

India (25)

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U.S. DEPARTMENT of STATE

India

International Religious Freedom Report 2002
Released by the Bureau of Democracy, Human Rights, and Labor

The Constitution provides for secular government and the protection of religious freedom, and the central Government generally respects these provisions in practice; however, it sometimes does not act effectively to counter societal attacks against religious minorities and attempts by state and local governments to limit religious freedom. This failure results in part from the legal constraints inherent in the country's federal structure, and in part from the law enforcement and justice systems, which at times are ineffective. The ineffective investigation and prosecution of attacks on religious minorities is interpreted by some extremist elements as a signal that such violence likely is to go unpunished.

There was no overall change in the status of religious freedom during the period covered by this report; however, there was significant Hindu-Muslim violence during the period covered by this report. The country is a secular state in which all faiths generally enjoy freedom of worship. Central government policy does not favor any religious group; however, governments at state and local levels only partially respect religious freedom. The central Government is led by a coalition called the National Democratic Alliance (NDA), which has pledged to respect the country's traditions of secular government and religious tolerance. However, the leading party in the coalition is the Bharatiya Janata Party (BJP), a Hindu nationalist party with links to Hindu extremist groups that have been implicated in violent acts against Christians and Muslims. The BJP also leads state governments in Goa, Gujarat, and Himachal Pradesh. Human rights groups and others have suggested that the authorities in Gujarat have not responded adequately to acts of violence against religious minorities by Hindu extremist groups, due at least in part to the links between these groups and the BJP. These groups have noted that the ineffective investigation and prosecution of such incidents may encourage violent actions by extremist groups.

Tensions between Muslims and Hindus, and between Hindus and Christians, continued during the period covered by this report. Attacks on religious minorities occurred in several states, which brought into question the Government's ability to prevent sectarian and religious violence. The worst religious violence during the period covered by this report was directed against Muslims by Hindus in Gujarat. It was alleged widely that the police and state government in Gujarat did little to stop the violence promptly, and at times even encouraged or assisted rioting mobs. Violence and discrimination against Muslims and Christians continued in other parts of the country as well.

The U.S. Government discusses religious freedom issues with the Government in the context of its overall dialog and policy of promoting human rights.

Section I. Religious Demography

The country has a total area of approximately 1.3 million square miles and a population of slightly more than one billion. According to the latest government estimates, Hindus constitute an estimated 81 percent of the population, Muslims 12 percent, Christians 2.3 percent, Sikhs 2.0 percent, and others, including Buddhists, Jains, Parsis (Zoroastrians), Jews, and Baha'is, less than 2 percent. Hinduism has a large number of branches, including the Sanatan and Arya Samaj groups. Slightly more than 90 percent of Muslims are Sunni; the rest are Shi'a. Buddhists include followers of the Mahayana and Hinayana schools, and there are both Catholic and Protestant Christians. Tribal groups (members of indigenous groups historically outside the caste system), which in government statistics generally are included among Hindus, often practice traditional indigenous religions. Hindus and Muslims are spread throughout the country, although large Muslim populations are found in the states of Uttar Pradesh, Bihar, Maharashtra, West Bengal, Andhra Pradesh, and Kerala, and Muslims are a majority in Jammu and Kashmir. Christian concentrations are found in the northeastern states, as well as in the southern states of Kerala, Tamil Nadu, and Goa. Three small northeastern states have large Christian majorities--Nagaland, Mizoram, and Meghalaya. Sikhs are a majority in the state of Punjab.

Over the years, many lower caste Hindus, Dalits (formerly called "untouchables"--see Section II) and other non-Hindu tribal groups have converted to other faiths because they viewed conversion as a means to achieve higher social status. However, lower caste and Dalit converts continue to be viewed by both their coreligionists and by Hindus through the prism of caste. Converts are regarded widely as belonging to the caste of their ancestors, and caste identity, whether or not acknowledged by a person's own religion, has an impact on marriage prospects, social status, and economic opportunity.

There are a number of immigrants, primarily from Bangladesh, Sri Lanka, and Nepal, who practice various religions. Immigrants from Bangladesh usually reside near the border area.

According to the Catholic Bishop's Conference of India, there are approximately 1,100 registered foreign missionaries in the country (see Section II).

Section II. Status of Religious Freedom

Legal/Policy Framework

The Constitution provides for freedom of religion, and the central Government generally respects this right in practice; however, state and local governments only partially respect this freedom. There are no registration requirements for religious groups. Legally mandated benefits are assigned to certain groups, including some groups defined by their religion. The Government is empowered to ban a religious organization if it has provoked intercommunity friction, has been involved in terrorism or sedition, or has violated the Foreign Contribution Regulation Act, which restricts funding from abroad.

The country's political system is federal in character, under which state governments have exclusive jurisdiction over law enforcement and maintaining order, which has limited the central Government's capacity to deal with abuses of religious freedom. The country's national law enforcement agency, the Central Bureau of Investigation (CBI), must receive a state government's permission before investigating a crime in that state. However, the federal government's law enforcement authorities, in some instances, authorities have stepped in to maintain order.

There are many religions and a large variety of denominations, groups, and subgroups in the country, but Hinduism is the dominant religion. Under the Constitution, the Buddhist, Jain, and Sikh faiths are considered different from the Hindu religion, but the Constitution often is interpreted as defining Hinduism to include those faiths. This interpretation has been a contentious issue, particularly for the Sikh community.

The legal system accommodates minority religions' personal status laws; there are different personal status laws for different religious communities. Religion-specific laws pertain in matters of marriage, divorce, adoption, and inheritance. For example, Muslim personal status law governs many noncriminal matters involving Muslims, including family law, inheritance, and divorce. Hindu groups such as the Rashtriya Swayamsewak Sangh (RSS) are pushing for a uniform civil code that would treat members of all religions alike.

The Government permits private religious schools, which can offer religious instruction, but does not permit religious instruction in government schools. Some Hindus believe that this disadvantages them since Muslims have many private religious schools (madrasahs), but Hindus mostly attend government or Christian schools. Many Christian schools minimize overt religious instruction to avoid retaliation from Hindu extremists.

