



**Statement by India under Agenda Item 3: Legal and institutional framework: the human rights of minorities and conflict prevention during UN Fourteenth Session of the Forum on Minority Issues, Conflict Prevention and the Protection of the Human Rights of Minorities (2-3 December 2021), delivered by Ms. Seema Pujani, Second Secretary, Permanent Mission of India [Geneva, 02 December 2021]**

Thank you for giving me the floor, Madam Chair.

My delegation welcomes the organisation of this Forum. We believe it is the responsibility of all sovereign States to ensure promotion and protection of rights of their minorities.

India is a multi-cultural, multi-religious and multi-lingual secular polity with a long history of pluralism. The Constitution of India has guaranteed justiciable fundamental rights to all Indian citizens without any discrimination on the basis of religion, race, caste, sex or place of birth. Special legal protection for conservation of distinct culture, language and script and other interests of the minority communities has also been guaranteed therein. Right to equality, freedom of religion, cultural and educational rights and protection for linguistic minorities are notable provisions in the Constitution with specific relevance for the minority communities.

In addition to the protections enshrined in the Constitution, specific legislations have also been enacted for the welfare of the minority communities. The National Commission for Minorities Act, 1992 was enacted to constitute a National Commission for Minorities. The Protection of Human Rights Act, 1993 provides for the constitution of National Human Rights Commission, State Human Rights Commissions in States and Human Rights Courts for better protection of human rights. The National Commission for Minority Educational Institutions was also established by legislation in 2004. The Ministry of Minority Affairs was carved out of Ministry of Social Justice & Empowerment in 2006 in order to ensure the welfare of the minority communities.

Religious minorities are free to follow their personal laws in relation to matrimonial and other family affairs.

When the rights guaranteed under the Constitution for the welfare of the minorities are violated, the right to Constitutional Remedies allows the aggrieved citizens or others on their behalf to approach the Supreme Court of India or the concerned High Court directly. In addition, there are various penal laws in India that provide for punishment for discriminating against or victimisation of minorities.

India remains committed to guarantee all rights to its minorities in line with its commitments under national and international instruments.

**Thank you, Madam Chair.**