# United States Commission on International Religious Freedom

#### House Foreign Affairs Committee Tom Lantos Human Rights Commission

Hearing on India: Recent Human Rights Reporting

#### Thursday, March 21, 2024 – 10:00 a.m. Room H-313 of the Capitol

#### Statement of Stephen Schneck Commissioner United States Commission on International Religious Freedom

Good morning, everyone. Thank you, Co-Chair McGovern and Co-Chair Smith, and other distinguished members of the Commission, for inviting the U.S. Commission on International Religious Freedom (USCIRF), to testify at this important hearing on human rights in India.

USCIRF is an independent, bipartisan U.S. federal government body that is dedicated to promoting the universal right to freedom of religion or belief around the world for people of all faiths, and for those who choose to hold no faith. USCIRF is led by nine Commissioners who are appointed by the White House and the leadership of both chambers of Congress from both parties, supported by a non-partisan professional staff of about 20. Throughout the year, we monitor religious freedom conditions abroad and make policy recommendations to the President, Department of State, and Congress.

Human rights conditions in India today are incredibly concerning. I will focus my testimony on the specific ways the India government targets individuals' right to freedom of religion or belief. The government, led by the Bharatiya Janata Party (BJP), enforces discriminatory Hindu nationalist policies, perpetuates hateful rhetoric against religious communities, and in several instances, has failed to address communal violence disproportionately affecting Muslims, Christians, Sikhs, Dalits, Jews, and Adivasis, who are indigenous peoples of India.

In March, Indian officials announced the implementation of the Citizenship Amendment Act (CAA), which provides a fast-track to citizenship for religious minorities seeking asylum from neighboring Muslim-majority countries, namely Pakistan, Afghanistan, and Bangladesh. Notably, it omits Muslim refugees, including Rohingya from neighboring Burma, Ahmadiyya Muslims from Pakistan, or Hazara Shi'a from Afghanistan. The CAA establishes a discriminatory citizenship determination process, which, if used in combination with the

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National Register of Citizens (NRC), risks denying millions of Muslims citizenship. The law's initial passage in 2020 sparked large-scale protests across the country that provoked a harsh and deadly crackdown by police forces, including the arbitrary arrest of activists and students like <u>Umar Khalid</u>, <u>Sharjeel Imam</u>, and <u>Meeran Haider</u>, all of whom today are still detained under the Unlawful Activities Prevention Act. Indian authorities also continue to detain religious minorities under various state-level anti-conversion laws, which are in effect in 12 out of 28 Indian states. These laws enable and encourage Hindu nationalists to target and discriminate against religious minorities under the guise of protecting the Hindu faith and upholding state laws. The application and advocacy of these policies by government officials has created a culture of impunity for nationwide campaigns of harassment and violence, particularly towards Muslims and Christians. Anti-conversion laws are increasingly targeting interfaith marriages or interfaith couples, restraining an individual's right to convert and curtailing the right to choose one's partner. These laws carry penalties of hefty fines and imprisonment. In addition, 18 out of 28 states have cow slaughter laws which have been used as justification by vigilantes to violently target religious minorities for consuming or transporting cattle.

Similarly, the Indian government's lack of response and investigation into ongoing violence in Manipur state fits into a larger pattern of behavior that neglects communal tensions between religious groups. Since June, violent clashes between ethnic Hindu Meitei and Christian Kuki communities resulted in the destruction of more than 500 churches and two synagogues, and the displacement of over 70,000 people. Prime Minister Narendra Modi faced a vote of no confidence for his administration's lack of response to the conflict. India's Supreme Court subsequently called for an <u>investigation</u>, arguing that police had "lost control over the situation." Additionally, in Haryana's predominantly Muslim Nuh district, communal violence erupted following a Hindu procession in July, where participants carrying swords chanted anti-Muslim slogans. A Muslim tomb and mosque were torched, resulting in the death of at least seven individuals, including Imam Mohammad Hafiz. In the lead up to national elections, such violence and hate speech against Muslims has escalated to an alarming level.

USCIRF remains equally concerned about the Indian government's efforts to export these harmful practices beyond its borders. In 2023, Indian authorities increasingly engaged in acts of <u>transnational repression</u> to target and silence religious minorities abroad, including human rights advocates and journalists reporting on religious freedom issues. In September, Indian authorities allegedly killed Sikh activist Hardeep Singh Nijjar in Canada, which was followed by an alleged plot to kill Gurpatwant Singh Pannun in the United States in November.

The International Religious Freedom Act of 1998 (IRFA), requires the State Department to designate any country engaging in particularly severe violations of religious freedom, defined as systematic, ongoing, and egregious, as a Country of Particular Concern (CPC). If a country

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meets that threshold, then they should be designated, along with appropriate presidential actions to encourage adherence to international human rights norms. India clearly meets the CPC standard under IRFA, not only based on USCIRF's analysis and public reporting, but by the State Department's own annual International Religious Freedom Report, which reiterates the same concerns I've discussed today. USCIRF has recommended the State Department designate India a CPC every year since 2020 and we continue to urge it to do so.

Despite the U.S. government's failure so far to designate India a CPC, there are still important policy actions that can be taken to address religious freedom concerns in the country:

- Congressional hearings like this one, are an important tool to publicly highlight conditions for religious minorities in India. We encourage members of Congress to continue to publicly raise religious freedom issues in India, and to include religious freedom in discussions with government counterparts and importantly, during congressional delegations.
- In USCIRF's <u>Frank R. Wolf Freedom of Religion or Belief Victims List</u>, we currently document 25 individuals imprisoned in India related to their religious identity or expression, though the actual number of individuals detained is much higher. We urge members of Congress to advocate on behalf of religious prisoners of conscience and other human rights defenders through public statements, floor speeches, and letters, including through the Tom Lantos Human Rights Commission's Defending Freedoms Project.
- Congress should continue to emphasize the importance of a full investigation into transnational repression allegations outlined in the Department of Justice's recent indictment.
- Lastly, we recommend that Congress condition financial assistance and arms sales to India on improved religious freedom conditions and include measures for additional review and reporting.

Thank you and I look forward to your questions.