

Mandates of the Special Rapporteur on freedom of religion or belief; the Special Rapporteur in the field of cultural rights; the Special Rapporteur on extrajudicial, summary or arbitrary executions and the Special Rapporteur on minority issues

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(Please use this reference in your reply)

10 July 2025

Excellency,

We have the honour to address you in our capacities as Special Rapporteur on freedom of religion or belief; Special Rapporteur in the field of cultural rights; Special Rapporteur on extrajudicial, summary or arbitrary executions and Special Rapporteur on minority issues, pursuant to Human Rights Council resolutions 58/5, 55/5, 53/4 and 52/5.

In this connection, we would like to bring to the attention of your Excellency's Government information we have received concerning **events of physical violence causing death by vigilante groups in India which are allegedly, disproportionately targeting the minority Muslim community**. We are concerned about the apparent inability to prevent or adequately respond to such violent acts. We are also concerned about an emerging pattern of violence over the past years, particularly targeting minority and vulnerable communities in India.

Special Procedures mandate holders have previously raised their concerns with your Excellency's Government concerning certain human rights violations against religious minorities, including IND 6/2017, IND 7/2022, IND 9/2022, IND 8/2023, IND 5/2024 and IND 10/2024. We thank your Excellency's government for providing a response to IND 10/2024. However, we remain concerned about the continued targeting of religion or belief minorities by violent groups.

According to the information received:

Since May of 2014, there have been over 300 reported instances of killing of Muslims, mostly men, by vigilante groups in several regions of India. Since 2023, a majority of these killings have taken place in Uttar Pradesh, Bihar and Haryana. Many of these killings have allegedly been perpetrated by extremist Hindu groups often associated with 'cow vigilantism'.

While in Hinduism traditional notions of worship, sacredness and divinity are attached to certain animals such as the cow, beef consumption is part of the Muslim dietary regime, including during religious celebrations such as Eid and Ramadan.

Several of these violent groups have used 'cow protection laws' in numerous Indian States such as Rajasthan, Haryana and Uttar Pradesh, as justification for their acts. Such laws have empowered some vigilante groups with roles related to cow protection, often providing them with legal cover for their violent acts leading to impunity. At least 16 of these laws shift the burden of proof to the accused when it comes to situations of 'cow protection', creating a chilling

effect against victims of vigilante justice. In several reported cases, these laws have been used to file counter-cases against victims, which undermines witness cooperation.

Despite directives issued by India's Supreme Court in July 2018 which direct state governments to engage in efforts to quell the rise of lynchings and mob violence, information provided suggests that as of 2024, only five individuals have been convicted for lynchings in relation to cow-protection violence. Further, the information received suggests that police are reticent to file proper First Information Reports (FIR) in cow protection cases. If FIRs are registered, they are frequently delayed and often only include charges falling below the threshold of murder. Information received also suggests police reticence to provide timely and proper aid to victims after the attacks. Proper investigations are rare, and trials are often delayed, further eroding the ability for victims to claim proper compensation.

Five specific cases will be outlined below in detail. They are emblematic of the pattern of violence taking place. All victims mentioned are Muslim, and evidence suggests they were targeted specifically due to their faith.

Mr. ██████████ – ██████████, Rajasthan (July 2018)

In July 2018, Mr. ██████████, a resident of ██████████ village, accompanied by another individual, was transporting cows in ██████████, Rajasthan, when both men were brutally assaulted with sticks and stones by a group of villagers. The injuries Mr. ██████████ received include a broken back, a broken leg, and fractured ribs. Upon arrival, police allegedly verbally and physically abused Mr. ██████████. They then chose to transfer the cows to a shelter and stopped for tea before tending to the victims, resulting in a two-and-a-half-hour delay before Mr. ██████████ was taken to hospital. Mr. ██████████ died while in police custody due to internal bleeding, and a judicial inquiry raised concerns regarding his treatment by police. Police failed to name the key conspirators in the crime, which allegedly included a leader of the organisation Vishva Hindu Parishad (VHP), who was made a witness on the charge sheet rather than a perpetrator.

