SOUTH ASIA

AFGHANISTAN [1]

Freedom of religion is restricted severely. Due to the absence of a constitution and the ongoing civil war, freedom of religion is determined primarily by the unofficial, unwritten, and evolving policies of the warring factions. In 1999 the Taliban, the ultraconservative Islamic movement that controls approximately 90 percent of the country, claimed that it was drafting a new constitution based on Islamic law. Although a spokesperson for the Taliban claimed that the new constitution would ensure the rights of all Muslims and religious minorities, custom and law require affiliation with some religion, and atheism is punishable by death. By the end of the period covered by this report, a new constitution had not been promulgated.

The status of respect for religious freedom continued to deteriorate during the period covered by this report due to the civil war, the policies of the Taliban, and the policies of the Taliban's opponents. 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 is political and military as well as religious, and it is not possible to state with certainty that the Taliban engaged in its campaign against the Shi'a solely because of their religious beliefs, the religious affiliation of the Hazaras apparently was a significant factor leading to their repression. The Taliban sought to impose its extreme interpretation of Islamic observance in areas that it controlled and has declared that all Muslims in areas under Taliban control must abide by the Taliban's interpretation of Islamic law. The Taliban relies on a religious police force under the control of the Ministry for the Promotion of Virtue and the Prevention of Vice (PVPV) to enforce rules regarding appearance, dress, employment, access to medical care, behavior, religious practice, and freedom of expression. Persons found to be in violation of the edicts are subject to punishment meted out on the spot, which may include beatings, detention, or both. In practice, the rigid policies adopted both by the Taliban and by certain opposition groups affect adversely adherents of other branches of Islam and of other faiths.

Relations between the different branches of Islam in the country are difficult. Historically, the minority Shi'a faced discrimination from the majority Sunni population.

The U.S. Embassy in Kabul has been closed since 1989 for security reasons. Although the United States does not recognize any of the warring factions as the Government of Afghanistan, U.S. Government officials have raised religious freedom issues with representatives of the factions on several occasions during the period covered by this report. U.S. Government officials have made similar approaches to other governments, including countries with influence in Afghanistan.

In September 2000, the former Secretary of State identified the Taliban as a particularly severe violator of religious freedom.

SECTION I. RELIGIOUS DEMOGRAPHY

The country has a total area of 251,738 square miles and its population is approximately 25 million. Reliable data on the country's religious demography is not available. However, observers estimate that 85 percent of the population are Sunni Muslim; most of the remaining 15 percent are Shi'a Muslim. The Hazara ethnic group is predominantly Shi'a; Shi'a are among the most economically disadvantaged persons in the country. The Shi'a minority wants a national government that would give them equal rights as citizens. There also are small numbers of Ismailis living in the central and northern parts of the country. Ismailis are Shi'a Muslims, but consider the Aga Khan their spiritual leader.

[1] Information on the religious freedom situation in Afghanistan is limited because there is no U.S. Government presence in the country.

Traditionally, Sunni Islam of the Hanafi school of jurisprudence has been the dominant religion. The Taliban also adheres to the Hanafi school of Sunni Islam, making it the current dominant religion in the country. For the last 200 years, Sunnis often have looked to the example of the Deoband madrassa (religious school) near Delhi, India. Most of the Taliban leadership attended Deobandi-influenced seminaries in Pakistan. The Deoband 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 Hanafi Sunnism generally known as Sufism. Sufism centers on orders or brotherhoods that follow charismatic religious leaders.

The Taliban's chief opposition is the Northern Alliance, which, under the nominal leadership of Burhanuddin Rabbani, is made up of various smaller anti-Taliban groups. Rabbani and his Defense Minister, Commander Ahmad Shah Masood, are both Tajiks and control a largely Tajik-inhabited territory in the northeast. Other members of the Northern Alliance include ethnic Hazara, Uzbeks, Turkmen, and other smaller groups. Some other smaller ethnic groups are Shi'a Muslims. Within the respective factions, there are economic, political, and military advantages to belonging to the dominant faith or ethnic group in a given faction. Conversely, members of a different faith may encounter disadvantages if they seek full membership in a particular faction. The Taliban has brought several prominent Shi'a commanders into its organization in an effort to counter the perception that it is an exclusively Sunni Pashtun movement. The Northern Alliance includes several Pashtuns in prominent roles, although its supporters largely come from the non-Pashtun minorities.

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 only 1 percent of the population. Almost all members of the country's small Hindu and Sikh population, which once numbered about 50,000 persons, have emigrated or taken refuge abroad. Non-Muslims such as Hindus and Sikhs now number only in the hundreds, often working as traders. The few Christians and Jews who live in the country apparently are almost all foreigners who are assigned temporarily to relief work by foreign nongovernmental organizations (NGO's).

Several areas of the country are religiously homogeneous. Sunni Muslim Pashtuns, centered around the city of Kandahar, dominate the south, west, and east of the country. The homeland of the Shi'a Hazaras is in the Hazarajat or the mountainous central highlands around Bamiyan. Badakshan province, in the extreme northeast of the country, traditionally has been an Ismaili region. Other areas, including Kabul, the capital, are more heterogeneous. For example, in and around the northern city of Mazar-i-Sharif, there is a mix of Sunnis (including Pashtuns, Turkmen, Uzbeks, and Tajiks) and Shi'a (including Hazaras, Qizilbash, and Ismailis).

SECTION II. STATUS OF RELIGIOUS FREEDOM

Legal/Policy Framework

Freedom of religion is restricted severely. Due to the absence of a constitution and the ongoing civil war, religious freedom is determined primarily by the unofficial, unwritten, and evolving policies of the warring factions. In most parts of the country, the Pashtun-dominated ultraconservative Islamic movement known as the Taliban vigorously enforced its interpretation of Islamic law. The Taliban, which controls approximately 90 percent of the country, claimed in mid-1999 that it was drafting a new constitution, based upon the sources of Islamic religious law (Shari'a): the Koran, the Sunna, and Hanafi jurisprudence. A Taliban spokesman stated that the new constitution would ensure the rights of all Muslims and of religious minorities. However, custom and law require affiliation with some religion, and atheism is considered apostasy and is punishable by death. By the end of the period covered by this report, a new constitution had not been promulgated. The small number of non-Muslim residents who remain in the country may practice their faith; however, they may not proselytize.

The country's official name, according to the Taliban, is the Islamic Emirate of Afghanistan; however, according to the Northern Alliance, the umbrella organization of various smaller anti-Taliban groups, it is the Islamic State of Afghanistan. These names reflect the desire of both factions to promote Islam as the state religion. Taliban leader Mullah Omar carries the title of Commander of the Faithful.

Licensing and registration of religious groups reportedly are not required by the authorities in any part of the country.

Restrictions on Religious Freedom

In Taliban-controlled areas the authorities have decreed that all Muslims must take part in five daily prayers. Friday noon prayers at mosques reportedly are compulsory for Muslim men. However, women and girls reportedly are forbidden to enter mosques and therefore must pray at home.

In May 2001, according to news reports, the Taliban was considering an edict requiring Hindus to wear identifying badges on their clothing. On May 23, 2001, Taliban radio announced that the edict had been approved by religious officials; however, Mullah Omar reportedly did not sign the edict and the Taliban did not implement it by the end of the period covered by this report. The Taliban stated that the intent of the proposed edict is to protect Hindu citizens from harassment by members of the religious police. However, international observers regarded the proposed edict as part of the Taliban's efforts to segregate and isolate non-Muslim citizens, and to encourage more Hindu migration. The reactions of Hindu citizens reportedly ranged from indifference to outrage.

According to Human Rights Watch (HRW), in September 1999, the Taliban issued decrees that forbade non-Muslims from building places of worship but allowed them to worship at existing holy sites, forbade non-Muslims from criticizing Muslims, ordered non-Muslims to identify their houses by placing a yellow cloth on their rooftops, forbade non-Muslims from living in the same residence as Muslims, and required that non-Muslim women wear a yellow dress with a special mark so that Muslims could keep their distance. These decrees followed earlier reports that Hindus were required to wear a piece of yellow cloth attached to their clothing to identify their religious identity, and that Sikhs also were required to wear some form of identification. This system of identification allegedly was imposed to spare non-Muslims from the enforcement of rules that are mandatory for Muslims and from harassment by agents of the PVPV; however, the identification system reportedly no longer is enforced.

No information is available about any activities by Muslim missionaries in the country. According to a decree issued in June 2001, proselytizing by non-Muslims is prohibited, and is punishable by death or deportation in the case of foreigners. Taliban officials subsequently stated that the decree is only a guideline. A small number of foreign Christian groups are allowed in the country to provide humanitarian assistance; however, they are forbidden to proselytize. Conversion from Islam is considered apostasy and is punishable by death. There was no information available about converts, and no information available concerning restrictions on the training of clergy.

The Taliban does not encourage free speech about religious issues or frank discussions that challenge orthodox Sunni views. Publishing and distribution of literature of any kind, including religious material, is rare. The Taliban continues to prohibit music, movies, and television on religious grounds in Taliban-controlled areas. In 1998 television sets, videocassette recorders, videocassettes, audiocassettes, and satellite dishes were outlawed in order to enforce the prohibition. However, subsequent reports indicate that many persons in urban areas around the country own such electronic devices despite the ban.

The parts of the country's educational system that have survived more than 20 years of war place considerable emphasis on religion. According to international news reports in May 2001, the Taliban issued an edict requiring all students, including those in private schools, to wear head coverings. The Taliban reportedly ordered education centers to expel any student without a head covering or face the risk of closure by the religious police.

When the Taliban took Kabul in September 1996, it immediately issued pronouncements forbidding girls to go to school. According to a United Nations survey, at that time, more than 100,000 girls reportedly attended public school in Kabul from grades kindergarten to 12. Since 1996 the Taliban has eliminated most of the opportunities for girls' education that existed in areas that the Taliban now controls; however, some girls' schools still operate in rural areas and small towns. The Taliban decreed that women are not allowed to attend the country's formerly coeducational universities, and one women's university, the Kabul branch of the Peshawar-based Afghan University, was closed by the Taliban in 1996 after it gained control of Kabul. The Taliban closed more than 100 NGO-funded girls' schools and home-based women's vocational projects in Kabul in June 1998. The Taliban stated that schools would not be allowed to teach girls over the age of 8, and that the schools that were closed had violated this rule. In the future, the Taliban stated that girls' schools would be licensed, and that teaching in such schools would be lim-

ited to the Koran. However, the Taliban reportedly does not enforce this policy universally and Taliban officials reportedly tolerate informal home schools in various parts of the country. Several girls' schools reportedly remain open in Kandahar. However, with the exception of schools in the refugee camps, which are maintained by international NGO's, girls' schools remained closed in Herat, which was captured by the Taliban in 1995. Some families sent girls abroad for education in order to evade the Taliban's prohibitions on education for females in most urban areas. The ban on women working outside of the home reportedly also has hampered the education of boys, since 70 percent of the country's teachers were women before the Taliban took over most of the country.

In 1998 the Taliban announced that foreign Muslim women, including U.N. workers, would be allowed to perform their jobs only if accompanied by a male relative. Although the restriction was not enforced vigorously during the period covered by this report, some arrests were reported and the regulation disrupted the working environment for some international NGO's in the country. On July 6, 2000, the Taliban issued an edict banning women's employment (except in the health care sector) in U.N. agencies and international NGO's. On August 16, 2000, the Taliban issued an order closing down the World Food Program's (WFP) 25 widows' bakeries. However, the Taliban reversed the edict the next day after the WFP stated that the female staff of the bakeries were not direct employees of the WFP and therefore not subject to the edict. In June 2001, the bakeries were again closed due to an impasse between the Taliban and the WFP over the WFP's attempt to hire women to conduct a beneficiary survey. A compromise was reached in which the Taliban permitted the WFP to hire women through the Ministry of Public Health and allowed the bakeries to reopen.

While some Taliban leaders have claimed that the Taliban is tolerant of religious minorities, it reportedly has imposed some restrictions upon Shi'a Muslims in Taliban-controlled territory. For example, the Taliban allegedly orders Shi'a Muslims to confine their Ashura commemorations during the month of Muharram to their mosques and to avoid the public processions that are an integral part of Ashura in other countries with Shi'a populations. There also are unconfirmed reports that the Taliban has occupied and "cleansed" Shi'a mosques for the use of Sunnis, including a Shi'a mosque in Mazar-i-Sharif in 1998.

The Taliban reportedly has required parents to give their children "Islamic" names.

Prayer is mandatory for all, and those who are observed not praying at appointed times or who are late attending prayer are subject to punishment, including severe beatings. There were reports in 1998 that PVPV members in Kabul stopped persons on the street and demanded that they recite various Koranic prayers in order to determine the extent of their religious knowledge.

According to Taliban regulations, men's beards must protrude farther than would a fist clamped at the base of the chin. Men also must wear head coverings and may not have long hair. A man who has shaved or cut his beard may be imprisoned for 10 days and be required to undergo Islamic instruction. All students at Kabul University reportedly are required to have beards in order to study there (no female students are allowed).

At various times, the Taliban has banned certain traditional recreational activities, such as kite flying and playing chess, on religious grounds. Dolls, stuffed animals, and photographs are prohibited under the Taliban's interpretation of religious injunctions against representations of living beings; in search of these objects, Taliban soldiers or persons masquerading as Taliban members reportedly have entered private homes without prior notification or informed consent. Health care for both men and women was hampered by the ban on images of humans, which caused the destruction of public education posters and hampered the provision and dissemination of health information in a society plagued with massive illiteracy. However, the Taliban allowed the visual depiction of persons in demining educational materials.

