

**Refugee Review Tribunal
AUSTRALIA**

RRT RESEARCH RESPONSE

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Questions

- 1. Please provide any evidence indicating that the police or authorities in Haryana discriminate against Hindu converts to Catholicism?**
- 2. Are there any reports of converts to Catholicism being tortured by the police/authorities in Haryana?**
- 3. Is there an anti-conversion law in this state that would see converts to Catholicism being imprisoned?**

RESPONSE

- 1. Please provide any evidence indicating that the police or authorities in Haryana discriminate against Hindu converts to Catholicism?**

A search of the sources consulted did not locate specific information on whether the police or the authorities in Haryana discriminate against Hindu converts to Catholicism. Information was found in relation to the police treatment of Christians who had been threatened by Hindu activists, or who were alleged to have attempted to convert Hindus to Christianity, in Haryana.

A Christian Solidarity Worldwide report on the treatment of Christians in India during 2008 indicates that “[s]even Christians were beaten by a Bajrang Dal mob numbering around 100” in Jind district, Haryana on 1 January 2008. “The attackers tried to file a complaint of ‘forcible conversions’, but the police refused to accept it” (Christian Solidarity Worldwide 2009, ‘India: Religiously-Motivated Violence & Discrimination against Christians January-December 2008’, p. 27 – Attachment 1).

An article in *Christian Today Australia* dated 30 September 2008 refers to “local police... providing extra security at” a Gospel for Asia “girl’s Bible college in Haryana” which had “received threats of violence.” According to the article, “[m]embers of the Bajrang Dal, a radical Hindu group responsible for many of the recent attacks,” had “showed up at the campus”. They had “left without incident, but “were “expected to return at any time” (‘Indian Government Threatens to Seize State Governments; Flooding Hits Orissa’ 2008, *Christian Today Australia*, 30 September <http://au.christiantoday.com/article/dir/print.htm?id=4424> – Accessed 4 June 2009 – Attachment 2).

An article in *The Tribune Online Edition* dated 24 November 2007 indicates that “police had registered cases against both the parties” after “[s]ome activists of Hindu organisations on November 14 had beaten up two Christian youths alleging that the duo was attempting a conversion bid at local Naya Bazar area” in Bhiwani, Haryana. “The next day, protesting against the police cases, activists of Hindu organisations took out a procession and gave court arrests.” The article also indicates that “[r]epresentatives of Believers Church of India” had also “staged a demonstration in protest against the incident of beating up of two Christian missionaries.” They had “demanded to stop atrocities against Christians, to take action against the police personnel, who were present when religious books like Bible were set ablaze, to give protection to their religious places, to cancel licence of the advocate involved in the incident and to withdraw police case registered against the Christian youth” (‘Protest against beating up of youths’ 2007, *The Tribune Online Edition*, 24 November <http://www.tribuneindia.com/2007/20071124/haryana.htm#9> – Accessed 4 June 2009 – Attachment 3).

An article in *Compass Direct News Summaries* dated 1 March 2007 refers to “[a] village chief and a police official on February 13” forcing “workers of a Christian center in Prem Nagar, in Haryana state’s Hisar district, to move out of the area.” The article indicates that:

A leader from Gospel for Asia, which ran the Bridge of Hope center, told Compass that the village head came with Assistant Sub-Inspector Raj Kumar and ordered center workers to obtain permission to run it from district authorities or leave. Authorities forced the Christians to vacate the house, and they put a lock on the gate and took away the keys. About 100 underprivileged children received tuition assistance and one meal a day at the center. Kumar told Compass that he had received information that apparent political activists were trying to spread rumors that the center workers were luring children to Christianity by offering free education. “This is why I asked them to leave the area, for their own security,” he said. Villagers prepared a memorandum with the signatures of all the children’s center’s parents for the district collector, describing how they benefited from the center and requesting that it reopen (‘India Briefs: Recent incidents of persecution – Haryana’ 2007, *Compass Direct News Summaries*, 1 March – Attachment 4).

