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**GLOBAL ATROCITIES AGAINST MINORITIES: A CALL FOR  
LEGAL AND SOCIAL REFORMS TO COMBAT DISCRIMINATION  
AND HATE SPEECH**

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**ABSTRACT**

Throughout history, minority groups have been subjected to never ending injustices, often driven by hate speech and exploited for political purposes. This paper delves into the distressing experiences of the Ahmadiyya community in Pakistan and various global minority populations. The paper addresses and shines a spotlight on the role played by hate speech and how politically empowered speeches result in hue and outcry in disseminating these atrocities. Furthermore, the authors delve deep into scrutinizing the legal frameworks in Pakistan and India aimed at countering hate speech, underscoring the urgent need for stronger enforcement of minority rights. The deliberate burning of the Quran in Sweden serves as a poignant example of hate speech's destructive impact, highlighting the necessity of preserving social cohesion and religious liberty. Despite existing legal protections, hate speech against Muslims persists in Sweden, necessitating a comprehensive strategy involving rigorous law enforcement and initiatives promoting intercultural understanding and tolerance. A surge in far-right violence has affected Muslims in the United Kingdom recent attacks have targeted mosques, vandalised Muslim gravestones, and instilled terror in the communities located in northern England. Asylum centres and mosques were attacked, and Muslim communities endured most of the animosity.

These historical reminders underscore the pivotal role of international human rights standards and domestic legislation in preventing discrimination and safeguarding minority rights.

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In conclusion, this paper advocates for a comprehensive approach to addressing atrocities against minority groups, encompassing legal safeguards, educational programs, and international advocacy efforts. It calls upon governments and civil society organizations to collaborate in ensuring that laws designed to protect minorities are effectively enforced. We must cultivate a culture that celebrates inclusivity and respect for all individuals, transcending the boundaries of religious belief and ethnic heritage. International advocacy endeavours must hold nations accountable for protecting the rights of minority populations. In this relentless pursuit of justice, this paper echoes the collective voice of humanity, united in its commitment to legal protections, education, and advocacy, an indomitable force destined to erode the foundations of prejudice and intolerance, and to illuminate the path toward a brighter, more equitable world for all.

**KEYWORDS:** *Hate speech, welfare legislation, minority rights, human rights and freedom of speech*

## **INTRODUCTION**

Atrocities have been a part of society since the dawn of human existence. Whether for food or shelter, this will never stop. In the initial stages of civilization, the fight was for existence, invasion and expansion by the royals in medieval times, or for asserting our superiority and existence in modern times, this cycle seems never-ending. There are moments when the majority's happiness comes at the expense of the right to a decent life and a means of subsistence.

In Pakistan, the Ahmadiyya community has been subjected to legal and social discrimination since 1974, when a constitutional amendment was enacted declaring them '*not Muslims for the purposes of law and constitution.*' This has led to violent attacks and targeted persecution of Ahmadiyya Muslims, with even prominent figures like *Nobel laureate Mohammed Abdus Salam* being denied recognition and citizenship due to his affiliation with the community. The penal code was amended by Criminal Law Amendment Act, 1986, which added the blasphemy law under section 295-C.<sup>2</sup> Through this amendment, The Pakistan Penal Code further exacerbated the situation, leading to an environment of hostility and intolerance towards the Ahmadiyya community.

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<sup>2</sup> Pakistan Penal Code (PPC), Section XV, Articles 295-298.

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Similarly, in India, hate speech and atrocities against the Muslim minority are on the rise. Hate speech propagated by politicians shows their exclusionary purpose.<sup>3</sup> Observers have taken the usage of phrases like '*wiping out*' as a declaration of intent to commit ethnic cleansing.<sup>3</sup> Such occurrences show the critical need to combat hate speech and protect minority rights.

Addressing these atrocities requires a multifaceted approach that includes legal measures, education, and international activism. Governments, civil society organizations, and people must work together to end the cycle of violence and discrimination to have a future in which crimes against minorities are a thing of the past by encouraging empathy, fostering discourse, and protecting the rights and dignity of all individuals, regardless of their minority status.

