

SOUTH ASIA

AFGHANISTAN

Afghanistan has experienced civil war and political instability for 23 years. There was no functioning central government until December 22, 2001, when the Afghan Interim Administration (AIA) took office. In June 2002, the Emergency Loya Jirga, a gathering of Afghan representatives from throughout the country, elected Hamid Karzai as President of the Transitional Islamic State of Afghanistan. Karzai subsequently formed a cabinet with female members and broad ethnic representation.

During most of 2001, the Taliban, an ultra-conservative Islamic movement, controlled approximately 90 percent of the country. Under the Taliban, freedom of religion was restricted severely. On October 7, 2001, a U.S.-led coalition began military operations aimed at toppling the Taliban regime and eliminating the al-Qaida terrorist network in Afghanistan. U.S. forces worked in concert with anti-Taliban forces of the Northern Alliance as well as others in southern Afghanistan. By mid-November the Taliban had been removed from power and had retreated from Kabul to southwestern Afghanistan. On December 5, 2001, a U.N.-sponsored Afghan peace conference in Bonn, Germany, approved a broad agreement for the establishment of a transitional government to rule during an interim period while preparations for a new constitution and national elections were instituted. The Bonn Agreement mandated the creation of a Constitutional Commission, Human Rights Commission, Judicial Commission, and a Civil Service Commission to oversee reforms in these areas.

Since December 22, 2001, the legal basis for religious freedom in Afghanistan has been found in the December 5, 2001 Bonn Agreement and in the 1964 constitution. The 1964 constitution proclaims Islam the "sacred religion of Afghanistan" and states that religious rites of the state shall be performed according to Hanafi doctrine. The 1964 Constitution also proclaims that "non-Muslim citizens shall be free to perform their rituals within the limits determined by laws for public decency and public peace." The June 2002 Loya Jirga (or Grand Assembly of traditional leaders) declared that the official name of the country is the "Transitional Islamic State of Afghanistan" (TISA). The Bonn Agreement designated the Constitutional Commission with responsibility for drafting a new constitution.

A nine-member Drafting Committee of the Constitutional Commission was formed in October 2002 and completed a first draft of the new constitution in March 2003. President Karzai named a full Constitutional Commission with 35 members in April. Commission membership included seven women, four Shi'a, an Ismaili, a Hindu, and broad ethnic representation. The full Commission completed its review of the draft constitution in early June and launched a public consultation process shortly thereafter. At the end of the period covered by this report, the Constitutional Loya Jirga responsible for finalizing and approving the text was scheduled for later in the year, within the timeline provided by the Bonn Agreement. National elections were scheduled for June 2004.

TISA regulations provide for freedom of religion, and TISA generally respected this right in practice.

Relations between the different branches of Islam in the country have been difficult. Historically, the minority Shi'a faced discrimination from the majority Sunni population. Some conservative elements have advocated that a new constitution should favor the Hanafi school of Islamic jurisprudence associated with the Sunnis over the Jafari school used by the Shi'as. In family disputes, courts relied on a civil code that is based on the Sunni Hanafi school, regardless of whether or not the parties involved were Shi'a or Sunni. The Shari'a Faculty of Kabul University followed the Hanafi school of jurisprudence. Conservative elements also called for the primacy of Shari'a law in the country's legal system. However, the TISA publicly stated on a number of occasions that Afghanistan's constitution and legal code would incorporate international legal standards, particularly human rights conventions. At the

end of the period covered by this report, Afghanistan had ratified seven international human rights treaties, including the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social, and Cultural Rights.

Prior to the fall of the Taliban, the U.S. Government did not maintain an official presence in the country. The Secretary of State designated the Taliban as a particularly severe violator of religious freedom with Country of Particular Concern status in 1999, 2000, and 2001. Since December 2001, when the U.S. Embassy in Kabul re-opened, the U.S. government has discussed religious freedom issues with Afghan officials in the context of its overall dialog and policy of promoting human rights.

SECTION I. RELIGIOUS DEMOGRAPHY

The country has a total area of 251,738 square miles and its population is approximately 25.8 million. Reliable data on the country's religious demography is not available; a census has not been taken in decades. However, observers estimate that 84 percent of the population is Sunni Muslim; approximately 15 percent is Shi'a Muslim; and other religions, including Sikhs, Hindus, and Jews, make up less than 1 percent of the population. There also is a small, extremely low-profile Christian community, in addition to small numbers of adherents of other religions.

Traditionally, Sunni Islam of the Hanafi school of jurisprudence has been the dominant religion. For the last 200 years, Sunnis often have looked to the example of the Darul Uloom madrassah (religious school) located in Deoband near Delhi, India. The Deobandi school has long sought to purify Islam by discarding supposedly un-Islamic accretions to the faith and reemphasizing the models established in the Koran and the customary practices of the Prophet Mohammed. Additionally, Deobandi scholars often have opposed what they perceive as Western influences. Much of the population adheres to Deobandi-influenced Hanafi Sunnism, but a sizable minority adheres to a more mystical version of Islam, generally known as Sufism. Sufism centers on orders or brotherhoods that follow charismatic religious leaders.

Several areas of the country are religiously homogeneous. Sunni Muslim Pashtuns, centered around the city of Kandahar, dominate the south and east of the country. The homeland of the Shi'a Hazaras is in the Hazarajat, or the mountainous central highlands around Bamiyan. Northeastern provinces traditionally have Ismaili populations. Other areas, including Kabul, the capital, are more heterogeneous. For example, in and around the northern city of Mazar-e Sharif, there is a mix of Sunnis (including ethnic Pashtuns, Turkmen, Uzbeks, and Tajiks) and Shi'a (Hazaras and Qizilbash), including Shi'a Ismailis.

In the past, small communities of Hindus, Sikhs, Jews, and Christians lived in the country; however, most members of these communities have left. Even at their peak, these non-Muslim minorities constituted less than 1 percent of the population. Most of the country's small Hindu and Sikh population, which once numbered about 50,000 persons, emigrated or took refuge abroad during the many years of conflict. However, recently some minorities have begun to return. Non-Muslims such as Hindus, Sikhs, and Jews are now estimated to number only in the hundreds.

SECTION II. STATUS OF RELIGIOUS FREEDOM

Legal/Policy Framework

During the period covered by this report, the country has relied upon the Bonn Agreement and the 1964 Constitution. Though the 1964 Constitution proclaims that Islam is the "sacred religion," it does not prohibit the practice of other religions. The Constitutional Commission mandated by the Bonn Agreement continued to work on a draft constitution at the end of the period covered by this report.

The licensing and registration of religious groups is not required in any part of the country by the authorities. Proselytizing is viewed as contrary to the beliefs of Islam; however, there were no laws forbidding proselytizing. Article 1 of the current penal code of Afghanistan states that the code addresses only Tazir (less serious) crimes, and that the more serious categories of Qisas and Hudud crimes fall under Shari'a law. Blasphemy and apostasy (converting from Islam to another religion) fall under the latter category, and are—in theory—punishable by death.

The June 2002 Loya Jirga declared that the official name of the government was the "Transitional Islamic State of Afghanistan." The country itself is referred to as "Afghanistan."

Provisions, particularly Article 31, of the 1964 Constitution protect freedom of speech. A draft Afghan Press Law of February 2002 contained an injunction against information that "could mean insult to the sacred religion of Islam and other reli-

gions.” This draft law was subsequently adopted in April 2002. The ambiguity surrounding what constitutes offensive material offers the potential for abuse of this clause in order to restrict press freedom and intimidate journalists. The Afghan Press Law does not require information to follow Shari’a law. However, the section on criminal rules states that if no punishment is prescribed in existing legal codes for crimes mentioned in the press law, then the punishment will be in accordance with Shari’a (Hanafi school). At the end of the period covered by this report, this Afghan Press Law was under review by the Ministry of Information and Culture.

The parts of the country’s educational system that survived more than twenty years of war placed considerable emphasis on religion. During the reporting period, public school curricula included religious subjects, but detailed religious study was conducted under the guidance of religious leaders. There was no restriction on parental religious teaching. The Ministry of Education began introducing human rights as a subject in the national school curriculum at the beginning of the school year in March, with plans to expand this nationwide. A curriculum and textbooks that emphasizes general Islamic terms and principles steadily replaced the preaching of jihad in schools through the end of the period covered by this report.

The TISA has proclaimed the first day of Ramadan, Eid-ul Fitr, Eid-ul Adha, the Prophet Mohammad’s birthday, and the 10th of Muharram (Ashura—both Sunni and Shi’a) as national holidays. All mark events on the Islamic calendar, and there were no reports that these holidays negatively impacted other religious groups. In September 2002, the Shi’a community in Kabul was able to openly celebrate the birthday of Imam Ali, one of the most revered figures in the Shi’a tradition. Shi’a also celebrated without incident the 10th of Muharram (Ashura), which marks the murder of the Prophet Mohammad’s grandson, Hussein. Under the Taliban, Shi’a could not openly celebrate their holy days, though they were able to do so in prior years. There were no reported incidents surrounding Shi’a religious celebrations during the year and a half following the Taliban’s fall.

Restrictions on Religious Freedom

Conversion from Islam was considered apostasy and was punishable by death under Shari’a. During the reporting period there was no information available about converts and no information available concerning restrictions on the training of clergy. Immigrants and non-citizens were free to practice their own religions. Since the fall of the Taliban, no political parties have been banned or discouraged, other than the Taliban. Christian-based international relief organizations generally operated without interference.

In November 2001, the former Department of Vice and Virtue was dissolved and replaced by the Department of Accountability and Religious Affairs. According to the Minister of Hajj and Mosques, all former members of the Department of Vice and Virtue were no longer employed by the Ministry. Early on, the Department planned to advocate that women when in public wear headscarves. However, in December 2002, President Karzai issued a decree guaranteeing women the right to choose whether or not to wear the burqa, a traditional full body and face covering. Most women in rural areas traditionally wear burqas; however, many urban women did not wear burqas before the Taliban imposed this practice. While a number of women in urban areas no longer wear the burqa since the fall of the Taliban, a majority of women continue to do so either from choice or community pressure. In central Kabul, construction of the first mosque in Afghanistan to make provision for women worshippers was started.

There were a few reports in 2002 that government forces prohibited music, movies, and television on religious grounds. For example, in August 2002 the head of Kabul Radio and TV Engineer Eshq, who was affiliated with Jamiat-I Islami, briefly banned the appearance of women singers on television. In January 2003, the Supreme Court banned cable television nationwide on religious grounds, but the ban was subsequently lifted when the government passed a law in April allowing the resumption of cable services. There were continued reports in 2003 of prohibitions at the local level, but the central government has not banned any form of media. During the period covered by this report, women singers were not allowed on public television or radio, and the cable television audience in urban centers continued to expand. Unlike previous years, televisions, radios, and other electronic goods were sold freely, and music was played widely. For example, Kabul had five radio stations, including the official Radio Kabul; the non-governmental stations broadcast a mix of Afghan, Indian, Pakistani, and Western music.

Abuses of Religious Freedom

Sporadic violations of religious freedom by some officials occurred. On June 17, two editors of a weekly Kabul publication were arrested for allegedly violating Arti-

cle 30 of the Afghan Press Law that prohibits publications of articles defaming Islam. Conservatives within the Judiciary recommended the journalists be charged with “insulting Islam” or blasphemy. Police searched the editors’ offices, and Afghanistan’s intelligence agency confiscated the editors’ publication, Aftaab, from stores. On June 25, President Karzai ordered the editors released on bail; however, the charges of blasphemy were not dropped. Moderates led by the Minister of Information and Culture argued for the release of the journalists and a resolution to the Afghan Press Law that permits administrative punishment (a fine) in lieu of prosecution. At the end of the period covered by this report, no trial date had been set.

In the spring of 2003, Mariya Sazawar, a journalist in Mazar-e Sharif, was accused of having insulted Islam in an article she had written about the formation of Afghanistan’s next constitution. Sazawar was accused of writing that Islamic rules were oppressive to women. The accusation was levied in a local newspaper affiliated with the Jamiat-i-Islami Party. Ulema (religious scholars) in Mazar-e Sharif supported the allegation and recommended that she be sentenced to death. With assistance from the Human Rights Commission, Sazawar’s case was referred to a local court. The court acquitted Sazawar in March after finding that technical errors in the printing of the article had misrepresented Sazawar’s views.

During the June 2002 Emergency Loya Jirga, Interim Authority Minister for Women’s Affairs Sima Samar (and subsequently Chair of the Human Rights Commission) received death threats for allegedly insulting Islam and was charged by the Chief Justice of the Supreme Court with “blasphemy.” Samar asserted that fundamentalists who objected to her outspoken manner had trumped up the allegation. The dispute was resolved politically through the personal intervention of President Karzai, and the charges were dropped.

In January 2003, the Governor of Helmand confiscated approximately 200 Hazara-owned shops in Lashkar Gah and distributed them to other town residents. The Governor also blocked the Hazara/Shi’a community from building a mosque in Lashkar Gah. While the Human Rights Commission and the UN had brokered a deal with the Governor to compensate Hazara shopkeepers with land elsewhere in Lashkar Gah, the Governor had not kept to this agreement by the end of period covered by this report.

In October 2002, 28 Tablighi Jamaatis, itinerant lay Muslim missionary preachers, were detained by police for a week. In November, 12 Tablighi preachers were detained for a day. The Tablighi claimed their mission was to spread the word of Islam. Some government intelligence officials accused the Tablighi of subversive work for Pakistan.

There were no reports of religious detainees or prisoners in the period covered by this 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 fall of the Taliban and the subsequent establishment of the AIA and the TISA resulted in a major improvement in religious freedom. Sikh and Hindu representatives at the Emergency Loya Jirga in June 2002 reported that they no longer were repressed and felt free to practice their religions. Taliban policies and laws have been replaced by the Bonn Agreement and the 1964 Constitution, and work on new laws, regulations, and a constitution under the Judicial and Constitutional Commissions mandated by the Bonn Agreement began in 2002.

The Government has stressed reconciliation and cooperation among all citizens. Although the Government primarily is concerned with ethnic reconciliation, it also has expressed concern about religious tolerance. The TISA responded positively to all international approaches on human rights, including religious freedom. The Government has emphasized ethnic and intra-faith reconciliation indirectly through the creation and empowerment of the Judicial, Constitutional, and Human Rights Commissions. As part of the government’s nation-building efforts, these commissions are comprised of members of different ethnic and Muslim religious (Sunni and Shi’a) groups. The Constitutional Commission also included one Hindu member to represent non-Muslim religious minorities. During the period covered by this report, the TISA included Hazara and other Shi’a figures, including Vice-President Khalili, Minister for Women’s Affairs Habiba Sorabi, Human Rights Commission Chair Dr. Sima Samar, Minister of Planning Mohammad Mohaqqueq, Minister of Commerce Mustafa Kazemi, Minister of Agriculture Hussein Anwari, and Minister of Transportation Mohammad Jawed.

During the period covered by this report, the Human Rights Commission conducted national consultations on transitional justice, and promoted reconciliation at civil society gatherings and through various media. The Human Rights Commission also began addressing problems of bringing to justice those responsible for past abuses and has begun receiving reports of abuses from citizens. In April, the Ministry of Interior established a Human Rights Department to investigate human rights abuses by police, and this department was in the process of setting up local branches in the offices of Chiefs of Police in each province at the end of the reporting period.

SECTION III. SOCIETAL ATTITUDES

Relations between the different branches of Islam in the country have been difficult. Historically, the minority Shi'a faced discrimination from the majority Sunni population. Most Shi'a Muslims are members of the Hazara ethnic group, which traditionally has been segregated from the rest of society for a combination of political, ethnic, and religious reasons. Throughout the country's history, there have been many examples of conflicts between the Hazaras and other citizens. These conflicts often have had economic and political roots but also have acquired religious dimensions. The treatment of Shi'a varied from locality to locality. However, the active persecution of Afghanistan's Shi'a minority, including Ismailis, under the Taliban regime has ended and, although some discrimination continues at the local level, Shi'a generally are once again free to participate fully in public life.

In June 2003, twelve Pashtun Sunnis were killed in northeastern Helmand province in an attack on their bus. Robbery was reportedly the motive, but there were claims that the assailants were Hazara Shi'as. The Human Rights Commission was investigating the case at the end of the period covered by this report.

Before the October 2001 collapse of the Taliban, repression by the Taliban of the Hazara ethnic group, which is predominantly Shi'a Muslim, was particularly severe. Although the conflict between the Hazaras and the Taliban was political and military as well as religious, the religious affiliation of the Hazaras was a significant factor leading to their repression. The Taliban sought to impose its interpretation of Islamic observances in areas that it controlled and declared that all Muslims in such areas must abide by the Taliban's interpretation of Islamic law. The Taliban relied on a religious police force to enforce rules regarding appearance, dress, employment, behavior, religious practice, freedom of expression, and access to medical care. Persons who were found to be in violation of the edicts were subject to punishment meted out on the spot, which included beatings, detention, or both. In practice, the rigid policies adopted both by the Taliban and by certain opposition groups affected adversely adherents of other branches of Islam and other religions.

After the fall of the Taliban, there continued to be episodic reports of individuals at the local level using coercion to enforce social and religious conformity. During the reporting period, however, President Karzai and other moderates in the central government opposed attempts by conservative elements to enforce rules regarding social and religious practices based on their interpretation of Islamic law. The Department of Vice and Virtue, under which the Taliban's draconian religious police force operated, ceased to exist. It was replaced by the Department of Accountability and Religious Affairs, whose stated goal was to promote "Islamic values," but lacks any enforcement or regulatory authority.

In Herat, there were reports of forced chastity examinations by religious police for women found with males who were not their relatives. It was difficult to know whether this was a systematic practice or took place on a sporadic basis, sometimes at the request of family members and in the context of an extremely socially conservative environment. Local officials have confronted women over their attire and behavior, though there were no known official policies mandating the wearing of the burqa or regulating the activities of women.

Attacks by remnants of the al-Qaida and Taliban networks continued during the reporting period. Several killings of religious leaders and attacks on mosques were attributed to al-Qaida and Taliban members who objected to their victims' links with the Karzai administration and to their public interpretations of Islam.

On June 30, a mosque in Kandahar was bombed during the final prayer of the day. Sixteen worshippers were wounded. The leader of the mosque and head of Kandahar's Ulema-u-Shura (clerics' council), Mullah Abdullah Fayaz, had stated that the Taliban were not following Islam and that their interpretation of Islam was wrong. One person was taken into custody for the mosque bombing by the end of the reporting period. In December 2002, the 15-member Kandahar Ulema-u-Shura issued a religious edict denouncing the Taliban's call for jihad. The Taliban in turn

denounced the Ulema-u-Shura and left pamphlets in mosques and bazaars threatening religious leaders and government supporters.

On May 10, a Muslim cleric with close ties to President Karzai, Habibullah, was gunned down outside a mosque in Deh Rawood district. Six people were detained in connection with the killing. President Karzai issued a statement condemning the murder. By the end of the reporting period, there were no arrests or convictions.

On May 7, a well-known religious scholar, Mowlawi Haji Abdollah, was gunned down after leaving a mosque after prayers in central Urozgan Province. The Afghan government said that remnants of the Taliban and al-Qaida were responsible for the crime. No culprits were identified by the end of period covered by this report.

SECTION IV. U.S. GOVERNMENT POLICY

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

The U.S. has worked with the TISA to promote human rights and religious and ethnic tolerance, from the inclusion of minority groups in the Government and military to assistance in the reconstruction of the country and its legal and political processes. Embassy representatives meet daily with TISA officials, and routinely with religious and minority figures, in an ongoing dialog regarding the political, legal, religious, and human rights context of the country's reconstruction.

The U.S. has also worked with civil society organizations to promote religious tolerance. In May the Civil Development Foundation, a group of reformist, largely Shi'a, Afghans began publishing a monthly magazine, "Democracy." "Democracy" has a circulation of some 3000. One of the goals of "Democracy" is to challenge "religious despotism" and to promote a liberal, tolerant interpretation of Islam. The project is funded by a grant from U.S. Embassy Kabul. The publication of Hazara Shi'a reformist intellectual Dai Foladi's books "What is Democracy?" and "Faith and Freedom" was supported through U.S. Embassy financing.

BANGLADESH

The Constitution establishes Islam as the state religion but also provides for the right—subject to law, public order, and morality—to practice the religion of one's choice, and the Government generally respects this provision in practice. However, although the Government is secular, religion exerts a powerful influence on politics, and the Government is sensitive to the Muslim consciousness of the majority of its citizens.

There was no change in the status of respect for religious freedom during the period covered by this report. Citizens generally are free to practice the religion of their choice; however, police, who generally are ineffective in upholding law and order, often are slow to assist members of religious minorities who have been victims of crimes. Although the Government claims that acts of violence against members of religious minority groups are politically motivated and cannot be solely attributed to religion, human rights activists claim that there has been a continued increase in religiously-motivated violence.

The generally amicable relationship among religions in society contributed to religious freedom; however, the number of Hindu, Christian, and Buddhist minorities who experienced discrimination by the Muslim majority has increased. During the period covered by this report, the Government was led by the centrist Bangladesh Nationalist Party (BNP), which heads a four-party coalition that includes two Islamic parties. The majority of Hindus traditionally vote for the opposition Awami League (AL). In 2002 the newly-elected BNP Government arrested and intimidated AL leaders and repealed key legislation passed by the previous AL administration. The animosity between the parties often leads to politically motivated violence and heightens societal tensions between Muslims and Hindus.

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

SECTION I. RELIGIOUS DEMOGRAPHY

The country has a total area of approximately 53,000 square miles, and its population is approximately 130 million. Sunni Muslims constitute 88 percent of the population. Approximately 10 percent of the population is Hindu. The remainder of the population mainly is Christian (mostly Catholic) and Buddhist. Members of these faiths are found predominantly in the tribal (non-Bengali) populations of the

Chittagong Hill Tracts, although many other indigenous groups in various parts of the country are Christian as well. There also are small populations of Shi'a Muslims, Sikhs, Baha'is, animists, and Ahmadis. Estimates of their populations vary widely, from a few hundred up to 100,000 adherents for each faith. Religion is an important part of community identity for citizens, including those who do not participate actively in religious prayers or services; atheism is extremely rare.

There are no reliable estimates of the number of missionaries active in the country.