Some Government officials continue to advocate "safronizing," or raising the profile of Hindu cultural norms and views in public education, which has prompted criticism from minority leaders, opposition politicians, academics, and advocates of secular values. During the period covered by this report, the Government announced its decision to rewrite existing National Council of Educational Research and Training (NCERT) history textbooks. The Government justified its decision by asserting that "history needs to be presented in a more refreshing and cogent manner." In December 2001, the Human Resource Development Ministry made changes to chapters on Jainism in a textbook on ancient India without previously informing the author.

Some major religious holidays celebrated by various groups are considered national holidays, including Christmas (Christian), Eid (Muslim), Guru Nanak's Birthday (Sikh), and Holi (Hindu).

The central Government is conscious of the perception that because of the composition of its support base it is less likely to respond to acts of violence against religious minorities by Hindu extremist groups. It has made efforts to show that it is addressing the concerns of religious minorities who believe that they are threatened.

The Government has taken steps to promote interfaith understanding. The National Commission for Minorities (NCM) and the National Human Rights Commission (NHRC) have appointed members and are tasked respectively with protecting the rights of minorities and protecting human rights. These governmental bodies investigate allegations of discrimination and bias and can make recommendations to the relevant local or central government authorities. These recommendations generally are followed, although the recommendations do not have the force of law.

Restrictions on Religious Freedom

The Unlawful Activities Prevention Act empowers the Government to ban a religious organization if it has provoked inter-community friction, has been involved in terrorism or sedition, or has violated the Foreign Contribution Regulations Act, which restricts funding from abroad. Human Rights activists have criticized the government for selectively applying the FCRA against religious minorities.

In September 2001, the Government officially banned the Students Islamic Movement of India (SIMI)

under the Unlawful Activities Prevention Act. The Government alleged that the SIMI had links with terrorist groups such as the Lashkar-e-Tayyeba and the Hizbul Mujahideen.

On May 3, 2001, the Government officially banned Deendar Anjuman, a Muslim group, for "fomenting communal tension" and actions "prejudicial to India's security." State prosecutors alleged that some members of the tiny Muslim group called Deendar Channabasaveshwara Siddique (DCS) and its parent organization, Deendar Anjuman, were responsible for the Karnataka and Andhra Pradesh church bombings in 2000 (see Section III).

From July to August 2000, approximately 45 members of the organization were taken into custody in Karnataka and Andhra Pradesh in connection with the bombings. During this time in order to justify the ban, the Government claimed that Deendar Anjuman was involved in a complicated plot to destabilize the country's communal relations; however, of the group's few thousand members, probably only a few were involved in terrorist activities.

The fact that a Muslim group was responsible for the bombings of Christian churches was unusual; most attacks against Christians are perpetrated by Hindu extremist groups or by mobs. Some observers have compared the vigorous investigation and prosecution of Deendar members for attacks against Christians with the general lack of vigor in the investigation and prosecution of Hindus accused of carrying out attacks against Christians.

The Religious Institutions (Prevention of Misuse) Act makes it an offense to use any religious site for political purposes or to use temples for harboring persons accused or convicted of crimes. While specifically designed to deal with Sikh places of worship in Punjab, the law applies to all religious sites. The state of Uttar Pradesh passed the "Religious Buildings and Places Bill" during the state assembly budget session from March to May 2000. The bill requires a permit endorsed by the state government before construction of any religious building can begin in the state. The bill's supporters stated that its aim was to curb the use of Muslim institutions by Islamic fundamentalist terrorist groups, but the measure remains a controversial political issue among religious groups in the northern part of the country. Most religious groups from all of the communities oppose the restriction on building religious structures and continue to view it as an infringement upon religious freedom. In West Bengal, legislation implemented in early 2000 requires any person who plans to construct a place of worship to seek permission from the district magistrate; anyone intending to convert a personal place of worship into a public one also requires the district magistrate's permission.

The BJP, which has led two coalition national governments since 1998, is one of a number of offshoots of the Rashtriya Swayamsewak Sangh, an organization that espouses a return to Hindu values and cultural norms. Members of the BJP, the RSS, and other affiliated organizations (collectively known as the Sangh Parivar) have been implicated in incidents of violence and discrimination against Christians and Muslims. The BJP and RSS express respect and tolerance for other religions; however, the RSS in particular opposes conversions from Hinduism and believes that all citizens should adhere to Hindu cultural values. The BJP officially states that the caste system should be eradicated, but many of its members are ambivalent about this. Most BJP leaders, including Prime Minister A.B. Vajpayee and Deputy Prime Minister L.K. Advani, also are RSS members. The BJP's traditional cultural agenda has included calls for construction of a new Hindu temple to replace an ancient Hindu temple that was believed to have stood on the site of a mosque in Ayodhya that was destroyed by a Hindu mob in 1992; for the repeal of Article 370 of the Constitution, which grants special rights to the state of Jammu and Kashmir, the country's only Muslim majority state; and for the enactment of a uniform civil code that would apply to members of all religions.

The BJP does not include the above RSS goals in the program of the coalition Government it leads; however, some minority religious groups have noted that the coming to power of the BJP coincided with an increase in complaints of discrimination against minority religious communities. These groups also claim that BJP officials at state and local levels increasingly have become unresponsive in investigating charges of religious discrimination and in prosecuting those persons responsible.

The degree to which the BJP's nationalist Hindu agenda has affected the country with respect to religious minorities varies depending on the region. State governments continue to attach a high priority to maintaining law and order and monitoring intercommunity relations at the district level. As a result, the central Government often is not the most important player in determining the character of relationships of various religious communities between each other and with the state.

In general religious minorities in the northern area of the country are concerned that attacks on religious minorities no longer appear to be confined to Gujarat and Orissa. However, only a few isolated incidents of communal violence were reported in the north during the period covered by this report (see Section III). The appeal of Hindu nationalism seemed to decrease in Uttar Pradesh, where the BJP-led state government was defeated in elections in early 2002. The Government dispatched the NCM to investigate attacks against Christians in the northern part of the country in 2000, but the NCM's findings that the attacks were not "communal in nature" led to widespread criticism in the minority community. There is strong evidence that the NCM report misrepresented the victims by claiming that the victims entirely were satisfied that there was no religious motivation behind the violence. Victims of the incidents claim that the local police were not responsive either before or during the attacks. By the end of the period covered by this report, no arrests had been made or were likely to be made in connection with these attacks.

