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## **Religious Freedom in Two Most Populous Nations of the World China and India**

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## China (includes Tibet, Hong Kong, Macau)

<http://www.state.gov/g/drl/rls/irf/2008/108404.htm>

### International Religious Freedom Report 2008

**Reports on Tibet, Hong Kong and Macau are appended at the end of this report.**

The Constitution and laws provide for freedom of religious belief and the freedom not to believe, although the Constitution only protects religious activities defined by the state as "normal." The Constitution states that religious bodies and affairs are not to be "subject to any foreign domination," and that the individual exercise of rights "may not infringe upon the interests of the state." The Constitution also recognizes the leading role of the officially atheist Chinese Communist Party. The Government restricted legal religious practice to government-sanctioned organizations and registered religious groups and places of worship, and sought to control the growth and scope of the activity of both registered and unregistered religious groups, including "house churches." Government authorities limited proselytism, particularly by foreigners and unregistered religious groups, but permitted proselytism in state-approved religious venues and private settings.

During the period covered by this report, the Government's repression of religious freedom intensified in some areas, including in Tibetan areas and in the Xinjiang Uighur Autonomous Region (XUAR). Unregistered Protestant religious groups in Beijing reported intensified harassment from government authorities in the lead up to the 2008 Summer Olympic Games. Media and China-based sources reported that municipal authorities in Beijing closed some house churches or asked them to stop meeting during the 2008 Summer Olympic Games and Paralympic Games. During the reporting period, officials detained and interrogated several foreigners about their religious activities and in several cases alleged that the foreigners had engaged in "illegal religious activities" and cancelled their visas. Media reported that the total number of expatriates expelled by the Government due to concerns about their religious activities exceeded one hundred. Officials in the XUAR, the Tibet Autonomous Region (TAR), and other Tibetan areas tightly controlled religious activity. The Government sought the forcible return of several Uighur Muslims living abroad, some of whom had reportedly protested restrictions on the Hajj and encouraged other Muslims to pray and fast during Ramadan. Followers of Tibetan Buddhism, including those in the Inner Mongolian Autonomous Region and most Tibetan autonomous areas, faced more restrictions on their religious practice and ability to organize than Buddhists in other parts of the country. "Patriotic education" campaigns in the TAR and other Tibetan regions, which required monks and nuns to sign statements personally denouncing the Dalai Lama, and other new restrictions on religious freedom were major factors that led monks and nuns to mount peaceful protests at a number of monasteries on March 10, 2008. The protests and subsequent security response gave way to violence in Lhasa by March 14 and 15 (see separate appendix for additional reporting). "Underground" Roman Catholic clergy faced repression, in large part due to their avowed loyalty to the Vatican, which the Government accused of interfering in the country's internal affairs. The Government continued to repress groups that it designated as "cults," which included several Christian groups and Falun Gong.

Religious and ethnic minority groups such as Tibetan Buddhists and Uighur Muslims experienced societal discrimination not only because of their religious beliefs but also because of their status as ethnic minorities with distinct languages and cultures. After the March 2008 protests in Lhasa and other Tibetan areas there were reports of increased tensions between Tibetan Buddhists and Hui Muslims.

The U.S. Department of State, the U.S. Embassy in Beijing, and the Consulates General in Chengdu, Guangzhou, Shanghai, and Shenyang made concerted efforts to encourage greater religious freedom in the country. U.S. officials condemned abuses while supporting positive trends within the country and urged the Government to expand the scope of religious freedom for both registered and unregistered religious groups according to citizens' constitutional and internationally recognized rights. U.S. officials protested the imprisonment of, asked to attend the trials of, and requested further information about, numerous individual religious prisoners. U.S. officials encouraged the Government to address policies that restricted Tibetan Buddhist practices and contributed to tensions in the TAR and other Tibetan regions. Since 1999, the Secretary of State has assigned the "Country of Particular Concern" (CPC) designation to the country under the International Religious Freedom Act (IRFA) for particularly severe violations of religious freedom.

## **Section I. Religious Demography**

The country has an area of 3.5 million square miles and a population of 1.3 billion. A February 2007 survey, conducted by researchers in Shanghai and reported in the state-run media, concluded that 31.4 percent of Chinese citizens ages 16 and over, representing 300 million persons, are religious believers. This is approximately three times the official figure reported by the Government in April 2005.

According to a Government White Paper published in 1997, there are reportedly more than 100,000 officially recognized sites for religious activities, 300,000 officially recognized clergy, and more than 3,000 officially recognized religious organizations.

The Government officially recognizes five main religions: Buddhism, Taoism, Islam, Catholicism, and Protestantism. There are five state-sanctioned "Patriotic Religious Associations" (PRAs) that manage the activities of the recognized faiths. The Russian Orthodox Church operates in some regions, particularly those with large populations of Russian expatriates or with close links to Russia. Foreign residents in the country who belonged to religious faiths not officially recognized by the Government were generally permitted to practice their religions.

It is difficult to estimate the number of Buddhists and Taoists, because they do not have congregational memberships and many practice exclusively at home.

The Government estimated that there are 16,000 Buddhist temples and monasteries, 200,000 Buddhist monks and nuns, more than 1,700 reincarnate lamas, and 32 Buddhist schools. Most believers, particularly ethnic Han Buddhists, practice Mahayana Buddhism, while the majority of Tibetans and ethnic Mongolians, as well as a growing number of ethnic Chinese, practice Tibetan Buddhism, a Mahayana adaptation. Some ethnic minorities in southwest Yunnan Province practice Theravada Buddhism, the dominant tradition in parts of neighboring Southeast Asia.

According to the government-sanctioned Taoist Association, there are more than 25,000 Taoist priests and nuns, more than 1,500 Taoist temples, and 2 Taoist schools. Traditional folk religions (worship of local gods, heroes, and ancestors) are practiced by hundreds of millions of citizens and are often affiliated with Taoism, Buddhism, or ethnic minority cultural practices.

According to official figures, there are as many as twenty million Muslims. Independent estimates range as high as fifty million or more. There are more than 40,000 Islamic places of worship (more than half of which are in the XUAR), more than 45,000 imams nationwide, and 10 Islamic schools. The country has ten predominantly Muslim ethnic groups, the largest of which is the Hui, estimated to number more than ten million. The Hui are centered in Ningxia Hui Autonomous Region, but there are significant concentrations of Hui throughout the country, including in Gansu, Henan, Qinghai, Yunnan, and Hebei Provinces, as well as in the TAR and the XUAR. Hui Muslims slightly outnumber Uighur Muslims, who live primarily in the XUAR. According to an official 2005 report, the XUAR had 23,900 mosques and 27,000 clerics at the end of 2004, but fewer than half of the mosques were authorized to hold Friday prayer and holiday services. The country also has more than one million Kazakh Muslims and thousands of Dongxiang, Kyrgyz, Salar, Tajik, Uzbek, Baoan, and Tatar Muslims.

Officials from the Three-Self Patriotic Movement/China Christian Council (TSPM/CCC), the state-approved Protestant religious organization, estimated that at least twenty million citizens worship in official churches. Government officials stated that there are more than 50,000 registered TSPM churches and 18 TSPM theological schools. The Pew Research Center estimates that between 50 million and 70 million Christians practice without state sanction. The World Christian Database estimates that there are more than 300 unofficial house church networks.

The Catholic Patriotic Association (CPA) reports that 5.3 million persons worship in its churches and it is estimated that there are an additional 12 million or more persons who worship in unregistered Catholic churches that do not affiliate with the CPA. According to official sources, the government-sanctioned CPA has more than 70 bishops, nearly 3,000 priests and nuns, 6,000 churches and meeting places, and 12 seminaries. There are thought to be approximately 40 bishops operating "underground," some of whom are in prison or under house arrest. During the reporting period, at least three bishops were ordained with papal approval. In September 2007 the official media reported that Liu Bainian, CPA vice president, stated that the young bishops were to be selected to serve dioceses without bishops and to replace older bishops. Of the 97 dioceses in the country, 40 reportedly did not have an acting bishop in 2007, and more than 30 bishops were over 80 years of age.

The Falun Gong is a self-described spiritual movement that blends aspects of Taoism, Buddhism, and the meditation techniques and physical exercises of qigong (a traditional Chinese exercise discipline), with the teachings of Falun Gong leader Li Hongzhi. There are estimated to have been at least 2.1 million adherents of Falun Gong before the Government banned the group in 1999. Hundreds of thousands may practice Falun Gong privately.

## **Section II. Status of Religious Freedom**

### *Legal/Policy Framework*

The Constitution and laws provide for freedom of religious belief and the freedom not to believe. The Constitution protects only religious activities defined as "normal." The Constitution states that religious bodies and affairs are not to be "subject to any foreign domination" and that the individual exercise of rights "may not infringe upon the interests of the state." The Constitution also recognizes the leading role of the officially atheist Chinese Communist Party. The Government sought to restrict legal religious practice to government-sanctioned organizations and registered places of worship and to control the growth and scope of the activity of both registered and unregistered religious groups, including house churches. The Government tried to prevent the rise of religious groups it viewed as constituting a source of authority outside of the Government and the Chinese Communist Party (CCP). The Government strongly opposed the profession of loyalty to religious leadership outside of the country. Nonetheless, the treatment of religious groups varied significantly from region to region, and membership in many faiths continued to grow rapidly.

Government officials at various levels have the power to determine the legality of religious activities by deciding whether they are "normal." Public Security Bureau (PSB) and Religious Affairs Bureau (RAB) officials monitor unregistered facilities, check to see that religious activities do not disrupt public order, and take measures directed against groups designated as cults. Registered religious groups enjoy legal protections of their religious practices that unregistered religious groups do not receive, and unregistered groups are more vulnerable to coercive and punitive state action. The five PRAs are the only organizations registered with the Government at the national level as religious organizations under the Regulations on Social Organizations (RSO), administered by the Ministry of Civil Affairs (MCA). Leaders of the five PRAs sometimes serve in the Chinese People's Political Consultative Conference (CPPCC), an advisory forum that is led by the CCP and consults with social groups outside the Party or the National People's Congress (NPC). The State Administration for Religious Affairs (SARA) and the CCP United Front Work Department (UFWD) provide policy "guidance and supervision" on the implementation of regulations regarding religious activity, including the role of foreigners in religious activity. Employees of SARA and the UFWD are primarily Communist Party members who are directed by Party doctrine to be atheists.

The 2005 Regulations on Religious Affairs (RRA) protect the rights of registered religious groups to possess property, publish literature, train and approve clergy, and collect donations. The Government had not issued implementing regulations by the end of the period covered by this report, and there was little evidence that the new regulations have themselves expanded religious freedom, in part because unregistered religious organizations have not been able to register under the RRA without first affiliating with a PRA. Before the passage of the RRA, a few Protestant groups reportedly registered independently of the TSPM/CCC. These included the Little Flock Protestant churches in Zhejiang and the (Korean) Chaoyang Church in Jilin Province. It was not clear whether these religious groups affiliated with the TSPM/CCC or whether they registered independently. The (Russian) Orthodox Church has been able to operate without affiliating with a PRA in a few areas.

While the activities of unregistered religious groups remained outside the scope of the RRA's legal protection, these groups and their activities continued to expand. Most Christian groups, the majority of which are not members of the PRAs, no longer operated in strict secrecy. Instead, they carried out public activities, including convening seminars, publishing materials, renting space for offices and events, and disseminating information on the Internet. Church summer camps and weekend retreats are also popular. Many unregistered religious groups also carried out social service work.

Both SARA and the TSPM/CCC state that registration regulations do not require that a congregation join either the TSPM or the CCC; however, nearly all local RAB officials require registered Protestant congregations and clergy to affiliate with the TSPM/CCC. Some unregistered religious groups who attempted to register were told by the RAB that their clergy did not have the requisite TSPM/CCC credentials. Other groups reported that authorities denied their applications without cause or detained group members who met with officials when they attempted to register. The Government contended that these refusals were the result of these groups' lack of adequate facilities or failure to meet other legal requirements.

Some unregistered Protestant groups refuse to register or affiliate with the TSPM/CCC because the TSPM/CCC puts submission to the CCP over submission to God. In particular, some house churches have objected to the TSPM's restrictions on evangelizing to or baptizing those under 18 and receiving religious materials from abroad, as well as its instructions to uphold Marxism, Leninism, and Mao Zedong Thought. Moreover, some groups disagreed with the TSPM/CCC teachings that differences in the tenets of different Protestant creeds can be reconciled or accommodated under one "post-denominational" religious umbrella organization. Others did not seek registration independently or with one of the PRAs due to fear of adverse consequences if they revealed, as required, the names and addresses of church leaders or members. Unregistered groups also frequently did not affiliate with one of the PRAs for fear that doing so would allow government authorities to control sermon content and speakers.

A religious group may seek registration as "a religious organization" or as a "venue for religious activity." According to RRA Chapter 3, Article 13, a religious group must first obtain registration as a "religious organization" in order to obtain registration as a "religious venue." However, SARA has stated that in principle any unregistered group may register a venue without first becoming registered as a religious organization.

According to RRA Chapter 2, Article 6, registration as a "religious organization" is governed by the "Regulations on the Management of Registration of Social Organizations" (RSO) which are administered by the Ministry of Civil Affairs (MOCA). There are six requirements for registration under the RSO. These requirements are: 50 individual members or 30 institutional members, or a total of 50 members if there are both individual and institutional members; a standard name and organizational capacity; a fixed location; a staff with qualifications appropriate to the activities of the organization; lawful assets and a source of funds (i.e., national level organizations must have a minimum of \$14,620 (100,000 RMB) and local social and inter-area social organizations must have a minimum of \$4,381 (30,000 RMB); and legal liability in its own right. SARA has stated that there may only be one recognized organization per religion. The TSPM is the only registered Protestant religious organization registered under the RSO.

Registration of a venue must take place according to RRA Chapter 3, which lists five requirements in Chapter 3, Article 14: establishment of a site consistent with the overall purpose of the RRA which must not be used to "disrupt public order, impair the health of citizens, or interfere with the educational system of the state," or be "subject to any foreign

domination;" local religious citizens must have a need to carry out collective religious activities frequently; there must be religious personnel qualified to preside over the activities; the site must have the "necessary funds;" and the site must be "rationally located" so as not to interfere with normal production and neighboring residents. According to RRA Chapter 4, Article 27, clergy must report to the appropriate RAB after being certified by the concerned PRA.

A growing number of religious groups that have chosen to affiliate with a registered venue of the TSPM were now able to meet legally under the supervision of the venue.

Religious groups that remain unaffiliated and unregistered continued to be vulnerable to government interference. In September 2007 the Beijing municipal public security bureau (PSB) passed a regulation prohibiting landlords from renting properties to persons with "irregular lifestyles," including those who conduct illegal religious activities. Several house church groups reported that they were forced to change locations for their meetings after Beijing authorities threatened landlords with punishment for renting to them.

Beginning in the 1980s, the Government banned groups that it determined to be "cults"--the Guan Yin (also known as Guanyin Famin, or the Way of the Goddess of Mercy), and Zhong Gong (a qigong exercise discipline). The Government also considers several Protestant Christian groups to be cults, including the "Shouters" (founded in the United States in 1962), Eastern Lightning, Society of Disciples (Mentu Hui), Full Scope Church, Spirit Sect, New Testament Church, Three Grades of Servants (also known as San Ba Pu Ren), Association of Disciples, Lord God Sect, Established King Church, Unification Church, Family of Love, and South China Church. In 1999 the Government banned the Falun Gong spiritual movement.

Under Article 300 of the criminal law, "cult" members who "disrupt public order" or distribute publications may be sentenced to 3 to 7 years in prison, while "cult" leaders and recruiters may be sentenced to 7 years or more in prison. Under the RRA, registered religious organizations may compile and print materials for their internal use. However, if they plan to distribute their materials publicly, they must follow national printing regulations, which restrict the publication and distribution of literature with religious content.

The 1994 Provisions Regarding the Administration of Contracts to Print Bible Texts named the Nanjing Amity Printing Company (Amity Press) as the sole printer for domestic Bibles. A few CPA dioceses which have their own presses reportedly print the Catholic Bible. Amity Press is a nonprofit organization, and Bibles are sold through TSPM and CPA churches, which are also nonprofit organizations. Several other officially designated printing companies print other Catholic religious materials.

RRA Article 35 permits registered religious groups to accept donations from organizations and individuals both inside and outside the country. The RRA states that funds collected must be used for activities "that conform to the purpose of the religious group or place of religious activity." RAB officials may redress violations.

The work of faith-based nonprofit organizations continued to expand rapidly and the Government increased its public support for these efforts. Amity Foundation, a state-approved Protestant-affiliated group registered as a charity at the national level (which allows it to receive tax-free charitable donations), was very active. Amity's Catholic counterpart, Beifang Jinde Social Services Center in Hebei Province, was also expanding. Caritas, the social services branch of the Catholic Church, operated in a few dioceses under the supervision of the CPA. House church groups and other unregistered religious groups are ineligible to receive tax free status since they do not have legal standing. Nonetheless, growing numbers of smaller-scale organizations have emerged from church congregations. Registered and unregistered faith-based organizations ran clinics, homes for the elderly, orphanages, and social centers. Many had established good working relationships with local authorities and were able to assist the aid work of the Government which often has extremely limited capacity to provide services. Because of their legal status, however, unregistered groups, continued to be vulnerable to actions taken by authorities to interfere with them or shut them down.

Under the RRA, the Government limits Hajj travel to Mecca to tours sponsored by the Muslim PRA, the Islamic Association of China (IAC).

According to reports, some religious adherents opposed the state's family planning policy for reasons of religious belief and practice. The Roman Catholic Church forbids abortions and the use of artificial contraception. Many Protestant leaders also teach that abortion violates the Biblical commandment not to kill. Some Muslims believe that children are a gift from Allah and that abortion is therefore wrong. In some areas of the country, government population control agencies required women to use contraception, be sterilized, and have abortions if their pregnancies violated government population control regulations.

#### *Restrictions on Religious Freedom*

During the period covered by this report, the Government's respect for religious freedom remained poor, and controls tightened in some areas, including in Tibetan areas, the XUAR, and Beijing. Some house churches reported that they were told by authorities not to meet during the 2008 Summer Olympic Games and Paralympic Games. One religious freedom nongovernmental organization (NGO) alleged that authorities demanded at least one house church to sign a written agreement that it would not hold services during the specified period. Following the March 14 outbreak of violence in Lhasa, Chinese government officials and state media increased their vilification of the Dalai Lama, including public accusations that the Dalai Lama incited rioting by Tibetans.

The Government perceived unregulated religious gatherings or groups as a potential challenge to its authority and attempted to control and regulate religious groups to prevent the rise of sources of authority outside the control of the Government and the CCP. In some regions, government supervision of religious activity was minimal, with registered and unregistered churches existing openly and receiving similar treatment by the authorities. In other regions, local officials supervised religion strictly, and authorities placed pressure on unregistered churches. Local regulations, provincial work reports, and other government and party documents continued to exhort officials to enforce government policy regarding unregistered churches and illegal religious activities.

There were reports of repression of unregistered Protestant church networks and house churches during the reporting period. In some areas, government authorities pressured house churches to affiliate with one of the PRAs and to register with religious affairs authorities by organizing registration campaigns and by detaining and interrogating leaders who refused to register. In other parts of the country unregistered groups grew rapidly and the authorities did not pressure them to register.

The website of SARA states that family and friends holding meetings at home (as distinct from formal worship services in public venues) need not register with the Government (the "Family and Friend Worship Policy"). However, there were many reports that police and officials of local Religious Affairs Bureaus (RABs) disrupted home worship meetings claiming that participants disturbed neighbors or social order, or belonged to an "evil cult." Police sometimes detained worshippers attending such services for hours or days and prevented further worship activities. Police interrogated church leaders and laypersons about their worship activities at locations including meeting sites, hotel rooms, and detention centers. NGOs reported that church leaders faced harsher treatment than members, including greater frequency and length of detention, formal arrest, and reeducation-through-labor or imprisonment. According to NGO and media reports, in some cases local officials also confiscated and destroyed the property of unregistered religious groups.

Some unregistered religious groups had significant membership, properties, financial resources, and networks. House churches encountered difficulties when their membership grew, when they arranged for the regular use of facilities for the purpose of conducting religious activities, or when they forged links with other unregistered groups or with coreligionists overseas. Urban house churches were sometimes limited to meetings of a few dozen members or less, while meetings of unregistered Protestants in small cities and rural areas could number in the hundreds openly and with the knowledge of local authorities.

Authorities in Shanghai implemented measures to prevent Catholic pilgrims from visiting the Marian Shrine of Sheshan during May. CPA authorities advised registered church members in the Shanghai diocese, where the shrine is located, to avoid gathering at the shrine in May, while the local PSB instituted traffic restrictions en route to the shrine, and CPA authorities outside Shanghai urged Catholics not to make pilgrimages to other provinces during the month.

Citizens are not permitted to attend religious services conducted by foreigners unless they take place in an authorized venue under the supervision of a registered religious group. Citizens were not allowed to attend expatriate worship services. However, foreigners were occasionally invited to preach at TSPM services. On May 11, 2008, the Reverend Franklin Graham spoke to an audience of approximately 12,000 at the Chong-Yi church in Hangzhou. The Regulations on the Religious Activities of Foreigners forbid proselytizing but do not prohibit foreigners from attending worship services at registered religious venues. Many expatriate Christian groups throughout the country have developed close ties with local officials, in some cases operating schools and homes for the care of the elderly.

Although the Government authorized funding to build new places of worship for registered venues, the number of temples, churches, and mosques has not kept pace with growth in the number of worshippers. For example, in Beijing, a city of 17 million, there are only 13 registered Protestant churches. Some registered churches faced difficulty registering new church venues.

The Government continued to harshly repress religious groups designated as cults, including the Falun Gong. As in past years, local authorities took steps to repress unregistered religious groups that grew quickly or publicly rejected the Government's authority. Official tolerance for groups associated with Buddhism and Taoism has been greater than that for groups associated with other religions. The Government labeled folk religions as "feudal superstition," and in the past there were reports that followers sometimes were subject to harassment and repression.

There was a severe shortage of trained clergy for both registered and unregistered religious groups. Official religious organizations administered local religious schools, seminaries, and institutes to train priests, ministers, imams, Islamic scholars, and Buddhist monks. Students who attended these institutes had to demonstrate "political reliability," and all graduates must pass an examination on their political, as well as theological, knowledge to qualify for the clergy.