### DISCRIMINATION AND ATROCITIES AGAINST MINORITY COMMUNITIES

It is the nature of the majority to suppress the minority, and such situations can be seen across the globe. In Pakistan, the Ahmadiyya community faces legal and social discrimination. This community has faced violent attacks, and its members have been targeted for their beliefs. This goes back to 1974, when Pakistan Prime Minister Zulfikar Ali Bhutto, brought a constitutional amendment making it explicitly atrocious that Ahmadi Muslims are "*not Muslims for the purposes of law and constitution*."<sup>4</sup> Adding fuel to the fire of the atrocities, then-military ruler Zia-ul-Haq enacted Pakistan's cruel blasphemy law in 1984. This law made it a criminal offense that if an Ahmadi calls himself or herself a Muslim, they will be punished for 3 years or with death under the law. All this while all these amendments, freedom by police to non-Ahmadiyya, and leniency by the government made it worse than ever. It was an act of putting a nail in the coffin of Jinnah's idea of a secular and democratic country.

*Wajib UlQatal* (deserved to be killed); this is openly declared in Pakistan, which became the atrocities on Ahmadiyya community. The hatred, constant oppression, and discrimination that the minority community faces now are evident and are being criticized by the world. All the

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<sup>3</sup> Sabrang. 2019. "Muslims and Christians Will Be Wiped out of India by December 31, 2021: BJP Leader Rajeshwar Singh SabrangIndia." SabrangIndia. December 14, 2019. <https://sabrangindia.in/muslims-and-christians-will-be-wiped-out-india-december-31-2021-bjp-leader-rajeshwar-singh/>.

<sup>3</sup> ibid

<sup>4</sup> OHCHR. Accessed September 25, 2024. <https://www.ohchr.org/sites/default/files/Documents/Issues/Religion/Islamophobia-AntiMuslim/Civil%20Society%20or%20Individuals/APPGAhmadiyyaMuslim-2.pdf>.

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countries are eyeing India and Gandhi's establishment of one nation and brotherhood. The present situation indicates that this notion is unravelling, given the predicaments encountered by the notion of a one nation and brotherhood that Gandhi advocated and foresaw. These challenges may encompass social, political, or cultural divides within India that are eroding the very essence of the unity and camaraderie Gandhi had in mind. One incident that happened in the last year was a hate speech delivered by members of the ruling party one month before the assembly elections. An attack on Muslim women in the first month of 2022 that featured the app GitHub, where the Muslim ladies were auctioned off, along with many other attention-grabbing incidents.<sup>5</sup> These were incidents of atrocities against the minority Muslim community of India. According to a recent ANHAD survey, in India, hate speech and hate crimes predominantly targeted **Muslims (73.3%) and Christians (26.7%)**. Hate speech (61.6%) against Muslims is more prevalent than hate crimes (38.4%).<sup>6</sup> Hate speech and the nation's current situation are the primary cause of the abrupt increase in atrocities, and this was very strongly addressed by the Supreme Court of India in the case of *Shaheen Abdulla v. Union of India*,<sup>7</sup> Justice **KM Joseph** orally observed that "the state is impotent; the state is powerless; it does not act in time. Why do we have a state at all if it remains silent?" Adding to the same, he also addressed the mingling of politics with religion, saying that "the moment politics and religion are segregated, all this will stop." Also, in *Ashwini Kumar Upadhyay v. Union of India*,<sup>8</sup> the division bench of **Justices KM Joseph and BV Nagarathna** extended their 2022 order on April 28, 2023, and instructed all States/UTs to file *Suo moto* FIRs against hate speech, regardless of religion. The court further stated that even in the absence of a complaint, *suo moto* action will be taken to register cases and prosecute the offenders in line with the law whenever any word or conduct occurs that attracts crimes under Sections 196, 197, 299, and 353(2) of the BNS, among other provisions. During the most recent Supreme Court hearing on hate speech petitions, on January 17, 2024, **Justices Sanjiv Khanna and Dipankar Datta**, a newly appointed bench, expressed their dismay at the "petitioners' repeated attempts to approach the court to act against specific people and organisations, despite the existence of guidelines for reporting and prosecuting

<sup>5</sup>Nair, Veena. 2023. "Hate Tracker 2022: A List of Anti-Muslim Incidents across India." The Siasat Daily. February 3, 2023. <https://www.siasat.com/hate-tracker-2022-a-list-of-anti-muslim-incidents-across-india-2489905/>.

<sup>6</sup> 2024. Thewire.in. 2024. <https://thewire.in/communalism/from-speech-to-crime-to-genocide-its-clear-to-see-how-hatetravels#:~:text=ANHAD%27s%20recent%20report%20reveals%20that>.