The eastern part of the country presented a varied picture with regard to religious freedom during the

period covered by this report. Sporadic attacks continued but were not concentrated in one geographical area. In Orissa, which has been known for violence against religious minorities (particularly after the killings of Australian missionary Graham Staines and his two young children there in January 1999), the communal situation remained relatively unchanged during the period covered by this report, despite the installation of a BJP-Biju Janata Dal (BJD) government in February 2000. In November 2000, the Orissa government notified churches that religious conversions could not occur without the local police and district magistrate being notified in order to give permission; however, this does not appear to have been enforced. The Orissa Freedom of Religion Act of 1967 contains a provision requiring a monthly report from the state on the number of conversions; district officials are required to keep such records. After a conversion has been reported to the district magistrate, the report is forwarded to the authorities, and a local police officer conducts an inquiry. The police officer can recommend in favor of or against the intended conversion, and often is the sole arbitrator on the individual's right to freedom of religion; if conversion is judged to have occurred without permission from the district magistrate or with coercion, the authorities may take penal action. There were no reports that the district magistrate denied permission for any conversions.

The four southern states are ruled by political parties with strong secular and pro-minority views. Each of these parties—the All-India Anna Dravida Munnetra Kazhagam (AIADMK) in Tamil Nadu, the Telugu Desam Party (TDP) in Andhra Pradesh, and the Congress Party in Kerala and Karnataka—has a history of support for religious minorities and has attempted to assuage religious minority fears about religious tension in the rest of the country.

The southern branches of the BJP generally take a more moderate position on minority issues; however, religious groups in the region still allege that since the BJP's rise to power in the national Government, some local officials have begun to enforce laws selectively to the detriment of religious minorities. The groups cite numerous examples of discrimination, such as biased interpretations of postal regulations, including removal of postal subsidies; refusals to allocate land for the building of churches; and heightened scrutiny of NGO's to ensure that foreign contributions are made according to the law.

In the west, Gujarat continued to experience incidents of intercommunity strife in which Hindu nationalist groups targeted Christians and Muslims. Beginning in February 2002, after an attack by Muslims on a train in Godhra that resulted in the deaths of 58 Hindus (see Section III), an estimated 2,000 Muslims were killed in rioting in Gujarat that continued throughout the period of this report. The Gujarat state government and the police were criticized for failing to stop the violence, and in some cases participating in or encouraging it. Muslim women and girls were raped, and an estimated 850 to 2,000 Muslims were killed. The violence began on February 27 after a Muslim mob in the town of Godhra attacked and set fire to two train cars carrying Hindu activists. Fifty-eight persons were killed, most of them women and children. On February 28, Hindus attacked and looted Muslim homes, business, and places of worship. In addition, Muslim women and girls were raped and an estimated 2,000 Muslim persons were killed. NGO's report that police were implicated directly in nearly all the attacks against Muslims in Gujarat, and in some cases, NGO's contend, police officials encouraged the mob. Christian and Muslim communities remain suspicious of the state Government.

In Maharashtra, Hindu-Muslim violence has increased in recent years (see Section III). In Madhya Pradesh, intercommunity strife is relatively uncommon. In April 2001, the state's Chief Minister Digvijay Singh strongly stated that his government would deal equally strictly with any violence committed by either Hindu or Muslim fundamentalist groups. There were no incidents of intercommunity strife in the new state of Chhattisgarh during the period covered by this report. Religious communities generally live together harmoniously in Goa, despite one incident of intra-Christian strife during 2000 (see Section III).

Some persons alleged that the state of Gujarat discriminated in distributing aid to victims of the January 26, 2001 earthquake in Kutch district, which left more than 20,000 persons dead. In April 2001, a Human Rights Watch activist toured the affected region and claimed that in the distribution of relief supplies upper caste Hindus received better treatment than lower caste Hindus and poor Muslims in the worst affected towns of Bhuj, Bhachau, and Anjar. However, representatives of many NGO's working in the region reported that the Gujarat government's relief effort did not discriminate by caste or religion.

There is no national law that bars a citizen or foreigner from professing or propagating his or her religious beliefs; however, speaking publicly against other beliefs is considered dangerous to public order and is prohibited. Given this context, the Government discourages foreign missionaries from entering the country and has a policy of expelling foreigners who perform missionary work without the correct visa. Long-established foreign missionaries generally can renew their visas, but since the mid-1960's the Government has refused to admit new resident foreign missionaries.

New missionaries currently enter as tourists on short-term visas. In November 2000, the Home Ministry ordered a family of American Christian missionaries based in Tamil Nadu to leave the country because their business and tourist visas were incompatible with their work in the country. In addition to foreign missionaries, several Christian relief organizations have been hampered by bureaucratic obstacles in getting visas renewed for foreign relief work. Missionaries and foreign religious organizations must comply with the Foreign Contribution Regulation Act, which restricts the ability of certain NGO's, including religiously affiliated groups, to finance their activities with overseas assistance.

The personal status laws of the religious communities sometimes discriminate against women. Under Islamic law, a Muslim husband may divorce his wife spontaneously and unilaterally; there is no such provision for women. Islamic law also allows a man to have up to four wives but prohibits polyandry. Under the Indian Divorce Act of 1869, a Christian woman could demand divorce only in the case of spousal abuse and certain categories of adultery; for a Christian man, a wife's adultery alone was

sufficient. However, during the period covered by this report this law was amended by Parliament to allow Christian women to file for divorce for the same reasons as men.

Abuses of Religious Freedom

While the central Government has not been implicated in abuses of religious freedom, human rights activists have criticized the Government for indifference and inaction in the face of abuses committed by state and local authorities, as well as private citizens.

In June 2000, the National Human Rights Commission (NHRC) ordered affected states to provide written reports detailing the violence against Christians and the actions taken by state governments. All of the states submitted reports to the NHRC, which found no organized pattern of anti-Christian activity. Some Christian leaders are unhappy with the NCM, which they believe does not represent of their views.