Leaders of both registered and unregistered religious groups stated that training opportunities for clergy were inadequate. The shortage of training opportunities in the country has resulted in the creation of informal "field seminaries," lay leadership training programs, and online training resources for Chinese Christians. Some critics of the Government's policies on religion saw a lack of educational opportunities for mainstream clergy and the lack of access to religious texts and supplementary readings as factors that lead some religious groups to develop unorthodox, or what the Government characterizes as "cultlike," beliefs. Academics also reported that the Government's "patriotic education campaigns," which included compulsory political education in Tibetan monasteries, sometimes interfered with normal religious studies. The Government began allowing Dallas Theological Seminary to introduce online courses for clergy through TSPM-run Yanjing Seminary. The Government also allowed an increasing number of PRA-approved Catholic and Protestant seminarians, Muslim clerics, and some Buddhist monks to travel abroad for additional religious study. In practice, some had difficulty obtaining passports or approval to study abroad.

In March 2005 a Foreign Ministry spokesperson said the country had no national regulations preventing children from receiving religious instruction but religion should not interfere with public education. However, Article 14 of the Xinjiang Implementing Measures of the Law on the Protection of Minors still states that "parents or other guardians may not permit minors to be engaged in religious activities." Schools in the XUAR reportedly require students to attend mandatory classes on Friday, effectively preventing them from attending Friday prayer at the mosque. Regulations in Tibetan areas set the minimum age of admission to monasteries at 18.

XUAR authorities continued to restrict Muslim religious activity, sometimes citing counterterrorism as the basis for taking repressive action. In recent years XUAR authorities detained and formally arrested persons engaged in unauthorized religious activities and charged them with a range of offenses, including state security crimes. They often charged religious

believers with committing the "three evils" of terrorism, separatism, and extremism. Because authorities often did not distinguish carefully among those involved in peaceful activities in support of independence, "illegal" religious activities, and violent terrorism, it was often difficult to determine whether particular raids, detentions, arrests, or judicial punishments targeted those peacefully seeking political goals, those seeking to worship, or those engaged in violence.

The Government reportedly continued to detain Uighur Muslim citizens for possession of unauthorized religious texts, imprison them for religious activities determined to be "extremist," and prevent them from observing certain sacred religious traditions. Compared to other provinces and autonomous regions, the XUAR government maintained the severest legal restrictions on a child's right to practice religion, and XUAR authorities in a few areas prohibited women, children, CCP members, and government workers from entering mosques. Tight controls on religion in the XUAR reportedly affected followers of other religions as well.

The Government of the XUAR often prohibited public expressions of faith by teachers, professors, and university students, including during Ramadan. Some local officials reportedly called on schools to strengthen propaganda education during Ramadan and put a stop to activities including fasting and professing a religion.

According to media reports, a series of demonstrations in and near Hotan City, XUAR, took place on March 23-24, 2008. Nearly 600 protestors, the majority of whom were women, reportedly demanded that authorities abandon a proposed ban on headscarves and release political prisoners. Authorities denied that the protests were related to headscarves or religious practice. Instead, authorities claimed individuals with connections to the pan-Islamic Hizb ut-Tahrir organization were responsible for the protests.

The Government attempted to restrict Hajj travel to IAC-sponsored Hajj tours. Some Uighur Muslims sought passage to Mecca from points outside the country for a variety of reasons, including cost savings, to avoid cumbersome restrictions and procedural requirements, or to avoid tests of "patriotism" by the Government. Due to increased numbers of Muslim pilgrims traveling to Mecca from third countries, the Government intensified efforts to restrict unofficial Hajj tours during the reporting period. In 2007 XUAR Party Secretary Wang Lequan stated that "new situations" and "new problems" compelled the Government to "step up the control of pilgrimages, severely attack the organizers of illegal pilgrimages, take forceful measures to put a stop to dispersed pilgrimages, and protect the personal interests of the masses from every ethnic group." In 2007, foreign media reported that XUAR officials confiscated the passports of more than 2,000 Uighur Muslims in an effort to prevent unauthorized Hajj pilgrimages. Foreign media reported that some Uighur Muslims were told they would have to pay a deposit of \$6,600 dollars (45,195 RMB) to retrieve their passports for overseas travel.

According to reports, government authorities attempted to restrict Hajj participation by Uighur men to those between the ages of 50 and 70, arbitrarily detained some Uighur Muslims to prevent them from going on the Hajj, required Uighur pilgrims to show that their Hajj travel funds were not borrowed from other sources, and required Uighur pilgrims to pass a health test. There were no other reports of limitations on Hajj travel for other Chinese citizens. Official reports stated that, of a total of 10,700 Chinese Muslims on the 2007 Hajj pilgrimage, 2,700 were Uighur Muslims, a decrease from 3,100 in 2006.

The law does not prohibit religious believers from holding public office; however, Communist Party membership is required for almost all high-level positions in government, state-owned businesses, and many official organizations. The CCP has stated that party members who belong to religious organizations are subject to expulsion. The "Routine Service Regulations" of the People's Liberation Army (PLA) state explicitly that servicemen "may not take part in religious or superstitious activities."

Nonetheless, a growing number of Communist Party members have become Christians. Some Communist Party officials engage in religious activity, most commonly Buddhism or a folk religion. Leaders of government-approved religious groups, which are included in national and local government organizations to represent their constituency on cultural and educational matters, may be members of the CCP.

The five PRAs publish religious literature and state-run publishing houses published religious materials. However, the Government limited printing of the Bible to Amity Press and to a few presses affiliated with CPA dioceses which publish the Catholic Bible. Bibles so produced could be purchased only at TSPM or CPA churches. The Government authorized publishers (other than Amity Press) to publish at least a thousand Christian titles. Amity has published more than forty million Bibles for the Chinese readership and distributes them through a network of 70 urban distribution points and a mobile distribution network that travels to rural areas. Increasing interest in Christianity produced a corresponding increase in demand for Bibles and other Christian literature, and members of unregistered churches reported that the supply and distribution of Bibles was inadequate, particularly in rural locations. Individuals could not order Bibles directly from publishing houses, and distributors were sometimes wary of unfavorable attention that might attend orders for purchases of large volumes of Bibles. The Beijing Organizing Committee for the Games of the XXIX Olympiad (BOCOG) stated on its website for the 2008 Summer Olympic Games that visitors should bring no more than one Bible per person. Under the RRA and regulations on publishing, religious texts published without authorization, including Bibles and Qur'ans, may be confiscated and unauthorized publishing houses closed. Religious adherents are subject to arrest and imprisonment for illegal publishing. Authorities often confiscated Bibles in raids on house churches. Customs officials continued to monitor the importation of Bibles and other religious materials. In the XUAR, government authorities also at times restricted the buying and selling of the Qu'ran.

The Government and the Holy See have not established diplomatic relations, and there was no Vatican representative in the country. The role of the Pope in selecting bishops, the status of underground Catholic clerics, and Vatican recognition of Taiwan remained obstacles to improved relations. A Ministry of Foreign Affairs spokesperson stated that the Government advocated improvement in relations.

The CPA does not recognize the authority of the Holy See to appoint bishops; however, it allowed the Vatican's discreet input in selecting some bishops. In September 2007 Xiao Zejiang, a member of the Guizhou Provincial People's Political Consultative Congress, was ordained as coadjutor bishop of the Guizhou Diocese. Bishop Xiao's ordination was the first of five ordinations approved both by Beijing and the Vatican following the June 2007 letter of Pope Benedict XVI to the Catholic Church in China on reconciliation. An estimated 90 percent of official Catholic bishops have reconciled with the Vatican. Likewise, the large majority of Catholic bishops appointed by the Government have received official approval from the Vatican through "apostolic mandates."

The distinction between the official Catholic Church, which the Government controls politically, and the unregistered Catholic Church has become less clear over time. In some official Catholic churches, clerics led prayers for the Pope, and pictures of the Pope were displayed.

#### Abuses of Religious Freedom

During the period covered by this report, officials continued to scrutinize, and in some cases, harass unregistered religious and spiritual groups. In some areas government officials abused the rights of members of unregistered Protestant and Catholic groups, Uighur Muslims, Tibetan Buddhists, and members of groups that the Government determined to be "cults," especially the Falun Gong. Reports of abuse of religious freedom in the XUAR, Tibetan areas, and Beijing increased during the reporting period.

The Government detained, arrested, or sentenced to prison terms many religious leaders and adherents for activities related to their religious practice; however, the Government denied detaining or arresting anyone solely because of his or her religion. Local authorities often used an administrative process, through which citizens may be sentenced by a nonjudicial panel of police and local authorities to up to 3 years in reeducation-through-labor camps, to punish members of unregistered religious groups. During the reporting period, the Government reportedly held many religious adherents and members of spiritual movements in reeducation-through-labor camps because of their religious beliefs. In some areas security authorities used threats, demolition of unregistered property, extortion, interrogation, detention, physical attacks, and torture to harass leaders of unauthorized groups and their followers.

Offenses related to membership in unregistered religious groups are often classified as crimes of disturbing the social order. Religious leaders and worshippers, however, faced criminal and administrative punishment on a wide range of charges, including those related to the Government's refusal to allow members of unregistered groups to assemble, travel, and publish freely or in connection with its ban on public proselytizing. During the reporting period, the Government also used the charge of conducting illegal business operations to detain leaders of unregistered religious groups.

A number of Protestant Christians who worshipped outside of government-approved venues, including in their homes, continued to face detention and abuse, especially for attempting to meet in large groups, traveling within and outside of the country for religious meetings, and otherwise holding peaceful religious assemblies in unregistered venues. According to overseas NGOs, raids by police and other security officials on Protestant religious meetings intensified during the reporting period.

In June 2008 several prominent religious leaders were harassed, placed under surveillance, restricted to their homes, or forced to leave Beijing during the visit of a delegation of foreign officials. These leaders included religious freedom attorneys Li Baiguang and Li Heping and Christian writer Yu Jie. Police also forced Pastor Zhang Mingxuan, president of the China House Church Alliance (CHCA), a network of house church groups that reportedly has 300,000 members, and his wife to relocate from Beijing to Hebei Province after they met with members of the visiting delegation. Authorities also reportedly ordered several Christian leaders to leave Beijing until after the Olympics.

On September 22, 2007, authorities detained Christian lawyer Gao Zhisheng shortly after a letter he wrote to a foreign government, addressing human rights and religious freedom issues, became public. Gao's current whereabouts were unknown at the end of the reporting period. In December 2006 the Government convicted Gao of "inciting subversion" for sending a letter to President Hu Jintao detailing abuses against Falun Gong practitioners.

Overseas Christian groups continued to report increasing pressure on expatriate Christians in the lead up to the 2008 Summer Olympics. Beginning in spring 2007, the Government expelled foreign Christians. Foreign media reported that the total number of expulsions exceeded one hundred. The Government detained and interrogated several expatriate Christians and charged them with "illegal religious activities" for reportedly holding religious discussions and distributing religious materials to local citizens. Some Christian expatriates were forced to abandon significant financial investments. The Government reportedly arrested two Uighur Christian employees of foreign-owned companies that were scrutinized for "illegal religious activities." On October 9, 2007, the Kashgar Municipal Bureau for Ethnic Affairs told Alimujiang Yimiti, a Uighur Christian employed by a British-owned company, that he had violated provisions of the 2005 RRA, the "Explanation of the Regulations on Not Permitting Christians to Engage in House Church Religious Activities" promulgated by the UFWD, and the "Notice on Strengthening Administration Work on Christianity" promulgated by the XUAR Party Committee of the UFWD. In January 2008 Kashgar authorities arrested Yimiti on charges of "engaging in illegal religious activities in the name of business" and preaching Christianity to ethnic Uighurs, according to the NGO. On May 27, 2008, the Kashgar District Intermediate People's Court tried Yimiti on the charge of "endangering national security." According to an NGO report the Government closed Yimiti's company on suspicion of "foreign religious infiltration." The Kashgar court sent his case back to prosecutors due to "insufficient evidence."

According to the NGO, on November 27, 2007, XUAR authorities sentenced another Uighur Christian, Wusiman Yiming, who worked for an American-owned company, to 2 years of reeducation through labor. The owner of the company, an American Christian, was expelled from China and the company was shut down. The Reeducation through Labor Committee that sentenced Wusiman Yiming accused him of "assisting foreigners with illegal religious activities."

Authorities in the XUAR and other provinces continued to interrupt house church services and detain laypersons and leaders.

According to NGO reports, on June 24, 2008, several police officers reportedly detained three persons at a house church at Honghui Coal Mine in Pingchuan District, Baiyin City, Gansu Province. On June 25, two more persons were detained at the same location. They were sentenced to administrative detention between 3 and 10 days and fined \$145 (1,000 RMB).

On May 25, 2008, the Beijing Gospel Church, a "house church" with a membership of more than 1,000, was raided by officials from four government agencies, including the Bureau of Ethnic and Religious Affairs, according to an NGO. Officials searched the homes of church members without documentation and confiscated religious materials. Some of the church members reported minor injuries from mistreatment by officials. Pastor Gao Zhen was detained for hours, interrogated and then released.

On May 16, 2008, XUAR police detained Pastor Lou Yuanqi on suspicion of inciting separatism. Police repeatedly detained Pastor Lou for organizing house church activities.

On May 11, 2008, uniformed policemen and plain-clothes detectives raided the worship service at Shouwang Church in Beijing. Authorities from Haidian District Bureau of Ethnic and Religious Affairs ordered the church to stop meeting and forced members to leave the premises. According to NGO reports, the Government rejected the church's attempts to register with the Beijing RAB and with the Beijing Ministry of Civil Affairs in 2007 and 2008 because the church's clergy was not TSPM-trained.

On May 2, 2008, PSB and RAB authorities raided the gathering of more than 40 members of the Chengdu Qiuyu Blessings Church near Shuangliu, Chengdu. The authorities questioned whether the gathering had been properly registered and told participants they were "suspected of being involved in illegal religious practices." The officials also confiscated Bibles, hymnals, and religious education materials.

On April 13, 2008, XUAR police took 46 Christians into custody who were worshipping at the home of Ding Zhichun in Shache County, Kashgar, XUAR. Authorities reportedly forced the Christians to confess to illegal worship activities and to study the Government's handbook on religious policy. Forty-four were released following payment of a fine. The Government sentenced two church members to 15 days of administrative detention. Authorities detained nine house church members in March 2008 in Qu County, Sichuan Province, on suspicion of "using an evil cult to obstruct the enforcement of the law."

On December 7, 2007, authorities in Shandong Province's Linyi City raided a gathering of 270 leaders of unregistered Christian groups and detained 21 who were sentenced to reeducation-through-labor terms ranging from 1 to 3 years for belonging to an "evil cult."

On January 23, 2007, officials allegedly beat members of a house church in Kunming, Yunnan who protested against the seizing and burning of Christian books, including Bibles, by Ethnic and Religious Affairs Bureau officials on December 5, 2007.

On November 18, 2007, PSB officers in Henan detained 40 church leaders from the China Gospel Fellowship for up to 15 days. Families of the leaders were reportedly required to cover living expenses at the detention center. In June 2006 police in Langzhong City, Sichuan Province, detained eight house church Christians. Four leaders of the church and three additional members were detained when they went to inquire about those detained at the public security office. House church members claimed they were beaten by police; the four leaders of the group who were detained were sentenced to 2 years of reeducation-through-labor. They were due for release at the end of July 2008. Prominent house church leaders and their family members continued to serve time in prison.

In September 2007 an overseas NGO reported that Christian pastor Zhang Rongliang's health continued to deteriorate in prison. He was sentenced in June 2006 to 7 years and 6 months in prison on charges of obtaining a fraudulent passport and crossing the border illegally. On July 27, 2007, Beijing house church activist Hua Huiqi was released from prison. Hua had been detained on "suspicion of interfering with public duties" and was formally arrested by Beijing PSB's Chaoyang Branch on February 8, 2007. In April 2007 the Beijing Intermediate People's Court rejected the appeal of Hua's 76-year-old mother, Shuang Shuying, who was sentenced to 2 years in jail for destruction of public and private property. Hua alleged that government authorities imprisoned Shuang in an attempt to pressure him into providing information to the Government about individuals who visited him.

House church groups involved in efforts to provide relief to victims of the May 2008 Sichuan earthquake reported Government interference in their efforts.

On June 1, 2008, police reportedly raided a house church meeting in Taikang County, Henan Province and interrogated participants about which church members would deliver donations to the earthquake area. Six members were held in detention under the charge of being members of an "evil cult." Police and religious affairs officials stated they would not release them until they each paid a \$144 (1,000 RMB) fine. According to an overseas NGO, on May 28, 2008, two Christians in Hua County, Henan Province were detained and questioned about their earthquake relief efforts. Authorities later accused them of "illegal religious activities." One was released on June 2 after paying a \$75 (513 RMB) dollar penalty and providing gifts worth nearly \$600 (4,103 RMB) dollars to PSB officers; the other was released on June 3.

The Government detained a number of individuals on charges relating to illegal publication of religious materials.

On June 24, 2008, the Government extended the detention of Beijing bookstore owner Shi Weihai, who was taken into police custody on March 19, 2008, for 2 months. Shi was initially detained in November 2007 for the illegal publication of Bibles and Christian literature, but authorities released him in January 2008 due to "insufficient evidence." PSB officials have reportedly denied him contact with his family since March and Shi was not granted access to his lawyer until April 2008. On May 9, 2008, police arrested Pastor Dong Yutao, a leader of Beijing City Revival Church, while he was going to collect a shipment of Bibles. Beijing Public Security Bureau officials placed Dong under criminal detention for receiving illegally printed Bibles and religious literature. On February 19, 2008, house church leader Zhou Heng was released from prison. Zhou had been imprisoned on August 31, 2007, for importing three tons of Bibles from South Korea. In September 2007 Protestant Pastor Cai Zhuohua was released from prison after serving a three and a half year sentence for large-scale publishing of Bibles and Christian literature without government approval. Following his release, government authorities reportedly harassed Cai.

The Government also arrested some individuals on charges of illegal proselytism.

On May 4, 2008, government officials raided the Loyalty Christian Church of Yanji led by Pastor Hao Yujie, according to an overseas NGO. Authorities took Hao for questioning and reportedly beat her in custody. The Government charged her with organizing an illegal religious gathering in violation of Article 33 of the "Regulations on Religious Affairs of Jilin Province." Citing Article 50 of "Regulations on Religious Affairs of Jilin Province," the Government abolished the Loyalty Christian Church of Yanji and ordered Hao to cease her proselytizing activities. In February 2008 Gu Changrong and Gu Zhaohong, members of the Society of Disciples (Mentu Hui), were released after serving 1-year terms of reeducation-through-labor for allegedly proselytizing a Communist Party member.

Some individuals opposed coercive family planning policies because of their religious beliefs.

In April 2007 Radio Free Asia reported that family planning officials in Baise, Guangxi Province, forced Wei Linrong, the wife of house church pastor Liang Yage, to have an abortion. According to the report, Liang and his wife did not want to have an abortion because it violated their religious beliefs.

In some locations, local authorities reportedly forced unregistered Catholic priests and believers to renounce ordinations approved by the Holy See, join the official church, or face a variety of punishments including fines, job loss, detentions, and having their children barred from school. Ongoing harassment of unregistered bishops and priests was reported, including government surveillance and repeated short detentions. Numerous detentions of unofficial Catholic clergy were reported, in particular in Hebei Province, traditionally home to many unregistered Catholics.

In September 2007 underground Catholic bishop Han Dingxiang, who reportedly suffered from cancer, and had been under house arrest and other forms of detention for nearly 8 years, died at a hospital while under police custody. In August 2007

Bishop Jia Zhiguo was reportedly detained and held without charge until December 14, 2007; he has been detained more than ten times since 2004.

The whereabouts of Zhouzhi bishop Wu Qinjing remain unknown. Auxiliary Bishop of Xiwanzi diocese, Hebei Province, Yao Liang, remained in detention during the reporting period. Father Li Huisheng who was reportedly tortured by police in August 2006 remained in custody serving a 7-year term of imprisonment for "inciting the masses against the Government."

The Government sought the forcible return of several Uighur Muslims from other countries, some of whom had reportedly protested limits on the Hajj and encouraged prayer and fasting by fellow Muslims. In the fall of 2006 an estimated 4,000 to 6,000 Uighur Muslims traveled to Islamabad, Pakistan to apply for Hajj visas at the Saudi Arabian Embassy. The Saudi Embassy reportedly rejected some of the visa applications because of an agreement with the Government stipulating that Chinese Muslims could undertake a Hajj pilgrimage only with IAC-organized groups. According to NGO reports, in July 2007 Pakistan reportedly arrested and forcibly returned to the country Osman Alihan, a Uighur Muslim businessman who participated in protests against Hajj restrictions. That same month the Government of Saudi Arabia also reportedly arrested and forcibly returned Habibulla Ali, a Uighur Muslim who discussed the hajj restrictions with other Uighur Muslims in Saudi Arabia, according to NGO reports.

Ablikim and Alim Kadeer, sons of Uighur Muslim activist Rebiya Kadeer, continued to serve 9- and 7-year prison terms, respectively, on charges related to state security and economic crimes. They were arrested days after Rebiya Kadeer was elected president of the Uyghur American Association.

On June 23, 2008, media stated that a mosque near Aksu City in the XUAR was demolished. A representative of the World Uighur Congress claimed that the congregation of the mosque was accused of illegally renovating the structure, carrying out illegal religious activities, and illegally storing copies of the Qur'an. A spokesman for the Ministry of Foreign Affairs claimed that the structure was not a mosque.

In June 2008 the Government of Malaysia forcibly returned to the country two Hui Muslims, one of whom expressed concern over treatment of Muslims in Tianjin.

According to Falun Gong practitioners abroad, since 1999 more than 100,000 practitioners have been detained for engaging in Falun Gong practices, admitting that they adhere to the teachings of Falun Gong, or refusing to criticize the organization or its founder. The organization reported that its members have been subject to excessive force, abuse, rape, detention, forcible psychiatric commitment and treatment (including involuntary medication and electric shock treatment), and torture, and that some members, including children, have died in custody. Practitioners who refused to recant their beliefs were sometimes subjected to extrajudicial "legal education" centers after the expiration of their criminal sentences. Overseas Falun Gong organizations alleged a surge in arrests and deaths of Falun Gong practitioners carried out in order to prevent disturbance during the Olympic Games. Reports of abuse were difficult to confirm because the Government prevented Falun Gong members from meeting with foreign reporters and government officials. These organizations also reported that the Government harassed their members in other countries, including the United States, through threatening phone calls and physical harassment. The Government frequently used harsh rhetoric against the Falun Gong. Some foreign observers estimated that at least half of the 250,000 officially recorded inmates in the country's reeducation-through-labor camps were Falun Gong adherents. Falun Gong sources overseas placed the number even higher. For a more detailed discussion, see the *2007 Human Rights Report*.

#### Forced Religious Conversion

There were no reports of forced religious conversion, including 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

The Government continued to emphasize the role of religion in promoting a "harmonious society," allowed the PRAs to expand their cooperation with religious groups in other countries, and funded the building of some new places for worship by registered religious groups. The Government allowed foreign and domestic religious groups to increase cooperation on religious education and charitable work. The Government has granted approval for an increasing number of religious books to be published by officially approved publishers.

