

Mandates of the Special Rapporteur on minority issues; the Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression and the Special Rapporteur on freedom of religion or belief

Ref.: AL IND 8/2026
(Please use this reference in your reply)

1 May 2026

Excellency,

We have the honour to address you in our capacities as Special Rapporteur on minority issues; Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression and Special Rapporteur on freedom of religion or belief, pursuant to Human Rights Council resolutions 52/5, 52/9 and 58/5.

In this connection, we would like to bring to the attention of your Excellency's Government information we have received concerning **the large-scale removal of millions of names from electoral rolls through a Special Intensive Revision (SIR) process led by the Election Commission of India (ECI), particularly affecting members of minority groups. This situation is of particular concern in the state of West Bengal, with regard to state assembly elections, which took place on 23 and 29 April 2026.** Concerns regarding the National Register of Citizens and the Election Commission of India's role in the exclusion of ethnic, religious, and linguistic minorities from the National Register of Citizens (NRC) and electoral rolls were raised by Special Procedures' mandate-holders on previous occasions (OL IND 13/2018 and OL IND 29/2018). We thank your Excellency's Government for the responses provided to the respective communications and for your continued engagement with United Nations Special Procedures mechanisms.

We encourage your Excellency's Government to carefully examine the allegations made in this and previous communications and to provide detailed responses to the mandate holders with a view to remedying any potential violations of the State's obligations under international human rights law.

According to the information received:

On 4 November 2025, the ECI announced a SIR process in 9 States, including Chhattisgarh, Goa, Gujarat, Kerala, Madhya Pradesh, Rajasthan, Tamil Nadu, Uttar Pradesh and West Bengal, and 3 Union Territories, including Andaman and Nicobar, Lakshadweep and Puducherry¹, spanning 321 districts and 1,843 Assembly Constituencies. This second phase, which was meant to last until 4 December 2025, follows a preliminary exercise conducted in Bihar between June and September 2025². According to the ECI, the goal of the SIR process is to ensure that “the names of all eligible citizens are included in the [e]lectoral [r]oll”, that “no ineligible voter is included in the electoral rolls”, and to be completely transparent in the process of adding or deleting electors in the

¹ <https://www.pib.gov.in/PressReleasePage.aspx?PRID=2186480®=3&lang=2>

² <https://www.pib.gov.in/PressReleasePage.aspx?PRID=2139342®=3&lang=2>
<https://www.pib.gov.in/PressReleasePage.aspx?PRID=2173316®=3&lang=2>

electoral roll.³

Across the 12 States and Union Territories, approximately 52 million names have allegedly been removed, with West Bengal particularly affected, where a total of 9.1 million names were reportedly deleted from the register. Affected individuals of the second phase report being wrongfully excluded despite having provided valid identification. Muslim voters were reportedly disproportionately impacted by the SIR process. In one constituency, namely Nandigram, allegedly 95 per cent of the deleted voters were Muslims, even though Muslims only make up 25 per cent of the constituency's electorate. The affected constituency in Nandigram reportedly includes men, women, and elderly citizens who are Indian nationals with valid identity documents. They have sought redress through domestic remedies, including recourse to the ECI and judicial review by the Supreme Court of India, which declined to stay the process on 6 April 2026. Minor spelling inconsistencies in documents – reportedly common across India due to administrative challenges – are allegedly used as a pretext for the deletion of voter names. The administrative exercise in Bihar reportedly also caused alarm over potential large-scale disenfranchisement and denationalization, particularly of Muslims and other minorities.

Further concerns have been raised by the alleged use of an AI-driven system that flagged “irregularities” in voter data, raising concerns about transparency, errors, and potential bias.

On 16 April 2026, following several petitions, the Supreme Court, using its special powers under Article 142 of the Constitution, reportedly allowed voters in West Bengal who were removed from electoral rolls to regain their voting rights if their appeals were approved by appellate tribunals before 21 April 2026 and 27 April 2026 ahead of the two-phase Assembly elections scheduled for 23 and 29 April 2026. The Court reportedly directed the ECI to update supplementary voter lists accordingly, ensuring eligible voters could participate, while reportedly indicating that those with pending appeals would not be allowed to vote.