In public, women are required to don a head-to-toe garment known as the burqa, which has only a mesh screen for vision. Most women in rural areas traditionally wore burqas; however, many urban women did not wear burqas before the Taliban imposed this practice. According to a decree announced by the religious police in 1997, women found outside the home who were not covered properly would be punished severely, along with their family elders. Women are not allowed to wear white burqas, white socks, or white shoes. Women reportedly are beaten if their shoe heels click when they walk. All of these restrictions apparently are not enforced strictly upon the nomad population of several hundred thousand or upon the few female foreigners, who nonetheless must cover their hair, arms, and legs. Women in their homes also must not be visible from the street; the Taliban requires that houses

with female occupants have their windows painted over. However, during the period covered by this report, the Taliban reportedly eased some of the restrictions on women's dress.

Abuses of Religious Freedom

In the recent past, the Taliban committed mass killings of the mainly Shi'a Hazaras in newly occupied territories, particularly in the north. Although the conflict between the Hazaras and the Taliban is political and military as well as religious, and it is not possible to state with certainty that the Taliban engaged in its campaign of persecution against the Shi'a solely because of their religious beliefs, the religious affiliation of the Hazaras reportedly is a significant factor leading to their repression by the Taliban.

Since it took control of Kabul in 1996, the Taliban reportedly has committed numerous human rights violations, particularly against the Hazaras. In January 2001, several NGO's reported that the Taliban massacred several hundred Shi'a civilians in Yakaolang in the center of the country. The massacre reportedly occurred after the Taliban recaptured the area from opposition forces. According to witnesses interviewed by HRW, after the Taliban recaptured the area, they rounded up victims from the surrounding villages, and shot or stabbed them with bayonets in the town center.

There were credible reports of the massacre of thousands of civilians and prisoners by the Taliban during and after the capture of Mazar-i-Sharif in August 1998; this massacre reportedly was aimed at ethnic Hazaras. In September 1998, approximately 500 persons were killed as the Taliban gained control of the city of Bamiyan. The Hazaras regained control of Bamiyan in April 1999 following prolonged guerilla-style warfare; however, the Taliban recaptured Bamiyan in May 1999 and reportedly killed a number of Shi'a residents.

There were reports during 1999 and 2000 that there were forced expulsions of ethnic Hazaras and Tajiks from areas controlled or conquered by the Taliban, as well as harassment of these minorities throughout Taliban-controlled areas.

In March 2001, the Taliban destroyed two giant pre-Islamic Buddha statues carved into cliffs in Bamiyan province, on the grounds that statues are idolatrous and insulting to Islam. The Taliban destroyed the 2,000-year-old statues despite appeals from the United Nations, international NGO's, and the world community, including many Muslim countries.

The Taliban ruled strictly in areas that it controlled, establishing ad hoc and rudimentary judicial systems. The Taliban established Islamic courts to judge criminal cases and to resolve disputes. The courts reportedly dealt with all complaints, relying on the Taliban's interpretation of Islamic law and punishments as well as tribal customs. In cases involving murder and rape, convicted prisoners generally were ordered to be executed, although relatives of the victim could instead choose to accept other restitution. Decisions of the courts reportedly were final. Taliban courts imposed their extreme interpretation of Islamic law and punishments following swift summary trials. Murderers were subjected to public executions, which sometimes took place before crowds of up to 30,000 persons at Kabul Stadium. Executions sometimes were carried out by throat slitting, a punishment that, at times, was inflicted by the victims' families. Thieves were subjected to public amputations of either one hand or one foot, or both. The U.N. Special Rapporteur for Torture noted particular concern about the use of amputation as a form of punishment by Taliban authorities. Adulterers were stoned to death or publicly whipped with 100 lashes. According to HRW in 1999, several men who were found guilty of homosexual acts were crushed by having walls toppled over them by a tank; one man who survived the ordeal after being left under the rubble for two hours reportedly was allowed to go free. There were no reports that homosexuals were punished in such a manner during the period covered by this report.

The Taliban seeks to impose its extreme interpretation of Islamic observance in areas that it controlled and has declared that all Muslims in areas under its control must abide by the Taliban's interpretation of Islamic law. The Taliban announces its proclamations and edicts through broadcasts on the Taliban's "Radio Shariat," and relies on a religious police force under the control of the Ministry for the Promotion of Virtue and the Prevention of Vice to enforce rules regarding appearance, dress, employment, access to medical care, behavior, religious practice, and freedom of expression. Members of the PVPV, which was raised to the status of a Ministry in May 1998, are supposed to regularly check persons on the street in order to ascertain that individuals are conforming to such Taliban edicts. Persons found to be in violation of the edicts are subject to punishment meted out on the spot, which may include beatings, detention, or both. In practice, the rigid policies adopted both by the Taliban and by certain opposition groups affects adversely adherents of other

forms of Islam and of other faiths. Enforcement of Taliban social strictures is erratic; Taliban edicts generally are enforced in cities, especially in Kabul, and are enforced less consistently in rural areas, where more is left to local custom.

The Taliban's extreme interpretation and implementation of Shari'a (Islamic law) has had a particularly harmful effect on women. In Kabul and elsewhere, women found in public who are not wearing a burqa, or whose burqas do not cover their ankles properly, frequently are beaten by members of the religious police. Some poor women cannot afford the cost of a burqa, and thus are forced to remain at home or risk beatings if they go out without one. Some women who cannot afford to buy burqas have been unable to access necessary medical care. In a 1998 survey, Physicians for Human Rights (PHR) found that 22 percent of the female respondents surveyed reported being detained and abused by the Taliban; of these incidents, 72 percent were related to alleged infractions of the Taliban's dress code for women. Most of these incidents reportedly resulted in detentions that lasted 1 hour or less, but 84 percent also resulted in public beatings, and 2 percent resulted in torture. Sixty-eight percent of those surveyed reported that they had reduced their public activities drastically during 1998 in Kabul.

Women were expected to leave their homes only while escorted by a male relative, further curtailing the appearance and movement of women in public even when wearing approved clothing. Women who appear in public without a male relative risk being beaten by members of the religious police. Women are not allowed to drive, and taxi drivers reportedly are beaten if they take unescorted women as passengers. According to Amnesty International (AI), on October 19, 2000, a Taliban-controlled radio station reported that the Taliban confiscated 12 taxis for 3 days and warned drivers that they should "seriously avoid taking and transporting women without male relatives." Women may ride only on buses designated as women's buses; there are reportedly not enough of these buses to meet the demand, and the wait for women's buses can be lengthy. In 1998 the Taliban ordered that bus drivers who take female passengers must encase the bus in curtains, and put up a curtain so that the female passengers cannot see or be seen by the driver. Bus drivers also were told that they must employ boys under the age of 15 years to collect fares from female passengers, and that neither the drivers nor the fare collectors were to mingle with the passengers.

When the Taliban captured Kabul in 1996, it immediately issued pronouncements forbidding women to work, including female doctors and nurses in hospitals. In a few cases, the Taliban has allowed women to work in health care occupations under restricted circumstances. Amnesty International reported that thousands of women around the country were laid off in April 2000. The prohibition on women working outside of the home has been especially difficult for the large numbers of widows left by over 20 years of civil war; there are an estimated 30,000 widows in Kabul alone. Many women reportedly have been reduced to selling all of their possessions and to begging to feed their families. Taliban gender restrictions also continued to interfere with the delivery of humanitarian assistance to women and girls. Male relatives also must obtain the permission of the PVPV for female home-based employment.

Restrictions on women's employment also affected women working in international NGO's. In June 2001, the religious police arrested four female employees of the World Food Program because they were not accompanied by a male family member. The women were released after spending 2 nights in jail. Also in June 2001, an Italian-funded hospital in Kabul was forced to close temporarily to protect female staff from local religious police.

While most citizens lack any access to adequate medical facilities, such access was made even more restrictive for women under Taliban rule. In 1997 the Taliban announced a policy of segregating men and women in hospitals and directed most hospitals in Kabul to cease services to women and to discharge female staff. This policy contributed to a drastic reduction in access to and quality of health care for women. Several orders concerning the provision of emergency and nonemergency medical aid for women were given and reversed in 1997. In June 1998, the Taliban prohibited all doctors from treating female patients in the absence of a patient's husband, father, or brother. This decree, while not universally enforced, makes treatment extremely difficult for Kabul's widows, many of whom have lost all of their male family members. Furthermore, even when a woman is allowed to be treated by a male doctor, he may not see or touch her, which significantly limits the possibility of any meaningful treatment.

The Taliban's restrictions on medical treatment by male health professionals have had a detrimental effect on children. According to PHR, children sometimes are denied medical care when the authorities do not let male doctors visit children's

wards, which may be located within the women's ward of a hospital, or do not allow male doctors to see children who are accompanied only by their mothers.

No information is available on the numbers of religious detainees or prisoners. There is no indication that religious detainees or prisoners are charged formally as part of their incarceration. However, the Taliban reportedly still holds many Hazara Shi'a prisoners, who were detained as a result of the country's civil war and not solely on the basis of their religion.

Very little information is available about territory held by the Northern Alliance, which controls much less territory than the Taliban and therefore affects a smaller percentage of the population. However, some groups within the Northern Alliance also are dedicated to enforcing strict adherence to Shari'a law. In past years, some members of the Northern Alliance were responsible for atrocities against Taliban forces during the war for control of the country.

The Ismaili community fought for the Northern Alliance against the Taliban and suffered when the Taliban occupied territories once held by Ismaili forces.

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

SECTION III. SOCIETAL ATTITUDES

Relations between the different branches of Islam in the country are 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. 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.

SECTION IV. U.S. GOVERNMENT POLICY

The U.S. Embassy in Kabul has been closed since 1989 for security reasons. The U.S. Government maintains contact with all factions but does not recognize any as the Government of Afghanistan. U.S. officials have raised religious freedom issues with representatives of the factions, including the Taliban, on several occasions and particularly have called for the protection of the rights of religious minorities. U.S. officials have made similar approaches to other governments regarding the behavior of the Taliban, including countries with influence in the country.

The Department of State has raised the issue of Taliban abuses committed against religious minorities in international forums and has voted in favor of U.N. Security Council and General Assembly resolutions criticizing abuses committed against Shi'a by the Taliban. In August 2000, the Department of State announced that it was doubling its refugee resettlement ceiling for the Near East and South Asian regions for the year 2000, in part to allow more Afghan women and their families into the United States. Following reports of the Taliban's destruction of the pre-Islamic statues in Bamiyan, the Department of State spokesman criticized strongly the action. In the preceding weeks, following reports of the Taliban's plan to destroy statues, the U.S. Government made efforts in conjunction with private institutions, other countries and international organizations to deter the destruction. Following reports of the Taliban's edict requiring Hindus to wear identifying badges, the Department of State spokesman criticized the proposed edict and reaffirmed the Department's concerns about similar abuses.

In September 2000, the former Secretary of State identified the Taliban as a particularly severe violator of religious freedom.

BANGLADESH

The Constitution establishes Islam as the state religion but also stipulates the right to practice the religion of one's choice, and the Government generally respects this provision in practice.

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.

The generally amicable relationship among religions in society contributed to religious freedom; however, some members of the Hindu, Christian, and Buddhist minorities continue to perceive and experience discrimination from the Muslim majority.

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 total land area of the country is approximately 53,000 square miles, and the population is approximately 130 million. Sunni Muslims constitute 88 percent of the population. About 10 percent of the population are Hindu. The remainder are mainly 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 to practice the religion of one's choice, and the Government generally respects this provision in practice.

Religious organizations are not required to register with the Government; however, all nongovernmental organizations (NGO's), 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 authority to cancel the registration of an NGO or to take other action against it; however, it rarely has used these powers, and they have not affected NGO's having 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. Religion is taught in government schools, and parents have the right to have their children taught in their own religion. 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. The country celebrates holy days from the Muslim, Hindu, Buddhist, and Christian faiths as national holidays.

The Government puts no restrictions on the establishment of places of worship, the training of clergy, or the maintenance of links with coreligionists abroad.

In April 2001, the Director General of the Islamic Foundation, a government organization dedicated to promoting Islamic culture and studies, forced Maulana Obaidul Haque, Khatib (chief clergyman) of the Baitul Mukarram National Mosque, to retire. The Director General appointed a new Khatib, but after Maulana Obaidul Haque filed a writ petition to protest his forced retirement, the court stayed the decision and he remains Khatib for the National Mosque. The case was pending at the end of the period covered by this report.

Restrictions on Religious Freedom

In January 2001, the High Court ruled illegal all fatwas, or expert opinions on Islamic law. Fatwas can include the decision as to when a holiday is to begin based upon the sighting of the moon, or an opinion on a religious issue. Islam 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 on individual cases, calling the declaration a fatwa. Sometimes this results in extrajudicial punishments, often against women for their perceived moral transgressions. While the court's intention was to end the extrajudicial enforcement of fatwas or other declarations by religious leaders, the January ruling declared all fatwas illegal. The High Court's January 2001 ruling resulted in violent public protests (see Section III). Several weeks later, the Appellate Court stayed the High Court's ruling.

On April 9, 2001, Parliament passed the Vested Property Return Bill of 2001. This law stipulates that land remaining under government control that was seized under the Vested Property Act of 1965 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 will not be eligible to have their land returned, and no provisions were included for compensation for or return of properties that the Government has sold. The Government must publish a list of vested property holdings by October 11, 2001, and claims must be filed within 90 days of the publication date. No further claims are to be accepted.

