

TESTIMONY

**BEFORE THE SUBCOMMITTEE ON AFRICA, GLOBAL HEALTH,
GLOBAL HUMAN RIGHTS, AND INTERNATIONAL ORGANIZATIONS
OF THE**

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FOREIGN AFFAIRS

ON

**PROTECTING RELIGIOUS FREEDOM: U.S. EFFORTS TO HOLD
ACCOUNTABLE COUNTRIES OF PARTICULAR CONCERN**

BY

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I am Dr. Robert P. George, Chairman of the U.S. Commission on International Religious Freedom (USCIRF). Thank you for the opportunity to testify today before the Africa, Global Health, Global Human Rights, and International Organizations Subcommittee on “Protecting Religious Freedom: U.S. Efforts to Hold Accountable Countries of Particular Concern.” This hearing is timely and important. Religious freedom remains under serious assault across much of the world. This pivotal human right is central to U.S. history, affirmed by international treaties and obligations, and a practical necessity crucial to the security of the United States and the world.

The International Religious Freedom Act (IRFA) is a key part of the United States’ efforts to support religious freedom abroad. IRFA seeks to make religious freedom a priority in U.S. foreign policy. Signed into law in 1998, IRFA was a response to the growing concern about religious persecution worldwide and the perception that religious freedom was an orphaned human right that the U.S. government often neglected. In the words of the law, IRFA provides that it shall be the policy of the United States to:

- condemn violations of religious freedom, and to promote, and to assist other governments in the promotion of, the fundamental right to freedom of religion;
- seek to channel United States security and development assistance to governments other than those found to be engaged in gross violations of the right to freedom of religion...;
- be vigorous and flexible, reflecting both the unwavering commitment of the United States to religious freedom and the desire of the United States for the most effective and principled response, in light of the range of violations of religious freedom by a variety of persecuting regimes, and the status of the relations of the United States with different nations;
- work with foreign governments that affirm and protect religious freedom, in order to develop multilateral documents and initiatives to combat violations of religious freedom and promote the right to religious freedom abroad; and
- use and implement appropriate tools in the United States foreign policy apparatus, including diplomatic, political, commercial, charitable, educational, and cultural channels, to promote respect for religious freedom by all governments and peoples, thus standing for liberty and the persecuted.

IRFA created government institutions to monitor and report on religious persecution abroad: An Ambassador-at Large and Office of International Religious Freedom within the Department of State, and the bipartisan and independent U.S. Commission on International Religious Freedom (USCIRF), on which I serve. Importantly, the law also gave teeth to this new effort, requiring the U.S. government to identify foreign governments that engage in or tolerate “systematic, ongoing, and egregious” violations – which the statute calls “country-of-particular-concern” status – and to take some action in response.

In my testimony, I will begin by discussing what religious freedom entails and why it matters. I will then focus on USCIRF’s efforts to promote religious freedom and make it a key factor in U.S. foreign policy and the importance of Congressional leadership. I next will discuss USCIRF’s

recommendations for how the U.S. government can more effectively implement IRFA. IRFA is an important foreign policy tool that provides the U.S. government with unique capabilities to promote religious freedom and address violations of this fundamental freedom. These capabilities are significant given that religious freedom violations are implicated in some of the United States' most pressing foreign policy challenges.

I hope that this testimony underscores the important role that USCIRF plays in promoting religious freedom or belief abroad, and that Members of Congress will support H.R. 4653, a bill introduced by Representative Frank Wolf that reauthorizes USCIRF and, among other provisions, extends USCIRF's sunset date from September 30, 2014 to September 30, 2019.

What is Religious Freedom and Why Should it Matter to the United States?

Freedom of religion or belief is a broad, inclusive right, sweeping in scope, embracing the full range of thought, belief, and behavior. Religious freedom is as deep as it is broad, honoring and upholding the claims of conscience. Religious freedom means the right of all human beings to think as they please, believe or not believe as their conscience leads, and live out their beliefs openly, peacefully, and without fear. When it comes to the peaceful exercise of religion or belief, no government, group, or individual has the right to compel others to act against their conscience or restrain them from answering its call.

Support for religious freedom stands in opposition to every form of coercion or restraint on people's ability to choose and peacefully practice their beliefs. Rather than imposing beliefs, it is about protecting people's right to believe and remain true to their deepest convictions. Religious freedom applies to the holders of all religious beliefs. Broader still, the right to religious freedom extends to those who reject religious beliefs altogether.

Besides protecting every religious belief, freedom of religion is itself a conviction that is not the exclusive preserve of any one country, but a universal value endorsed in Article 18 of the Universal Declaration of Human Rights, which was overwhelmingly adopted in 1948, as well as in subsequent agreements. Religious freedom also merits a seat at the table with economic and security concerns as the U.S. and other nations conduct their affairs. There is no automatic tradeoff between religious freedom or other human rights and economic or security concerns. Rather, both are tied together in the real world.

Religious freedom needs to be a key factor in U.S. foreign policy since by any measure religious freedom is under serious and sustained pressure across much of the globe. According to the most recent Pew study, more than three-quarters of the world's population live in countries in which religion is restricted significantly, either by the government or societal actors. Yet for the vast majority of people across the globe, religion matters: Fully 84 percent of the world's population identifies with a specific religious group.

Unfortunately, it also is true that for some, religion is a driver of dangerous conflict with others who hold different beliefs. Either way, it follows that our nation and its diplomats cannot have honest, mutually respectful dialogue with the rest of the world, let alone productive and

satisfactory relations or outcomes, if we are inclined to ignore, downplay, or dismiss religion's pivotal role.

