July 28, 2024, <https://www.themorning.lk/articles/Jj2DglhkXSMPCh51x3e>.

of the Bill as unconstitutional has created confusion as to whether Sri Lanka, through its constitution and laws, protects gender equality and prevents discrimination on grounds of gender and sexual orientation.³⁴⁰ Meanwhile, the Human Rights Commission of Sri Lanka formally and in writing requested the Minister of Justice, Prison Affairs, and Constitutional Reforms, urging the government to support decriminalisation of same-sex relations.³⁴¹ While the National People's Power has also expressed commitment to support the Bill to decriminalise same-sex relations under the Penal Code,³⁴² in May, conservative monks warned and even intimidated parliamentarians against voting for the same-sex marriage bill.³⁴³ Evidence of the tension over the issue of sexual minorities is highlighted by the fact that the anti-'conversion therapy' bill too failed to pass in Parliament.³⁴⁴ Conversion therapy is considered by some to be an alternative psychiatric practice aimed at 'correcting' an individual's sexual orientation or gender identity but is seen as a pseudoscientific and harmful practice.

Meanwhile, Lesbian, gay, bisexual, transgender, intersex and queer (LGBTIQ) persons in the hill country-based Malaiyaga community in June called for more access to support mechanisms in cases of harassment based on their gender identity and expression and also sexual orientation as the discrimination they face is worse than elsewhere in the country.³⁴⁵

340 K. A. A. N. Thilikarathna and G. P. D. Madhusan, 'LGBTQI++: Gender identity, sexual orientation: What on earth?' *The Morning*, June 21, 2024, <https://www.themorning.lk/articles/EIImMnM2G1zzVPWTim0K>.

341 Lahiru Dolaswala, 'HRCSL pushes for decriminalisation of same-sex relations in Sri Lanka', *the morning*, August 15, 2024, <https://www.themorning.lk/articles/wzykxhgHstspzes5cjwT>.

342 'NPP backs proposed same-sex decriminalisation law', *the morning*, June 27, 2024, <https://www.themorning.lk/articles/LoB6Jx9SjedsdAEJQeTj>.

343 Chaturanga Pradeep Samarawickrama, 'Ven. Bengamuwe Nalaka Thera warns MPs on same-sex marriage vote' *Daily Mirror*, May 7, 2024, <https://bitly.cx/2RfK4>; 'MPs have historic chance to decriminalise same-sex relations', *Daily FT*, May 9, 2024, <https://bitly.cx/kiS2>.

344 Sahan Tennekoon, 'Anti- "conversion-therapy" Bill: SJB MP bemoans lack of Govt. support', *the morning*, July 4, 2024, <https://www.themorning.lk/articles/VGOFJUbFqKONXqx66kCM>.

345 Sumudu Chamara, 'Against harassment: Malaiyaga LGBTIQ persons lack support mechanisms', *the morning*, June 14, 2024, <https://www.themorning.lk/articles/3ftXGqallqFTqG9QAKdj>.

Even after 15 years after the end of the civil war, the situation of human rights and the rights of minorities continues to be precarious in Sri Lanka. With the election of a new President in September and a Parliament established in November whereby the government is formed from the president's party and enjoys overwhelming parliamentary support, there is a new opportunity for the country to move forward in a positive direction. In his campaign.

President Anura Kumara Disanayake's Election manifesto stated that the ethnic problem would be solved by introducing a new constitution under a National People's Power (NPP) government, and they will do it as soon as an NPP government is formed after the parliamentary election. He also said that the NPP is of the view that political prisoners should be released, recognising that there is a legal process to be followed in releasing political prisoners, and they are ready to follow that process by obtaining the required reports from the judiciary. The President also promised the elimination of corruption and abuse of power.

The elections for the presidency in September and the general elections held in November 2024 signified landmark changes. There was an absence of communal propaganda in southern Sri Lanka, an important and healthier feature of the presidential election this time around.

An unusual development was the support the President's party received in Tamil minority areas. For the first time, a Sinhalese-majority political party, albeit while fielding Tamil candidates, won most of the seats in the districts of the Northern and Eastern provinces, including the Jaffna District, which was considered a 'fortress' of Tamil nationalist politics.³⁴⁶ These augurs well for ensuring that the fundamental rights of all citizens, irrespective of religion, gender or sexual orientation, are protected as per international norms and practices.