<sup>7</sup> Review of *Shaheen Abdulla v. Union of India*. 2022, 872. Supreme court of India .

<sup>8</sup> [W.P. (C) No. 943 of 2021]

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hate speech. The court has prioritised ensuring that law enforcement agencies and governments comply with its earlier orders, even though it cited the right to freedom of speech and pre-emptive gag orders as violations of citizens' fundamental rights.

Given that these organised mobilisations, whether openly or implicitly supported by the ruling regime, have been precursors to social division and targeted, violent attacks on India's minorities, it is evident that the Supreme Court has evolved into the court of "last resort" for petitioners seeking an urgent curb on spiralling hate speech cases.<sup>9</sup>

#### RECENT TRENDS ADDRESSING ATROCITIES AGAINST MINORITIES

Resolving crimes against minorities necessitates a multidimensional strategy that considers the social and legal facets of the issue. Strengthening the defence of minority rights through the establishment and upholding of a global climate of animosity and intolerance towards minorities could be one strategy from a legal standpoint. The use of hate speech by powerful people or political leaders to win support has the potential to escalate already-existing tensions and spark violence against minorities.

The decision issued by the Supreme Court of India in October 2022 now compels all Indian states and union territories to abide by it<sup>10</sup>. This judgment necessitates that the police forces of Delhi, Uttar Pradesh, and Uttarakhand proactively act against occurrences of hate speech, as instigated by the court itself. Regardless of the speaker's religious affiliation, this recent directive mandates each state to lodge FIRs (First Information Reports) in response to hate speech without waiting for formal complaints to be lodged. The judge warned that any reluctance to adhere to this instruction would be treated as a display of disrespect towards the court. This ruling was instigated by multiple petitions submitted by Advocate Nizam Pasha, who sought guidelines for curtailing hate speech. The Bench proposed that every state appoint a focal officer responsible for dealing with hate speech incidents. The Solicitor General of India observed that due to the inclusion of an application within the main case, every instance of hate speech is already being disputed in the highest court, effectively transforming it into a Magistrate Court.

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<sup>9</sup>maniyar, zahid. 2024. "Supreme Court in 2023: Several Steps Forward, Miles to Go in the Fight against Hate." CJP. February 5, 2024. <https://cjp.org.in/supreme-court-in-2023-several-steps-forward-miles-to-go-in-the-fight-against-hate/>.

<sup>10</sup>ibid

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The Britain on August 2024 witnessed thousands of police officers and anti-racism demonstrators flocked to British streets to confront anticipated far-right factions that did not emerge after almost a week of violent racist incidents directed towards Muslims and immigrants<sup>11</sup>. Online posts had warned that the far-right, anti-Muslim demonstrators would target a list of immigration offices, migrant assistance organisations, and specialised legal firms. As a result, many businesses closed early and some even boarded up their windows. It was seen as one of the worst riots in 20 years.<sup>12</sup>

### **HATE SPEECH AGAINST MUSLIMS IN SWEDEN: PROMOTING TOLERANCE AND PROTECTING MINORITY RIGHTS**

Hate speech directed at Muslims in Sweden is a serious problem . While Sweden is known for its commitment to human rights and equality which is **1.2 index points as per the year 2022**,<sup>13</sup> cases of hate speech directed at Muslims have occurred, emphasizing the importance of continuing efforts to address this issue.<sup>14</sup> The intentional and disrespectful burning of religious literature, such as the Quran, might be interpreted as an act designed to offend and anger the Muslim community of Sweden. It fosters intolerance and contributes to a hostile and discriminatory environment. Such activities not only contradict religious freedom and diversity values, but also impair social cohesiveness and concord.<sup>15</sup> Hate speech is prohibited in Sweden under the Swedish Penal Code<sup>12</sup> and other laws to prevent incitement to hatred and prejudice. **Chapter 16, Section 8** of the Swedish Penal Code<sup>16</sup> criminalizes hate speech that threatens or displays contempt for national, ethnic, or religious groups, with a maximum penalty of two years in jail; and **Chapter 16, Section 9** of the Swedish Penal Code<sup>17</sup> criminalizes hate speech that incites violence against a specific group. The burning of the

