Executive Summary

The constitution guarantees every citizen “the right to freely profess and practice religion subject to public order, morality or health and to the other provisions of this Constitution.” The government adopted a package of four laws that many local and international nongovernmental organizations (NGOs) said were an infringement on religious freedom and other basic rights. The new laws, known collectively as the “race and religious protection” laws, included registration requirements for interfaith marriage and religious conversion, as well as mandatory population control measures in zones the government may specially designate. The government, however, has not drafted any implementing regulations for these laws. Government authorities, through various policies and practices, subjected Rohingya Muslims to physical abuse, arbitrary arrest and detention, restrictions on religious practice and travel, and discrimination in employment, social services, and access to citizenship. Religious minority populations, including Muslims, Christians, and others, experienced arrest and detention, restrictions on religious practice, and various forms of discrimination. Although the law prohibits mixing of religion and politics, some political parties described themselves as Muslim-free parties, and some monks publicly supported specific political candidates. Some government officials publicly spoke out against hate speech and called for religious tolerance. NGOs and religious groups said local authorities in some cases moved quickly to investigate and debunk rumors that could inflame religious tensions and spark violence.

Episodes of intercommunal conflict were small scale during the year and did not escalate into widespread violence as in the previous year. Violent nationalists widely circulated anti-Muslim materials, and the Buddhist Committee for Protection of Race and Religion (MaBaTha) supported and publicly celebrated the passage of the four “race and religious protection” laws. Activists received threats for speaking out against the four race and religion laws, anti-Muslim discrimination, and religious-based violence. Religious and civil society leaders increasingly organized intrafaith and interfaith events and developed mechanisms to monitor and counter hate speech.

The U.S. government advocated religious freedom and tolerance with all sectors of society and consistently raised concerns about the passage of the “race and religious protection” laws, conditions in Rakhine State, including those facing Muslim communities and ethnic Rakhine, and the rise of anti-Muslim hate speech.
and tension. The embassy regularly highlighted concerns about religious-based tension and anti-Muslim discrimination and called for respect for religious diversity and tolerance, including during the pre-election period. It also pressed for a voluntary and transparent path to restoration and provision of citizenship for the Rohingya that does not require applicants to self-identify in ways with which they are not comfortable.

Since 1999, Burma has been designated as a “Country of Particular Concern” (CPC) under the International Religious Freedom Act of 1998 for having engaged in or tolerated particularly severe violations of religious freedom. On February 29, 2016, the Secretary of State redesignated Burma as a CPC and identified the following sanction that accompanied the designation: the existing ongoing arms embargo referenced in 22 CFR 126.1(a) pursuant to section 402(c)(5) of the Act.

Section I. Religious Demography

The U.S. government estimates the total population at 56.3 million (July 2015 estimate). A 2014 census estimated the total population at 51.4 million. According to the most recently available estimates, approximately 90 percent are Theravada Buddhists. Approximately 4 percent are Christians (primarily Baptists, Roman Catholics, and Anglicans, along with several small Protestant denominations). Muslims (mostly Sunni) comprise approximately 4 percent of the population. The Rohingya population is estimated at approximately one million by NGOs, with more than 800,000 stateless individuals in Rakhine State, according to the office of the UN High Commissioner for Refugees (UNHCR). There are small communities of Hindus and practitioners of traditional Chinese and indigenous religions. There is a very small Jewish community in Rangoon.

The country is ethnically diverse, with significant correlation between ethnicity and religion. Theravada Buddhism is the dominant religion among the majority Bamar ethnic group and also among the Shan, Rakhine, and Mon ethnic groups. Christianity is dominant among the Kachin, Chin, and Naga ethnic groups. Christianity also is practiced widely among the Karen and Karenni ethnic groups, although many Karen and Karenni are Buddhist and some Karen are Muslim. Those of South Asian origin, who are concentrated in major cities and in the south central region, are predominantly Hindu or Muslim, although some are Christian. Islam is practiced widely in Rakhine State and in Rangoon, Irrawaddy, Magwe, and Mandalay Divisions, by some Bamar and ethnic Indians as well as ethnic Kaman Muslims and Rohingya. Chinese ethnic minorities generally practice
traditional Chinese religions and to a lesser extent Islam and Christianity. Traditional indigenous beliefs are practiced widely among smaller ethnic groups in the highland regions.