### Section III. Societal Abuses and Discrimination

In some parts of the country, there was a tense relationship between registered and unregistered Protestant churches and, according to press reports, between members of unregistered Protestant church groups. There were also tensions between unregistered and official Catholic communities in some provinces, including Hebei. Muslims and Tibetan Buddhists complained about the presence of Christian missionaries in their communities. Christian leaders reported some friction in rural areas between adherents of folk religions and Christians who object to some folk religion practices. Religious and ethnic minority groups, such as Tibetan Buddhists and Uighur Muslims, experienced societal discrimination because of their religious beliefs and their status as ethnic minorities with distinct languages and cultures. Conflicts among ethnic groups in Tibetan areas, including Han, Hui, Tibetan Buddhists, and Tibetan Muslims escalated during the reporting period. These tensions were related to religious as well as socioeconomic and cultural issues. There were reports that the Government's vilification of the Dalai Lama led to increased anti-Tibetan Buddhist sentiment throughout the country (see appendix for additional information).

### Section IV. U.S. Government Policy

President George W. Bush and senior U.S. officials consistently call upon the Government to respect international standards for religious freedom. President Bush raised religious freedom with the Government, including at the September 2007 APEC summit in Sydney, Australia. President Bush also met with religious freedom activists, including Christian lawyers Li Heping and Li Baiguang, in June 2008.

U.S. officials regularly raise religious freedom issues with government leaders, including calling for the release of religious prisoners, the reform of restrictive registration laws, and more freedom for religious groups to practice their faith. The Ambassador at Large for International Religious Freedom and the Assistant Secretary of State for Democracy, Human Rights, and Labor raised religious freedom issues during the May 2008 U.S.-China Human Rights Dialogue in Beijing and met with religious freedom activists in Washington, D.C.

In the wake of the March 2008 events in Tibet, Secretary of State Rice issued a statement calling on the Government to address policies that had created tensions due to their impact on Tibetan religion, culture, and livelihoods. The U.S. Department of State, the U.S. Embassy in Beijing, and the consulates general in Chengdu, Guangzhou, Shanghai, and Shenyang made concerted efforts to encourage greater religious freedom in the country. U.S. officials condemned abuses while supporting positive trends within the country. In exchanges with the Government, including with religious affairs officials, U.S. representatives consistently urged both central and local authorities to respect citizens' rights to religious freedom and release all those serving prison sentences for religious activities. U.S. officials protested vigorously whenever there were credible reports of religious harassment or discrimination in violation of international laws and standards, and they requested information in cases of alleged mistreatment in which the facts were incomplete or contradictory. On numerous occasions the Department of State, the Embassy, and the consulates general protested government actions to curb freedom of religion and freedom of conscience, including the arrests of Falun Gong followers, Tibetan Buddhists, Uighur Muslims, and Catholic and Protestant clergy and laypersons. The Embassy routinely raised cases of detention and abuse of religious practitioners with appropriate Government officials.

At the same time, U.S. officials argued to the country's leaders that freedom of religion would strengthen, not harm, the country. U.S. officials encouraged the Government to support the growth of faith-based aid by both legally registered and unregistered religious groups and to loosen government controls on religious practice.

The Embassy and consulates general also collected information about abuses and maintained contacts with a wide spectrum of religious leaders within religious communities, including bishops, priests, and ministers of the official Christian and Catholic churches, as well as Taoist, Muslim, Tibetan Buddhist and other Buddhist leaders. U.S. officials also met with leaders and members of unofficial Christian churches. The Department of State's nongovernmental contacts included experts on religion in the country, human rights organizations, and religious groups in the United States.

The Department of State brought a number of religious leaders and scholars to the United States on international visitor programs to see firsthand the role that religion plays in U.S. society.

During the period covered by this report, the U.S. Ambassador to China highlighted problems of religious freedom and cases of individual religious prisoners of conscience in his public speeches and in his private diplomacy with senior officials. Officials from the Embassy and consulates general met with government officials responsible for religion and with clergy or practitioners in official and unofficial religious groups.

Since 1999 the Secretary of State has designated the country as a CPC under the IRFA for particularly severe violations of religious freedom. Economic measures in effect against the country under the IRFA relate to restriction of exports of crime control and detection instruments and equipment (Foreign Relations Authorization Act, Fiscal Years 1990 and 1991, P.L. 101-246).

## **TIBET**

The United States recognizes the Tibet Autonomous Region (TAR) and Tibetan autonomous prefectures (TAPs) and counties in other provinces to be a part of the People's Republic of China (PRC). The U.S. Department of State follows these designations in its reporting. The preservation and development of the Tibetan people's unique religious, cultural, and linguistic heritage, as well as the protection of their fundamental human rights, continue to be of concern.

The PRC's Constitution provides for freedom of religion but limits protection of the exercise of religious belief to activities that the Government defines as "normal." The Government's 2005 White Paper on Regional Autonomy for Ethnic Minorities states, "Organs of self-government in autonomous areas, in accordance with the provisions of the Constitution and relevant laws, respect and guarantee the freedom of religious belief of ethnic minorities, and safeguard all legal and normal religious activities of people of ethnic minorities." Although the authorities permitted many traditional religious practices and public manifestations of belief, they maintained tight control on religious practices and places of worship. They promptly and forcibly suppressed activities that they viewed as vehicles for political dissent or advocacy of Tibetan independence, such as religious activities venerating the Dalai Lama, whom the Government continued to characterize as a separatist.

During the period covered by this report, the level of religious repression in the TAR and other Tibetan areas increased. Some of the Government's increased restrictions on religious freedom during the reporting period included interference with the process of selecting and training reincarnate lamas, stricter control over the ability of monks and nuns to travel between monasteries, and limits on the construction or renovation of monasteries. The Government also strengthened "patriotic education" campaigns in the monasteries, which required monks and nuns to spend several hours a day studying communist political texts and sign statements personally denouncing the Dalai Lama.

The patriotic education campaigns and other restrictions on religious freedom were major factors that led monks and nuns from a number of monasteries to mount peaceful protests in Lhasa on March 10, 2008. On March 14-15, the protests and security response devolved into rioting by Tibetans and a violent police crackdown in Lhasa. Additional protests, most led by monks and nuns, spread to nearly all Tibetan areas outside of Lhasa, with more than one hundred protests taking place in the following months. Estimates of the number of monks and nuns detained in the wake of the unrest varied between hundreds and thousands. The Government's respect for religious freedom in the TAR and other Tibetan areas deteriorated severely after the outbreak of violence in Lhasa on March 14. Following the unrest, authorities locked down monasteries as

well as detained and physically abused an unknown number of monks and nuns, or expelled them from monasteries throughout Tibetan areas. The Government expanded and intensified patriotic education campaigns in monasteries and nunneries, prompting new rounds of protests throughout Tibetan areas specifically against this forced education. Government officials also increased harsh criticism of the Dalai Lama.

Societal abuses and discrimination that occurred between religious groups in Tibetan areas were also related to ethnic conflicts, economic disparities, and the lack of opportunities for advancement for Tibetan Buddhists. The March 14 rioting by Tibetans in Lhasa resulted in damage to government buildings, Han and Hui businesses and property, and a mosque.

The U.S. Government continued to encourage greater religious freedom by urging the PRC Government and local authorities to respect religious freedom and preserve religious traditions. The U.S. Government protested credible reports of religious persecution and discrimination, discussed individual cases with the authorities, and requested further information about specific incidents. Following the March 14 violence in Lhasa, the U.S. Government urged the PRC Government to engage in constructive dialogue with the Dalai Lama and his representatives and to address policies in Tibetan areas that have created tensions due to their impact on Tibetan religion, culture, and livelihoods.

### **Section I. Religious Demography**

Tibetan areas total 871,649 square miles. According to the 2000 census, the Tibetan population within the TAR was 2.4 million out of a total permanently registered population of 2.8 million, while in the Tibetan autonomous prefectures and counties in the provinces of Qinghai, Gansu, Sichuan, and Yunnan, the Tibetan population was 2.9 million. Most practiced Tibetan Buddhism, although a sizeable minority also practiced Bon, the related traditional Tibetan religion. This held true for many Tibetan government officials and Chinese Communist Party (CCP) members, even though the CCP and the Government prohibited officials from practicing religion.

Other residents of Tibetan areas include ethnic Han Chinese, who practiced Buddhism, Daoism, Confucianism, and traditional folk religions; Hui Muslims; ethnic Tibetan Muslims; and Christians. There are mosques in the TAR with approximately 4,000 to 5,000 Muslim adherents, as well as a Catholic church with 560 parishioners located in the traditionally Catholic community of Yanjing in the eastern TAR. Tsodruk, in Dechen TAP in Yunnan Province, is also home to a Tibetan Catholic congregation. There were a small number of Falun Gong adherents, as well as some unregistered Protestant churches, in the TAR.

The number of monks and nuns in the TAR continued to fluctuate significantly due in part to the "patriotic education" campaigns, which sometimes resulted in the expulsion from monasteries and nunneries of monks and nuns who were found to be "politically unqualified" or who refused to denounce the Dalai Lama. In 1996 official TAR government statistics estimated that there were 46,000 monks and nuns and 1,700 religious sites in the TAR, but this figure has likely varied over time due to government policy, politically motivated detentions, monastic secularization, and commercialization due to tourism. Furthermore, the government figure of 46,000 monks and nuns represented only the TAR, where the number of monks and nuns is strictly controlled. There are reportedly large numbers of unregistered monks both inside and outside the TAR, a factor that makes it difficult to produce reliable estimates. According to statistics collected by the China Center for Tibetan Studies, a government research institution, there are 1,535 monasteries in Tibetan areas outside the TAR. Informed observers estimate that 60,000 Tibetan Buddhist monks and nuns live in Tibetan areas outside the TAR.

### **Section II. Status of Religious Freedom**

#### *Legal/Policy Framework*

The PRC Constitution and laws provide for freedom of religious belief and the freedom not to believe, although the Constitution only protects religious activities defined as "normal." The Constitution states that religious bodies and affairs are not to be "subject to any foreign domination." The Government sought to restrict religious practice to government-

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sanctioned organizations and registered religious groups and places of worship, as well as to control the growth and scope of the activity of registered and unregistered religious groups. The Government remained wary of Tibetan Buddhism and its links to the Dalai Lama in particular, and tightly controlled religious practices and places of worship in Tibetan areas. Although authorities permitted many traditional religious practices and some public manifestations of belief, they promptly and forcibly suppressed any activities that they viewed as vehicles for separatism, political dissent, or Tibetan independence. This included religious activities that officials perceived as supporting the Dalai Lama. During the reporting period, the Government intensified its rhetoric against the Dalai Lama. Shortly after the events of March 14, Secretary of the CCP TAR Committee, Zhang Qingli, told regional officials that "the Dalai [Lama] is a wolf in Buddhist monk's robes, an evil spirit with a human face and the heart of a beast," according to the domestic press. The Government also harshly repressed religious activity perceived as venerating the Dalai Lama, whom the authorities see as continuing a tradition of both political and religious leadership.

After repeated requests from the international community, officials from the Chinese Communist Party United Front Work Department and envoys of the Dalai Lama met informally in Shenzhen on May 4, 2008, to discuss the March 2008 events. Prior rounds of formal talks between envoys of the Dalai Lama and government officials occurred in 2002, 2003, 2004, 2005, 2006, and late June 2007.

The Government expanded and publicized its "patriotic education" campaigns in monasteries and nunneries after 1995. As part of these campaigns, monks and nuns are required to affirm that Tibet is an inalienable part of the PRC, denounce the Dalai Lama, and recognize the government-appointed Panchen Lama. The primary responsibility for conducting monastic political education remained with monastery leaders. While the form, content, and frequency of patriotic training at monasteries varied widely, the conduct of such training remained a requirement and was a routine part of monastic management. Several media sources reported that frustration among Tibetan Buddhists with these campaigns was a source of unrest in Tibetan areas both inside and outside of the TAR.

During the reporting period, new rules and regulations came into force that increased government control over religious practices, relics, and traditions. On September 1, 2007, the Management Measures on Reincarnation (MMR) issued by the State Administration for Religious Affairs (SARA) went into effect, codifying government assertion of control over the selection of Tibetan religious leaders and reincarnate lamas. The regulations stipulate that local governments at the city-level and above have the power to deny permission for a Tibetan Buddhist lama to be reincarnated. Reincarnations must be approved by at least provincial-level governments, while the State Council reserves the right to deny the reincarnation of living Buddhas of "especially great influence." The regulations state that no foreign organization or individual can interfere in the selection of reincarnate lamas, and all reincarnate lamas must be reborn within the PRC and not abroad.

A December 27, 2007 article by the official Xinhua News Agency stated, "The rule is bound to have significant impact on standardizing governance on living Buddha reincarnation, protecting people's religious freedom, maintaining the normal order of Tibetan Buddhism, and the building of a harmonious society." Some criticized the rules as unwarranted government interference in the practice of Tibetan Buddhism and an attempt to minimize the influence of the Dalai Lama over the process of selecting and recognizing reincarnate lamas, including the crucial issue of the selection of his successor.

On January 1, 2007, the TAR Implementation of the PRC Religious Affairs Regulations (the Implementing Regulations) also issued by SARA came into force, superseding the TAR's 1991 regulations. The Implementing Regulations asserted state control over all aspects of Tibetan Buddhism, including religious groups, venues, and personnel. The Implementing Regulations codified the practice of controlling the movement of nuns and monks by requiring permission from county-level religious affairs officials for travel to another prefecture or county-level city within the TAR. In Tibetan Buddhism, visitation to different monasteries and religious sites for specialized training by experts in their particular theological tradition is a key component of religious education. The International Campaign for Tibet (ICT) reported that monks and nuns who go to India claim that their main reasons for choosing to leave Tibet are to continue their studies, which they believe they are unable to do inside Tibet, and to obtain a blessing from the Dalai Lama.

The Implementing Regulations also increased the Government's control over the building and management of religious structures and over large-scale religious gatherings. Official permission is required for all monastic construction and "reconstructing, extending, or repairing religious venues." Likewise, monasteries must request permission to hold large or important religious events. During the reporting period, the TAR government tightened its control over Tibetan Buddhist religious relics. A July 2007 revision to the TAR Cultural Relics Protection Regulations asserted government ownership over cultural and religious relics, as well as religious institutions, which have been classified by officials as cultural sites.

The TAR government has the right under the Implementing Regulations to disapprove any individual's application to take up religious orders. Authorities curtailed the traditional practice of sending young boys to monasteries for religious training by implementing regulations forbidding monasteries from accepting individuals under the age of 18. In practice, many monks studied and worshiped within their monasteries without being "registered" or obtaining an official monastic identification card issued by religious affairs authorities.

#### *Restrictions on Religious Freedom*

Government officials often associated Buddhist monasteries with pro-independence activism in Tibetan areas. Although the Government did not contribute to the monasteries' operating funds, it oversaw the daily operations of major monasteries through the Democratic Management Committees (DMCs) and local religious affairs bureaus (RABs). Regulations restrict leadership of many DMCs to "patriotic and devoted" monks and nuns and specify that the Government must approve all members of the committees. At some monasteries, government officials are among the members of the committees.

The Government stated that there were no limits on the number of monks in major monasteries and that each monastery's DMC could decide independently how many monks the monastery could support. In practice, the Government imposed strict limits on the number of monks in major monasteries, particularly in the TAR and Sichuan's Ganzi TAP. For example, Ganzi TAP government order No. 2 of June 28, 2008 reduced the number of monks allowed in a specific monastery as punishment for that monastery's having provided refuge to a monk who had been expelled from another monastery. Since March 2008, monks in Gannan TAP in southern Gansu Province and in Aba TAP in Sichuan Province have reported that as part of new efforts to "reeducate" monks and nuns, they are required to pass a "patriotic" test to stay in the monastery. Some monks reportedly fled their monasteries to avoid these tests, which in some cases required them to trample a photo of the Dalai Lama.

In Tibetan areas of Sichuan Province, as part of "patriotic education" campaigns, hundreds of young monks were reportedly removed from monasteries, as were hundreds of schoolchildren from schools attached to monasteries. Such children were placed in public schools to receive officially mandated compulsory education. On April 8, 2008, authorities closed the Taktsang Lhamo Kirti Monastic School in Sichuan Province's Aba TAP and sent 500 novice monks and other Tibetan schoolchildren home. The monastic school, although governed by local authorities for a decade, was not accredited and thus unable to issue degrees that could provide access to higher education.

During the reporting period, local authorities frequently pressured parents, especially those who were CCP members or government employees, to withdraw their children from monasteries in their hometowns, private schools attached to monasteries, and Tibetan schools in India. In some cases local authorities confiscated identity documents of parents with children in Tibetan schools in India as a means of forcing the parents to make their children return home.

Some experts viewed the MMR, which allows the Government to control the process of selecting Tibetan religious leaders, as an attempt to minimize the Dalai Lama's influence and strengthen government control over the process of selecting reincarnate lamas, including the selection of the next Dalai Lama. Authorities closely supervise the education of lamas approved by the Government. For example, the education of the current Reting Rinpoche, who is 10 years old (born on October 3, 1997), differed significantly from that of his predecessors, and government officials, rather than religious leaders, managed the selection of his religious and lay tutors.

The Government severely restricted contacts between reincarnate lamas and the outside world. For example, the 11th Pawa Rinpoche, who was recognized by the 17th Karmapa in 1994, remained under government supervision at Nenang Monastery. Foreign delegations have repeatedly been refused permission to visit him.

The quality and availability of high-level religious teachers in the TAR and other Tibetan areas remained inadequate. Many teachers were in exile in India and elsewhere, older teachers were not replaced, and those who remained in Tibetan areas outside the TAR had difficulty securing permission to teach within the TAR. Furthermore, the head leaders of all major schools of Tibetan Buddhism lived abroad. For example, the Karmapa, leader of Tibetan Buddhism's Karma Kagyu school and one of the most influential religious figures in Tibetan Buddhism, remained in exile after departing the TAR in 1999. According to the Karmapa, he left because of government controls over his movements and the Government's refusal to allow him to go to India to be trained by his spiritual mentors or to allow his teachers to come to him.

In recent years, DMCs at several large monasteries began to use funds generated by the sale of entrance tickets or donated by pilgrims for purposes other than the support of monks engaged in full-time religious study. As a result, some "scholar monks" who formerly had been fully supported had to engage in income-generating activities. Some experts have expressed concern that as a result, fewer monks will be qualified to serve as teachers in the future. While local government officials' attempts to attract tourists to religious sites provided some monasteries with extra income, such activities also deflected time and energy from religious instruction.

Restrictions sometimes were applied even to monks visiting another monastery within the same county for short-term study or teaching. In December 2007 a Tibetan Buddhist monk told the *Ganzi Daily*, the official newspaper of the Ganzi Prefecture Communist Party Committee, that monks in Lithang, Ganzi TAP needed permission to leave their monasteries and enter town. Since the unrest in March 2008, monks in several Tibetan areas reported that they were unable to leave their home monasteries.

Authorities permitted resumption of the Geshe Lharampa examinations, the highest religious examination in the Gelug school of Tibetan Buddhism, in July 2004 after a 16-year ban. According to officials, five monks passed the Geshe Lharampa exam in 2007, and four passed in the first half of 2008. In early 2008 monks at the Jokhang Temple, where the test is administered, said that the reinstated exam was of poor quality, that political content unrelated to the test's historical religious content had been added, and that the best candidates were not selected to sit for the exam. Restrictions on religious education made it difficult for monks to receive the level of instruction necessary to take or pass the Geshe Lharampa exam. Monks who wished to sit for the exam traditionally traveled to the TAR to study at such monasteries as Sera and Drepung; however, restrictions on the movement of monks from one monastery to another made it difficult, especially for those residing outside the TAR, to receive advanced religious education. These restrictions, along with regulations on the transfer of religious relics between monasteries, weakened the strong traditional ties between large monasteries in the Lhasa area and affiliates throughout Tibetan areas.

Spiritual leaders reportedly encountered difficulty reestablishing historical monasteries due to lack of funding and denials of government permission to build and operate religious institutions. Officials in some areas contended that these religious venues were a drain on local resources and a conduit for political infiltration by the Tibetan exile community. In some areas the Government restored monasteries as a means to promote tourism and boost revenue.

After the outbreak of violence on March 14, 2008, security forces blocked access to and exit from important monasteries, including those in the Lhasa area. A heavy police presence in the monasteries restricted the movement of monks and prevented "unauthorized" visits, including those by foreign journalists.

The Government increased security measures during sensitive anniversaries and festival days in the TAR and other Tibetan areas. In March 2008 authorities in Lhasa heightened security in major monasteries in order to control possible gatherings to mark the 49th anniversary of the 1959 unsuccessful Tibetan uprising against Chinese rule.

The Government forbade religious or celebratory activities in Lhasa and closed several monasteries during the period when the Dalai Lama was awarded the U.S. Congressional Gold Medal on October 17, 2007. The prohibition against celebrating the Dalai Lama's birthday on July 6 continued during the reporting period. In December 2007 the Government banned participation of officials, workers, and students in the Ganden Ngamcho Festival. CCP members were threatened with demotions and salary cuts if they did not comply with the order. The ban on the Great Prayer Festival, or Monlam Chenmo, which is traditionally closely associated with the Geshe exam process, remained in effect.

Government officials maintained that possessing or displaying pictures of the Dalai Lama was not illegal and that most TAR residents chose not to display his picture. In practice, the ability of Tibetans to display the Dalai Lama's picture varied regionally and with the political climate. The Implementing Regulations state that "religious personnel and religious citizens may not distribute books, pictures, or other materials that harm the unity of the nationalities or endanger state security." Photos and books of the Dalai Lama are deemed to fall into this category. During the reporting period, pictures of the Dalai Lama were not openly displayed in major monasteries and could not be purchased openly in the TAR. In Tibetan areas outside the TAR, visitors to several monasteries saw pictures of the Dalai Lama displayed in inconspicuous areas.

The Government continued to ban pictures of Gendun Choekyi Nyima, the man widely recognized as the Panchen Lama. According to numerous reports, authorities in many Tibetan areas confiscated or defaced photographs of the Dalai Lama found in monasteries and private residences following the March 2008 unrest. Furthermore, authorities appeared to view possession of such photos or material as evidence of separatist sentiment when detaining individuals on political charges. Merchants who ignored the restrictions and sold Dalai Lama-related images and audiovisual material reported that authorities frequently imposed fines on them.

Authorities prohibited the registration of names for children that included one or more of the names of the Dalai Lama or certain names included on a list of blessed names approved by the Dalai Lama. As a result, many Tibetans have a name they use in daily life and a different, government-approved name for interactions with government officials.