In May 2023, four men were convicted of culpable homicide not amounting to murder and received 7-year sentences. All four men were acquitted of their murder charges. Only after the intervention of a community member did the government appoint a special prosecutor to manage this case. According to the information, Mr. ██████████'s family was provided with 800,000 Rs. (approximately 9,300 US\$) from the government of Haryana.

██████████ – ██████████, Uttar Pradesh (August 2018)

On the night of 29 August 2018, Mr. ██████████ was assaulted by a mob for allegedly stealing cattle in ██████████ village. Police admitted him to hospital where he later died from his injuries, which included internal damage to his liver and kidneys due to the beating. Police initially claimed that the victim had overdosed on drugs. A FIR was registered for murder against Mr. ██████████'s friends who were with him at the time, rather than members of the mob. The

victim's family was initially excluded from the investigation, until a successful campaign of public pressure. To this day, cases are pending against members of the mob, and against the two individuals who were with the victim on the night of the attack.

Mr. [REDACTED] (Aadhaar ID No. [REDACTED]; Date of birth: [REDACTED]) and Mr. [REDACTED] (Aadhaar ID No. [REDACTED]; Date of birth: [REDACTED]) – [REDACTED] Haryana (February 2023)

Mr. [REDACTED] and Mr. [REDACTED] were kidnapped and assaulted on 15 February 2023 at approximately 6:30 p.m. Following the attack, Mr. [REDACTED] and Mr. [REDACTED]'s bodies were taken to the [REDACTED] police station, in Haryana. The police turned away the injured men due to their poor condition. The perpetrators proceeded to bring Mr. [REDACTED] and Mr. [REDACTED] to [REDACTED], where both men were burned to death. Their bodies were discovered the next day in a burnt vehicle in [REDACTED], [REDACTED], Haryana. No judicial action was taken against the police in this case, for not initially providing assistance to both men.

Video evidence allegedly suggests that the leader of the Bajrang Dal organisation was present at the scene at the time of the attack. Further, three of the accused had allegedly previously been police informants.

A charge sheet was filled out by regional police against three alleged perpetrators. 27 others were reportedly under a pending investigation, including the leader of the Bajrang Dal. Information suggests that evidence was uncovered regarding pre-abduction tracking of the victims via the messaging app WhatsApp, coordinated interception with two teams of 'cow vigilantes', phone location data confirming proximity between the accused and victims, eyewitness accounts of the beatings, and DNA matches from charred remains and blood samples from the car. Information provided suggests that the perpetrators tracked Mr. [REDACTED] and Mr. [REDACTED] for one week before both men were intercepted.

A trial has yet to commence, despite two years having passed since the completion of the investigation and the charges being filed. While the information provided suggests that Rs. 500,000 (approx. US\$ 5,800) was paid to Mr. [REDACTED]'s next of kin by the Rajasthan State government, this payment was made in the form of state financial assistance and was offered outside the framework of court proceedings.

Mr. [REDACTED] (Aadhaar Id No. [REDACTED]; Date of Birth: [REDACTED]) – [REDACTED], Rajasthan (August 2023)

In August 2023, Mr. [REDACTED] was beaten to death by a mob and forest officials, on the suspicion of chopping wood. Two others were injured in the incident. Ten individuals were detained, including four forest officials, for interrogation. Authorities have made little effort to obtain a statement from the family, and the family has not been updated on the status of the investigation despite repeated inquiries. A FIR was registered at the police station in [REDACTED], Rajasthan. Of the 12 accused, 10 were arrested, of whom 4 are forest officials. The accused

have been released on bail, and the trial has yet to commence.