President Anura Kumara Disanayake declared that racial politics and religious extremism will no longer be tolerated in the

³⁴⁶ Veeragathy Thanabalasingham, 'Parliamentary Elections: Understanding the Tamils' message', *the morning*, November 24, 2024, <https://www.themorning.lk/articles/LXVntejarF10H865yXCi>.

country and pledged protection for the minorities. However, the momentum to establish confidence that inclusive representation will be the norm was undermined when the Muslim community noted and expressed disappointment publicly that no Muslims were appointed to the cabinet and that a cabinet without Muslims is not meritocratic but discriminatory.³⁴⁷

The government spokesman noted that the government has, in fact appointed a Muslim entrepreneur as the Governor of the Western Province and that the Deputy Speaker of the Parliament, one of the Deputy Ministers, and a National List Parliamentarian from the Muslim community. The government attempted to assuage the perception of discrimination and exclusion expressed by the Muslim community by stating that the government's focus was on 'serving the Sri Lankan nation. Not for the races/ethnicity, the religions and the caste'.³⁴⁸

The present NPP government led by Janatha Vimukthi Peramuna (JVP) drew parameters for Northern Tamils intending to commemorate the so-called 'Maaveerar Naal' scheduled for November 27, 2024. The policy was to allow individuals to commemorate the deaths of their relatives while not permitting the holding of 'Mahaviru' celebrations to glorify Liberation Tigers of Tamil Eelam (LTTE) members or use their images under the LTTE logo as the LTTE remained a proscribed organisation.³⁴⁹

347 Chaturanga Pradeep Samarawickrama, 'Muslims disappointed over lack of Cabinet representation', *Daily Mirror*, November 20, 2024, <https://bitly.cx/izsN>.

348 'Race/ethnicity/religion: Govt. says it doesn't heed differences', *the morning*, November 27, 2024, <https://bitly.cx/pW0o>.

349 "Hypocrisy and challenges facing commemorating of the dead", *Daily Mirror*, November 27, 2024, <https://www.dailymirror.lk/print/opinion/Hypocrisy-and-challenges-facing-commemorating-the-dead/172-296859>.

SOUTH ASIA STATE of MINORITIES REPORT 2024

South Asia, and the world in general, has witnessed strong political polarisations in recent years driven mainly by longstanding identity differences. Unlike in the past, when the state had accommodated and sometimes even embraced heterogeneity, identity is increasingly being weaponised by governments in South Asia. In a clear shift towards majoritarianism, the region has seen the introduction of overtly pro-majority laws and policies along with the othering of minorities and subjecting them to violence.

The South Asia State of Minorities Report 2024: Economic, Political and Social Participation and Representation of Minorities presents overviews from Afghanistan, Bangladesh, India, Myanmar, Nepal, Pakistan and Sri Lanka on the exclusion and challenges faced by minorities in exercising their full rights as citizens of their respective countries despite existing democratic structures and guarantees.

This volume is planned as a tool for advocacy. It is hoped that these annual reports on outcomes for minorities and the quality of state provisioning will spur public debate in the region and create the conditions for state parties, and regional and international mechanisms to give serious consideration to issues of minorities. The purpose of the initiative is to promote equal citizenship and equal rights for all citizens, a central challenge of the 'deepening democracy' agenda in the region, and to highlight the alarmingly narrow civic space for minorities, including human rights defenders, journalists and activists.

This publication is the eighth in the series, following the earlier *South Asia State of Minorities Reports: Mapping the Terrain* (2016), *Exploring the Roots* (2018), *Refugees, Migrants and the Stateless* (2019), *Minorities and Shrinking Civic Space* (2020), *Hate Speech Against Minorities* (2021), *Weakening Human Rights Commitments and Its Impact on Minorities* (2022) and *Majoritarianism and Its Impact on Minorities* (2023). These reports are put together by the South Asia Collective, consisting of organisations and human rights activists that dream of a just, caring and peaceful South Asia by documenting the condition of the region's minorities—religious, linguistic, ethnic, caste, and gender, among others—hoping it will contribute to better outcomes for South Asia's many marginalised groups.