Many Tibetans, particularly those from rural areas, continued to report difficulties obtaining passports. The application process was not transparent, and reported obstacles ranged from bureaucratic inefficiency and corruption to denials based on the applicant's political activities or religious beliefs. Passports previously issued were sometimes confiscated by authorities, especially in the wake of the March 2008 unrest.

Difficulty obtaining both a passport and an entry visa for India continued to limit the ability of Tibetans to travel to India for religious purposes. Nevertheless, thousands of Tibetans, including monks and nuns, visited India via third countries. The number of Tibetans who returned after temporary stays in India is unknown. The Office of the U.N. High Commissioner for Refugees reported that 2,156 Tibetans arrived at the Tibet Reception Center in Nepal in 2007, compared to 2,405 in 2006.

There were continuing reports that the Government detained Tibetans seeking to go to India through Nepal. Such detentions reportedly lasted as long as several months and sometimes took place without the filing of formal charges. Returning exiles reported that authorities pressured them not to discuss subjects that the Government considered politically sensitive, such as the Dalai Lama.

Following the unrest that began in March 2008, passport and border controls were reinforced, making legal foreign travel more difficult and illegal border crossings nearly impossible.

In 2007 approximately 615 Tibetan religious figures held positions in local People's Congresses and committees of the Chinese People's Political Consultative Conference. Some religious figures accepted political positions in order to protect their monasteries, and some openly practiced Buddhism. The Government continued to insist, however, that CCP members and senior employees adhere to the CCP's code of atheism, and routine political training for cadres continued to denigrate

religious beliefs and promote atheism. TAR officials confirmed that some RAB officers were CCP members and some lower-level RAB officials practiced Buddhism.

On January 1, 2007, new temporary regulations governing foreign media coverage of the 2008 Olympic Games came into effect, ostensibly permitting foreign journalists to conduct interviews and investigations outside of Beijing and Shanghai without official permission. However, these new regulations did not apply to the TAR, and foreign journalists were still required to secure official permission to enter the region. Following the March 14, 2008 protests, however, foreign media have been completely barred from most Tibetan areas, with the exception of a small number of closely monitored government-organized trips.

Travel restrictions for foreign visitors to and within the TAR increased during the period covered by this report, and the Government tightly controlled visits by foreign officials to religious sites in the TAR. In accordance with a 1989 regulation, foreign visitors were required to obtain an official confirmation letter issued by the Government before entering the TAR. After March 2008 the TAR and most Tibetan areas were completely closed to foreign visitors. Many foreigners were turned away at police roadblocks or denied long-distance bus tickets as they tried to enter Tibetan areas outside of the TAR that were officially open.

#### *Abuses of Religious Freedom*

The Government strictly controlled access to and information about Tibetan areas, particularly the TAR, making it difficult to determine accurately the scope of religious freedom violations. The Government tightened restrictions on access after the protests in March 2008. The Government's respect for religious freedom in the TAR and other Tibetan areas of China deteriorated further following the violent unrest of March 2008.

On March 10, 2008, monks and nuns in Lhasa and Tibetan areas of Gansu, Sichuan, and Qinghai provinces held peaceful demonstrations to mark the 49th anniversary of the unsuccessful Tibetan uprising against Chinese rule and protested against government policies, including restrictions on religious freedom. After security forces reportedly arrested protestors in Lhasa, monks from the Drepung, Sera, and Ganden monasteries, as well as nuns from the Chutsang nunnery, protested the arrests. After permitting the protests for almost 2 days, police began using tear gas to disperse the monks and then surrounded major monasteries in Lhasa. According to reports, on March 14 when the People's Armed Police (PAP) confronted a group of monks from Ramoche Monastery protesting near the Jokhang Temple in Lhasa, Tibetan onlookers began pulling up paving stones and throwing them at the police. The police retreated, and Tibetan crowds began attacking Han and Hui civilians and their businesses. According to media reports, the police forcibly regained control of Lhasa by the evening of March 15. The Government then closed monasteries and nunneries in Lhasa, imposed a curfew, and prohibited foreign media from entering the TAR.

In the days and weeks following the violence in Lhasa, protests – nearly all of them peaceful – spread across Tibetan areas, including in Qinghai, Sichuan, and Gansu provinces. The Government responded with increased police and military presence in these areas. By March 27 more than 42 county-level locations, as well as Chengdu, Sichuan Province; Lanzhou, Gansu Province; and Beijing, reported protest activity. According to researchers at Columbia University, there were approximately 125 documented protest incidents between mid-March and early June 2008. Many protests that began peacefully were met by a forceful security response. In a small number of cases, local authorities effectively defused escalating tension through negotiation and dialogue with local religious figures. Daily protests were reportedly continuing in Ganzi TAP at the end of the reporting period.

Because the Government limited access to Tibetan areas, it was difficult to obtain precise arrest and casualty figures. According to government sources, 22 people were killed, and there was damage to schools, hospitals, residences, and stores. The India-based non-governmental organization (NGO) Tibetan Centre for Human Rights and Democracy (TCHRD) estimated a total of 79 Tibetans were killed in Lhasa and areas outside the TAR during and following the March protests; reports from the ICT estimated the number of Tibetans killed at more than 200.

On March 15, 2008, the Government reportedly arrested approximately 600 people in Lhasa. According to official sources, more than 1000 Tibetans turned themselves in to security forces at the end of March, following a government-issued request for surrender. Unofficial reports estimated that by the end of March authorities detained at least 1,200 Tibetan protestors in addition to those who voluntarily turned themselves in to authorities. Official sources reported in mid-April that 4,000 individuals had been detained in Lhasa and parts of Gansu Province, with nearly half of those detained being released several weeks later.

The number of monks and nuns at several monasteries reportedly decreased after March 14, 2008. Information about the location of many who were arrested was difficult to confirm. There were reports of ongoing mass detentions of monks and of monasteries being sealed off by police and military personnel as "patriotic education" campaigns intensified. **More than 80 nuns reportedly were detained in Sichuan Province alone since March 2008.**

According to numerous sources, many of those detained after March 10 were subjected to extrajudicial punishments, such as beatings and deprivation of food, water, and sleep for long periods. In some cases detainees reportedly suffered broken bones and other serious injuries at the hands of PAP and Public Security Bureau (PSB) officers. According to sources claiming to be eyewitnesses, the bodies of people killed during the violence or who died during interrogation were disposed of secretly rather than returned to their families.

On April 29, 2008, 30 individuals were sentenced on charges, including arson, looting, attacking state organs, and interfering with the work of public officials in relation to the events of March 14. They received sentences ranging from 3 years to life in prison.

Buddhist figures such as Gendun Choekyi Nyima, whom the Dalai Lama and the overwhelming majority of Tibetan Buddhists recognize as the Panchen Lama, and Tenzin Delek Rinpoche remained in detention or prison as did dozens of monks and nuns who resisted patriotic education campaigns. The Dalai Lama, the Karmapa (head of the Karma Kagga school), and leaders of all other schools of Tibetan Buddhism remained in exile. Diplomats and NGOs advocated for international access to Gendun Choekyi Nyima. Nyima turned 19 years old on April 25, 2008. On July 28, 2007, Nyima Tsering, the Vice Chairman of the TAR, told foreign journalists that Gendun Choekyi Nyima was a high school student in the TAR and had "asked not to be disturbed." The Government continued to insist that Gyaltzen Norbu (born on February 13, 1990), the boy it selected in 1995, is the Panchen Lama's 11th reincarnation.

The Government did not provide any information on Lama Chadrel Rinpoche, who was reportedly still under house arrest near Lhasa for leaking information about the selection of the Panchen Lama. In 2006 U.S. government officials asked for and were denied a meeting in Lhasa with Chadrel Rinpoche, reportedly under house arrest since 2002.

Limited access to information about prisoners and prisons made it difficult to ascertain the number of Tibetan prisoners of conscience or to assess the extent and severity of abuses. According to the Congressional Executive Commission on China's Political Prisoner Database, as of July 2007 there were 294 Tibetan prisoners of conscience, 225 of whom were monks or nuns.

According to a report by the TCHRD, 12 monks at the Dingri Shelkar Choedhe Monastery in Shigatse Prefecture, TAR, were arrested on May 19, 2008 for opposing a political education campaign at the monastery. Police provided no information about the monks' whereabouts or condition.

On April 8, 2008, police in Ganzi County reportedly fired indiscriminately into a crowd protesting the arrest of two monks for opposing the "patriotic education" campaign at Tongkor Monastery. Thirteen people were reportedly killed: Bhu Bhu Delek, Druklo Tso, Khechok Pawo, Tsering Dhondup the younger, Lhego, Khunchok Sherab, Tseyang Kyi, Lobsang Richen, Sonam Tsultrim, Thubten Sangden, Tsewang Rigzin, Tsering Dhondup the elder, Tenlo , and Kelsang Choedon.

In April 2008 monks at Kirti Monastery in Sichuan Province's Aba TAP were reportedly required to step on a photograph of the Dalai Lama as part of their "patriotic education." Monks who refused were reportedly beaten by PAP or PSB personnel.

No information was available on the fate of monks who protested in front of a group of foreign journalists at Lhasa's Jokhang Temple on March 27, 2008. Monks involved in a similar protest in front of foreign journalists at the Labrang Monastery in Gansu Province on April 9, 2008 were reportedly arrested, and there was no information available about their whereabouts at the end of the reporting period.

On August 1, 2007, Rongye Adrak was arrested in Ganzi TAP after calling for the Dalai Lama's return at a public event. On November 20 he was convicted of inciting separatism and sentenced to 8 years in prison. Rongye Adrak's nephew, Adak Lupoe, as well as Kunkhen and Lothok, were subsequently arrested and convicted of leaking intelligence and endangering national security after attempting to provide information concerning Rongye Adrak's arrest to foreign organizations. Another relative of Rongye Adrak, Atruk Kyalgyam, was sentenced to 5 to 9 years in prison.

In May 2007 Khenpo Tsanor, the head of Dungkyab Monastery in Qinghai Province, was forced to step down after refusing to sign a document condemning the Dalai Lama.

Legtsok, a 75-year-old monk of Ngaba Gomang Monastery, killed himself on March 30, 2008, reportedly after being arrested on the way to a prayer service and being beaten severely by security forces.

Two monks in their seventies from Tashi Lhunpo Monastery, Gyaltzen Tsepa Lobsang and Yangpa Lochoe, whom the Government and DMC had repeatedly harassed after accusing them of ties to the Dalai Lama, reportedly killed themselves in late 2007.

According to a report by Radio Free Asia on August 23, 2006, security officials arrested Khenpo Jinpa, a reincarnate lama and the abbot of Choktsang Taklung Monastery in Ganzi TAP, Sichuan Province, for distributing political leaflets calling for Tibetan independence and a long life for the Dalai Lama. On July 16, 2007, he was sentenced to 3 years in prison.

On August 15, 2006, police in Ganzi TAP detained Lobsang Paldan, a 22-year-old monk from Ganzi Monastery. He was sentenced to 4 years' imprisonment; the charges were unknown. Seven other monks from Ganzi Monastery were also arrested in August 2006 and remained in prison at the end of the reporting period.

The Government destroyed statues of Guru Rinpoche (also known as Guru Padmasambava) in Tarchen Town, Ngari, TAR, near Mt. Kailash and at the Samye Monastery in September 2007 and May 2007, respectively. The Government destroyed the statues in accordance with new restrictions requiring prior government approval for all construction and repairs of monastic property.

Destruction of monastic residences and expulsion of monks and nuns continued at Yachen Monastery in Ganzi TAP, Sichuan Province.

On October 18, 2007, PAP border guards fired on a group of 46 Tibetans attempting to enter Nepal at the Nangpa La Pass. Three were reportedly arrested, and nine were missing; the remainder reached Nepal.

On September 30, 2006, guards at the Nangpa La Pass shot and killed 17-year-old Buddhist nun Kelsang Namtso. From the group of 70 Tibetans, 43 arrived safely in exile; however, at least 25 others, including a number of young children, were taken into custody by the PAP. Film footage of the incident from a Romanian climber clearly showed that the Tibetans were unarmed and were fired on from behind.

Authorities reportedly continued to torture imprisoned monks and nuns, especially those detained after March 10. There were reports of severe beatings that resulted in broken bones and permanent injury. Following her release to the United States in March 2006, Tibetan Buddhist nun Phuntsog Nyidrol reported that she had been tortured by government authorities. She stated that religious prisoners were subjected to torture and were not permitted to meet with other religious prisoners, receive visits from family members, use their religious names in prison, or recite prayers in prison.

#### *Forced Religious Conversion*

There were no reports of forced religious conversion, including 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.

### **Section III. Societal Abuses and Discrimination**

Since ethnicity and religion are often inextricably linked, it is difficult to categorize many incidents solely as ethnic or religious intolerance. Tensions among ethnic groups in Tibetan areas, including the Han, the Hui, Tibetan Muslims, and other Tibetans, escalated during the reporting period.

On March 14, 2008, protests by Tibetans in Lhasa escalated into violence, with attacks perpetrated against Han and Hui people, and vandalism perpetrated against Han- and Hui-owned businesses, property, and residences. After state media programs showed Tibetans engaging in unprovoked attacks on Han and Hui, citizens inside and outside the TAR reacted with anti-Tibetan sentiment. Domestic media coverage of the events in Lhasa on March 14 repeatedly showed rioting Tibetans beating Han and Hui residents and burning government or other buildings but did not show actions by security forces against Tibetan civilians. Official PRC news agencies reported that 19 Han residents of Lhasa, including 1 police officer, were targeted by rioters due to their ethnicity and killed during the riots, and 3 Tibetans were killed in the rioting. Domestic media attributed the violence in Lhasa to a small minority of outside agitators led by the Dalai Lama and intent on achieving independence for Tibet.

Friction between Tibetan Buddhists and the growing Hui Muslim population in Tibetan areas intensified during the reporting period. Tibetans burned part of a mosque in Lhasa during the March 14 riot; in August 2007 Tibetan monks destroyed a mosque under construction in a majority Tibetan area in Gabde County, Qinghai Province.

### **Section IV. U.S. Government Policy**

The U.S. Department of State, the U.S. Embassy in Beijing, and the U.S. Consulate General in Chengdu made a concerted effort to encourage greater religious freedom in Tibetan areas, using focused pressure in cases of abuse. In regular exchanges, including with religious affairs officials, U.S. diplomatic personnel consistently urged both the Government and local authorities to respect religious freedom in Tibetan areas.

Embassy and consulate officials protested and sought further information on cases whenever there were credible reports of religious persecution or discrimination. The U.S. Ambassador at Large for International Religious Freedom called upon the Government to expand religious freedom in the TAR and Tibetan areas outside the TAR and urged the Government to engage in constructive dialogue with the Dalai Lama at the U.S.-China Human Rights Dialogue in May 2008.

Following the March 14, 2008 violence in Lhasa, the U.S. Secretary of State issued a statement calling on the PRC Government to exercise restraint in dealing with the protests, strongly urging all sides to refrain from violence and urging the Government to address policies that created tensions due to their impact on Tibetan religion, culture, and livelihoods.

On October 16 and 17, 2007, the U.S. President met with the Dalai Lama and presented him with the Congressional Gold Medal of Honor at the U.S. Capitol.

U.S. diplomatic personnel stationed in the country maintained contacts with a wide range of religious leaders and practitioners in Tibetan areas and traveled regularly to the TAR and other Tibetan areas to monitor the status of religious freedom. The ability of U.S. diplomatic personnel to travel freely and talk openly with persons in Tibetan areas was extremely limited. Not all requests to travel to Tibetan areas were granted. After the outbreak of unrest in the TAR and other Tibetan areas in March 2008, U.S. government officials repeatedly requested diplomatic access to affected areas, but the majority of these requests were not granted. Unpublished restrictions on travel by foreigners into the TAR and other Tibetan areas imposed in March resulted in U.S. diplomats and other foreigners being turned back at police roadblocks or being refused transportation on public buses to Tibetan areas outside the TAR that were officially open to foreign visitors.

## HONG KONG

The Basic Law, which serves as the Constitution of the Hong Kong Special Administrative Region (HKSAR), provides for freedom of religion, and other laws and policies contributed to the generally free practice of religion.

The Government generally respected religious freedom in practice. There was no change in the status of respect for religious freedom during the period covered by this report.

There were no reports of societal abuses or discrimination based on religious affiliation, belief, or practice. Six of the largest religious groups have long collaborated on community affairs and make up a joint conference of religious leaders. The U.S. Government discusses religious freedom with the Government as part of its overall policy to promote human rights.

### Section I. Religious Demography

The territory has an area of 422 square miles on more than 200 islands and the mainland, and a population of 6.9 million. Approximately 43 percent of the population practices some form of religion. The two most prevalent religions are Buddhism and Taoism, which are often observed together in the same temple. The region is home to approximately 700,000 Buddhists and Taoists, 320,000 Protestant Christians, 243,000 Roman Catholics, 90,000 Muslims, 40,000 Hindus, 8,000 Sikhs, 4,600 Jehovah's Witnesses, and 4,000 practicing Jews. Confucianism is also prevalent in the HKSAR. Although few believers practiced Confucianism as a formal religion, Confucian ideas and social tenets were often blended together with Taoism and Buddhism. The number of Falun Gong practitioners reportedly dropped from approximately 1,000 to 500 since the crackdown on the mainland began in July 1999; however, official estimates for the number of practitioners in the region are lower.

There are approximately 600 Buddhist and Taoist temples, 800 Christian churches and chapels, 5 mosques, 4 synagogues, 1 Hindu temple, and 1 Sikh temple.

There are 1,400 Protestant congregations, representing 50 denominations. The largest Protestant denomination is the Baptist Church, followed by the Lutheran Church. Other major denominations include Seventh-day Adventists, Anglicans, Christian and Missionary Alliance groups, the Church of Christ in China, Methodists, Pentecostals, and the Salvation Army. The Church of Jesus Christ of Latter-day Saints (Mormons) is also present.

The pope is recognized as the head of the Roman Catholic Church. Catholics are served by a cardinal and bishop, as well as priests, monks, and nuns, all of whom maintain links to the Vatican. The office of the assistant secretary general of the Federation of Asian Bishops' Conference is located in the HKSAR. Along with its apostolic work, the Catholic Church engages in a broad range of social service activities: it operates 6 hospitals, 14 clinics, 38 social centers, 18 hostels, 13 homes for the elderly, and 20 rehabilitation centers. In addition, it operates 309 schools and kindergartens, serving more than 250,000 children.

### Section II. Status of Religious Freedom

Legal/Policy Framework

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5 : 8 November 2009

Religious Freedom in Two Most Populous Nations of the Word – China and India

The Basic Law provides for freedom of religion, and the Bill of Rights Ordinance prohibits religious discrimination by the HKSAR Government. Sovereignty over HKSAR was transferred from the United Kingdom to the People's Republic of China (PRC) on July 1, 1997; however, according to the Basic Law the HKSAR enjoys a high degree of autonomy in the area of religious freedom under the principle of "one country, two systems." The Government does not recognize a state religion. An opinion poll conducted in January 2008 by the University of Hong Kong found that the Hong Kong people gave religious freedom a score of 8.86 out of 10, the highest rating since the poll began after the handover in July 1997.

The Home Affairs Bureau functions as a liaison between religious groups and the Government. The Government grants public holidays to mark special religious days on the traditional Chinese and Christian calendars, including Christmas and the birth of Buddha.

There were no religious tests for government service, and a wide range of faiths was represented in the Government, judiciary, and civil service. In addition, the Election Committee Ordinance stipulates that the 6 largest religious groups in Hong Kong hold 40 seats on the 800-member Election Committee, which is tasked with nominating and voting for the region's chief executive. The groups represented are the Catholic Diocese of Hong Kong, Chinese Muslim Cultural and Fraternal Association, Hong Kong Christian Council, Hong Kong Taoist Association, the Confucian Academy, and the Hong Kong Buddhist Association. The forty representatives are selected by leaders of their respective religious groups.

Religious groups are specifically exempted from the Societies Ordinance, which requires the registration of nongovernmental organizations; therefore, registration with the Government remains voluntary. Since spiritual exercise groups are not classified as religious groups, these groups, including the Falun Gong, are required to register under the Societies Ordinance. Falun Gong is generally free to practice, organize, conduct nonviolent public demonstrations, and attract public attention through parades and pamphleteering. During the reporting period, Falun Gong regularly conducted public protests against the repression of fellow practitioners. Other spiritual exercise groups, including Xiang Gong and Yan Xin Qigong, were registered and practiced freely.

A large variety of faith-based aid groups, including Protestant, Muslim, and Catholic groups, provide education, healthcare, and social welfare services. The Government sometimes funds the operating costs of schools and hospitals built by religious groups. In 2003 the Government passed the Education (Amendment) Ordinance, affecting 300 Catholic schools that enroll approximately 25 percent of the student population. The ordinance, which requires full compliance by 2010, mandates that all schools receiving government funding must establish an incorporated management committee. Forty percent of the members of the management committee are to be elected by teacher and parent groups; sixty percent are to be appointed by the sponsoring body. The Catholic Church sued to have the ordinance overturned in December 2005, arguing that the ordinance could prevent it from achieving its educational goals and requesting an exemption for Catholic schools from the management committee requirement.

Catholic and Protestant clergy give seminars and teach classes on the mainland, and two-way student exchanges are ongoing.

#### Restrictions on Religious Freedom

Government policy and practice contributed to the generally free practice of religion. Under the Basic Law, the PRC Government does not have jurisdiction over religious practices in the HKSAR. The Basic Law calls for ties between the region's religious organizations and their mainland counterparts to be based on "nonsubordination, noninterference, and mutual respect."

On March 13, 2008, the Court of Appeal was to review a case brought by the Catholic diocese to the Court of First Instance in December 2005; however, both the Government and diocese asked that the appeal be deferred to allow for more time to resolve the matter out of court. The Catholic diocese sued to have the Education (Amendment) Ordinance, passed in

2003 and scheduled for full compliance by 2010, overturned. In November 2006 the Court of First Instance found that the ordinance was consistent with the Basic Law; the March court date represented the appeal of this decision.

In April 2008 a lawmaker stated that he had received complaints from Muslim in-patients alleging that food provided by the Hospital Authority at public hospitals had not been religiously "sanctified," and that Muslim in-patients were therefore unable to consume the food. The same lawmaker stated that Sikhs residing in the HKSAR allegedly became the target of police officers' stop-and-search actions because of their religious attire, and their children were allegedly ill-treated at school.

The Government stated that it does not discriminate against any particular religious groups, as the right to freedom of religious belief is protected under the Basic Law and the Bill of Rights. When formulating policies and providing public services, all government bodies are required under Article 32 of the Basic Law and Article 15 of the Bill of Rights to treat the public on an equal basis regardless of their religious belief. As such, the Government invited all stakeholders, including affected organizations or individuals, to provide views on proposed measures to enhance public understanding and improve the quality of those measures.