A *Compass Direct* article dated 27 December 2006 indicates that “[o]n December 23, police asked the Good Shepherd Community Church (GSCC) in Agroha, Hisar district, Haryana state not to celebrate Christmas.” It is stated in the article that:

“Some people, seemingly belonging to the Bajrang Dal and VHP, lodged a complaint in the Agroha police station alleging that the church [sic] was converting Hindus,” the Rev. Reginald Howell of the GSCC told Compass.

He said the complaint was filed when the church members were singing Christmas carols in the church.

Following the complaint [sic], the police summoned seven Christians, including the pastor of the church, identified only as Romi, and interrogated them. They were released after the village head requested the police.

“The Christians were called to the police station against [sic] on December 24 and ordered not to conduct any service on Christmas,” Howell said. “However, after representatives of the Christian Legal Association of India intervened, the police allowed the church to celebrate Christmas,” he added (Arora, V. & Carvalho, N. 2006, ‘Yuletide Carol-Singers Arrested, Church Burned in India’, *Compass Direct*, 27 December – Attachment 5).

A *Compass Direct News* article dated 21 December 2006 refers to “[a]bout 50 Bajrang Dal extremists” attacking “the Christian couple, Rakesh Sen and Suman Sen, at about 8 a.m. yesterday at their home in Lakarpur, Faridabad district, Haryana. The attackers were upset at the couple for regularly allowing their New Life Fellowship church to meet in their home for Sunday worship.” According to the article:

Police accepted and registered a complaint against the Bajrang Dal, and the village head of Lakarpur has apologized for the attack, according to Cinderella Lal, the pastor of New Life Fellowship.

“The village head gave us an assurance in writing that no one will trouble us in the future,” Lal said. “So it seems we have reached a compromise with the attackers.”

The article also notes that “Haryana state has one of the lowest percentages of Christians in India. According to the 2001 government census, only about 27,000 of the 21 million residents of Haryana are Christians” (‘India: Hindu extremists in India beat Christian couple, Pastor’ 2006, *Compass Direct News*, 21 December <http://www.compassdirect.org/en/display.php?page=news<=en&length=long&idelement=4708&backpage=summaries> – Accessed 4 June 2009 – Attachment 6).

A *Compass Direct* article dated 15 December 2005 indicates that Haryana was one of the states in India in which attacks against Catholics were reported in 2005, but does not provide details of the attacks or any action taken by the Haryana authorities. In relation to India generally, the article indicates that:

Many incidents of violence against both Catholics and Protestants went unreported, since the police often refused to record the victims’ complaints, but by last June the number of violent attacks recorded by Christian organizations had reached over 200. This number was expected to double by year’s end. Catholics, who make up about 29 percent of Christians in India according to Operation World, were often targeted in these attacks (‘A Year of Violence Against India’s Catholics’ 2005, *Compass Direct*, 15 December – Attachment 7).

2. Are there any reports of converts to Catholicism being tortured by the police/authorities in Haryana?

A search of the sources consulted did not locate specific information on converts to Catholicism being tortured by the police/authorities in Haryana. A report was found regarding police in Haryana allegedly beating four Gospel for Asia missionaries who had been told to vacate a house. According to an article dated 8 February 2007 on the All Indian Christian Council website:

Four women missionaries belonging to Gospel for Asia, working at Thosam in Biwani district of Haryana, were attacked by Rastriya Swayamsevak Sangh (RSS) and Bajrang Dal activists on 4 February 2007.

According to Biju Solomon, the overseer of Believer Church in Haryana, four women missionaries – Mira from Uttar Pradesh, Rashi from Jharkhand, Geeta from Orissa and Savita from Rajasthan – had been harassed by RSS and Bajrang Dal activists for a few weeks before the attack. On 4 February 2007, around 30 RSS and Bajrang Dal activists came to the house where the four missionaries were residing and attacked them. Later the police also forced them to vacate the house and leave the place.

When they told the Hindu fanatics and policemen that they could not vacate the house immediately, they were physically attacked. Mira said Birendra Singh, the Station House Officer of Thosam Police station, also beat them with sticks and threatened to kill them if they did not vacate the house.