<sup>11</sup>[https://www.reuters.com/world/uk/british-police-brace-anti-muslim-riots-counter-protests-2024-08-07/#:~:text=LONDON%2C%20Aug%207%20\(Reuters\),attacks%20targeting%20Muslims%20and%20migrants](https://www.reuters.com/world/uk/british-police-brace-anti-muslim-riots-counter-protests-2024-08-07/#:~:text=LONDON%2C%20Aug%207%20(Reuters),attacks%20targeting%20Muslims%20and%20migrants)

<sup>12</sup>TOI World Desk. 2024. “No One Deserves This... Doesn’t Feel like Home’: UK Muslims Shocked by Far-Right Riots.” The Times of India. Times Of India. August 9, 2024. <https://timesofindia.indiatimes.com/world/uk/no-one-deserves-this-doesnt-feel-like-home-uk-muslims-shocked-by-far-right-riots/articleshow/112398112.cms>.

<sup>13</sup>Globalen LLC. 2024. “Sweden Human Rights and Rule of Law Index - Data, Chart | TheGlobalEconomy.com.” TheGlobalEconomy.com. 2024. [https://www.theglobaleconomy.com/Sweden/human\\_rights\\_rule\\_law\\_index/#:~:text=The%20latest%20value%20from%202022](https://www.theglobaleconomy.com/Sweden/human_rights_rule_law_index/#:~:text=The%20latest%20value%20from%202022).

<sup>14</sup> “Muslim Nations Demand Action after ‘Islamophobic’ Quran Burning.” n.d. Wwww.aljazeera.com. <https://www.aljazeera.com/news/2023/7/11/muslim-nations-demand-action-after-islamophobic-quran-burning>.

<sup>15</sup> ibid

<sup>16</sup> Swedish Penal Code,1962, chapter 16, § 8

<sup>17</sup> Swedish Penal Code,1962, chapter 16, § 9

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Quran, for example, is a very provocative and insulting act that can be considered as hate speech directed at Muslims. While many countries, including Sweden, protect free expression, it is important to remember that hate speech is not protected. For example, Article 19 of the Indian Constitution discusses freedom of speech, which is the right to freely express one's viewpoint through oral, written, electronic, broadcasting, or press means. Press freedom is included in freedom of expression. It also includes blogs and websites. But nowhere has it established a line that, if crossed, will result in consequences. Hate speech that incites hatred or discrimination against individuals or groups based on their religion, ethnicity, or other protected characteristics is generally considered illegal, with a maximum penalty of four years' imprisonment; **Chapter 16, Section 10** of the Swedish Penal Code<sup>18</sup> criminalizes hate speech targeting individuals based on race, colour, national or ethnic origin, sexual orientation, transgender identity, or other similar circumstances, with a maximum penalty of two years' imprisonment. Other legislation, such as the Discrimination Act, regulates hate speech in the context of discrimination on various grounds, such as race, ethnicity, religion, and sexual orientation. The mentioned laws prevent incitement to hatred and discrimination, as well as criminalizing hate speech that threatens or despises national, ethnic, or religious groups, as well as hate speech that incites violence against a specific group or targets individuals based on various protected characteristics. Despite these legislative safeguards, instances of hate speech against Muslims continue to exist. Hate speech can take many forms, including public words, internet abuse, or discriminatory actions that contribute to a hostile and discriminating atmosphere.

In the aftermath of setting the Quran into flames in Sweden, the *United Nations Human Rights Council (UNHRC)* took significant action by passing a resolution that aimed to address the alarming issue of religious hatred and bigotry.<sup>19</sup> The resolution called for concrete measures to be taken against these destructive forces. However, the resolution faced opposition from the United States and the European Union<sup>20</sup>, highlighting a fundamental difference in their perspectives concerning human rights and freedom of speech. The

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<sup>18</sup> Swedish Penal Code, 1962, chapter 16, § 10

<sup>19</sup> "UN Motion on Quran Burning: How Did Your Country Vote?" n.d. [Www.aljazeera.com. https://www.aljazeera.com/news/2023/7/12/un-bodys-motion-on-quran-burning-how-did-your-country-vote](https://www.aljazeera.com/news/2023/7/12/un-bodys-motion-on-quran-burning-how-did-your-country-vote).

<sup>20</sup> *Al Jazeera English*. 2023. "Countries Summon Sweden's Envoys to Protest against Quran Burning," July 21, 2023. <https://www.aljazeera.com/news/2023/7/21/countries-summon-swedens-ambassadors-to-protest-quran-burning>.

opposing parties expressed concerns that the resolution might infringe upon these principles that they hold dear.