SECTION II. STATUS OF RELIGIOUS FREEDOM

Legal/Policy Framework

The Constitution establishes Islam as the state religion but provides for the right—subject to law, public order, and morality—to practice the religion of one's choice, and the Government generally respects this provision in practice; however, some members of the Hindu, Christian, and Buddhist minorities experienced discrimination.

Religious organizations are not required to register with the Government; however, all nongovernmental organizations (NGOs), including religious organizations, are required to register with the NGO Affairs Bureau if they receive foreign financial assistance for social development projects. The Government has the legal ability to cancel the registration of an NGO or to take other actions against it. However, such powers rarely were used and did not affect NGOs with religious affiliations.

Family laws concerning marriage, divorce, and adoption differ slightly depending on the religion of the person involved. There are no legal restrictions on marriage between members of different faiths.

Religion exerts a powerful influence on politics, and the Government is sensitive to the Muslim consciousness of the majority of its citizens.

The Government provides some monetary support for the development of Muslim mosques, Hindu and Buddhist temples, and Christian churches.

Religion is taught in government schools, and parents have the right to have their children taught in their own religion; however, some claim that many government-employed religious teachers of minority religions are neither members of the religion they are teaching nor qualified to teach it. Although transportation may not always be available for children to attend religion classes away from school, in practice schools with few religious minority students often work out arrangements with local churches or temples, which then direct religious studies outside school hours.

Major religious festivals and holy days of the Muslim, Hindu, Buddhist, and Christian faiths are celebrated as national holidays. In April Christians staged a demonstration on Holy Thursday at the Parliament to demand a public holiday for Easter.

Restrictions on Religious Freedom

In January 2001, the High Court ruled illegal all fatwas, or expert opinions on Islamic law. Fatwas include decisions as to when holidays begin based upon the sightings of the moon; matters of marriage and divorce; the meting out of punishments for perceived moral transgressions; and other religious issues. Islamic tradition dictates that only those Muftis (religious scholars) who have expertise in Islamic law are authorized to declare a fatwa. However, in practice, village religious leaders sometimes make declarations in individual cases and call the declaration a fatwa. Sometimes this results in extrajudicial punishments, often against women for their perceived moral transgressions. In deeming all fatwas illegal, the High Court's intention was to end the extrajudicial enforcement of fatwas or other declarations by religious leaders. The pronouncement resulted in violent public protests (see Section III). Several weeks later, the Appellate Court stayed the High Court's ruling. No date has been set for rehearing the issue.

Foreign missionaries were allowed to work in the country; however, their right to proselytize is not protected by the Constitution, and local authorities and communities often objected to efforts to convert persons from Islam to other religions. Foreign missionaries often face delays of several months in obtaining or renewing visas. In the past, some missionaries who were perceived to be converting Muslims to other faiths subsequently were unable to renew their visas, which must be renewed annually. In mid-2001 the Department of Immigration and Passports began to issue regularly a new visa category for foreign missionaries working in the country. The processing of the new visas apparently created complications initially; however, there were no recent reports of any current problems with receiving these visas. Some foreign missionaries reported that internal security forces and others closely

monitored their activities. In addition, the Government pressured some missionaries who advocated human rights by filing false allegations against them.

There are no financial penalties imposed on the basis of religious beliefs; however, religious minorities are disadvantaged in practice in such areas as access to jobs in government or the military, and in political office. The Government has appointed some Hindus to senior civil service positions. However, religious minorities remain underrepresented in some government jobs, especially at the higher levels of the civil and foreign services. Selection boards in the government services often lacked minority group representation. The government-owned Bangladesh Bank employs approximately 10 percent non-Muslims in its upper ranks. Hindus dominate the teaching profession, particularly at the high school and university levels. Some Hindus report that Muslims tend to favor Hindus in some professions, such as doctors, lawyers, and accountants. They attribute this to the education that the British offered during the 19th century, which Muslims boycotted but Hindus embraced. Employees are not required to disclose their religion, but religion generally can be determined by a person's name.

Many Hindus have been unable to recover landholdings lost because of discrimination in the application of the law, especially under the now-defunct Vested Property Act. The Act was a Pakistan-era law that allowed "enemy" (in practice Hindu) lands to be expropriated by the Government. Approximately 2.5 million acres of land were seized from Hindus, and almost all of the 10 million Hindus in the country were affected. Property ownership, particularly among Hindus, has been a contentious issue since partition in 1947. However, in April 2001, Parliament passed the Vested Property Return Act. This law stipulated that land remaining under government control that was seized under the Vested Property Act be returned to its original owners, provided that the original owners or their heirs remain resident citizens. Hindus who fled to India and resettled there are not eligible to have their land returned, and the Act does not provide for compensation for or return of properties that the Government has sold. By law, the Government was required to prepare a list of vested property holdings by October 2001, and claims were to have been filed within 90 days of the publication date. No further claims were to be accepted after that period expired. As of the end of the reporting period, the Government had yet to publish the list of vested properties.

On November 26, 2002, the Parliament passed an amendment to the Vested Property Act, allowing the Government unlimited time to return the vested properties. The properties are to remain under the control of Deputy Commissioners until a tribunal settles ownership. The amendment also gives the Deputy Commissioners the right to lease such properties until they are returned to their owners. The Government claimed that this provision would prevent the properties from being stolen.

In 2001 the Forestry Department inaugurated an eco-park on the lands inhabited by the predominantly Christian Khasi tribals in Mouluvibazar. Although indigenous Khasis had lived on these lands for generations, the Government did not recognize their ownership. The Government claimed ownership and stated that the Khasis were occupying the land illegally. The Government did not undertake any activities to implement the eco-park project during the reporting period, but the project has not been officially cancelled. In July 2002, Forest Department guards killed a Khasi member, Abinash, and injured 10 others in an attempt to evict the Khasis. Police had not arrested anyone in connection with the killing by the end of the reporting period.

Under the Muslim Family Ordinance, female heirs inherit less than male relatives do, and wives have fewer divorce rights than husbands. Men are permitted to have up to four wives, although society strongly discourages polygyny, and it rarely is practiced. Laws provide some protection for women against arbitrary divorce and the taking of additional wives by husbands without the first wife's consent, but the protections generally apply only to registered marriages. Marriages in rural areas sometimes are not registered because of ignorance of the law. Under the law, a Muslim husband is required to pay his ex-wife alimony for 3 months, but this law is not always enforced.

Abuses of Religious Freedom

Reports of harassment by BNP supporters of Hindus, who traditionally vote for the AL, preceded and followed the October 2001 election. Reported incidents included killings, rape, looting, and torture. The BNP acknowledged reports of atrocities committed between Muslims and Hindus; however, the BNP claimed that they were exaggerated. The Home Minister was unable to confirm reports that Hindus had fled the country and insisted that there was no link between religion and the violence. He also dismissed allegations that the BNP was linked to the perpetrators. In late November 2001, the High Court ordered the Government to look into and

report on attacks on religious minorities, and to demonstrate that it is taking adequate steps to protect minorities. The Government submitted its report to the High Court on August 5, 2002. The report claimed that some of the incidents of post-election violence were not connected to communal relations. It also alleged that some of the reports of violence were fabricated or exaggerated.

Since the October 2001 elections, religious minorities reportedly have continued to be targeted for attacks. However, many such reports have not been verified independently. The Government sometimes has failed to investigate the crimes and prosecute the perpetrators, who are often local gang leaders.

On May 12, 2002, 12 unidentified persons broke the lock and opened the main gate of Dabua Benubon Bihar Buddhist Monastery at Beltoli before inmates and local residents chased them away. Using a compilation of newspaper reports, Ain-O-Shalish Kendra (The Law and Arbitration Center), a human rights NGO, filed a writ petition with the High Court asking that the Government be ordered to investigate the incidents reported in the newspapers and to submit its findings to the court. The Government submitted its report to the court in August stating that it had taken action against perpetrators of violence against members of the minority communities wherever such incidents took place. The Government report said investigations revealed that many of the reports were false or exaggerated.

On April 28, 2002, Madan Gopal, a Hindu priest, was stabbed to death by a criminal gang at Radha Madan Asram in Khagrachhari. The criminals also looted gold statues from the temple. Newspaper reports quoted temple authorities as saying that the killing of the priest was a result of the assailants' failed attempt at extortion.

On April 22, 2002, a Buddhist monk, Ganojyoti Mohasthobir, was killed at a Buddhist temple and orphanage at Rauzan in Chittagong. According to media reports, his killing was related to a land dispute. Home Minister Altaf Hossain Chowdhury and Foreign Minister Morshed Khan visited the temple after the killing. They assured the public that the incident would be properly investigated and that those involved would be brought to trial. On December 22, 2002, police arrested a suspect in connection with the case, which remained under investigation at the end of the reporting period.

One human rights activist claimed that, especially after the October 2001 elections, religious minority groups have been targeted for acts of violence, which has led to the necessity of guards being present at church and temple ceremonies.

In November 2001, Principal Gopal Krishna Muhuri of Nazirhat College in Chittagong was killed by unidentified assailants. Following the killing, Hindus staged a violent demonstration, claiming that Muhuri was killed because he was a Hindu. Muhuri's family stated that he was unpopular with the Jammata-i-Islami party because he refused it and other political parties access to the college's campus. It was unclear whether the killing was connected to the attacks against Hindus after the October 2001 elections. In November 2002, police filed a case against 12 persons, including 3 teachers and an accountant at the college. On February 6, a Chittagong court sentenced four of the accused to death and four to life in prison for their involvement in the murder.

In June 2001, in Baniachar, Gopalganj District, a bomb exploded inside a Catholic church during Sunday Mass, killing 10 persons and injuring 20 others. The army arrived to investigate approximately 10 hours after the blast. Police detained various persons for questioning, but by the end of the period covered by this report, the police reported no progress on the case. A judicial commission was formed in December 2001 to investigate the Baniachar bombing. In September 2002, the commission submitted its report to the Government. The commission's final report blamed Sheikh Hasina and other AL party members for six of the seven bomb attacks that occurred in 1999, 2000, and 2001, including the June 2001 attack. However, two of the three commission members dissented, alleging that the head of the commission, Judge Abdul Bari Sarkar, had inserted his personal views in the final report.

Feminist author Taslima Nasreen remained abroad during the period covered by this report, while criminal charges were still pending against her for insulting the religious beliefs of the country's Muslims. On May 26, 2002, the Government banned her latest book, a sequel to an earlier novel that was also banned for being "anti-Islamic." On October 13, 2002, a court sentenced Nasreen, in absentia, to 1 year in jail for her "derogatory remarks about Islam," in a case filed by a local Jamaat-e-Islami leader in 1999.

In April a grade 12 Board of Education English test asked students to write a paragraph on how they and their families celebrated the Muslim feast, Eid-ul-Fitr, alienating non-Muslim students.

There were no reports of religious prisoners or detainees.

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 ATTITUDES

Relations between the religious communities generally are amicable. Persons who practice different religions often join each other's festivals and celebrations, such as weddings. Shi'a Muslims practice their faith without interference from Sunnis. Nevertheless, clashes between religious groups occasionally occur. In recent years, there have been cases of violence directed against religious minority communities that have resulted in the loss of lives and property. Police, who generally are ineffective in upholding law and order, often are slow to assist in such cases, thereby perpetuating an atmosphere of impunity for acts of violence (see Section II).

Intercommunal violence caused many Hindus to emigrate to India between 1947 and 1971 and continued on a smaller scale throughout the 1980s. Since the 1991 return to democracy, emigration of Hindus has decreased significantly, which generally can be attributed to the significant reduction in the Hindu population over the last 30 years. In recent years, emigration has been primarily motivated by economic and family reasons. Nevertheless, incidents of communal violence continue to occur.

Newspapers reported attacks on Hindu homes and rapes of Hindu women at several places in the country soon after the October 2001 election. According to a human rights organization, at least 10 Hindu women were raped and a number of Hindu homes were looted by low-level BNP workers a few days before the BNP took power from the non-partisan caretaker government that supervised the election. Some incidents of rape and looting also took place in the southwestern district of Bagerhat. The situation improved after the new government members visited the areas and deployed additional police to troubled locations. In February 2002, an AL-backed Convention on Crimes Against Humanity alleged "systematic persecution" of religious minorities and called for the perpetrators to be brought to trial under local and international laws.

Human rights groups and press reports indicated that vigilantism against women accused of moral transgressions occurred in rural areas, often under a fatwa, and included punishments such as whipping. One human rights organization recorded 32 such fatwa cases in 2002. In these cases, 19 persons were lashed and others faced punishments ranging from physical assault to shunning of families by their communities.

In the past, members of the Ahmadi sect, whom many mainstream Muslims consider heretical, were the target of attacks and harassment. An Ahmadiya mosque in Kushtia was captured by mainstream Muslims in 1999 and remained under police control for approximately 3 years, preventing Ahmadiyas from worshipping. In August 2002, the Ahmadiyas regained control of their mosque.

Public reaction to the High Court's January 2001 ruling that fatwas were illegal resulted in violence. Following the court's decision, a number of NGOs organized a rally in Dhaka and transported busloads of persons, mostly women, from all parts of the country to express support for the ruling, which they said was a victory for women and for all who suffered abuses in the name of fatwa. However, Muslim groups contended that fatwas were an integral part of a Muslim's daily life and called the ruling an attack on their religious freedom. Islamic groups organized blockades to prevent buses from entering Dhaka for the rally and protested the ruling and the NGO rally. In the ensuing violence, a police officer was killed inside a mosque, and an NGO office was ransacked.

The law permits citizens to proselytize; however, local authorities and communities often object to efforts to convert persons from Islam to other religions. Moreover, strong social resistance to conversion from Islam means that most missionary efforts by Christian groups are aimed at serving communities that have been Christian for several generations or longer.

SECTION IV. U.S. GOVERNMENT POLICY

The U.S. Government discusses religious freedom issues with the Government, as well as religious and minority community representatives, in the context of its overall dialog and policy of promoting human rights.

On an informal basis, the Embassy also has assisted some U.S. Christian-affiliated relief organizations in guiding paperwork for schools and other projects

through government channels. The Government has been receptive to discussion of such subjects and generally helpful in resolving problems.

The Embassy is encouraging the Government through the Ministry for Religious Affairs to develop and expand its training program for Islamic religious leaders, which provides course work for religious leaders on human rights, HIV/AIDS, and gender equality issues.

BHUTAN

The law provides for freedom of religion; however, the Government limited this right in practice. The Drukpa discipline of the Kagyupa school, a branch of Mahayana Buddhism, is the state religion.

There was no change in the status of respect for religious freedom during the period covered by this report.

Societal pressure for conformity with Drukpa Kagyupa norms was prevalent. There are no formal diplomatic relations between the United States and Bhutan; however, the U.S. Government discussed religious freedom issues with the Government informally in the context of its overall dialogue and policy of promoting human rights.

There are no formal diplomatic relations between the United States and Bhutan; however, the U.S. Government discusses religious freedom issues with the Government informally in the context of its overall dialogue and policy of promoting human rights.

SECTION I. RELIGIOUS DEMOGRAPHY

The country has a total area of 18,146 square miles. Population figures vary greatly, but the Government estimated a population of approximately 700,000. Approximately two-thirds to three-quarters of the declared population practice either Drukpa Kagyupa or Ningmapa Buddhism. The Drukpa discipline is practiced predominantly in western and central parts of the country, although there are adherents in other regions. Government-supported monasteries also practice the Kagyupa sect of Buddhism. Ethnic Ngalops, descendants of Tibetan immigrants, comprise the majority of the population in the western and central parts of the country. The Ngalops predominate in Government and the civil service, and their cultural norms and dress have been declared by the monarchy to be the standard for all citizens.

The Ningmapa school of Mahayana Buddhism is practiced predominantly in the eastern part of the country, although there are adherents in other parts of Bhutan. Most of those living in the east are ethnic Sarchops, the descendants of those thought to be the country's original inhabitants. Several Sarchops held high positions in the Government, the National Assembly, and the court system.

The royal family alternately practices the Ningmapa and Kagyupa branches of Buddhism.

There is a tradition of respect among many citizens for the teachings of an animist and shamanistic faith called Bon, which revolves around the worship of nature. The arrival of this faith to the country predated that of Buddhism. Bon priests still can be found in the country, but very few citizens adhere to this faith. Bon rituals sometimes are included in the observance of Buddhist festivals.

Christians, both Catholics and Protestants, are present in very small numbers throughout the country. There was reportedly only one building used for Christian worship in the south of the country, the only location where the concentration of Christians was sufficiently large to sustain a church building. Elsewhere, families and individuals practiced their religion at home.

Approximately one-quarter to one-third of the population, ethnic Nepalese who live mainly in the south, practice Hinduism. The Shaivite, Vaishnavite, Shakta, Ghanapath, Paurinic, and Vedic schools are represented among Hindus.

SECTION II. STATUS OF RELIGIOUS FREEDOM

Legal/Policy Framework

The law provides for freedom of religion; however, the Government limited this right in practice. Proselytization is illegal, and Bhutanese NGOs operating outside the country claimed the Government prohibits conversions. Dissidents also contended that Buddhist texts were the only printed religious materials permitted to enter the country. The Government vehemently denied these claims, and asserted that its citizens are free to practice any religion openly.

The Monastic Body (or Monk Body) comprised of 3,500 monks, was financed by an annual government grant and was the sole arbiter on religious matters in the country. The body also played an advisory role in the National Assembly, the Royal Advisory Council, and with the King. The King consistently deferred to the body's pronouncements on almost all religious matters and many decisions affecting the state.

Questions of family law, such as inheritance, marriage, divorce, child custody, and adoption, traditionally are resolved according to a citizen's religion: Buddhist tradition for the majority of the population and Hindu tradition for the ethnic Nepalese.

The Government subsidized monasteries and shrines of the Drukpa discipline and provided aid to approximately one-third of the Kingdom's 12,000 monks. By statute, 10 seats in the 150-seat National Assembly and 2 seats on the 11-member Royal Advisory Council are reserved for monks of the Drukpa discipline.

Religious communities must secure government licenses before constructing new places of worship. Reports by ethnic Nepalese citizens suggested that this process was biased toward Buddhist temples. The Government provided financial assistance for the construction of Drukpa Kagyupa and Ningmapa Buddhist temples and shrines. Monks and monasteries of the Ningmapa school also received some state funding. The Government provided some funding for the construction of new Hindu temples and centers of Sanskrit and Hindu learning and for the renovation of existing temples and places of learning. The Government also provided some scholarships for Sanskrit studies at Hindu-language universities in India. Followers of religions other than Buddhism and Hinduism generally were free to worship in private homes, but could not erect religious buildings or congregate in public. NGOs reported that permission from the Government to build a Hindu temple was required but rarely granted. There were no Hindu temples in Thimphu, despite the migration of many ethnic Nepalese to the capital city. The King has declared major Hindu festivals to be national holidays, and the royal family participates in them.

NGO representatives living outside of the country reported that Drukpa Kagyupa and Ningmapa Buddhist religious teaching is permitted in schools, but that other religious teaching is not. The Government contended that Buddhist teaching only is permitted in monastic schools, and that religious teaching of any kind is not permitted in other schools. Buddhist prayer is compulsory in all government-run schools, according to dissidents.

The Government requires all citizens, when in public places, to wear the traditional dress of the Buddhist majority and strictly enforced this law for visits to Buddhist religious buildings, monasteries, government offices, schools, and when attending official functions and public ceremonies. However, some citizens commented that enforcement of this law was arbitrary and sporadic. Government efforts to institute policies designed to preserve the cultural dominance of the Ngalong ethnic group, to change citizenship requirements, and to control illegal immigration resulted in political protests, ethnic conflict, and repression of ethnic Nepalese in southern districts during the late 1980s and early 1990s.

Restrictions on Religious Freedom

Dissidents claimed that the Government prohibits religious conversions. Foreign missionaries were not permitted to proselytize, but international Christian relief organizations and Jesuit priests were active in education and humanitarian activities. An NGO reported that some Christians were afraid to worship openly for fear of discrimination.

Dissidents alleged that the Government restricted the import of printed religious matter; only Buddhist religious texts were allowed to enter the country.

Certain civil servants, regardless of religion, are required to take an oath of allegiance to the King, the country, and the people. The oath does not have religious content, but a Buddhist lama administers it. Dissidents alleged that applicants for Government services were asked their religion before the services were rendered.

Abuses of Religious Freedom

Ethnic Nepalese in the country were subject to discrimination by the authorities in the late 1980s and early 1990s, when many were driven from their homes and forcibly expelled from the country. The root causes of this official discrimination and the expulsions were cultural, economic, and political; however, to the degree that their Hinduism identified them as members of the ethnic Nepalese minority, religion may have been a secondary factor. The Government contended that many of those expelled in 1991 were illegal immigrants who had no right to citizenship or residency in the country and that others had "voluntarily emigrated." Some 100,000 ethnic Nepalese continued to live in refugee camps in eastern Nepal and were seek-

ing to return to their homes in Bhutan. An estimated 15,000 more resided outside of the camps in the Indian states of Assam and West Bengal.

On June 18, the Government announced the results of the categorization of refugees of the first verified camp and its willingness to begin repatriating "genuine Bhutanese" citizens. The first category, "bonafide Bhutanese," who can prove they were forcefully evicted, comprised 2.4 percent of the total and can immediately return to Bhutan with full rights as citizens. The second category, "voluntary emigrants," comprised 70.5 percent and will be allowed to return but must apply for citizenship, a process which could take up to two years. The third category, "non-nationals," comprised 24.2 percent and will not be allowed to return to the country. Many are not Bhutanese, but some are former residents of Bhutan not eligible for citizenship under the law. The fourth category, "criminals," reportedly will be allowed to return if they agree to face criminal charges in the Bhutanese judicial system.

The Government continued a program of resettling Buddhist citizens from other parts of the country on land in the south vacated by the expelled ethnic Nepalese now living in refugee camps in Nepal. Human rights groups maintained that this action prejudices the eventual negotiated return of the refugees to the country. The Government maintained that this was not its first resettlement program and that citizens who are ethnic Nepalese from the south sometimes were resettled on land in other parts of the country.

There were no reports of religious prisoners or detainees.