Section II. Status of Government Respect for Religious Freedom

Legal Framework

The constitution states, “[e]very citizen is equally entitled to freedom of conscience and the right to freely profess and practice religion subject to public order, morality or health and to the other provisions of this Constitution,” and notes that, “every citizen shall be at liberty…if not contrary to the laws, enacted for Union security, prevalence of law and order, community peace and tranquility or public order and morality…to develop…[the] religion they profess and customs without prejudice to the relations between one national race and another or among national races and to other faiths.”

Religious organizations are not required to register with the government.

The law bars members of religious orders (such as priests, monks, and nuns) from running for public office, and the constitution bars members of religious orders from voting. The constitution forbids “the abuse of religion for political purposes.” Although there is no official state religion, the constitution notes that the government “recognizes the special position of Buddhism as the faith professed by the great majority of the citizens of the Union.” The constitution “also recognizes Christianity, Islam, Hinduism, and Animism as the religions existing in the Union at the day of the coming into operation of this Constitution.”

The government restricts by law the political activities and expression of the Buddhist clergy (sangha). The government bans any organization of Buddhist monks other than nine state-recognized monastic orders. Violations of this ban are punishable by immediate public defrocking and criminal penalties. The nine recognized orders submit to the authority of the State Sangha Monk Coordination Committee (SSMNC), the members of which are elected by monks.

The Ministry of Religious Affairs’ Department for the Perpetuation and Propagation of the Sasana (Buddhist teaching) oversees the government’s relations with Buddhist monks and schools.
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Between May and August, the government adopted a package of four laws related explicitly to “protection of race and religion.” The Buddhist Women Special Marriage law stipulates notification and registration requirements for marriages between non-Buddhist men and Buddhist women and introduces new obligations to be observed by non-Buddhist husbands and penalties for noncompliance. The Religious Conversion law regulates conversion through an extensive application and approval process. The Population Control Law allows for the designation of special zones for which population control measures could be applied, including authorizing local authorities to implement three-year birth spacing. The Monogamy Law bans polygamous practices, which were already criminalized under the country’s penal code. No implementing guidelines for these laws have been drafted.

Antidiscrimination laws do not apply to groups not recognized under the law as citizens, such as the Rohingya in Rakhine State.

Government Practices

There were reports of physical abuse, arbitrary arrest, and continued detention of religious leaders and believers, restrictions on religious practice and travel, forced displacement, and discrimination in employment, granting of building permits, and access to citizenship. Because religion and ethnicity are often closely linked, it is difficult to categorize many incidents as being solely based on religious identity.

Activists promoting interfaith understanding and harmony were subject to harassment and detention. For instance, on July 15 and 17, police in Mandalay Division arrested three interfaith activists, Ko Zaw Zaw Latt, Pwint Phyu Latt, and Mg Zaw Win Bo for violating a law that prohibits membership in or contact with illegal organizations. While police said the activists were meeting with members of ethnic armed groups during the year, civil society sources stated the activists were targeted for their interfaith work. The three remained in detention pending trial as of November. Other interfaith activists in Mandalay Division reported receiving threats via anonymous phone calls and text messages.

The government at times took actions against individuals whose actions were construed to be insulting to religion. In June the Chaung-U Township court convicted and sentenced Htin Lin Oo, information officer of the main opposition political party National League for Democracy (NLD), for religious defamation and sentenced him to two years of hard labor. Htin Lin Oo was arrested and jailed
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for remarks regarding Buddhism made during a public speech in October 2014 that were subsequently deemed insulting. His appeal was pending as of December.

The government continued to detain Shin Nyana, a monk sentenced in 2010 to a 20-year term of imprisonment for teaching a religious doctrine that did not comport with Theravada Buddhism. According to media reports and other sources, eight monks, including Shin Nyana and U Eindaka, were in detention at year’s end.

Since the 2012 outbreak of intercommunal violence and subsequent intensification of government anti-Muslim hostility, approximately 100,000 people, mostly Rohingya, have left the country on boats, according to UNHCR estimates. There were reports that smugglers and traffickers kidnapped, trafficked, exploited, and subjected migrants to brutality and abuse in inhuman conditions, with government actors complicit in the process.

There were reports of local authorities preventing Muslims from conducting prayer services at religious facilities.