The incident itself was highly provocative, as an Iraqi immigrant deliberately burned the Quran in front of a mosque during the sacred holiday of Eid Al-Adha.<sup>21</sup> This deplorable act ignited widespread outrage and prompted an urgent debate within the UNHRC.<sup>22</sup> Recognizing the gravity of the situation, Pakistan and other member countries of the Organisation of Islamic Cooperation (OIC) voiced their deep concerns and underscored the critical importance of preventing any form of discrimination and violence that could arise from religious hatred. They emphasized that religious differences should not be a justification for hostility or harm. Several ministers from Muslim-majority countries rallied behind this stance, lending their support to the cause.

Amidst the discourse surrounding the incident, Sweden found itself in a challenging position. While it unequivocally condemned the burning of the Quran, the country maintained that its constitutionally protected rights of assembly, speech, and demonstration should not be compromised. Sweden defended the principle of freedom of expression, even in cases where it might cause offense or controversy. This stance reflects the delicate balance between preserving individual liberties and addressing the harmful consequences that can arise from such actions.

The OIC,<sup>23</sup> an influential organization representing the collective interests of Islamic nations, expressed its concern over the Quran burning incident in Sweden. This led to an urgent and significant debate at the UNHRC, where member countries of the OIC, including Pakistan, Iran, Saudi Arabia, and Indonesia, joined forces to underscore the urgent need for preventative measures against discrimination and violence fuelled by religious hatred. These countries unanimously condemned the Quran burning as a clear incitement to religious hatred and called for effective actions to be taken to address and prevent such acts. Their statements demonstrated a firm commitment to protecting the rights of individuals to practice their

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<sup>21</sup> Adler, Nils. n.d. "Copy of Quran Desecrated Outside Stockholm's Royal Palace." Al Jazeera. <https://www.aljazeera.com/news/2023/8/14/copy-of-quran-desecrated-outside-stockholms-royal-palace>.

<sup>22</sup> "United Nations Human Rights Office Of The High Commissioner". <https://www.ohchr.org/en/news/2023/07/high-commissioner-human-rights-tells-urgent-debate-human-rights-councilspeech-and>.

<sup>23</sup> The 57-country-strong Organisation of Islamic Cooperation (OIC).

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religion freely and promoting an atmosphere of tolerance and mutual respect.<sup>24</sup> However, it is important to note that Pakistan has faced accusations of targeting the Ahmadiyya community, thus raising concerns about potential inconsistencies in their approach to religious freedom.

The Swedish government currently does not intend to implement extensive alterations to freedom of speech regulations. However, it has consistently expressed its willingness to explore potential actions that could grant law enforcement the authority to intervene and prevent the public burning of sacred texts in situations where a distinct risk to national security is evident.

#### LEGAL FRAMEWORK AND PENALTIES FOR HATE SPEECH IN INDIAN LAW

Due to the variety of forms they might take, hate crimes are neither clearly defined in Indian law nor amenable to being reduced to a common term. **Section 196, 197, 299, 302, 353(1), and 353(2) of the Bharatiya Nyaya Sanhita (BNS)** address hate speech and make it illegal to use words, whether spoken or written, to promote hatred or insults based on race, caste, ethnicity, culture, language, area, or any other criteria.

**Article 19(2)** of the Indian Constitution places reasonable constraints on freedom of expression, such as public order, decency or morality, defamation, or incitement to an offense.

The promotion of enmity between various groups based on religion, race, place of birth, domicile, language, and so on is punishable by imprisonment for up to three years under **Section 196 of the Bharatiya Nyaya Sanhita (BNS)**.<sup>25</sup>

**Section 197 of the BNS** punishes remarks harmful to national integration (for example, saying that a class of people cannot bear true faith and allegiance to the Indian Constitution) with up to three years in prison.

**Section 299 of the BNS** punishes intentional and malicious conduct with imprisonment for up to three years for insulting any class's religion or religious beliefs.

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<sup>24</sup> Al Jazeera. 2023. "Action Needed against 'Religious Hatred' after Quran Defiled: OIC." Al Jazeera. Al Jazeera. July 2, 2023. <https://www.aljazeera.com/news/2023/7/2/oic-says-international-law-needed-to-quell-quran-desecrations>.

<sup>25</sup> The Bharatiya Nyaya Sanhita (BNS), 2023

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**Section 353(2) of the BNS** punishes remarks that create or promote animosity, hatred, or ill will between classes with up to three years in prison.