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 ATTITUDES

Governmental discrimination against ethnic Nepalese in the late 1980s and early 1990s arose in part from a desire to preserve the country's Buddhist culture against the influence of a growing population of ethnic Nepalese with different cultural and religious traditions. That preoccupation on the part of the Government and many Buddhists still was present during the period covered by this report. It was reflected in official and societal efforts to impose the dress and cultural norms of the Ngalop ethnic group on all citizens. While there were no reports of the repetition of the excesses of the late 1980s and early 1990s, societal and governmental pressure for conformity with Drukpa Kagyupa norms was prevalent. Societal prejudices against this group continue as has the Government's policy on forced retirement of refugee family members in government service and the resettlement of Buddhists on land vacated by expelled ethnic Hindu Nepalese in the south.

Some of the country's few Christians, mostly ethnic Nepalese living in the south, claimed that they are subject to harassment and discrimination by the Government, local authorities, and non-Christian citizens. Some NGOs reported increased intimidation by the Government of persons who do not look like Bhutanese Buddhists. Such actions reportedly included stopping persons at designated checkpoints and asking for their identity documents. The Government claimed the identity checks were part of an effort to control illegal border crossings and United Liberation Front of Asom (ULFA) camps that were reportedly based in the southern part of the country.

There have been some attempts to promote interfaith understanding. There were regular exchanges between monks of the two schools of Buddhism represented in the country. The King's example of making Hindu festivals official holidays and observing them also had a positive impact on citizens' attitudes.

SECTION IV. U.S. GOVERNMENT POLICY

There are no formal diplomatic relations between the United States and Bhutan. Informal contacts between the two governments, ranging from the level of cabinet secretary to that of embassy officer, frequently took place. During these exchanges, governmental discrimination against the ethnic Nepalese minority has been discussed. The U.S. Ambassador to India discussed the refugee issue with the King and other senior members of the Government when he visited the country in April.

In December 2002, an embassy officer and Senate staff delegation discussed religious freedom in the context of the refugee issue and the new Constitution in meetings with Bhutanese officials. The U.S. Government has also worked to promote religious freedom and other democratic values by sponsoring several Bhutanese citi-

zens to the United States on International Visitors Programs, which were structured to convey the importance of democratic and religious freedoms.

INDIA

The Constitution provides for secular government and the protection of religious freedom, and the central Government generally respected these provisions in practice; however, it sometimes did not act effectively to counter societal attacks against religious minorities and attempts by state and local governments to limit religious freedom. This failure resulted in part from the legal constraints inherent in the country's federal structure, and in part from the law enforcement and justice systems, which at times were not effective. The ineffective investigation and prosecution of attacks on religious minorities could be seen by some extremists as a signal that such violence may be committed with impunity.

The status of religious freedom improved in some ways and worsened in others during the period covered by this report. Although there was a decrease in the number of incidents of Hindu-Muslim and Hindu-Christian violence during the period covered by this report, two more state-level anticonversion laws were passed, and there was a gradual but continual institutionalization of "Hindutva," the politicized inculcation of Hindu religious and cultural norms to the exclusion of other religious norms. Hindutva, often synonymous with "cultural nationalism," excludes other religious beliefs and fosters religious intolerance. This institutionalization manifested itself through the spread of anticonversion laws in some states, the rewriting of textbooks to favor Hindu extremist interpretations of history, and illegal surveys of Christians by police in some areas of Gujarat to collect statistical information not sought from other religious groups. In addition, Hindus distributed tridents or "trishuls" (a small sharp object which can cause bodily injury) in Rajasthan, Gujarat, and Maharashtra.

The central Government is led by a coalition called the National Democratic Alliance (NDA), which has pledged to respect the country's traditions of secular government and religious tolerance. However, the leading party in the coalition is the Bharatiya Janata Party (BJP), a Hindu nationalist party with links to Hindu extremist groups that have been implicated in violent acts against Christians and Muslims. The BJP also leads state governments in Goa and Gujarat; in Uttar Pradesh, the BJP rules in coalition with the Bahujan Samaj Party. Human rights groups and others have suggested that the authorities in Gujarat have not responded adequately to acts of violence against religious minorities by Hindu extremist groups, due at least in part to the links between these groups and the BJP. These groups have noted that the ineffective investigation and prosecution of such incidents may encourage violent actions by extremist groups.

Tensions between Muslims and Hindus, and to an increasing extent between Christians and Hindus, continued to pose a challenge to the secular foundation of the State. Attacks on religious minorities occurred in several states, which brought into question the Government's ability to prevent sectarian and religious violence. In Gujarat the worst religious violence directed against Muslims by Hindus took place in February and March 2002, leaving an estimated 2000 dead and 100,000 displaced into refugee camps. It was alleged widely that the police and state government did little to stop the violence promptly, and at times even encouraged or assisted Hindus involved in the riots. Despite substantial evidentiary material, the judicial commission responsible for investigating the riots reported inconclusive findings. No Hindus have been charged for the violence. There were widespread reports of intimidation and harassment of witnesses. Violence and discrimination against Muslims and Christians continued in other parts of the country as well.

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

SECTION I. RELIGIOUS DEMOGRAPHY

The country has a total area of approximately 1.3 million square miles and a population of slightly more than one billion. According to the latest government estimates, Hindus constitute 82 percent of the population, Muslims 12 percent, Christians 2.3 percent, Sikhs 2.0 percent, and others, including Buddhists, Jains, Parsis (Zoroastrians), Jews, and Baha'is, less than 2 percent. Hinduism has a large number of branches, including the Sanatan and Arya Samaj groups. Slightly more than 90 percent of Muslims are Sunni; the rest are Shi'a. Buddhists include followers of the Mahayana and Hinayana schools, and there are both Catholic and Protestant Chris-

tians. Tribal groups (members of indigenous groups historically outside the caste system), which in government statistics generally are included among Hindus, often practice traditional indigenous religions. Hindus and Muslims are spread throughout the country, although large Muslim populations are found in the states of Uttar Pradesh, Bihar, Maharashtra, West Bengal, Andhra Pradesh, and Kerala, and Muslims are a majority in Jammu and Kashmir. Christian concentrations are found in the northeastern states, as well as in the southern states of Kerala, Tamil Nadu, and Goa. Three small northeastern states have large Christian majorities—Nagaland, Mizoram, and Meghalaya. Sikhs are a majority in the state of Punjab.

Over the years, many lower caste Hindus, Dalits (formerly called “untouchables,” see Section II) and other non-Hindu tribal groups have converted to other faiths because they viewed conversion as a means to escape widespread discrimination and achieve higher social status. However, lower caste and Dalit converts continue to be viewed by both their coreligionists and by Hindus through the prism of caste. Converts are regarded widely as belonging to the caste of their ancestors, and caste identity, whether or not acknowledged by a person’s own religion, has an impact on marriage prospects, social status, and economic opportunity. However, such converts often lose benefits conferred by the Government’s affirmative action programs because these, according to the Constitution, are reserved only for those having scheduled caste status.

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

According to the Catholic Bishop’s Conference of India, there are approximately 1,100 registered foreign missionaries in the country representing a variety of Christian denominations (see Section II).

SECTION II. STATUS OF RELIGIOUS FREEDOM

Legal/Policy Framework

The Constitution provides for freedom of religion, and the central Government generally respected this right in practice; however, state and local governments only partially respected this freedom. There are no registration requirements for religious groups; however, foreign Christian clergy often were required to register with the local police station during their visits to the country. Legally mandated benefits are assigned to certain groups, including some groups defined by their religion. The Government is empowered to ban a religious organization if it has provoked inter-community friction, has been involved in terrorism or sedition, or has violated the Foreign Contribution Regulation Act (FCRA), which restricts funding from abroad. Christian organizations have complained that this prohibition prevents them from properly financing their humanitarian and educational activities in the country.

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

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

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

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

The Government permits private religious schools, which can offer religious instruction, but does not permit religious instruction in government schools. Some Hindus believe that this disadvantages them since Muslims have many private religious schools (madrassahs), but Hindus mostly attend government or Christian schools. Many Christian schools minimize overt religious instruction to avoid retaliation from Hindu extremists. During the period covered by this report, the Supreme Court ruled that the Government can prescribe qualifications for admission, based on merit, to colleges that receive public funding, but colleges that do not receive government assistance may admit students according to their own criteria. Some Muslims believe that Muslim madrassahs, some of which receive government aid, would be subject to stringent security clearance requirements under the Government's interpretation. Muslims have stated that this is a further attempt by BJP/Hindutva proponents to limit their freedom and ability to practice their religious beliefs.

Some government officials continue to advocate "saffronizing," or raising the profile of Hindu cultural norms and views in public education, which has prompted criticism from minority leaders, opposition politicians, academics, and advocates of secular values. The Government's National Council of Education Research and Training (NCERT) publishes textbooks that are uniformly used in government and private schools and are printed in various languages. In 2002 the Government announced its decision to rewrite existing NCERT history textbooks. The Government justified its decision by asserting that "history needs to be presented in a more refreshing and cogent manner." Secularists warned the re-written "history" spreads misinformation to support Hindu nationalist political aims, including false claims that the origins of Hinduism are purely in India and that Indian Muslims and Christians are "foreigners." The Central Advisory Board of Education, a panel of experts responsible for reviewing the quality of textbook and academic instruction, has not been convened in 5 years. In January 2002, the National Human Rights Commission received a complaint asking the Commission to examine the printing of new history textbooks, which deleted references to Mahatma Gandhi's assassination by a member of the Hindu Mahasabha, a Hindutva organization that was banned following the assassination. In May 2002, the education ministers of 16 states walked out of a conference to protest the Hindutva bias of the new curriculum, while three leading scholars filed a petition with the Supreme Court challenging the publication of the new textbooks. The petition was turned down, however, and the new textbooks made their appearance in November 2002. The imposition of examination boards in line with the new textbooks forces schools to use the new syllabi. On January 31, the Ministry of Human Resources Development (HRD), headed by Dr. Murli Manohar Joshi, passed strict academic guidelines to regulate academic partnerships between Indian and western universities and academics, in line with Hindutva philosophy. The new guidelines issued to all central universities require HRD permission for "all forms of foreign collaborations and other international academic exchange activities," including seminars, conferences, workshops, guest lectures, research, etc. The Government maintains a list of banned books that may not be imported or sold in the country, including books such as Salman Rushdie's "Satanic Verses," which contain material that governmental censors have deemed inflammatory. In March and April, the Indian Central Board of Film Certification denied a censor certificate to "Aakrosh," a film about the Gujarat riot victims.

Some major religious holidays celebrated by various groups are considered national holidays, including Christmas (Christian), Eid and the anniversary of the death of Mohammed (Muslim), Lord Buddha's birthday (Buddhist), Guru Nanak's Birthday (Sikh), Holi (Hindu), and the Birthday of Lord Mahavir (Jain).

Restrictions on Religious Freedom

The Unlawful Activities Prevention Act empowers the Government to ban a religious organization if it has provoked intercommunity friction, has been involved in terrorism or sedition, or has violated the 1976 FCRA, which restricts funding from abroad. Human Rights activists have criticized the Government for selectively applying the FCRA against religious minorities.

The Government officially banned the Students Islamic Movement of India (SIMI) under the Unlawful Activities Prevention Act for "fomenting communal tension" and actions "prejudicial to India's security." The Government alleged that the SIMI had links with terrorist groups such as the Lashkar-e-Tayyeba and the Hizbul Mujahideen. The group is still banned and in January, police in three different states arrested eight of its members, including former president of the SIMI Bhopal district unit, Khalid Naeem. He was later released on bail.

On May 3, 2001, the Government officially banned the Muslim group Deendar Anjuman for "fomenting communal tension" and actions "prejudicial to India's secu-

rity.” State prosecutors alleged that some members of the tiny Muslim group called Deendar Channabasaveshwara Siddique (DCS) and its parent organization, Deendar Anjuman, were responsible for the Karnataka and Andhra Pradesh church bombings in 2000 (see Section III). This group is still banned. The fact that a Muslim group was responsible for the bombings of Christian churches was unusual; most attacks against Christians are perpetrated by Hindu extremist groups or by mobs. Some observers have compared the vigorous investigation and prosecution of Deendar members for attacks against Christians with the general lack of vigor in the investigation and prosecution of Hindus accused of carrying out attacks against Christians.

The Religious Institutions (Prevention of Misuse) Act makes it an offense to use any religious site for political purposes or to use temples for harboring persons accused or convicted of crimes. While specifically designed to deal with Sikh places of worship in Punjab, the law applies to all religious sites. The state of Uttar Pradesh passed the “Religious Buildings and Places Bill,” which requires a permit endorsed by the state government before construction of any religious building can begin in the state. The bill’s supporters stated that its aim was to curb the use of Muslim institutions by Islamic fundamentalist terrorist groups, but the measure remains a controversial political issue among religious groups in the northern part of the country. Most religious groups from all of the communities oppose the restriction on building religious structures and continue to view it as an infringement upon religious freedom. Legislation in West Bengal requires any person who plans to construct a place of worship to seek permission from the district magistrate; anyone intending to convert a personal place of worship into a public one also requires the district magistrate’s permission. Muslim groups report that they have not received permission to build new mosques. In March the VHP announced it would launch a nationwide campaign to “reclaim” 30,000 Hindu temples that had been converted into mosques. Some Muslims fear that under this campaign, Hindus will try to claim the Gyan Vapi mosque in Varanasi, the Idgah mosque in Mathura, and the Ram temple grounds at the former Babri Mosque in Ayodhya.

The VHP continued its trident or “trishul” distribution program during the reporting period, despite the prohibition under the Penal Code against the distribution of sharp weapons to the public. Trishuls (three-pronged tridents) are Hindu religious symbols, but they have also been used as weapons, including in the 2002 Gujarat riots. In April the Rajasthan state government banned the distribution of trishuls in the state, but clarified that the order would not affect the use of trishuls in religious places and functions. On April 13, VHP General Secretary Togadia distributed the trishuls in defiance of the ban and was arrested. On April 21, he was released on bail.

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

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

The degree to which the BJP’s nationalist Hindu agenda has affected the country with respect to religious minorities varies depending on the region. State governments continue to attach a high priority to maintaining law and order and monitoring intercommunity relations at the district level. As a result, the central Govern-

ment often is not the most important player in determining the character of relationships of various religious communities between each other and with the state.

During the period covered by this report, the states of Tamil Nadu and Gujarat passed anticonversion laws. Under both laws, those “forcing” or “alluring” people to convert are subject to criminal action. Since that which constitutes forced conversions or allurement is not specified, human rights groups, Christian religious leaders, and Dalits have expressed concern that authorities will use these laws selectively in the future to shut down educational, medical, and other social services provided by Christian groups to Dalits and “tribals” (members of indigenous groups historically outside the caste system). Anticonversion laws have been in effect in Madhya Pradesh and Orissa since the 1960s, and laws against forcible conversions exist also in Andhra Pradesh and Arunachal Pradesh.

The Tamil Nadu Prohibition of Forcible Conversion Act of October 2002 was declared by governor ordinance, which does not require approval by the state legislature. According to the act, those who attempt to convert individuals or groups from one religion to another using “false promises” and “allurements” are subject to prosecution, and all persons who “[take] part directly or indirectly in [a conversion] ceremony” must report the ceremony to the District Magistrate. Mandated punishments are greater for women, scheduled castes, and “tribals.” As of the end of the period covered by this report, a petition questioning the constitutional validity of the act was under review by the state’s high court.

In March the state assembly of Gujarat passed the Gujarat Freedom of Religion Act. The act requires those involved with a conversion to seek the permission, both before and after the conversion ceremony, of the district collector, who is the sole arbiter of the validity of each conversion. This act also requires the police to investigate cases of forced or induced religious conversions. As with the Tamil Nadu anticonversion law, punishments are greater for women, scheduled castes, and “tribals.” In April one Christian and one Buddhist organization filed a case in Ahmedabad High Court against the act; the court dismissed the petition as premature, since the rules and regulations for the act had not yet been gazetted. The rules had not been published by the end of the reporting period. A contingent of Dalits asked permission of the Vadodara Collector to convert to Buddhism under the new act; the collector had not given permission by the end of the reporting period.

In Punjab the Union Minister and General Secretary called for the state government to pass a law completely banning religious conversions. The move followed reports of large-scale conversions of Sikh Dalits.

In Chhattisgarh an anticonversion law has been in force since the 1970s (at which time Chhattisgarh was a part of Madhya Pradesh). On July 18, in the first conviction under the law, Sister Brishi Ekka was sentenced to 6 months in jail for not reporting the 1996 conversion of 95 families to Christianity. Sister Ekka appealed the decision in the Chhattisgarh High Court and later was released on bail.

In November 2000, the Orissa government notified churches that religious conversions could not occur without the permission of the local police and district magistrate; however, the rule does not appear to have been enforced. The Orissa Freedom of Religion Act of 1967 contains a provision requiring a monthly report from the state on the number of conversions. After a conversion has been reported to the district magistrate, the report is forwarded to the state authorities, and a local police officer conducts an inquiry. The police officer can recommend in favor of or against the intended conversion, and often is the sole arbitrator. If the conversion is judged to have occurred without permission from the district magistrate or with coercion, the authorities may take penal action. There were no reports that the district magistrate denied permission for any conversions during this reporting period.

The eastern part of the country presented a varied picture with regard to religious freedom during the period covered by this report. Sporadic attacks continued but were not concentrated in one geographical area. In Orissa, which has been known for violence against religious minorities (particularly after the killings of Australian missionary Graham Staines and his two young children there in January 1999), the communal situation remained relatively unchanged during the period covered by this report, despite the installation of a BJP-Biju Janata Dal (BJD) government. According to an Orissa United Christian Forum leader, there have been no major incidents of religious freedom violations in the state during the period covered by this report.

In the south, religious groups allege that since the BJP’s rise to power in the national Government, some local officials have begun to enforce laws selectively to the detriment of religious minorities. The groups cite numerous examples of discrimination, such as biased interpretations of postal regulations, including removal of postal subsidies; refusals to allocate land for the building of churches; and heightened scrutiny of NGOs to ensure that foreign contributions are made according to the law.

This revivalist campaign included the “Hinduization” of education, including the revision of history books to include hate propaganda against Islamic and Christian communities. On May 24, a Tamil Nadu Government unilateral order issued by the Registrar of the Dr. M.G.R. Medical University to the leading Christian missionary hospital in South Asia, Christian Medical College (CMC) of Vellore, directed the CMC to accept government-sponsored candidates into 40 percent of its school seats, in violation of the constitutional Special Minority Status guarantees given to unaided institutions. The CMC requested that the Supreme Court of India stay the government order and allow the CMC to follow its usual admission policy. The Tamil Nadu state government also has worked actively to strengthen Hindu institutions. For instance, in March 2002, the government initiated renovation of 200 Hindu temples throughout the state and sponsored spiritual classes in 63 shrines. Such state sponsorship is not available to other religious groups.

Other southern states, which have had a history of support for their religious minorities, now offer growing evidence of support for the Hindutva message. In addition to Tamil Nadu’s anticonversion laws, inclusion of BJP membership in Andhra Pradesh’s ruling coalition, Karnataka’s complacency in investigating crimes of religious violence, “antiminority” remarks of Kerala’s Chief Minister Antony, and five instances of communal violence in Kerala since January 2002 all signal a growing acquiescence to the Hindutva agenda. In Karnataka Christian leaders recorded 50 incidents, ranging from destruction of church properties to physical abuse of ministers and converts, reportedly perpetrated by members of the Sangh Parivar. Although reported to the police, none of the incidents were investigated. State authorities did not deny that violence had occurred, but claimed these incidents did not represent any organized effort to deter evangelists.

Religious minorities in the northern area of the country are concerned that attacks on religious minorities no longer appear to be confined to Gujarat and Orissa. However, only a few isolated incidents of communal violence were reported in the north during the period covered by this report (see Section III). The appeal of Hindu nationalism appeared to decrease in Uttar Pradesh, where the BJP-led state government was defeated in elections in early 2002.

In the west, Gujarat continued to experience incidents of intercommunity strife in which Hindu nationalist groups targeted Christians and Muslims. Beginning in February 2002, after an attack by Muslims on a train in Godhra that resulted in the deaths of 58 Hindus (see Section III), an estimated 2,000 Muslims were killed in rioting in Gujarat that continued throughout the period of this report. In addition, 100,000 Muslims were forcibly displaced from their homes, causing them to reside in makeshift camps throughout Gujarat. There were also numerous reports of the rape of Muslim women and girls. The Government closed the camps in mid-June, forcing the displaced to return to burnt houses and destroyed property, with the perpetrators still at large. The Gujarat state government and the police were criticized for failing to stop the violence, and in some cases participating in or encouraging it. NGOs report that police were implicated directly in nearly all the attacks against Muslims in Gujarat, and in some cases, NGOs contend, police officials encouraged the mob. The Government dispatched the NHRC to investigate the attacks against Muslims, but the NHRC’s findings that the attacks against Muslims “was a comprehensive failure on the part of the state government to control the persistent violation of rights of life, liberty, equality, and dignity of the people of the state,” led to widespread criticism in the Hindu community and allegations of government partiality.

Victims of the Gujarat riots claimed that Hindu nationalists sabotaged efforts to prosecute Hindus involved in the riots. Witnesses who initially came forward to file reports with the police and identify their attackers reportedly have since been harassed, threatened, or bribed into retracting their statements or not showing up at court. During the July trial of 21 Hindus accused of burning 12 Muslims and 2 Hindu workers alive in a bakery, 41 of the 73 witnesses recanted their stories. On July 1, the 21 defendants were acquitted. The key eyewitness, Zahira Sheikh, a 19-year-old woman, claimed that she testified falsely after BJP leaders repeatedly threatened her family. She also concluded that prosecutors, who made no effort to meet with her before the trial, were not serious about gaining convictions. Sheikh and family members remained in hiding at the end of the period covered by this report.

In January police began closing the files on the cases of Naroda Patia and the Gulberg Society, citing lack of evidence against BJP and VHP leaders named in the complaint. Most witnesses who had identified the perpetrators later retracted their statements, and as of the end of the reporting period, no defendants had been convicted. The police reportedly downgraded charges against Hindu defendants, filed false charges to cover up their own role in the violence, deleted the names of the

accused, and failed to pursue rape cases. By the end of the period covered by this report, no arrests had been made or were likely to be made in connection with these attacks. Christian and Muslim communities remain suspicious of the state Government.

In March Gujarat BJP leader and former state Home Minister Haren Pandya were killed. Fifty Muslim youths were detained in a preliminary round-up; 18 were then arrested and later released. Over the course of several months, police detained 5 to 10 Muslim youths per day in undisclosed locations for up to 8 days. As of the end of the reporting period, five persons were being held under the Prevention of Terrorism Act, which allows the Government up to 6 months to formally file charges against the accused and allows all charges and court proceedings to be closed to the public.