On occasion Hindu-Muslim violence led to killings and a cycle of retaliation (see Section III). In some instances, police and government officials abetted the violence, and at times security forces were responsible for abuses. Police sometimes assisted Hindu fundamentalists in committing violent acts. In February 2002, after a Hindu-Muslim clash in Gujarat, Muslims and human rights activists alleged that the state reserve police sided with the attackers rather than with the victims (see Section III). Human rights activists reported that the Gujarat police received specific instructions not to take action to prevent a possible violent reaction to the February 27 attack by Muslims on a train in Godhra carrying Hindus (see Section III). These observers asserted that Gujarat Chief Minister Narendra Modi personally told Ahmedabad police officials on February 27 to allow Hindus 2 days to react "peacefully" to the Godhra incident. The press and human rights activists have reported widely that police refused to come to the aid of Muslim victims, and in some cases even participated in attacks on Muslims and Muslim-owned businesses. The police reportedly told Muslim victims, "we don't have orders to help you." It was reported that assailants frequently chanted "the police are with us," according to eyewitness accounts. On March 24, a report that the government of Gujarat transferred police officials who allegedly had taken action against Hindu rioters drew further media and National Human Rights Commission criticism of perceived government partisanship. In its "final" report on Gujarat, released on June 1, the NHRC held the Gujarat government responsible for the riots and accused it of "a complicity that was tacit if not explicit." It concluded in its report that "there is no doubt, in the opinion of this Commission, that there was a comprehensive failure on the part of the state government to control the persistent violation of rights of life, liberty, equality, and dignity of the people of the state." The report recommended a CBI inquiry into the communal riots, which the state government subsequently refused to allow.

Jammu and Kashmir, the country's only Muslim majority state, has been the focus of repeated armed conflict between India and Pakistan, and internally between security forces and Muslim militants who demand that the state be given independence or ceded to Pakistan. Particularly since an organized insurgency erupted in Jammu and Kashmir in 1989, there have been numerous reports of human rights abuses by security forces and local officials against the Muslim population, including execution-style killings, beatings, rapes, and other forms of physical abuse. Government forces deny these allegations and assert that they target persons not on the basis of religion, but on suspicion of involvement in terrorist activity. For their part, terrorists killed and otherwise attacked hundreds of Hindu and Muslim civilians in 2001 and 2002. Given that the terrorists exclusively are Muslim and charges of religion-based harassment could be used to further their political objectives, it is impossible to substantiate either the claims of the security forces or those making the allegations against them. It is difficult to separate religion and politics in Kashmir; Kashmiri separatists exclusively are Muslim, and almost all the higher ranks as well as most of the lower ranks in the Indian forces stationed there are non-Muslims.

The BJP has been inconsistent in its approach to violence against Christians. In June 2000, in Uttar Pradesh, Vijay Ekka, a witness to the killing of a Catholic priest, George Kuzhikandam, died in police custody. Ekka initially was placed under police protection because of the risk of Hindu reprisals against him. Human rights organizations and minority communities across the country criticized his death. Archbishop Vincent Concessao of Agra said that Ekka's body showed signs of torture, and that police had told church authorities that Ekka had committed suicide. While in detention, Ekka told visitors that he was being tortured constantly in police custody, and said that he was afraid that the police would kill him. The state government initiated an investigation into Ekka's death on June 17, 2000, and a few days later announced plans to establish a judicial inquiry. The Mathura superintendent of police was transferred, and two policemen were arrested in connection with the incident. At the end of the period covered by this report, the trial against the two police was continuing; another eyewitness in the case had registered a complaint with the NHRC regarding harassment by the local police.

Weak enforcement of laws protecting religious freedom partly is due to an over-burdened and corrupt judiciary. The legal system as a whole has many years of backlog, and all but the most prominent cases move slowly. Official failure to deal adequately with intragroup and intergroup conflict and with local disturbances in some places as a practical matter has abridged the right to religious freedom. A federal political system in which state governments hold jurisdiction over law and order problems contributed to the Government's ineffectiveness in combating religiously based violence. The country's only national law enforcement agency, the CBI, is required to ask state government permission before investigating a crime in the affected state. States often delay or refuse to grant such permission.

There were no reports of religious prisoners or detainees.

Forced Religious Conversion

In April 2002, the Pondicherry state government ordered an inquiry into the alleged forced conversions of prisoners to Christianity by the superintendent of Pondicherry Central Prison. Six prisoners filed a complaint, claiming that they had been tortured after refusing to convert.

Hindu nationalist organizations frequently allege that Christian missionaries force Hindus, particularly those of lower castes living in the east, to convert to Christianity. Christians claim that the efforts of Hindu groups to "reconvert" Christians to Hinduism are coercive. There is no firm evidence supporting either side's claim of forced conversions.

There were no reports of the forced religious conversion of minor U.S. citizens who had been abducted or illegally removed from the United States, or of the refusal to allow such citizens to be returned to the United States.

Improvements and Positive Developments in Respect for Religious Freedom

During the period covered by this report, Parliament passed the long-debated amendments to the Indian Divorce Act of 1869. These amendments allowed Christian women to file for divorce, for the same reasons as men. In May the Mumbai High Court ruled that divorces of Muslim couples must be proven in court. Previously, a Muslim male's assertion of a divorce was sufficient.

The trial for the killing of Graham Staines and his two minor sons is still at a preliminary stage. The trial is being prosecuted by the CBI, rather than by local prosecutors and under the CBI's efforts, the trial appears to be making progress. Singh has been denied bail, and witnesses are beginning to testify to his involvement.

In April 2001, the standing committee of the Home Ministry expressed concern over the "alarming rise of the monster of communalism," and asked the Government to take steps to check the growing divide among communities.

Section III. Societal Attitudes

Animosities within and between the country's religious communities have roots that are centuries old, and these tensions—at times exacerbated by poverty, class, and ethnic differences—have erupted into periodic violence throughout the country's 55-year history. The Government makes some effort, not always successfully, to prevent these incidents and to restore communal harmony when they do occur (see Section II); however, tensions between Muslims and Hindus, and between Hindus and Christians, continue to pose a challenge to the concepts of secularism, tolerance, and diversity on which the State was founded.

Within the Indian context, the phrase "communal violence" generally is understood to mean Hindu-Muslim conflict and the possibility of retaliation and serious riots. During the period covered by this report, attacks on religious minorities occurred in several states. Some of these attacks were motivated by economic motives or arose in a context of existing nonreligious disputes; others were purely religious in motivation.

Hindu-Muslim violence has led to killings and a cycle of retaliation. In some cases, local police and government officials abetted the violence, and at times security forces were responsible for abuses. Violence against Christians, at least outside of the northeast, rarely results in mass retaliation. However, between Hindu and Muslim communities, even rumors, supposed slights, or perceived insults can result in mass riots.