Because religious freedom is so central to human identity, we would expect that in places where it is unprotected, societal well-being would suffer. And according to a growing number of studies, that indeed may be the case across much of the world. Politically, religious freedom abuses are linked with the absence of democracy and the presence of abuses of other human rights, such as freedom of expression, association, and assembly. Economically, religious persecution can destabilize communities and marginalize the persecuted, causing their talents and abilities to go unrealized, robbing a nation of added productivity, and reducing its ability to fight poverty and make positive economic strides. Civically, whenever religious liberty is violated, nations needlessly surrender the tangible benefit that religious beliefs may yield through the molding of character which can empower individuals to exercise positive and responsible citizenship. Socially, wherever religious freedom is abused, peace and security may become ever more elusive. And the resulting instability directly bears not only on the well-being of those societies, but the security of the United States and the overall stability of the world. Promoting the kind of tolerance that gives rise to religious freedom is critical in these societies.

In addition, for at least three reasons, there appears to be an association between a lack of religious freedom and the presence of violent religious extremism.

First, when governments enforce laws, such as blasphemy-like codes, that stifle religious freedom, they embolden extremists to commit violence against perceived transgressors. In Pakistan, such codes fuel extremist violence threatening all Pakistanis, but particularly Christians and Ahmadi Muslims.

Second, when governments repress religious freedom or fail to protect it, they risk driving some into the arms of radical religious groups and movements. Russia's repression of Muslims in the name of fighting the extremist views of some has produced violent extremism in others.

And finally, governments that crack down on everyone's liberty in the name of fighting extremists risk strengthening the hand of extremists by weakening in the process their more democratic, but often less hardy or resilient competition. Under President Mubarak's rule, Egypt ended up strengthening the Salafists and their allies while enfeebling their more liberal opposition.

These examples demonstrate the centrality of religious freedom and religious freedom violations to the narratives of countries that top the U.S. foreign policy and security agendas. They also underscore that effectively promoting religious freedom can help U.S. policy makers achieve crucial goals by fostering respect for human rights while promoting stability and ultimately national security. And IRFA, when used properly, can help the U.S. achieve these important goals.

USCIRF's Role in IRFA Implementation

USCIRF was created by IRFA as an entity separate and distinct from the State Department: an independent U.S. government advisory body which monitors religious freedom worldwide and makes policy recommendations to the President, Secretary of State, and Congress. USCIRF bases

its recommendations on the standards found in the Universal Declaration of Human Rights and other international documents.

USCIRF last was reauthorized in 2011 and sunsets on September 30, 2014. We hope that Congress speedily reauthorizes USCIRF by passing H.R. 4653, the “United States Commission on International Religious Freedom Reauthorization Act of 2014.” Recently introduced by Representative Frank Wolf, the bill would reauthorize USCIRF for 5 years, until September 30, 2019, and make some minor changes to help the Commission operate more effectively. We look forward to continuing to work closely with Members of this Committee and other Members of Congress in support of this vitally important freedom. USCIRF cannot effectively carry out its work without the support of Members of Congress.

USCIRF is bipartisan. Its work is accomplished through the leadership of its Commissioners, who serve in a voluntary capacity without pay, and the engagement of its professional staff. Three Commissioners are appointed by the President, while six are appointed by the leadership of both parties in the House and Senate. Congressional leaders of the party that is not the President’s appoints four Commissioners, and the party in the White House appoints five. The Ambassador-at-Large for International Religious Freedom also serves as a non-voting *ex officio* member. That position currently is vacant, and we look forward to the speedy appointment of a new Ambassador-at-Large and to working with the individual who fills that position.

Far from duplicating the work of the State Department and its Office of International Religious Freedom, USCIRF’s independence gives it the freedom to speak publicly about violations of this fundamental right and ways the United States can engage positively. To perform this function, USCIRF issues written analyses, including its Annual Report, as well as periodic policy briefs and journal articles and frequent press statements and op-eds. For example, since 2013, USCIRF has issued reports on religious freedom conditions in Syria; the U.S. government’s detention of asylum seekers; the role of Shari’ah in the Sudanese constitution and law; the religious freedom situation in Russia; a review of the Egyptian constitution; and a report on individuals jailed under blasphemy laws.

In addition, USCIRF has released major reports on a variety of issues, highlighting specific actions the U.S. government should take to improve religious freedom. Such reports have included two studies on religious freedom conditions in North Korea based on first-hand testimony from refugees and defectors;¹ a study on school textbooks in Pakistan;² two studies on the religion-state relationship and freedom of religion or belief in the constitutions of Muslim-majority countries;³

¹ *Thank You Father Kim Il Sung: Eyewitness Accounts of Severe Violations of Freedom of Thought, Conscience and Religion in North Korea* (2005), available here:

http://www.uscirtf.gov/sites/default/files/resources/stories/pdf/nkwitnesses_wgraphics.pdf; *A Prison Without Bars* (2008), available here:

http://www.uscirtf.gov/sites/default/files/resources/A_Prison_Without_Bars/prisonwithoutbars.pdf

² *Connecting the Dots: Education and Religious Discrimination in Pakistan* (2011), available here:

<http://www.uscirtf.gov/reports-briefs/special-reports/connecting-the-dots-education-and-religious-discrimination-in>

³ *The Religion-State Relationship and the Right to Freedom of Religion or Belief: A Comparative Textual Analysis of the Constitutions of Predominantly Muslim Countries* (2005), and *The Religion-State Relationship and the Right to Freedom of Religion or Belief: A Comparative Textual Analysis of the Constitutions of Predominantly Muslim Countries and Other OIC Members* (2012), both available here: <http://www.uscirtf.gov/issues/muslim-constitutions>

and a study of the U.S. government's treatment of asylum seekers in Expedited Removal and related follow-up reports.⁴

USCIRF also works with Congress. Commissioners and USCIRF staff serve as a resource to Members of the House and Senate and their offices on a range of countries and issues, including testifying before Congressional committees about USCIRF's independent findings and recommendations. USCIRF has testified at Congressional hearings and held briefings on issues such as: human rights abuses in Egypt; Iran's persecution of American pastor Saeed Abedini; religious minorities in Syria; anti-Semitism; religious freedom in Vietnam; and persecuted Uighur Muslims in China. In collaboration with the Tom Lantos Human Rights Commission, USCIRF helped launch the Defending Freedoms Project, working with Members of Congress to highlight imprisoned human rights defenders worldwide.