Muslims continued to experience other intimidation tactics. Muslims reportedly could not work, reside, or send their children to schools in Hindu dominated areas. Signs were displayed stating "Hindus only" and "Muslim free area." Prohibitions on prayer reportedly have also occurred.

The Gujarat state government aggressively surveyed Christian families and Christian agencies during the reporting period, allegedly under the orders of Chief Minister Narendra Modi. The survey activities were carried out by police, often in the middle of the night. The survey was first implemented in February and continued through May, even after the Gujarat High Court ruled in March that the survey was illegal. The survey included questions about the number of converts in the household or parish, the circumstances of conversion, and the sources of funding received from abroad. The survey was widely seen as a prelude to the introduction of the Gujarat anticonversion bill in the legislature. In March the National Commission for Minorities requested an investigatory report. In April the NCM rejected the state government's resulting report as inadequate.

The Gujarat State Higher Secondary Board, to which nearly 98 percent of schools in Gujarat belong, requires the use of certain textbooks in which Nazism is condoned. In the Standard 10 social studies textbook, the "charismatic personality" of "Hitler the Supremo" and the "achievements of Nazism" are described at length. The textbook does not acknowledge Nazi extermination policies or concentration camps except for a passing reference to "a policy of opposition towards the Jewish people and [advocacy for] the supremacy of the German race." The Standard 9 social studies textbook implies that Muslims, Christians, Parsees, and Jews are "foreigners." In 2002 the Gujarat State Higher Secondary Board administered an exam, while the riots were ongoing, in which students of English were asked to form one sentence out of the following: "There are two solutions. One of them is the Nazi solution. If you don't like people, kill them, segregate them. Then strut up and down. Proclaim that you are the salt of the earth."

On October 21, the Gujarat Minister for Social Justice and Empowerment, Karsan Patel, instructed 400 Dang tribal children, who were boarders at a Christian school in Subir run by the Navjyot Social Service Society, "to decide whether they want to live as Hindus or die as Christians." Patel made this statement at the "Ram Kartha" convention in Subir, which was attended by over 15,000 devotees of Ram, a popular incarnation of a Hindu god. Hindus were asked, in pamphlets circulated by the VHP at the convention, to reclaim the territory for their god.

In Maharashtra Hindu-Muslim violence has increased in recent years (see Section III). The state government of Maharashtra filed charges against high-level police officials in 2001, 8 years after they allegedly fired into Suleman Bakery and killed nine Muslim employees in 1993. In April Deputy Police Commissioner Ramdeo Tyagi was exonerated by a Mumbai sessions court for charges against him in connection within the incident.

In Madhya Pradesh, intercommunity strife is relatively uncommon. There were no incidents of intercommunity strife in the new state of Chhattisgarh during the period covered by this report. Religious communities generally lived together harmoniously in Goa, despite one incident of intra-Christian strife during 2000.

There is no national law that bars a citizen or foreigner from professing or propagating his or her religious beliefs; however, speaking publicly against other beliefs is considered dangerous to public order and is prohibited by India's Foreigners Act. This act strictly prohibits visitors who are in the country on tourist visas from engaging in religious preaching without first obtaining permission from the Ministry of Home Affairs. Given this context, the Government discourages foreign missionaries from entering the country and has a policy of expelling foreigners who perform missionary work without the correct visa. Long-established foreign missionaries generally can renew their visas, but since the mid-1960's the Government has refused to admit new resident foreign missionaries. New missionaries currently enter as tourists on short-term visas. U.S. citizens accused of religious preaching while vis-

iting India as tourists have faced difficulties obtaining permission to return to the country for up to a decade after the event.

Some foreign missionaries have been subjected to violent attacks. In September 2002, youth members of the Bajrang Dal Party attacked South Koreans suspected of performing missionary work in Orissa. In January a group of militant Hindus attacked American missionary Joseph Cooper in Kerala. The police arrested nine suspects in the case; however, as of the end of the period covered by this report, charges had not been filed. The state police ordered Joseph Cooper to leave the country because his tourist visa was incompatible with his work in the country. On June 30, Gujarat police detained for questioning nine foreigners (eight Saudis and one Sudanese) for misusing their visas by preaching Islam in Gujarat. All were released without charge.

Several Christian relief organizations also have been hampered by bureaucratic obstacles in getting visas renewed for foreign relief work. Missionaries and foreign religious organizations must comply with the Foreign Contribution Regulation Act, which restricts the ability of certain NGOs, including religiously affiliated groups, to finance their activities with overseas assistance.

The personal status laws of the religious communities sometimes discriminate against women. Under Islamic law, a Muslim husband may divorce his wife spontaneously and unilaterally; there is no such provision for women. However, the Mumbai High Court ruled in May 2002 that divorces of Muslim couples must be proven in court. Previously, a Muslim male's assertion of a divorce was sufficient. Islamic law also allows a man to have up to four wives but prohibits polyandry. Under the Indian Divorce Act of 1869, a Christian woman could demand divorce only in the case of spousal abuse and certain categories of adultery; for a Christian man, a wife's adultery alone was sufficient. However, in 2001 this law was amended by Parliament to allow Christian women to file for divorce for the same reasons as men.

The Indian Divorce Act of 2001 places limitations on interfaith marriages and specifies penalties, such as 10 years' imprisonment, for clergymen who contravene its provisions. Under the Act, no marriage in which one party is a non-Christian may be celebrated in a church. However, the Indian Divorce Act does not bar interfaith marriages in other places of worship.

Abuses of Religious Freedom

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

During the period covered by this report, the Delhi Minorities Commission issued an annual report that claimed that the Christian community had become the target of a sustained misinformation and intimidation campaign. The Commission also reported that adequate space for Christian worship and burial of the dead was not provided by the Government.

In some instances of Hindu aggression against Muslims, police and government officials abetted the violence, and at times security forces were responsible for abuses. Police sometimes assisted Hindu fundamentalists in committing violent acts. In February 2002, after Hindu-Muslim riots in Gujarat, Muslims and human rights activists alleged that the state reserve police sided with the attackers rather than with the victims (see Section III). Human rights activists reported that the Gujarat police received specific instructions not to take action to prevent a possible violent reaction to the February 27 attack by Muslims on a train in Godhra carrying Hindus (see Section III). The press and human rights activists have reported widely that police refused to come to the aid of Muslim victims, and in some cases even participated in attacks on Muslims and Muslim-owned businesses. The police reportedly told Muslim victims, "We don't have orders to help you." It was reported that assailants frequently chanted "the police are with us." In its June 2002 report on Gujarat, the NHRC held the Gujarat government responsible for the riots and accused it of "a complicity that was tacit if not explicit." It concluded that "there is no doubt, in the opinion of this Commission, that there was a comprehensive failure on the part of the state government to control the persistent violation of rights of life, liberty, equality, and dignity of the people of the state." The report recommended a Central Bureau of Investigation inquiry into the communal riots, which the state government refused to allow.

In July 2002, representatives of Amnesty International were denied visas to visit and investigate the aftermath of the Gujarat riots. In December 2002, the National Election Commission banned all religious processions in the state in connection with the December 12 election. The BJP party with its Hindutva brand of politics won

the Gujarat election in a landslide with 126 of 181 assembly seats, sweeping those constituencies in the central part of the state that were most affected by the rioting. By mid-June the last of the displaced persons camps that had received the more than 100,000 Muslim victims of the violence was closed, according to the Ministry of Home Affairs.

During the period covered by this report, the Gujarat state Government appointed a retired Supreme Court Justice, G. T. Nanvati, to oversee a two-member judicial commission to investigate the February 2002 riots. The commission's investigation has been strongly criticized by media and human rights activists, who noted that in certain districts, hearings ended at 2:00 p.m. on appointed days instead of the advertised 5:00 p.m., and police of certain districts reportedly discouraged people from giving depositions before the commission. On May 18, in advance of a final report, Nanavati reportedly told the media that no evidence of police complicity had been found.

A Home Ministry report, released in April, stated that 23,777 persons, predominantly Hindus, were arrested and charged in 2,014 cases in connection with the Gujarat violence. None were charged under the Prevention of Terrorism Act. As of the end of the reporting period, there were no successful prosecutions of persons charged in connection with the Gujarat violence.

However, 124 of the 126 persons arrested for the Godhra train arson, predominantly Muslims, were charged under the Prevention of Terrorism Act, which allows for detention without charge for 6 months, summary trials, and the use of testimony exacted under duress. Trials were beginning in these cases as of the end of the reporting period.

Though many of the incidents of violence during the riots were witnessed by scores of people, and some of them were televised, by the end of the reporting period, the state government had yet to secure a conviction of an accused Hindu. Human rights activists cited widespread intimidation of witnesses and judges, negligence by police, and shoddy prosecution by state authorities. Many Gujaratis reportedly were afraid of cooperating with the justice process.

Jammu and Kashmir, the country's only Muslim majority state, has been the focus of repeated armed conflict between India and Pakistan, and internally between security forces and Muslim militants who demand that the state be given independence or ceded to Pakistan. Particularly since an organized insurgency erupted in Jammu and Kashmir in 1989, there have been numerous reports of human rights abuses by security forces and local officials against the Muslim population, including execution-style killings, beatings, rapes, and other forms of physical abuse. Government forces deny these allegations and assert that they target persons not on the basis of religion, but on suspicion of involvement in terrorist activity. For their part, terrorists killed and otherwise attacked hundreds of Hindu and Muslim civilians, including Kashmiri Muslims and Hindus, during the period covered by this report. In September 2002, unknown assailants killed 30 persons at a Hindu temple in Gandhingar. In November 2002, members of a terrorist organization stormed the Raghunath Temple in Jammu, killing 13 people and wounding 53. In March terrorists attacked a Hindu Pandit village at Nadimarg, killing 11 women and 2 children. Given that the terrorists in Jammu and Kashmir are typically Muslim and charges of religion-based harassment could be used to further their political objectives, it is impossible to substantiate either the claims of the security forces or those making the allegations against them. It is difficult to separate religion and politics in Kashmir; Kashmiri separatists predominantly are Muslim, and almost all the higher ranks as well as most of the lower ranks in the Indian forces stationed there are non-Muslims. On May 16, for the first time in 14 years, the Jammu and Kashmir government allowed a procession of separatist groups to mark the anniversary of the birthday of the prophet Mohammed.

The trial of Dara Singh, a member of the Hindu extremist group Bajrang Dal, for the killing of Australian missionary Graham Staines and his two young children was still ongoing as of the end of the period covered by this report. The trial was being prosecuted by the Central Bureau of Investigation, rather than by local prosecutors. Allegations that the CBI bribed defense witnesses prompted the state's high court to recall 22 of the 55 witnesses.

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

CBI, is required to ask state government permission before investigating a crime in the affected state. States often delay or refuse to grant such permission.

There were no reports of religious prisoners or detainees.

Forced Religious Conversion

In April 2002, the Pondicherry state government ordered an inquiry into the alleged forced conversions of prisoners to Christianity by the superintendent of Pondicherry Central Prison. Six prisoners filed a complaint, claiming that they had been tortured after refusing to convert. There were no developments in the case during the period covered by this report.

Hindu nationalist organizations frequently allege that Christian missionaries force Hindus, particularly those of lower castes, to convert to Christianity. Christians claim that the efforts of Hindu groups to “reconvert” Christians to Hinduism are coercive. On June 11, a mob reportedly ransacked a church in Chhattisgarh’s Chaari village, broke the building’s crucifix, and placed a Hindu idol in its place. On March 12, a Protestant church in Maharashtra was attacked by Hindu activists who had tried and failed to reconvert the church members to Hinduism. The Hindu mob smashed a wooden cross and placed a Hindu idol on the ground in front of the church. The local police chief, who ordered the Hindu villagers to remove their idol, was later criticized and forced to resign. Those responsible for the attack were arrested for 3 days and released on bail.

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

Improvements and Positive Developments in Respect for Religious Freedom

The NHRC and the NCM took unilateral action not prompted by a specific complaint or legal demand, directing the central Government and Gujarat state government to take corrective action in regard to the February and March 2002 violence. As a direct result of this warning, the central Government created a special compensation package for the victims of the violence in Gujarat. The NHRC issued directives against the Gujarat state government in April and June 2002 concerning the communal riots of February 2002. The directives recommended that certain Gujarat cases be entrusted to the Central Bureau of Investigation, encouraged support for the role of NGOs, and urged that police reform be undertaken. In April 2002, the NCM publicly criticized state Chief Minister Modi’s inflammatory rhetoric and speech during an election rally.

The National Election Commission, the country’s independent election authorities, decided to delay the elections until November 2002 to allow displaced persons time to return to their homes to vote. From November to year’s end, the Commission banned all religious processions in Gujarat. The ruling came in response to a demonstration planned by the hardline Hindu group, VHP, in which the group planned to parade a replica of the burnt Godhra train car. The commission said that the VHP march should not be allowed to go ahead because there was a likelihood that “provocative and intemperate” speeches made during the procession could lead to more unrest. In response, the Gujarat VHP attempted to organize a procession from Ahmedabad to Godhra in contravention of the guidelines. The Gujarat police prevented the procession and arrested the leaders; however, they were released later that day.

On June 1, Deputy Prime Minister Lal Krishna Advani was charged with criminal conspiracy for his role in the demolition of the Babri Mosque in Ayodhya, which sparked violent riots in 1992.

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

SECTION III. SOCIETAL ATTITUDES

Animosities within and between the country’s religious communities have roots that are centuries old, and these tensions—at times exacerbated by poverty, class, and ethnic differences—have erupted into periodic violence throughout the country’s 56-year history. The Government makes some effort, not always successfully, to prevent these incidents and to restore communal harmony when they do occur (see Section II); however, tensions between Muslims and Hindus, and between Hindus and Christians, continue to pose a challenge to the concepts of secularism, tolerance, and diversity on which the Indian Union was founded.

Within the Indian context, the phrase “communal violence” generally is understood to mean Hindu-Muslim conflict and the possibility of retaliation and serious riots. During the period covered by this report, attacks on religious minorities de-

creased but did occur in several states. Some of these attacks were motivated by economic motives or arose in a context of existing nonreligious disputes; others were purely religious in motivation.

Hindus and Muslims continue to feud over the existence of mosques constructed several centuries ago on three sites where Hindus believe that temples stood previously. The potential for renewed Hindu-Muslim violence in connection with this controversy remains considerable. Extremist Hindu groups such as the VHP and Bajrang Dal maintain that they intend to build a Hindu temple in Ayodhya on the site of the 500-year-old Babri Mosque demolished by a Hindu mob in 1992, with or without the Government's approval. In March the Supreme Court decided against the central Government's application to vacate a ban on religious activity at the site. Thousands of police and paramilitary troops were deployed in and around Ayodhya, and most Hindu militants were stopped from entering the town for a March 15 religious ceremony. The Lucknow High Court ordered the federally run Archaeological Survey of India to excavate the site to determine if a Hindu temple ever existed below the destroyed mosque. Excavations were ongoing as of the end of the reporting period. In February a Hindu group began to demand greater access to a religious site in Madhya Pradesh, at which they had been restricted to one religious ceremony per year since 1996. Two people died in rioting after Hindu extremists stormed the ancient Bhojshala monument. Muslims claim it as the site of a 15th century mosque. In response to Hindu demands, the Archeological Survey of India permitted Hindus to worship on Tuesdays while Muslims continued to have access only every other Friday.

Some of the most severe communal violence in the country's history occurred in Gujarat in February 2002. Two train cars were set on fire, and 58 passengers were killed, including 15 children and 25 women, according to Gujarat state officials. Over the next 3 months, Hindu mobs in Gujarat and Maharashtra, allegedly angered by the attack on the train and incited and organized by members of the Sangh Parivar, destroyed Muslim businesses, raped Muslim women, and killed an estimated 2,000 Muslims. In addition, 100,000 Muslims were forcibly displaced into makeshift camps throughout Gujarat. The Government closed the camps in mid-June, forcing the displaced to return to burnt houses and destroyed property, with the perpetrators still at large. Initially the Government announced a probe only of the Muslim attack on the train; however, after criticism by opposition parties and the media, the government expanded the probe to include the violence after the attack on the train. Human rights groups expressed concern that those responsible for the Gujarat violence may never be tried or convicted for their crimes. They charged that although the Government initially arrested thousands following the attacks, most of those arrested have since been acquitted, released on bail with no further action taken, or simply released. In addition, even when cases did reach trial, Muslim victims often faced biased prosecutors. Judges and lawyers representing Muslim victims also have faced harassment and threats.

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

In January Hindus destroyed Muslim-owned shops, restaurants, and vehicles in Madhya Pradesh over an alleged incident of cow-slaughter. On February 9, the Hindu extremist group Bajrang Dal clashed with Muslim youth over alleged instances of cow slaughter. In the altercation, 34 persons, including 26 police officers, were injured. On October 15, 2002, five Dalits were lynched by VHP activists in Haryana. A story of cow slaughter by the Dalits was told to justify the murders. In its investigation, the National Campaign for Dalit Human Rights alleged police complicity in the attacks, and the NHRC called for the Haryana state government to initiate action against the policemen involved. The Haryana government provided employment to the victims' next of kin and paid approx. \$10,000 (RS 500,000) to each family.

In July 2002, the VHP called upon the Muslim community to delete passages from the Koran that it claimed incited violence and hatred of non-Muslims.

On October 15, 2002, Shiv Sena leader Balasaheb Thackeray called upon his followers to form Hindu suicide squads to combat Muslim extremists. The Maharashtra government filed charges against Thackeray under the Penal Code for "causing a rift amongst two communities." The charges were still pending at the end of the period covered by this report.

On October 23, 2002, local Hindus reportedly attacked Muslims who tried to construct a mosque in Andhra Pradesh. Nine persons were injured. The local BJP

president was arrested for complicity in the attack; however, the case was still pending as of the end of the period covered by this report.

Throughout the period covered by this report, Jammu and Kashmir continued to be a focus of violence. Pan-Islamic militants committed atrocities against Hindus and other Muslims, and security forces often used excessive force to suppress them. Civilians frequently are caught in the crossfire. Custodial killings of suspected militants, all of whom are Muslim, are common. Militants also carried out several execution-style mass killings of Hindu villagers and violently targeted Pandits (Hindu Kashmiris) in an attempt to force Hindus to emigrate. According to the Ministry of Home Affairs, approximately 51,000 Pandit families fled their homes in Jammu and Kashmir due to the violence between 1990 and 1993. Of these, 4,674 families were still living in refugee camps in Jammu as of the end of the reporting period, 235 families were in camps in Delhi, and 18 families were in Chandigarh. The rest still were displaced, but were living outside of the camps in Jammu and Delhi. The Pandit community criticized bleak physical, educational, and economic conditions in the camps and feared that a negotiated solution giving greater autonomy to the Muslim majority might threaten its own survival in Jammu and Kashmir as a culturally and historically distinctive group. Mass killings in Kashmir, targeted against the Sikh community, increased fears that the remainder of Kashmir's minorities may be forced to leave. There was an exodus of many from the Sikh community, particularly of the young, during 2001. In Kashmir the militant group Lashkar-e-Jabbar ordered Muslim women to dress in burqas, Hindu women to wear bindis, and Sikh women to wear identifying saffron headscarves. There were a number of violent incidents that are believed to have been carried out by Muslim militants. In December 2002, January, and March, approximately 30 Hindus died in explosions in the Hindu-dominated areas of Ghatkoper, Parle, and in a commuter train in Mumbai. Police blamed Muslim students for these killings. As of the end of the period covered by this report, there were no arrests. In February four Hindu family members were killed by suspected Islamist militants. On March 17, Islamic militants launched an attack on a police post, in which 13 people were killed. On March 24, militants gunned down 24 Hindus, including 11 women and 2 children. On May 22, Islamic extremists killed one Catholic nun and injured another in a grenade attack on Saint Lukas Convent School in Srinagar.

In August 2002, militants unlawfully entered a house in Jammu and killed four members of a Hindu family. On September 24, 2002, an attack on the Swaminarayan Hindu Temple in Gujarat left 40 persons dead before security forces stormed the temple. The Government responded swiftly by deploying approximately 3,000 army personnel to dispel a strike and protest march called by the VHP. Critics of the Government noted that had the Government acted as quickly following the Gujarat violence, many deaths could have been prevented. In November 2002, security forces ended a siege by suspected Muslim militants of two Hindu temples. Thirteen people were killed in the raid, including nine civilians, one soldier, one policeman, and two militants.

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

Spokespersons for the Catholic Bishops' Conference of India and for the Vatican noted that the number of physical attacks against Christians has decreased since 2000. However, anti-Christian violence, including killings, continued. In addition, Hindu nationalists began an ideological campaign to limit access to Christian institutions and discourage or, in some cases, prohibit conversions to Christianity.

Between January and June, Christian leaders in Karnataka recorded 50 incidents, ranging from destruction of church properties to physical abuse of ministers and converts, reportedly perpetrated by members of the Sangh Parivar. None of the incidents were investigated. State authorities did not deny that violence had occurred, but claimed that the attacks did not represent an organized effort to deter evangelists.

On March 9, Hindu extremists reportedly started a fire that engulfed the roof of a church in Tamil Nadu. The District Collector, under pressure from the local RSS,

denied permission to church leaders to use fire retardant roofing materials in the church reconstruction. The church presbyter feared this would invite another arson.

On April 10, 15 women Hindu activists attacked Sister Veronica Fernandes of Holy Cross Convent High School in Mumbai, smearing black paint on her face and body to humiliate her. Also on April 10, Hindu extremists in Gujarat vandalized a municipality-run health care dispensary that had been destroyed in the earthquake of 2001, rebuilt with the support of a Christian organization, and was scheduled to be dedicated by former state minister Kirtisinh Rana. A stone with the names of the donors was destroyed, and graffiti of Hindutva slogans was painted on the walls.

On June 26, eight Hindus beat a pastor and other members of a Grace Baptist Church. An investigation was initiated by the Government; however, by the end of the period covered by this report, no arrests had been made.

In November 2002, the Gujarat Minister for Social Justice and Empowerment, Karsan Patel, threatened Dang tribals "to decide whether they want to live as Hindus or die as Christians."