Hindus and Muslims continue to feud over the existence of mosques constructed several centuries ago on three sites where Hindus believe that temples stood previously. The potential for renewed Hindu-Muslim violence in connection with this controversy remains considerable. Extremist Hindu groups such as the VHP and Bajrang Dal maintain that they intend to build a Hindu temple in Ayodhya on the site of a 500-year old mosque demolished by a Hindu mob in 1992, with or without the Government's approval. In March 2002, the Vishva Hindu Parishad (VHP) agreed to delay the decision on temple construction for at least 3 months.

Some of the most severe communal violence in the country's history occurred during the period covered by this report. On February 27, 2002, Muslim mobs attacked a train in Godhra, Gujarat that was carrying Hindu activists returning from Ayodhya in Uttar Pradesh. The attack reportedly followed an altercation between Hindu activists on the train and Muslim vendors at the train station in Godhra that morning. Two train cars were set on fire, and 58 passengers will killed, including 15 children and 25 women, according to Gujarat state officials. Hindu mobs in Gujarat and Maharashtra allegedly angered by the attack on the train and incited and organized by members of the Sangh Parivar, destroyed Muslim businesses, raped Muslim women, and killed Muslims. The official estimate of the number killed is 950; however, some observers believe that the number may be as high as 2,000. The anti-Muslim violence displaced approximately 150,000 persons who fled for security reasons or because their homes were destroyed. Property damage was significant, with large numbers of Muslim homes, businesses, and religious site destroyed. Although the most severe violence took place during the week following the attack on February 27, 2002, reports of sporadic violence and interreligious strife continued throughout the end of the period covered by this report. Initially the Government announced a probe only of the Muslim attack

on the train; however, after criticism by opposition parties and the media, the government expanded the probe to include the violence after the attack on the train.

In April 2002, a fact-finding team visited Gujarat to document the impact of communal riots on women. The team consisted of women from various women's organizations. The report stated that Muslim women had been subjected to "unimaginable, inhuman, barbaric" sexual violence during the violence. Women suffered rape, gang rape, and molestation.

In October 2001, communal riots broke out in Malegoan, Maharashtra after authorities tried to stop Muslim clerics from distributing pamphlets that advised Muslims against buying American goods to protest U.S. military action in Afghanistan. Twelve persons died in the riots that followed. A curfew was imposed in the town for days, and two plastic factories were burned down.

On August 1, 2000, news of a massacre of Hindu pilgrims to Amarnath by Kashmiri militants spread through the country. In Gujarat, in the cities of Surat, Ahmedabad, Palanpur, and Rajkot and in two villages in the Sabarkantha district, Khed Brahma and Modasa, angry Hindu mobs reacted by burning Muslim businesses. The fights that ensued left two Hindus and three Muslims dead, and caused \$2.5 million (117.5 million rupees) in property damage. In Surat, Muslims alleged that the state reserve police sided with the attackers instead of the victims.

In late September 2000, during voting for city elections in Ahmedabad, a partisan clash with communal overtones developed into a riot. The police fired on the rioting mob, killing eight Muslims.

On October 16, 2000, a gang entered Tahira village, Siwan district, Bihar, and killed five members of a Muslim family. Police suspect that unknown persons in nearby Mohajirpur village committed the killings in retaliation for the killings of Hindu villagers a few days earlier. On December 3, 2000, a group of men in Tirunelveli, Tamil Nadu, attacked and killed a Muslim imam with crude bombs and sickles.

In early September 2000, in the city of Nanded in Maharashtra, Hindu-Muslim violence broke out for 2 days after Muslims in a mosque allegedly threw stones at a Hindu religious procession during the annual Ganesh festival. Approximately 60 persons were injured. The Maharashtra government ordered a judicial inquiry; however, there were no reported results by the end of the period covered by this report. The local media observed a voluntary gag order to prevent the violence from spreading to other cities.

In March three mosques were damaged and adjoining shops and houses set on fire in Bhiwani, Haryana after reports of cow slaughtering in the town. In the period covered by this report, an estimated thirty small Muslim shrines were demolished in various Gujarati cities and villages, and allegedly Hindu rioters placed idols of the Hindu God Hanuman and christened these shrines temples of the "rioting Hanuman." In early 2001, Hindu-Muslim tension increased after the destruction of the Bamiyan Buddhas by Afghanistan's Taliban. Almost the entire country's religious community, including most prominent Muslims, strongly protested the Taliban's action; however, some radical Hindus exploited the issue. On March 5, 2001, Bajrang Dal activists allegedly burned a copy of the Koran in New Delhi. A police investigation resulted in two arrests; however, there was no further action by the end of the period covered by this report.

In the Maharashtra cities of Pune, Aurangabad, Nanded, and Nasik over the weekend of March 9 to 11, 2001, Muslims reacted to an alleged Koran burning in New Delhi by going on strike and burning Hindu property, government vehicles, and a police station in Pune. A radical Muslim student's organization, Student's Islamic Movement of India, had posted inflammatory posters about the incident. Mumbai police averted trouble by holding intercommunity meetings in sensitive areas of the city.

On March 21, 2001, in Amritsar, Punjab, members of a new, fringe Hindu extremist group burned a Koran and threw pig body parts inside a mosque in an attempt to enrage Muslims and start communal violence. A few days of riots, resulting in several deaths and extensive property damage, ensued in the northern cities of Amritsar, Kanpur and Baramulla. A similar Koran burning in Patiala, Punjab, did not lead to major riots. The VHP accused "hostile elements" of trying to stir up communal tension.

Throughout the period covered by this report, Jammu and Kashmir continued to be a focus of violence. Muslim militants committed atrocities against Hindus and other Muslims, and the security forces often used excessive force to suppress them. Civilians frequently are caught in the crossfire. Custodial killings of suspected militants, all of whom are Muslim, are common. Militants also carried out several execution-style mass killings of Hindu villagers and violently targeted Pandits (Hindu Kashmiris) in an attempt to force Hindus to emigrate.