USCIRF engages with the State Department, National Security Council, USAID, and other executive-branch entities to help promote international religious freedom as a key foreign policy priority, as IRFA mandated. The Commission also meets with high-ranking officials from foreign governments and international organizations, participates in U.S. delegations to international meetings, and helps provide training to Foreign Service officers and other U.S. officials. The Commission travels internationally to examine conditions firsthand, meeting with high-level officials and others.

USCIRF also engages with religious groups and non-governmental organizations (NGOs), seeking their insights and benefiting from their information. Commissioners and staff meet with representatives of religious communities and institutions, victims of religious persecution and their families, human rights groups, academics, and policy experts.

USCIRF's CPC Recommendations

One of USCIRF's most important responsibilities is to recommend to the State Department those countries that the Department should designate as "countries of particular concern," or CPCs, for their "systematic, ongoing and egregious" violations of religious freedom.

In its 2014 Annual Report, USCIRF recommended that the State Department re-designate the following eight countries as CPCs: Burma, China, Eritrea, Iran, North Korea, Saudi Arabia, Sudan, and Uzbekistan:

- Political reforms in Burma have not improved legal protections for religious freedom and have done little to curtail anti-Muslim violence, incitement and discrimination, particularly targeting the Rohingya Muslim minority. Police failed to intervene effectively and the government has

⁴ *The Treatment of Asylum Seekers in Expedited Removal* (2005), available at <http://www.uscirf.gov/reports-briefs/special-reports/report-asylum-seekers-in-expedited-removal>; Expedited Removal Study Report Card: 2 Years Later (2007), available at : <http://www.uscirf.gov/news-room/press-releases/uscirf-finds-disappointing-response-departments-justice-and-homeland>
Assessing the U.S. Government's Detention of Asylum Seekers: Further Action Needed to Fully Implement Reforms (2013), available at <http://www.uscirf.gov/sites/default/files/resources/ERS-detention%20reforms%20report%20April%202013.pdf>

taken inadequate steps to address the underlying causes of sectarian violence or hold individuals fully accountable. State-sponsored discrimination and state-condoned violence against Rohingya and Kaman ethnic Muslim minorities also continued, and ethnic minority Christians faced serious abuses during recent military incursions in Kachin state. The State Department has designated Burma a CPC since 1999.

- In China, the government continues to perpetrate particularly severe violations of religious freedom. For Tibetan Buddhists and Uighur Muslims, conditions are worse now than at any time in the past decade. Independent Catholics and Protestant face arrests, fines, and the shuttering of their places of worship. Practitioners of Falun Gong, as well as other Buddhist, folk religionist, and Protestant groups deemed “superstitious” or “evil cults,” face long jail terms, forced renunciations of faith, and torture in detention, and the government has not sufficiently answered accusations of psychiatric experimentation and organ harvesting. The State Department has designated China as a CPC since 1999.
- In Eritrea, systematic, ongoing, and egregious religious freedom violations continue under the regime of President Isaias Afwerki. Violations include torture or other ill-treatment of religious prisoners, arbitrary arrests and detentions without charges, a prolonged ban on public religious activities, and interference in the internal affairs of registered religious groups. The religious freedom situation is particularly grave for Evangelical and Pentecostal Christians and Jehovah’s Witnesses. The government dominates the internal affairs of the Orthodox Church of Eritrea, the country’s largest Christian denomination, and suppresses Muslim religious activities and those opposed to the government-appointed head of the Muslim community. The State Department has designated Eritrea as a CPC since 2004.
- In Iran, despite the June 2013 election of a new and purportedly moderate president, already-poor religious freedom conditions continued to deteriorate, particularly for religious minorities, especially Baha’is and Christian converts. Sufi and Sunni Muslims and dissenting Shi’a Muslims also faced harassment, arrests, and imprisonment. The government of Iran continues to engage in systematic, ongoing, and egregious violations of religious freedom, including prolonged detention, torture, and executions based primarily or entirely upon the religion of the accused. The State Department has designated Iran as a CPC since 1999.
- The government of North Korea tightly controls all religious activity and perpetuates an extreme cult of personality venerating the Kim family as a pseudo-religion. Individuals engaged in clandestine religious activity are arrested, tortured, imprisoned, and sometimes executed. Thousands of religious believers and their families are imprisoned in penal labor camps, including refugees repatriated from China. The State Department has designated North Korea a CPC since 2001.
- Despite improvements in religious freedom, Saudi Arabia remains unique in the extent to which it restricts the public expression of any religion other than Islam. Not a single church or other non-Muslim house of worship exists in the country. The government favors its own interpretation of Sunni Islam over all other interpretations. It also has arrested individuals for dissent, apostasy, blasphemy, and sorcery. The State Department has designated Saudi Arabia

a CPC since 2004, but an indefinite waiver on taking any action as a consequence of the CPC designation has been in place since 2006.