On December 25, 2002, armed men threw bombs into a Catholic church during midnight mass in West Bengal. A priest and 14 others were injured in the attack. Seven persons were arrested, but there were no convictions. Police alleged that the suspects were part of a local gang and were not members of a Hindu organization. The attackers were reportedly motivated by a perception that Christians were encouraging conversions of Hindus.

Christian missionaries have been operating schools and medical clinics for many years in tribal areas. Tribals (who have no caste status) and Dalits (who are at the lowest end of the caste system) occupy the very lowest position in the social hierarchy. However, they have made socioeconomic gains as a result of the missionary schools and other institutions, which, among other things, have increased literacy among low-caste and non-caste persons. Some higher-caste Hindus resent these gains. They blame missionaries for the resulting disturbance in the traditional Hindu social order as better educated Dalits, tribals, and members of the lower castes no longer accept their disadvantaged status as readily as they once did. Some Hindu groups fear that Christians may try to convert large numbers of lower-caste Hindus, using economic or social welfare incentives. Upper-caste Hindus, the membership base of the BJP and RSS, are afraid that this may destroy the rigid caste hierarchy. Many acts of violence against Christians stem from these fears. This fear was highlighted by an August 15 statement by Prime Minister Vajpayee who stated, "There is a conversion motive behind the welfare activities being carried out by some Christian missionaries in the country's backward areas, and it is not proper, although conversion is permissible under the law." Citizens often refer to schools, hospitals, and other institutions as "missionary" even when they are owned and run entirely by indigenous Christian citizens. By using the adjective "missionary," the RSS taps into a longstanding fear of foreign religious domination. Several Christian-affiliated (in many cases, nonevangelical) international relief agencies stated that during the year, their work in delivering services to the poor became considerably more difficult due to threats, increased bureaucratic obstacles, and, in some cases, physical attacks on their field workers by Hindu extremists.

In March 2002, following the outbreak of communal riots in Gujarat, Christian organizations reported that Christian institutions and functionaries in the state also were attacked. These Christian organizations blame the RSS and the VHP for ransacking and burning Christian missions in Sanjeli and Dhudhia, although these charges have not otherwise been confirmed. In April 2002, a church in Managalore, Karnataka was attacked by approximately 60 persons protesting alleged attempts to convert local Hindus to Christianity. In August 2001 in Anakapalli, Andhra Pradesh, 43 Christian tombs in the local burial ground were destroyed.

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

citizens than there are Christians in the general population, Christians make up slightly less of the population today than they did in the 1991 census.

In August 2002, a new cable television station, promoting Catholic values, was launched in Kerala, but several cable television station operators in Kerala and neighboring states reportedly initially refused to make the station's programming available to viewers. However, as of the end of the reporting period, the station was widely available.

In Christian majority areas, Christians sometimes were the oppressors. In Tripura there were several cases of harassment of non-Christians by Christian members of the National Liberation Front of Tripura (NLFT), a militant tribal group with an evangelical bent. For example, NLFT tribal insurgents have prohibited Hindu and Muslim festivals in areas that they control, cautioned women not to wear traditional Hindu tribal attire, and prohibited indigenous forms of worship.

In Assam, where the population is increasing rapidly, the issue of Bangladeshi migrants (who generally are Muslim) has become very sensitive among the Assamese (predominantly Hindu) population, which considers itself to be increasingly outnumbered. In December 2002, tribal Hindu villagers pledged to fight alleged extortion demands and death threats for failure to pay by the NLFT.

The Indian Divorce Act of 2001 places limitations on interfaith marriages and specified penalties, such as 10 years' imprisonment, for clergymen who contravene its provisions. Interfaith couples often experienced condemnation and violence from relatives and Sangh Parivar members, who object to the unions. On February 5 in Gujarat, a Catholic, Anthony Rebello, and a Hindu, Reema Sompura, were married in a legal Hindu marriage ceremony, but due to strong family and Bajrang Dal opposition, the couple was forced into hiding. Search warrants were issued against them when Sompura's mother entered a complaint against Rebello. On April 28, Sompura testified in court that she went with Rebello willingly. On April 29 outside of the court, the couple was attacked by VHP and Bajrang Dal members. Sompura, who was pregnant, was kicked in the stomach, and the baby was subsequently aborted. When at the police station, the couple was separated, Rebello was beaten further by VHP and Bajrang Dal members, and Sompura was handed over to her family.

The country's caste system historically has been an integral part of Hinduism. Hinduism delineates clear social strata, assigning highly structured religious, cultural, and social roles, privileges, and restrictions to each caste and subcaste. Members of each caste—and frequently each subcaste—are expected to fulfill a specific set of duties (known as dharma) in order to secure elevation to a higher caste through rebirth. Dalits are viewed by many Hindus as separate from or “below” the caste system; nonetheless, they too are expected to follow their dharma if they hope to achieve caste in a future life. Despite efforts by reform-minded modern leaders to eliminate the discriminatory aspects of caste, societal, political, and economic pressures continue to ensure its widespread practice. The country's caste system generates severe tensions due to disparities in social status, economic opportunity, and, occasionally, labor rights. These tensions frequently have led to or exacerbated violent confrontations and human rights abuses. Generally, intercaste violence does not have a significant religious component. However, in October 2002, five Dalit youths were killed by a mob, reportedly led by members of the VHP after reports of cow slaughtering in the state of Haryana. The local leader of the VHP stated that he had no regrets over the incident and that the life of a cow was worth more than that of five Dalits. A police investigation resulted in 30 arrests; however, there was no further action by the end of the reporting period.

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

Muslims, Christians, and Sikhs historically have rejected the concept of caste, despite the fact that most of them descended from low caste Hindu families and continue to suffer the same social and economic limitations of low caste Hindus. Low caste Hindus who convert to Christianity lose their eligibility for affirmative action programs. Those who become Buddhists, Jains, or Sikhs do not, as the Constitution groups members of those faiths with Hindus and specifies that the Constitution

shall not affect “the operation of any existing law or prevent the state from making any law providing for social welfare and reform” of these groups. In some states, there are government jobs reserved for Muslims of low caste descent.

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

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

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

SECTION IV. U.S. GOVERNMENT POLICY

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

During the period covered by this report, U.S. Embassy and Consulate officials met with important leaders of all of the significant minority communities. The NGO and missionary communities in the country are extremely active on questions of religious freedom, and mission officers meet with local NGOs regularly. In May 2002, a representative from the State Department’s Office of International Religious Freedom traveled to Gujarat, Mumbai, Chennai, and Delhi to discuss the status of religious freedom in the country.

The Ambassador and other senior U.S. officials publicly expressed regret over the communal violence in Gujarat in 2002, extended condolences to the victims, and urged all parties to resolve their difference peacefully. In addition, the USAID office provided funding for an NGO program designed to assist internally displaced persons in Gujarat. U.S. officials from the Consulate General in Mumbai traveled to Ahmedabad within days of the start of the violence in Gujarat, to meet with officials

and private citizens about the violence and continued to have contact during the period covered by this report. Consulate officers also met in Mumbai with a range of NGO, business, media, and other contacts, including Muslim leaders, to monitor the aftermath of the violence in Gujarat.

Officials from the U.S. Consulate in Chennai were active in assisting missionary Joseph Cooper following the attack on him by Hindu extremists. Finally, U.S. officials have continued to engage state officials on the implementation and reversal of anticonversion laws.

MALDIVES

The 1997 Constitution designates the Sunni branch of Islam as the official state religion, and the Government interprets this provision to impose a requirement that citizens must be Muslims. The practice of any religion other than Islam is prohibited by law. Non-Muslim foreigners are allowed to practice their religion if they do so in private and do not encourage citizens to participate. The President is the “supreme authority to propagate the tenets of Islam.” The Government observes Shari’a (Islamic law).

There was no change in the status of respect for religious freedom during the period covered by this report, and freedom of religion remains severely restricted.

Many citizens regard Islam as one of their society’s most distinctive characteristics and believe that it promotes harmony and national identity.

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

SECTION I. RELIGIOUS DEMOGRAPHY

The Maldives is an archipelago consisting of approximately 1,200 coral atolls and islands scattered over 500 miles in the Indian Ocean southeast from India, and its population is approximately 280,000.

It is believed that the entire indigenous population is Muslim, the vast majority of which adhere to the Sunni branch of Islam. Non-Muslim foreigners in the Maldives, including more than 300,000 tourists annually (predominantly Europeans and Japanese) and approximately 20,000 foreign workers (predominantly Pakistanis, Sri Lankans, Indians, and Bangladeshis) are allowed to practice their religion only in private.

SECTION II. STATUS OF RELIGIOUS FREEDOM

Legal/Policy Framework

Freedom of religion is restricted significantly. The 1997 Constitution designates Islam as the official state religion, and the Government interprets this provision to impose a requirement that citizens be Muslims. Foreign residents are allowed to practice their religion if they do so privately, and cannot encourage Maldivian citizens to participate.

Restrictions on Religious Freedom

In July 2000, President Maumoon Abdul Gayoom stated that no religion other than Islam would be allowed in the country, and the Home Affairs Ministry announced special programs to safeguard and strengthen religious unity. The Government has established a Supreme Council of Islamic Affairs to provide guidance on religious matters. The Government also has set standards for individuals who conduct Friday services at mosques to ensure adequate theological qualifications.

The President must be a Sunni Muslim and under the Constitution is the “supreme authority to propagate the tenets of Islam.” Cabinet ministers also are required to be Sunni Muslims. Members of the People’s Majlis (Parliament) must be Muslim.

The Government observes Shari’a. Civil law is subordinate to Shari’a, which is applied in situations not covered by civil law as well as in certain acts such as divorce and adultery. Under the country’s Islamic practice, the testimony of two women is required to equal that of one man in matters involving Shari’a, such as adultery, finance, and inheritance. In other cases, the testimony of men and women are equal. Shari’a also governs intestate inheritance, granting male heirs twice the share of female heirs. The Constitution provides that an accused person has the right to defend himself “in accordance with Shari’a.” The Government only registers clubs and other private associations that do not contravene Islamic or civil law.

The law prohibits public statements that are contrary to Islam.

There are no places of worship for adherents of other religions. The Government prohibits the importation of icons and religious statues but generally permits the importation of religious tracts, such as Bibles, for personal use.

The Government prohibits non-Muslim clergy and missionaries from proselytizing and conducting public worship services. Conversion of a Muslim to another faith is a violation of Shari'a and may result in a loss of the convert's citizenship.

Islamic instruction is a mandatory part of the school curriculum, and the Government funds the salaries of instructors of Islam.

Abuses of Religious Freedom

The law limits a citizen's right to freedom of expression in order to protect "the basic tenets of Islam." According to Amnesty International and other sources, in early 2002, four individuals were arrested for distributing Islamist and anti-government literature. On July 7, after being convicted of the charges, three of the defendants were sentenced to life imprisonment and the fourth was given a ten-year sentence.

There were no reports of religious detainees or prisoners during the period covered by this 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 Government's refusal to allow such citizens to be returned to the United States.

SECTION III. SOCIETAL ATTITUDES

Most citizens regard Islam as one of their society's most distinctive characteristics and believe that it promotes harmony and national identity.

SECTION IV. U.S. GOVERNMENT POLICY

The U.S. Government does not maintain a resident embassy in the Maldives; the U.S. Ambassador in Colombo, Sri Lanka, also is accredited to the Government in Male. The U.S. Government discusses religious freedom issues with the Government in the context of its overall dialog and policy of promoting human rights.

NEPAL

The Constitution provides for freedom of religion and permits the practice of all religions. However, the Constitution describes the country as a "Hindu Kingdom," although it does not establish Hinduism as the state religion. The Government generally has not interfered with the practice of other religions; however, there are some restrictions.

There was no change in the status of respect for religious freedom during the period covered by this report. Converting or attempting to convert others is prohibited, and three individuals were arrested for suspected proselytization during the reporting period. Members of minority religions occasionally report police harassment. Authorities restricted public celebrations by the Tibetan community on the Dalai Lama's birthday. There were reports of isolated attacks on religious buildings, mainly by Maoist insurgents, during the period covered by this report.

Adherents of the country's many religions generally coexist peacefully and respect all places of worship. Those who convert to other religions may face isolated incidents of violence and sometimes are ostracized socially but generally do not fear admitting their affiliations in public.

The U.S. Government discusses religious freedom issues with the Government in the context of its overall dialog and policy of promoting human rights. The U.S. Embassy maintains regular contact with Hindu, Christian, Buddhist, Jewish, Baha'i, and other religious groups.

SECTION I. RELIGIOUS DEMOGRAPHY

The country has a total area of 54,363 square miles, and its population is approximately 23.15 million. Hindus constitute approximately 81 percent of the population; Buddhists, 11 percent; Muslims, 4.2 percent; and practitioners of Kirant (an indigenous animist religion) and others, 3.6 percent, of which 0.45 percent are Christian. Christian denominations are few but growing. Estimates put the number of Chris-

tians at approximately 400,000, and press reports indicate that 170 Christian churches operate in Kathmandu alone.

SECTION II. STATUS OF RELIGIOUS FREEDOM

Legal/Policy Framework

The Constitution provides for freedom of religion and permits the practice of all religions; however, although the Government generally has not interfered with the practice of other religions, there are some restrictions. The Constitution describes the country as a "Hindu Kingdom," although it does not establish Hinduism as the state religion.

For decades dozens of Christian missionary hospitals, welfare organizations, and schools have operated in the country. These organizations have not proselytized and have operated freely. Missionary schools are among the most respected institutions of secondary education in the country; many of the country's governing and business elite graduated from Jesuit high schools. Many foreign Christian organizations have direct ties to Nepali churches and sponsor Nepali pastors for religious training abroad.

Some religious holidays, most of them Hindu, are recognized as national holidays. During the period covered by this report, the religious holidays recognized as national holidays were Mahashivaratri, Fagun Purnima, Krishna Asthami, Dasain, and Tihar.

Restrictions on Religious Freedom

The law prohibits converting others and proselytizing, activities that are punishable with fines or imprisonment or, in the case of foreigners, expulsion from the country.

On February 14 three Nepali men were arrested in Pyuthan District and charged with proselytization. A case was filed against them in Pyuthan District Court on February 28 and they remain in prison pending trial. Members of minority religions occasionally complain of police harassment. Some Christian groups are concerned that the ban on proselytizing limits the expression of non-Hindu religious belief.

The Government investigates reports of proselytizing. Nongovernmental groups or individuals are free to file charges of proselytizing against individuals or organizations. Such a case was filed with the Supreme Court in December 1999 by a private attorney against the Adventist Development and Relief Agency (ADRA) and the United Missions to Nepal (UMN), an umbrella Protestant group. The case was dismissed by the Court on August 16, 2002. In April 2001, a case against the UMN was filed with the Supreme Court by a member of the Pashupati Sena Nepal, a Hindu fundamentalist group. The Supreme Court dismissed the case the day after it was filed.

Unlike previous years, no disruptions of Christian or Jewish services were reported during the period covered by this report.

Tibetan Buddhists have faced various restrictions on their celebrations. After the June 1, 2001, deaths of members of the royal family, Tibetan community leaders were asked by local officials to refrain from public celebrations of festivals during the period of official mourning. During the second half of 2001, Tibetan community festivals had to be observed on private property, with the exception of a public celebration on September 2, 2001, that was held at Kathmandu's Boudhanath Stupa. However, plans to mark December 10, 2001, as the anniversary of the Dalai Lama's Nobel Prize, to be held at the Boudhanath Stupa, were canceled at the request of the authorities. On April 28, 2002, police prevented a Tibetan cultural program planned at a public venue from taking place. The program was to have honored the 13th birthday of Gedhun Choekyi Nyima, the boy recognized by the Dalai Lama to be the 11th Panchen Lama.

Local authorities in Kathmandu halted the performance of a traditional dance scheduled to be performed on February 26, 2001, at the Boudhanath Stupa during the 6-day celebration of the Tibetan New Year. Other activities that same day and the other 5 days of the festival continued as usual. In December 2000, police stopped a procession of Tibetan school children, monks, and others on their way to Swayambunath Temple in Kathmandu; no injuries were reported. In July 2002, Government pressure forced organizers to cancel three separate public events planned to celebrate the Dalai Lama's birthday. On July 25, 2002, police closed down a press conference held by a local Buddhist community group to protest statements by followers of the Dorje Shugden deity that criticized the Dalai Lama. In September 2002, the Tibetan Democracy Day religious gathering was interrupted by police. In March 2003, Tibetans celebrating the New Year were forbidden by police

from displaying pictures of the Dalai Lama. In previous years, a portrait of the Dalai Lama had been carried around the stupa as part of the religious ceremonies.

On January 31, 2002, the Cabinet decided that Muslim religious schools, or madrassas, must register with local District Administration Offices (part of the Home Ministry) and supply information about their funding sources in order to continue operation. Some Muslim leaders criticized the move as discriminatory. However, the registration requirement has not been enforced.

The Constitution prohibits discrimination on the basis of caste, except for traditional religious practices at Hindu temples, where, for example, members of the lowest caste are not permitted (see Section III). The Press and Publications Act prohibits the publication of materials that create animosity among persons of different castes or religions.

The best available estimate of the number of religious detainees is three. They have been charged with proselytization and a case has been filed against them in Pyuthan District Court. They remain in prison pending trial.

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 ATTITUDES

The adherents of the country's many religions generally coexist peacefully and respect all places of worship. Most Hindus respect the many Buddhist shrines located throughout the country; Buddhists accord Hindu shrines the same respect. Buddha's birthplace is an important pilgrimage site, and Buddha's birthday is a national holiday.

Some Christian groups report that Hindu extremism has increased in recent years. Of particular concern are the Nepalese affiliates of the India-based Hindu political party Shiv Sena, locally known as Pashupati Sena, Shiv Sena Nepal, and Nepal Shivsena. During late 2001, Muslim leaders complained that Hindu fundamentalists increased their campaigns of anti-Islamic pamphleteering and graffiti. Government policy does not support Hindu extremism, although some political figures have made public statements critical of Christian missionary activities. Some citizens are wary of proselytizing and conversion by Christians and view the growth of Christianity with concern. There were reports of isolated attacks against religious schools by Maoist insurgents during the period covered by this report.

Those who choose to convert to other religions, in particular Hindu citizens who convert to Islam or Christianity, sometimes are ostracized socially. Some reportedly have been forced to leave their villages. While this prejudice is not systematic, it can be vehement and occasionally violent. Hindus who convert to another religion may face isolated incidents of hostility or discrimination from Hindu extremist groups. Nevertheless, converts generally are not afraid to admit in public their new religious affiliations.

Although such discrimination is prohibited by the Constitution, the caste system strongly influences society. Societal discrimination against members of such castes remains widespread and persistent, despite the government's efforts to protect the rights of disadvantaged castes. Hindu religious tradition long has prohibited members of the lowest caste from entering certain temples. In a speech on August 16, 2001, Prime Minister Sher Bahadur Deuba stressed that caste-based discrimination is illegal. Since then, temple access for members of the lowest castes has improved in many locations. Draft legislation aimed at improving conditions for members of the lowest castes still is pending.

In July 2000, some members of a predominantly Buddhist community in Gumda, Gorkha district, vandalized the homes of six Christian converts. According to press reports, the six families were reintegrated into the community after agreeing not to kill animals or perform other activities contrary to the tenets of Buddhism during religious festivals. Two representatives of different Christian organizations also have alleged harassment of Christians and destruction of at least two churches by Maoist sympathizers.

SECTION IV. U.S. GOVERNMENT POLICY

The U.S. Government discusses religious freedom issues with the Government in the context of its overall dialog and policy of promoting human rights. The U.S. Embassy maintains contact with Hindu, Christian, Buddhist, Jewish, Baha'i, and other

religious groups. The Embassy monitors closely religious freedom and raises the issue with the Government when appropriate.

PAKISTAN

The Constitution provides for freedom of religion, and states that adequate provisions are to be made for minorities to profess and practice their religions freely; however, in practice the Government imposes limits on freedom of religion. Pakistan is an Islamic republic; Islam is the state religion. Islam also is a core element of the country's national ideology; the country was created to be a homeland for Muslims, although it was not envisaged by its founders as an Islamic state. Religious freedom is "subject to law, public order, and morality"; accordingly, actions or speech deemed derogatory to Islam or to its Prophet are not protected. In addition, the Constitution requires that laws be consistent with Islam and imposes some elements of Koranic law on both Muslims and religious minorities. In July 2002, President Musharraf announced by executive order that elections (the first since he took office through a military coup, effectively suspending the Constitution) would be held in October 2002. At the same time, he announced the Legal Framework Order (LFO), a set of amendments to the Constitution. The Government, with the concurrence of the Supreme Court, considers these now to be part of the Constitution, although they have not been approved by any elected body; opposition parties disagree. On November 23, 2002, Prime Minister Zafarullah Khan Jamali was sworn in, and with that transfer of power from the President to the Prime Minister, the Constitution was effectively reinstated, although the controversy over the LFO continues.

There were no significant changes in the Government's treatment of religious minorities during the period covered by this report. The Government fails in many respects to protect the rights of religious minorities. This is due both to public policy and to the Government's unwillingness to take action against societal forces hostile to those who practice a different faith. The accretion of discriminatory religious legislation has fostered an atmosphere of religious intolerance, which contributes to acts of violence directed against minority Muslim groups, as well as against Christians, Hindus, and members of Muslim offshoot groups, such as Ahmadis and Zikris. The Government does not encourage sectarian violence and during the period covered by this report specifically condemned it; however, there were instances in which the Government failed to intervene in cases of societal violence directed at minority religious groups. The lack of an adequate government response contributed to an atmosphere of impunity for acts of violence and intimidation against religious minorities. Parties and groups with religious affiliations have been known to target minority groups.

Prior to the October 2002 elections, President Pervez Musharraf announced the reinstatement of joint electorates, ending a 15-year practice, which had been sanctioned by the Constitution, that prevented religious minorities from voting for local representatives in the provincial and national assemblies. In addition, in August 2002, the Government announced that reserved seats in the assemblies for religious minorities would be restored in the October 2002 elections.

In the October 2002 elections, the Muttahida Majlis-e-Amal (MMA), an alliance of religious parties that includes both Sunni and Shi'a groups, won approximately 20 percent of the seats in the National Assembly, far more than its component parties had previously won. It did even better at the provincial level, gaining a majority in Northwest Frontier Province (NWFP) and governing through a coalition Baluchistan. The MMA contingents in the National Assembly and Baluchistan Provincial Assembly called for the implementation of stronger forms of Shari'a law. Minority groups claim the MMA's outspoken calls for Islamic laws and morals have made the social climate more hostile to people of other religions.