Pastor Vijaya KP and Raj Kumar rushed to the spot on hearing the news. On their arrival, the activists gathered around the house and started beating them up in the presence of the police. Pastor Vijaya suffered injury on his head.

Bishop Simon John of Believer Church of India said the matter had been reported to the Superintendent of Police, Bhiwani but Diraj Kumar, the Deputy Superintendent of Police said no FIR had been registered against the attackers and Birendra Singh.

Birendra Singh denied the allegation that he had beaten the women missionaries. He said he had only told them to vacate the house based on the charges levelled against them by the Hindu fanatics ('Women missionaries attacked by Hindu fanatics in Haryana' 2007, All India Christian Council website, 8 February <http://indianchristians.in/news/content/view/883/45/> - Accessed 4 June 2009 – Attachment 8).

A *Calcutta News.Net* article dated 23 July 2007 refers to plans for Haryana's top police official to "form a special committee to look into what the family of a missing Christian priest suspects to be a case of 'custodial death'." It is stated in the article that:

Priest Jung Bahadur Singh from the Gohana area of Sonapat district went missing after a team of Haryana police took him to Mumbai in August 2005 to investigate a case in which he was the accused.

Jung Bahadur Singh, who hails from Dalit hamlet Nai Basti on Thanpur Road in Gohana, was accused of kidnapping his own younger brother Manish Kumar and his uncle's daughter Manisha Ridlal in March 2004.

However, the priest's family maintains that the underage boy and girl eloped, and that he was falsely accused by his aunt Anita Ridlal and other villagers who disliked him due to his conversion to Christianity.

The family also suspects that the police might have killed Jung Bahadur Singh in Mumbai when he was in their 'unofficial custody'.

'A team of Haryana police took Singh to Mumbai to locate the missing boy and girl two years ago. When they could not find the pair, they returned but without Singh, who has been missing since then,' the vice president of the Maharashtra State Minorities Commission, Abraham Mathai, told IANS.

...However, Superintendent of Police Navdeep Singh indicated that Jung Bahadur Singh was not missing but absconding ('Mystery over "missing" Haryana Christian priest' 2007, *Calcutta News.Net*, 23 July <http://www.calcuttanews.net/story/267204> - Accessed 4 June 2009 – Attachment 9).

In relation to whether the police in Haryana use torture generally, the US Department of State report on human rights practices in India for 2008 indicates that "credible sources claimed that police stations in Punjab, Andhra Pradesh, Haryana, and Chandigarh used torture to obtain desired testimony" (US Department of State 2009, *Country Reports on Human Rights Practices for 2008 – India*, February, Section 1(c) – Attachment 10).

3. Is there an anti-conversion law in this state that would see converts to Catholicism being imprisoned?

The US Department of State report on human rights practices in India for 2008 does not refer to Haryana as one of the states in India that "have laws against conversion by force, enticement, or coercion." It is stated in the report that:

The states of Gujarat, Himachal Pradesh, Chhattisgarh, Madhya Pradesh, and Orissa have laws against conversion by force, enticement, or coercion. Arunachal Pradesh has a similar law that has not been implemented. On March 20, the government of Rajasthan passed a law that restricts and regulates religious proselytism. On April 1, the state of Gujarat published the rules and regulations necessary to activate its "Freedom of Religion Law," which was adopted by the legislature in 2003.

In May 2007 the Andhra Pradesh government enacted a law that sharply limits the "propagation of other religion in places of worship or prayer." The law forbids the distribution of literature of one religion within the vicinity of designated places of worship of a different religion. The Andhra Pradesh assembly passed an act modeled on this ordinance in July 2007.

Faith-based NGOs and media reported that under the Penal Code, the Criminal Procedure Code, and state anti-conversion laws, there were 17 arrests in Andhra Pradesh, six in Chhattisgarh, 25 in Madhya Pradesh, and two in Uttar Pradesh through October 14. In most cases police released on bail those arrested after a night in jail. Faith-based NGOs alleged that this was a systematic strategy to discourage Christian prayer meetings (US Department of State 2009, *Country Reports on Human Rights Practices for 2008 – India*, February, Section 2(c) – Attachment 10).