- The government of Sudan led by President Omar Hassan al-Bashir continues to engage in systematic, ongoing, and egregious violations of freedom of religion or belief. It imposes a restrictive interpretation of Shari'ah (Islamic law) on Muslims and non-Muslims alike, using amputations and floggings for crimes and acts of “indecent” and “immorality” and arresting Christians for proselytizing. President al-Bashir and other National Congress Party (NCP) leaders have stated that Sudan's new constitution, when drafted, will be based on its interpretation of Shari'ah. Governmental and non-governmental attacks on the Christian community also continue. These religious freedom violations, as well as the violence in Southern Kordofan, Blue Nile, and Darfur, are the result of President Bashir's policies of Islamization and Arabization. The State Department has designated Sudan a CPC since 1999.
- Particularly severe violations of freedom of religion or belief continue in Uzbekistan through a highly restrictive religion law and harsh penalties on all independent religious activity. The government also imprisons individuals who do not conform to officially-prescribed practices or whom it claims are extremist, including as many as 12,000 Muslims. The State Department has designated Uzbekistan as a CPC since 2006, but has indefinitely waived taking any punitive action since 2009.

In our 2014 Annual Report, USCIRF also determined that eight other nations meet the CPC threshold and recommended their designation as CPCs: Egypt, Iraq, Nigeria, Pakistan, Syria, Tajikistan, Turkmenistan, and Vietnam:

- In Egypt, despite some progress during a turbulent political transition, the Morsi-era government and the interim government failed or were slow to protect from violence religious minorities, particularly Coptic Orthodox Christians. While the new constitution includes improvements regarding freedom of religion or belief, the interpretation and implementation of relevant provisions remain to be seen. Discriminatory and repressive laws and policies that restrict freedom of thought, conscience and religion or belief remain in place. For example, Egyptian courts continue to prosecute, convict, and imprison Egyptian citizens for blasphemy. USCIRF has recommended CPC designation for Egypt since 2011.
- In the past year in Iraq, the government failed to stem egregious and increasing violence by non-state actors against Iraqi civilians, including attacks targeting religious pilgrims and worshippers, religious sites, and leaders, as well as individuals for their actual or assumed religious identity. While the Syrian crisis contributed to sectarian tensions, the Iraqi government took actions that increased, rather than reduced, Sunni-Shi'a strife, threatening the country's already fragile stability and further exacerbating the poor religious freedom environment. Especially concerning is the draft personal status law that would separately apply to Shi'a Iraqis, which risks further deepening the sectarian divide. USCIRF has recommended CPC designation for Iraq since 2008.
- Nigeria's democracy is being tested by recurring sectarian violence, attacks and threats against Christians and Muslims by Boko Haram, and the misuse of religion by politicians, religious

leaders, and others. In a country where religion and religious identity are intertwined in ethnic, political, economic, and social controversies, these dynamics strain already tense Christian-Muslim relations. While the Nigerian government does not engage in religious persecution, it tolerates severe violations through its failure to bring to justice those responsible for systematic, ongoing, and egregious religious freedom violations, or prevent or contain sectarian violence. Boko Haram benefits from this culture of impunity and lawlessness as it exploits religious tensions to destabilize Nigeria. USCIRF has recommended CPC designation for Nigeria since 2009.

- Pakistan represents the worst situation in the world for religious freedom for a country not currently designated by the U.S. government as a CPC. In the past year, religious freedom conditions reached an all-time low due to chronic sectarian violence targeting mostly Shi'a Muslims but also Christians, Ahmadis, and Hindus. The previous and current governments failed to provide adequate protection or arrest perpetrators. Also, Pakistan's repressive blasphemy laws and anti-Ahmadi laws are widely used to violate religious freedoms and foster a climate of impunity. USCIRF has recommended that Pakistan be named a CPC since 2002.
- The crisis in Syria has devolved largely into a sectarian conflict, exacerbated by the actions of the Bashar al-Assad regime, with particularly severe violations of religious freedom affecting all Syrians. The regime's targeting of Sunni Muslims and other individuals or groups that oppose it and its indiscriminate shelling of civilian areas have killed tens of thousands of Syrians and displaced millions. In addition, extremist and U.S.-designated terrorist groups, including al-Qaeda and the Islamic State of Iraq and the Levant (ISIL), target because of their faith religious minority communities, including Christians and Alawites, and internationally-recognized opposition military groups have committed religious freedom violations when working with other groups to secure strategic areas. The existing humanitarian disaster and egregious human rights and religious freedom violations pose a serious danger post-conflict to Syria's religious diversity. Due to the collective actions of the Bashar al-Assad regime, internationally-recognized opposition groups, and extremist and U.S.-designated terrorist groups, USCIRF recommended in 2014, for the first time, that Syria be designated a CPC.
- Systematic, ongoing, egregious violations of religious freedom continue in Tajikistan. The government suppresses and punishes all religious activity independent of state control, particularly the activities of Muslims, Protestants, and Jehovah's Witnesses. The government also imprisons individuals on unproven criminal allegations linked to Islamic religious activity and affiliation. Jehovah's Witnesses have been banned since 2007, and there are no legal provisions on conscientious objection to military service. USCIRF has recommended CPC designation for Tajikistan since 2012.
- Particularly severe religious freedom violations persist in Turkmenistan. Despite a few limited reforms in 2007, the country's laws, policies, and practices continue to violate international human rights norms, including those on freedom of religion or belief. Police raids and harassment of registered and unregistered religious groups continue. The repressive 2003 religion law remains in force, causing major difficulties for all religious groups. Turkmen law does not allow a civilian alternative to military service and nine Jehovah's Witnesses are

imprisoned for conscientious objection. USCIRF has recommended CPC designation for Turkmenistan since 2000.