In the context of the SIR process, statements were reportedly made by politicians and senior public figures of the Government, which appear to reflect and reinforce a pattern of discriminatory rhetoric directed at Muslim, Bengali, and other minority communities. Senior Government officials, including the Union Home Minister, have reportedly publicly framed the deletion of voter names as targeting “illegal Bangladeshi immigrants” – rhetoric that conflates legitimate Indian Muslim citizens with foreign nationals. It is reported that there has been repeated invocation of this framing by the highest levels of the executive, including the characterization of the SIR as a mechanism to ‘purify’ electoral rolls of infiltrators⁴.

It is also reported that, before Parliament, the Home Minister framed the State-administered electoral process in terms of the removal of a religious community,

³ <https://www.pib.gov.in/PressReleasePage.aspx?PRID=2139342®=3&lang=2>

⁴ <https://eparlib.sansad.in/bitstream/123456789/3018690/1/4608.pdf>

expressed through the policy formula 'Detect, Delete and Deport'⁵.

While we do not wish to prejudge the accuracy of these allegations, and having regard to the repeated concerns expressed by the Special Procedures over the past years, we express concern about the fact that the above-mentioned allegation may amount to serious violations of multiple human rights obligations.

We are particularly concerned by the way in which the SIR process has been conducted, notably the reported removal of millions of voters names from electoral rolls, potentially affecting a great number of Muslims and persons of Bengali descent, as well as other minorities, who may be wrongfully excluded from the updated electoral rolls because of their historical and continuing treatment as foreigners and illegal immigrants, notably in West Bengal.

We are further concerned by the discriminatory rhetoric by politicians and senior public figures of the Government in the context of the SIR exercise, which could amount to potential incitement to discrimination within the meaning of article 20(2) of the International Covenant on Civil and Political Rights (ICCPR), ratified by India on 10 April 1979. This article prohibits any advocacy of national, racial or religious hatred that constitutes incitement to discrimination, hostility or violence. We are concerned that the rhetoric used by authorities may serve to construct Muslim citizens as presumptively foreign, criminal and undeserving of civic rights, without any individualized determination of their legal status, in a manner incompatible with the non-discrimination obligations of articles 2 and 26 of the ICCPR.

We further recall that the Special Rapporteur on freedom of religion or belief has affirmed that religions, beliefs, or their followers must not be instrumentalized to incite hatred and violence, including for electoral purposes or political gains, and has specifically noted that public acts of intolerance are more common in times of political tension, such as elections, and must be condemned by States.

We note with grave concern that the framing of a State-administered electoral process in terms of the removal of a religious community risks constituting, at minimum, an official endorsement of discriminatory attitudes toward Muslim citizens, and may further amount to the instrumentalization of State administrative machinery for the purpose of political targeting of a religious minority, in violation of the obligations of the Government of India under the International Convention on the Elimination of All Forms of Racial Discrimination (ICERD), ratified by India on 3 December 1968, and against the spirit of the 1992 Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities.

We are also concerned by reports of the alleged use of an AI-driven system that flagged “irregularities” in voter data, raising serious issues related to transparency, errors, and potential bias. The use of AI-driven systems in the SIR process risks having disenfranchised legitimate voters, undermining democratic fairness, and raising concerns about the reliability of automated decision-making in such a high-stakes context.

⁵ As reported by DD News, operated by India’s statutory public service broadcaster, Prasar Bharati: <https://ddnews.gov.in/en/modi-governments-anti-infiltration-3d-policy-is-detect-delete-and-deport-amit-shah/>

Finally, while we note the Supreme Court’s decision aimed at balancing fairness and electoral integrity, we are concerned that a massive voter revision exercise involving over 3.4 million appeals has placed immense pressure on tribunals to resolve cases rapidly for the election processes. The short timeframe and sheer scale of the appeals meant to be resolved before the deadlines set by the Court on 21 and 27 April 2026 appear to have led to the exclusion of millions of eligible citizens from the elections in West Bengal.

In connection with the 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 any comment you may have on the above-mentioned allegations.
2. Please provide detailed information on any steps your Excellency’s Government may have taken to ensure that the substance and implementation of the SIR process, including the administration of the claims and objection period, complies with India’s obligations under international human rights law and standards. In particular, please provide details on steps taken to ensure that the SIR process has not resulted in the exclusion of eligible voters from their participation in the public elections of 2026.
3. Please provide details on safeguards ensuring that members of ethnic, religious, and linguistic minorities are not discriminated against in the framework of the SIR process and the determination of their voter status. In this context, please provide detailed information on the exact number of names that have been removed from the electoral rolls, during the SIR process, specifying the reason for deletion, as well as the number of objections and appeals filed in front of the various organs and the resulting decisions. Please also provide disaggregated data on the ethnicity and religion of individuals who have been excluded from electoral rolls, as well as individuals who have been declared ineligible after judicial adjudication. If unavailable, please explain why.
4. Please provide more details about the “claims and objections” period and, in particular, whether the process ensured a fair and effective opportunity to contest exclusions, particularly in light of reports that millions of voters were declared ineligible after judicial adjudication despite presenting valid identification.
5. Please provide details on measures taken to ensure access to effective remedies before the two-phase Assembly elections, which took place 23 and 29 April 2026, for all individuals excluded from electoral rolls.