The government continued to subject public events, including religious ceremonies and festivals, to security regulations and other controls. There were reports that Islamic and Christian events required prior written permission first from ward, and then township, police, district, and division-level authorities. All public religious celebrations also required prior written permission from religious affairs authorities and applications needed to be submitted approximately three weeks in advance. Law enforcement officers reportedly questioned participants on what transpired at these events. Civil society organizations reported that approvals were frequently delayed. The government designated specific towns surrounding Rangoon where Muslims generally could gather for worship and religious training outside the mosque, but only during major Islamic holidays and with prior permission.

Authorities in some instances restricted gatherings organized by Muslim organizations. On May 18, authorities in Rangoon Division rejected a request by Muslim organizations to hold a nationwide Islamic conference due to stated concerns that the conference would affect peace and stability. Muslim sources stated that local authorities denied approval at the behest of nationalist Buddhist groups.

Government soldiers reportedly occupied churches and monasteries during skirmishes in Kachin State and northern Shan State. On August 25, after fighting
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with the Shan State Army-South, troops from Burmese Army Division 99 entered a monastery in Hsai Khao ward, Nambu Township, Shan State, to treat their wounded soldiers and forced 25 villagers to stay at the monastery as human shields. Later in the day, the troops ordered 10 villagers to accompany them to Palaung village, approximately 12 miles away. The group was allowed to return to their village on August 26. Unlike previous years, civil society did not report the destruction of churches by government soldiers in Kachin State.

Religious leaders continued to note restrictions by local authorities to repairs of non-Buddhist religious buildings, as well as restrictions on the building of new facilities around the country. Christian communities in Chin and Kachin States reported they were subject to restrictions on property registration, construction, and renovation. This included continued reports that local government officials denied or delayed permits to restore crosses previously destroyed, or to renovate and build Christian churches in Chin State. Local authorities in Chin State also continued to prohibit Christian groups and churches from buying land in the name of their religious organizations. Religious groups said individual members circumvented this requirement by purchasing land on behalf of the group, a practice the government tolerated.

Christian and Muslim groups that sought to build small places of worship on side streets or other inconspicuous locations continued to be able to do so only with informal approval from local authorities, according to religious groups. NGOs in Kachin State reported state officials allowed the construction of Buddhist facilities at natural heritage sites in efforts to promote Buddhism.

Muslim groups reported official building requests encountered significant delays, were often denied, and even when approved could subsequently be reversed. It remained extremely difficult for Muslims to acquire permission to repair existing mosques, although authorities permitted internal maintenance in some cases. Historic mosques in Meiktila, Mawlamyine (Mon State), and Sittwe (Rakhine State), as well as in Rangoon and other areas continued to deteriorate because authorities did not allow routine maintenance.

In northern Rakhine State, local authorities forced the dismantling of renovations to mosques and religious buildings damaged by Cyclone Komen in August. Trustees and community members began the repairs following a reported verbal endorsement by the president following the cyclone. Township authorities, however, issued letters stating that any maintenance or renovation would require
pre-approval and legal actions would be taken against unauthorized activities. There were reports that local religious affairs officials extorted money from the communities for repair works. In September UN officials and Muslim community representatives said local authorities forced the dismantling of some renovations and the demolition of some Islamic religious schools.

Some Christian theological seminaries and Bible schools continued to operate, along with several madrassahs.

The government continued to fund two state sangha universities in Rangoon and Mandalay, respectively, which trained Buddhist monks under the purview of the SSMNC, as well as the International Theravada Buddhist Missionary University in Rangoon.

The government financially supported Buddhist seminaries and Buddhist missionary activities. Religious organizations said Buddhist groups generally did not experience difficulty obtaining permission to build new pagodas, monasteries, or community religious halls, in contrast with minority religious groups. According to religious organizations, the Ministry of Religious Affairs financially supported the SSMNC and religious ceremonies.

Some teachers at government schools reportedly required students to recite Buddhist prayers, although such practices were no longer a mandated part of the curriculum. Many classrooms displayed Buddhist altars or other Buddhist iconography.

