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USCIRF–RECOMMENDED FOR COUNTRIES OF PARTICULAR CONCERN (CPC)

KEY FINDINGS

In 2022, religious freedom conditions in India continued to worsen. Throughout the year, the Indian government at the national, state, and local levels promoted and enforced religiously discriminatory policies, including laws targeting religious conversion, interfaith relationships, the wearing of hijabs, and cow slaughter, which negatively impact [Muslims](#), Christians, Sikhs, Dalits, and Adivasis (indigenous peoples and scheduled tribes). The national government also continued to suppress critical voices—particularly religious minorities and those advocating on their behalf—including through surveillance, harassment, demolition of property, and detention under the [Unlawful Activities Prevention Act](#) (UAPA) and by targeting nongovernmental organizations (NGOs) under the [Foreign Contribution Regulation Act](#) (FCRA).

The Indian government invoked the UAPA and the [Sedition Act](#) throughout the year to target freedom of religion and expression, creating an increasing climate of intimidation and fear. Authorities surveilled, harassed, detained, and prosecuted a number of [journalists](#), [lawyers](#), [rights activists](#), and religious minorities advocating for religious freedom. [Hundreds](#) of cases remained pending against individuals for involvement in the 2019 peaceful protests against the [Citizenship \(Amendment\) Act](#) (CAA), which provides a [pathway](#) to citizenship strictly for non-Muslims from Pakistan, Afghanistan, and Bangladesh. As of 2022, only [92 of more than 700 cases](#) had reached trial, and many of those arrested under the UAPA continued to [languish in jail](#). During India's fourth [Universal Periodic Review](#) (UPR), United Nations (UN) member states emphasized protections for religious minorities and expressed [concern](#) over the broad application of India's "anti-terror" laws. Additional official efforts, such as the [National Register of Citizens](#) (NRC) process in Assam, also aimed to identify "undocumented" Bengali-speaking Muslims.

The continued enforcement of discriminatory laws facilitated a culture of impunity for widespread campaigns of threats and violence by mobs and vigilante groups. In March, for example, Karnataka's state government issued a [hijab ban](#) in public schools.

Despite widespread protests and instances of violence, state high court judges upheld the ban, agreeing with the government's argument that the hijab is not essential to practicing Islam. India's state governments also continued to pass and enforce anti-conversion laws, currently existing in 12 states, including legislation in multiple states aimed to prohibit and criminalize interfaith marriages. Public notice requirements for interfaith marriages imposed in 10 states have, at times, resulted in [violent reprisals](#) against couples. The ruling Bharatiya Janata Party (BJP) committed to enforcing harsher penalties for interfaith marriages in its 2022 [election manifesto](#) for Uttar Pradesh.

Violent attacks were also perpetrated across India under the justification of protecting cows from slaughter or transport, which is illegal in [18 states](#). Examples of violence against Christians, Muslims, and Dalits around suspicions of cow smuggling were reported in [Bihar](#), [Uttar Pradesh](#), and [Delhi](#). In August, BJP member Gyan Dev Ahuja was [recorded publicly](#) calling for his listeners to "kill anyone involved in cow slaughter."

Throughout the year, destruction of property—including places of worship in predominantly Muslim and Christian neighborhoods—[continued](#). In June, local authorities [demolished](#) the homes of three Muslim families in Uttar Pradesh following protests against [derogatory language](#) used by members of the BJP. Hindu nationalists bulldozed a [Catholic center](#) near Mangalore in February and attacked, looted, and destroyed the homes of hundreds of [Christians](#) in December for their refusal to convert to Hinduism. In addition, at least [four madrasas](#) (Islamic seminaries) were demolished following a [statement](#) in May from the Chief Minister of Assam that *madrasas* should be eliminated.

[Social media](#) platforms continued to facilitate widespread [disinformation](#), [hate speech](#), and [incitement of violence](#) toward religious minorities. In February, [Twitter](#) removed a caricature shared by the verified account of Gujarat BJP depicting Muslim men hung by a noose.

RECOMMENDATIONS TO THE U.S. GOVERNMENT

- Designate India as a "country of particular concern," or CPC, for engaging in systematic, ongoing, and egregious violations of religious freedom, as defined by the International Religious Freedom Act (IRFA);
- Advance human rights for all religious communities in India and promote religious freedom, dignity, and interfaith dialogue through bilateral engagement and in multilateral forums;
- Condemn ongoing religious freedom violations and support religious organizations and human rights groups targeted for their advocacy of religious freedom; and
- Impose targeted sanctions on Indian government agencies and officials responsible for severe violations of religious freedom by freezing those individuals' assets and/or barring their entry into the United States under human rights related financial and visa authorities, citing specific religious freedom violations.

The U.S. Congress should:

- Raise religious freedom issues in the U.S.-India bilateral relationship and highlight concerns through hearings, briefings, letters, and congressional delegations.

KEY USCIRF RESOURCES & ACTIVITIES

- Country Update: [Religious Freedom Conditions in India](#)
- Issue Update: [India's State-Level Anti-Conversion Laws](#)
- Podcast: [Deteriorating Religious Freedom Conditions in South Asia](#)
- Podcast: [Anti-Conversion Laws and Growing Intolerance in India](#)

Background

India is the world's most populous democracy, with an estimated [1.4 billion](#) people, 79.8 percent of whom are Hindu, 14.2 percent Muslim, 2.3 percent Christian, and 1.7 percent Sikh. Smaller religious groups include Buddhists, Jains, Baha'is, Jews, Zoroastrians (Parsis), and nonreligious persons. India's constitution establishes the nation as a secular, democratic republic, and Article 25 grants all individuals freedom of conscience, including the right to practice, profess, and propagate religion. Despite these secular principles, since 2014, the Indian government—led by the BJP—has facilitated and supported national and state-level policies that undermine religious freedom for minority groups.