There were a number of violent incidents that are believed to have been carried out by Muslim militants. Early in 2001, eight Sikhs were killed, allegedly by an obscure militant group. On February 3, 2001, two gunmen killed six Sikhs and wounded at least four others in Srinagar. The public interpreted this attack as punishment by militants for the killing earlier in the week of a Muslim civilian, allegedly by Sikh policemen belonging to Kashmir's Special Operations Group; however, such allegations never were proved. The Government sent a four-member team to Kashmir to investigate the killings; however, no one had been charged, and there had been no reported progress in the investigation of the killings at the end of the period covered by this report. Sikhs protested the killings, which led to violent clashes with police. The February 2001 incident was the first attack against the Kashmir Valley's minority Sikh population since the March 2000 killing of 35 Sikh men in the village of Chatti Singhpora in south Kashmir.

On July 21, 2001, 13 persons, including 6 pilgrims and 2 security force personnel, were killed and 15 others injured in attacks on pilgrims of the annual Amarnath Yatra (pilgrimage). According to unconfirmed reports, militants in disguise opened fire and detonated an explosive device enroute to the Amarnath cave. In May 2001, six Hindu cattle herders in the mountains around Jammu were beheaded, apparently by Muslim militants. On October 1, 2001, Kashmiri terrorists killed 38 employees and security officers and injured 50 others in an attack on the Jammu and Kashmir Legislative Assembly. A spokesman for the terrorist group Jaish-e-Mohammad, based in Pakistan, claimed responsibility for the attack.

In July 2000, Muslim militants killed three Buddhist monks in Rangdum, Kargil district. On July 30, 2000 militants threw a grenade into a jeep carrying Hindu religious pilgrims near Gulmarg, killing one person and injuring five others. On August 1 to 2, 2000, militants entered a camp of Hindus making the annual pilgrimage to Amarnath in the northern part of the state and fired automatic weapons at tents, at the unarmed civilians in the camp, the pilgrims' local porters and guides, and at army personnel nearby. A total of 32 persons were killed in the attack, all of them unarmed civilians. Similar attacks occurred throughout the night of August 1 to 2, 2000 killing approximately 100 persons in various places in Jammu and Kashmir. On August 17, 2000 militants reportedly killed six Hindu villagers and seriously wounded seven others in Jammu. On August 18, 2000 militants entered a Hindu village in the Koteswara area near Rajauri and indiscriminately fired at villagers, killing four persons and injuring six others. On August 18, 2000 militants killed three elderly men and a teenage boy and wounded two other persons when they fired automatic guns at civilians in Ind village, Udhampur. On August 20, 2000 a person shot and injured a Hindu telephone kiosk operator in Qazi Gund, near Anantnag. Also on August 20, 2000 militants entered the Hindu village of Indeh, Udhampur district and killed four members of a Hindu family. No judicial or publicized action was taken against the militants and none seems likely in the future.

In March 2002, the Jammu and Kashmir government demanded an apology from former VHP leader Vinay Katiyar (now Chief of the BJP in Uttar Pradesh) for his comments on the Hazratbal shrine located in the region. Katiyar had stated that the holy relic believed to be a single hair from Prophet Mohammed's head and preserved at the Hazratbal shrine actually belonged to a Hindu seer. After Katiyar made this statement, large-scale demonstrations followed.

Violence against Christians increased in 1999 and 2000, although it has decreased since. A Home Ministry report released on April 26, 2001, admitted that there had been "an increase in attacks on Christians and their institutions in the year 2000," and went on to claim that communal violence as a whole had declined by 9 percent. The outbreak of societal violence against Christians that occurred during 1999 and 2000, which apparently was sparked by rumors of forced conversions of Hindus to Christianity, was not repeated during the period covered by this report. However, tensions persist, and the underlying resentment of Christians by Hindus sometimes leads to violent confrontations. In late April 2001, the Catholic Bishops' Conference of India said that while incidents of violence against the Christian community had decreased, "that does not mean that the threat perception has also decreased" among Christians.

Christian missionaries have been operating schools and medical clinics for many years in tribal areas. Tribals (who have no caste status) and Dalits (who are at the lowest end of the caste system) occupy the very lowest position in the social hierarchy. However, they have made socioeconomic gains as a result of the missionary schools and other institutions, which, among other things, have increased literacy among low-caste and non-caste persons. Some higher-caste Hindus resent these gains. They blame missionaries for the resulting disturbance in the traditional Hindu social order as better educated Dalits, tribals, and members of the lower castes no longer accept their disadvantaged status as readily as they once did. Some Hindu groups fear that Christians may try to convert large numbers of lower-caste Hindus, using economic or social welfare incentives. Upper-caste Hindus, the membership base of the BJP and RSS, are afraid that this may destroy the rigid caste hierarchy. Many acts of violence against Christians stem from these fears.

Citizens often refer to schools, hospitals, and other institutions as "missionary" even when they are owned and run entirely by indigenous Christian citizens. By using the adjective "missionary," the RSS taps into a longstanding fear of foreign religious domination.

Anti Christian violence has included killings. In December 2001, a 22-year-old nun, Sarita Toppo, was killed in a remote tribal village in Sarguja district of Chattisgarh. In early December 2000, a Catholic priest was killed in Manipur. Earlier in Kurpania, Bihar, a nun was raped and a convent was looted.

Many persons also have been injured in attacks on Christians. In November 2001, four Christian missionaries were seriously injured when they were attacked in Dhar district, Madhya Pradesh. In February 2001, four persons were injured after purported members of the Sangh Parivar attacked the Holy Family Church in Mysore, Karnataka. A group of 70 men, allegedly Bajrang Dal activists attacked the church during the celebration of Mass. The VHP termed the incident as "unfortunate," and asserted that the attackers did not belong to the Sangh Parivar. In August activists from the VHP and Bajrang Dal attacked three Christian nuns from an orphanage in Jhabua district and some Muslim drivers in Madhya Pradesh. The victims alleged that police later harassed them when they arrived at the police station to lodge a complaint. In March 2001, alleged BJP and RSS activists attacked a Christian congregation at Chevalla in Andhra Pradesh. The alleged reason behind the attacks was the pervasive perception that Christians were encouraging conversions of Hindus.

