

KEY FINDINGS

In 2021, religious freedom conditions in India significantly worsened. During the year, the Indian government escalated its promotion and enforcement of policies—including those promoting a Hindu-nationalist agenda—that negatively affect Muslims, Christians, Sikhs, Dalits, and other religious minorities. The government continued to systemize its ideological vision of a Hindu state at both the national and state levels through the use of both existing and new laws and structural changes hostile to the country’s religious minorities.

In 2021, the Indian government repressed critical voices—especially religious minorities and those reporting on and advocating for them—through harassment, investigation, detention, and prosecution under laws such as the Unlawful Activities Prevention Act (UAPA) and the Sedition Law. The UAPA and Sedition Law have been invoked to create an [increasing climate](#) of intimidation and fear in an effort to silence anyone [speaking out](#) against the government. [Father Stan Swamy](#), an 84-year-old Jesuit priest and longtime human rights defender of Adivasis, Dalits, and other marginalized communities, was arrested on dubious UAPA charges in October 2020 and never tried. He died in custody in July 2021 despite repeated concerns raised about his health. The government [arrested](#), filed complaints against, and [launched](#) criminal investigations into journalists and human rights advocates documenting religious persecution and violence, including [Khuram Parvez](#), a prominent Muslim human rights advocate who has reported on abuses in Jammu and Kashmir. The government also broadly targeted individuals documenting or sharing information about violence against Muslims, Christians, and other religious minorities; as one example, UAPA [complaints](#) were filed against individuals for tweeting about attacks on mosques in Tripura. In September, the United Nations (UN) High Commissioner for Human Rights [stated](#) that the “[o]ngoing use of the [UAPA] throughout India is worrying, with [the Muslim-majority state of] Jammu and Kashmir having among the highest number of cases in the country.”

The government erected hurdles against the licensure and receipt of international funding by religious and charitable nongovernmental organizations (NGOs) under the Foreign Contribution

(Regulation) Act (FCRA), significantly impacting religious communities. Numerous groups that document religious freedom violations or aid marginalized religious communities have been forced to shut down operations in the country given the [restrictions](#) under [FCRA](#) that regulate access to and reporting on foreign funds and prohibit their receipt for any activities purportedly “detrimental to the national interest.” At the close of 2021, the licenses of nearly [6,000 organizations](#), including religious and humanitarian organizations such as Missionaries of Charity and [Oxfam India](#), were not renewed under the FCRA (after an outcry, Missionaries of Charity’s license was [renewed](#) in January 2022).

Government action, including the continued enforcement of anti-conversion laws against non-Hindus, has created a culture of impunity for nationwide campaigns of threats and violence by mobs and vigilante groups, including [against Muslims](#) and [Christians](#) accused of conversion activities. Anti-conversion laws have increasingly focused on interfaith relationships. Existing laws in approximately one-third of India’s 28 states limit or prohibit religious conversion. Since 2018 (and [continuing](#) in 2021), [multiple states have](#) introduced and enacted laws or revised existing anti-conversion laws to target and/or criminalize interfaith marriages. [Public notice requirements](#) for interfaith marriages have at times facilitated violent reprisals against couples. Authorities also assisted, if not encouraged, the targeting by nonstate actors of [interfaith couples](#), converts, their families, and their religious communities in an effort to [prevent interfaith marriages](#).

National, state, and local governments demonized and attacked the conversion of Hindus to Christianity or Islam. In October 2021, Karnataka’s government [ordered](#) a survey of churches and priests in the state and [authorized](#) police to conduct a door-to-door inspection to find Hindus who have converted to Christianity. In June 2021, Yogi Adityanath, chief minister of Uttar Pradesh, [warned](#) that he would invoke the [National Security Act](#), which allows for the detention of anyone acting in any manner that threatens the security of state, and that he would also deploy a team of over 500 officials to counter those (including, by his account, [children](#)) who were carrying out conversion activities.

RECOMMENDATIONS TO THE U.S. GOVERNMENT

- Designate India as a “country of particular concern,” or CPC, for engaging in and tolerating systematic, ongoing, and egregious violations of religious freedom, as defined by the International Religious Freedom Act (IRFA);
- Impose targeted sanctions on individuals and entities responsible for severe

violations of religious freedom by freeing those individuals’ or entities’ assets and/or barring their entry into the United States; and

- Advance human rights of all religious communities in India and promote religious freedom, dignity, and interfaith dialogue through bilateral and multilateral forums

and agreements, such as the ministerial of the Quadrilateral.

The U.S. Congress should:

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

Background

India is the world's most populous democracy, with an estimated population exceeding [1.3 billion](#), 79.8 percent of whom are Hindu, 14.2 percent Muslim, 2.3 percent Christian, and 1.7 percent Sikh. Smaller religious groups include Buddhists, Jains, Baha'is, Jews, Zoroastrians (Parsis), and nonreligious persons. India's [constitution](#) establishes the nation as secular and a democratic republic, and Article 25 of the constitution grants all individuals freedom of conscience, including the right to practice, profess, and propagate religion.