**Section 8 of the Representation of the People's Act, 1951 (RPA)** prohibits a person convicted of using free speech illegally to run for office.

**Sections 123(3A) and 125 of the RPA**<sup>26</sup> prohibit the promotion of hatred based on race, religion, community, caste, or language in connection with elections and classify it as corrupt electoral practices.

In its 267th report from 2017, the Law Commission of India recommended adding new sections to the penal code that governs our nation. The recommendation was to introduce Section 153C, which would outlaw hate speech incitement, and Section 505A, which would forbid using such speech to promote fear, panic, or violence<sup>27</sup>.

#### LEGAL FRAMEWORK AND PENALTIES FOR HATE SPEECH IN PAKISTANI LAW

Hate speech and related offenses are broadly defined and criminalized under Pakistani law. Under **Section 11 of the Prevention of Electronic Crimes Act, 2016**, disseminating material that promotes interfaith, sectarian, or racial hatred is criminalized, carrying a maximum sentence of seven years imprisonment.

**Section 8 of the Anti-Terrorism Act, 1997**, prohibits the use of threatening, abusive, or insulting words or behaviour to incite sectarian hatred, punishable by up to seven years imprisonment.

The Pakistan Penal Code includes several offenses related to hate speech, such as **Section 153-A**, which criminalizes the promotion or incitement of disharmony between different groups, with a maximum sentence of five years imprisonment.

Additionally, **the Electronic Media (Programmes and Advertisements) Code of Conduct, 2015**, under **Section 23** requires licensees to prevent the airing of hate speech by employees or guests. Hate speech is defined as any expression that incites violence, hatred, or discrimination based on various grounds, including religion, ethnicity, gender, or disability. It

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<sup>26</sup> The Representation of the People Act, 1951

<sup>27</sup> "Report267 | Law Commission of India | India." 2024. Lawcommissionofindia.nic.in. 2024. <https://lawcommissionofindia.nic.in/report267/>.

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also prohibits allegations falling within the spectrum of hate speech, including calling someone anti-Pakistan, a traitor, or anti-Islam.

### **INTERNATIONAL COMMITMENTS TO COUNTER HATE SPEECH**

*“Limiting or outlawing free speech is not the solution to combating hate speech. It entails preventing hate speech from turning into something more harmful, especially when it incites hatred, violence, or discrimination—all of which are illegal under international law.”*

— *United Nations Secretary-General António*

*Guterres*

**The International Convention on the Elimination of All Forms of Racial Discrimination Adopted by UN in 1965<sup>28</sup>** seeks to take all the required steps to swiftly end racial discrimination in all its forms and manifestations, as well as to stop and oppose racist ideologies and behaviours to foster inter-racial understanding and create a global community free from all forms of racial discrimination and segregation. Both Pakistan and India are state party to the Convention by ratifying in Year 1966 and 1968<sup>29</sup>.

To combat hate speech, the United Nations (UN) declared June 18 to be the International Day for Countering Hate Speech. Governments, individuals, and civil society are invited by the UN to host events that promote hate speech prevention tactics<sup>30</sup>.

Furthermore, “Global Education Ministers Conference on addressing hate speech through education” held in October 2021 emphasised the importance of education in halting the global rise in hate speech, which has been made worse by the COVID-19 epidemic. To address the underlying causes and effects of hate speech, the conference chairs advocated for a comprehensive strategy that is based on the UN Strategy and Plan of Action on Hate Speech. They called on education authorities to give top priority to educational interventions that support diversity and inclusivity while advancing media literacy, critical thinking, digital citizenship, and human rights. To enable a comprehensive social reaction, key recommendations included improving teacher training, eliminating discriminatory narratives

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<sup>28</sup> United Nations. 1965. “International Convention on the Elimination of All Forms of Racial Discrimination.” OHCHR. United Nations. December 21, 1965. <https://www.ohchr.org/en/instruments-mechanisms/instruments/international-convention-elimination-all-forms-racial>.

<sup>29</sup> OHCHR. 2014. “STATUS of RATIFICATION INTERACTIVE DASHBOARD.” Ohchr.org. 2014. <https://indicators.ohchr.org/>.

<sup>30</sup> Nations, United. n.d. “International Day for Countering Hate Speech.” United Nations. <https://www.un.org/en/observances/countering-hate-speech>.