In August 2000, in Gandhinagar, Gujarat, a mob beat up a priest for distributing Christian literature. In

September 2000, a Catholic Church in Karnataka was vandalized. In late November 2000, in Surat district, Gujarat, a Hindu mob vandalized a small church (converted house) in Chindhia village of Vyara Tehsil. The owner of the church land, which is in a tribal area, was a tribal convert to Christianity who reportedly willingly reconverted to Hinduism and supported the vandals in reconsecrating the building for Hindu worship. The Bishop of the Evangelical Church of India, a small Protestant denomination, was refused an audience with the Chief Minister of Gujarat to discuss this case. The Chief Minister and Gujarat authorities considered the case a conflict over conversion and land, and not a religiously motivated attack on Christians. The lower (tehsil level) court ruled in favor of the Christian group, but the district court ruled in favor of the Hindu group's possession of the premises. The Christian group has appealed the decision to the Gujarat high court (the next higher court).

In January 2001, in a village near Udaipur, Rajasthan, Bajrang Dal activists allegedly beat two Christian missionaries and their followers because they were watching a film on the life of Christ. Both missionaries were attempting to convert local tribals.

On May 7, 2001, Father Jaideep, a Christian priest, was attacked in Jatni town, Orissa. Local citizens reportedly were enraged by the priest's distribution of pamphlets to propagate Christianity in a Hindu-dominated area, allegedly participated in the attack. In June 2001, a report in *The Hindu*, a leading national newspaper, stated that more than 5,000 tribals were reconverted back to Hinduism in Orissa over a period of 2 years.

In March 2002, following the outbreak of communal riots in Gujarat, Christian organizations reported that Christian institutions and functionaries in the state also were attacked. These Christian organizations blame the RSS and the VHP for ransacking and burning Christian missions in Sanjeli and Dhudhia, although these charges have not otherwise been confirmed. In April 2002, a church in Managalore, Karnataka was attacked by approximately 60 persons protesting alleged attempts to convert local Hindus to Christianity. In August 2001 in Anakapalli, Andhra Pradesh, 43 Christian tombs in the local burial ground were destroyed. Throughout June and July 2000, there were several bomb explosions in or near Christian institutions in the southern states of Karnataka and Andhra Pradesh. No one was killed in the explosions, which caused relatively minor damage. The blasts later were blamed on Deendar Anjuman activists. Members of the group were taken into custody, and the Government later banned the group (see Section II). These incidents, as well as the killing of a principal at a Christian school near Mathura, Uttar Pradesh, in 2000 led to heated debates in Parliament during which opposition members accused the Government of failing to rein in the radical elements of the Sangh Parivar (see Section II).

In May 2001, at the Banavali village of Salcete Tehsil in South Goa, a Christian priest named Satirino Antao tried to sell a disputed school property to a splinter Christian group calling themselves the "Believers." The majority of the school's parents were Catholics who opposed the move. Reportedly on May 20, 2001, after a heated meeting, the parents vandalized school property and on May 28, 2001, allegedly assaulted Father Antao. The Archbishop's office claimed that Antao had been removed as priest of Banavali church in 1973 and had no right to sell the school because it belongs to the Catholic Church. At the end of the period covered by this report, the case against Antao remained in the Goa High Court. On May 28, 2001, in Kapadwanj in Kheda district in Gujarat, members of the VHP stopped a funeral procession to prevent the burial of a Christian in a disputed burial ground. The police used tear gas to dispel the VHP members, but the body had to be moved to Ahmedabad for burial.

On March 8, 2001, K.S. Sudarshan made a speech advocating the "Indianization" of Islam and Christianity. He stated that [Muslims and Christians] "should sever their links with the Mecca and the Pope and instead become swadeshi." He also had stated that Christians should "reinterpret their scriptures" in a manner more in keeping with Hindu cultural norms. Catholics took special exception to this; the Archbishop of Delhi pointed out that the Indian Christian church is 2,000 years old (traditionally dating from the Apostle Thomas), and that although the spiritual head was the Pope, the day-to-day administration of the church was entirely in Indian hands. The RSS published an article entitled "Foreign Missionaries, Quit India:RSS" in their journal *The Organiser*, in which they attacked missionary-backed Christian institutions in the country. In March 2001, in Orissa, Christian Archbishop Cheenath gave a speech objecting to an amendment to the Orissa Religious Freedom Act which he believed would make conversion more difficult. He said that fears of forced conversion were not credible. He noted that, although Christian schools have for generations educated a far larger percentage of citizens than there are Christians in the general population, Christians make up slightly less of the population today than they did in the 1991 census.

In September 2001, some Christian leaders, believing that violence against Christians had declined significantly since the summer of 2000, agreed to meet with leaders of Hindu organizations. RSS chief K.S. Sudarshan stated there was a need for more such meetings between the RSS and Christians to create an atmosphere of peace and to remove misgivings and fears within the minority community. However, in 2001 the RSS angered minority communities by publicly challenging the "Indian-ness" of religious minorities. On December 31, 2001, RSS chief K.S. Sudarshan addressed a meeting of volunteers of the Hindu Swayamsewak Sangh (a global organization of expatriate Hindus) in a suburb of Mumbai. He said that only the RSS can serve as the bulwark against what he claimed was the Catholic Church's agenda of converting large Asian populations to Christianity.

In Christian majority areas, Christians sometimes are the oppressors. In Tripura, there were several cases of harassment of non-Christians by Christian members of the National Liberation Front of Tripura (NLFT), a militant tribal group with an evangelical bent. For example, NLFT tribal insurgents have prohibited Hindu and Muslim festivals in areas that they control, cautioned women not to wear traditional Hindu tribal attire, and prohibited indigenous forms of worship. In Assam, where the population is increasing rapidly, the issue of Bangladeshi migrants (who generally are Muslim) has become very

sensitive among the Assamese (predominantly Hindu) population, which considers itself to be increasingly outnumbered.

According to the Ministry of Home Affairs, approximately 51,000 Pandit families fled their homes in Jammu and Kashmir due to the violence between 1990 and 1993. Of these, 4,674 families are living in refugee camps in Jammu, 235 families are in camps in Delhi, and 18 families are in Chandigarh. The rest still are displaced, but are living outside of the camps in Jammu and Delhi. The Pandit community criticizes bleak physical, educational, and economic conditions in the camps and fears that a negotiated solution giving greater autonomy to the Muslim majority might threaten its own survival in Jammu and Kashmir as a culturally and historically distinctive group. In August 2000, the Jammu and Kashmir government adopted a proposal designed to facilitate the return of Pandits to the Kashmir valley and rehabilitation of the Pandits. However, various Pandit groups criticized the proposal for failing to address the political aspirations of Pandits, for failing to provide economic support and adequate security for returning Pandits, and for creating special economic zones that would aggravate communal tensions. The proposal was abandoned during 2001, in large part due to the Government's inability to ensure the personal security of returnees.