During the reporting period one religious group claimed that it lacked places for assembly or worship, citing high property costs as the principal obstacle. The Government permitted religious groups to apply to use land set aside for government and community purposes. Religious groups were able to apply for general commercial land on concessionary terms, although they must still compete in the market for the land itself. The Government stated that religious organizations could apply to develop religious facilities in accordance with local legislation or to use facilities at community halls or commercial buildings so long as such activities did not breach the land lease.

#### Abuses of Religious Freedom

According to several reports and verbatim statements published by *The Epoch Times* in February 2007, Dr. Wang Lian, a Falun Gong practitioner who was employed as a technical network advisor in the HKSAR office of *The Epoch Times*, was detained and interrogated by Public Security Bureau (PSB) officials on the mainland in September 2006. Dr. Lian claimed that PSB officials directed him to spy on his colleagues and facilitate the disruption of operations, including hacking into the computer networks, at *The Epoch Times'* office. He reportedly turned over some files and documents to the PSB, which he claimed were of limited use, and fled to Australia to seek asylum in February 2007. As of the end of the reporting period, no update on Dr. Lian was available.

#### Forced Religious Conversion

There were no reports of forced religious conversion, including 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.

#### Section III. Societal Abuses and Discrimination

There were no reports of societal abuses and discrimination based on religious belief or practice. Prominent social leaders took positive steps to promote religious freedom.

#### Section IV. U.S. Government Policy

The U.S. Government discusses religious freedom issues with the Government as part of its overall policy to promote human rights. Consulate general officers have made clear U.S. Government interest in the full protection and maintenance of freedom of religion. Consulate general officers at all levels, including the consul general, met regularly with religious leaders and community representatives.

#### MACAU

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5 : 8 November 2009

Religious Freedom in Two Most Populous Nations of the Word – China and India

The Basic Law, which serves as the Constitution of the Macau Special Administrative Region (Macau SAR), provides for freedom of religion, and other laws and policies contributed to the generally free practice of religion.

The Government generally respected religious freedom in practice. There was no change in the status of respect for religious freedom by the Government during the period covered by this report.

There were no reports of societal abuses or discrimination based on religious affiliation, belief, or practice.

The U.S. Government discusses religious freedom with the Government as part of its overall policy to promote human rights.

## Section I. Religious Demography

The region has a total area of 11 square miles and, according to official statistics in 2006, a population of 530,000. Buddhism, which is practiced by nearly 80 percent of the population, is the largest religion. Approximately 4 percent of the population is Roman Catholic and more than 1 percent is Protestant. Smaller religious groups include Baha'is, estimated at 2,500 persons; Muslims, estimated at 400 persons; and Falun Gong practitioners, estimated at 200 persons.

There are approximately 50 Buddhist and Taoist temples, 60 Christian churches (of which 18 are Catholic), and 1 mosque. Approximately 50 percent of primary and secondary students were enrolled in schools operated or funded by religious organizations. These schools may, under law, provide religious education, but the Government did not maintain statistics on this subject.

Many Protestant denominations are represented, including Baptist, Anglican, Lutheran, Presbyterian, Methodist, and Pentecostal churches. Evangelical denominations and independent local churches also exist in the region. The Reformed Theological Seminary (RTS) enrolled students in virtual seminary programs.

As of December 2006 an estimated 70 Protestant churches with 6,000 members conducted services in Chinese; attendance was reported to be approximately 4,000 worshippers every Sunday. An estimated 300 Protestants attended services conducted in foreign languages.

## Section II. Status of Religious Freedom

### Legal/Policy Framework

Article 34 of the Basic Law states that "Macau residents shall have freedom of religious belief, and freedom to preach and to conduct and participate in religious activities in public." Furthermore, Article 128 stipulates that "the Government, consistent with the principle of religious freedom, shall not interfere in the internal affairs of religious organizations or in the efforts of religious organizations and their believers to maintain and develop relations with their counterparts outside Macau or restrict religious activities which do not contravene the laws of the SAR."

The Freedom of Religion and Worship Law stipulates that "Freedom of religion and worship are recognized and protected."

The Religious Freedom Ordinance, which remained in effect after the 1999 handover of sovereignty to the People's Republic of China (PRC), provides for freedom of religion, privacy of religious belief, freedom of religious assembly, freedom to hold religious processions, and freedom of religious education. The Government generally respected these rights in practice.

The Religious Freedom Ordinance allows religious organizations to register directly with the Identification Bureau, the bureau that is required under the law to receive and process registrations; applicants need only supply their name, identification card number, contact information, organization name, and copy of the group's charter to register with officials. Religious entities can apply to media organizations and companies to use mass media (television, radio, etc.) to preach, and such applications are generally approved.

The Religious Freedom Ordinance stipulates that religious groups may develop and maintain relations with religious groups abroad. The Catholic Church, which is in communion with the Vatican, recognizes the pope as the head of the Church. In 2003 the Holy See appointed the current coadjutor bishop for the diocese.

Beginning in September 2007, the Macau Inter-University Institute (IIUM), which is affiliated with the Catholic University in Portugal, offered a Christian studies course that included Catholic seminary students from the mainland. According to IIUM's website, the Chief Executive of Macau SAR, Edmund Ho, specifically requested that the school implement a program of study to prepare candidates for the Catholic ministry in the region.

Many religious groups, including Catholic, Protestant, and Baha'i groups, provide extensive social welfare services to the community. The Government subsidizes the establishment of Catholic schools, child care centers, clinics, homes for the elderly, rehabilitation centers, and vocational training centers.

#### Restrictions on Religious Freedom

The Government generally respected religious freedom in practice. There was no change in the status of respect for religious freedom by the Government during the period covered by this report. Under the Basic Law, the PRC Government does not govern religious practices in the region.

The Falun Gong is not registered with the Identification Bureau. While the Bureau has not issued instructions regarding the Falun Gong, senior officials have stated that Falun Gong practitioners may continue their legal activities despite their lack of registration.

According to Falun Gong practitioners, they were able to practice their daily exercises in public parks, although police observed them once or twice a month and checked personal identification. Falun Gong representatives, however, have claimed that they were denied entry into the region, especially during sensitive political periods, and filed complaints with the police about being denied the right to display photographs of religious activity or abuses against fellow practitioners. The matter had not been resolved by the end of the reporting period.

There were no reports of religious prisoners or detainees in the region.

#### Forced Religious Conversion

There were no reports of forced religious conversion, including 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.

### Section III. Societal Abuses and Discrimination

There were no reports of societal abuses or discrimination based on religious affiliation, belief, or practice. Relations among the various religious communities were good, and citizens generally were tolerant of the religious views and practices of others. Public ceremonies and dedications often included prayers by both Christian and Buddhist groups.

#### Section IV. U.S. Government Policy

Christian Literature and Living [www.christianliteratureandliving.com](http://www.christianliteratureandliving.com)

5 : 8 November 2009

Religious Freedom in Two Most Populous Nations of the Word – China and India

The U.S. Government discusses religious freedom with the Government as part of its overall policy to promote human rights. Officers from the U.S. consulate general in Hong Kong met regularly with leaders of all religious groups and spiritual organizations in the region.

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## India

<http://www.state.gov/g/drl/rls/irf/2008/108500.htm>

### International Religious Freedom Report 2008

Bureau of Democracy, Human Rights and Labor

The Constitution provides for freedom of religion; however, some state level laws and policies restricted this freedom. The National Government generally respected religious freedom in practice; however, some state and local governments imposed limits on this freedom. There was no change in the status of respect for religious freedom by the National Government during the period covered by this report; however, problems remained in some areas. Some state governments enacted and amended "anticonversion" laws and police and enforcement agencies often did not act swiftly to effectively counter communal attacks, including attacks against religious minorities.

During the reporting period, the Government of Rajasthan passed an "anticonversion law" that, similar to other laws of its kind, restricts and regulates religious proselytism. However, at the end of the reporting period, the Governor had not yet signed the new law.

During the reporting period, the State of Gujarat implemented its "Freedom of Religion" Law initially passed in 2003 and withdrew an amendment that would have defined "conversions" as occurring only between denominations and not between religions and would have classified Jains and Buddhists as denominations of Hinduism. This law requires prior permission from the Gujarat Government for a conversion ceremony.

The vast majority of persons of every religious group lived in peaceful coexistence; however, there were organized communal attacks against minority religious groups, particularly in states governed by the Bharatiya Janata Party (BJP). In Orissa, governed by a coalition government that includes the BJP and the Biju Janata Dal (BJD), Hindu extremists attacked Christian villagers and churches in the Kandhamal district over the Christmas holidays. Approximately 100 churches and Christian institutions were damaged, 700 Christian homes were destroyed causing villagers to flee to nearby forests, and 22 Christian-owned businesses were affected.

Some nongovernmental organizations (NGOs) reported that communal violence against religious minorities is part of a larger Hindu nationalist agenda and corresponds with ongoing state electoral politics.

In May 2008 a terrorist attack killed almost 100 persons and injured more than 400 in Jaipur, Rajasthan. Six bombs exploded within 15 minutes in busy marketplaces close to crowded Hindu temples. This was a second attack in Rajasthan within a year and possibly a response to the October 2007 attack on Ajmer Shrief, an Islamic religious shrine, in which two persons were killed and several others injured. These recent attacks reflect a soft target focus, which terror groups hope will lead to violent communal flare-ups.

During the reporting period, communal violence continued between Hindus and Muslims over disputed places of worship. However, in contrast to previous reporting periods, there were no clashes at the Bhojshala complex in Dhar, Madhya Pradesh, where both Hindus and Muslims have disputed the right of the other group to offer prayers.

Hundreds of court cases remained unsettled in connection with the 2002 Gujarat violence.

The U.S. Embassy and its consulates promoted religious freedom in their discussions with the country's senior leadership, as well as with state and local officials, and supported initiatives to encourage religious and communal harmony. During meetings with key leaders of all significant religious communities, senior U.S. officials discussed reports of harassment of minority groups, converts, and missionaries, as well as state-level legislation restricting conversion, the 2002 communal riots in Gujarat, and the plight of displaced Kashmiri Pandits.

## **Section I. Religious Demography**

The country has an area of 1.3 million square miles and a population of 1.1 billion. According to the 2001 government census, Hindus constitute 80.5 percent of the population, Muslims 13.4 percent, Christians 2.3 percent, Sikhs 1.8 percent, and others, including Buddhists, Jains, Parsis (Zoroastrians), Jews, and Baha'is, 1.1 percent. Slightly more than 85 percent of Muslims are Sunni; the rest are Shi'a. Tribal groups (members of indigenous groups historically outside the caste system), which are generally included among Hindus in government statistics, often practiced traditional indigenous religions (animism).

Large Muslim populations are found in the states of Uttar Pradesh (UP), Bihar, Maharashtra, West Bengal, Andhra Pradesh, Karnataka, and Kerala, and Muslims are the majority in Jammu and Kashmir. Christians are concentrated in the northeast, as well as in the southern states of Kerala, Tamil Nadu, and Goa. Three small northeastern states (Nagaland, Mizoram, and Meghalaya) have large Christian majorities. Sikhs are a majority in the state of Punjab.

Approximately 200 million persons, or 17 percent of the population, belong to the Scheduled Castes and Scheduled Tribes (SC/ST, formerly called "untouchables" and also known as "Dalits"). Some converted from Hinduism to other religious groups, ostensibly to escape widespread discrimination.

Under the National Commission for Minorities Act of 1992, five religious communities--Muslims, Sikhs, Christians, Parsis, and Buddhists--are considered minority communities.

## **Section II. Status of Religious Freedom**

### Legal/Policy Framework

The Constitution provides for freedom of religion, and the National Government generally respected this right in practice; however, some state and local governments limited this freedom by enacting or amending "anticonversion" legislation and by not efficiently or effectively prosecuting those who attacked religious minorities. Despite the National Government's rejection of "Hindutva," the ideology that espouses the inculcation of Hindu religious and cultural norms above other religious norms, "Hindutva" continued to influence some government policies and actions at the state and local levels. The National Government, led by the United Progressive Alliance (UPA), continued to implement an inclusive and secular platform that included respect for the right to religious freedom.

Where "anticonversion" laws are not in place, local authorities on occasion have relied upon certain sections of the Indian Penal Code (IPC) to arrest people engaged in religious activities. For example, IPC Section 153A prohibits "promoting enmity between different groups on grounds of religion, race, place of birth, residence, language, etc., and doing acts prejudicial to maintenance of harmony." IPC Section 295A prohibits "deliberate and malicious acts, intended to outrage religious feelings or any class by insulting its religion or religious beliefs."

The country is a secular state with no official religion. The Constitution protects the right of individuals to choose or change their religion as well as practice the religion of one's choice. Many NGOs argue that state-level "anticonversion" laws are unconstitutional and may reinforce the dominance of the Hindu majority. Although these laws do not explicitly ban conversions, many NGOs argue that in practice "anticonversion" laws, both, by their design and implementation, infringe upon the individual's right to convert, favor Hinduism over minority religions, and represent a significant challenge to secularism.

While the law generally provides remedy for violations of religious freedom, it was not enforced rigorously or effectively in many cases pertaining to religiously oriented violence. Legal protections exist to cover discrimination or persecution by private actors. The country's political system is federal and accords state governments exclusive jurisdiction over law enforcement and the maintenance of order, which limits the National Government's capacity to deal directly with state-level abuses, including abuses of religious freedom. The country's national law enforcement agency, the Central Bureau of Investigation (CBI), cannot investigate a crime committed in a state without the state Government's permission. However, the National Government's law enforcement authorities, in some instances, have intervened to maintain order when state governments were reluctant or unwilling to do so.

Despite government efforts to foster communal harmony, some extremists continued to view ineffective investigation and prosecution of attacks on religious minorities, particularly at the state and local level, as a signal that they could commit such violence with impunity, although numerous cases were in the courts at the end of the reporting period.

The opposition BJP, which has at times been aligned with the Rashtriya Swayamsevak Sangh (RSS), a Hindu nationalist organization, held power in seven states: Madhya Pradesh, Chhattisgarh, Himachal Pradesh, Rajasthan, Gujarat, Uttarakhand, and Karnataka. The BJP also is part of ruling coalitions in five states: Punjab, Bihar, Orissa, Nagaland, and Meghalaya. Several NGOs alleged that during the reporting period, the BJP stoked communally sensitive matters as state elections grew near.

The Ministry for Minority Affairs, the National Human Rights Commission (NHRC), and the National Commission for Minorities (NCM) are governmental bodies created to investigate allegations of discrimination and make recommendations for redress to the relevant local or national government authorities. Although NHRC recommendations do not have the force of law, central and local authorities generally follow them. The NCM and NHRC intervened in several high-profile cases, including the 2002 anti-Muslim violence in Gujarat, the attacks against the Christian community in Orissa and other instances of communal tension, the enactment of anticonversion legislation in several states, and incidents of harassment and violence against minorities. The National Government earmarked \$329 million (Rs. 14 billion) for 2007-08 for the Ministry for Minority Affairs, an increase from the \$117 million (Rs. 5 billion) announced in 2006-07.

In 2008 the NCM published its study on the status of Dalits in the Muslim and Christian communities. The NCM argued that Dalit converts continue to face discrimination, even by their new coreligionists, and that religious affiliation makes no difference in terms of the socioeconomic status of Dalits. The Commission recommended that reservations be extended to Muslim and Christian Dalits.

In 2004 Parliament passed a bill creating the National Commission for Minority Education Institutions and in March 2006 it empowered the Commission to resolve disputes and investigate complaints regarding violations of minority rights, including the right to establish and administer educational institutions.

Federal and state laws that regulate religion include the Foreign Contribution Regulation Act (FCRA) of 1976, several state-level "anticonversion" laws, the Andhra Pradesh antipropagation law, the Unlawful Activities Prevention Act of 1967, the Religious Institutions (Prevention of Misuse) Act of 1988, the Foreigners Act of 1946, and the Indian Divorce Act of 1869. The FCRA regulates foreign contributions to NGOs, including faith-based NGOs. Some organizations complained that the FCRA prevented them from properly financing humanitarian and educational activities.

There are active "anticonversion" laws in 5 of the 28 states: Gujarat, Orissa, Chhattisgarh, Madhya Pradesh, and Himachal Pradesh; however, there were no reports of convictions under these laws during the reporting period. Arunachal Pradesh has an inactive "anticonversion" law awaiting accompanying regulations needed for enforcement.

On April 1, 2008, the State of Gujarat published the rules and regulations necessary to activate its "Freedom of Religion Law," which was adopted by the legislature in 2003. The law proscribes converting anyone to a different religious group by means of allurements, force, or fraud. The regulations require the person conducting the conversion ceremony to apply for

permission to conduct the conversion 1 month before the rite is to take place and gives the local magistrate the authority to grant or deny the right to convert. Within 10 days after the conversion ceremony, the person who converted must notify the magistrate of the name of the person who conducted the rite and name those who were present. The law requires the magistrate who grants or denies permission for the conversion to provide a quarterly summary of conversion applications presented to him and an explanation for refusals. The law does not lay out the decision criteria to be used in reviewing these applications. The law carries a penalty of up to 3 years' imprisonment and a fine of up to \$1,250 (Rs. 50,000) per person converted. If the person converted is a minor, woman, or SC/ST member, the penalty is up to 4 years' imprisonment and a fine of up to \$2,380 (Rs. 100,000) per person converted. The July 2007 amendments proposed by the Gujarat legislature, which would have classified Jainism and Buddhism as denominations of Hinduism, Sunni and Shi'a as denominations of Islam, and Protestantism and Catholicism as denominations of Christianity, were withdrawn by the legislature on March 10, 2008.

On March 20, 2008, the Government of Rajasthan passed an "anticonversion" law in the state, which restricts and regulates religious proselytism. The law prohibits an individual from using "force, inducement, or fraudulent means" when contributing, in speech or conduct, to another individual's religious conversion. In 2006 the state assembly passed a similar bill, but it became null and void when the Governor twice refused to sign it and forwarded it to the President in 2007 for legal review and guidance on its constitutional merit. At the end of the reporting period, the State Governor had not signed the new bill.

The State Assembly passed the Himachal Pradesh Freedom of Religion Act 2006 in December 2006 and the Governor signed it into law on February 19, 2007. The law is unique because the secular Congress Party generated and passed it, while states ruled by the BJP enacted all of the other "anticonversion" laws. The law states, "No person shall convert or attempt to convert, either directly or otherwise, any person from one religion to another by the use of force or by inducement or by any other fraudulent means nor shall any person abet any such conversion." The law stipulates punishment of up to 2 years' imprisonment and/or a fine of \$625 (Rs. 25,000). If SC/ST members or minors are involved, 5 years' imprisonment and/or a \$1,250 (Rs. 50,000) fine are the penalties. Any member of a religious group wishing to change his or her religious beliefs is required to give 30 days prior information to district authorities or otherwise face punishment of 1 month's imprisonment and/or a \$25 (Rs. 1,000) fine. However, returning to one's previous religious group is not considered violating this law.

Under provisions in the states of Chhattisgarh and Madhya Pradesh, it is prohibited "to convert or attempt to convert, either directly or otherwise, any person from one religious faith to another by the use force or by allurement or by any fraudulent means nor shall any person abet any such conversion." Such an offense is punishable with a maximum of 2 years' imprisonment and a maximum fine of \$220 (Rs. 8,800), with harsher penalties in the case of children, women, or SC/ST members. During the previous reporting period, in July 2006, the Governments of Chhattisgarh and Madhya Pradesh attempted to amend their existing laws to require prior notification to the Government of intention to convert, but these amendments became null and void in January 2007, when their respective governors refused to sign the bills.

The Orissa Freedom of Religion Act of 1967 states, "No person shall convert or attempt to convert, either directly or otherwise, any person from one religious faith to another by the use of force or by inducement or by any fraudulent means nor shall any person abet any such conversion." The law defines force as "a show of force or a threat of injury of any kind including threat of divine displeasure or social excommunication," fraud as "misrepresentation or any other fraudulent contrivance," and inducement as "the offer of any gift or gratification, either in cash or in kind and shall also include the grant of any benefit, either pecuniary or otherwise." Individuals breaking the law are subject to penalties such as imprisonment, a fine, or both. These penalties are harsher if the offense involves minors, women, or an SC/ST member. The law also requires that district magistrates maintain a list of religious organizations and individuals propagating religious beliefs, that individuals intending to convert provide a declaration before a magistrate, that priests declare the intent to officiate in a conversion ceremony, and that police officers determine if there are objections to a given conversion. There were no reports of district magistrates denying permission for religious conversions or of convictions under the Act during the period covered by this report.

The Unlawful Activities Prevention Act (UAPA) of 1967 empowers the Government to ban religious organizations that provoke intercommunity friction, have been involved in terrorism or sedition, or violated the 1976 FCRA.

There were no requirements for religious groups to be licensed; however, the Government prohibits foreign missionaries of any religious group from entering the country without prior clearance and usually expels those who perform missionary work without the correct visa. Long-established foreign missionaries generally can renew their visas, but the Government has not admitted new resident foreign missionaries since the mid-1960s. There is no national law barring a citizen or foreigner from professing or propagating religious beliefs; however, the Foreigners Act prohibits speaking publicly against the religious beliefs of others, since it is deemed dangerous to public order. The Act prohibits visitors on tourist visas from preaching without prior permission from the Ministry of Home Affairs.

In 2007 Andhra Pradesh enacted the "Propagation of other religions in the places of worship or prayer (Prohibition) Law." Thus far, the state has identified only Hindu religious sites for this protection. Punishment for violations of the act can include imprisonment up to 3 years and fines up to \$125 (Rs. 5,312). To date, there have been no prosecutions under the Act. A fact-finding team from the NCM found that the prohibition is not in line with the Constitution's protections of freedom of religion, adding that the IPC has provisions sufficient to deal with offenses committed in places of worship.

Madhya Pradesh, Rajasthan, UP, and West Bengal have laws regulating the construction of public religious buildings and the use of public places for religious purposes.

In 2006 the Kerala High Court determined that Allah is synonymous with God and ruled that taking an official oath in the name of Allah is constitutionally valid.

The Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act of 1989 lists offenses, including those pertaining to religious duties and practices, against disadvantaged persons and provides for stiff penalties for offenders. Article 17 of the Constitution outlawed untouchability; however, members of lower castes remained in a disadvantageous position. The Government continued to implement a quota system which reserved government jobs and places in higher education institutions for SC/ST members belonging to the Hindu, Sikh, and Buddhist religious groups, but not for Christians or Muslims.