Foreign missionaries may work in the country, but their right to proselytize is not protected in the Constitution, and 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 were subsequently unable to renew their visas, which must be renewed annually.

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 political office. The Government has appointed some Hindus to senior civil service positions, and some recent promotion lists from the Ministry of the Establishment included from 3 to 7 percent Hindus and other minorities. However, religious minorities remain underrepresented in government jobs, especially at the higher levels of the civil and foreign services. The government-owned Bangladesh Bank employs about 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, for example, 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.

Abuses of Religious Freedom

On June 3, 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. The bomb, which the army concluded was produced outside of the country, had been placed just inside a side door in a jute bag. Police detained various persons for questioning, but by the end of the period covered by this report, no progress had been made on the case.

In prior years, the Government sometimes has failed to criticize, investigate, and prosecute the perpetrators of attacks on members of religious minorities. For example, the Government responded ineffectively after an April 1998 attack on a Catholic school in Dhaka. When workers started demolishing a dilapidated classroom building on the school's property, someone from a mosque located behind the building shouted repeatedly over the mosque's loudspeaker, "The Christians are tearing down the mosque." A mob then attacked the school, demolishing walls, breaking statues, burning a large cross, and ransacking dormitories while students, most of whom were Muslim, stayed in a locked room. No one was hurt. Policemen stood by and watched as the attack continued throughout the afternoon.

A court later ruled clearly that the disputed classroom building belonged to the school, which produced documents demonstrating ownership for the last 80 years; however, the leaders of the mosque continued to harass school officials. Subsequently the Archbishop instructed the school officials to surrender the land and the building to the mosque management committee members in order to maintain peace.

Under the 1961 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 polygamy 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 only 3 months, but this rarely is enforced.

Feminist author Taslima Nasreen, whose latest book was banned in 1999, remained abroad during the period covered by this report, after receiving bail while criminal and civil cases against her for insulting religious beliefs remain pending. There have been no new developments in these cases.

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

Relations between the religious communities generally are amicable. Persons who practice different religions often join each others' 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 the 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 (see Section II). In the past, intercommunal violence caused many Hindus to emigrate to India, but recent emigration of Hindus has decreased significantly and generally can be attributed to economic or family reasons. Some incidents of communal violence still occur.

On October 5, 2000, in Narsingdi, two extortionists demanded approximately $175 (10,000 Taka) from Hindus during a religious festival. When the Hindus refused, the two damaged the deity and its platform and beat the caretaker. On June 11, 2001, the two criminals were fined approximately $88 (5,000 Taka) and sentenced to 9 years' imprisonment under the Public Safety Act.

On October 6, 2000, in Gazipur, two boys and one woman were injured in an altercation between Hindus and Muslims. Muslims conducting Friday prayers asked Hindus to lower the music volume at a nearby Hindu festival. When the Hindus refused, Muslims from the mosque damaged a Hindu deity, leading to the violence and injuries. This altercation was resolved through dialog between community leaders.

On October 8, 2000, in Dinajpur, four Muslims set fire to a Hindu temple over a land dispute with the Hindu temple's manager.

In the past, members of the Ahmadi sect, whom many mainstream Muslims consider heretical, were the target of attacks and harassment. In 1999 several mosques belonging to the sect were attacked. On October 8, 1999, a bomb killed six Ahmadis who were attending Friday prayers at their mosque in Khulna. The only suspect questioned by police was a fellow Ahmadi who later was released. No other suspects have been questioned, and the case remains unresolved. In November 1999, Sunni Muslims ransacked an Ahmadi mosque near Natore, in the western part of the country. In subsequent clashes between Ahmadis and Sunnis, 35 persons were injured. Ahmadis regained control of their mosque and filed a criminal case against 30 persons allegedly responsible for the conflict. That case remains pending. After a January 1999 attack on an Ahmadi mosque in Kushtia, two police officials were disciplined for failing to discharge their duties in controlling the incident. Ahmadi leaders report that their mosque remains under the control of local police, and Ahmadis are unable to worship there more than 2 years after the original attack.

Public reaction to the High Court's January 2001 ruling that declared fatwas to be illegal resulted in violence. Following the court's decision, a number of NGO's 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 fatwa was 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.

Some members of the Hindu, Christian, and Buddhist minorities continue to perceive and experience discrimination from the Muslim majority.

The law permits citizens to proselytize; however, 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. Embassy maintains a dialog with government, religious, and minority community representatives to promote religious freedom and to discuss problems. 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 gov-

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

BHUTAN

The law provides for freedom of religion; however, the Government limits 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. The law prohibits religious conversions and citizens of other faiths may not proselytize. The Government restricts the import into the country of printed religious matter; only Buddhist religious texts are allowed to enter.

Societal pressure for conformity with Drukpa Kagyupa norms is prevalent.

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 dialog and policy of promoting human rights.

SECTION I. RELIGIOUS DEMOGRAPHY

The country has a total land area of 18,146 square miles. Population figures vary greatly and estimates range from 600,000 to 2 million. Dissidents living outside of the country contend that the Government underreports the number of ethnic Nepalese in the country. Approximately two-thirds of the declared population practice either Drukpa Kagyupa or Ningmapa Buddhism. The Drukpa discipline is practiced predominantly in the western and central parts of the country, although there are adherents in other parts of the country. The inhabitants of the western and central parts of the country mainly, but not exclusively, are ethnic Ngalops, the descendants of Tibetan immigrants who predominate in government and the civil service and whose 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 the country, including the royal family. Most of those living in the east are ethnic Sharchops, the descendants of those thought to be the country's original inhabitants. Several Sharchops hold high positions in the Government, the National Assembly, and the court system.

There is a tradition of respect among many citizens for the teachings of an animist and shamanistic faith called Bon; the arrival of this faith to the country predates that of Buddhism. Bon priests still can be found in the country, but it is unclear how many citizens adhere to this faith. Bon rituals sometimes are included in the observance of Buddhist festivals.

Christians, both Catholics and Protestants, are present in small numbers throughout the country. There is only one Christian church building in the country, in the south, where the only concentration of Christians sufficiently large to sustain a church building is located. Elsewhere families and individuals practice their religion at home.

Approximately 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 limits this right in practice. The Drukpa discipline of the Kagyupa school, a branch of Mahayana Buddhism, is the state religion, and the law prohibits religious conversions.

Religious communities must secure government licenses before constructing new places of worship, but there were no reports to suggest that this process was not impartial. The Government provides financial assistance for the construction of Drukpa Kagyupa and Ningmapa Buddhist temples and shrines. Monks and monasteries of the Ningmapa school also receive some state funding. In the early 1990's, the Government provided funds 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 provides some scholarships for Sanskrit studies in Hindu universities in India.

The Government subsidizes monasteries and shrines of the Drukpa discipline and provides 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.

The King has declared major Hindu festivals to be national holidays, and the royal family participates in them.

Restrictions on Religious Freedom

The law prohibits religious conversions.

Citizens of other faiths other than Drukpa Kagyupa Buddhism may not proselytize. Foreign missionaries also are not permitted to proselytize. However, international Christian relief organizations and Jesuit priests are active in education and humanitarian activities.

According to dissidents living outside of the country, Buddhist religious teaching, of both the Drukpa Kagyupa and the Ningmapa disciplines, is permitted in schools; however, the teaching of other religious traditions is not.

The Government restricts the import into the country of printed religious matter; only Buddhist religious texts are allowed to enter.

The passports of members of minority religions cite the holder's religion, and applicants for government services sometimes are asked their religion before services are rendered. All government 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.

Abuses of Religious Freedom

There have been reports in the past that police have used unwarranted lethal force on peaceful demonstrations, resulting in the death of at least one monk. Monks also reportedly have been tortured while in prison

Ethnic Nepalese in the country were subject to discrimination by the authorities in the late 1980's and early 1990's 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 was also a factor. The Government contends that many of those expelled in 1991 were illegal immigrants who had no right to citizenship or residency in the country. Some 98,000 ethnic Nepalese continue to live in refugee camps in eastern Nepal and are seeking to return to their homes in Bhutan.

In March 2001, the long-negotiated Nepal-Bhutan joint verification team (JVT) began working on the first of the refugee camps to determine which refugees would be considered genuine Bhutanese and eventually allowed to return home. The process has "verified" over 400 families; however, the JVT has announced no results and no timetable for doing so. No plans for repatriation of the verified Bhutanese have been made public.

The Government also began 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 maintain that this action prejudices any eventual negotiated return of the refugees to Bhutan. The Government maintains that this is not its first resettlement program and that citizens who are ethnic Nepalese from the south sometimes are resettled on land in other parts of the country. The motivation for this official discrimination appears to be economic and political; however, to the degree that the Hinduism of the ethnic Nepalese identifies them, religion is also a factor.

A National Assembly resolution adopted in 1997 prohibits still-resident immediate family members of ethnic Nepalese refugees from holding jobs with the Government or the armed forces. In early 1998 the Government implemented the resolution, and already had dismissed 429 civil servants by November 1998, when implementation of the resolution was discontinued. While the ethnic Nepalese retired in this fashion were mainly Hindu, and the Government and the majority of the society are generally Buddhist, the motivation for this official discrimination appears to be mainly economic and political in nature and does not appear to be related to the practice of religion.

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

Governmental discrimination against ethnic Nepalese in the late 1980's and early 1990's arose in part from a desire to preserve the country's Buddhist culture from the growth of the ethnic Nepalese population, with its different cultural and religious traditions. That preoccupation on the part of the Government and many Buddhists still is present today. It is reflected in official and societal efforts to impose the dress and cultural norms of the Ngalop ethnic group on all citizens. While there are no known reports of the repetition of the excesses of the late 1980's and early 1990's, societal and governmental pressure for conformity with Drukpa Kagyupa norms is prevalent. The failure of the Government to permit the return of ethnic Nepalese refugees has tended to reinforce societal prejudices against this group, 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 Nepalese in the south.

There have been some efforts at promoting interfaith understanding. There are 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 has 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 occasionally take place. During these exchanges, governmental discrimination against the ethnic Nepalese minority has been discussed. The issue of religious freedom has not been raised explicitly.

INDIA

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

There was no overall change in the status of religious freedom during the period covered by this report. India is a secular state in which all faiths generally enjoy freedom of worship. Central government policy does not favor any religious group; however, governments at state and local levels only partially respect religious freedom, and a number of such governments considered legislation during the period covered by this report that would limit religious freedom. In addition, in May 2001, the central Government banned Deendar Anjuman, a Muslim group. The central Government is led by a coalition called the National Democratic Alliance (NDA), which has pledged to respect the country's traditions of secular government and religious tolerance. However, the leading party in the coalition is the Bharatiya Janata Party (BJP), a Hindu nationalist party with links to Hindu extremist groups that have been implicated in violent acts against Christians and Muslims. The BJP also leads state governments in Goa, Gujarat, Himachal Pradesh, and Uttar Pradesh. Human rights groups and others have suggested that the authorities in these states 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, and have noted that the ineffective investigation and prosecution of such incidents may encourage violent actions by extremist groups.

Tensions between Muslims and Hindus, and increasingly, between Hindus and Christians, continued. During the period covered by this report, attacks on religious minorities occurred in several states. During the summer of 2000, in particular, there were a number of attacks on Christians.

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

Relevant statistical information from the 2001 census had not been released by the end of the period covered by this report. According to the latest government estimates, Hindus constitute an estimated 82.4 percent of the population, Muslims 12.7 percent, Christians 2.4 percent, Sikhs 2.0 percent, Buddhists 0.7 percent, Jains 0.4 percent, and others, including Parsis (Zoroastrians), Jews, and Baha'is, 0.4 percent. Hinduism has a large number of branches, including the Sanatan and Arya Samaj groups. Slightly over 90 percent of Muslims are Sunni; the rest are Shi'a. Buddhists include followers of the Mahayana and Hinayana schools, and there are both Catholic and Protestant Christians. Tribal groups (members of indigenous groups historically outside the caste system), which in government statistics generally are included among Hindus, often practice traditional indigenous religions. Hindus and Muslims are spread throughout the country, although large Muslim populations are found in the states of Uttar Pradesh, Bihar, Maharashtra, West Bengal, Andhra Pradesh, and Kerala, and Muslims are a majority in Jammu and Kashmir. Christian concentrations are found in the northeastern states, as well as in the southern states of Kerala, Tamil Nadu, and Goa. Three small northeastern states have large Christian majorities—Nagaland, Mizoram, and Meghalaya. Sikhs are a majority in the state of Punjab. In January 1999, the National Commission for Minorities (NCM) recommended that Hindus be declared minorities in six states—Jammu and Kashmir, Punjab, Arunachal Pradesh, Meghalaya, Mizoram, and Nagaland—in order to help the NCM to recognize the problems of Hindus in those states. At the end of the period covered by this report, the proposal still was under consideration.

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; in 1993 there were 1,923 (see Section II).

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

SECTION II. STATUS OF RELIGIOUS FREEDOM

Legal/Policy Framework

The Constitution provides for freedom of religion, and the central Government generally respects this right in practice; however, state and local governments only partially respect this freedom. There are no registration requirements for religions. Legally mandated benefits are assigned to certain groups, including some groups defined by their religion. The Government is empowered to ban a religious organization if it has provoked intercommunity friction, has been involved in terrorism or sedition, or has violated the Foreign Contribution Regulation Act, which restricts funding from abroad. In May 2001, the Government officially banned Deendar Anjuman, a Muslim group.