The incident of the assault took place in [REDACTED], an area notorious with religiously motivated violence by Hindu extremists. Both men who were accompanying Mr. [REDACTED] were also Muslims. The information provided suggests that police authorities in [REDACTED] treat incidents of religiously motivated violence as ‘disputes’ between individuals, often allowing for impunity for perpetrators.

Mr. [REDACTED] – [REDACTED], Uttar Pradesh (July 2024)

In July 2024, Mr. [REDACTED] was beaten to death by a mob accusing him of theft. The victim was picked up by police, who then called Mr. [REDACTED]’s family to come pick him up. Mr. [REDACTED] was gravely injured and marks on his body evidenced that he had been beaten. Police refused to provide any medical assistance to the victim, despite a request by the family. The family then took Mr. [REDACTED] to his brother’s house, where they called a doctor, who pronounced him dead.

A FIR was filed by police, which mentioned the victim’s alleged drug abuse. A separate FIR was also filed against two journalists who shared details of the story online, who were charged with promoting enmity on grounds of religion.

According to the information available none of the perpetrators named in the first FIR were arrested, and the cause of death was never established for the record. Some important evidence was allegedly excluded, despite being available to investigators. For example, information suggests that CCTV footage of the attack was not secured by investigating authorities. Further, the motive was not investigated, and the victim was eventually blamed for having entered the accused’s house intoxicated. No information has been shared with the family on the status of the arrests or the investigation.

While we do not wish to prejudge the accuracy of these allegations, we wish to express our serious concerns over the seemingly targeted killings perpetrated by vigilante groups. If confirmed, these events and the subsequent lack of State response, including the absence of adequate investigations, lack of prosecutions and apparent failure to take steps to prevent further such cases may contravene India’s obligations under international human rights law. These patterns of violence seriously impact upon the ability of those belonging to religious minorities to practice one’s faith.

Should they be confirmed, these allegations would contravene articles 2 (non-discrimination), 6 (right to life), 9 (liberty and security of person), 18 (freedom of religion or belief), and 27 (rights of minorities) of the International Covenant on Civil and Political Rights (ICCPR), ratified by India on 10 April 1979. If confirmed, these allegations could also contravene article 20 of the ICCPR (prohibition of any national, racial or religious hatred that constitutes incitement to discrimination, hostility or violence).

Pertaining to a pattern of continued attacks, we express concern at the tightening of cow slaughter regulations in several regions of India, which has resulted in stricter

and disproportionate penalties for cow slaughter and smuggling. We take note that India's Constitution empowers states to pass laws regarding bovine management and specifically prohibits 'the slaughter, of cows and calves and other milch and draught cattle'.

As of late 2024, a large majority of Indian States had passed cow slaughter acts, varying greatly in severity. In the last few years, legislative developments in several States made such laws more stringent, including by increasing punishment, criminalizing the transportation of cattle, giving lenient search and seizure powers to police, and shifting the burden of proof on to the accused. Importantly, we are concerned as to the relationship between these laws and vigilante groups, as several of these laws empower such groups to adopt roles related to cow protection, thus creating possible immunity from legal proceedings.

We recall the responsibility of States to exercise due diligence to prevent, punish, investigate and bring perpetrators to justice and redress the harm caused by non-State actors. The State has a positive obligation to ensure the protection of rights of individuals against violations by its agents and by private persons or entities. The relevant obligations include identifying and bringing to justice those responsible through criminal investigation and prosecution in civilian courts; granting adequate reparation, including compensation to the victim(s) or their families; and taking steps to ensure the non-recurrence of such extrajudicial killings. In this respect we underscore the critical importance of the obligation to ensure in law and in fact the autonomy and independence of the authorities charged with the criminal investigation and prosecution of these cases. We also underscore the importance of conducting investigations into all suspected unlawful deaths in line with international standards, particularly the Principles on Effective Prevention and Investigation of Extra-Legal, Arbitrary and Summary Executions and the Revised United Nations Manual on the Effective Prevention and Investigation of Extra-Legal, Arbitrary and Summary Executions (the Minnesota Protocol on the Investigation of a Potentially Unlawful Death (2016)).