Specific government policies that discriminate against religious minorities include the use of the "Hudood" Ordinances, which apply different standards of evidence to Muslims and non-Muslims and to men and women for alleged violations of Islamic law; specific legal prohibitions against Ahmadis practicing their religion; and blasphemy laws that most often are used against reformist Muslims and Ahmadis. The number of cases filed under the blasphemy laws continued to be significant and more than 100 persons were detained for blasphemy offenses as of the end of the period covered by this report. Several high profile blasphemy cases remained unresolved because the courts repeatedly postponed hearings and the Government did not press the courts to proceed. However, the Lahore High Court overturned several lower court convictions, acquitting several blasphemy defendants, during the period

covered by this report. Approximately 1,600–2,100 persons were imprisoned under the Hudood Ordinances as of the end of the period covered by this report.

Relations between different religious groups frequently were tense, acts of sectarian and religious violence continued, and scores of deaths were attributed to sectarian violence during the period covered by this report. The worst religious violence was directed against the country's Shi'a minority, who continued to be disproportionate victims of individual and mass killings.

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

SECTION I. RELIGIOUS DEMOGRAPHY

The country has a total area of 310,527 square miles, and its population is approximately 150 million. According to the most recent census, taken in 1998, an estimated 96 percent of the population are Muslim; 1.69 percent are Christian; 2.02 percent are Hindu; and 0.35 percent are "other" (including Ahmadis). The majority of Muslims in the country are Sunni. An estimated 10 to 15 percent of the Muslim population is Shi'a, including some 550,000 to 600,000 Ismailis. Most Ismailis in the country are followers of the Aga Khan; however, an estimated 50,000 Ismailis, known as Borahs, are not.

Religious minority groups believe that they are underrepresented in government census counts. Official and private estimates of their numbers can differ significantly. The most recent official census estimates place the number of Christians at 2.09 million and the Ahmadi population at 286,000. The communities themselves each claim membership of approximately 4 million. Estimates for the remaining communities are less contested and place the total number of Hindus at 2.8 million; Parsis (Zoroastrians), Buddhists, and Sikhs at as high as 20,000 each; and Baha'is at 30,000. The "other" category includes tribes whose members practice traditional indigenous religions and who normally do not declare themselves to be adherents of a specific religion, and those who do not wish to practice any religion but remain silent about that fact. Social pressure is such that few persons would admit to being unaffiliated with any religion.

Punjab is the largest province in the country; with 70 million persons, it contains almost half of the country's total population. While Sunni Muslims are the vast majority in Punjab, more than 90 percent of the country's Christians also reside there, making them the largest religious minority in the province. Approximately 60 percent of Punjab's Christians live in rural villages. The largest group of Christians belongs to the Church of Pakistan, an umbrella Protestant group; the second largest group belongs to the Roman Catholic Church. The rest are from different evangelical and church organizations.

Christians and Hindus each constitute approximately 1 percent of the populations of Sindh and Baluchistan provinces. These two provinces also have a few tribes that practice traditional indigenous religions and a small population of Parsis (approximately 7,000 persons). The Ismailis are concentrated in Karachi (in the Sindh Province) and the northern areas. The tiny but influential Parsi community is concentrated in Karachi, although some live in Islamabad and Peshawar (in the NWFP). Christians constitute approximately 2 percent of Karachi's population. The Roman Catholic diocese of Karachi estimates that 120,000 Catholics live in Karachi, 40,000 in the rest of Sindh, and 5,000 in Quetta, Baluchistan. Evangelical Christians have converted a few tribal Hindus of the lower castes from interior Sindh. An estimated 100,000 Hindus live in Karachi. According to local Christian sources, between 70,000 and 100,000 Christians and a few thousand Hindus live in the Northwest Frontier Province (NWFP).

Ahmadis, who consider themselves Muslims but do not accept that Muhammad was necessarily the last Prophet, are concentrated in Punjab and Sindh. The spiritual center of the Ahmadi community is the large, predominantly Ahmadi town of Rabwah in Punjab.

No data are available on active participation in formal religious services or rituals. However, because religion is tied closely to a person's ethnic, social, and economic identity, religion often plays an important part in daily life. Most Muslim men offer prayers at least once a week at Friday prayers, and the vast majority of Muslim men and women pray at home or at the workplace during one or more of the five daily times of prayer. During the month of Ramadan, many otherwise less observant Muslims fast and attend mosque services. Approximately 70 percent of English-speaking Roman Catholics worship regularly; a much lower percentage of Urdu speakers do so.

The Shikharis (a hunting caste now mostly employed as trash collectors in urban Sindh) are converts to Islam, but eat foods forbidden by Islam.

Many varieties of Hinduism are practiced, depending upon location and caste. Hindu shrines are scattered throughout the country. Approximately 1,500 Hindu temples and shrines exist in Sindh and approximately 500 in Baluchistan. Most shrines and temples are tiny, no more than wayside shrines. Attendance at religious services was much greater during Hindu festivals, such as Divali and Holi.

The Sikh community regularly holds ceremonial gatherings at sacred places in the Punjab. Prominent places of Sikh pilgrimage include Nanakana Sahib (where the founder of the Sikh religion, Guru Nanak, was born), Hasan Abdal (a shrine where an imprint of his hand is kept), and Andkartar Poora or Daira Baba Nanak Sahib in Sialkot District (where Guru Nanak is buried).

Parsis, who practice the Zoroastrian religion, have no regularly scheduled congregational services, except for a 10-day festival in August during which they celebrate the New Year and pray for the dead. All Parsis are expected to attend these services; most reportedly do. During the rest of the year, individuals offer prayers at Parsi temples. Parsis maintain a conscious creedal and ceremonial separation from other religions, preserving rites and forbidding marriage to members of other religions.

Foreign missionaries operate in the country. The largest Christian mission group operating in Sindh and Baluchistan engages in Bible translation for the Church of Pakistan (a united church of Anglicans, Methodists, Presbyterians, and Lutherans), mostly in tribal areas. An Anglican missionary group fields several missionaries to assist the Church of Pakistan in administrative and educational work. Roman Catholic missionaries, mostly Franciscan, work with persons with disabilities.

SECTION II. STATUS OF RELIGIOUS FREEDOM

Legal/Policy Framework

The Constitution provides for freedom of religion, and states that adequate provisions shall be made for minorities to profess and practice their religions freely; however, in practice the Government imposes limits on freedom of religion. The Constitution provides that there is no taxation for propagation of a religion that is not one's own, no obligation to receive instruction in a religion that is not one's own, and no denial of admission to public schools on the basis of religion. According to the Constitution, the country is an Islamic republic, and Islam is the state religion. Islam also is a core element of the country's national ideology; the country was created to be a homeland for Muslims, although it was not envisaged by its founders as an Islamic state. Under the Constitution, both the President and the Prime Minister are to be Muslims, and all senior officials are required to swear an oath to preserve the country's "Islamic ideology." Freedom of speech is provided for; however, this right is subject to "reasonable restrictions" that can be imposed "in the interest of the glory of Islam." Actions or speech deemed derogatory to Islam or to its Prophets are not protected.

Under the Constitution, the Ahmadi community is defined as non-Muslim because Ahmadis do not believe that Mohammed was the last prophet of Islam; however, most Ahmadis consider themselves Muslims.

The Constitution protects religious minorities from being taxed to support the majority religion; no one can be forced to pay taxes for the support of any religion other than his own. For example, Sunni Muslims are subject to the "zakat," an annual religious tax of 2.5 percent of their income; however, Shi'a Muslims and other religious minorities do not pay the "zakat."

Separate categories exist for different religions in the administration of specific religious sites. Hindus and Sikhs, because of population shifts that occurred between India and Pakistan after partition, come under the auspices of the Evacuee Property Board, which is located in Lahore and is empowered to settle disputes regarding Hindu and Sikh property. However, Hindus and Sikhs also may settle such disputes in civil courts. Christian churches are free to take their disputes over religious property and management to the courts. Some minorities have expressed displeasure over government management of religious property.

In Sindh, Muslim mosques and shrines come under the purview of the Auqaf Administration Department, a branch of the provincial government devoted to the upkeep of shrines and mosques, facilities for pilgrims, and the resolution of disputes over possession of a religious site. In both Sindh and Baluchistan, the Government has provided funds for the upkeep and repair of the Hindu Gurumander temple in Karachi and funded the repair of Hindu temples damaged by Muslim rioters protesting the destruction of the Babri mosque by Hindu mobs in Ayodhya, India, in 1992.

Permission to buy land comes from one municipal bureaucracy, and permission to build a house of worship from another. For all religious groups, the process appears to be subject to bureaucratic delays and requests for bribes.

In December 1999, the Supreme Court ruled that all forms of interest (*riba*) are un-Islamic and directed the Government to implement an interest-free banking and financial system by July 1, 2001. In June 2001, the Shari'a Appellate Bench of the Supreme Court extended for 1 year the deadline for implementation of this judgment. However, on June 24, 2002, the Supreme Court vacated the earlier decision and remanded the case to the Federal Shariat Court for reconsideration. The Federal Shariat Court took no further action on this issue during the period covered by this report.

The Constitution safeguards "educational institutions with respect to religion." For example, under the Constitution, no student can be forced to receive religious instruction or to participate in religious worship other than his or her own. The denial of religious instruction for students of any religious community or denomination also is prohibited under the Constitution.

"Islamiyyat" (Islamic studies) is compulsory for all Muslim students in state-run schools. Although students of other faiths legally are not required to study Islam, they are not provided with parallel studies in their own religions. In some schools, non-Muslim students may study "Ikhlaiyyat," or Ethics, rather than Islamiyyat. In practice teachers compel many non-Muslim students to complete Islamic studies.

The Constitution specifically prohibits discriminatory admission to any governmental educational institution solely on the basis of religion. Government officials state that the only factors affecting admission to governmental educational institutions are students' grades and home provinces. However, students must declare their religion on application forms. Muslim students must declare in writing that they believe in the unqualified finality of the Prophethood of Mohammed, a measure designed to single out Ahmadis, who do not necessarily adhere to this tenet of Islam. Non-Muslims must have their religion verified by the head of their local religious community. Many Ahmadis and Christians reported discrimination in applying to government educational institutions due to their religious affiliation.

On June 19, 2002, the Government announced the Madrassa Registration Ordinance of 2002, which went into effect immediately. Under the ordinance, all madrassas (Muslim religious schools) were required to register with the Pakistan Madrassa Education Board and provincial boards. Madrassas failing to do so were to be fined or closed. The Ordinance prohibited madrassas from accepting grants or foreign aid from foreign sources, while madrassas offering courses in science, math, Urdu, and English would be eligible for government funding in these subjects. Foreign madrassa students were to be required to obtain no objection certificates (NOCs) prior to admission. The ordinance was designed to regulate the madrassas, where many poor children are educated, and to combat religious extremism. Madrassas were given 6 months to comply with the ordinance.

Approximately 1,200 out of approximately 7,000 madrassas, with an estimated 700,000 students, had registered as of the end of the period covered by this report. However, most madrassas refused to cooperate, and the religious political parties rallied crowds in opposition to the reform. Several sects governing the madrassas formed a joint body to combat the "pressure of the West against the Islamic identity of Pakistan and its madrassas"; this body was later dismantled quietly. The Government sponsored talks on the Ordinance with madrassa leaders, but no agreement was reached. After the October 2002 elections, the issue was effectively put on hold. As of the end of the period covered by this report, no madrassas have been closed or otherwise penalized for failure to comply with the Ordinance.

On June 2, the Provincial Assembly of NWFP, dominated by the MMA, unanimously approved the NWFP Shari'a Act 2003, ruling that all future legislation should be in accordance with Shari'a law, that existing legislation should be reviewed in light of Shari'a, and that education and financial sectors should be brought in line with Islamic teaching. For the first time in the country's 56-year history, a Shari'a Act was passed by a provincial legislature; however, the Act is almost identical to the 1991 Shari'a Act passed at the federal level, which was already binding on the entire country.

The Act stipulates that the law is not applicable to non-Muslims. Nonetheless, minority groups, including the All-Pakistan Minorities Alliance (APMA), requested that the Chief Justice of the Supreme Court declare the Act in contradiction to the Constitution and the Universal Declaration of Human Rights. In 1998 APMA successfully blocked the passage of a similar bill in the national Senate. In May, a directive by the provincial NWFP Government ordered civil servants to pray five times a day and urged businesses to close during prayer hours. The prayer directive followed curbs on the sale of music and videos; destruction of posters featuring

women and advertising Western products; and the imposition of a complete ban on alcohol, medical examinations of women by male doctors, male coaches for female athletes, and male journalists covering women's sports. Provincial police detained 150 shopkeepers for selling music CDs and videos, as part of the NWFP Government's "anti-obscurity" drive; most were released after a night in jail and payment of fines.

A second bill, known as the Hisba Act, was being drafted but had not yet been introduced in the Provincial Assembly as of the end of the period covered by this report. It would mandate the creation of a Hisba (accountability) Department to promote religious observance through a system of local ombudsmen.

Several Muslim religious holidays are considered national holidays, including Eid ul-Fitr, Eid ul-Azha, Ashura (the 9th and 10th days of the month of Muharram) and the Prophet Mohammed's Birthday. Most businesses have limited hours during the month of Ramadan.

Restrictions on Religious Freedom

The Government does not ban formally the public practice of the Ahmadi faith, but the practice is restricted severely by law. A 1974 constitutional amendment declared Ahmadis to be a non-Muslim minority because, according to the Government, they do not accept Mohammed as the last Prophet of Islam. However, Ahmadis consider themselves to be Muslims and observe Islamic practices. In 1984, the Government added Section 298(c) into the Penal Code, prohibiting Ahmadis from calling themselves Muslim or posing as Muslims; from referring to their faith as Islam; from preaching or propagating their faith; from inviting others to accept the Ahmadi faith; and from insulting the religious feelings of Muslims. This section of the Penal Code has caused problems for Ahmadis, particularly the provision that forbids them from "directly or indirectly" posing as Muslims. This vague wording has enabled mainstream Muslim religious leaders to bring charges against Ahmadis for using the standard Muslim greeting form and for naming their children Mohammed. The constitutionality of Section 286(c) was upheld in a split-decision Supreme Court case in 1996. The punishment for violation of this section is imprisonment for up to 3 years and a fine. This provision has been used extensively by the Government and anti-Ahmadi religious groups to target and harass Ahmadis. Ahmadis also are prohibited from holding any public conferences or gatherings.

The Constitution provides for the "freedom to manage religious institutions." In principle the Government does not restrict organized religions from establishing places of worship and training members of the clergy. However, in practice Ahmadis suffer from restrictions on this right. Several Ahmadi mosques reportedly have been closed; others reportedly have been desecrated. Ahmadis also are prohibited from being buried in Muslim cemeteries. According to press reports, the authorities conducted surveillance on the Ahmadis and their institutions.

The "blasphemy laws" are contained in Sections 295, 296, 297, and 298 of the Penal Code and address offenses relating to religion. Section 295(a), a colonial-era provision, originally stipulated a maximum 2-year sentence for insulting the religion of any class of citizens. In 1991 this sentence was increased to 10 years. In 1982 Section 295(b) was added, which stipulated a sentence of life imprisonment for "whoever willfully defiles, damages, or desecrates a copy of the holy Koran." In 1986 during the martial law period, another amendment, Section 295(c), established the death penalty or life imprisonment for directly or indirectly defiling "the sacred name of the Holy Prophet Mohammed." In 1991 a court ruled invalid the option of life imprisonment for this offense. Section 296 outlaws voluntary disturbances of religious assemblies, and Section 297 outlaws trespassing on burial grounds. Section 298(a), another colonial-era provision, forbids the use of derogatory remarks about holy personages. Personal rivals and the authorities have used these blasphemy laws, especially Section 295(c), to threaten, punish, or intimidate Ahmadis, Christians, and even orthodox Muslims. No person has been executed by the State under any of these provisions; however, some persons have been sentenced to death, and religious extremists have killed persons accused under the provisions. The blasphemy laws also reportedly have been used to "settle scores" unrelated to religious activity, such as intra-family or property disputes. There were 67 blasphemy cases pending throughout the country as of the end of the period covered by this report.

President Musharraf attempted to modify the blasphemy laws in April 2000. The attempted reform would have required complainants to register new blasphemy cases with the local deputy commissioners instead of with police officials, in an attempt to reduce the number of persons who are accused wrongly under the laws. Religious and sectarian groups mounted large-scale protests against the proposed change and some religious leaders stated that if the laws were changed, even just procedurally, persons would be justified in killing blasphemers themselves. In May

2000, in response to increasing pressure and threats, Musharraf abandoned the proposed reforms to the blasphemy laws.

When blasphemy and other religious cases are brought to court, extremists often pack the courtroom and make public threats against an acquittal. Judges and magistrates, seeking to avoid a confrontation with or violence from extremists, often continue trials indefinitely. As a result, those accused of blasphemy often face lengthy periods in jail and are burdened with increased legal costs and repeated court appearances. One example is the case of Younis Sheikh (see Section II, Abuses of Religious Freedom). Since September 2002, Sheikh's appeal has been continuously postponed by the Lahore High Court because of pressure from religious groups.

Under the Anti-Terrorist Act, any act, including speech, intended to stir up religious hatred is punishable by up to 7 years of rigorous imprisonment. Under the act, bail is not to be granted if the judge has reasonable grounds to believe that the accused is guilty. The law is selectively applied, however. Many extremists, including Hafiz Sayeed, leader of the former Lashkar-e-Taiba, have been quoted extensively calling for Hindus to be killed and for jihad against Westerners, without any repercussions from the authorities for this inflammatory speech.

The Government does not restrict religious publishing; however, the Government restricts the right to freedom of speech with regard to religion. Speaking in opposition to Islam and publishing an attack on Islam or its prophets are prohibited. The penal code mandates the death sentence for anyone defiling the name of the Prophet Mohammed, life imprisonment for desecrating the Koran, and up to 10 years' imprisonment for insulting another's religious beliefs with intent to outrage religious feelings. Although prosecutions for publishing appear to be few, the threat of the blasphemy law is ever present.

In January 2001, Government authorities closed down a leading provincial newspaper, the "Frontier Post," and arrested five of its employees, following the publication of a letter to the editor that contained comments that were critical of Islam. Government law enforcement officials failed to prevent a mob from setting fire to the newspaper's printing presses on January 30, 2001, and shutting down publication for 3 months. The arrested employees were later released, with the exception of Munawar Mohsin, the night editor who had accepted the letter for publication. Mohsin was charged with blasphemy; his case was pending as of the end of the period covered by this report.

Ahmadis charge that they suffer from restrictions on their press. Christian scriptures and books are available in Karachi and in traveling bookmobiles, but Christians have reported concerns about pressure leading to self-censorship. Hindu and Parsi scriptures are freely available. Foreign books and magazines may be imported freely, but are subject to censorship for objectionable religious content.

The Government restricts the distribution and display of certain religious images, such as the Holy Trinity and Jesus Christ.

In January 2002, the Government eliminated the country's system of separate electorates, which had been a longstanding point of contention between religious minorities and human rights groups on one side and the Government on the other. With the elimination of the separate electorate system, political representation is to be based on geographic constituencies that represent all residents, regardless of religious affiliation. Minority group leaders believe this change may help to make public officials take notice of the concerns and rights of minority groups. Because of their concentrated populations, religious minorities could have significant influence as swing voting blocks in some constituencies. Few non-Muslims are active in the country's mainstream political parties due to limitations on their ability to run for elective office under the previous separate electorate system.

However, the return of joint electorates eliminated parliamentary and assembly seats reserved for minorities. Some minority leaders complained that these seats should have been retained after the joint electorate system was eliminated. While minorities welcomed the opportunity to be able to elect local representatives to the national and provincial assemblies, it was unlikely that any of the future elected officials would come from minority groups; having reserved seats for the minorities, they believed, would do more to increase their presence in law-making bodies. In August 2002, the Government announced that reserved seats for religious minorities would be restored in the October 2002 elections. Now, non-Muslims vote twice: once for the general candidate, and once for the seat set aside for their particular religion.

In May 2002, under increasing pressure from fundamentalist leaders, the Government reinstated a column on the voter registration form that requires Muslims to take an oath accepting the finality of the Prophethood of Mohammed. When joint electorates were restored in January 2002, this oath was removed from voter registration forms, but religious leaders protested heavily because voter lists no longer

identified Ahmadis. In June 2002, the Election Commission announced that it would accept objections to Ahmadis who registered to vote as Muslims from members of the public. Voters with objections filed against them are required either to sign an oath swearing to the finality of the prophethood of Mohammed or be registered as non-Muslims on the voter list. In protest, the Ahmadi community notified the President on September 5, 2002, that they would boycott the October 2002 elections. No Ahmadis are known to have broken the boycott, but there has been no change in the Government's policy as a result.

Links with coreligionists in other countries are maintained relatively easily. The Roman Catholic Church and the Church of Pakistan report no difficulties. Ismailis are in regular contact with their headquarters, and their officials, including Prince Karim Aga Khan, visit the country regularly. Under reciprocal visa arrangements, Indian Hindu and Sikh leaders and groups travel regularly to the country. However, the Government prohibits Ahmadis from participating in the Hajj (the Muslim pilgrimage to Mecca, Saudi Arabia), and Baha'is are effectively prohibited from traveling to their spiritual center in Israel because Pakistan does not recognize Israel as a state.

The Government designates religion on citizens' passports. To obtain a passport, citizens must declare whether they are Muslim or non-Muslim; Muslims also must affirm that they accept the unqualified finality of the Prophethood of Mohammed, declare that Ahmadis are non-Muslims, and specifically denounce the founder of the Ahmadi movement.

Missionaries are allowed to operate in the country.

Proselytizing (except by Ahmadis) is permitted as long as there is no preaching against Islam and the missionaries acknowledge they are not Muslim. However, all missionaries are required to have specific missionary visas, which have a validity of 2 to 5 years and allow only one entry into the country per year. Only "replacement" visas for those taking the place of departing missionaries are available, and long delays and bureaucratic problems are frequent.

The authorities sometimes prevent leaders of politico-religious parties from traveling to certain areas if they believe that the presence of such leaders would increase sectarian tensions or cause public violence.