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

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

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

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 (madrassas), but Hindus mostly attend government or Christian schools. Many Christian schools avoid overt religious instruction to avoid retaliation from Hindu extremists.

In June 2000, the National Human Rights Commission (NHRC) ordered affected states to provide written reports detailing the violence against Christians and the actions taken by state governments. All the states submitted reports to the NHRC, which found no organized pattern of anti-Christian activity. Another official inquiry by the NCM into the roughly 400 attacks on Christians between December 1998 and December 2000, only found random acts of unconnected violence, rather than a pattern of religiously motivated hate crimes. The Sangh Parivar (which forms part of the Government's support base), interpreted this conclusion as exculpation. However, the Archbishop of Delhi spoke on behalf of Catholics to voice his great disappointment with the Commission's report. Many Christian leaders are unhappy with the single Christian member on the NCM, who they believe is not representative of their views. Local church leaders opposed a proposed visit by the NCM to Ahmedabad to investigate violence against Christians for that reason.

The central Government is conscious of the perception that because of the composition of its support base it is less likely to respond to acts of violence against religious minorities by Hindu extremist groups, and has made efforts to show that it is addressing the concerns of religious minorities who believe that they are threatened. In the period covered by this report, the Prime Minister met on several occasions with delegations from the Christian and Muslim communities to discuss their particular concerns.

The Government has taken steps to promote interfaith understanding, including the creation of the National Integration Council in 1962 as a non-statutory body with an objective of maintaining social tranquility and communal harmony. The NCM and the NHRC have appointed members and are tasked respectively with protecting the rights of minorities and protecting human rights. These governmental bodies investigate allegations of discrimination and bias, and can make recommendations to the relevant local or central government authorities. These recommendations generally are followed, although the recommendations do not have the force of law.

Restrictions on Religious Freedom

On May 3, 2001, the Government officially banned Deendar Anjuman, a Muslim group, for "fomenting communal tension" and actions "prejudicial to India's security." State prosecutors alleged that some members of the tiny Muslim group called Deendar Channabasaveshwara Siddique (DCS) and its parent organization, Deendar Anjuman, were responsible for the Karnataka and Andhra Pradesh church bombings in 2000 (see Section III). From July to August 2000, approximately 45 members of the organization were taken into custody in Karnataka and Andhra Pradesh in connection with the bombings. During this time, the Government claimed that Deendar Anjuman was involved in a complicated plot to destabilize the country's communal relations, thus justifying its ban; however, of the group's few thousand members, probably only a few were involved in terrorist activities. The fact that a Muslim group was responsible for the bombings of Christian churches was unusual; most attacks against Christians are perpetrated by Hindu extremist groups or by mobs. Some observers have compared the vigorous investigation and prosecution of Deendar members for attacks against Christians with the general lack of vigor in the investigation and prosecution of Hindus accused of carrying out attacks against Christians.

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

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

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

Government officials also allegedly subjected Christian-affiliated foreign relief organizations to arbitrary bureaucratic obstacles; many of these organizations are not engaged in religious activity. Human rights and religious groups that receive funding from overseas must apply to the Home Ministry for a permit in order to receive such funds. The process appears to be easier for Hindu organizations than for Christian organizations.

The BJP, which has led two coalition national governments since March 1998, is one of a number of offshoots of the Rashtriya Swayamsewak Sangh, an organization that espouses a return to Hindu values and cultural norms. Members of the BJP, the RSS, and other affiliated organizations (collectively known as the Sangh Parivar) have been implicated in incidents of violence and discrimination against Christians and Muslims. The BJP and RSS express respect and tolerance for other religions; however, the RSS in particular opposes conversions from Hinduism and believes that all citizens should adhere to Hindu cultural values. The BJP officially agrees that the caste system should be eradicated, but many of its members are ambivalent about this. Most BJP leaders, including Prime Minister A.B. Vajpayee and Home Minister L.K. Advani, also are RSS members, as are the chief ministers of the state governments in Uttar Pradesh, Gujarat, Goa, and Himachal Pradesh. The BJP's traditional cultural agenda has included calls for construction of a new Hindu temple to replace an ancient Hindu temple that was believed to have stood on the site of a mosque in Ayodhya that was destroyed by a Hindu mob in 1992; for the repeal of Article 370 of the Constitution, which grants special rights to the state of Jammu and Kashmir, the country's only Muslim majority state; and for the enactment of a uniform civil code that would apply to members of all religions. In mid-October 2000, the RSS held a 3-day rally in Agra, which more than 75,000 Hindus reportedly attended. Speaking at the rally, RSS chief K.S. Sudarshan created controversy when he called for a ban on foreign churches and the creation of a national Christian Church based on the Chinese model. Sudarshan reportedly also encouraged Christian citizens to free themselves from the strong influence of foreign countries by setting up Indian nationalistic churches. Of particular concern for minority groups was Home Minister L.K. Advani's highly publicized participation at the Agra rally and vocal support of the RSS on his return to New Delhi. All of these proposals are opposed strongly by some minority religious groups. The BJP-led national Government took no steps to adopt these controversial proposals.

The BJP does not include the above RSS goals in the program of the coalition Government it leads; however, some Christian 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 have become increasingly 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. Thus, the central Government often is not the most important player in determining the character of relationships of various religious communities between each other and with the state.

In general, religious minorities in the northern area of the country claim that the regional governments' attitudes toward their communities have deteriorated since the BJP assumed power in 1998, and are concerned that attacks on religious minorities no longer appear to be confined to Gujarat and Orissa. In the north, sporadic attacks against Christians that began in April 2000 continued into the summer of 2000. The Government dispatched the NCM to investigate the attacks in the north, but the NCM's findings that the attacks were not "communal in nature" led to widespread criticism in the minority community. There is strong evidence that the NCM report misrepresented the victims by claiming that the victims were entirely satisfied that there was no religious motivation behind the violence; in fact, Christian groups in the north believe that these incidents were religiously motivated. Victims of the incidents claim that the local police were not responsive either before or during the attacks. By the end of the period covered by this report, no arrests had been made.

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

The four southern states are ruled by political parties with strong secular and pro-minority views. Each of these parties—the All-India Anna Dravida Munnetra Kazhagam (AIADMK) in Tamil Nadu, the Telugu Desam Party (TDP) in Andhra Pradesh, and the Congress Party in Kerala and Karnataka—has a history of support for religious minorities and has attempted to assuage religious minority fears about religious tension in the rest of the country. After the DMK (the former ruling party of Tamil Nadu) and the TDP entered the NDA in cooperation with the BJP during the 1999 Lok Sabha (lower house of Parliament) elections, both parties made efforts to reaffirm their commitment to secularism and to allay apprehensions from their religious minority supporters.

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

In the west, Gujarat continued to experience incidents of intercommunity strife in which Hindu nationalist groups targeted Christians and Muslims. While Muslim and Christian leaders in Gujarat maintain that overt incidents of discrimination or violence against minority religions declined slightly during the period covered by this report, Christian and Muslim communities remain suspicious of the state government, the only non-alliance BJP government in the country. However, the state government generally remained even-handed in its treatment of minorities. The Christmas festival in the southern Dangs district was peaceful. (In 1998 Hindus attacked Christians during Christmas, and in 1999 Christmas was peaceful but tense as Hindu nationalist groups held demonstrations.) In Maharashtra, Hindu-Muslim violence increased during the period covered by this report (see Section III), but again there was no evidence that the state government was favoring one community over another. In Madhya Pradesh, intercommunity strife is relatively uncommon. In April 2001, the state's Chief Minister Digvijay Singh strongly stated that his gov-

ernment would deal equally strictly with any violence committed by either Hindu or Muslim fundamentalist groups. There were no incidents of intercommunity strife in the new state of Chhattisgarh during the period covered by this report. Religious communities generally live together harmoniously in Goa, despite one incident of intra-Christian strife during the period covered by this report (see Section III).

Some persons alleged that the state of Gujarat discriminated in distributing aid to victims of the January 26, 2001 earthquake in Kutch district, which left over 20,000 persons dead. In April 2001, Human Rights Watch toured the affected region and claimed that in the distribution of relief supplies upper caste Hindus received better treatment than lower caste Hindus and poor Muslims in the worst affected towns of Bhuj, Bhachau, and Anjar. However, representatives of many NGO's working in the region reported that the Gujarat government's relief effort did not discriminate by caste or religion. (There are almost no Christians in the quake-stricken region.)

Abuses of Religious Freedom

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

The Government is reviewing the legislation on marriage. A draft "Christian Marriage Bill" considered in early 2000 was intended to replace the Indian Divorce Act of 1869, which is criticized widely as biased against women. If enacted, the draft bill would place limitations on interfaith marriages and specify penalties, such as 10 years imprisonment, for clergymen who contravene its provisions. The current form of the proposed bill states that no marriage in which one party is a non-Christian may be celebrated in a church. The bill was not introduced during the Parliament session of March to May 2000 due to the strong objections and reservations of the Christian community. Christian leaders continued to oppose the bill when the Government proposed to introduce it in late November 2000, this time objecting that the bill did not go far enough in its efforts to equalize the treatment of women. The bill was on the agenda of the February 2001 Bedget session, but was never brought to the floor for debate.

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, and other forms of physical abuse. Many of the charges of government responsibility for massacres of civilians lack credibility; however, significant evidence emerged in August 1999 regarding the Government's earlier role in the killing of 19 Muslims in Saalan village of Poonch district on August 4, 1998. An investigation by the chief minister revealed that the state and federal governments had created an overall infrastructure that specifically included individuals with the demonstrated capacity and attitude to commit such acts of violence. It is difficult to separate religion and politics in Kashmir; Kashmiri separatists are exclusively 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 June 10, 2000, in Uttar Pradesh, Vijay Ekka, a witness to the killing of a Catholic priest, George Kuzhikandum, died in police custody. Ekka initially was placed under police protection because of the risk of Hindu reprisals against him. Human rights organizations and minority communities across the country criticized his death. Archbishop Vincent Concessao of Agra said that Ekka's body showed signs of torture, and that police had told church authorities that Ekka had committed suicide. While in detention, Ekka told visitors that he was being tortured constantly in police custody, and said that he was afraid that the police would kill him. The state government initiated an investigation into Ekka's death on June 17, 2000, and a few days later announced plans to establish a judicial inquiry. The Mathura superintendant of police was transferred, and two policemen were arrested in connection with the incident. By the end of the period covered by this report, the trial against the two police was continuing; another eyewitness in the case had registered a complaint with the NHRC regarding harassment by the local police.

The Government is led by a coalition called the National Democratic Alliance, which has pledged to respect the country's traditions of secular government and reli-

gious tolerance. However, the leading party in the coalition is the Bharatiya Janata Party, a Hindu nationalist party with links to Hindu extremist groups that have been implicated in violent acts against Christians and Muslims. The BJP also leads state governments in Goa, Gujarat, Himachal Pradesh, and Uttar Pradesh. Human rights groups and others have suggested that the response by authorities in these states to acts of violence against religious minorities by Hindu extremist groups has been less than optimal, at least in part because of the links between these groups and the BJP, and have noted that the ineffective investigation and prosecution of such incidents may encourage violent actions by extremist groups.

The BJP has been inconsistent and perhaps is not united in its approach to violence against Christians. In July 2000, the BJP urged the Government to investigate a series of small, nonlethal bomb blasts in churches in Karnataka and Andhra Pradesh for which Hindu extremist groups were being blamed, but subsequently resisted efforts to widen the investigation to cover other attacks on Christians. Governments at state and local levels only partially respect religious freedom. A number of such governments considered legislation during the period covered by this report that would limit religious freedom.

On occasion, Hindu-Muslim violence led to killings and a cycle of retaliation (see Section III). In some instances, police and government officials abetted the violence, and at times security forces were responsible for abuses. Police sometimes assisted Hindu fundamentalists in committing violent acts. In August 2000, after a Hindu-Muslim clash in Surat, Gujarat, Muslims alleged that the state reserve police sided with the attackers rather than with the victims (see Section III). The NHRC reportedly sought an explanation from the Gujarat government about this incident; however, the Gujarat government stated that it never received an official complaint from the NHRC. Following riots in Ahmedabad, Gujarat from August 5 to 7, 2000 (see Section III), some police officers allegedly forced some Muslim residents to sing the Sanskrit anthem to prove that they were not "antinational."

Weak enforcement of laws protecting religious freedom is partly 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 has in some places practically 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 Central Bureau of Investigation (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

There were no credible 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.

Improvements and Positive Developments in Respect for Religious Freedom

During the period covered by this report, the central and state governments achieved some successes in prosecuting perpetrators of religiously based violence. In May 2001, the Jhabua district court in Madhya Pradesh sentenced 10 Hindu men to life in prison for the September 1998 attack and rape of 6 Christian nuns at a convent in Navapada, an incident that had caused nationwide outrage.

The trial of Dara Singh, alleged ringleader of the mob responsible for the Staines murders (see Section III), is being prosecuted by the CBI rather than local prosecutors. Under the CBI's efforts, the trial appears to be making progress. Singh has been denied bail, and witnesses are beginning to testify to his involvement. This trial is expected to be a bellwether for the minority community in assessing the central Government's commitment to convicting persons who commit crimes of religious hatred.