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from curricula, and promoting multi-sectoral cooperation. The Chairs committed to supporting these goals through national and regional roadmaps, with the backing of UNESCO, the United Nations, and other relevant stakeholders.<sup>31</sup>

## INTERNATIONAL PERSPECTIVES ON HATE SPEECH

Laws against hate speech are present in several nations, and they are intended to shield people or groups from being the focus of offensive or discriminating words. People who indulge in hate speech may face legal repercussions in some of these nations because of their strict legislation.

For instance, it is unlawful to publicly promote hatred towards a particular group of people in Germany,<sup>32</sup> and those found guilty of hate speech may be subject to penalties or even jail. In Canada, it is also against the law to use hate speech, and those who do so risk facing criminal charges.<sup>33</sup>

France,<sup>34</sup> the UK<sup>35</sup>, Australia<sup>36</sup>, and New Zealand are among the countries with anti-hate speech legislation. The specifics of these regulations, however, can vary widely from one country to the next, and there is frequently debate about how to find the best balance between the need to defend people from hate speech and freedom of expression.

The discrimination against women wearing hijabs in Egypt, as uncovered by BBC<sup>37</sup> Arabic's investigation is deeply concerning and highlights a significant issue of religious discrimination in the country. Discrimination based on religious attire is a violation of human rights and goes against the principles of equality and freedom of religious expression.

Every individual should have the right to practice their religion and wear religious symbols without fear of discrimination or prejudice. Businesses should not engage in discriminatory practices that target specific religious groups or individuals based on their appearance.

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<sup>31</sup> United Nations. 2019. "The Convention on the Prevention and Punishment of the Crime of Genocide (1948)." <https://www.un.org/en/genocideprevention/documents/Genocide%20Convention-FactSheet-ENG.pdf>.

<sup>32</sup> Strafgesetzbuch (Germany's criminal code), 1871, §130.

<sup>33</sup> Canadian Criminal Code (R.S.C., 1985, c. C-46), §319.

<sup>34</sup> Press Freedom Act of 29 July 1881, art. 24.

<sup>35</sup> The Public Order Act, 1986, §4.

<sup>36</sup> The Australia's Racial Discrimination Act, 1975, §18 C.

<sup>37</sup> Elshamy, Ahmed. 2022. "Women with Hijab Found to Face Bias in Egypt." BBC News. August 27, 2022. <https://www.bbc.com/news/world-middle-east-62678403#>.

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Addressing this issue requires a collective effort from both the government and civil society to promote tolerance, understanding, and respect for religious diversity. Legal protections should be strengthened to ensure that individuals are not subjected to discrimination in public spaces or workplaces based on their religious beliefs or attire. Egyptians can work towards creating an environment that respects religious freedom and protects the rights of all individuals, regardless of their religious beliefs or practices.

## RECENT TRENDS ADDRESSING ATROCITIES AGAINST MINORITIES

Combating atrocities against minorities is still a major global concern. Recent trends include a growing emphasis on holding perpetrators accountable on a global scale, condemnation by countries and human rights organizations, increased advocacy efforts, strengthened legal frameworks, the use of human rights initiatives, and the role of social media in raising awareness. Atrocities have resulted in displacement and refugee crises, necessitating ongoing international efforts to address the issues confronting displaced minority communities. Initiatives for interfaith and inter community conversation seek to promote understanding and tolerance. International sanctions have been imposed in several situations against those involved. Despite advances, issues such as political difficulties and the influence of powerful people remain.

All Indian states and union territories are now subject to the judgment delivered by the Supreme Court of India in October 2022, which obligates Delhi, Uttar Pradesh, and Uttarakhand Police to take *suo motu* action against incidents of hate speech<sup>38</sup>. Regardless of the speaker's religion, the new rule mandates that all states file FIRs (First Information Reports) against hate speeches without first awaiting official complaints. Any refusal to cooperate will be considered contempt of court, the judge warned. The decree was issued in response to several petitions that advocate Nizam Pasha had filed asking for guidelines to stop hate speech. The Bench has recommended that each state appoint a nodal officer in charge of responding to hate speech. The Solicitor General of India stated that by including an application in the main case, every act of hate speech is already contested before the Apex Court, effectively converting the court into a Magistrate Court.

Solving atrocities against minorities requires a multifaceted approach that addresses both the legal and social aspects of the problem. From a legal perspective, one approach could be to

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<sup>38</sup> Review of *Shaheen Abdulla v. Union of India*. 2022, 872. Supreme court of India .