Christian groups filed a court case demanding that SC converts to Christianity and Islam enjoy the same access to "reservations" as other SC and argued that Christian SC suffer from the same caste-based socioeconomic and political stigmas and discrimination. The usual counterargument is that there is no caste system in Christianity and, therefore, no need to extend reservations to SC Christians. The case was appealed to the Supreme Court, which had not ruled by the end of the reporting period. Reservations existed in Andhra Pradesh for Muslims. Reservations also existed for certain Muslim other backward caste (OBC) grouping communities in Maharashtra. In May 2007 the Mishra Commission recommended 15 percent of jobs in government services and places in education institutions be reserved for minorities.

The Commission also recommended including Muslim and Christian Dalits on the SC/ST list.

Under Article 25 of the Constitution, Sikhism, Jainism, and Buddhism are considered sects of Hinduism; however, these groups continue to view themselves as unique religious groups and sought to introduce their own separate personal laws. Sikhs have sought a separately codified body of law to legally recognize their uniqueness and preclude ambiguity. The 1992 National Commission for Minorities (NCM) Act identified Buddhism as a separate religion. The Supreme Court rejected the inclusion of Jainism under the NCM Act, stating that the practice of adding new religious groups as minorities should be discouraged. According to press reports, state governments have been given power to grant minority status to religious groups designated as minorities under the 1992 Act, but not all states have officially done so. On June 10, 2008, the Delhi Government decided to accord minority status to the Jain community. Jains have already been accorded this status in the states of Karnataka, Madhya Pradesh, Uttarakhand, Rajasthan, Jharkhand, Chhattisgarh, and UP. State Minorities Welfare Departments confirmed that the states of Andhra Pradesh and Karnataka recognize Sikhs as minorities.

There are different personal status laws for the various religious communities, and the legal system accommodates religion-specific laws in matters of marriage, divorce, adoption, and inheritance. The Government grants a significant amount of autonomy to personal status law boards in crafting these laws. There is a Hindu law, Christian law, Parsi law, and Islamic law--all legally recognized and judicially enforceable. None of these are exempt from national and state-level legislative powers and social reform obligations as laid down in the Constitution.

The Indian Divorce Act of 2001 limits inheritance, alimony payments, and property ownership of persons from interfaith marriages and prohibits their use of churches to celebrate marriage ceremonies in which one party is a non-Christian. Clergymen who contravene its provisions could face up to 10 years' imprisonment. However, the Act does not bar interfaith marriages in other places of worship.

In November 2007, under the Juvenile Justice (Care and Protection of Children) Amendment Act 2006, the Government provided clearance for members of all religious groups to legally adopt.

The Government permits private religious schools, but does not permit religious instruction in government schools. The Government may prescribe merit-based admission for religious colleges that receive public funding, while those that do not may use their own criteria, including religious affiliation.

Many Hindu sects have established schools, although they do not receive aid from the state.

There are approximately 30,000 madrassahs (Islamic schools). Most of them did not accept government aid, alleging that it would subject them to stringent security clearance requirements. Educational institutions given "minority status" by the Government are not eligible for government aid.

The Government's National Council of Education Research and Training (NCERT) published textbooks that are uniformly used in government and private schools and printed in various languages. In 2007 the Government released new NCERT textbooks, which it asserted more accurately portrayed minority religious groups, among other changes, and restored the secular character of education.

The major holy days of the country's predominant religious groups are considered national holidays, including Good Friday and Christmas (Christian); the two Eids (Islamic); Lord Buddha's Birthday (Buddhist); Guru Nanak's Birthday (Sikh); Dussehra, Diwali, and Holi (Hindu); and the Birthday of Lord Mahavir (Jain).

#### Restrictions on Religious Freedom

According to media reports, the Government renewed the ban on the Students' Islamic Movement of India (SIMI) on February 7, 2008, for the fourth time, based on concerns about terrorism. The Unlawful Activities (Prevention) Tribunal in February 2008 extended the ban on an Islamic sect, Deenadar Anjuman, for a further period of 2 years from August 2007. In July 2007 a Christian organization claimed in a petition before the Gujarat High Court that in April 2007 an Ahmedabad police precinct gathered information about local faith-based charities, such as the Salvation Army. The Ahmedabad police commissioner denied the allegation. At the end of the reporting period, the Court had not determined what actually transpired.

Press reports documented the activities of foreign missionaries who proselytized while carrying a tourist visa. Foreigners with tourist visas who engage in missionary activity are subject to deportation and possible criminal prosecution. Foreigners are responsible for requesting the correct type of visa; generally, there are no provisions for changing immigration categories once admitted.

On November 21, 2007, following violent protests in Muslim-dominated areas in central Kolkata against author Taslima Nasreen, the West Bengal administration arranged for her departure from the state. The administration sent the Bangladesh-born writer first to Rajasthan and later to an undisclosed location near Delhi. During her stay in Delhi, External Affairs Minister Pranab Mukherjee assured Nasreen shelter and protection in the country but urged her to "refrain from

activities and expressions" that could hurt the sentiments of Muslims and harm relations with friendly countries. Nasreen apparently agreed to a compromise with the Government and on November 30, 2007, removed three pages from her book *Dwikhondito (Split up into Two)*. The book was criticized by Muslims as "anti-Islamic." On August 9, 2007, three legislators of the All India Majlis-e-Ittehadul Muslimeen in Hyderabad attacked the author on the same basis when she was there for the release of the Telugu version of her book *Sokhe*. The legislators were detained after the incident but not prosecuted. Nasreen fled the country in March 2008.

The Government maintained a list of banned books that may not be imported or sold in the country because they contain material that governmental censors deem inflammatory and could provoke communal or religious tensions. The Rajasthan Government continued to ban the books *Haqeeqat (The Truth)* and *Ve Sharm Se Hindu Kahate Hain Kyon? (Why Do They Say With Shame They Are Hindus?)* for alleged blasphemy against Hindu gods.

Buddhist monks continued to question the management of the 1,500-year-old Mahabodhi temple in Bihar's Bodh Gaya by non-Buddhists. The monks accused non-Buddhists of chopping off a branch of the holy Mahabodhi tree. They requested that the Government hand over management of the temple to them by amending the Mahabodhi Temple Management Act. Missionaries and foreign religious organizations must comply with the FCRA, which limits overseas assistance to certain NGOs, including ones with religious affiliations.

#### Abuses of Religious Freedom

While there were no reports accusing the National Government of committing abuses of religious freedom, human rights activists criticized it for alleged indifference and inaction in the face of abuses committed by state and local authorities and private citizens.

The opposition party BJP, the RSS, and other affiliated organizations (collectively known as the Sangh Parivar) claimed to respect and tolerate other religious groups. However, the RSS opposed conversions from Hinduism and expressed the view that all citizens, regardless of their religious affiliation, should adhere to Hindu cultural values. During the reporting period, the BJP continued to advocate contentious measures such as the passage of "anticonversion" legislation in all states, the construction of a Hindu temple on the Ayodhya site, and the enactment of a uniform civil code.

On June 18, 2008, Shiv Sena official Bal Thackeray publicly advocated the creation of "Hindu suicide squads" to fight "Islamic terrorism." The remarks immediately drew sharp condemnation from Shiv Sena political ally BJP, which said Thackeray must behave responsibly. Media reported that the Congress Party and the Communist Party of India (CPI) also reacted angrily saying Thackeray should not attempt to instigate communal strife. The BJP was associated with some instances of dissemination of information promoting religious intolerance. In April 2007 the BJP released a compact disk (CD) as part of its UP election campaign material, which was widely criticized for its offensive depictions of the Muslim community. The BJP claimed to have withdrawn the CD; however, its contents were published and broadcast by the media. The Election Commission filed cases against those involved in the matter under the Representation of People's Act. The BJP filed a response and stated that the CD was not part of their official campaign materials and that it had fired the party's spokesperson in UP for releasing the CD. No further action was taken.

Faith-based media and other sources reported attacks against Christians in various states that are summarized below. Christian and human rights groups in Karnataka reported continued attacks on believers and missionaries. Activists alleged that expectations of a possible BJP victory in the May 2008 state elections dampened police enthusiasm to investigate. There were reports of arrests under state-level "anticonversion" laws and other restrictive laws during the reporting period. There were 14 reported arrests in 4 separate incidents under the Madhya Pradesh "anticonversion" law, compared with 11 arrested during the previous reporting period. However, there were no convictions, and all of those arrested were released on bail with their cases pending. The specific incidents are detailed elsewhere in this report.

Faith-based NGOs and the media indicated that authorities arrested 26 persons in Chhattisgarh, 7 in Madhya Pradesh, and 13 in Maharashtra during the reporting period for violence against Christians. Many of these cases involved communal attacks on Christians or their property, and in some cases, police brutality was reported. In one instance, those attacked were reportedly arrested.

According to local press, on June 30, 2008, Catholic churches across Kerala held protests demanding the immediate withdrawal of a controversial elementary school social studies textbook. The Catholic Church argued that the book teaches children atheism and communism. Protest marches were held in several cities and towns including Thiruvananthapuram, Kochi, and Kollam with the support of the Kerala Catholic Bishops' Council (KCBC). The Communist Party of India-Marxist (CPI-M)-led Left Democratic Front government issued the textbook. Other religious groups, including Muslim organizations and the Hindu Nair Service Society, also demanded the immediate withdrawal of the text.

On June 22, 2008, "*Hindutva*" extremists belonging to the *Vishwa Hindu Parishad (VHP)*, *Bajrang Dal*, and BJP attacked a Christian prayer meeting, beating participants and the pastor, Jonathan Singh, in Krishnagar, Dehradun (Uttaranchal). A delegation of Christian leaders went to the Garhi Cantonment police station, where the officer-in-charge declined to register a First Information Report (FIR) and advised them instead to contact local BJP legislator Harbans Kapoor. Dehra Dun Senior Superintendent of Police Amit Sinha said he would look into the matter.

On Easter Sunday, March 23, 2008, in the Jhabua district of Madhya Pradesh, seven persons associated with the RSS attacked the evening service of a house church. They beat the pastor, who was the owner of the house, and his wife, looted the house, seized religious literature, and destroyed the roof. When the attack was reported to the police, instead of pressing charges against the RSS members, the pastor was arrested and later released on bail. One attacker who was injured while trying to destroy the roof allegedly filed a false claim of assault against the pastor.

On March 11, 2008, alleged members of the *RSS* punched, kicked, and slapped a pastor in Maksi district, Madhya Pradesh, when he was on his way to a congregant's house, carrying Christian literature. The assailants *dragged the pastor to the police station, where he was charged with disturbing the peace as well as harming and insulting religious sentiments of the community. The pastor reported being subjected to further physical abuse while in police custody. He was released on bail 3 days after his arrest.*

There were numerous reports of acts of violence against Christians in Madhya Pradesh. On February 22, 2008, members of the *Bajrang Dal* attacked five Christians meeting in a home in the town of Balaghat in Madhya Pradesh. On February 27, the newly elected president of the Balaghat Christian Association, Robin Singh, a medical doctor, was beaten for providing legal help to the previous victims. Singh filed charges against his attackers, but no arrests were made in either case. On February 2, 2008, a group of 20 men allegedly belonging to the *Bajrang Dal* barged into the house of a pastor who was conducting church services in his house near Bangalore, Karnataka, abused those present, and then burned Bibles found in the hands of worshippers. The pastor filed a case with the local police station and claimed that action was not taken against the attackers.

On January 17, 2008, **in the** Rewa district of Madhya Pradesh, extremists stormed a house church, abducted two Christians, and severely beat them. The two Christians alleged that they were taken to the jungle to be sacrificed but that the attack was interrupted by a cell phone call to the attackers warning them that the police were aware of the kidnappings.

On January 9, 2008, in Jagdalpur, Chhattisgarh, a pastor and five of his congregants were invited to pray for the healing of a Hindu villager who regularly attended their services for a month. The house where they were praying was attacked by alleged members of Dharma Sena. There were no reports of police action against the attackers, but the six Christians were arrested on charges of "forcible conversion" and "hurting religious sentiments."

In September 2007 the CBI closed the case against Jagdish Tytler due to a lack of witnesses. However, on December 18, 2007, Additional Chief Metropolitan Magistrate of Delhi court Sanjeev Jain ordered the CBI to reopen cases relating to 1984 anti-Sikh riots against Jagdish Tytler.

On November 19, 2007, in the Bastar district of Chhattisgarh, a mob, allegedly led by the Bajrang Dal, demolished a house church and beat the pastor and his followers. The following day, a young relative of the pastor who allegedly was kidnapped by the extremists was found dead in a nearby jungle, his head crushed by a stone. The superintendent of police of Bastar reportedly confirmed the incidents but denied that Hindu extremists were behind the attack and killing and declared that the incident involving the relative was a separate matter. Allegedly, when the pastor complained to the police about the attack, he and some of his congregants were detained for 24 hours without food or water. The police arrested 21 local residents following the demolition of the church, none of them Hindu extremists, on claims that the residents were angry that the pastor had insulted other gods.

On November 4, 2007, in Thane District, Maharashtra, extremists armed with wooden clubs barged into the worship service of the Mumbai Diocesan Missionary Movement and beat several members brutally enough that they required hospital treatment. When the pastor went to the police to complain about the attack, he was detained and then later released with no charges filed against him. No police action was taken against those who committed the attacks.

On October 23, 2007, Hindu extremists beat a pastor in Thane District, Maharashtra. The report alleged that after the victim filed a complaint, police charged 11 of the people attending the pastor's prayer meeting for "disrupting peace in the area." Worship services were cancelled for 2 weeks because of the attack.

On October 10, 2007, in Raipur, Chhattisgarh, a mob reportedly associated with the RSS attacked two Christian schools, Holy Cross School and St. Xavier's School, for declining to observe a holiday on a Hindu festival. The principal's office was ransacked at St. Xavier's. No police action was taken.

On September 29, 2007, in Dhar district, Madhya Pradesh, Hindu villagers beat a pastor and filed a complaint against him, his wife, and four other Christians, accusing them of conversion by "allurement." The pastor had been conducting a healing service for a villager. Police arrested them under the state "anticonversion" law and several other sections of the IPC. They were released on bail 2 days later. The attackers were not arrested.

In Maharashtra there was one reported anti-Christian incident precipitated by a BJP-related group during the reporting period: On August 26, 2007, in the Andheri Section of Mumbai, members of the *Bajrang Dal* filed a complaint of "forcible conversion" and "deliberately injuring religious sentiments" against a Christian pastor. The complaint was filed by Hindu individuals who had attended a baptism ceremony. No further details were provided.

On July 15, 2007, in the Detalath area of Madhya Pradesh, villagers, allegedly instigated by the *Bajrang Dal*, disrupted the screening of a film based on the life of Jesus Christ and threatened the organizers. The following day, the villagers threatened a Christian as he returned from his pastor's house and threatened to burn down his house if he attended any Christian meetings. The pastor filed a police complaint against the assailants, but police did not register it.

On July 14, 2007, in the Dindori district of Madhya Pradesh, members of *Dharma Sena*, accompanied by two policemen, attacked Christian evangelists waiting at a bus stop. The attackers emptied their satchels, dumping out Christian literature, and slapped the Christians. Police questioned the Christians and issued them a warning not to visit Dohania again.

On July 6, 2007, in Raipur, Chhattisgarh, alleged members of the Dharma Sena humiliated and injured a Christian pastor, putting a garland of shoes and slippers around his neck. They took the pastor to the Telibandha police station. Reportedly, officers ensured that he received first aid but later arrested him for "hurting religious feelings." A magistrate remanded him to judicial custody, and he was released on bail approximately a month later. The chief of the Dharma Sena and four others were arrested for the attack, but all were quickly released on bail.

On July 1, 2007, in the Durg District of Chhattisgarh, approximately 50 alleged members of Dharma Rakshak Sena and the Bajrang Dal disrupted the Sunday worship service at a church, beat the pastor and church members, and stole music. Reportedly, the police refused to register a complaint.

According to the All India Christian Council (AICC), Pastor Kinnera Kanankaiah and his wife were attacked by Hindu activists on June 22, 2007, in Siddipet, Medak District in Andhra Pradesh for alleged conversion activities. The victims filed a report with local police.

On June 7, 2007, right wing activists attacked Philadelphia Holy Church and removed a new fence around the church property, alleging illegal land use. The church had previously won a court challenge to their ownership of the land. Police responded to the attack but refused to let the church use the land.

On June 2, 2007, two Christians were arrested for distributing Christian literature in Amaravati, a Buddhist temple town in Guntur district in Andhra Pradesh. They were later released on bail.

In April 2007 authorities in Andhra Pradesh arrested three pastors and filed cases under IPC 295A and 298 for hurting religious sentiments. Local residents alleged that the pastors led 26 foreign tourists, including several U.S. citizens, into the Chikadpally slum in Hyderabad where they engaged in conversions and made derogatory remarks against Hindu gods. In March 2007 Bangalore police arrested two Christian missionaries, including one foreign citizen, for allegedly making statements ridiculing Hindu deities. Both missionaries were released on bail the next day.

The Government, in response to a Delhi High Court ruling in connection with the 1984 anti-Sikh riots, paid \$3,075 (Rs. 123,000) to several persons injured during the riots. In March 2007 a Delhi High Court convicted and sentenced to life imprisonment three persons--Harprasad Bhardwaj, RP Tiwari, and Jagdish Giri--for lynching a Sikh policeman, his son, and another relative during the anti-Sikh riots. The court also fined each convict \$125 (Rs. 5,000). Two other accused individuals were acquitted due to insufficient evidence.

In February 2007 a local BJP leader and his followers allegedly attacked three pastors of the Believers' Church while they were holding a prayer meeting in Chhattisgarh. The party leader also tried to register a complaint against the pastors for engaging in conversion activities; however, the police did not register the case because it could not substantiate the allegation.

According to religious media outlets, in December 2006 a subinspector of police in Andhra Pradesh assaulted a group of Christians displaying a religious film, despite the fact that the village head had granted permission to the Christian community.

In November 2006 police refused to file a FIR against a local BJP politician and party workers who had allegedly attacked six Christians at a village meeting in Bastar, Chhattisgarh.

In October 2006 the Chhattisgarh BJP Government reportedly closed a government-financed, Christian-operated child nutrition center in Chhattisgarh and fired 17 employees on suspicion of engaging in conversion activities.

In August 2006 police officers allegedly pressured a Christian convert to reconvert to Hinduism in Karnataka.

In August 2006 in Gujarat, police shooting killed three persons (two Muslims and one Hindu) during protests by Muslims of the local administration's action to breach the wall of an Islamic cemetery to let flooding waters subside.

According to reports, in July 2006 the police in UP physically assaulted a Christian convert, allegedly at the behest of VHP members.

In July 2006 in Bhiwandi, while dispersing a rioting mob of Muslim protestors, Maharashtra police killed two Muslims. Two Hindu policemen were subsequently lynched by rioters in a dispute between a Muslim organization and the police over the

construction of a police station adjacent to an Islamic cemetery. The mob burned several buses of a local public transport company, and 18 persons were injured, including 12 policemen.

There were no developments in the case of the May 2006 demolition of a Vadodara city Islamic shrine by the city government. The riots after the demolition led to the death of two Muslims as a result of police firing and three Hindus by stabbing.

There were no developments in the case of the July 2006 killing of two Muslims in police firing to disperse rioters in Bhiwandi, Maharashtra. The rioters were protesting the proposed location of a police station next to a Muslim cemetery. These riots also led to the death of two Hindus by lynching.

Press reported that in January 2006 ten persons were injured after the demolition of the Christ Mission Ashram church in Kolkata, West Bengal, in a clash between church members and Kolkata Metropolitan Development Authority workers. The government later allotted other land to the mission to relocate the church and its facilities. The mission continued to operate on the new land.

In 2006 police launched a judicial inquiry into clashes between Hindu and Muslim residents in UP. An NCM investigation determined that the UP administration initially did not take appropriate steps to prevent the violence. No known action was taken as a result of this investigation.

Between May and October 2005, communal riots in UP resulted in the deaths of 7 persons and injuries to 36, including 8 police officers. In October 2005 the UP Government convened a three-member committee to determine the cause of the riots and filed charges against BJP politicians Mukhtar Ansari and Ramji Singh for inciting communal discord. The committee also reported that BJP Member of Parliament Yogi Adityanath had a role in instigating the communal clashes but did not file charges against him.

Allegations of forced conversion and "defamation of Hinduism" led to harassment of Emmanuel Ministries International (EMI), a large charitable organization in Rajasthan, by members of the Sangh Parivar. In February 2006 the Rajasthan Government revoked the licenses of EMI-owned charities including a Bible institute, orphanage, school, hospital, and church. In March 2006 the Department of Social Welfare of Rajasthan froze the organization's bank accounts. In June 2006 the Jaipur High Court instructed the State Government to show cause regarding the closing of the EMI property and instructed the accounts to be unfrozen.

Authorities held EMI President Samuel Thomas in judicial custody from March 17 to May 2, 2006, for hurting the religious sentiments of Hindus. Thomas was later charged with sedition in May 2006 for the use of a map on an EMI-affiliated website that did not include Jammu and Kashmir as part of the country. The Supreme Court granted Thomas bail but restricted his travel. By the end of the reporting period the charges had not been dropped.

There were no further developments in the June 2006 case of harassment of four tribal Christians by rural police in Maharashtra.

In May 2006 in Punjab, after protests by Delhi AICC leaders, police arrested three Hindu extremists for a raid on an Easter Day event, in which they threatened worshippers and vandalized property. When the pastor attempted to register a FIR, the Senior Superintendent of Police told him that permission from the district magistrate was required but later permitted the services.

There was continued concern about the failure of the Gujarat Government to arrest those responsible for the communal violence in 2002. Home Ministry figures indicated that 790 Muslims and 254 Hindus were killed and 2,500 others injured. Some NGOs maintained the number of Muslims killed was higher, with estimates from 1,000 to 2,500. There were also reports of rape, gang rape, and molestation of Muslim women. According to a 2005 survey by the NHRC monitoring committee, approximately 4,300 Muslim families (between 25,000 and 30,000 individuals) were still internally displaced

and living in makeshift camps with inadequate infrastructure. Persons told the committee that they feared retaliation by their Hindu neighbors if they returned to their villages. They also feared that Hindu neighbors would pressure them to withdraw their complaints filed in connection with the 2002 violence. In August 2007 Gujarat Chief Secretary Sudhir Mankad reportedly conceded in a meeting with the NCM that 3,600 families in 46 makeshift camps had not been able to return to their original residences. Mankad also acknowledged that many of the poorest families in the camps had not received "Antyodaya" cards, which allow them to receive subsidized food grains.

In March 2006 the government-established commission headed by Justice Banerjee issued a report stating that the 2002 train fire in Gujarat that led to communal violence was an accident and ruled out an Islamic conspiracy. The commission also accused the then-Railway Minister and the Railway Safety Commission of failing to adequately investigate the accident. The Gujarat High Court initially prevented the release of the report to Parliament, but Indian Railways petitioned the Supreme Court for its release; an appeal that was ongoing at the end of the reporting period.