On July 14, 2000, the Maharashtra government announced its intention to prosecute Bal Thackeray, leader of the rightwing Hindu organization Shiv Sena, for his role in inciting the Mumbai 1992–93 riots in which over 700 persons, the vast majority of whom were Muslim, were killed. On July 25, 2000, the authorities arrested Thackeray; a few hours later a judge ruled that the statute of limitations relating to the incitement charges had expired, and Thackeray was released. There has been some progress in the investigation of the 1992–93 riots. The Maharashtra government claims that the special investigative task force almost has completed its inves-

tigation of 31 police officers indicted by the Shri Krishna Commission. By the end of the period covered by this report, 15 officers had been arrested, but all were released on anticipatory bail.

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 54-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 increasingly, between Hindus and Christians, continue to pose a challenge to the concepts of secularism, tolerance, and diversity on which the State was founded.

Within the Indian context, the phrase "communal violence" generally is understood to mean Hindu-Muslim conflict and the possibility of retaliation and serious riots. As a minority of 130 million persons in the country, Muslims are less vulnerable than the much smaller Christian minority of 25 million persons. Communalism among the larger religious groups within the country is so sensitive that domestic newspapers refer to communal clashes between Hindus, Muslims, and Sikhs without naming the groups involved in order to avoid exacerbating tensions. For example, an April 2001 article in the national newspaper, The Times of India, described a clash between "two communities," and did not mention which communities were involved. In contrast, coverage of violence against Christians does not avoid naming the religious affiliation of the victims or perpetrators. This may be because Christians are such a tiny minority in all but a few areas of the country that they are considered to be less likely to engage in retaliatory violence.

Although a Home Ministry report released on April 26, 2001, admitted that there had been "an increase in attacks on Christians and their institutions in the year 2000," the report went on to claim that communal violence as a whole had declined by 9 percent. The outbreak of societal violence against Christians that occurred during the previous reporting period, and apparently was sparked by rumors of forced conversions of Hindus to Christianity, was not repeated during the period covered by this report. However, tensions persist, and the underlying resentment of Christians by Hindus sometimes leads to violent confrontations.

During the period covered by this report, attacks on religious minorities occurred in several states. The summer of 2000, in particular, saw a number of attacks on Christians. Some of these attacks were motivated by economic motives or arose in a context of existing nonreligious disputes; others were purely religious in motivation.

In July 2000, a tribal Jesuit priest was killed while riding home on his motorcycle in South Bihar. In this case, both the Catholic mission and the police agreed that the motive was robbery. In Gujarat, a local Bajrang Dal activist assaulted a priest and a nun. The victims had been involved in distributing food to drought victims and were accused of using the aid as inducement to poor Hindus to convert. In the attack 144 sacks of grain were looted.

On July 29, 2000, in Andhra Pradesh, a gang attacked and killed a Lutheran bishop. The motive later was found to be intrachurch political rivalry; the bishop's opponents had hired the killers.

On July 21, 2000, in Ahmedabad, Gujarat, members of the Vishwa Hindu Parishad (VHP), a Hindu nationalist group, beat Samson Christian, a member of the All India Christian Council. Christian had been active in trying to protect tribal Christians against attacks through the courts. A few days earlier, in the same area, alleged VHP members had attacked staff members at a Christian school. In this case, the attackers claimed that they were angry over alleged attempts at conversion in the school, although school authorities said that the incident stemmed from a dispute with a parent over nonpayment of school fees.

Throughout June and July 2000, there were several bomb explosions in or near Christian institutions in the southern states of Karnataka and Andhra Pradesh. No one was killed in the explosions, which caused relatively minor damage. The blasts later were blamed on Deendar Anjuman activists. Members of the group were taken into custody and the Government later banned the group (see Section II). These incidents, as well as the killing of a principal at a Christian school near Mathura, Uttar Pradesh, led to heated debates in Parliament during which opposition members accused the Government of failing to rein in the radical elements of the Sangh Parivar (see Section II).

During the rest of the period covered by this report, there were periodic outbreaks of religiously based violence but there was no distinct geographic or temporal pattern.

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

In early December 2000, a Catholic priest was killed in Manipur. Earlier in Kurpania, Bihar, a nun was raped and a convent was looted.

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

In late January 2001, in the Sarguja district of Chhattisgarh, there was a mass reconversion of 360 tribals back to Hinduism, which was managed by a Sangh Parivar offshoot and attended by local Congress Party leaders and a BJP member of Parliament (see Section II).

On March 26, 2001, a group of Hindus reportedly beat two members of an Indian Evangelical Team while travelling in Orissa.

In March 2001, in Orissa, Christian Archbishop Cheenath gave a speech objecting to an amendment to the Orissa Religious Freedom Act which he believed would make conversion more difficult. He said that fears of forced conversion were not credible. He noted that, although Christian schools have for generations educated a far larger percentage of Indians 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 May 2001, at the Banavali village of Salcete Tehsil in South Goa, a Christian priest named Satirino Antao tried to sell a disputed school property to a splinter Christian group calling themselves the "Believers." The majority of the school's parents were Catholics who opposed the move. Reportedly, on May 20, 2001, after a heated meeting, the parents vandalized school property and on May 28, 2001, allegedly assaulted Father Antao. The Archbishop's office claimed that Antao had been removed as priest of Banavali church in 1973 and had no right to sell the school because it belongs to the Catholic Church. At the end of the period covered by this report, the case against Antao remained in the Goa High Court.

On May 28, 2001, in Kapadwanj in Kheda district in Gujarat, members of the VHP stopped a funeral procession to prevent the burial of a Christian in a disputed burial ground. The police used tear gas to dispel the VHP members, but the body had to be moved to Ahmedabad for burial.

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 basis of the BJP and RSS), are afraid that this may destroy the rigid caste hierarchy that benefits from them. Many acts of violence against Christians stem from these fears.

In December 2000, a Christian school near Ranchi in Jharkand state decided to close after a series of attacks, including assaults and an alleged rape, against teachers and staff. The police blamed a local criminal gang for the assaults, and arrested four persons. One policeman was suspended for dereliction of duty.

On March 23, 2001, alleged BJP and RSS activists attacked a Christian congregation at Chevalla in Andhra Pradesh. The alleged reason behind the attacks was the pervasive perception that Christians were encouraging conversions of Hindus.

In late March, 2001, some Christian leaders, believing that violence against Christians had declined significantly since the summer of 2000, agreed among themselves to meet with leaders of Hindu organizations. Under the aegis of the NCM, talks were proposed to discuss conversions, the issue of a "swadeshi" (i.e. indigenous) church, and attacks on Christians. However, by the end of the period covered by this report, such talks had not begun, as neither Christians nor Hindus had been able to reach agreement on their respective positions.

On May 7, 2001, a Christian priest, Father Jaideep, was attacked in Jatni town, Orissa. Local citizens who were enraged by the priest's distribution of pamphlets to propagate Christianity in a Hindu-dominated area allegedly participated in the attack.

During the period covered by this report, the RSS angered minority communities by publicly challenging the "Indian-ness" of religious minorities. On December 31, 2001, RSS chief K. Sudarshan addressed a meeting of volunteers of the Hindu Swayamsewak Sangh (a global organization of expatriate Hindus) in a suburb of Mumbai. He said that only the RSS can serve as the bulwark against what he claimed was the Catholic Church's agenda of converting large Asian populations.

On March 8, 2001, Sudarshan again made a speech advocating the "Indianization" of Islam and Christianity. He said that "they should sever their links with the Mecca and the Pope and instead become swadeshi." Catholics took special exception to this; the Archbishop of Delhi pointed out that the Indian Christian church is 2,000 years old (traditionally dating from the Apostle Thomas), and that although the spiritual head was the Pope, the day-to-day administration of the church was entirely in Indian hands. The RSS published an article entitled "Foreign Missionaries, Quit India: RSS" in their journal The Organiser, in which they attacked missionary-backed Christian institutions in the country.

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.

Christian leaders detected a slight decrease in the incidents of violence against their community, and also a change in the type of incidents. In late April, 2001, Father Donald DeSouza of the Catholic Bishops' Conference of India said that while the incidents of violence against the Christian community had decreased in the previous 6 to 8 months, "that does not mean that the threat perception has also decreased" among Christians. The Government found that 80 percent of attacks on minorities were motivated by local incidents, economic arguments, or intradenominational feuds.

By the end of the period covered by this report, the trial continued in Orissa of Dara Singh, a member of the Hindu extremist Bajrang Dal, who was arrested on January 31, 2000, for the Staines murders (see Section II). In October 2000, a 13-year-old member of the mob responsible for the murders was sentenced to 14 years in prison. The trial of the other 14 arrested persons still was proceeding by the end of the period covered by this report. In May 2001, a witness in the trial identified Dara Singh as the person who put straw under Staines's car and set it on fire. Previously, witnesses had been unwilling to identify Dara Singh.

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

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

The country's caste system historically has strong ties to Hinduism. Hinduism delineates clear social strata, assigning highly structured religious, cultural, and social roles, privileges, and restrictions to each caste and subcaste. Members of each caste—and frequently each subcaste—are expected to fulfill a specific set of duties (known as dharma) in order to secure elevation to a higher caste through rebirth.

Dalits are viewed by many Hindus as separate from or "below" the caste system; nonetheless, they too are expected to follow their dharma if they hope to achieve caste in a future life. Despite efforts by reform-minded modern leaders to eliminate the discriminatory aspects of caste, societal, political, and economic pressures continue to ensure its widespread practice. Caste today therefore is as much a cultural and social phenomenon as a religious one.

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

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

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

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

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

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

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

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

In November 2000, riots broke out between Shi'a and Sunni Muslims in Mubarakpur, Uttar Pradesh. The fighting was believed to have political as well as intra-Muslim doctrinal causes.

In December 2000, in the southern city of Ichalkaranji in Maharashtra, members of the Hindu nationalist Shiv Sena party tried to perform "Maha-arti" (a Hindu prayer meeting) at a playground that traditionally has been used for Muslim Eid prayers. The police blocked the Shiv Sena effort, but riots and looting broke out in the city for 3 days. There were no deaths but property owned by both Hindus and Muslims was damaged. In early 2001, Hindu-Muslim tension increased after the destruction of the Bamiyan Buddhas by Afghanistan's Taliban. Almost the entire country's religious community, including most prominent Muslims, strongly protested the Taliban's action; however, some radical Hindus exploited the issue. On March 5, 2001, Bajrang Dal activists allegedly burned a copy of the Koran in New Delhi. Using evidence consisting only of a photograph of three young men burning a Koran in an unidentifiable city, a commission of Muslim leaders asked to see the Prime Minister. Vajpayee met with them and promised action, and a police investigation resulted in two arrests. There was no further action by the end of the period covered by this report.

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

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

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 remains considerable. Extremist Hindu groups such as the VHP and Bajrang Dal maintain that they intend to build a Hindu temple in Ayodhya on the site of a mosque demolished by a Hindu mob, with or without the Government's approval.

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

There were a number of violent incidents in July and August 2000 that are believed to have been carried out by Muslim militants. On July 13, 2000, militants killed three Buddhist monks in Rangdum, Kargil district. On July 30, militants threw a grenade into a jeep carrying Hindu religious pilgrims near Gulmarg, killing one person and injuring five others. On August 1 to 2, militants entered a camp of Hindus making the annual pilgrimage to Amarnath in the northern part of the state and fired automatic weapons at tents, at the unarmed civilians in the camp, the pilgrims' local porters and guides, and at army personnel nearby. A total of 32 persons were killed in the attack, all of them unarmed civilians. Similar attacks occurred throughout the night of August 1 to 2, killing some 100 persons in various places in Jammu and Kashmir. On August 17, militants reportedly killed six Hindu villagers and seriously wounded seven others in Jammu. On August 18, militants entered a Hindu village in the Koteswara area near Rajauri and indiscriminately fired at villagers, killing four persons and injuring six others. On August 18, mili-

tants killed three elderly men and a teenage boy and wounded two other persons when they fired automatic guns at civilians in Ind village, Udhampur. On August 20, a person shot and injured a Hindu telephone kiosk operator in Qazi Gund, near Anantnag. Also on August 20, militants entered the Hindu village of Indeh, Udampur district and killed four members of a Hindu family.

In May 2001, six Hindu cattle herders in the mountains around Jammu were beheaded, apparently by Muslim militants. Attacks by Muslim separatists seeking to end Indian rule in Jammu and Kashmir, and continued political violence, drove most Hindus in the Kashmir Valley to seek refuge in camps in Jammu, with relatives in New Delhi, or elsewhere.

According to the Ministry of Home Affairs, about 51,000 Pandit families fled their homes in Jammu and Kashmir due to the violence between 1990 and 1993. Of these, 4,674 families are living in refugee camps in Jammu, 235 families are in camps in Delhi, and 18 families are in Chandigarh. The rest still are displaced, but are living outside of the camps in Jammu and Delhi. The Pandit community criticizes bleak physical, educational, and economic conditions in the camps and fears that a negotiated solution giving greater autonomy to the Muslim majority might threaten its own survival in Jammu and Kashmir as a culturally and historically distinctive group. On August 18, 2000, the Jammu and Kashmir government adopted a proposal designed to facilitate the return of Pandits to the Kashmir valley and rehabilitation of the Pandits. However, various Pandit groups criticized the proposal for failing to address the political aspirations of Pandits, failing to provide economic support and adequate security for returning Pandits, and for creating special economic zones that would aggravate communal tensions. The proposal was abandoned during the period covered by this report, in large part due to the Government's inability to ensure the personal security of returnees. The NHRC released a report in June 1999 that stated that the crimes against the Pandits "fall short of the ultimate crime: genocide," but that compensation to the community had been inadequate. As a result, the Government's monthly subsistence payment to Pandit families was increased.