Without citizenship, the Rohingya did not have access to secondary education in state-run schools. Authorities did not permit Rohingya high school graduates from Rakhine State and others living in IDP (internally displaced person) camps to travel outside the state to attend college or university. Authorities continued to bar Muslim university students who did not possess citizenship scrutiny cards from graduating. These students were permitted to attend classes and take examinations, but they could not receive diplomas unless they claimed a “foreign” ethnic minority affiliation. The Rohingya also were unable to obtain employment in any civil service positions. Rohingya couples needed to obtain government permission to marry. In addition, some Rohingya sources expressed concern about the two-child policy for Rohingya families, referring to a 2005 local order promulgated in northern Rakhine State.
In Rakhine State, government officials mistreated Rohingya Muslims at border crossings. Security forces imposed restrictions on the movement of Rohingya and non-Rohingya Muslims, including IDPs. The government stated it imposed these restrictions because of reported persistent threats of violence from members of Rakhine communities. These restrictions impeded the ability of Rohingya and some non-Rohingya Muslims to pursue livelihoods, gain access to markets and other basic services, and engage other communities. According to civil society groups, government officials denied this population access to basic services, including hospitals. Anti-Rohingya groups in some townships obstructed efforts by aid workers to provide humanitarian assistance to Muslims.

Restrictions governing the travel of foreigners, Rohingya, and others between townships in northern Rakhine State varied depending on township, usually requiring submission of an immigration form. The traveler could obtain this form only from the Township Immigration and National Registration Department and only if that person provided an original copy of a family list, temporary registration card, and two guarantors. Travel was authorized under the form for 14 days. Authorities prevented Muslims from living in Rakhine State’s Gwa or Taungup areas. Authorities granted Muslims outside of Rakhine State more freedom to travel, but they still faced restrictions on travel into and out of Rakhine State.

As of December the government said it had resettled approximately 3,300 individuals displaced by intercommunal violence in 2013 in Meiktila, Mandalay Division. Local authorities continued to scrutinize eligibility for resettlement of approximately 400 remaining IDPs.

Muslim community representatives reported that in some cases Muslim businesses were unable to procure government contracts without a Buddhist “front” person and were prevented from owning licenses to open airlines and banking businesses. Media and religious sources said local authorities in Irrawaddy Division began to restrict the licensing and butchering of cattle by Muslim slaughterhouses, which negatively affected business operations and the ability of Muslim communities to celebrate Islamic holidays.

Nearly all promotions to senior positions within the military and civil service continued to be reserved for Buddhists. The government discouraged Muslims from joining the military, and Christian or Muslim military officers who aspired to promotion beyond the rank of major were reportedly encouraged by their superiors to convert to Buddhism. Some Muslims who wished to join the military reportedly
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had to list “Buddhist” as their religion on their applications, although they were not required to convert.

NGOs considered the 1982 Citizenship Law as providing the legal framework for the gradual erosion of legal status and rights for Rohingya in the country.

In January the government launched a statewide citizenship verification exercise to address the issue of citizenship of the Rohingya in Rakhine State. More than 900 Rohingya and Kaman Muslims gained either full or naturalized citizenship in the pilot exercise, initiated in Myebon Township in June 2014. Recipients of naturalized citizenship were ineligible to participate in some political activities and professions. Although recognized by the 1982 Citizenship Law as one of the 135 ethnic groups that automatically qualifies for citizenship, religious groups said some Kaman Muslims in Rakhine State chose to participate in the citizenship verification pilot as a quick means to gain status after being displaced by the 2012 violence and living in IDP camps alongside Rohingya. The government required participants to identify as “Bengali” if they wished to be verified for citizenship, based on the argument that the Rohingya residents of Rakhine State were illegal immigrants from Bangladesh or descendants of migrants transplanted by the British during colonial rule. Rohingya activists said they feared that self-identifying as Bengali would undercut their claims for full citizenship rights in the future. At year’s end the government had not made provision for the Rohingya and Kaman Muslims in Myebon who had gained citizenship through the verification process to move out of their IDP camps.

Authorities required citizens and permanent residents to carry government-issued identification cards, including the citizenship “scrutiny” cards that permitted holders to access services and prove citizenship. These identification cards often indicated religious affiliation and ethnicity, but there appeared to be no consistent criteria governing whether a person’s religion was indicated on the card. The government also required citizens to indicate their religion on certain official applications for documents such as passports, although passports themselves do not indicate the bearer’s religion. Members of religious minorities, particularly Muslims, faced problems obtaining citizenship scrutiny cards. Some Muslims reported that they were required to indicate a “foreign” ethnicity if they self-identified as Muslim on applications for the citizenship scrutiny cards.