6. Please provide information on measures undertaken to eliminate any discriminatory treatment of minorities, including Muslims and persons of Bengali descent, as well as other minorities, with regard to the right to vote and to choose their representatives freely.
7. Please provide information on measures that the State is taking to provide effective remedies to individuals found to have been wrongfully removed from electoral rolls and consequently deprived of their right to vote, particularly in cases where no timely remedy was available before the elections took place. What steps are taken to ensure accountability and to safeguard the affected individuals' right to political participation?

This communication, and any response received from your Excellency's Government, will be made public via the communications reporting [website](#) at the 60 days mark. Should Your Excellency's Government respond within 60 days, both the communication and the response, may be published before the 60 days mark. The communications and responses will also be made available in the subsequent periodic 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.

Nicolas Levrat
Special Rapporteur on minority issues

Irene Khan
Special Rapporteur on the promotion and protection of the right to freedom of opinion
and expression

Nazila Ghanea
Special Rapporteur on freedom of religion or belief

Annex

Reference to international human rights law

In connection with above alleged facts and concerns, we would like to refer your Excellency's Government to the international standards protecting the right to political participation and the protection of minorities, including ethnic and religious minorities.

Firstly, we would like to bring to the attention of your Excellency's Government the international standards regarding the protection of the rights of persons belonging to minorities, in particular the [International Covenant on Civil and Political Rights](#) (ICCPR), ratified by India on 10 April 1979. Article 27 of the ICCPR establishes that in those States in which ethnic, religious or linguistic minorities exist, persons belonging to such minorities have the right, in community with the other members of their group, "to enjoy their own culture, to profess and practice their own religion, or to use their own language".

Additionally, the [1992 Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities](#) establishes in article 1 the obligation of States to protect the existence and identity of religious minorities within their territories and to adopt appropriate measures to achieve this end. Article 2 further establishes that persons belonging to minorities have the right to enjoy their own culture, to profess and practice their own religion, and to use their own language, in private and in public, freely, without any interference or any form of discrimination and provides for the effective participation of minorities in cultural, religious, social, economic and public life, as well as in decision-making processes on matters affecting them. Moreover, States are required 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).

We would further like to draw the attention of your Excellency's Government to voters' rights enshrined in the ICCPR, and the corresponding obligations arising therefrom. We wish to recall that article 25 of the Covenant guarantees every citizen the right to take part in the conduct of public affairs, the right to vote and to be elected at genuine periodic elections, and the right to have access to public service, without any of the distinctions mentioned in article 2, including on grounds of religion, and without unreasonable restrictions. We wish to emphasize that the Human Rights Committee, in its [general comment No. 25](#) (1996), has authoritatively interpreted article 25 to require that voter registration be facilitated and that obstacles to such registration not be imposed, and has further affirmed that any conditions imposed on the exercise of the right to vote must be objective, reasonable, and non-discriminatory. In this regard, we note with grave concern that the SIR process of electoral rolls conducted by the ECI in West Bengal appears to have imposed conditions and procedural burdens that were neither reasonable nor proportionate, and which have disproportionately impacted Muslim citizens.

We are further concerned that the compressed timeline within which the SIR was conducted, the opacity of the algorithmic methodology employed, and the practical barriers faced by economically marginalized and linguistically vulnerable voters in challenging their removal from the rolls, may collectively constitute unreasonable

restrictions on the right to vote within the meaning of article 25 of the ICCPR, read in conjunction with the non-discrimination obligations of article 2 of the Covenant. We recall that the right to vote may not be suspended or removed on grounds that are incompatible with the Covenant, and that where restrictions on this right produce an unequal impact on persons belonging minority groups, the State party bears the burden of demonstrating that such restrictions are based on objective and reasonable criteria and pursue a legitimate aim proportionate to the means employed.