On February 3, 2001, two gunmen killed as many as six Sikhs and wounded at least four others in Srinagar. The public viewed this attack as punishment by militants for the killing earlier in the week of a Muslim civilian, allegedly by Sikh policemen belonging to Kashmir's Special Operations Group; however, such allegations never were proved. The Government sent a four-member team to Kashmir to investigate the killings; however, no one had been charged at the end of the period covered by this report. Sikhs protested the killings, which led to violent clashes with police. The February 2001 incident was the first attack against the Kashmir Valley's minority Sikh population since the March 2000 killing of 35 Sikh men in the village of Chatti Singhpora in south Kashmir. These mass killings in Kashmir, targeted against the Sikh community, increased fears that the remainder of Kashmir's beleaguered minorities may try or be forced to leave. There was an exodus of many from the Sikh community, particularly the young, during the period covered by this report.

There was no reported progress regarding any investigation of the March 2000 killings of 35 Sikh men in the village of Chatti Singhpora, near Anantnag in south Kashmir.

During the period covered by this report, in the temple town of Badrinath in Chamoli district, Uttar Pradesh, clashes reportedly occurred between Hindus and Jains over whether Jains should proceed with the installation in the building of the idol Shri Adinath, a principal Jain deity. Badrinath is a pilgrimage spot for Hindus.

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 bring the various commu-

nities together. 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 during the period covered by this report, prominent Catholics spoke out against the killings of six Sikhs in Kashmir.

The VHP demanded a ban on the McDonald's food-chain in the country following news that an international lawyer was filing a lawsuit against the fast food company for allegedly misleading vegetarians by secretly lacing its french fries with beef tallow. VHP President Vishnu Hari Dalmia claimed that the religious sentiments of Hindus who revere cows in India and abroad had been hurt. In Mumbai, over 500 slogan-shouting Bajrang Dal activists ransacked McDonald's outlets in protest.

SECTION IV. U.S. GOVERNMENT POLICY

The U.S. Mission 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.

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

In December 2000, a U.S. Department of State official visited Delhi and Mumbai to meet with Hindu, Christian and Muslim leaders, human rights activists, and government officials about religious freedom problems in the country.

On the behest of the U.S. Embassy, the Indian Government extended a formal invitation to the U.S. Commission on Religious Freedom to visit later in 2001.

MALDIVES

The 1997 Constitution designates Islam as the official state religion and the practice of other religions is prohibited by law. Foreigners are allowed to practice their religion if they do so in private and do not encourage citizens to participate.

There was no change in the status of respect for religious freedom during the period covered by this report, and freedom of religion is restricted significantly. The President is the "supreme authority to propagate the tenets of Islam." The Government observes Shari'a (Islamic law), and significantly restricts the practice of other faiths.

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 does not maintain a resident Embassy in the Maldives; the U.S. Ambassador in Colombo, Sri Lanka, is also 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.

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 majority of which adhere to the Sunni branch of Islam. Foreigners in the Maldives—more than 300,000 tourists annually (predominantly Europeans and Japanese) and about 20,000 foreign workers (predominantly Pakistani, Sri Lankan, Indian, and Bangladeshi)—are allowed to practice their religion privately.

SECTION II. STATUS OF RELIGIOUS FREEDOM

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. However, foreign residents are allowed to practice their religion if they do so privately and do not encourage citizens to participate.

Restrictions on Religious Freedom

In July 2000, the President stated that no other religion should 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 (Islamic law).

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."

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, although the Government generally has not interfered with the practice of other religions, there are some restrictions. The Constitution describes Nepal as a "Hindu Kingdom," although it does not establish Hinduism as the state religion.

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 members of minority religions occasionally report police harassment. Isolated attacks, mainly by members of the local community on the country's small Christian population, occurred during the period.

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 to admit in public their affiliations.

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 23.2 million. Hindus constitute 85 to 90 percent of the population; Buddhists, 5 to 10 percent; Muslims, 2 to 5 percent; and Christians, approximately 1.7 percent. Christian denominations are few but growing. Estimates put the number of Christians at about 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 Nepal 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.

Restrictions on Religious Freedom

The law prohibits converting others and proselytizing, activities that are punishable with fines or imprisonment. Some Christian groups are concerned that the ban on proselytizing limits the expression of non-Hindu religious belief.

A conviction for converting others or proselytizing can result in fines or imprisonment or, in the case of foreigners, expulsion from the country. Four cases related to converting others and/or proselytizing were filed during the period covered by this report. The courts dismissed two cases; one case resulted in a guilty verdict and a 3-month sentence for the four defendants, who have all since been released; and the fourth case is pending, with a court date set for October 2, 2001. However arrests or detentions for proselytizing are rare, and there have been few incidents of punishment or investigation in connection with conversion or proselytization during the last few years. In October 2000, four Christians, including one Norwegian national, were arrested on charges of attempting to convert others in Rajbiraj, Satpari district in eastern Nepal after a local teacher claimed that the four had offered him money if he converted. On November 9, two of the accused were released on bail after paying a fine. The other two, including the Norwegian, remained in custody awaiting trial. The district court eventually found all four guilty of proselytization and sentenced each to 3 months in prison. All four were released from jail on February 15, 2001. The Norwegian has since returned to his native country. Members of minority religions occasionally complain of police harassment.

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, an umbrella Protestant group. A court date to hear the case has been set for October 2, 2001. In April 2001, a case against the United Mission of Nepal (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.

In 1999 Christian groups in Kathmandu were prevented from observing Good Friday in a public park when they failed to obtain the proper permit. However, Easter services in 1999, which were conducted without the proper permit, took place without incident. Public observances of Easter in a Kathmandu park and a Passover Seder in a major hotel in Kathmandu in 2000 and 2001 were uneventful.

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. The Press and Publications Act prohibits the publication of materials that create animosity among persons of different castes or religions.

There are currently no reports of religious prisoners or detainees.

Local authorities in Boudanath, Kathmandu, halted the performance of a traditional dance scheduled to be performed on February 26, 2001, 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 proces-

sion of Tibetan school children, monks, and others on their way to Swayambunath Temple in Kathmandu; however, no injuries were reported. After the June 1, 2001, death of members of the royal family, Tibetan community leaders were asked by local officials to refrain from public celebration of festivals during the period of official mourning.

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

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. The country's Muslim minority is not well integrated with the larger Hindu majority and does not have the same level of religious identity that Hindu and Buddhist communities share.

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. Shiv Sena Nepal and Nepal Shivsena both strongly criticized the Taliban destruction of Buddhist artifacts in Afghanistan in March, as did many Nepali political and religious leaders. However, Nepal Shivsena threatened to break or destroy all "Islamic identities" in Nepal in retaliation for Taliban actions. 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.

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.

The caste system, although it is prohibited by the Constitution, strongly influences society. However, traditional religious practices at Hindu temples are an exception to this prohibition. The Government allows caste discrimination at Hindu temples where, for example, members of the lowest caste are not permitted (see Section II). Otherwise, the Government makes an effort to protect the rights of the disadvantaged castes.

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 have also alleged persecution 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 regular contact with Hindu, Christian, Buddhist, Jewish, Baha'i, and other religious groups. The Embassy monitors closely religious freedoms and raises these topics with the Government when appropriate.

PAKISTAN

The Constitution (which was suspended following the October 1999 coup) provides for freedom of religion, and states that adequate provisions shall be made for minorities to profess and practice their religions freely; however, 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. Religious freedom is "subject to law, public order, and morality;" accordingly, actions or speech deemed derogatory to Islam or to its Prophet, for example, are not protected. In addition, the suspended Constitution requires that laws be consistent with Islam and imposes some elements of Koranic law on both Muslims and religious minorities.

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 minorities. This is due both to public policy and to the Government's unwillingness to take action against societal forces hostile to those that practice a different faith. 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 separate political electorates for minorities under the suspended Constitution. The number of cases filed under the "blasphemy laws" increased during the period covered by this report. A Christian nongovernmental organization (NGO) reported that 58 cases were registered during the period covered by this report, compared to 53 cases during the same period in 1999–2000. The Government of Chief Executive General Pervez Musharraf, which took power in a military coup on October 12, 1999, reportedly made efforts to seek minority input into decision-making and offered cabinet positions to individuals from minority communities; however, such efforts tapered off during the period covered by this report.

Relations between different religious groups frequently are tense, and the number of deaths attributed to sectarian violence increased during the period covered by this report. Discriminatory religious legislation adds to an atmosphere of religious intolerance, which contributes to acts of violence directed against 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; 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 committed against religious minorities. Parties and groups with religious affiliations target minority groups.

The U.S. Government discusses religious freedom 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 310,527 square miles and its population is approximately 140 million. According to the 1981 census (latest available figures), an estimated 95 percent of the population are Muslim; 1.56 percent are Christian; 1.51 percent are Hindu; and 0.26 percent are "other" (including Ahmadis). The majority of Muslims in the country are Sunni. An estimated 10 to 15 percent of the Muslim population are Shi'a, and it is estimated that there are between 550,000 and 600,000 Ismailis (a recognized Shi'a Muslim group). Most Ismailis in the country are followers of the Aga Khan; however, an estimated 50,000 Ismailis known as Bohris are not. The Government conducted a census in 1998; however, the updated information is not yet available.

Religious minority groups believe that they are underrepresented in government census counts. Official and private estimates of their numbers can differ significantly. Current population estimates place the number of Christians at 3 million and the number of Ahmadis at 3 to 4 million. Current 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 also includes a few 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 the fact.

Punjab is the largest province in the country in terms of population. As is true for the country as a whole, Muslims are the largest religious group in Punjab. Although Christians live throughout the country, more than 90 percent of Christians reside in Punjab, making them the largest religious minority in the province. Approximately 60 percent of Punjab's Christians live in 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.

Sindh and Baluchistan provinces also are overwhelmingly Muslim (approximately 97 percent). Christians and Hindus each are estimated to constitute slightly over 1 percent of the population in these provinces. The 2 provinces also have a few tribes that practice traditional indigenous religions and a small population (approximately 7,000 persons) of Parsis. The Ismailis are concentrated in Karachi and the northern areas. The tiny but influential Parsi community is concentrated in Karachi, although some live in Islamabad and Peshawar. According to local Christian sources, between 70,000 and 100,000 Christians and a few thousand Hindus live in the Northwest Frontier Province (NWFP). Christians constitute about 2 percent of Karachi's population. The Roman Catholic diocese of Karachi estimates that there are 120,000 Catholics 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. Hindus are concentrated in Sindh and constitute 1 to 2 percent of the province's population. An estimated 100,000 Hindus live in Karachi. Ahmadis are concentrated in Punjab and in Sindh.

While Christianity frequently is seen as a "westernized" religion, it has a long history in the country. Some Christian communities trace their roots to the time of St. Thomas the Apostle. Most trace their origin to mid-19th century missionary movements in both the Roman Catholic and Protestant churches. Many Christians, in particular the recent converts, generally belong to the poorest socioeconomic groups. There are several long-established Baptist churches and, in Karachi, perhaps a dozen storefront Pentecostal and other evangelical churches.

No data are available on active participation in formal religious services or rituals (as opposed to mere membership). However, because religion is tied closely to a person's ethnic, social, and economic identity, there is less room for nominal, secular passivity with regard to religion. 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 Ramazan, many of the otherwise less observant Muslims fast and attend mosque services more faithfully. About 70 percent of English-speaking Roman Catholics worship regularly; a much lower percentage of Urdu speakers do so.

The Shikaris (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; the type practiced usually depends upon location and caste. Hindus have retained or absorbed many ancient traditional practices of Sindh. Hindu shrines are scattered throughout the country. Approximately 1,500 Hindu temples and shrines exist in Sindh and about 500 in Baluchistan. Most of the shrines and temples are tiny, no more than wayside shrines. During Hindu festivals, such as Divali and Holi, congregational attendance is much greater.

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 ancient rites and forbidding marriage to members of other religions. The Parsi community is self-sufficient in religious leaders, and there are no known Parsi missionaries operating in the country.

Only one group described by the authorities as a "foreign cult" reportedly has been established in the country. In Karachi members of the U.S.-based "Children of God" are rumored to be operating a commune where they practice polygamy.

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 the disabled.

Social pressure is such that few persons would admit to being unaffiliated with any religion.

SECTION II. STATUS OF RELIGIOUS FREEDOM

Legal/Policy Framework

The suspended Constitution provides for freedom of religion, and states that adequate provisions shall be made for minorities to profess and practice their religions freely; however, the Government imposes limits on freedom of religion. The suspended Constitution also provides that there will be 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 suspended 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. Under the suspended Constitution, both the President and the Prime Minister must be Muslims, and all senior officials must 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.

The suspended Constitution protects religious minorities from being taxed to support the majority religion; no one may be forced to pay taxes for the support of any religion other than his own. For example, Sunni Muslims are subject to the "zakat," a 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 may also 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.

Several Muslim religious holidays are considered national holidays, including Eid ul-Fitr, Eid ul-Azha, Muharram (Shi'a), and the Prophet Mohammed's Birthday. Most businesses also have limited hours during the month of Ramazan.

Restrictions on Religious Freedom

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. 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 blasphemy laws refer to 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 per-

sonages. 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 have been used to "settle scores" unrelated to religious activity, such as intrafamily or property disputes.