While the SSMNC issued a decree in 2013 to ban the formation of the Buddhist nationalist 969 movement, the SSMNC did not take actions against the activities of
MaBaTha, an association of Buddhist monks formed to “protect religion and nationality.” Authorities discussed but did not take action against MaBaTha hate speech in print and on social media, nor against other MaBaTha political activities which were reportedly in contravention of the law against mixing politics and religion. Media reported that a MaBaTha monk claimed President Thein Sein intervened to secure a venue for a large MaBaTha rally celebrating the passage of the four race and religion laws.

The Ministry of Information continued to encourage civil society to develop hate speech monitoring platforms and announced on several occasions its intention to take action against perpetrators of hate speech. For instance, on September 18, the minister of information announced the government would take action against individuals who promoted hate speech or religious hatred to incite tension in the lead-up to the November 8 general elections. The information minister made multiple statements during the year against the use of hate speech on social media. The government did not censure any individuals for hate speech during the election campaign period.

State-controlled media frequently depicted government officials and family members paying homage to Buddhist monks; offering donations at pagodas; officiating at ceremonies to open, improve, restore, or maintain pagodas; and organizing “people’s donations” of money, food, and uncompensated labor to build or refurbish Buddhist shrines nationwide. The government published and distributed books on Buddhist religious instruction.

Although the law prohibits mixing of religion and politics, some local political parties developed campaign slogans describing themselves as Muslim-free parties, and some monks prescribed criteria for the vetting of political candidates who could protect Buddhism.

The government-supported Interfaith Dialogue Group organized dialogues in upper Burma on July 25 and lower Burma on October 17. The lower Burma dialogue included the participation of Rangoon Chief Minister Myint Swe, Ministry of Religious Affairs Director General Khine Aung, retired Ambassador Dr. Hla Maung, and religious leaders, such as U Hla Htun, the coordinator of Sanatan Dharma Swayamsevak Sangh, the country’s most prominent Hindu organization, and Father Joseph Maung Win of St. Anthony’s Church. Although the Ministry of Information in 2014 established an intergovernmental committee, chaired by one of the two vice presidents, to address hate speech on social media, liaise with
social media operators, and facilitate the consideration of hate speech-related complaints from the public, there were no clear reports the body actually carried out its stated responsibilities.

In an election campaign video, President Thein Sein described the passage of the “race and religious protection” laws as an achievement of his administration.

The government permitted some foreign religious groups to operate. Local religious organizations were also able to send official invitations for visa purposes to clergy from faith-based groups overseas, and foreign religious visitors acquired either a tourist or business visa for entry. Authorities permitted Rangoon-based groups to host international students and experts.

There were approximately 3,900 Hajj pilgrims. The government expedited passport issuance for 280 of the pilgrims and simplified procedures for all Hajj travelers.

Christian groups reported that in many cases, including in ethnic minority areas, the government no longer enforced the requirement that religious organizations obtain government permission to engage in certain activities such as religious education or charitable work. In areas with heavy military presence in Kachin State, Christian groups reported that approval from the military could be required to engage in activities.

Section III. Status of Societal Respect for Religious Freedom

MaBaTha published and spread anti-Muslim hate speech in print and social media and organized a series of rallies countrywide to celebrate the passage of the “race and religious protection laws.” Monks affiliated with MaBaTha publicly encouraged followers to vote against political parties and candidates who did not support the package of legislation. Anti-Muslim literature circulated widely in communities throughout the country and included incitement to violence and called for boycotts of Muslim business and other forms of anti-Muslim discrimination.

Buddhists reportedly prevented Muslims from living in some areas and displayed signboards pronouncing the areas had been “purified” of Muslims. In Karen and Mon States there were anti-Muslim sermons and campaigns to prohibit business
deals between Buddhists and Muslims. In other areas, Buddhists reportedly would not sell or rent property to Muslims.

In Hpa’an Township, Karen State, prominent monk Myaing Gyi Ngu constructed a stupa (a mound-like structure that contains relics and is used as a place of meditation) in a Baptist church compound without consent from the church leaders. According to media reports, in response to complaints from local Christian groups, the president instructed the minister of religious affairs to resolve the issue and the Karen State government issued a letter requesting the monk to halt the construction. Despite opposition from community members and the government’s directive, the monk completed the construction.