- Despite some positive changes over the past decade in Vietnam, the government continues to imprison individuals for religious activity or religious freedom advocacy. It uses a specialized religious police force and vague national security laws to suppress independent Buddhist, Protestant, Hoa Hao, and Cao Dai activities, and seeks to stop the growth of ethnic minority Protestantism and Catholicism via discrimination, violence, and forced renunciations of their faith. In the past year, arrests and confrontations with the Catholic Church have escalated tensions. Based on these systematic, ongoing, and egregious violations, USCIRF again recommends that Vietnam be designated a “country of particular concern,” or CPC, in 2014. The Commission has recommended that Vietnam be named a CPC since 2001. The State Department did so in 2004 and 2005, but removed the designation in 2006 because of progress toward fulfilling a bilateral agreement to release prisoners, ban forced renunciations of faith, and expand legal protections for religious groups. However, USCIRF found that the binding agreement and the steps taken did not address all of the country’s severe religious freedom issues, and has noted backsliding on religious freedom since the CPC designation was lifted, and therefore has continued to recommend CPC status for Vietnam.

USCIRF’s Tier 2 and Other Countries Monitored

In addition to the countries the Commission recommends for CPC status (Tier 1 countries), USCIRF believes it is important to shine the light on other countries that violate religious freedom. As a result, our Annual Report also includes a second group of countries we refer to as “Tier 2,” formerly our Watch List. Tier 2 countries are those in which the violations engaged in or tolerated by the governments of these countries are serious and characterized by at least one of the elements of the “systematic, ongoing, and egregious” CPC standard, but do not fully meet this standard.

The Commission has placed ten nations on its Tier 2 List in 2014: Afghanistan, Azerbaijan, Cuba, India, Indonesia, Kazakhstan, Laos, Malaysia, Russia, and Turkey.

For instance, in Indonesia, a tradition of religious tolerance and pluralism increasingly is threatened by the detention of individuals considered religiously “deviant” and the ongoing intimidation, discrimination, and violence against religious minorities, including Ahmadis, Christians, Shi’a, Sufis, Hindus, Baha’is, and followers of indigenous religions. Government officials sometimes tolerate, and occasionally actively support, the efforts of extremist groups, such as the Islamic Defenders Front (FPI), to stop the perceived growth of religious minorities and police the orthodoxy of the Sunni majority. Indonesia has been on Tier 2, formerly USCIRF’s Watch List, since 2009.

In Malaysia, religion, ethnicity, and politics are profoundly intertwined and complicate religious freedom protections for religious minorities and non-Sunni Muslims. USCIRF has not reported on Malaysia since 2007. Renewed reporting stems from concerns about inadequate legal protections for religious minorities and ethnic Malays who wish to change their religion, bans on certain publications and groups considered religiously “deviant,” including Shi’a, and expanded efforts to

arrest and harass members of such groups in the past two years. Based on these concerns, USCIRF places Malaysia on Tier 2 in 2014.

In Russia, in the context of growing human rights abuses, religious freedom conditions suffered serious setbacks. Laws enacted in 2012 and 2014 amendments to the anti-extremism law were deployed against religious individuals and groups, particularly Jehovah's Witnesses and Muslim readers of Turkish theologian Said Nursi. There are hundreds of Muslims jailed, reportedly on false charges; many are denied due process and mistreated in detention. Rising xenophobia and intolerance, including anti-Semitism, are linked to violent and lethal hate crimes that occur with impunity. A blasphemy law, which went into effect in July 2013, further curtailed the freedoms of religion, belief, and expression.

In addition to Tier 1 and Tier 2 countries, USCIRF's Annual Report also spotlights countries and regions in which current religious freedom trends are worth monitoring. In 2014, these were Bahrain, Bangladesh, Belarus, Central African Republic, Ethiopia, Kyrgyzstan Sri Lanka, and Western Europe.

CPC Designations

The CPC designation should be the centerpiece of the executive branch's religious freedom activities. This designation takes IRFA beyond "naming and shaming" by creating incentives for improvements and consequences for inaction. Unfortunately, neither Republican nor Democratic Administrations have fully utilized the CPC mechanism as the key foreign policy tool it was intended to be. The Obama Administration issued CPC designations only once during its first term. While the Bush Administration issued several designations, it also allowed the annual designation process to fall off track. And Administrations of both parties typically have not taken unique actions as a consequence of CPC designations, which also undermines the effectiveness of this tool.

Under IFRA, countries remain designated until removed, but any corresponding penalties expire after two years. The eight countries currently designated—Burma, China, Eritrea, Iran, North Korea, Saudi Arabia, Sudan, and Uzbekistan—were named in August 2011. Thus, any Presidential actions associated with those CPC designation expired in August 2013. In addition, the State Department issued indefinite waivers on taking any action against Uzbekistan and Saudi Arabia, in both cases to "further the purposes of the [International Religious Freedom] Act." As a result of these waivers, the United States has not implemented any policy response tied to the CPC designation for either of these countries.

To be sure, religious freedom advocacy should not only be about naming countries to a black list and imposing sanctions. Yet the designation process and the possibility of punitive actions can breathe new life into the diplomatic efforts that should both precede and follow a designation and stimulate political will in foreign capitals where none existed. The designation process itself can have an important impact on a government's behavior and be supplemented by other tools. However, designating CPC countries without additional consequences limits its value as a tool to encourage reforms. And if the timing of designating countries is erratic over many years, the CPC process becomes less credible.

As a result, USCIRF recommends that current and future administrations and Congress recommit themselves to the full and robust application of IRFA's mechanisms. Interest has faded over the past decade-and-a-half, allowing these structures to atrophy. The tools remain relevant, as governments still perpetrate or tolerate religious freedom violations and IRFA's instruments are well-suited to engage those situations. They still can be used to positive effect in many problematic environments for religious freedom.