We note that States may be held responsible for the conduct of non-State actors when it can be shown that it has failed to exercise due diligence to prevent, investigate and respond to such conduct. More broadly, the State also carries a responsibility to address "attitudes or conditions within society which encourage or facilitate" violence or killings committed by non-State actors.

Article 20(2) of the ICCPR prescribes that any advocacy of national, racial or religious hatred that constitutes incitement to discrimination, hostility or violence shall be prohibited by law. This prohibition has a high threshold as it requires the fulfilment of three components: a) advocacy of hatred; b) advocacy which constitutes incitement and c) incitement likely to result in discrimination, hostility or violence (A/67/357, para. 43).

In the Rabat Plan of Action on the prohibition of advocacy of national, racial or religious hatred that constitutes incitement to discrimination, hostility or violence, key terms are defined as follows: "Hatred" and "hostility" refer to intense and irrational emotions of opprobrium, enmity and detestation towards the target group; the term "advocacy" is to be understood as requiring an intention to promote hatred publicly towards the target group; and the term "incitement" refers to statements about national,

racial or religious groups which create an imminent risk of discrimination, hostility or violence against persons belonging to those groups (A/HRC/22/17/Add.4, appendix, footnote 5).

In the Rabat Plan of Action, a total of six factors were identified to determine the severity necessary to criminalize incitement (ibid, para. 29):

- a) The “social and political context prevalent at the time the speech was made and disseminated”.
- b) The status of the speaker, “specifically the individual’s or organization’s standing in the context of the audience to whom the speech is directed”.
- c) Intent, meaning that “negligence and recklessness are not sufficient for an offence under article 20 of the Covenant”, which provides that mere distribution of circulation does not amount to advocacy or incitement.
- d) Content and form of the speech, in particular “the degree to which the speech was provocative and direct, as well as the form, style, nature of arguments deployed”.
- e) Extent or reach of the speech act, such as the “magnitude and size of its audience”, including whether it was “a single leaflet or broadcast in the mainstream media or via the Internet, the frequency, the quantity and extent of the communications, whether the audience had the means to act on the incitement”.
- f) Its likelihood, including imminence, meaning that “some degree of risk of harm must be identified”, including through the determination (by courts, as suggested in the Plan of Action) of a “reasonable probability that the speech would succeed in inciting actual action against the target group”.

We also express our concern regarding the apparent impunity given to the perpetrators involved. Impunity for such violations has generated cycles of repression that gravely undermine the enjoyment and protection of those fundamental freedoms, which are essential components of democracy and for the defence of all human rights.

We note that the Human Rights Committee has previously transmitted its concern regarding reports of discrimination and violence directed against religious minorities, including Muslims, in India (CCPR/C/IND/CO/4, para. 13). The Committee also noted its particular concern regarding vigilante attacks against religious minorities (Ibid, para. 47), more specifically regarding attacks by ‘cow vigilante’ groups (Ibid, para. 45).

Further, given that these attacks disproportionately impact a religious minority, a failure to abide by proper investigative standards could contravene articles 3 (non-discrimination), 18 (freedom of religion), 26 (equality before the law) and 27 (rights of minorities) of the ICCPR.

In connection with the above alleged facts and concerns, please refer to the **Annex on Reference to international human rights law** attached to this letter which cites international human rights instruments and standards relevant to these allegations.

As it is our responsibility, under the mandates provided to us by the Human Rights Council, to seek to clarify all cases brought to our attention, we would be grateful for your observations on the following matters:

1. Please provide any additional information and/or comment(s) you may have on the above-mentioned allegations.
2. Please provide the full details of any investigations undertaken in connection with the alleged killings outlined above, including whether these investigations comply with international standards including the Minnesota Protocol on the Investigation of a Potential Unlawful Death (2016).
3. Please provide full details of any judicial, disciplinary or administrative proceedings ordered against the perpetrators of the alleged killings mentioned above.
4. Please provide information pertaining to the human rights safeguards put in place by your Excellency's government relating to State legislation on protection of cows, and how they adhere to the 2018 Indian Supreme Court guidelines regarding vigilante violence.
5. Please indicate what actions have been taken to ensure the protection of minorities in India, particularly individuals of the Muslim faith, and to prevent the recurrence of acts of violence against them, including by cow protection vigilante groups.

