



Photo credit: Marcus Perkins



7.15.2011

INDIA New CSW briefing welcomes progress toward developing communal violence bill

A new briefing by Christian Solidarity Worldwide (CSW) has welcomed continuing progress made towards a law to tackle communal violence in India, but warns that implementation will be the key to its success.

A bill to prevent, control and deal with the aftermath of communal violence in India was first introduced in 2005, and underwent a series of revisions before being introduced to the Rajya Sabha, the upper house of India's parliament, in 2009. However, while the principle of the bill was welcomed by civil society groups, its substance was criticized. The National Advisory Council (NAC), chaired by Congress Party President Sonia Gandhi, established a working group to review the bill. The group produced a new draft, the 'Communal and Targeted Violence (Access to Justice and Reparations) Bill, 2011', which was opened for public consultation on May 25.

CSW's briefing, '[India: Communalism, anti-conversion and religious freedom](#)', set out a number of concerns expressed by civil society groups. Since the briefing was published in late June, the NAC has accepted the majority of their recommendations and published a new draft, which is due to be vetted by Assistant Solicitor General Indira Jaising before going to the ministries of law and justice, home affairs and minority affairs, for their perusal.

CSW's briefing also highlights the current status of victims of communal violence in Orissa, and ongoing needs in the areas of rehabilitation, justice and reconciliation.

Dr. John Dayal, Secretary General of the All India Christian Council (aicc) and a member of the NAC's working group on the bill, said, "The communal violence bill has to address the needs of the victims of such violence, and that is principally where the first draft failed. We are now moving towards a much more useful piece of legislation, but the present draft must first navigate the parliamentary system and must then be implemented properly, a rather larger challenge".

CSW's Special Ambassador Stuart Windsor said, "We welcome the commitment of the present government towards introducing an effective bill to tackle communal violence, and this could provide a useful model for other countries. The international community should encourage India in this endeavor, and we hope that an effective bill will eventually become law. However, the real challenge will be its implementation, and we also encourage the Indian government to do as much as possible to tackle underlying issues, including the spread of religious extremism and pervasive weaknesses in the rule of law."

Notes to Editors:

1. The ongoing problem of communal violence in India was highlighted by a new set of statistics released by PRS Legislative Research in New Delhi, which reported on the basis of conservative estimates that 648 people were killed and 11,278 were injured in 4,030 incidents of communal violence between 2005 and 2009.
2. After her 2008 visit to India the former UN Special Rapporteur on freedom of religion or belief, Asma Jahangir, recommended that "Any specific legislation on communal violence should take into account

the concerns of religious minorities” (‘Report of the Special Rapporteur on freedom of religion or belief, Asma Jahangir: Addendum: Mission to India’, A/HRC/10/8/Add.3, 26 January 2009).