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strengthen the protection of minority rights through the implementation and enforcement of an international environment of hostility and intolerance towards minorities. When political leaders or influential figures use hate speech to gain support, it can exacerbate existing tensions and lead to violence against minorities.

### **THE CONCLUSION**

In conclusion, atrocities, and discrimination against minority communities, such as the Ahmadiyya in Pakistan and Muslims in India, reflect a disturbing global trend. Hate speech, political agendas, and societal attitudes contribute significantly to the marginalization and persecution of these communities. Despite the existence of laws and international conventions, enforcement often remains weak, enabling such injustices to persist. These systemic issues highlight the urgent need for a multifaceted approach that includes legal reform, educational initiatives, and global advocacy campaigns aimed at fostering inclusivity and tolerance.

Recent developments, such as the Supreme Court of India's ruling obligating police to take Suo motu action against incidents of hate speech, indicate progress toward safeguarding minority rights. This ruling represents an important step forward in countering the rising tide of hate speech that targets minorities. However, it remains crucial that the international community continues to hold countries accountable for their treatment of minorities. The issue of hate speech against Muslims in Sweden, for instance, highlights the global nature of this challenge and the need for collective vigilance.

Education and awareness programs are also indispensable tools in addressing these issues. By promoting tolerance, acceptance, and understanding, such programs can foster a more inclusive society where all individuals, regardless of their background, are treated with respect. Grassroots dialogue plays a critical role in this process, as it can break down barriers and dispel misconceptions, building bridges between diverse communities. Empowering civil society organizations and local leaders to engage in this type of dialogue can significantly help curb the spread of hatred and prejudice.

At a broader level, global advocacy efforts must be enhanced to ensure that governments are not only passing but also rigorously enforcing laws designed to protect minority communities. Legal measures, however, must go together with educational reforms that challenge deep-seated biases and societal norms that perpetuate intolerance. International

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organizations, such as the United Nations, must continue to play a pivotal role in facilitating dialogue and holding nations accountable for human rights violations.

Ultimately, protecting the rights and well-being of minority communities requires a collective effort involving governments, civil society organizations, educational institutions, and international entities. By working together, we can challenge the forces of intolerance and create a more just, inclusive, and peaceful world. Upholding the values of human rights, freedom of expression, and mutual respect for all individuals is not only a moral imperative but a necessary step toward a future where atrocities and discrimination against minority groups become a relic of the past.

The document highlights several important legal frameworks designed to combat hate speech and protect minority rights. In India, sections of **the Bharatiya Nyaya Sanhita (BNS)** such as **Section 196, 197, 299, 302, 353(1), and 353(2)** play a crucial role in criminalizing acts that promote enmity between religious or ethnic groups. These sections carry penalties, including imprisonment, for those who incite hatred or insult religious beliefs. Despite these provisions, enforcement often falls short, leading to ongoing issues of hate speech and violence.

Similarly, in Pakistan, laws such as **Section 11** of the Prevention of Electronic Crimes Act 2016 and Section 153-A of the Pakistan Penal Code aim to prevent the spread of sectarian or racial hatred, though enforcement remains inconsistent. Pakistan's blasphemy laws have been used to marginalize minority groups like the Ahmadiyya community, further exacerbating their persecution.

Sweden, with **Chapter 16, Section 8** of its Penal Code, also criminalizes hate speech against ethnic or religious groups. However, recent incidents like the Quran burning illustrate the challenges in fully safeguarding minority rights despite existing legislation. Furthermore, thousands of police and anti-racism demonstrators took to British streets in response to violent racist incidents targeting Muslims and migrants, although anticipated far-right factions did not emerge. The riots, considered among the worst in 20 years, led to business closures amid fears of further unrest.

These laws are essential tools in combating hate speech, but their effectiveness hinges on consistent enforcement and political commitment. Strengthening legal frameworks and

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ensuring proper implementation are critical to protecting minorities from hate-fuelled violence and discrimination.

The fight against hate speech and discrimination is far from over, but with sustained commitment to legal enforcement, education, and international cooperation, progress can be made. We must remain steadfast in our resolve to protect the dignity and rights of all individuals, transcending the boundaries of religion, ethnicity, and nationality. By fostering a global culture of inclusion and respect, we can dismantle the structures of prejudice and intolerance, ensuring that future generations inherit a world that values equality and justice for all.

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