Due to increasing local and international pressure to repeal or modify the blasphemy laws, General Musharraf announced a proposal in April 2000 to modify the administration of the laws so that complainants would have to register new blasphemy cases with the local deputy commissioners instead of with police officials. The goal of the proposed change was to reduce the number of persons who are accused wrongly under the laws; however, many religious minority representatives stated that this suggested administrative change would have done little to protect members of their communities from being charged under the blasphemy laws. Other observers believed that the changes could have led to a reduction in the overall number of cases filed under the blasphemy 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 his proposed reforms to the blasphemy laws. In July 2000, the Government incorporated the Islamic provisions of the suspended Constitution into the Provisional Constitutional Order, including the clause declaring Ahmadis to be non-Muslims.

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. As a result, low level 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 time in jail and are burdened with further legal costs and repeated court appearances.

The Government does not restrict religious publishing per se; 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.

Ahmadis charge that they suffer from restrictions on their press. Christian scriptures and books are available in Karachi and in traveling bookmobiles. However, in recent years, the owner of a Christian bookshop in Karachi has reported frequent questioning by local Muslim religious leaders and occasional questioning by the police. Such questioning may lead to self-censorship among Christians. 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 does not ban formally the public practice of the Ahmadi religion, but the practice of the Ahmadi faith 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 conferences or gatherings.

The Government distinguishes between Muslims and non-Muslims with regard to political rights. In national and local elections, Muslims cast their votes for Muslim candidates for a specific geographic locality, while non-Muslims may cast their votes only for at-large non-Muslim candidates. Government officials state that the separate electorates system is a form of affirmative action designed to ensure adequate

minority representation, and that efforts are underway to achieve a consensus among religious minorities on this issue. However, many Christian activists state that the separate electorates are the greatest obstacle to the attainment of Christian religious and civil liberties. Ahmadi leaders encourage Ahmadis not to register as non-Muslims; consequently, most Ahmadis are not represented. Since December 2000, the Government has held a number of local elections around the country. The elections were held on the basis of separate electorates, which entitle non-Muslims to vote only for minority candidates, while Muslims are entitled to vote for Muslim council members in addition to reserved seats for Muslim women and agricultural laborers. Government officials claim that this measure is designed to ensure minority representation. However, opponents of separate electorates, including the majority of religious minority leaders, state that the system partially disenfranchises them. On June 28, 2001, the Supreme Court ruled that non-Muslims may vote for any candidate at the Union Council level for seats reserved for mayor, deputy mayor, laborers, farmers, and women; however, non-Muslims still are barred from voting for Muslim candidates who run for general seats. Three of the five rounds of elections already had occurred prior to this ruling. 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 current system. Christian and Hindu leaders conducted a boycott to protest the system of separate electorates during the local elections. In October 2000, a coalition of Christian NGO's sent a petition to General Musharraf requesting a dialog between the Government and minority religious leaders on the controversy; the Government did not acknowledge receipt of this petition.

Religious minorities are afforded fewer legal protections than Muslim citizens. The judicial system encompasses several different court systems with overlapping and sometimes competing jurisdiction, which reflect differences in civil, criminal, and Islamic jurisprudence. The federal Shari'at 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'at court also may overturn any legislation judged to be inconsistent with the tenets of Islam.

The martial law era Hudood Ordinances criminalize nonmarital rape, extramarital sex, and various gambling, alcohol, and property offenses. The Hudood Ordinances reportedly are based on the Government's interpretation of Islamic principles and 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 secular 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.

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 1980's. 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 adultery charges being brought against them. A parliamentary commission of inquiry for women has criticized the Hudood Ordinances and recommended their repeal. It also has been charged 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. This 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. Approximately one-third or more of the women in 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 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.

The Ministry of Religious Affairs, which is entrusted with safeguarding religious freedom, has on its masthead a Koranic verse: "Islam is the only religion acceptable to God." The Ministry claims that 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 its 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.

Missionaries are allowed to operate in the country, and proselytizing (except by Ahmadis) is allowed as long as there is no preaching against Islam and the missionaries acknowledge that 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. These visas carry the annotation "missionary." Only "replacement" visas for those taking the place of departing missionaries are available, and long delays and bureaucratic problems are frequent.

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.

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.

The Government designates religion on citizens' passports. In order 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.

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

"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 practice teachers compel many non-Muslim students to complete Islamic studies.

The suspended 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 their application forms. Muslim students must declare in writing that they believe in the unqualified finality of the Prophethood of Mohammed; non-Muslims must have their religion verified by the head of their local religious community. Many Ahmadis and Christians report that they face discrimination in applying to government educational institutions due to their religious affiliation.

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) were denationalized and returned to the former owners in 1998. However, the notification was withdrawn in 1999. In August 2000, four PCUSA-affiliated schools received notification that they would be denationalized. At the end of the period covered by this report, PCUSA was awaiting official notification that six additional schools are to be denationalized. During the period covered by this report, religion-based political parties in Punjab continued to oppose the denationalization of schools.

The suspended 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 graveyards.

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

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 country. However, the Government prohibits Ahmadis from participating in the Hajj (the Muslim pilgrimage to Mecca, Saudi Arabia) and Bahai's from traveling to their spiritual center in Israel.

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. In the antiterrorist courts, which virtually were shut down by the Supreme Court in 1998, cases were to be decided within 7 working days, and trials in absentia were permitted. Appeals to an appellate court also were required to occur within 7 days, but appellate authority since has been restored to the high courts and the Supreme Court. Under the act, bail is not to be granted if the judge has reasonable grounds to believe that the accused is guilty.

Abuses of Religious Freedom

No estimate of the 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. The blasphemy laws were meant to protect both majority and minority faiths from discrimination or 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 since 1989 have been released due to a lack of sufficient evidence. However, many judges reportedly handed down guilty verdicts to protect themselves and their families from retaliation by religious extremists. Many judges also repeatedly postpone action in certain blasphemy cases in response to religious extremists; the result of this practice is that accused blasphemers remain in prison for extended periods of time. 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.

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.

According to Ahmadi sources, 166 Ahmadis were charged formally in criminal cases on a "religious basis" (including blasphemy) in 2000, compared to 80 cases in 1999. On September 6, 1999, police officials arrested Ahmadi practitioner Dr. Abdul Ghani for preaching; he was denied bail by the antiterrorist court. In November 2000, the court found him not guilty and ordered his release from prison. On December 1, 2000, Ahmadi practitioner Khaled Ahmed Shams was released; Shams was arrested in 1994 for allegedly preaching in violation of Section 298(c). On August 19, 2000, three Ahmadis were charged with blasphemy for allegedly posing as Muslims and preaching the Ahmadi faith. One of the men, Ghaffar Ahmad, was arrested and remains in prison. The other two, Ilyas Ahmad and Manzur Ahmad, avoided arrest by arranging for bail. On August 25, 2000, a blasphemy case was filed against Manzur Qadir Khan, Dr. Khalid Mahmood, Mohammad Hayat, and Mohammard Idrees of Sargodha district for allegedly preaching the Ahmadi faith to a neighbor, Mohammad Suleiman; Suleiman provided a signed statement denying that the accused ever proselytized him. Khan and Idress were arrested and held in Sarghoda jail; however they were released after several weeks. On October 13, 2000, a blasphemy case was registered against Nasir Ahmad, an Ahmadi, for allegedly defiling a copy of the Koran. According to Ahmadi sources, Ahmad had engaged in an argument with a Sunni Muslim. When the Sunni struck Ahmad with a brick, Ahmad knocked him to the ground along with the copy of the Koran that was in his pocket. Ahmad remained in custody and his trial had not been concluded at the end of the period covered by this report. On April 29, 2001, four Ahmadis, including Abdul Majeed, president of the local Ahmadi community, were charged with blas-

phemy for constructing minarets and the Mihrab of an Ahmadiyya mosque. Three Ahmadis were convicted of blasphemy in December 1997; they were found guilty and were sentenced to life imprisonment and $1,250 (PRs 50,000) fines. Lawyers for the men appealed the decision to the Lahore high court, which ruled that the defendants were guilty of blasphemy. However, the court ruled that the men should be released as they had already served a sufficient amount of time in prison.

According to Ahmadi sources, on July 30, 1999, a subdivisional magistrate ordered an Ahmadi mosque sealed in Naseerabad, Sindh; it remained sealed at the end of the period covered by this report. In December 1999, several hundred persons looted and burned property in Haveli Lakha, Okara district, Punjab, which belonged to Mohammad Nawaz, a local Ahmadi leader accused of planning to build an Ahmadi house of worship. A neighbor reportedly incited the incident by accusing Nawaz of building the house of worship after the two were involved in a property dispute. Nawaz, a doctor, reportedly intended to build a free clinic next to his home. The mob looted and burned Nawaz's home. According to Ahmadi sources, police personnel arrived at the scene, but did nothing to stop the crowd. As of the end of the period covered by this report, neither the neighbor nor anyone in the crowd had been arrested or questioned in connection with the incident, and police had not taken steps to find or return any of Nawaz's property. However, Nawaz and his two sons were arrested and charged with blasphemy. Several days later, they were released on bail; however, the blasphemy case against them was pending at the end of the period covered by this report. Three other Ahmadis in Haveli Lakha also were charged with blasphemy in connection with the incident despite being out of town at the time.

Christian minorities also are frequent targets of the blasphemy laws. On January 11, 2001, seven Christian evangelists and their pastor were arrested for distributing religious literature and showing a film entitled "Who Is Jesus?" in a largely Christian neighborhood in Jacobabad. On April 1, 2001, police registered a blasphemy case against Pervez Masih, a Christian who runs 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. Masih remained in custody at the end of the period covered by this report.

In May 2001, the Federal Interior Ministry reportedly directed the Punjab provincial authorities to investigate allegations that CLAAS had received funding from foreign governments to propagate false information about the country's blasphemy laws.

In May 2000, a lower court in Sialkot district, Punjab, sentenced two Christian brothers to 35 years' imprisonment each and fined both of them $1,500 (PRs 75,000). The brothers were convicted of desecrating the Koran and blaspheming against the Prophet Mohammed. Lawyers for the brothers filed an appeal in the Lahore high court; there were no developments in the case during the period covered by this report and the appeal remained pending. On May 2, 2000, Augustine Ashiq Masih was charged with blaspheming against the Prophet in Faiselbad; he remained in custody at the end of the period covered by this report. Ayub Masih (detained since 1996) was convicted of blasphemy for making favorable comments about Salman Rushdie, the author of the controversial book, "The Satanic Verses," and was sentenced to death in April 1998. Two Christian NGO's reported that Masih was tortured while in police custody. The appeal still was pending before the Lahore high court at the end of the period covered by this report.

On January 25, 2001, the Lahore high court acquitted Hussain and Issac Masih of blasphemy charges that were filed in a 1998; the judge ruled that the prosecution had failed to provide sufficient evidence to convict.

Police also arrest Muslims under the blasphemy laws; government officials maintain that about three-quarters of the total blasphemy cases that have been brought to trial involved Muslims. 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. His death sentence constituted the first time that a Muslim had been sentenced to death for a violation of the blasphemy law. The case was pending at the end of the period covered by this report. On August 5, 2000, Mohammad Yusuf Ali, an Islamic mystic of the Sufi order, was convicted of defiling the name of the Prophet Mohammed and sentenced to 35 years' imprisonment then death. An appeal remained pending in the Lahore high court at the end of the period covered by this report. In October 2000, a Sunni Muslim, Dr. Younis Shaikh, was charged with blasphemy in Rawalpindi, Punjab for reportedly stating that the Prophet Mohammed's first marriage was not conducted according to Islamic law and custom in front of his students at Capital Homeopathic College in Rawalpindi. A judge denied Shaikh's request for bail, claiming that he would be

at risk of physical harm from vigilantes if released. Shaikh's trial had not concluded by the end of the period covered by this report. On March 12, 2001, Zahur ul Haq, a Sunni Muslim, was convicted of blasphemy for allegedly coining a blasphemous slogan. Some local newspapers described the atmosphere at his trial as hostile.

Government authorities closed down a leading provincial newspaper, the Frontier Post, and placed five of its employees under protective custody in late January 2001, following the publication of a letter to the editor that contained comments that were critical of Islam. Two employees of the Frontier remained in custody at the end of the period covered by this report. Government law enforcement officials failed to prevent a mob from setting fire to the Frontier Post printing presses on January 30, 2001. Security officials did not arrest any of the participants in the mob violence.

On June 4, 2001, government authorities in Abbotabad, NWFP, sealed the office and printing press of Mahaasaib, a local daily newspaper, and arrested the resident editor, shift manager, and subeditor. The authorities accused the newspaper of committing blasphemy because it published an article that argued that Islam does not require men to grow beards. The governor of the NWFP reportedly asked the local administration to reverse its decision; however, the local administration denied the request, stating that it did not wish to provoke social unrest. The staff members remained in custody and the office still was closed at the end of the period covered by this report.

There are scattered reports that authorities interrogate persons due to their religious beliefs or practices.

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 religious schools (madrassahs) believed to be terrorist recruiting centers and training grounds. The police also arrest demonstrators, including members of religious minorities. For example, on January 16, 2001, security personnel arrested 16 Muslim, Christian, and Hindu protesters from the All Faiths' Spiritual Movement International during a demonstration protesting the country's blasphemy laws. Several participants in the demonstration threw stones and ignored police orders to disperse peacefully. No formal charges were filed and all of those arrested were released after several days.

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 demonstrations, 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. 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.

The Punjab government ordered a crackdown on extremists in early October 1999; as a result several hundred persons were arrested, including the leader of the Sipah-e-Sahaba Pakistan (SSP), Maulana Mohammad Azam Tariq, and SSP branch president Maulana Mohammad Ahmad Ludhianvi. Tariq was released after a year of imprisonment; however, he was arrested again in February 2001 and remained in prison at the end of the period covered by this report.