This communication and any response received from your Excellency's Government will be made public via the communications reporting [website](#) within 60 days. They will also subsequently be made available in the usual report to be presented to the Human Rights Council.

While awaiting a reply, we urge that all necessary interim measures be taken to halt the alleged violations and prevent their re-occurrence and in the event that the investigations support or suggest the allegations to be correct, to ensure the accountability of any person(s) responsible for the alleged violations.

We may publicly express our concerns in the near future as, in our view, the information upon which the press release will be based is sufficiently reliable to indicate a matter warranting immediate attention. We also believe that the wider public should be alerted to the potential implications of the above-mentioned allegations. The press release will indicate that we have been in contact with your Excellency's Government's to clarify the issue/s in question.

Please accept, Excellency, the assurances of our highest consideration.

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Special Rapporteur on freedom of religion or belief

Alexandra Xanthaki
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Annex

Reference to international human rights law

In connection with above alleged facts and concerns, the International Covenant on Civil and Political Rights (ICCPR) ratified by India on 10 April 1979, is relevant, particularly articles 2 (non-discrimination), 6 (right to life), 9 (liberty and security of person), 18 (freedom of religion or belief), 20 (prohibition of any national, racial or religious hatred that constitutes incitement to discrimination, hostility or violence) and 27 (rights of minorities).

Article 18(1) of the ICCPR stresses that “[e]veryone shall have the right to freedom of thought, conscience and religion. This right shall include freedom [...] either individually or in community with others and in public or private, to manifest his religion or belief in worship, observance, practice and teaching.” General comment No. 22 of the Human Rights Committee further explains that “[t]he freedom to manifest religion or belief in worship, observance, practice and teaching encompasses a broad range of acts. The concept of worship extends to ritual and ceremonial acts giving direct expression to belief, as well as various practices integral to such acts, including the building of places of worship [...] the display of symbols [...] In addition, the practice and teaching of religion or belief includes acts integral to the conduct by religious groups of their basic affairs, such as freedom to choose their religious leaders, priests and teachers, the freedom to establish seminaries or religious schools and the freedom to prepare and distribute religious texts or publications.” (CCPR/C/21/Rev.1/Add.4, para. 4).

The 1981 United Nations Declaration on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion or Belief (A/RES/36/55) establishes in article 2(1) that none “shall be subject to discrimination by any State, institution group of persons, or person on the grounds of religion or belief.”

Under article 2(3)(a) of the Covenant, State Parties are obliged to ensure that any person whose rights or freedoms as herein recognized are violated shall have an effective remedy.

Article 27 also guarantees minorities, inter alia, the right to practice and profess their own religion. Moreover, the 1992 Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities establishes the obligation of States to protect the existence and identity of religious minorities within their territories and to adopt the appropriate measures to achieve this end (article 1), recognizes that persons belonging to religious minorities have the right to profess and practice their own religion without discrimination (article 2) and requires States to ensure that persons belonging to minorities, including religious minorities, may exercise their human rights without discrimination and in full equality before the law (article 4.1).

Article 6(1) of the ICCPR provides that every individual has the right to life and that no person shall be arbitrarily deprived of his or her life. The Human Rights Committee’s, general comment 36 notes that the right to life is the supreme right from which no derogation is permitted (paragraph 2). It is most precious for its own sake as a right that is inherent in every human being, but it also constitutes a fundamental right,

whose effective protection is the prerequisite for the enjoyment of all other human rights and whose content can be informed and infused by other human rights. General comment 36 makes clear that the right to life must be respected and ensured without any distinction of any kind, including race or religion.