Anti-Conversion Laws

At the end of the reporting period, 12 of India's 28 states had legislation that criminalized religious conversion in various circumstances (Arunachal Pradesh, Chhattisgarh, Gujarat, Haryana, Himachal Pradesh, Jharkhand, Karnataka, Madhya Pradesh, Odisha, Rajasthan, Uttarakhand, and Uttar Pradesh). These laws are not limited to instances of coercion, and they contain broad and vague language that can be used to target voluntary religious conversions. Common features of these laws include prohibitions on conversions, requirements to notify the government of one's intent to convert, and burden-shifting provisions that presume an accused individual is guilty.

These laws carry penalties of hefty fines and imprisonment and disproportionately target [Christians](#) and Muslims. Increasingly, anti-conversion laws are used to prevent interfaith marriages or relationships, including so-called "[Love Jihads](#)," a derogatory term that targets Muslims and refers to conversions occurring in the context of interfaith marriages. Under the [Special Marriage Act](#), interfaith marriages require a 30-day notice period, allowing individuals to object to the marriage. In April, the state of Haryana enacted its [Prevention of Unlawful Conversion of Religion Act](#) prohibiting conversion "by marriage or through marriage." Authorities, [including police](#), at times assist Hindu vigilante groups to "enforce" these anti-conversion laws.

Citizenship (Amendment) Act (CAA) and National Register of Citizens (NRC)

Since the [CAA's](#) introduction in 2019, over [200 petitions](#) have been filed against the religiously discriminatory act. The CAA, combined with the NRC, is perceived as an attempt to disenfranchise Muslims of Indian citizenship. The [CAA](#) aims to provide citizenship to non-Muslim migrants (Sikhs, Hindus, Christians, Buddhists, Jains, and Parsis) from Afghanistan, Bangladesh, and Pakistan. While the act's purported [intention](#) is to aid persecuted religious minorities, it does not include vulnerable communities such as Rohingya Muslims, Ahmadiyya Muslims, Hazara Shi'a Muslims, or Baha'is. Since its enactment, journalists, activists, and students have been [arrested](#) and detained for their participation in widespread protests against the law.

The NRC is unique to the state of Assam, and since its publication in 2019 it aims to distinguish Indian citizens from "[undocumented migrants](#)." Those deemed "foreign" under the NRC include Assam's Bengali-speaking Muslims, who have also been [arrested](#) under the

UAPA in some instances. As many as [700,000](#) Muslim residents in Assam are estimated to be at risk of having their citizenship revoked.

Attacks on Religious Minorities

In 2022, there were numerous attacks against religious minorities and their places of worship. Demolitions of mosques in [Muslim](#) communities led to arrests and [violent clashes](#). In May, the Home Minister of Madhya Pradesh ordered the demolition of homes in [predominantly Muslim](#) neighborhoods. While the Indian Supreme Court stated that demolitions "[cannot be retaliatory](#)," the practice has continued.

Mob attacks against religious minorities and members of scheduled tribes further demonstrate how vigilantes and Hindu nationalists act with impunity. In January, a Hindu nationalist group [allegedly beat](#) a Muslim man for traveling with a Hindu woman in Mangalore. In March, a Hindu nationalist group attacked a [Christian](#) youth leader in Karnataka for sharing about Christianity outside a college. Social media and news channels served as a platform for Hindu nationalist groups to [stoke](#) tensions and encourage violence toward minority groups.

Sexual Violence and Harassment of Religious Minorities

Muslim women continued to face discrimination and harassment, both at the local and state levels. In January, GitHub [shut down](#) an Indian website that published the names of—and purported to "auction off"—Muslim women who had publicly opposed Hindu nationalism and the government's treatment of religious minorities. That same month, students across India [protested](#) against policies that would require female students to remove their head scarves or stay home from school. These demonstrations were met with rival protests by Hindu nationalists. In February, sectarian [violence](#) erupted between those supporting the right to wear the hijab and Hindu students wearing saffron robes. Subsequently, in Karnataka the BJP [banned](#) any religious garb in public schools. In October, the government [released](#) 11 men who, as part of a Hindu nationalist mob, were convicted for the gang rape of Bilkis Bano, a pregnant Muslim woman, and for attacking her family during the 2002 violence in Gujarat. In Uttar Pradesh, reports of [sexual assault](#) and [attacks](#) against Dalits also continued.

Key U.S. Policy

In 2022, the Joseph R. Biden administration again [failed to designate](#) India as a CPC for engaging in particularly severe religious freedom violations. The United States and India continued to maintain strong bilateral ties around economic trade and [technology](#). Trade reached [\\$120 billion](#) in 2022, making the United States India's largest trading partner. President Biden and Prime Minister Narendra Modi interacted on multiple occasions, including the [G20](#) and G7 Summits and the [Quad Leaders](#) Summit. In July, U.S. Agency for International Development Administrator Samantha J. Power [traveled](#) to India to discuss challenges of food insecurity, climate change, and the COVID-19 pandemic. In September, Assistant Secretary of Defense for Indo-Pacific Security Affairs Ely S. Ratner cochaired the sixth U.S.-India [2+2 Intersessional Dialogues](#) in New Delhi.