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.

There have been press reports that the authorities are conducting surveillance on the Ahmadis and their institutions.

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 or not 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. For example, both the Christian and Ahmadi communities claim that in the past persons have been killed because of their religious beliefs; there were no such allegations during the period covered by this report.

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. There were a number of deaths in police custody during the period covered by this report. At

least three of the persons who died in police custody were Christians; however, they were not arrested in connection with their religious beliefs. It remains unclear whether religion was a factor in their deaths.

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.

Religious minorities state that members of their communities, especially minors, sometimes are pressured by private groups and individuals to convert to Islam. For example, on December 2000, 15-year old Nadia Joseph converted to Islam from Christianity and married a Muslim man, Maqsood Ahmed; the girl's father stated that his daughter converted against her will and filed a case against Maqsood under the Hudood Ordinances.

Improvements and Positive Developments in Respect for Religious Freedom

The Musharraf Government took several specific steps that slightly improved the situation of religious minorities during the period covered by this report. The Government permitted two members of the U.S. Commission on International Religious Freedom to interview the Ministers for Minority Affairs, Religious Affairs, Interior, and Law during a December 2000 fact-finding trip. The human rights wing of the Ministry of Law improved its capacity to catalog reports of abuses, including attacks on religious minorities. In April 2001, the Government sponsored a number of seminars in provincial capitals to promote human rights awareness among police officers. The Government also began revising mandatory school curricula to incorporate human rights issues.

SECTION III. SOCIETAL ATTITUDES

Many religious and community leaders, both Muslim and non-Muslim, report 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, Christians, Hindus, and Zikris. Members of religious minorities are subject to violence and harassment, and police at times refuse to prevent such abuses or to 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.

Sectarian violence between rival Sunni and Shi'a Muslim groups increased during the first half of 2001. On January 21, 2001, unknown assailants killed Agha Sultani, an Iranian Shi'a teacher. On January 28, 2001, six unidentified assailants killed Sunni Muslim Sheikhul Hhadith Maulana Inayatullah and two other Sunni clerics from a Karachi madrassah while the clerics were in a van. The assailants also killed the son of one of the clerics and the driver of the van. Local commentators believe that the Sipah-e-Mohammad (SSP), a Shi'a Muslim extremist group, was responsible for the killings in response to the death of Agha Sultani. Following these killings, Sunni Muslim students from the Inayatullah's madrassah participated in violent demonstrations and arson attacks in Karachi. The Government dispatched police, paramilitary, and military forces to disperse the demonstrations, and several students and police officers were injured (see Section II).

On February 5, 2001, unknown gunmen killed two members of Tehrik-e-Jafria (TJP), a Shi'a extremist group in Karachi. Police arrested one person in connection with the killing. Another individual confessed that he took part in planning the killings; however, he already had been sentenced to death in an unrelated murder case. Police officials complained that their investigation was hindered by the fact that relatives of the victims refused to permit postmortem examinations on the two men. On February 5, 2001, two gunmen attempted to kill Allah Wasaya, a Sunni cleric who is affiliated with the SSP. Following the attack, police arrested two Shi'a Muslims from the student wing of the TJP; their trial was underway during the period covered by this report.

Between February 18 and February 23, 2001, four Shi'a Muslims were killed in Faisalabad and Punjab province. Police arrested five suspects. Leaders of the TJP publicly accused the SSP of being responsible for the killings.

At least 10 persons were killed during sectarian rioting in Hangu, a small city in the NWFP on March 1, 2001. The SSP arranged prayer gatherings throughout the NWFP for SSP activist Haq Nawaz Jhangvi, who was executed on February 28, 2001 for the 1990 killing of the head of the Iranian Cultural Center in Lahore. SSP activists reportedly left one such gathering and proceeded to Hangu's main shopping area where they shot and killed three Shi'a shopkeepers and one Sunni passerby.

Following this incident, armed Sunni and Shi'a groups used mortars, rockets, and other heavy weapons against each other.

On March 4, 2001, four armed men opened fire on a Shi'a mosque and a local grain market of Sheikhupura, killing between 12 (according to local government officials) and 16 (according to a member of a Shi'a political party) persons, including 2 police personnel. The police arrested two suspects, one of whom reportedly is a member of the Sunni extremist group Lashkar-e-Jhangvi.

On March 13, 2001, armed assailants opened fire inside a Sunni mosque in Lahore, killing 12 persons and injuring 11 others. Most commentators believe that the attack was carried out by Shi'a Muslims, either in retaliation for the March 4 Sunni attack on a Shi'a mosque or over a land dispute between local Sunni and Shi'a Muslims. Police arrested one Shi'a Muslim in connection with this attack and his case was being reviewed at the end of the period covered by this report.

On May 18, 2001, six men with automatic weapons attacked a vehicle carrying the leader of the Sunni Tehrik party, Saleem Qadri, and seven other Sunnis while they were on their way to Friday prayers in Karachi, killing five and injuring three of the passengers. Local commentators speculated that rival Sunni extremist groups including the Jaish-e-Mohammad (JM) and the SSP might have ordered Qadri's killing. Leaders of the SSP claimed that Shi'a extremists were responsible. According to some observers, the killings could signify the beginning of sectarian conflict between the two major Sunni Muslim sects in the country—the majority Brelvis, to which the Sunni Tehrik belongs, and the smaller but more conservative Deobandis, to which the JM and SSP adhere.

Sectarian violence between members of different religious groups continued to be a serious problem throughout the period covered by this report; Ahmadis, Christians and other religious minorities often were the targets of this violence. On October 11, 2000, a mob led by Muslim clerics attacked the homes of several Hindu families in Baluchistan province after a Hindu woman was accused of destroying a copy of the Koran. The woman, who reportedly is illiterate, wrapped sweets in pages torn from a book that allegedly contained excerpts from the Koran. Police filed charges against several members of the mob; however, they dropped the case after local leaders agreed to pay compensation to the Hindu families. On October 30, 2000, four unidentified assailants attacked with automatic weapons an Ahmadi mosque in Sialkot district, killing five persons and injuring six others. Following the attack, police arrested three of the suspects. According to Ahmadi sources, the suspects were in custody at the end of the period covered by this report; however, no charges had been filed against them. Police also arrested 25 Ahmadis, including 5 who witnessed the killings. On November 10, 2000, a violent crowd ransacked and set fire to an Ahmadi mosque in the Punjab, killing five persons. Prior to the attack, Akhtar Shah, the local mullah reportedly led a mob through the streets shouting anti-Ahmadi slogans. Shah was accused of inciting the riot and was being tried for murder at the end of the period covered by this report. Following the mosque killings, three Sunni Muslim groups filed an application against Ahmadis in Sialkot district for "campaigning" against Muslims. Police arrested 51 Ahmadis, five of whom still were in custody at the end of the period covered by this report.

During the period covered by this report, police made no arrests in connection with past sectarian killings. Numerous such killings remain unresolved. In March 2000, 12 men broke into the Lourdes Convent and attacked Sister Christine, a 78-year old nun; she died in a nearby hospital a few days later. According to the NGO, the Christian Liberation Front (CLF), the perpetrators of the attack were Muslims who previously had accused Sister Christine of proselytizing. Police officials have not arrested anyone in connection with this attack. In May 2000, five masked men stopped a factory bus of female factory employees in Ferozewala and raped six to eight Christian girls who were passengers; the assailants reportedly spared the two Muslim passengers on the bus. Initially, police officials urged the girls to report that they were robbed, not raped; however, when the CLF complained to government officials, the officials immediately registered the cases as rape cases, arrested two suspects, and promised to investigate police behavior. The trial of the suspects was underway at the end of the period covered by this report.

In September 1999, a mob raided a church in Sangla Hill, Punjab, allegedly attacking members of the congregation as they fled the church. In December 1999, a mob vandalized the home of an Ahmadi in Okara district, Punjab, in the presence of some members of the local administration; police officials reportedly charged the Ahmadi and his two sons under the blasphemy laws. According to the Human Rights Commission of Pakistan, in January 2000, persons broke into a church in Sialkot and desecrated religious literature. Police have not made any arrests in these cases.

On some university campuses, well-armed groups of students, primarily from radical religious organizations, clash with and intimidate other students, instructors, and administrators over issues such as language, syllabus, examination policies, grades, doctrines, and dress. These groups frequently facilitate cheating on examinations, interfere with the hiring of staff, control who is admitted to the universities, and sometimes also control the funds of the institutions. At Punjab University, a conservative Islamic group attempts to impose its self-defined code of conduct on teachers and students by threatening to foment unrest on campus if its demands are not met. One professor was arrested and charged with blasphemy during the period covered by this report and many others report that they engage in self-censorship in order to avoid antagonizing conservative religious groups.

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 predominately Ahmadi schools by the Government reportedly is poor. Christian students reportedly sometimes are forced to eat at separate tables in public schools that are predominately Muslim.

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. In Karachi, the majority of Roman Catholics are Goan Christians, or descendants of Eurasian marriages. They often are light-skinned and are relatively well educated and prosperous, in sharp contrast to their coreligionists (mostly members of evangelical denominations), who are often dark-skinned and poorly educated. 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 any major progress despite over 100 years of consistent missionary aid and development.

Ismailis report being the object of resentment from 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.

Although there are few if any citizens who are Jewish anti-Semitic sentiments appear to be widespread, and anti-Semitic articles in the press are relatively common.

Shikharis generally are ostracized by other Muslims, primarily because of their eating habits.

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.

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) as required by the Koran, social pressure against such an action is so powerful that most such conversions reportedly take place in secret. In one high-profile case during the period covered by this report, a movie actress from Karachi converted to Christianity from Islam without penalty. However, 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 NGO's and civic groups that promote interfaith dialog.

SECTION IV. U.S. GOVERNMENT POLICY

The U.S. Government discusses religious freedom with the Government in the context of its overall dialog and policy of promoting human rights. U.S. representatives maintain regular contacts with major Muslim and minority religious groups. Embassy officers also maintain a dialog with government, religious, and minority community representatives to encourage religious freedom and to discuss problems. Embassy officers closely monitor the status of religious freedom and act when appropriate. Embassy officers and the former Ambassador-at-Large for Religious Freedom met with high-level government officials in February 2000 to discuss the blasphemy laws, separate electorates for religious minorities, and the issue of impunity for violent sectarian groups. The Embassy sponsored a series of public speeches by a prominent expert on human rights and Islam during the period covered by this report. On an informal basis, the Embassy has assisted some Christian-affiliated relief organizations in guiding paperwork through government channels. The Embassy also has assisted local and international human rights organizations to follow up on specific cases involving religious minorities.

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 particular 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, 7 percent are Muslim, and 8 percent are Christian. There also are small numbers of Baha'is. 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 is a Ministry of Buddha Sasana and Religious Affairs, which is led by the Prime Minister. Within the Ministry, there is a Department of Hindu Religious and Cultural Affairs and a Department of Muslim Cultural and Religious Affairs which deal primarily with cultural issues and maintenance of historical sites. The Ministry of Muslim affairs deals with all other issues involving the Muslim community. A Senior Assistant Secretary in the Ministry of Buddha Sasana and Religious Affairs monitors government relations with Christian denominations, which 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.

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

The Government has established councils for interfaith understanding.

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 relief.

Restrictions on Religious Freedom

Foreign clergy may work in the country, but for the last 30 years, 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. They sometimes complain that the Government tacitly condones such harassment. However, 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 separate syllabus provided for smaller religions, such as the Baha'I faith. 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. In 1995 the Government raised the minimum age of marriage for women from 12 to 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.

For the past 18 years the Government (controlled by the Sinhalese, and predominantly Buddhist, majority) has 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. Religion does 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 has 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. In March 1999, government forces recaptured from the LTTE the town of Madhu in the northwestern area of the country, the site of a famous Catholic shrine. Because Madhu was controlled by the LTTE, for several years Catholics from the south had not been able to make the pilgrimage to Madhu. After the town was recaptured by government forces, Catholics were able to resume the pilgrimage. In November 1999 the LTTE recaptured the area where the shrine is located and limited access for a period thereafter. However, during the period covered by this report, the LTTE generally allowed Catholics access to the Shrine.

There were no reports of religious prisoners or detainees.

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

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. In the past, the LTTE has expropriated Muslim homes, land, and businesses and threatened Muslim families with death if they attempt to return. 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 cause of an independent Tamil state.

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

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 Christianity, and they at times complain that the Government tacitly condones such harassment, although there is no evidence to support this claim (see Section I).

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, three Sinhalese men attacked a Muslim cashier. The Muslim community in Mawanella protested police inaction during and the day after the attack. In response approximately 2,000 Sinhalese, including Buddhist monks, rioted in the Muslim section of town and confronted the Muslim protesters. Two Muslims were killed, and a number of buildings and vehicles were destroyed. The Muslim community throughout the western portion of the country staged a number of protests claiming the police did nothing to prevent the riot. Some of the protests resulted in direct clashes between the Muslim and Sinhalese communities.

In mid-February 1999, a group of religious leaders from the Buddhist, Hindu, Muslim, and Christian communities made a visit to the north central part of the country, an LTTE controlled area. The purpose of the visit was to assess the humanitarian situation and to talk with senior LTTE leaders. The group later met with the President, but there were few concrete results. Follow-up meetings with the LTTE were cancelled after government forces captured additional LTTE-held territory that year. Since 1999 independent clergy have maintained intermittent contact with the LTTE. Religious leaders have continued to serve as unofficial envoys between the two warring sides.

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.