To revitalize IRFA's structures, the CPC process must occur annually, with Congress conducting annual oversight hearings. While some have argued that IRFA's language is unclear about an annual designation, reading the statute with an understanding of Congressional intent makes clear that it is an annual process. In fact, annual designations generally were made during the first seven years of State Department implementation. The State Department should ensure an annual designation process, and if it does not happen, Congress should clarify its intent by amending IRFA.

The CPC list also should expand and contract as conditions warrant. The current list of countries has not changed in a decade, except for the addition of Uzbekistan in 2006. The past 10 years have seen a worsening of the already-poor religious freedom environment in Pakistan, a continued dearth of religious freedom in Turkmenistan, backsliding in Vietnam, rising violations in Egypt before and after the Arab Spring, and Syria's descent into a sectarian civil war with all sides perpetrating egregious religious freedom abuses. Yet no new countries have been added to the State Department's CPC list. In fact, based on USCIRF's findings in the 2014 Annual Report, the current CPC-designation list does not fully reflect conditions of particularly severe violations of religious freedom around the world and should be doubled in size.

The use of Presidential actions also should be more dynamic. Of the current eight countries designated CPCs, six had "double-hatted" sanctions for which the religious-freedom basis has now expired, and two have indefinite waivers. USCIRF recommends taking Presidential actions that are unique to each situation and applying specific actions directly related to religious freedom violations. Double-hatting sanctions can be the appropriate action in some circumstances. In addition, specifically tailored actions can be more precise, either broadly structured or narrowly crafted to target specific government officials or provinces, if acute situations are highly localized. The Act allows for "commensurate actions," which could include freezing abusers' assets, for example, through the Senior Foreign Political Figure (also known as Politically Exposed Persons) status. Further, the waiver should be used more sparingly and tied to a specific timetable. Indefinite waivers of penalties undermine efforts to advance religious freedom, as they signal a lack of U.S. interest and communicate to the designated country that their religious freedom abuses carry no consequences.

Furthermore, while times have changed since the 1998 enactment of IRFA, the law has not. There are a growing number of situations in which the abuses of religious freedom in a country are particularly severe, with systematic, ongoing, and egregious violations, but no government is in control or able to respond. Current examples would include Somalia and the Central African Republic. The CPC tool should be broadened to allow the naming of countries (and not just governments of countries) where the government either does not exist or cannot control the country.

In addition, the State Department should be given the ability, where appropriate, to designate transnational or local organizations that are perpetrating particularly severe violators of religious freedom. These groups often are the ruling powers on the ground in failed or failing states. Being able to designate the actors perpetrating particularly severe violators of religious freedom would broaden the U.S. government's ability to engage the actual drivers of persecution. Such a step was taken with the Taliban, which was in effect named a CPC from 1999-2003 despite the United States' not recognizing its control of Afghanistan. While the ability of the United States to influence events on the ground may be marginal in these circumstances, naming these countries or groups would reflect actual conditions, which should be the core point of the CPC process.

Along with an annual CPC process, we recommend that the IRFA toolbox be used in its entirety in a continuum of action. U.S. diplomatic engagement cannot and should not solely rely on naming CPCs, but rather use a range of actions, including: diplomatic engagement; consultations about possible CPC action; CPC designations; binding agreement negotiations; presidential actions; and/or a waiver for the narrowest of circumstances. Past practice provides only a few examples of these tools being used together to bring about change in a country of concern. An annual CPC designation process should be the center of all IRF-related work, driving and energizing other areas of U.S. diplomacy, but should not be the sum total of all activity.

Other IRFA Provisions

Along with creating USCIRF, IRFA created the Ambassador-at-Large position and the International Religious Freedom Office in the State Department; authorized a director-level position at the NSC to coordinate efforts; mandated that the State Department establish prisoner lists; created an annual report system; bars the entry of aliens who are responsible for or directly carried out "particularly severe violations of religious freedom;" calls for American diplomats to receive training on how to promote religious freedom effectively around the world; and authorizes the expenditures of funds for grant making to promote religious freedom.

Addressing the Placement of the Ambassador-at-Large: The low placement of the Ambassador-at-Large for International Religious Freedom within the State Department hierarchy has been a concern for religious freedom advocates, including USCIRF. According to a 2013 report by the Government Accountability Office, the State Department's Bureau of Democracy, Human Rights and Labor (DRL) dramatically reduced the status of the Ambassador-at-Large. The demotion of the position constitutes a major change in the IRFA structure and frustrates congressional intent. Ensuring the Ambassador-at-Large has direct and regular access to the Secretary of State would fulfill IRFA's intention that the Ambassador be "a principal advisor to the President and Secretary of State" on matters relating to religious freedom. We also urge the Administration to speedily appoint an Ambassador-at-Large. In addition, we suggest that the Secretary of State create a working group with all the religiously-oriented positions and programs in the department to ensure consistency in message and strategy.

USCIRF also recommends that the State Department give the Ambassador-at-Large clear oversight of the IRF Office in addition to addressing the placement issue, and if it does not, Congress should clarify its intent. In addition, the Office of International Religious Freedom

should be strengthened, including by enlarging its staff, deepening its expertise, and providing dedicated programmatic funds for religious freedom promotion and protection.

Position at the NSC: IRFA also authorized the creation of a director-level position at the National Security Council to serve as the Special Adviser on International Religious Freedom. The Special Adviser was envisioned to be a resource for executive branch officials, compiling and maintaining information on the facts and circumstances of violations of religious freedom, and making policy recommendations. The Special Adviser was briefly filled during the Clinton administration, but since has been vacant. USCIRF urges the Administration to fill this position.