Civil marriages do not exist; marriages are performed and registered according to one's religion. Upon conversion to Islam, the marriages of Jewish or Christian men remain legal; however, upon conversion to Islam, the marriages of Jewish or Christian women, or of other non-Muslims that were performed under the rites of the previous religion, are considered dissolved. Children born to Jewish or Christian women who convert to Islam after marriage are considered illegitimate only if their husbands do not also convert, and if women in such cases do not separate from their husbands. Children of non-Muslim men who convert are not considered illegitimate.

While there is no law instituting the death penalty for apostates (those who convert from Islam), social pressure against such an action is so powerful that most such conversions reportedly take place in secret.

Members of minority religions volunteer for military service in small numbers, and there are no official obstacles to their advancement. However, in practice non-Muslims do not rise above the rank of major general and are not assigned to politically sensitive positions. Ahmadis report severe discrimination in the civil service. They complain that a "glass ceiling" prevents them from being promoted to top positions and that certain government departments have refused to hire or retain qualified Ahmadis.

The Government nationalized all church schools and colleges in Punjab and Sindh in 1972. The Government of Sindh gradually denationalized church schools (without providing compensation) from 1985 to 1995. The Government of Punjab devised a plan to denationalize schools and return them to their original owners in 1996. In Punjab several schools belonging to the Presbyterian Church, U.S.A. (PCUSA) and other denominations were denationalized and returned to the former owners starting in 1998. In November 2001, the Government of Punjab notified PCUSA of the denationalization of six schools. The Church gained possession of three of the schools, but a group of teachers filed a case in civil court challenging the denationalization and obtained stay orders against the PCUSA. The government has retained possession of the other three schools while the case is still pending. On March 19, the Punjab Government returned Forman Christian College, arguably the most prominent Christian-founded educational institution in the country, to PCUSA. The fate of two other major nationalized institutions, Gordon College in Rawalpindi (PCUSA) and Murree College, Muree (Church of Pakistan), remained undecided as of the end of the reporting period.

On some university campuses, groups of students, primarily from radical religious organizations, clashed with and intimidated other students, instructors, and admin-

istrators over issues such as language, syllabus content, examination policies, grades, doctrine, and dress. Some faculty members at Punjab University in Lahore attempted to remove from the English curriculum words and ideas deemed inappropriate for Islamic society, but they were not successful.

The Ministry of Religious Affairs, entrusted with safeguarding religious freedom, has on its masthead a Koranic verse: "Islam is the only religion acceptable to God." The Ministry claims it spends 30 percent of its annual budget to assist indigent minorities, to repair minority places of worship, to set up minority-run small development schemes, and to celebrate minority festivals. However, religious minorities question these expenditures, observing that localities and villages housing minority citizens go without basic civic amenities. The Bishops' Conference of the National Commission for Justice and Peace (NCJP), using official budget figures for expenditures in 1998, calculated that the Government actually spent \$17 (PRs 850) on each Muslim and only \$3.20 (PRs 16) on each religious minority citizen per month.

Government policies do not afford equal protection to members of majority and minority faiths. For example, all citizens, regardless of their religious affiliation, are subject to certain provisions of Shari'a. The judicial system encompasses several different court systems with overlapping and sometimes competing jurisdictions, which reflect differences in civil, criminal, and Islamic jurisprudence. The federal Shari'a court and the Shari'a bench of the Supreme Court serve as appellate courts for certain convictions in criminal court under the Hudood Ordinances, and judges and attorneys in these courts must be Muslims. The federal Shari'a court also may overturn any legislation judged to be inconsistent with the tenets of Islam. In the Malakand division and the Kohistan district of the NWFP, ordinances require that "all cases, suits, inquiries, matters, and proceedings in the courts shall be decided in accordance with Shari'a." These ordinances define Shari'a as the injunctions found in both the Koran and the Sunna (tradition) of the Prophet Mohammed. Islamic law judges, with the assistance of the Ulema (Islamic scholars), under the general supervision of the Peshawar High Court, try all court cases in the Malakand Division and the Kohistan District. Elsewhere in the country, partial provisions of Shari'a apply.

The Penal Code incorporates the doctrines of Qisas (roughly, "an eye for an eye") and Diyat ("blood money"). Qisas was invoked in tribal areas. For example, victims' families reportedly have been allowed to kill murderers after conviction by a "jirga" (council of tribal elders). Diyat occasionally was applied as well, particularly in the NWFP, in place of judicial punishment. According to this principle, only the family of the victim, not the State, may pardon a defendant. Christian activists alleged that when a Muslim kills a non-Muslim, the killer can redress the crime by paying Diyat to the victim's family; however, a non-Muslim who kills a Muslim does not have that option and must serve a jail sentence or face the death penalty.

The martial law-era Hudood Ordinances criminalize non-marital rape, extra-marital sex, and various gambling, alcohol, and property offenses. The Hudood Ordinances, which aim to make the Penal Code more Islamic, provide harsh punishments for violations of Shari'a, including death by stoning for unlawful sexual relations and amputation for other crimes. The Ordinances are applied to Muslims and non-Muslims alike. Some Hudood Ordinance cases are subject to Hadd, or Koranic, punishment; others are subject to Tazir, or lesser, punishment. Although both types of cases are tried in ordinary criminal courts, special rules of evidence apply in Hadd cases, which discriminate against non-Muslims. For example, a non-Muslim may testify only if the victim also is non-Muslim. Likewise, the testimony of women, Muslim or non-Muslim, is not admissible in cases involving Hadd punishments. Therefore, if a Muslim man rapes a Muslim woman in the presence of women or non-Muslim men, he cannot be convicted under the Hudood Ordinances. The Hadd punishments require a high standard of evidence. In the 20 years since the Hudood Ordinances were adopted, not a single Hadd punishment has been carried out. However, on the basis of lesser evidence, ordinary punishments such as jail terms and fines were imposed.

For both Muslims and non-Muslims, all consensual extramarital sexual relations are considered a violation of the Hudood Ordinances; if a woman cannot prove the absence of consent in a rape case, there is a risk that she may be charged with a violation of the Hudood Ordinances for fornication or adultery. The maximum punishment for this offense is public flogging or stoning; however, there are no recorded instances of either type of punishment since the 1980s. According to a police official, in a majority of rape cases, the victims are pressured to drop rape charges because of the threat of Hudood charges being brought against them. In March 2002, Zafran Bibi was sentenced to death for a violation of the Hudood Ordinances, in a case that drew national and international attention to the Hudood ordinances. Bibi filed rape charges against her brother-in-law, but when a medical exam indicated that she al-

ready was pregnant at the time of the alleged rape, her father-in-law then accused her of adultery with another person as a way to settle an old rivalry and protect his son. A lower Shari'a court convicted her of adultery and sentenced her to death by stoning. When Bibi's husband claimed to be the father of the child she carried, refuting the charge of adultery, the Federal Shariat bench overturned the verdict and acquitted Bibi on June 6, 2002. A Parliamentary Commission of Inquiry for Women has criticized the Hudood Ordinances and recommended their repeal. The Commission also stated that the laws on adultery and rape have been subject to widespread misuse, and that 95 percent of the women accused of adultery are found innocent in the court of first instance or on appeal. However, the Commission pointed out that, by that time, the woman may have spent months in jail, suffered sexual abuse at the hands of the police, and seen her reputation destroyed. The Commission found that the main victims of the Hudood Ordinances are poor women who are unable to defend themselves against slanderous charges. According to the Commission, the laws also have been used by husbands and other male family members to punish their wives and female family members for reasons that have nothing to do with perceived sexual impropriety. At least one-third of the women in the jails in Lahore, Peshawar, and Mardan in 1998 were awaiting trial for adultery under the Hudood Ordinances. The Human Rights Commission of Pakistan stated that this ratio remained unchanged during 2001; no new estimates are available for the period covered by this report. However, no Hadd punishment has been imposed since the Hudood Ordinances went into effect.

Human rights monitors and women's groups believe that a narrow interpretation of Shari'a has had a harmful effect on the rights of women and minorities, as it reinforces popular attitudes and perceptions and contributes to an atmosphere in which discriminatory treatment of women and non-Muslims is accepted more readily. Some Islamic scholars also stated privately that the Hudood Ordinances are a misapplication of Shari'a.

Abuses of Religious Freedom

Police torture and other forms of mistreatment of persons in custody are common. However, there were no confirmed reports of torture of prisoners or detainees because of their religious beliefs during the period covered by this report. Rehmat Masih died at Lahore Services Hospital on April 1 after reportedly being brutally tortured by police. Rehmat Masih and a fellow Christian, Iqbal Masih, both sanitary workers at the civil secretariat, were taken into custody by the Sanda police on March 2. They were charged with stealing law books, while more than 10 Muslim clerks, secretaries, and other office staff, who had direct access to the books, were not blamed. Rehmat did not accept the theft charges. A senior official, who reportedly wanted to protect the real culprit, pressured police to torture Rehmat Masih. The two suspects were illegally held for police interrogation for 20 days, after which Rehmat Masih was sent to the Lahore District Jail on March 27. He was again severely tortured by police. When his condition started to deteriorate, he was admitted to the hospital, where he died. After his death, protesters demanded that the Government issue murder charges against the police. One protester, Rehmat Masih's nephew, was struck on the head by a police baton and subsequently died. The All Pakistan Minorities Alliance registered a complaint against the police and senior official, but as of the end of the reporting period, no action had been taken.

There have been instances in which police have used excessive force against individuals because of their religious beliefs and practices; however, it sometimes is difficult to determine whether religious affiliation is a factor in police brutality. The police also have failed to act against persons who use force against other individuals because of their religious beliefs (see Section II). The Government admits that police brutality against all citizens is a problem. However, both the Christian and Ahmadi communities have documented instances of the use of excessive force by the police and police inaction to prevent violent and often lethal attacks on members of their communities.

The law regulates arrest and detention procedures; however, the authorities do not always comply with the law, and police arbitrarily arrest and detain citizens. Violence in Punjab has prompted the Government on several occasions to round up hundreds of members of religious extremist groups and students at madrassas believed to be terrorist recruiting centers and training grounds. The police also arrest demonstrators, including members of religious minorities.

Prison conditions, except for the "class A" facilities provided to wealthy and politically high-profile prisoners, are extremely poor and constitute a threat to the life and health of prisoners. According to the NCJP and the Center for Legal Aid, Assistance, and Settlement (CLAAS), non-Muslim prisoners do not enjoy the same facilities as Muslim inmates.

No estimate of the total number of religious detainees exists; however, the Government has arrested and detained numerous Muslims and non-Muslims for their religious beliefs and practices under the blasphemy and anti-Ahmadi laws. According to the NCJP, religious minorities constitute a proportionally greater percentage of the prison population. Government officials state that although religious minorities account for approximately 5 percent of the country's population, 25 percent of the cases filed under the blasphemy laws are aimed at religious minorities. According to one report, between 1984 and 2002, there were 150 blasphemy cases filed against Ahmadis, 31 against Christians, and 7 against Muslims. There were 67 blasphemy cases pending throughout the country as of the end of the period covered by this report.

The blasphemy laws were intended to protect both majority and minority faiths from discrimination and abuse; however, in practice these laws frequently are used by rivals and the authorities to threaten, punish, or intimidate religious minorities. Credible sources estimate that several hundred persons have been arrested since the laws were implemented; however, significantly fewer persons have been tried. Most of the several hundred persons arrested in recent years have been released due to a lack of sufficient evidence. However, many judges reportedly have issued guilty verdicts to protect themselves and their families from retaliation by religious extremists. When blasphemy and other religious cases are brought to court, extremists often pack the courtroom and make public threats about the consequences of an acquittal. Lower level magistrates generally were more susceptible to pressure by religious extremists than the higher-level judiciary. The Government provided protection to human rights lawyers defending accused blasphemers following threats and attacks on lawyers by religious extremists. Many of those accused of blasphemy face harassment and even death before reaching trial, during incarceration, or even after acquittal on clear-cut proof that the charges were false. Islamic extremists have categorically vowed to kill all accused blasphemers, regardless of judicial acquittals. As a result, the accused often are denied requests for bail on the grounds that their lives would be at risk from vigilantes if released. When released, many of the acquitted go into hiding until they can secure asylum.

Yusuf Ali, a Sufi Muslim who had been convicted of blasphemy and sentenced to death in August 2000, was shot and killed in the Lahore Central Jail by another inmate on June 11, 2002. The prisoner who killed Ali, Tariq Butt, was a member of the banned Muslim extremist group Sipah-e-Sahaba Pakistan. At the end of the period covered by this report, Butt was confined in Lahore's Central Jail, and the case against him was still pending. Some prison officials were arrested in connection with the incident, including an Assistant Superintendent, who reportedly took responsibility for the incident and stepped down. As of the end of the reporting period, the shooting was still under investigation by the authorities and no legal or punitive actions had been taken against the prison officials.

Blasphemy laws often target members of the Ahmadi community. According to Ahmadi sources, 89 Ahmadis were charged formally in criminal cases on a "religious basis" (including blasphemy) in 2002, compared to 70 cases in 2001 and 166 cases in 2000. In March 2002, a foreign Ahmadi of Pakistani origin was arrested, tried, and acquitted of publishing blasphemous pamphlets. In April 29, 2001, four Ahmadis, including Abdul Majeed, president of the local Ahmadi community, were charged with blasphemy for constructing minarets and the Mihrab (prayer niche inside the mosque in the wall facing Mecca) of an Ahmadi mosque; the case was still under trial at the District and Sessions Court in Layyah District, Punjab, at the end of this reporting period.

The 1999 blasphemy case against Mohammad Nawaz, an Ahmadi leader in Okara District, Punjab, was still pending, although Nawaz and his two sons (who had also been charged) were released on bail after several days of imprisonment.

The blasphemy laws can also be used to harass Christians, often resulting in cases that drag on for years. On April 26, Ranjha Masih was sentenced to life in prison by the District and Sessions Court in Faisalabad, allegedly for damaging a Muslim signboard during a bishop's funeral in 1998. Masih has been detained without bail since his arrest on May 8, 1998. The judge postponed the verdict several times. As of the end of the reporting period, Masih planned to appeal his case to the Lahore High Court.

On April 1, 2001, police registered a blasphemy case against Pervez Masih, a Christian who ran a private school in Sialkot district, Punjab. According to CLAAS, the Sunni Muslim owner of another private school charged Masih with blasphemy because he was jealous of Masih's success in attracting both Muslim and non-Muslim students. However, according to the press reports, Pervez Masih was charged because he answered a student's questions about Mohammed's life. Masih remained in custody at the end of the period covered by this report, and the case against him

is still pending at the District and Sessions Court in Daska, Sialkot district. On June 29, 2002, Augustine Ashiq Masih was sentenced to death on blasphemy charges originating in 2000. His appeal against the death sentence was under consideration at the Lahore High Court at the end of the reporting period.

Some blasphemy cases that had lingered for years were resolved during this reporting period. Aslam Masih, an elderly man who was accused of defiling the Koran in November 1998 and denied medical treatment after being badly beaten at the time of his arrest, was acquitted by the Lahore High Court on June 4, 2003. In overturning Masih's lower court conviction of May 2002, the Lahore High Court judge chastised the prosecution for producing only hearsay evidence. During the trial proceedings, a witness for the prosecution retracted the statement attributed to him by police, accusing them of concocting it. Two Christian brothers, Salim and Rashid Maseeh, who had been convicted of blasphemy and sentenced to 35 years' imprisonment in May 2000 by a lower court in Punjab, were acquitted by the Lahore High Court on March 19 and released from jail. On August 15, 2002, the Supreme Court dismissed blasphemy charges filed against Ayub Masih in 1996, stating the charges stemmed from a land dispute between Masih's family and their Muslim neighbors. Masih had been sentenced to death in 1998 and spent 4 years in solitary confinement on death row.

Police also arrested Muslims under the blasphemy laws; government officials maintain that approximately three-quarters of the total number of blasphemy cases actually brought to trial involved Muslims. Often the cases are drawn out, with a very lengthy appeal process. In July 2002, a lower court sentenced Wajihul Hassan to death for allegedly having made derogatory remarks about the Prophet Mohammed during phone calls to a lawyer. In September 1998, a Shi'a Muslim, Ghulam Akbar, was convicted of blasphemy in Rahimyar Khan, Punjab, for allegedly making derogatory remarks about the Prophet Mohammed in 1995, and he was sentenced to death. Akbar's death sentence was the first such sentence for a Muslim for a violation of the blasphemy law. Akbar is presently in Multan District Jail, and his appeal against the death sentence is still pending before the Bahawalpur Bench of the Lahore High Court. In October 2001, a Sunni Muslim, Dr. Younis Sheikh, was sentenced to death for blasphemy in Rawalpindi, Punjab, reportedly for stating in front of his students at Capital Homeopathic College that the Prophet Mohammed's first marriage was not conducted according to Islamic law and custom and that Mohammed could not have been a Muslim before he had received his revelation from God because the Muslim religion logically had not existed until then. His appeal was still pending with the Lahore High Court at the end of the period covered by this report. On April 29, Irshad Bibi, a Muslim woman who tried to mediate an argument between a tonga (horse-drawn passenger wagon) driver and a shopkeeper in the town of Pasrur in Sialkot District, had her clothing torn by the shopkeeper. When she went to a police station to file a report against the shopkeeper, he and two accompanying maulvis (religious leaders) provoked her into an argument by insulting her. One of the maulvis then registered a police case against her for insulting his beard, which is considered an insult to the Prophet Mohammed. Bibi's case was pending a hearing at the end of the reporting period.

In the autumn of 2001, the Government took steps to curb religious extremism and militancy, imposing some limits on freedom of association, religion, and movement, and banning two of the country's groups known to incite sectarian violence and religious extremism, Lashkar-e-Jhangvi and Sipah-e-Mohammad Pakistan. In January 2002, the Government banned five other groups: Jaish-e-Mohammed, Lashkar-e-Taiba, Sipah-e-Sahaba Pakistan (SSP), Tehrik-e-Jafria and Tehriki-Nifazi-Shariat-i-Mohamadi (TNSM). Police raided offices, mosques, and madrassas linked with these groups; announced a ban on fundraising activities; and arrested almost 3,000 party members. Most of those arrested were later released without being charged. During the period covered by this report, most of the banned parties re-named themselves, in order to subvert the ban and continue operations. Lashkar-e-Jhangvi has become Inteqam-e-Haq ("Revenge for the Truth"), and Sipah-e-Muhammad Pakistan has been re-named Hizbollah. Sipah-e-Sahaba Pakistan is now Millat-e-Islamia, Lashkar-e-Taiba is now Jamaat Al Dawa, and Jaish-e-Muhammad is now Tehrik-ul-Furqaan. Jaish-e-Mohammad chief Maulana Masoud Azhar, who was initially put under house arrest in January 2002, was released approximately 3 months later; then, 6 weeks after the release, he was again put under house arrest; Masoud Azhar was finally released on December 14, 2002 by the Lahore High Court, and has kept a low profile since then. Professor Hafiz Saeed, leader of Jamaat Al Dawa, has been allowed to address rallies and make inflammatory speeches in which he has threatened Westerners resident in the country.

Arrests of members of extremist groups continued during this reporting period, although on a much smaller scale than in the previous period. The central Govern-

ment's efforts to control extremism have sometimes been flouted by the provincial governments. On November 16, 2002, a group of men accompanying Maulana Sufi Mohammad, the chief of TNSM, were arrested at the Afghan border in Kurram Agency, Northwest Frontier Province, on their return from Afghanistan. All were imprisoned in Dera Ismail Khan Jail; most were later released on bail. On January 28, police raided the office of a militant organization in Dera Ismail Khan and arrested 21 men who allegedly belonged to Haraket-ul Mujahedin, now named Jamiat-ul-Ansar. According to initial details, police claimed to have recovered illegal arms from the office, but all arrested were released within a week, reportedly because of pressure from the MMA-dominated provincial Government, which claimed the men had only assembled to attend a funeral. All charges were dropped.

SSP Leader Maulana Mohammad Azam Tariq, who was arrested in a 1999 crack-down on extremists, released after a year of imprisonment, and arrested again in February 2002, was allowed to contest the October 10, 2002, elections from jail, despite a number of terrorism and murder cases pending against him in anti-terrorism courts. He was released on October 30, 2002, on the orders of the Lahore High Court.

Following the killings of four Sunni clerics on January 28, 2001, Sunni Muslim students participated in violent demonstrations and arson attacks in Karachi (see Section III). The Government dispatched police, paramilitary, and military forces to disperse the demonstrators, and several students and police officers were injured. Following a wave of sectarian killings between Sunni and Shi'a Muslims (see Section III), the Government arrested between 150 and 250 alleged Sunni and Shi'a militants in Karachi in early 2002. Government officials stated that the arrests and a public call for religious leaders to enforce a code of conduct resulted in a reduction of such killings during the traditionally violent period of Muharram. Shortly after the killing of Shi'as at a mosque in Karachi in February, the Government ordered all places of worship protected. At the time of some religious holidays during this reporting period, the regular army was deployed in sensitive areas to help maintain public order.

Forced Religious Conversion

The Human Rights Commission of Pakistan (HRCP) reported that on January 3, a 6-year-old Sikh girl was kidnapped by members of the Afridi tribe, in a remote tribal area of the Northwest Frontier Province. The alleged kidnapper claimed that the girl was actually 12 years old, and that she had converted to Islam and therefore could not be returned to live with her non-Muslim family. There were no other specific 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.

Religious minorities state that members of their communities, especially minors, sometimes are pressured by private groups and individuals to convert to Islam.

Improvements and Positive Developments in Respect for Religious Freedom

The Government took some specific steps to improve the situation of religious minorities during the period covered by this report. A 3-year Human Rights Mass Awareness and Education Project, begun by the Government in 2001 with funding from the Asian Development Bank, is ongoing. The Government also continued to promote human rights awareness in its training of police officers.

SECTION III. SOCIETAL ATTITUDES

Many religious and community leaders, both Muslim and non-Muslim, reported that a small minority of extremists account for the vast majority of violent acts against religious minorities. However, discriminatory religious legislation has encouraged an atmosphere of religious intolerance, which has led to acts of violence directed against Ahmadis, Shi'as, Christians, Hindus, and Zikris. Members of religious minorities are subject to violence and harassment, and police at times refuse to prevent such abuses or charge persons who commit them (see Section II). Wealthy religious minorities and those who belong to religious groups that do not seek converts report fewer instances of discrimination.