On October 20, a small group of Buddhist nationalists gathered at the township administrator’s office in Thaketa Township in Rangoon Division to demand that trustees of nine local madrassahs sign a pledge that they would not hold prayers in the madrassahs and would not allow patrons to wear Muslim skullcaps and robes. The crowd dispersed after the trustees signed the pledge.

With the rise in religious hate speech, religious and community leaders and civil society activists organized intrafaith and interfaith events and worked jointly to develop mechanisms to monitor and counter hate speech and to promote religious tolerance and diversity. In the Mandalay region, an NGO worked with like-minded groups to lead a series of conflict transformation training sessions for selected youth and community leaders focused on preventing intercommunal violence. In the Bago region, local groups launched an effort to promote responsible use of social media by distributing booklets to raise awareness of the dangers of hate speech and false information on social media platforms such as Facebook.

Section IV. U.S. Government Policy

Senior U.S. officials, including the Ambassador and visiting U.S. government officials, raised ongoing U.S. concerns about religious freedom, the plight of the Rohingya in Rakhine State, the passage of the “race and religious protection” laws, and the rise of anti-Muslim hate speech and tension. The U.S. government consistently called for long-term and durable solutions to the lack of citizenship status for Rohingya Muslims, including a voluntary and transparent path to restoration and provision of citizenship that does not require Rohingya applicants to self-identify in ways with which they are uncomfortable, specifically as
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“Bengali.” These officials included the Deputy Secretary of State, the Assistant Secretary of State for East Asian and Pacific Affairs, the Assistant Secretary of State for Democracy, Human Rights, and Labor, the Deputy National Security Adviser, and the Ambassador-at-Large for International Religious Freedom.

Embassy officials at all levels discussed the importance of addressing the lingering effects of past ethnoreligious-based violence and anti-Muslim hate speech and promoting religious freedom and tolerance in meetings with high-level government officials, including the ministers of foreign affairs, home affairs, and the president’s office, the deputy minister of religious affairs, the speaker of the lower house of parliament, the chairman of the union election commission, parliamentarians, including NLD leader Aung San Suu Kyi, members of civil society, scholars, and representatives of other governments.

Embassy officials traveled to states containing ethnic minorities to discuss religious freedom and tolerance with state and local government officials, NGOs, and members of community-based organizations and religious communities. The Ambassador visited the Christian majority Chin and Kachin states, areas affected by ethnoreligious-based violence in 2013 and 2014, and other areas that had suffered from and were identified as at risk of ethnoreligious conflict. The Ambassador made a number of visits to Rakhine State to assess the situation and worked closely with the diplomatic community to develop responses to the ongoing crisis.

The embassy continued to call for respect for religious freedom, tolerance, and unity in its interactions with all sectors of society, and on its widely viewed Facebook page. Embassy representatives spoke out against intercommunal conflict and hate speech, and for religious freedom at high-profile events, including a July 25 event celebrating Eid al-Fitr. Embassy representatives, including the Ambassador, met repeatedly with Buddhist, Christian, Jewish, Hindu, and Muslim leaders, including ethnic minority religious leaders, members of faculties of theology, and other religiously affiliated organizations, including MaBaTha, and NGOs to promote religious freedom, diversity, and tolerance. The Ambassador hosted an Eid al-Fitr dinner in July to bring civil society leaders and various faith communities together to discuss issues pertaining to religious freedom and communal relations. In May the embassy sponsored a three-day conference in Mandalay city to promote tolerance of religious and ethnic diversity; more than 70 participants from Buddhist, Christian, Muslim and Hindu religious organizations, civil society, and government discussed interfaith relations.
The embassy regularly published statements highlighting concerns about religious-based tension and anti-Muslim discrimination as well as called for respect for religious diversity, unity, and tolerance, including during the pre-election period. In September the embassy and eight other diplomatic missions released a joint statement to highlight concerns about the misuse of religion in the election campaign season. The embassy sponsored visits of youth civil society leaders to the United States for programs on religious pluralism, and hosted U.S. speakers to discuss interfaith tolerance. As in prior years, the embassy partnered with and supported numerous faith-based and civil society organizations working on programs promoting religious freedom and tolerance.

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