The Nanavati-Shah Commission, established in 2002, continued its hearings into the Gujarat 2002 violence. It has received 6-month extensions on a regular basis. In March 2008 Justice Shah died. The Government of Gujarat appointed Justice Apurva Mehta to replace him. By the end of the reporting period, there was no indication when the reconstituted Nanavati-Mehta commission would submit its report.

In November 2007 the newsweekly *Tehelka* published secret recorded interviews with many of the accused in the 2002 anti-Muslim violence in which some freely admitted their role in the violence, as well as police and BJP-leadership complicity. Arvind Pandya, the lawyer representing the Government of Gujarat, allegedly claimed to the reporter that Justice Shah was sympathetic to BJP ideology and that Justice Nanavati was interested in prolonging the deliberations. Pandya resigned after the story was published. In March 2008 the NHRC ordered a CBI enquiry based on the *Tehelka* tapes. The Government of Gujarat contended that a separate CBI inquiry was unwarranted because the *Tehelka* tapes were already being considered by the Nanavati-Mehta commission. The NHRC overruled the state.

Many human rights groups continue to believe that those responsible for the 2002 Gujarat violence would largely go unpunished despite sporadic judgments convicting Hindu assailants and the few high-profile cases the Supreme Court was directly supervising.

The *Tehelka* revelations substantiated this view. Dilip Trivedi, a senior advocate of the VHP, allegedly gave the reporter the statistics for disposal of cases in Mehsana, one of the districts which were an epicenter of violence. According to Trivedi, police registered 182 complaints, of which only 80 reached trial. Of the 76 trials completed by November 2007, in 74 cases all the accused (Hindu perpetrators of anti-Muslim violence) were acquitted. In the remaining two cases, where some punishments were given by the special courts, the VHP appealed the cases in higher courts, and the accused were out on bail.

During the previous reporting period, Gujarat police registered several new complaints relating to the 2002 violence and arrested some high-profile accused. However, in many of the cases tried in the Gujarat lower courts, the accused were acquitted due to lack of evidence or changes in testimony. Two women's rights activists reported that the National Government had reported to a U.N. agency in October 2006 that up to that time, only 6 cases relating to 2002 violence resulted in convictions, whereas 182 cases resulted in acquittals.

In its February 2006 response to the Supreme Court, the Gujarat police said that it would reexamine 1,600 of the 2,108 cases that were closed after the riots. However, during the previous reporting period, the Gujarat police closed as many as 1,600 cases, citing the unavailability of witnesses.

In March 2008 the Supreme Court issued notices to Gujarat Chief Minister Narendra Modi, Director General of Police P.C. Pandey, and 66 others to inquire why a FIR had not be filed based upon the complaint of Zakia Jafri, one of the survivors of the 2002 violence. Jafri had been trying since June 2006 to register a complaint against Gujarat government officials for

their complicity in the violence. She applied to the Supreme Court for redress after the Gujarat police failed to register her complaint, and a Gujarat sessions court and the Gujarat High Court turned down her pleas.

In March 2008 the Supreme Court announced that a Special Investigation Team (SIT) of senior police officials would study ten high-profile cases (including the Godhra train arson case) and advise the Court on whether these cases need to be reinvestigated or transferred out of Gujarat. Since November 2005 the Supreme Court has stayed the proceedings in these cases while it considers petitions filed by human rights groups, the NHRC, and by some victims, alleging that justice could not be obtained in Gujarat courts. On April 25, 2008, the SIT visited the town of Godhra and the railway station and inspected the burnt train car. By the end of the reporting period, the SIT had not submitted its report. In April the SIT arrested Parbat Thakore, who was accused of being involved in the Gulbarg massacre where Ehsan Jaffri was killed.

In March 2002, during the post-Godhra anti-Muslim violence in Gujarat, a Muslim woman, Bilkis Bano, was gang-raped and several members of her family were killed by Hindus. The Supreme Court ordered the CBI to reinvestigate the case and try it in a Mumbai special court. In January 2008 a Mumbai special court sentenced 11 Hindu rioters and 1 policeman. The court acquitted seven defendants, including five policemen and two doctors. By the end of the reporting period, the Government of Gujarat had not appealed the judgment in the Mumbai High Court. During the previous reporting period, a Mumbai Court convicted 9 persons of the murder of 14 Muslims in the Best Bakery case and sentenced them to life in prison.

In October 2007 eight persons were sentenced to life in prison while three others were sentenced to 3 years' imprisonment by a Godhra court in the 2002 Eral massacre case that left seven persons dead in the aftermath of the Godhra riots. Twenty-nine persons were acquitted in the case.

In June 2005 the Central Prevention of Terrorism Act (POTA) Review Committee recommended that POTA charges be dropped against many Muslims in connection with the Gujarat violence due to insufficient evidence; however, at the end of the reporting period, they were still being held without charge. According to the Islamic Relief Committee of Gujarat, 130 Muslim youth remained in custody in Gujarat under POTA awaiting trial at the end of the report period. Since 2003 the Supreme Court has stayed trials in nine high-profile cases, including the Godhra train arson case. The Supreme Court had not determined how these cases would proceed.

In May 2008 the National Government announced that it would pay approximately \$80 million (Rs. 330 Crores) in relief to victims of the 2002 post-Godhra riots in Gujarat, fulfilling commitments it had made in November 2006. The 2006 package had four components: death compensation for next-of-kin in the amount of \$ 8,333 (Rs. 3.5 lakhs); compensation for the 2,548 injured persons in the amount of \$2,900 (Rs. 1.25 lakh); additional compensation for property damage, ten times the amount paid by the Government of Gujarat; and assistance in finding homes and jobs for victims who lost their livelihoods and were permanently displaced. The money for the first component was released by the National Government in 2007 and distributed by the Government of Gujarat between January and March 2008. While compensation has been issued in 1,000 cases, NGOs working with victims claim that the Government of Gujarat is refusing to compensate cases associated with approximately 800 "missing persons." In May 2008 the National Government released the money to the Government of Gujarat for the second and third components of the package.

In June 2008 a Metropolitan court in Mumbai acquitted 12 persons who were accused in the 1992-93 Mumbai communal riot cases. They had been charged with arson and looting following the demolition of the Babri Masjid Mosque.

Since an organized insurgency erupted in Jammu and Kashmir in 1989, there have been numerous reports of human rights abuses by security forces, local officials, and separatists. It remained difficult to separate religion and politics in Kashmir; Kashmiri separatists were predominantly Muslim, and almost all the higher ranks as well as most of the lower ranks in the military forces stationed there were non-Muslim. The vast majority of the 61,000-member Jammu and Kashmir police force was Muslim. Kashmiri Hindus remained vulnerable to violence. Most lived in refugee camps outside of the valley and were awaiting safe return. In May 2004, May 2005, and April 2006 the Jammu and Kashmir Government allowed a procession of separatist groups to mark the anniversary of the Birth of the Prophet Muhammad.

On May 26, 2008, the Jammu and Kashmir Government decided to transfer 100 acres of land to the Shri Amarnath Shrine Board (SASB), a government-run organization that oversees an annual Hindu pilgrimage to a shrine in the Himalayas. Kashmiri residents motivated by Muslim separatist groups began nonviolent protesting. By June 23 the protests had gained momentum, and on June 25 the situation turned violent when police opened fire, killing two teenagers and injuring more than seventy protestors and police. On June 30 the SASB withdrew its claim to the land and ownership reverted to the state government. Separatist leaders accused the National Government and the state government of illegally confiscating public land and settling non-Kashmiris in an attempt to set up a Hindu state and change the demographics in the Muslim-majority state.

#### Forced Religious Conversion

There were no reports of forced religious conversions, including 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. Authorities arrested numerous Christians under state-level "anticonversion" laws during the reporting period for allegedly engaging in conversions by force, allurement, or fraud (for more information, see Abuses). Hindu nationalist organizations frequently alleged that Christian missionaries lured low-caste Hindus with offers of free education and healthcare and equated such actions with forced conversions. Christians responded that low-caste Hindus converted of their own free will and that efforts by Hindu groups to "reconvert" these new Christians to Hinduism were themselves accompanied by offers of remuneration and thus fraudulent.

#### Persecution by Terrorist Organizations

Terrorist groups perpetrated atrocities against civilians, including minority Hindu members of the Pandit (Hindu Brahmin) community, in the long-lasting insurgency in Jammu and Kashmir, including car bombings, forced housing of terrorists, executions, and sexual assaults. Retaliatory killings by terrorists were also common. Security forces used targeted but at times excessive force to suppress them, with civilians frequently the main victims. Terrorists attempted to provoke interreligious conflict by detonating bombs.

In May 2008 a terrorist attack killed approximately 100 persons and injured over 400 in Jaipur, Rajasthan. According to press reports, the Bangladesh- and Pakistan-based Harkat ul-Jihadul-Islami claimed responsibility for the attack. On October 11, 2007, 2 persons were killed and 17 others injured when a bomb exploded in the dargah (shrine) of the Sufi saint Khwaja Moinuddin Chishti in Ajmer, Rajasthan. Another person later died due to injuries from the blast.

On August 29, 2007, a bomb exploded inside the Laxmi Narayan temple in Bholderwah town, Doda district, Jammu and Kashmir. No casualties or injuries were reported.

On August 25, 2007, bombs exploded in Lumbini Park, Hyderabad, and at a popular restaurant, killing 42 and injuring more than 60. Beginning in January 2008, police in several states began arresting suspects possibly linked to the bombings. Some reports suggest that those responsible had links to the SIMI, the Pakistan-based Lasker-e-Taiba, and/or the Harkat-ul-Jihadul-Islami.

Terrorists detonated bombs inside the famous mosque, Mecca Masjid, in Hyderabad on May 18, 2007, killing nine, allegedly to provoke interreligious conflict.

#### Improvements and Positive Developments in Respect for Religious Freedom

On October 22, 2007, the Tamil Nadu Assembly unanimously passed a law granting Muslims and Christians belonging to the "Backward Classes" separate reservations (quotas) for education and employment. Each of the communities was to receive a 3.5 percent share in government jobs and educational opportunities. Approximately 90 percent of the Muslims and 75 percent of the Christians in Tamil Nadu belong to the "Backward Classes" and were already eligible for reservations alongside Hindu members of the "Backward Classes."

The Andhra Pradesh Government allocated \$474,000 (Rs. 20,145,000) in the 2008 budget as subsidies to Christians wanting to visit the Holy Land.

In December 2007, during the campaigning for Gujarat state parliamentary elections, the Central Election Commission (CEC) censured Congress President Sonia Gandhi, Congress leader Digvijay Singh, and Gujarat BJP Chief Minister Narendra Modi for their references to the death of an alleged Muslim criminal, Sohrabuddin, in a police encounter. The CEC warned these leaders not to use divisive language in their election campaigns.

In June 2008 the National Government directed all universities through the Universities Grants Commission to increase the number of Muslim teachers in colleges located in areas with a high concentration of Muslims. The move was ostensibly to encourage more Muslim students to enroll in higher education and was a result of the post-Sachar Committee report findings.

During January-March 2008 the Government of Gujarat paid additional death compensation to the next-of-kin of the victims of 2002 violence, approximately \$8,750 (Rs. 380,581), implementing a November 2006 decision of the state government that granted this additional compensation to equalize the Gujarat victims' compensation to the victims of 1984 anti-Sikh violence.

In March 2008, on the occasion of the Hindu festival of Vasant Panchami, the local BJP administration avoided strife by allowing both Hindus and Muslims to offer prayers at a disputed religious site in Dhar, Madhya Pradesh, but at different times during the day.

The National Foundation for Communal Harmony (NFCH), an autonomous body under the Ministry of Home Affairs, continued to provide assistance for the physical and psychological rehabilitation of child victims of communal, caste, ethnic, or terrorist violence, with special reference to their care, education, and training. The NFCH also promoted communal harmony, fraternity, and national integration by providing financial assistance to rehabilitate minority children. It has also given grants to states to hold events that promote communal harmony. The NFCH also granted scholarships, fellowships, and annual awards to individuals, organizations, and student unions who have reflected a secular image and promoted harmony.

Bihar Chief Minister Nitish Kumar announced the Government would provide free textbooks to Muslim students and \$240 (Rs. 10,200) to each student of the community who secured first division marks in their matriculation examinations. The announcement came in November 2007, days after the Bihar Government declared it would provide compensation to 128 families for the 1989 Bhagalpur riots. Muslims constitute 16.5 percent of Bihar's 83 million population.

In July 2007 a local court convicted 14 persons and sentenced them to life imprisonment for their actions during the Bhagalpur riots 17 years earlier. The riots began on the night of October 27, 1989, when a "Ramlila" procession organized by a local VHP leader at the peak of the Ram Janmabhoomi campaign was allegedly attacked while passing through a Muslim neighborhood. Violence soon engulfed several parts of Bhagalpur and the adjoining Banka. In Logai village, 116 Muslims were massacred and buried in a mass grave. Among those convicted were two policemen. Before the riots, there were 45 Muslim families in Logai village; by the end of 1990 only two remained. The Justice NN Singh Inquiry Commission recommended that victims receive the same compensation package as the victims of the 1984 Sikh riots. At the end of the reporting period, the Government had not approved the recommendation.

On October 29, 2007, an Orissa court sentenced Dara Singh to life imprisonment for the 1999 murder of a Muslim trader, Shaikh Rehman. Singh was already serving a life sentence for burning to death Australian missionary Graham Staines and his sons in Orissa in 1999. In September 2007 the court sentenced Singh and three others for murdering Catholic priest Arul Doss in 1999 at Jamubani, Orissa.

The NHRC and NCM continued to promote freedom of religion during the reporting period. Through their annual reports and investigations, they focused attention on human rights problems and, where possible, encouraged judicial resolutions. Interfaith cooperation on social issues within particular religious minority communities led to a promotion of harmony. Religious minority leaders worked together on HIV/AIDS prevention initiatives. In Maharashtra, Avert Society worked with Christian and Muslim religious leaders to promote behavior change messages within vulnerable populations. In Thane district, a local NGO, Kripa Foundation, carried out advocacy work with two Catholic Church parishes to promote HIV/AIDS messages in the fishing community of 40,000 persons. In Nagpur district, the local NGO, Comprehensive Rural and Tribal Development Program (CRTDP), worked with two imams to promote HIV messages among the Muslim community in large slums with a population of 70,200. The imams, during Friday prayers, included HIV/AIDS messages in their discourse and provided information on the availability of series on STI treatment. In this intervention, more than 240 peer educators were identified and trained within the Muslim community and treated 120 STI cases.

Since 2005 the Women's Legal Rights Initiative (WLRI) has supported research, advocacy, and outreach initiatives in Rajasthan to prevent female feticide in collaboration with religious leaders of Jain, Maheshwari, Sikh, Jat, Brahmin, and Rajput communities. The Sikh community made a strong commitment to the cause of the girl child. Priests held sermons on caring for girls between prayers and at community weddings, asking newlyweds to never practice sex selection of children. Women went door to door to sensitize their community members and ask them to sign oath papers vowing never to undergo sex selection for themselves and their families. The Sikh community decided that "Lohhri," a widely celebrated harvest festival, would be celebrated to welcome and honor the birth of daughters, a practice hitherto reserved for boys. The Jain Terapanth Mahila Mandal, with partial support from the United Nations Population Fund, sensitized married and unmarried women on the issue of sex determination, female feticide, and combating female sex selective abortions. Girls took a written oath to say they would not marry a groom who asked for dowry. They also released two music albums featuring songs celebrating girls. These songs became a regular part of their religious get-togethers. The community magazines regularly carry features against sex-selective abortions.

### **Section III. Societal Abuses and Discrimination**

The country's population of 1.1 billion includes innumerable religious traditions; there were instances of societal discrimination and violence based in whole or in part on religious affiliation. Many such incidents were linked to politics, nationalism, conversion, or retaliation. Economic competition between religious communities played an important role in conflicts. According to the Ministry of Home Affairs' 2007-08 annual report, there were 761 instances of communal violence or violence along religious lines, in which 99 persons were killed and 2,227 injured.

Efforts at ecumenical understanding brought religious leaders together to defuse religious tensions. Prominent secularists of all religious groups made public efforts to show respect for other religious groups by celebrating their holidays and attending social events such as weddings. Muslim groups protested against the mistreatment of Christians by Hindu extremists. Christian clergy and spokespersons for Christian organizations issued public statements condemning anti-Muslim violence in places such as Gujarat.

Members of all religious communities spoke up against terrorism. In February 2008 the influential conservative madrassah, Darul Uloom Deoband, held an antiterrorism conference and issued an antiterrorism declaration. The conference was followed by a mass rally in Delhi in June 2008, in which clerics from madrassah and leaders from its political wing, Jamiat Ulema-i-Hind, officially issued a fatwa, declaring terrorism to be un-Islamic.

The media continued to highlight the discrimination prevailing in several villages in southern Tamil Nadu preventing Dalits from participating in temple festivities such as holding the ceremonial ropes in temple car festivals. Local media also

pointed out that Dalits are usually denied access to burial grounds or even to public streets dominated by certain upper castes.

The media reported that 296 Dalit Christians reconverted to Hinduism in Tirunelveli, Tamil Nadu, on April 14, 2008. The media quoted one of the converts as saying that the reconversion would make them eligible for the benefits being extended by the Government to the SC/STs. He also alleged reconversion was sought because allegedly there is no equality in Christianity, where Dalits are treated like secondary citizens, just as they are in Hinduism.

Kerala's famous Guruvayur Sri Krishna Temple authorities received much public criticism for prohibiting "non-Hindus" (persons born to a non-Hindu parent or parents) to enter the temple area even after they declared their faith to the temple deity. On several occasions, the temple reportedly conducted purification rituals after the "unlawful" entry of such persons to the temple. The temple authorities maintained that those who were born to a non-Hindu parent or parents could declare their devotion in writing and get a certificate from the Arya Samajam (a traditional Hindu organization) to gain admission to the temple.

On June 3, 2008, Hindu Aikyavedi activists staged a violent march to a church headquarters in Thiruvalla, Kerala. Media reported that the activists threw stones at several Christian institutions, and demanded investigation into the financial transactions of one of the churches and its overseas affiliate.

In April 2008 there were clashes involving approximately 300 persons in a village in Karnataka after Dalits performed Puja to mark "Ugadi" in the Chamundeshwari temple. Many houses belonging to the Dalit community were damaged. Police responded by visiting the village and ordering additional security. The Dalit community condemned the clashes that also resulted in injuries to police. Police arrested 28 Hindus under the Prevention of Atrocities against Scheduled Castes and Tribes Act. At the end of the reporting period the detainees were all free on bail, and no hearing date had been scheduled. On March 22, 2008, at the end of the Hindu festival Holi, in the Rewa district of Madhya Pradesh, local Bajrang Dal members beat family members of a 15-year-old girl because the family protected the girl from being raped.

On March 10, 2008, Tibetan refugees in the country began a march to the border with China. However, police in Himachal Pradesh arrested more than 100 of the refugees, mostly monks and nuns, citing breach of an agreement between New Delhi and Tibet's government-in-exile, headed by the Dalai Lama. In addition, police arrested approximately 40 Tibetan women who protested in front of the Chinese Embassy in New Delhi. In spite of several March arrests in association with Tibetan protests, the Tibetan Buddhist community commented that relations with the Government and local residents were good and that they did not believe the community to be persecuted.

In January 2008 in UP, a Hindu priest attacked Sudhir Kumar, a Dalit, for attempting to enter the Mahadev temple to celebrate a Puja. He was accompanied by three other men. Once news of the attack was made public, a group of Dalits informed senior district administration officials about the incident. A FIR was registered; an investigation was in process at the end of the reporting period.

According to the Ministry of Home Affairs annual report for 2007-08, approximately 34,878 Pandit families from Jammu and Kashmir were living in 12 refugee camps in Jammu at the end of the reporting period, and 19,338 families were still in Delhi's 14 camps. There were a total of 55,456 Kashmiri migrant families living under displaced conditions.

On June 20, 2008, a Sikh was killed while protesting against Ram Rahim Singh, head of the Dera Sacha Sauda (a breakaway Sikh faction). Police arrested the bodyguards who had killed the Sikh. Riots by 1,500 members of Mumbai's Sikh community followed the next day to demand the arrest of Ram Rahim Singh. The rioters shut down parts of Mumbai's northern suburbs through various coercive methods, including brandishing swords. The tension died down in Mumbai after the victim's funeral. The two Sikh communities have a history of conflict between them.

In June 2008 a group of more than 200 Sikhs attacked the office of MTV India in Mumbai in protest of a poster promoting a reality show that they felt provided an unflattering depiction of a Sikh youth.

There were instances of religiously motivated violence and sectarian rioting, including mob violence or vigilante action and Hindu-Muslim communal violence.

According to media reports, 40 were injured in Sagar Island when the RSS and local Muslim villagers clashed over the RSS's intent to have a presence on the island.

According to media reports, on April 14, 2008, Hindus and Muslims clashed in Visnagar, Gujarat, and six persons were injured. On April 15, Hindu-Muslim clashes in Raver, Maharashtra, over a Hindu religious procession led to the death of two Hindus when police fired on rioters. Hindus burnt several Muslim-owned houses and businesses. The police imposed a curfew for 3 days.

In February 2008 the Mumbai-based Center for the Study of Society and Secularism reported various instances of Hindu-Muslim clashes in 2007. According to this compilation, on October 22, 2007, 26 persons were injured in Hindu-Muslim clashes in Amravati, Maharashtra, during the Hindu Goddess Durga immersion procession. On September 28, 2007, Hindus and Muslims clashed in Khamgaon, Maharashtra during a procession in honor of the Hindu God Ganesha. The clashes in Khamgaon continued for 2 days, and police imposed a curfew. On September 22, 2007, and September 27, 2007, in Vadodara, Gujarat, Hindus and Muslims clashed during Hindu religious processions during the Ganesha festival. On September 19, 2007, in Surat district of Gujarat, Hindus and Muslims clashed over the alleged murder by Muslims of a Hindu, anti-cow-slaughter activist Jasubhai Darbar. As the news of the murder spread, Hindus from surrounding villages attacked a Muslim majority village, Kosadi and burned several Islamic businesses and houses. On September 17, 2007, Hindus and Muslims clashed in Jalgaon, Maharashtra over the changed route of the Ganesha procession.

Although not decreed by fatwas, some Muslims attempted to impose their religious views concerning ethical and moral conduct on their fellow Muslims.

The issue of conversion of Hindus or members of lower castes to Christianity remained highly sensitive and resulted in assaults and/or arrests of Christians. However, Christians often held large public prayer meetings without violence or protests. For example, Joyce Meyer Ministries held prayer meetings involving thousands of worshippers in Mumbai January 17-20, 2008.