The Christian Solidarity Worldwide report on the treatment of Christians in India during 2008 also does not include Haryana in a list of states in India with anti-conversion laws. The report indicates that:

'Anti-conversion legislation' reflects Hindu nationalist antipathy towards conversions away from Hinduism. Although they have tended to belong within the agenda of the BJP [Bharatiya Janata Party] and its political forebears, it was the Indian National Congress Party-appointed "Niyogi Committee Report on Christian Missionary Activities in Madhya Pradesh" in 1956 that paved the way for the passage of the earliest 'anti-conversion laws', and the Orissa, Madhya Pradesh (out of which was created the state of Chhattisgarh) and Himachal Pradesh laws were passed by non-BJP governments.

4.2.1. Status of laws

The status of the respective laws, as of January 2009, is as follows:

- Orissa (1967): in force;
- Madhya Pradesh (1968): in force, but 2006 amendment not ratified;
- Chhattisgarh (1968): in force, but 2006 amendment not ratified;
- Arunachal Pradesh (1978): introduced, but not implemented;
- Gujarat (2003): in force;
- Himachal Pradesh (2006): in force;
- Rajasthan (2008): introduced, but pending ratification by governor.

Two changes in the status of 'anti-conversion laws' occurred in 2008: in Rajasthan, a new law was passed in March to replace the 2006 law, but has not been ratified by the state governor; and in Gujarat, a set of rules was published in the state Government Gazette on 1 April, which allowed the 2003 law to be implemented (Christian Solidarity Worldwide 2009, 'India: Religiously-Motivated Violence & Discrimination against Christians January-December 2008', p. 9 – Attachment 1).

List of Sources Consulted

Internet Sources:

Compass Direct News <http://www.compassdirect.org/en/display.php>

Government Information & Reports

Immigration & Refugee Board of Canada <http://www.irb-cisr.gc.ca/>

UK Home Office <http://www.homeoffice.gov.uk/>

US Department of State <http://www.state.gov/>

United Nations (UN)

UN High Commissioner for Refugees (UNHCR) Refworld

<http://www.unhcr.org/cgi-bin/texis/vtx/refworld/rwmain>

Non-Government Organisations

Human Rights Watch <http://www.hrw.org/>

Amnesty International <http://www.amnesty.org>

International News & Politics

BBC News <http://news.bbc.co.uk>

Region Specific Links

All India Christian Council <http://indianchristians.in/news/>

The Hindu <http://www.hinduonnet.com/>

The Times of India <http://timesofindia.indiatimes.com/>

Press Trust of India <http://www.ptinews.com/>

The Tribune Online Edition <http://www.tribuneindia.com/>

Search Engines

Copernic <http://www.copernic.com/>

Databases:

FACTIVA (news database)

BACIS (DIAC Country Information database)

REFINFO (IRBDC (Canada) Country Information database)

ISYS (RRT Research & Information database, including Amnesty International, Human Rights Watch, US Department of State Reports)

MRT-RRT Library Catalogue

List of Attachments

1. Christian Solidarity Worldwide 2009, 'India: Religiously-Motivated Violence & Discrimination against Christians January-December 2008'.
2. 'Indian Government Threatens to Seize State Governments; Flooding Hits Orissa' 2008, *Christian Today Australia*, 30 September
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3. 'Protest against beating up of youths' 2007, *The Tribune Online Edition*, 24 November
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8. 'Women missionaries attacked by Hindu fanatics in Haryana' 2007, All India Christian Council website, 8 February <http://indianchristians.in/news/content/view/883/45/> - Accessed 4 June 2009.
9. 'Mystery over "missing" Haryana Christian priest' 2007, *Calcutta News.Net*, 23 July
<http://www.calcuttanews.net/story/267204> - Accessed 4 June 2009.
10. US Department of State 2009, *Country Reports on Human Rights Practices for 2008 – India*, February.