Incidents of sectarian violence still occurred with considerable frequency. In February three Sunni Muslim scholars, including the head of an Islamic school, were shot in the head and killed in three separate drive-by shootings. On February 22, 9 Shi'a Muslims were killed and 10 were injured by attackers while they were worshipping at a Shi'a mosque in Karachi. About 25 worshippers were believed to be inside the building when at least 3 men, riding on 2 motorcycles, opened fire with automatic weapons and then fled. Some 5,000 people gathered for the funeral procession, which turned violent. Enraged mourners smashed cars and shop windows.

Authorities suspended a deputy police superintendent and another police official for failing to protect the mosque. The holy month of Moharram, traditionally a period of sectarian clashes, passed with no major incidents.

On June 8, 12 Shi'a police trainees were killed and several others were wounded when gunmen on motorcycles opened fire on their vehicle in the southwestern city of Quetta. Eighteen members of the banned Sipah-e-Sahaba were arrested the next day, and four of them were charged with "masterminding" the attack. Their cases were pending as of the end of the period covered by this report.

During this reporting period, investigations proceeded slowly on previous incidents of sectarian violence. Two suspects were arrested in connection with the September 4, 2001, shooting of Ali Hussain Naqvi, a prayer leader at a Karachi Shi'a mosque. Three suspects were detained for the September 10, 2001, killing of senior bureaucrat Altaf Hussain Bangash in Karachi. Shi'a doctors have been the victims of targeted killings in recent years. Three suspects were arrested for the killing of Dr. Jameeluddin and injuring of nurse Nighat Seema in Karachi on October 3, 2001. Two suspects were apprehended for the February 12, 2002, shooting of Dr. Rashid Mehdi. These cases were pending with the local courts as of the end of the period covered by this report. Two people were being held in the case of Syed Gul Iman Shah, killed on October 10, 2001, in front of the Karachi technical college of which he was principal. The investigation remained open. The cases of Allama Razi Haider and his 11-year-old son, police constable Syed Didar Hussain Shah, Syed Hasan Abadi, Syed Jawwad Ali, Syed Hamid Ali Rizvi, and Dr. Aale Safdar were also all still under investigation. Numerous other sectarian killings also remain unresolved.

Ahmadi individuals and institutions long have been victims of religious violence, much of which is instigated by organized religious extremists. Ahmadi leaders charge that militant Sunni mullahs and their followers sometimes stage marches through the streets of Rabwah, a predominantly Ahmadi town and spiritual center in central Punjab. Backed by crowds of between 100 and 200 persons, the mullahs reportedly denounce Ahmadis and their founder, a situation that sometimes leads to violence. The Ahmadis claim that police generally are present during these marches but do not intervene to prevent trouble. In August 2001, a mob destroyed an Ahmadi mosque in Sheikhpura; authorities did not stop the violence and later arrested 28 Ahmadis in connection with civil disorder. The Ahmadis were quickly released, but there have been no steps to prosecute the real offenders or compensate for the loss of the mosque.

Several Ahmadis were killed during the period covered by this report. On February 25, Mian Iqbal Ahmed, a lawyer and District President, was killed at his home in Rajanpur by unknown gunmen. On September 1, 2002, Maqsood Ahmed was killed in Faisalabad. Dr. Rashid Ahmed, a medical doctor, was killed at his clinic in Rahim Yar Khan on November 9, 2002. Abdul Waheed was killed on November 14, 2002, in Faisalabad. All of these killings appeared to have been motivated by anti-Ahmadi sentiment.

In July 2001, Sheikh Nazir Ahmed, an Ahmadi leader in Faisalabad, was killed. The accused, Behram Khan, was arrested and then released on bail. His case is still pending. On September 14, 2001, Noor Ahmed and his son Tahir were killed and two others were injured in an armed attack on their house in Narowal. Two of the four people accused of killing them were tried and then acquitted in early 2003. In October 2001, Ahmadi Ejaz Ahmed Basra and his son Shahjehan were shot and killed in Ghatilalian. Basra had provided evidence in a trial against several men accused of killing five Ahmadis the previous year, and the shooting was thought to be in retaliation for his testimony. Three of six people suspected of the shooting were arrested, but there have been no developments in their cases. In January 2002, Ghulam Mustafa Mohsin, an Ahmadi who had received previous death threats, was killed in his home in District Toba Tek Singh. There were no developments in this case during this reporting period.

Sectarian violence against Christians increased during the period covered by this report. In May small bombs exploded at two Christian hospitals in Tank and Bannu, Northwest Frontier Province. No one was injured or killed; both blasts are currently under investigation. In March 2002, an attack on a Presbyterian church in Islamabad left five persons dead, including two foreign nationals. On August 5, 2002, three extremists attacked Murree Christian School near Islamabad, killing six staff. On August 9, 2002, three nurses were killed and 21 people injured in an attack on a Christian hospital in Taxila. One of the militants was killed in the attack. Members of the extremist group responsible for the attacks on the Presbyterian church, the hospital in Taxila, and the Murree Christian School were later killed in a shootout with the security services. On September 25, 2002, in Karachi, seven workers at the Christian charity Institute of Peace and Justice were killed execution style, tied up and gagged before being shot in the head at point blank range. The

charity's former chairman died four months earlier under mysterious circumstances. On December 25, 2002, 3 Christian girls were killed and 16 people injured when 2 militants attacked a church with hand grenades in Chianwali village in Sialkot District, Punjab. Three police officers were suspended for negligence related to the Christmas attack. As of the end of the reporting period, the suspects were still at large, and the plaintiffs in the case were under pressure by Muslim militants, the police, and scared relatives to drop their charges. Three-quarters of the Christian residents have left the village. In October 2001, masked gunmen opened fire at the St. Dominic Church in Bahawalpur, killing 11 persons and injuring more than a dozen worshippers. The case was closed in March 2002, after the main suspect, Shakil Anwar of Lashkar-e-Jhangvi (now Inteqam-e-Haq) was killed in a confrontation with police. Attacks against Western targets also increased Christians' sense of insecurity and vulnerability. The Government strongly condemned the attacks against Christians.

Anti-Christian sentiment fuelled hate campaigns from various Islamic militant groups. For example, on January 9, the Islamic organization JeshIhle-Alqiblat Al-Jihadi Al-Sari Al-Alami published a pamphlet in Urdu and Arabic calling on Muslims to kill nonbelievers, terming the act as the duty of every Muslim. Authorities reportedly initiated an investigation. On March 23, the MMA issued similar threats in Lahore. In January the Pakistani Catholic Bishops' Justice and Peace Commission urged the Government to end "hate speech" against minority religions, claiming that hate campaigns had led to a dramatic increase in crimes and discrimination against non-Muslims.

During late 2002 and early 2003, there reportedly was a rise in crimes against Christian women. Women and girls were beaten, kidnapped, gang-raped, disfigured, and forced to convert to Islam at gun- or knife-point. In April a 9-year old Christian girl who worked as a live-in maid in Faisalabad, was beaten and raped by her Muslim employers.

In response to the passage of the Shari'a Law in March, more than 100 activists took the law into their own hands in the Northwest Frontier Province. They used stones and iron rods to destroy billboards featuring women in advertisements. The failure of police to stop the attacks on billboards led to the sacking of the provincial police chief by the federal Government. In June dozens of extremists attacked a circus in Gujranwala. They torched the tents, injuring more than 100 people. Police arrested 28 activists of the Shaba-i-Milli and Jamaat-i-Islami.

Ahmadis suffer from societal harassment and discrimination. Even the rumor that someone may be an Ahmadi or have Ahmadi relatives can stifle opportunities for employment or promotion. Most Ahmadis are home-schooled or go to private Ahmadi-run schools. Those Ahmadi students in public schools often are subject to abuse by their non-Ahmadi classmates. The quality of teachers assigned to predominantly Ahmadi schools by the Government reportedly is poor. In late May 2002, in response to a question from Islamic clerics, President Musharraf denounced Ahmadis as "non-Muslims."

While many Christians belong to the poorest socioeconomic groups, this may be due more to ethnic and social factors than to religion. These factors also may account for a substantial measure of the discrimination that poor Christians face. Many poor Christians remain in the profession of their low caste Hindu ancestors (most of whom were "untouchables"). Their position in society, though somewhat better today than in the past, does not reflect major progress despite more than 100 years of consistent missionary aid and development. Christian students reportedly are forced to eat at separate tables in public schools that are predominately Muslim.

Ismailis report that they are the objects of resentment of Sunni Muslims due to the comparative economic advances they have made. Ismailis have not been harassed by the Government nor have they been targeted by extremist groups; however, they report that they frequently are pressured to adopt certain practices of conservative Muslims or risk being ostracized socially.

Anti-Semitic sentiment appears to be widespread, and anti-Semitic and anti-Zionist press articles are common.

Shikharis generally are ostracized by other Muslims, primarily because of their dietary practices.

Some Sunni Muslim groups publish literature calling for violence against Ahmadis and Shi'a Muslims. Some newspapers frequently publish articles that contain derogatory references to religious minorities, especially Ahmadis and Hindus.

Persons who have been accused under the blasphemy laws (see Section II), including those acquitted of the charges against them, often face societal discrimination. On July 5, 2002, Zahid Shah, a Muslim who had been accused and acquitted of blasphemy charges, was stoned to death in Punjab by a mob of approximately 300 villagers enforcing the fatwa of a cleric. Within a week, police had arrested 29 people

in connection with the stoning. However, those arrested were later released, and no convictions had been reported in this case as of the end of the period covered by this report. On July 6, 2002, Pervez Masih, a Christian high school principal who was arrested in April 2001 based on allegations by Muslim schoolboys he tutored, was attacked by a fellow prison inmate, Akhtar Bashir.

Proselytizing generally is considered socially inappropriate among Muslims; missionaries face some difficulties due to this perception. For example, some Sunni Muslim groups oppose missionary activities and have at times issued verbal threats against missionaries in order to discourage them from working.

While there is no law instituting the death penalty for apostates (those who convert from Islam), social pressure against such an action is so powerful that most such conversions reportedly take place in secret. According to missionaries, police and other local officials harass villagers and members of the poorer classes who convert. Reprisals and threats of reprisals against suspected converts are common.

Discrimination in employment based on religion is believed to be widespread. Christians in particular have difficulty finding jobs other than those involving menial labor, although Christian activists say that the employment situation has improved somewhat in the private sector in recent years. Christians and Hindus also find themselves disproportionately represented in the country's most oppressed social group, bonded laborers. Illegal bonded labor is widespread. Agriculture, brick-kiln, and domestic workers often are kept virtually as slaves. According to the NCJP, the majority of bonded labor in those sectors is non-Muslim. All are subject to the same conditions, whether they are Muslim, Christian, or Hindu. In 1999 the Government removed colonial-era entries for sect from government job application forms to prevent discrimination in hiring. However, the faith of some, particularly of Christians, often can be ascertained from their names.

There are a number of NGOs and civic groups that promote interfaith dialogue. In January the Pakistani Catholic Bishops' Commission for Interreligious Dialogue and Ecumenism declared 2003 a National Year of Peace. Accordingly, during the year a number of interreligious meetings, religious festivals, literary courses, and other events centered on peace and dialogue took place. Several Muslim leaders applauded the bishops' initiative. In February the Sacred Heart Church in Lahore hosted a peace service, attended by people of various faiths.

SECTION IV. U.S. GOVERNMENT POLICY

The U.S. Government discussed religious freedom with the Government in the context of its overall dialogue and policy of promoting human rights. U.S. representatives maintained regular contacts with major Muslim and minority religious groups. Embassy officers also maintained a dialogue with government, religious, and minority community representatives to encourage religious freedom and to discuss problems.

Embassy officers closely monitored the status of religious freedom and acted when appropriate. Embassy officials attended the trials of several individuals charged with blasphemy, including the trial of Dr. Younis Sheikh. In addition, senior embassy officials expressed concern about the Ayub Masih and Younis Sheikh cases with senior Pakistani government officials. Embassy officials encouraged government officials to pursue aggressive investigations of incidents involving the bombing of churches. The Embassy also assisted local and international human rights organizations to follow up on specific cases involving religious minorities.

The Embassy sponsored several academics to travel to the United States with the International Visitors Program to take part in programs that focus on religious freedom and pluralism. The United States also began to implement a \$100 million educational reform program designed to positively impact both public and private institutions, including madrassas.

SRI LANKA

The Constitution accords Buddhism the "foremost place," but it is not recognized as the state religion. The Constitution also provides for the right of members of other faiths to practice their religion freely, and the Government generally respects this right in practice.

There was no change in the status of respect for religious freedom during the period covered by this report.

Despite generally amicable relations among persons of different faiths, there has been occasional resistance by Buddhists to Christian church activity, and in par-

ticular to the activities of evangelical Christian denominations. While the courts generally have upheld the right of evangelical Christian groups to worship and to construct facilities to house their congregations, the State limits the number of foreign religious workers granted temporary residence permits.

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

SECTION I. RELIGIOUS DEMOGRAPHY

The country has a total area of 25,322 square miles and a population of approximately 18.5 million. Buddhism, Hinduism, Islam, and Christianity all are practiced in the country. Approximately 70 percent of the population are Buddhist, 15 percent are Hindu, 8 percent are Christian, and 7 percent are Muslim. Christians tend to be concentrated in the west, with much of the north almost exclusively Hindu. The other parts of the country have a mixture of religions, with Buddhism overwhelmingly present in the south.

Most members of the majority Sinhalese community are Theravada Buddhists. Almost all Muslims are Sunnis, with a small minority of Shi'a, including members of the Borah community. Roman Catholics account for almost 90 percent of the Christians, with Anglicans and other mainstream Protestant churches also present in the cities. The Seventh-day Adventists, Jehovah's Witnesses, and the Assemblies of God are present as well. Evangelical Christian groups have increased in membership in recent years, although the overall number of members in these groups still is small.

SECTION II. STATUS OF RELIGIOUS FREEDOM

Legal/Policy Framework

The Constitution gives Buddhism a "foremost position," but it also provides for the right of members of other faiths to practice their religions freely, and the Government generally respects this right in practice.

There are separate ministries in the Government, led by different ministers, that address religious affairs. These include: The Ministry of Buddha Sasana ("clergy"), the Ministry of Muslim Religious Affairs, the Ministry of Hindu Affairs, and the Ministry of Christian Affairs. Each of these ministries has been empowered to deal with issues involving the religion in question.

In January a bill intended to curb religious conversions of Hindus was drafted and presented to the Cabinet. As of the end of the reporting period, the bill was still under review.

Some Christian denominations have resisted greater government involvement in their affairs; instead they are registered individually through acts of Parliament or as corporations under domestic law. Christian denominations must fill out and submit forms in order to be recognized as corporations. This gives them legal standing in Sri Lanka to be treated as corporate entities in their financial and real estate transactions. There is no tax exemption for religious organizations as such. However, churches and temples are allowed to register as charitable organizations and therefore are entitled to some tax exemptions.

The Government has established councils for interfaith understanding.

Despite the constitutional preference for Buddhism, a number of major religious festivals of other faiths are celebrated as national holidays.

Restrictions on Religious Freedom

Foreign clergy may work in the country, but for the last three decades, the Government has taken steps to limit the number of foreign Christian religious workers given temporary work permits. Permission usually is restricted to denominations that are registered formally with the Government. Most religious workers in the country, including most Christian clergy, are Sri Lankan in origin.

Some evangelical Christians, who constitute less than 1 percent of the population, have expressed concern that their efforts at proselytizing often are met with hostility and harassment by the local Buddhist clergy and others opposed to their work. In April two Christians were physically assaulted by a Buddhist monk. They sometimes complain that the Government tacitly condones such harassment, but there is no evidence to support this claim. The Assemblies of God claims that it continues to face opposition at the local level in many areas but states that legal action or the threat of legal action generally has resulted in the church being allowed to construct facilities for its congregations and conduct worship services.

Religion is a mandatory subject in the school curriculum. Parents and children may choose whether a child studies Buddhism, Islam, Hinduism, or Christianity. Students of minority religions other than Islam, Hinduism, and Christianity must pursue religious instruction outside of the public school system. There are no sepa-

rate syllabi provided for smaller religions. Religion is taught in schools from an academic point of view.

Issues related to family law, including divorce, child custody, and inheritance are adjudicated by the customary law of each ethnic or religious group. The minimum age of marriage for women is 18 years, except in the case of Muslims, who continue to follow their customary religious practices. The application of different legal practices based on membership in a religious or ethnic group may result in discrimination against women.

Abuses of Religious Freedom

Since 1983 the Government (controlled by the Sinhalese, and predominantly Buddhist, majority) fought the Liberation Tigers of Tamil Eelam (LTTE), an insurgent organization fighting for a separate state for the country's Tamil (and predominantly Hindu) minority. However, in December 2001, the Government and the LTTE each announced unilateral cease fires. The peace process is fragile; in April, the LTTE pulled out of talks with the Government. Religion did not play a significant role in the conflict, which essentially is rooted in linguistic, ethnic, and political differences. Buddhists, Hindus, and Christians all have been affected by the conflict, which has claimed more than 60,000 lives. The military had issued warnings through public radio before commencing major operations, instructing civilians to congregate at safe zones around churches and temples; however, in the conflict areas in the north, the Government occasionally has been accused of bombing and shelling Hindu temples and Christian churches. During the period covered by this report, however, some Buddhists clergy were allowed to visit Buddhist shrines in LTTE-controlled areas for the first time in many years.

The LTTE targeted Buddhist sites, most notably the historic Dalada Maligawa or "Temple of the Tooth," the holiest Buddhist shrine in the country, in the town of Kandy in January 1998. Thirteen worshipers, including several children, were killed by the bombing. The Government still is attempting to locate and arrest the LTTE perpetrators of the attack. As a result, the Government has augmented security at a number of religious sites island-wide, including the Temple of the Tooth. In contrast to previous years, the LTTE did not target Buddhist sites during the period covered by this report; however, the LTTE has not indicated that it will abstain from attacking such targets in the future.

The LTTE has discriminated against Muslims, and in 1990 expelled some 46,000 Muslim inhabitants—virtually the entire Muslim population—from their homes in 540 areas under LTTE control in the northern part of the island. Most of these persons remain displaced and live in or near welfare centers. Although some Muslims returned to Jaffna in 1997, they did not remain there due to the continuing threat posed by the LTTE. There are credible reports that the LTTE has warned thousands of Muslims displaced from the Mannar area not to return to their homes until the conflict is over. Despite the ceasefire and peace process, the LTTE continues to extort money from Muslim families and businesses in eastern Sri Lanka. However, it appears that these attacks by the LTTE are not targeted against persons due to their religious beliefs, but that they are rather a part of an overall strategy to clear the north and east of persons not sympathetic to the LTTE. The LTTE has made some conciliatory statements to the Muslim community, but the statements were viewed with skepticism by some Muslims. During the year, the LTTE invited Muslim IDPs to return home, asserting they will not be harmed. Although some Muslim IDPs have begun returning home, the vast majority have not and were instead waiting for a guarantee from the Government for their safety in LTTE-controlled areas.

The LTTE has been accused in the past of using church and temple compounds, where civilians are instructed by the Government to congregate in the event of hostilities, as shields for the storage of munitions.

There were no reports of religious prisoners or detainees.

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 Government's refusal to allow such citizens to be returned to the United States.

SECTION III. SOCIETAL ATTITUDES

Discrimination based on religious differences is much less common than discrimination based on ethnic group or caste. In general, the members of the various faiths tend to be tolerant of each other's religious beliefs. However, on occasion, evangelical Christians have been harassed by Buddhist monks for their attempts to convert Buddhists to this version of Christianity, and they at times complain that the

Government tacitly condones such harassment, although no evidence has been presented to support this claim (see Section I).

On May 17, a group of laypersons associated with a local Buddhist temple visited Pastor Rozario at his home in the village of Neluwa, in the Galle District, and instructed him not to convert persons of other faiths to Christianity. Following the incident, Rozario made a complaint to police. On June 17, other persons attacked Pastor Rozario and set fire to items in his home. Suspects in both incidents are scheduled for trial in March 2004.

On May 25, 500 Hindus broke into the Heavenly Harvest Church in Kaluvenkerni, beat church members, including children, and ransacked the building. The Hindu mob then set fire to the homes of all 25 Christian families in the village and tried to force two Christians to renounce their faith. The police who arrived on the scene were outnumbered but managed to drive the pastor to safety. The LTTE have asked Christian villagers to return and promised to look after their safety. As of the end of the period covered by this report, no arrests had been made, and none seemed likely.

On June 3, a mob of 100 Buddhists surrounded St. Stephen's Lutheran Church at midnight and destroyed a small church hall still under construction. A Christian family next door was threatened with death if they reported the incident. Local authorities made one arrest after the attack but took no other action. Villagers subsequently threatened to bomb the church if the Christians attempted to rebuild it.

In September 2002, a group of Christians vandalized a Jehovah's Witness hall in Negombo, breaking windows, destroying electrical systems, and burning equipment. Members of the congregation claimed that the police did not react to the disturbance until after the crowd dispersed. In November a Christian mob stormed the same meeting hall, assaulting Jehovah's Witnesses and again vandalizing the premises. In December an appeal was made for police action and cooperation. A police spokesman visited the site and submitted a report to the Inspector General of Police. As of the end of the reporting period, the outcome of the investigation had not been made public.

There are reports that members of various religious groups give preference in hiring in the private sector to members of their own group or denomination. This practice likely is linked to the country's ongoing ethnic problems and does not appear to be based principally on religion. There is no indication of preference in employment in the public sector on the basis of religion.

In April 2001, a Muslim cashier was attacked by four Sinhalese in Mawanella. When the Muslim community protested police inaction, the Muslim persons were confronted by rioting Sinhalese, and two Muslims were killed. Due to police inaction, the senior superintendent of police was transferred; arrests were then made by the police.

SECTION IV. U.S. GOVERNMENT POLICY

The U.S. Embassy discusses religious freedom issues with the Government in the context of its overall dialog and policy of promoting human rights. Representatives of the Embassy regularly meet with representatives of all of the country's religious groups to review a wide range of human rights, ethnic, and religious freedom issues. The U.S. Ambassador has met with many religious figures both in Colombo and in his travels around the country. Christian bishops and prominent Buddhist monks, as well as prominent members of the Hindu and Muslim communities, are in regular contact with the Embassy. The Embassy has been supportive of efforts by interfaith religious leaders to promote a peaceful resolution of the conflict.