Monitoring Mechanisms – Prisoner Lists: IRFA mandated that the Secretary of State establish monitoring mechanisms “consisting of lists of persons believed to be imprisoned, detained, or placed under house arrest for their religious faith, together with brief evaluations and critiques of the policies of the respective country restricting religious freedom.” While the State Department has advocated for individual prisoner cases, USCIRF is unaware of the Department establishing or maintaining a comprehensive prisoner list. However, USCIRF has compiled informal lists of the prisoners of whom it is aware in a number of countries, and the Congressional-Executive Commission on China maintains a comprehensive, searchable database of prisoners in China. The ability of both commissions to track prisoners, even while operating with substantially fewer resources and less access to international information than the State Department, demonstrates that the State Department can fulfill this statutory mandate.

Addressing Report Timing Issues: IRFA created a system in which the State Department’s and USCIRF’s annual reports would be issued approximately eight months apart, and USCIRF’s report would be based partly on a review of the State Department’s reporting. However, the State Department recently changed the reporting period to harmonize the timing of various human reports, which also changed the release date of the IRF Report. This had the unintended effect of upending this system, with both reports now being issued at almost the same time. In light of the State Department’s change in its timetable for the release of its reports on religious freedom, Congress should give USCIRF flexibility on the timing of the issuance of its annual report.

Increasing the Use of IRFA’s Inadmissibility Provision: USCIRF also recommends that the visa ban for individuals involved in particularly severe violations of religious freedom be used more expansively. USCIRF is aware of only one instance in which the visa ban was used – in 2005, against then State Minister of the Indian state of Gujarat, Narendra Modi. USCIRF supported and called for this decision, but it is highly likely that over the past 15 years, other violators of religious freedom applied for visas. An initiative of the IRF Office to ensure that people inadmissible under U.S. law due to religious freedom violations are denied entry is a useful first step. The consular sections of all embassies should be trained on this requirement and informed that the application of this provision is mandatory.

Expanding Training: Training is another area where IRFA’s mandate only recently has been implemented. The current optional Religion and Foreign Policy class at the Foreign Service Institute is a positive development, but it is one class among many others. The State Department should make training on international religious freedom mandatory, including education on what it is, why it is important for U.S. interests, and how to advance it. To ensure that this message is

received at all levels, it should be required at three intervals in each diplomat's career: the "A-100" class for incoming diplomats, Area Studies for midcareer officials, and a class for all ambassadors and deputy chiefs of missions. Relevant members of the military also should receive training on the importance of religious freedom and practical ways on how best to promote it as an aspect of U.S. foreign policy. As U.S. service members and military chaplains increasingly must navigate religion-infused landscapes, advanced training to help rising officers understand the importance of religious freedom would equip them to engage more effectively with religious leaders and government and military officials in countries of concern.

Ensuring Funding for Religious Freedom Programming: While IRFA authorizes the expenditures of funds for grant making to promote religious freedom, there is no annual appropriation of funds specifically for this purpose. In fact, it was more than a decade before any such funds were made available to the Office of International Religious Freedom, as a result of Representative Frank Wolf's directing the Bureau of Democracy, Human Rights, and Labor (DRL) to set aside funds from the Human Rights Defenders Fund (HRDF). As a result, the IRF Office currently receives from DRL approximately 5 percent of the overall HRDF funding.

USCIRF recommends that Congress annually call for the State Department to designate specific HRDF funds to the IRF Office for grant making, to help ensure consistent U.S. funding for civil society efforts to promote religious freedom in places and in ways that the U.S. government cannot do directly. Other potential funding sources would be the State Department's Middle East Partnership Initiative (MEPI) and the U.S. Agency for International Development's (USAID) Bureau for Democracy, Conflict, and Humanitarian Assistance. Congress also should seek to ensure that the National Endowment for Democracy, the U.S. Institute of Peace, and other entities dispersing federal funds for grant making undertake specific programming on religious freedom.

In statute, report language, and discussions, Congress has at times tasked USCIRF to develop recommendations for challenging issues. In addition to the Expedited Removal Study, one such congressional tasking resulted in USCIRF's study of how Pakistan's education system teaches about religious minorities in that country. Another example was a special fellowship program that was funded for two years to enable scholars to focus on the importance of freedom of religion or belief.

Emphasizing Religious Freedom in Public Diplomacy: Written at the start of the information revolution, IRFA stated that religious freedom should be an element in U.S. cultural exchanges and international broadcasting programs. These efforts would begin with the Undersecretary for Public Diplomacy and Public Affairs, who oversees the Bureau of Educational and Cultural Affairs, the Bureau of International Information Programs, the Bureau of Public Affairs, and the Center for Strategic Counterterrorism Communications. Religion is often the lens through which many societies see the United States and the world. The United States should be well-positioned to engage these countries on issues of religious freedom and religion-state relations, considering the role religious freedom has played in American history and the commitment the United States has placed on promoting and protecting this right abroad.

In addition, there should be greater efforts to increase strategic communications programs to counter violent extremism (CVE). A few embassies in key countries have established special CVE

programs that seed NGO activity for programming on ways to counter violent messages often grounded in a twisted theology. These activities should be expanded globally, while also incorporating messaging on the importance of religious tolerance and religious freedom to oppose rhetoric used to promote and justify violent acts.