In general comment No. 31, the Human Rights Committee has observed that there is a positive obligation on States Parties to ensure protection of Covenant rights of individuals against violations by its agents and by private persons or entities. A failure to investigate violations of the Covenant and bring perpetrators of such violations to justice could in and of itself give rise to a separate breach of the ICCPR (CCPR/C/21/Rev.1/Add.13, para. 15).

The Special Rapporteur on extrajudicial, summary or arbitrary executions in a report on armed non-State actors to the Human Rights Council (A/HRC/38/44) noted that “the State may be held responsible for the conduct of non-State actors when it can be shown that it has failed to exercise due diligence to prevent, investigate and respond to such conduct”. This said, the Special Rapporteur reaffirms the centrality of States and their obligations under international law, including human rights law. This, however, does not mean that States are the only duty bearers. Whether derived naturally or from international legal sources, human rights are the entitlements of all humans. They are “inalienable” and thus sanctions ought to be applied against any State, group or person seeking to violate those rights. In addition to this, the report A/HRC/38/44 provides that States should “fully implement their obligation to protect against killings by armed non-State actors and evaluate current due diligence mechanisms in light of these actors’ activities and strengthen their implementation, in full respect of international human rights law”, as well as “Hold individual members of armed non-State actors to account under international human rights law and international criminal law, when applicable”.

The right to life requires states to investigate potentially unlawful deprivations of life and, where appropriate, prosecute the perpetrators (general comment No. 36, para. 27). Investigations must always be independent, impartial, prompt, thorough, effective, and transparent (general comment No. 36, para. 28) and must be undertaken in accordance with relevant international standards, including the Minnesota Protocol on the Investigation of Potentially Unlawful Death. The Protocol states (para. 10) that persons whose rights have been violated have the right to a full and effective remedy. Family members of victims of unlawful death have the right to equal and effective access to justice; to adequate, effective and prompt reparation; to recognition of their status before the law; and to have access to relevant information concerning the violations and relevant accountability mechanisms. International law further requires that all investigations be prompt, effective and thorough; independent and impartial; and transparent (A/HRC/50/34, para. 80). Investigations must also be aimed at ensuring that those responsible are brought to justice, at promoting accountability and preventing impunity, at avoiding denial of and at drawing necessary lessons for revising practices and policies with a view to avoiding repeated violations, and at ensuring the responsibility of superior officials with regard to violations committed by their subordinates (general comment No. 36, para. 27).

Article 19 of the ICCPR guarantees the right to freedom of opinion. It protects the right to hold opinions of any kind, including religious opinions. Furthermore, this obligation also requires the State “to ensure that persons are protected from any acts by

private persons or entities that would impair the enjoyment of the freedoms of opinion and expression to the extent that these Covenant rights are amenable to application between private persons or entities” (Human Rights Committee general comment No.134, para. 7).

Article 5 of the International Convention on the Elimination of All Forms of Racial Discrimination (hereafter ICERD), which guarantees the right of everyone, without distinction as to race, colour, or national or ethnic origin, to equal treatment before tribunals and all other organs administering justice. It also guarantees equality before the law, the security of the person and protection by the State against violence or bodily harm, whether inflicted by government officials or by any individual group or institution. It is noted that any distinction, exclusion, restriction, or preference based on race, colour, descent, or national or ethnic origin which has the purpose or effect of nullifying or impairing the recognition, enjoyment or exercise, on an equal footing, of human rights and fundamental freedoms in the political, economic, social, cultural or any other field of public life constitute racial discrimination (article 1). In this sense, article 2 of the Convention requires States to implement affirmative measures to ensure the adequate development and protection of certain racial groups or individuals belonging to them, such as indigenous communities and individuals, with a view to guaranteeing them the full and equal enjoyment of human rights and fundamental freedoms.