The Indian government has been led since 2014 by the Bharatiya Janata Party (BJP). The BJP-led government, leaders at the national, state, and local levels, and increasingly emboldened Hindu-nationalist groups have advocated, instituted, and enforced sectarian policies seeking to establish India as an overtly Hindu state, contrary to India's secular foundation and at [grave danger](#) to India's religious minorities.

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

The religiously discriminatory Citizenship (Amendment) Act (CAA)—a fast track to citizenship for non-Muslim migrants from Afghanistan, Bangladesh, and Pakistan who are residing in India—passed in December 2019 and came into force in January 2020. In conjunction with a proposed National Register of Citizens (NRC) requiring all residents to provide documentation of citizenship, the CAA could subject Muslims, in particular, to ["statelessness, deportation or prolonged detention."](#)

In an ongoing state-level NRC effort in Assam, in 2019 approximately 1.9 million persons were omitted from Assam's NRC list; approximately [700,000](#) Muslim residents of Assam are at [risk](#) of being stripped of citizenship. It is unclear how those excluded can be reinstated. This process has left families in fear, in turmoil, and deeply harmed, as documented in a 2021 [report](#). In May, the government of Assam asked for [reverification](#) of the Assam NRC list of citizens in some districts, threatening to exclude more Muslims. The NRC process in Assam has further aggravated [communal tensions](#), and in September, escalating tensions led to government security forces [violently evicting](#) thousands of [primarily Muslim villagers](#), resulting in the brutal deaths of at least two.

Attacks on Religious Communities

In 2021, numerous attacks were made on religious minorities, particularly Muslims and [Christians](#), and their neighborhoods, businesses, homes, and houses of worship. Many of these incidents were violent, unprovoked, and/or encouraged or incited by government officials. Both officials and nonstate actors have used [social media](#) platforms and other forms of [communication](#) to intimidate and [spread hatred](#) and disinformation against religious minority communities. The quick spread of [misinformation online](#) has contributed to violent attacks. In October, mobs attacked mosques and torched properties of Muslim residents in [Tripura](#), which borders Bangladesh. USCIRF received

documented reports of at least 50 incidents between June and October 2021 targeting the Christian community in the state of Uttar Pradesh alone.

Violent attacks have been perpetrated across the country under the guise of protecting cows in line with India's constitution and laws in 20 states (and [growing](#)) criminalizing cow slaughter in various forms. Vigilante mobs, often organized over social media, have attacked religious minorities—including Muslims, Christians, and Dalits—under suspicion of eating beef, slaughtering cows, or transporting cattle for slaughter. Most such violent incidents are reported in states where cattle slaughter is banned. For example, in June 2021, three Muslim men were [lynched](#) on suspicion of cow smuggling in Tripura, and a [vigilante mob](#) beat two men they accused of smuggling cattle, resulting in one's death and hospitalization of the other in Madhya Pradesh.

Other Developments

Throughout the pandemic, patients reported different treatment by religion and by caste in hospitals, hindering their access to health-care. In a survey conducted by [Oxfam India](#) during the alarming surge in COVID cases within India in 2021, [33 percent of Muslims](#) said that they experienced religious discrimination in hospitals. Dalit and Adivasi survey respondents also reported discrimination in hospitals at significant rates.

In 2021, mass protests [continued](#) against farm laws enacted in September 2020. Despite the widespread and diverse nature of the protests, efforts—including by [government officials](#)—were still made to discredit the protesters, especially Sikh protesters, as [terrorists](#) and religiously motivated separatists. The government repealed the farm laws in November 2021.

Key U.S. Policy

With [shared interests](#) in global security and economic trade, in 2021 the United States and India continued to maintain strong relations through various bilateral and multilateral engagements. In [January](#), the United States welcomed India joining the UN Security Council for a two-year term and supports a reformed council that includes India as a permanent member. In [July](#), Secretary of State Antony J. Blinken traveled to India to meet with Prime Minister Narendra Modi and External Affairs Minister Dr. S. Jaishankar to discuss a wide range of issues, including continued cooperation on COVID-19 response efforts, Indo-Pacific engagement, shared regional security interests, shared democratic values, and the climate crisis. In [September](#), Prime Minister Modi attended the [Quadrilateral Security Dialogue](#), hosted by President Joseph R. Biden, to discuss China's growing global influence. Also in September, Atul Keshap, the U.S. Chargé d'Affaires in India, met with [Mohan Bhagwat](#), the chief of [Rastriya Swayamsevak Sangh \(RSS\)](#). In [December](#), Prime Minister Modi [participated](#) in the Biden administration's Summit for Democracy.

KEY USCIRF RESOURCES & ACTIVITIES

- **Press Statement:** [USCIRF Condemns Death of Jesuit Priest Imprisoned in India](#)
- **Event:** [USCIRF Conversation: Democracy and Religious Freedom](#)
- **Podcast:** [Religion, Law, and Citizenship in Assam, India](#)