The country's caste system generates severe tensions due to disparities in social status, economic opportunity, and, occasionally, labor rights. These tensions frequently have led to or exacerbated violent confrontations and human rights abuses. However, intercaste violence generally does not have a significant religious component.

The country's caste system historically has strong ties to Hinduism. Hinduism delineates clear social strata, assigning highly structured religious, cultural, and social roles, privileges, and restrictions to each caste and subcaste. Members of each caste—and frequently each subcaste—are expected to fulfill a specific set of duties (known as dharma) in order to secure elevation to a higher caste through rebirth. Dalits are viewed by many Hindus as separate from or "below" the caste system; nonetheless, they too are expected to follow their dharma if they hope to achieve caste in a future life. Despite efforts by reform-minded modern leaders to eliminate the discriminatory aspects of caste, societal, political, and economic pressures continue to ensure its widespread practice. Caste today therefore is as much a cultural and social phenomenon as a religious one.

The Constitution gives the President the authority to specify, in a schedule attached to the Constitution, historically disadvantaged castes, Dalits, and "tribals" (members of indigenous groups historically outside the caste system). These "scheduled" castes, Dalits, and tribes, are entitled to affirmative action and hiring quotas in employment, benefits from special development funds, and special training programs. The impact of reservations and quotas on society and on the groups they are designed to benefit is a subject of active debate within the country. Some contend that they have achieved the desired effect and should be modified, while others strongly argue that they should be continued, as the system has not addressed adequately the long term discriminatory impact of caste. According to the 1991 census, scheduled castes, including Dalits, made up 16 percent and scheduled tribes made up 8 percent of the population.

Muslims, Christians, and Sikhs historically have rejected the concept of caste, despite the fact that most of them descended from low caste Hindu families and continue to suffer the same social and economic limitations of low caste Hindus. Low caste Hindus who convert to Christianity lose their eligibility for affirmative action programs. Those who become Buddhists, Jains, or Sikhs do not, as the Constitution groups members of those faiths with Hindus and specifies that the Constitution shall not affect "the operation of any existing law or prevent the state from making any law providing for social welfare and reform" of these groups. In some states, there are government jobs reserved for Muslims of low caste descent.

Members of religious minorities and lower castes criticized the 2001 census as discriminating against them. They claim that they frequently were not allowed to register their correct caste status. Census results are used to apportion government jobs and higher education slots to Scheduled Castes and Scheduled Tribes. In February 2001, the Catholic Bishops' Conference of India strongly criticized the census for "discriminating against weaker sections of society" by maintaining that Scheduled Castes may only be Hindu, Sikh, or Buddhist. The National Council of Churches in India also protested the census. Despite the fact that Christianity does not recognize caste at all, Christian leaders recognize that society in general still does, and that the 50 percent of the country's Christians who are of Dalit origin may be disadvantaged by not being allotted shares of jobs and places in education under the Scheduled Castes/Scheduled Tribes provisions of the Constitution. Dalit converts to Christianity claim that societal discrimination against them on the basis of caste continues, even within the Christian community. One indicator of the continued slowness of economic and social upward mobility of Dalit Christians is that, of the 180 Catholic bishops in the entire country, only 5 are Dalits. Muslim Dalits, who account for most of the country's 130 million Muslims, also were not counted as Dalits in the census. Muslim leaders have not protested the census issue vigorously.

In 2001 Human Rights Watch reported that the practice of dedicating or marrying young, prepubescent girls to a Hindu deity or temple as "servants of god," or "Devadasis," reportedly continues in several southern states, including Andhra Pradesh and Karnataka. Devadasis, who generally are Dalits, may not marry. They must live apart from their families and are required to provide sexual services to priests and high caste Hindus. Reportedly, many eventually are sold to urban brothels. In 1992 the state of Karnataka passed the Karnataka Devadasi (Prohibition) Act and called for the rehabilitation of Devadasis, but this law reportedly is not enforced effectively and criminalizes the actions of Devadasis. Since Devadasis are by custom required to be sexually available to higher caste men, it reportedly is difficult for them to obtain justice from the legal system if they are raped by higher caste men.

Despite the incidents of violence and discrimination during the period covered by this report, relations between various religious groups generally are amicable among the substantial majority of citizens. There are efforts at ecumenical understanding that bring religious leaders together to defuse religious tensions. The annual Sarva Dharma Sammelan (All Religious Convention) and the frequently held Mushairas (Hindu-Urdu poetry sessions) are some events that help improve inter community relations. Prominent secularists of all religions make public efforts to show respect for other religions by celebrating their holidays and attending social events such as weddings. Institutions such as the army consciously forge loyalties that transcend religion. After episodes of violence against Christians, Muslim groups have protested against the mistreatment of Christians by Hindu extremists, and in 2001, prominent Catholics spoke out against the killings of six Sikhs in Kashmir.

Section IV. U.S. Government Policy

The U.S. Embassy continued to promote religious freedom through contact with the country's senior leadership, as well as with state and local officials. The U.S. Embassy and Consulates regularly meet with religious leaders and report on events and trends that affect religious freedom.

During the period covered by this report, U.S. Embassy and Consulate officials met with important leaders of all of the significant minority communities. The NGO and missionary communities in the country are extremely active on questions of religious freedom, and mission officers meet with local NGO's regularly.

The Ambassador and other senior U.S. officials publicly expressed regret over the communal violence in Gujarat, extended condolences to the victims, and urged all parties to resolve their difference peacefully. In addition, the USAID office provided funding for an NGO program designed to assist internally displaced persons in Gujarat.

U.S. officials from the Consulate General in Mumbai traveled to Ahmedabad within days of the start of the violence in Gujarat, to meet with officials and private citizens about the violence. As rioting continued, other Mumbai Consulate General officers traveled to the state to assess the situation. Consulate officers also met in Mumbai with a range of NGO, business, media and other contacts, including Muslim leaders, to monitor the aftermath of the violence in Gujarat.

Released on October 7, 2002

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