According to *Compass Direct News*, "Thus far in modern India, 2007 was the most violent year for Christians. With more than 800 reported attacks around Christmas time in Orissa state, the number of attacks on Christians last year crossed 1,000 for the first time since India's Independence in 1947. The AICC, the Catholic Bishops' Conference of India and the Christian Legal Association recorded at least 200 incidents of anti-Christian attacks, including 4 murders, before violence erupted in Orissa's Kandhamal district that killed at least 5 Christians and burned 730 houses and 95 churches." Christian Solidarity Worldwide (CSW), in its March 2008 report, stated that "excluding the Orissa violence, during 2007 an average of approximately three to four religiously-motivated attacks per week was recorded against the small Christian minority community." CSW noted, "There continued to be a chronic problem of impunity for perpetrators of religiously-motivated violence...the propagation of a culture assuming the illegitimacy of religious conversions from Hinduism fuelled the wider pattern of anti-Christian violence in 2007. Such a culture is rooted in the extremist nationalist ideology of 'Hindutva', which in practice seeks to preserve and defend the cultural hegemony of Hinduism at the expense of minority religions."

AICC-Orissa reported five deaths in the Kandhamal violence on December 24, 2007. Although tensions simmered through the end of the reporting period, they lessened as the Government became more responsive to concerns about law and order. A rehabilitation camp at Barakhama provided shelter to more than 700 persons. By the end of the reporting period, fewer than 100 remained in the camp. Nearly 100 persons were arrested for alleged involvement and the Justice B. Panigrahi Commission was set up to inquire into the Kandhamal incidents. More than 400 affidavits were filed.

According to AICC, the highest number of reported attacks occurred in Andhra Pradesh and Karnataka, followed by Madhya Pradesh and Orissa. In these incidents Christians alleged that Hindu extremists disrupted prayer meetings, destroyed or

damaged places of worship, vandalized property, assaulted pastors and lay persons, confiscated and destroyed religious material, and attempted to intimidate Christians from attending religious services. There were also reported incidents where Christians physically attacked by others were further victimized when the police arrested them rather than the attackers. Christians also claimed that authorities filed false charges of conversion by force and allurements, and that police were biased in how they registered complaints, doing so promptly only when the accused was a Christian.

AICC reported 28 acts of violence committed against Christians in Andhra Pradesh between June 2007 and June 2008. AICC accused Hindu extremist organizations of physically assaulting pastors and congregants, destroying and vandalizing churches, and attacking schools. Members of the Hindu community accused Christians of engaging in unethical conversion activities and proselytizing.

The 2008 New Year celebrations of a Seventh-day Adventist prayer group in Basavanahally, Chikmangalur District, Karnataka was disrupted after 25 alleged Hindu fundamentalists barged into the hall and assaulted some of those present. While Christian groups allege that a car and motorcycle were burned, police sources claim only slight damage to property. Police sources alleged that the Christian group's use of a public address system in the prayer hall located in a residential area caused considerable resentment.

On January 16, 2008, in the Durg district of Chhattisgarh, more than 80 persons were injured in an attack on a large Christian meeting. Police arrested one of the attackers. At least a dozen Christians were injured in an assault on a missionary camp in Dhamtari. The attackers reportedly were from the Dharma Sena (Religion Army), emboldened by a nearby meeting of the BJP.

On February 24, 2008, allegedly 125 members of RSS and the Bajrang Dal attacked a church in Indore, Madhya Pradesh, brutally beating one of the fleeing members. The attackers broke windows in the church and damaged a cross outside, but the fleeing members had locked the doors, protecting the sanctuary. Police intervened at the scene and arrested four of the attackers. When church services resumed, eight persons from the same mob returned to attack again. Police, already present, arrested three of them.

Individuals in Nizamabad district, Andhra Pradesh, beat Pastor Vijay of Bestha Gangaram on February 17, 2008. Locals accused him of engaging in unethical conversion.

On October 2, 2008, in Shahdol district, Madhya Pradesh, approximately 20 members of the Bajrang Dal and Shiv Sena disrupted a Christian meeting and roughed up a pastor belonging to the Marthoma Church. Police responded but made no arrests.

Members of the RSS reportedly disrupted a worship service in the Kanker district of Chhattisgarh on September 23, 2007, barging into the church and assaulting the pastor. The police later took a report from the pastor but made no arrests. According to AICC, Hindu activists attacked a pastor in Hyderabad in September 2007 for alleged conversion activities. The police arrested 11 attackers.

On August 31, 2007, in the Rewa district of Madhya Pradesh, members of the *Bajrang Dal* beat a 24-year-old Christian as he was walking along a village road. The assailants warned him to stop going to prayer meetings. The same individual had previously been beaten and accused of forcible conversion. No police involvement was reported.

On August 5, 2007, in the Durg district of Chhattisgarh, alleged members of the Bajrang Dal disrupted the Sunday worship service of a church and attacked the pastor and an elder. The crowd accused the pastor of forcible conversions, destroyed Bibles, and vandalized the house where the church members met. The Supela police station registered a complaint against the attackers but arrested no one.

The Greater Hyderabad Municipal Corporation in 2008 issued notices to church authorities for the demolition of St. Anthony Church in Mettuguda. The Catholic Association of Hyderabad, United Front for Dalit Christian Rights, and other Christian

associations alleged state government discrimination against the church. The Government of Andhra Pradesh refuted the allegations, noting that the proposed demolition was intended to widen the adjacent road.

On July 1, 2007, in Assam, missionary Hemanta Das was beaten up in Guwahati and died from injuries after 4 days. The attackers were allegedly "Hindutva" extremists.

Faith-based media outlets reported separate incidents of attacks on Christian prayer meetings or Christian individuals by Hindu extremists in Chhattisgarh. Christians alleged that Hindu groups, such as Dharma Sena or the Dharm Raksha Sena (Religion Protection Army) (DRS), disrupted prayer meetings, assaulted pastors and lay persons, and confiscated and destroyed religious material. Christians also claimed that authorities filed false charges of conversion by force and allurement and that the police was biased in how it registered complaints, doing so promptly only when the accused was a Christian.

On June 22, 2008, members of the Sangh Parivar attacked a Christian prayer meeting in Dehra Dun, Uttaranchal. The pastor and many other participants were beaten. The police refused to register a FIR and asked the aggrieved party to report the matter to the local BJP leader. The local leaders later denied the Sangh Parivar's hand in the incident. There were no further developments.

On February 14, 2008, Bajrang Dal members attacked a Catholic priest and staff members of Sachidanand Ashram, a Catholic center promoting interreligious dialogue in Narsinghpur District, Madhya Pradesh. The attackers also destroyed furniture at the center. The police filed charges against approximately 40 persons for assaulting the priest and others at the center.

On January 13, 2008, Hindu extremists dragged a new Christian convert to a police station and demanded that he be arrested for converting others in Kunkuri area of Jashpur district of Chhattisgarh. The police detained the Christian for a few hours, but no charges were filed.

On January 10, 2008, in the Raipur district of Chhattisgarh, Hindu nationalists disrupted a prayer meeting and beat five Christians. The attackers then filed a police complaint against three of the victims, who were arrested. The pastors who were leading the meeting alleged they had been invited by non-Christian villagers to conduct the meeting attended by more than 150 local persons.

On July 15, 2008, in the Rewa district of Madhya Pradesh, members of the *Bajrang Dal* beat three pastors and held knives to the throats of their wives. A Christian police inspector had recently attended a prayer meeting with the victims. The attackers accused the inspector of helping local Christian workers to convert Hindus by fraudulent means. The assailants had visited and videotaped the meeting on July 1, but because of police protection they could not attack. Police arrested four persons in connection with the assault but released them on bail.

On October 5, 2007, in the Kanker district of Chhattisgarh, a pastor and one other Christian who had been holding a prayer and fasting meeting in the pastor's home were jailed on charges of intent to insult the Hindu religion. Members of an extremist group, Jan Sevak (People's Service), broke into the pastor's home and dragged him to the village council where a complaint was filed against him.

Media reported a group of Hindu activists objected to the distribution of Christian literature by a group of Christian women in Mahabunagar District, Andhra Pradesh, on August 8, 2007.

On August 26, 2007, in the Durg district of Chhattisgarh, police arrested two pastors on charges of "hurting religious feelings" and fraudulent conversion. The arrests followed the disruption of a church's Sunday worship service by the police and anti-Christian extremists. Before the Sunday service, a pastor baptized five persons. Allegedly those at the baptism attested that their conversion was voluntary, but two other persons told the police that they had been offered money by two pastors to convert.

On July 29, 2007, Hindu extremists in Raipur, Chhattisgarh, stormed a Sunday worship service at Maranatha Worship Church, assaulted the pastor, and vandalized audio equipment and furniture. The attack was led by a relative of the pastor who objected to the pastor's conversion 4 years earlier. The pastor was forcibly dragged to the police station, where he was charged with "obscene acts and songs" (IPC 294) and trespassing. He was released on bail 1 hour later.

Religious media outlets reported several attacks in Gujarat on Christians by Hindu groups during the reporting period. On October 28, 2007, in the Navsari district, Hindu villagers attacked a Christian man and warned him against attending his church. Religious media reported that later the same day, the attackers went to the church and threatened the pastor, saying they would kill the Christians if they came together for worship. Police allegedly refused to register the victim's complaint.

On September 16, 2007, in Jharkhand, Ajay Topno, a TransWorld Radio missionary was killed for alleged Christian activities among the poor. Topno's body was found in the jungle near the village. AICC appealed to the state government to probe the incident and punish the culprits.

In August 2007 suspected Hindu extremists vandalized a Catholic church in the Salcette area of the State of Goa. The church did not report the incident to police.

In May 2007 the media alleged that a group of approximately 20 persons led by a local member of the RSS forcibly shaved the heads of two Christian workers to mark their "reconversion" to Hinduism after attacking them in Dhalpur, Himachal Pradesh. Bernard Christopher and Ravinder Kumar Gautam, both Christian workers of the Transfiguration Missionary Society, moved out of Kullu district fearing for their lives after the incident. They had been working in the state since January 25.

According to religious media, there were reported acts of violence during the reporting period against Christians in the state of Karnataka. Religious press reported injuries to pastors and congregants (male and female), threats and intimidation, and destruction of property and places of worship. Attackers disrupted prayer meetings and church services. On November 4, 2007, in Gundelpet, Karnataka, unidentified assailants beat a pastor and accused him of prostitution after he visited a female congregant. The attackers took him to the police and filed the complaint against him. The police refused to register the pastor's complaint against the attackers.

Numerous acts of violence against Christians in Madhya Pradesh were reported. On January 11, 2008, police in Barwani District arrested a pastor and five others on charges of allurement, rioting, obscene acts, voluntarily "causing hurt," and criminal intimidation. Those arrested stated that the charges were false. All were released on bail.

On October 25, 2007, in Shukliya, approximately 9 miles from Indore city, armed men beat five Catholic nuns attending a prayer service. The police refused to register a complaint until the following evening, after the Catholic diocese threatened a hunger strike.

On October 11, 2007, in Harda District, three Hindu teachers of a Christian school beat the school director and filed a complaint against him charging that school management was converting pupils. The school alleged that the teachers were fired during their probationary period for failure to produce their teaching certificates and that the teachers beat the director in revenge. No one was arrested.

On July 18, 2007, in Satna District, a dozen masked men wielding clubs entered the grounds of a Catholic religious community and six of them assaulted four men. The Satna police superintendent registered a case against the 12 unidentified persons, but no arrests were reported.

There were numerous reports of violence against Christians in Maharashtra. According to the *Times of India*, on March 15, 2008, in Raighad District, a group of approximately 40 men and women assaulted 2 nuns, members of an NGO about to hold an AIDS awareness program. The attackers dragged the nuns into a gutter and accused them of forcibly converting

tribal persons to Christianity. Police arrested 13 Hindus for rioting and causing minor injuries but released them later on bail.

On November 2, 2007, in Thane District, unidentified individuals attacked Christians attending prayer services in private homes and chased them away.

On October 4, 2007, in Ahmednagar, Hindu extremists broke up a Christian prayer meeting in a private home and accused the Christians of forcible conversions. Reportedly the attackers took the Christians out of the house one at a time and beat them. Police officers freed those who had come to pray and took the attackers in for questioning, holding them until 12:30 a.m. that night. The victims did not file any complaints against the attackers.

On September 18, 2007, in Bhandara District, a local Hindu extremist threatened a Christian woman with rape and blamed her for injuries he sustained when he was drunk and fell off his motorbike. He blamed the woman for causing conflicts in the neighborhood when she started a Believer's Church. Police helped the Christians and Hindus reach an agreement to coexist. No charges were filed.

On August 25, 2007, in Pune District, unidentified Hindu extremist youths launched a second attack on a pastor, pelting his car with rocks. Earlier in the year six youths had assaulted the pastor at his home. Reportedly the pastor filed police complaints in both incidents, but no police action was reported.

On July 16, 2007, in Thane District, Hindu extremists demolished the house of Christian convert Arjun Pashi. During the attack they derided the victim for his Christian faith. Fear of further persecution allegedly kept the victim from registering a complaint.

Religious media outlets reported numerous acts of violence against Christians in Orissa. Some of the affected pastors and congregants were seeking legal redress.

On December 24, 2007, RSS, Bajrang Dal, VHP, Vanvasi Kalyan Ashram and allied Sangh Parivar groups in Bamunigan village burned Christmas decorations that had been erected on the road. The local Catholic presbytery was looted and set on fire, and shops belonging to Christians were destroyed. The dispute escalated and spread to nearby areas, including Phulbani. Dalit Christians, mostly of the Pana community, fled the village for cover in nearby forests. According to reports, on the same day in a nearby village, Christian youth attacked the vehicle of Hindu leader Laxmanananda Saraswati, who later alleged he was physically assaulted. Reports of this alleged attack exacerbated tensions between the Sangh Parivar groups and the Christian community. Over the next 3 days across Kandhamal, approximately 100 churches and Christian institutions were damaged, more than 700 Christian homes destroyed, 22 Christian-owned businesses damaged, and 4 Christian men killed, according to the AICC. Several NGOs judged this to constitute "the largest attack on the Christian community in the history of democratic India". The outbreak of violence was partly a result of a long-simmering conflict between Pana (Christian tribe members) and Kui tribespeople. Panas have been demanding reservation status in the ST category, which was opposed by the Kuis. According to NGOs, the VHP exploited the tensions between the Kui and Pana to launch the Christmas attacks. Several groups also reported allegations of police negligence.

Attacks on Catholic, Baptist, and Pentecostal churches occurred in Balliguda town on the evening of December 24, 2007, resulting in significant damages to church property.

There was an attack on a Pentecostal church in Barkhama village on December 24, 2007, involving substantial physical damage to the building. The village was the scene of the largest number of attacks on Christian property: in total, an estimated 415 houses were destroyed, and 6 of the 7 church buildings in the village were seriously damaged.

There was also an attack on the Lady of Lourdes Catholic Church and its compound in Brahminigaon on Christmas Day; in addition, on December 27, 2007, attacks occurred against several houses and property belonging to Hindus in Brahminigaon.

Attacks were reported on churches and Christian property in Bodagan, Dalagaon, Iripiguda, Kamapada, Kalingia, Khajuripoda, Kothaghar, Kulpakia, Nuagaon, Padangi, Phirignia, Sankharahole, Sirtiguda, Srasananda, Tikapali, and Tumudibandha.

On April 7, 2008, the Supreme Court permitted relief activities by churches and other organizations in the affected areas. On January 11, 2008, however, the Kandhamal District Collector ordered that no charitable or religious organization be allowed to undertake relief work. The Archbishop of Cuttack-Bhubaneswar challenged the order in Orissa High Court, which refused to intervene. The Collector defended the order in court saying religious institutions would focus on a particular community for providing relief, create ill feeling among other groups, and disrupt the peace. The Archbishop then appealed to the Supreme Court, which issued a notice to the Orissa Government putting a stay on the District Collector's directive. Christians constitute 2.4 percent of Orissa's population; of Kandhamal's 648,000 residents, 52 percent are Adivasis (an ST) and 16 percent Christians.

The AICC reported a number of incidents in the eastern area of the country, besides the Kandhamal violence in December 2007. On June 2, 2007, in Orissa, two pastors were beaten by Hindutva extremists at Jamaguda, Gajapati District. Pastor Kanstantino Pariccha and one of his associates were attacked while preparing to hold a prayer meeting in the village. On February 14, 2008, in Orissa, VHP activists threatened six Dalit Christian families of a Baptist church near Balliguda. The Dalits were reportedly told to abandon Christianity and convert to Hinduism, leave the village, or suffer death. Religious media reported acts of violence against Christians in Rajasthan during the reporting period. In October 2007 local villagers lodged a police complaint against two Christian workers from the Believers' Church of India (BCI) in Jhunjhunu District for forcibly converting people to Christianity. Police arrested Panna Lal and Dhan Raj and kept them overnight, releasing them the next day. The main charge against the workers was that they had visited houses of those who had recently converted to Christianity after hearing a radio program aired by the BCI on the religion.

On October 15, 2007, local police came to the Father's Children Home in Jaipur and interrogated its warden, Jacob John, said Sajan K. George of the Global Council of Indian Christians. Veerendra Singh Rana, one of the prime suspects of another attack on a pastor, lodged the complaint accusing the wardens of Father's Children Home in Jaipur of indulging in human trafficking and prostitution. The police did not lodge a formal complaint.

There were acts of vandalism against religious properties documented by faith-based media during the reporting period. As detailed elsewhere in this report, a pastor's home in Maharashtra was vandalized and a church in Goa damaged. In Chhattisgarh, two homes where worship services were being conducted were vandalized and the principal's office at a Catholic school was ransacked because the school refused to close for a Hindu holiday. In Madhya Pradesh, there were three different property-related cases of anti-Christian violence, including destruction of the roof of a house where a prayer service was held.

Faith-based groups maintained that during the reporting period, BJP Member of Parliament Dilipsinh Judeo organized several "Ghar-wapasi" (homecoming) programs to allegedly "reconvert" Christian tribals to Hinduism in Jashpur, Chhattisgarh. In most of these programs, tribals, regardless of whether or not they attended Christian prayer meetings, were "sanctified" by Judeo. Faith-based organizations claimed that tribals are animists and not Hindus, and that the rituals are tantamount to a "conversion" to Hinduism. In a press conference held by Maharashtra-based Hindu religious organization "Ramanandacharya Peeth," on April 27, 2008, Peeth reported "reconverting" 40,427 tribals to Hinduism during 2006-07. One such ceremony was organized on April 27, 2008, on the outskirts of Mumbai, where 1,700 tribals from Thane and Nashik districts were "reconverted" to Hinduism.

In June 2008 villagers stoned four members of a Santhal tribal family, including two women, and accused them of practicing witchcraft in Assam. Approximately 500 persons have been killed in Assam and half as many in West Bengal for allegedly being witches.

In May 2008 a woman accused of witchcraft was physically assaulted and set on fire in a tribal village in Orissa. Police arrested three villagers, one of whom was her husband. According to Reuters, dozens of women are killed every year on suspicion of being witches or witch doctors.

The Andhra Pradesh Federation of Churches, an apex body of Catholic, Protestant, and other Christian denominations, demanded exemption from proposed legislation of the State Government to control church properties. In December 2007 Chief Minister Y.S.R. Reddy rejected the draft bill and assured that his Government would not impinge on the constitutional rights of minorities or interfere in the internal administration of churches.

The AICC and Andhra Pradesh Federation of Churches expressed concern that the "Propagation of other religions in the places of worship or prayer (Prohibition) Law" is a first step in the implementation of a Hindu nationalist agenda and will embolden extremists, leading to further attacks against Christians in the state.

Discrimination based on caste is officially illegal but remained prevalent, especially in rural areas. With more job opportunities in the private sector and better chances of upward social mobility, the country has begun a quiet social transformation in this area. However, in rural areas, caste remained a major impediment to social advancement, and low-caste Muslim, Christian, Hindu, Buddhist, and Sikh Dalits continued to face class and race discrimination as a result. Some Dalits who sought to convert out of a desire to escape discrimination and violence encountered hostility and backlash from upper castes. Ultimately, caste is a complex issue entrenched in society.

Despite government measures, the practice of dedicating Devadasis reportedly continued in several southern states, including Andhra Pradesh and Karnataka. Devadasis are young, generally prepubescent girls who are dedicated to a Hindu deity or temple as "servants of god." They may not marry, must live apart from their families, and are required to provide sexual services to priests and others. Reportedly, many Devadasis eventually are sold to urban brothels. The Devadasi tradition is linked, to some degree, to both trafficking and the spread of HIV/AIDS. 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. Estimates of the number of Devadasis in the country varied; in Karnataka, media sources reported as few as 23,000 and as many as 100,000. The Karnataka State Women's Development Corporation claims to have enumerated 22,873 Devadasis in the state and to have rehabilitated 11,342 Devadasis by providing them seed capital to set up small businesses.

#### **Section IV. U.S. Government Policy**

The U.S. Embassy and the three U.S. consulates continued to promote religious freedom through discussions with the country's senior leadership, as well as with state and local officials. The Embassy and consulates also regularly met with civil society activists and religious leaders and reported on events and trends that affect religious freedom.

The U.S. Government supported a wide range of initiatives to encourage religious and communal tolerance and freedom. Members of the embassy community celebrated Hindu, Christian, Muslim, Sikh, Buddhist, and Jewish festivals throughout the reporting period with members of the various religious communities. The Embassy and consulates also hosted Iftaar (breaking the fast) dinners during the Islamic holy month of Ramadan.

Throughout the reporting period, mission officers investigated and reported on numerous cases of alleged religious persecution, ongoing cases in Gujarat, attacks against Christians in Orissa, arrests of Tibetan protesters, discrimination against Dalits, and religiously motivated attacks by militants and terrorists.

Mission officers also monitored the plight of internally displaced Kashmiri Hindus, known as Pandits, who fled their home areas in the valley of Kashmir starting in 1989 due to attacks on them by terrorists seeking to drive out non-Muslim minorities.

Embassy officers regularly met with commissioners from the NHRC and NCM regarding actions by the state government that have been injurious to the free exercise of belief by religious minorities.

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Religious Freedom in Two Most Populous Nations of the Word – China and India

During the reporting period, embassy and consulate officials met with leaders of all significant minority communities to discuss religious freedom concerns. The NGO and missionary communities in the country were extremely active on questions of religious freedom, and mission officers meet regularly with local NGOs.

The U.S. Government continued to express regret over the communal violence in Gujarat in 2002, and urged all parties in Gujarat to resolve their differences peacefully. Consulate and senior embassy officers also met in Mumbai with a range of NGO, business, media, and other contacts, including Muslim leaders, to monitor the aftermath of the Gujarat violence. The Embassy and consulates reached out to madrassahs directly and through the special International Visitor Madrassah programs; religious freedom, tolerance, and respect for diversity were topics of discussion.

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