As abuses continue to rise and religious communities increasingly are interconnected globally, more can be done to help expand understanding about the importance and value of religious freedom. In this effort, the Broadcasting Board of Governors (BBG) should increase broadcasts and Internet programs with information on religious freedom and related human rights. The BBG and other U.S. government entities also can use appropriated internet freedom funds to develop free, secure internet access for use in closed countries, for example by facilitating the provision of high-speed internet access via satellite. Greater efforts also should be taken to distribute proven and field-tested counter-censorship programs in order to prevent the arrest and harassment of religious freedom and human rights activists and help them maintain their freedom of expression and legitimate expectations of privacy. The U.S. government also can encourage the private sector to take into consideration the impact of their dealings with repressive countries on targeted religious communities.

Congressional Leadership Is Central

Congress also has an important role to play in promoting religious freedom. USCIRF urges Members of Congress to undertake activities that reflect the central role that religious freedom plays in U.S. foreign policy. We hope such actions include reauthorizing USCIRF. We appreciate today's hearing and urge that Congress:

- **Support Legislation that Promotes Freedom of Religion or Belief:** Introduce and support legislation that focuses on religious freedom violations and remedies for such violations in specific countries. Such remedies should underscore the human rights, foreign policy, and national security dimensions of religious freedom and address violations by measures including: implementing targeted visa bans and asset freezes on foreign government officials, their family members, and close associates who are implicated in violations of religious freedom; applying specific sanctions directly related to a country's violation of religious freedom; and supporting the provision of heightened security for religious minority communities and their places of congregation and worship;
- **Hold Hearings in Support of International Religious Freedom:** Hold Congressional oversight and other hearings in the relevant House and Senate committees on international religious freedom and related issues that underscore the many dimensions of the issue. Invite USCIRF Commissioners to testify about its Annual Report and topical issues, along with State Department officials who can speak about the Department's annual report on International Religious Freedom.
- **Support Civil Society and Prisoners Abroad:** During delegation trips abroad, meet with individuals and organizations that promote religious freedom and related human rights, targeted religious communities, and people detained for their religious freedom and human

rights work or beliefs. Undertake CODELS to countries of concern specifically to examine conditions of religious freedom for all faiths/beliefs.

- Participate in the Defending Freedoms Project: Another way Members of Congress can help prisoners who are detained for their religious freedom and human rights advocacy or religious observance is to join the Defending Freedoms Project. This is a collaborative effort between the Tom Lantos Human Rights Commission, Amnesty International and USCIRF whereby Members of Congress adopt prisoners of conscience and advocate on their behalf. By participating in the Project, Members of Congress will be standing in solidarity with these prisoners, letting them know they are not alone, shining a light on the laws and policies that have led to their imprisonment, and helping hold governments accountable.

Key Recommendations:

Before I conclude, let me summarize some of our key recommendations on how the United States can more effectively promote international religious freedom.

Showing High-Level Commitment by Developing and Implementing a Religious Freedom Strategy

- There is a need for continuous, high-level interest from the President, the Secretary of State, and Members of Congress about the importance of international religious freedom and for a renewed commitment to see the International Religious Freedom Act fully and consistently implemented;
- U.S. promotion of freedom of religion or belief should be mainstreamed to reflect how religious freedom concerns are interwoven throughout many of the greatest foreign policy challenges facing the United States, and deepened to strengthen the unique mechanism established by law; and
- Each administration should issue a strategy to guide how the U.S. government will protect and promote religious freedom abroad and set up a working group at the National Security Council to oversee its implementation across agencies.

Demonstrating the Importance of International Religious Freedom

- The President, the Secretary of State, Members of Congress, and other U.S. officials should consistently stress the importance of international religious freedom in their public statements as well as in public and private meetings in the United States and abroad;
- The U.S. government should publicly declare the results of its annual review of religious freedom conditions and make annual designations of “countries of particular concern” for particularly severe violations of religious freedom; and if it does not, Congress should take steps to require annual CPC designations through legislative action;

- The U.S. government should ensure that the CPC list expands and contracts as conditions warrant, and take Presidential actions that are unique to each situation; and
- Congress should hold annual oversight hearings on IRFA and hearings on religious freedom-specific issues, as well as raise concerns in hearings on countries and ambassadorial confirmations, and Members of Congress should introduce and support legislation focusing on religious freedom violations in specific countries and remedies for such violations.

Reinvigorating IRFA's Tools

- All of IRFA's tools should be used in a continuity of action, not limited to "country of particular concern," or CPC, designations but not ignoring them either;
- Concerns about religious freedom should be included across U.S. engagements, including in diplomatic exchanges and strategic dialogues with other countries, and during country visits;
- Vacancies in relevant positions, including the Ambassador-at-Large for International Religious Freedom and USCIRF Commissioners, should be quickly filled;
- Per IRFA's mandate that the Ambassador-at-Large for International Religious Freedom be "a principal adviser" to the President and the Secretary of State, and regardless of the formal reporting relationship that is established, the Ambassador-at-Large should have regular and direct access to the Secretary of State; if no action is taken, Congress should clarify its intent through legislation;
- The Office of International Religious Freedom should be better resourced and staffed similar to other offices with a global mandate;
- Congress should give USCIRF flexibility on the timing of the issuance of its annual report, in light of the State Department's change in its timetable for the release of its reports on religious freedom; and
- The State Department should make greater efforts to ensure individuals are denied entry into the United States due to their inadmissibility under U.S. law for their responsibility for religious freedom violations abroad.

Creating New IRFA Tools

- Congress should expand the CPC classification to allow for the designation of countries where particularly severe violations of religious freedom are occurring but a government does not exist or control its territory; and
- Congress should allow the naming of non-state actors who are perpetrating particularly severe violations of religious freedom.

Expanding Training, Programming, and Public Diplomacy

- The State Department should provide and implement mandatory training at the Foreign Service Institute on religion and foreign affairs and on the importance of international religious freedom;
- Congress should support State Department grants related to religious freedom programming, and call for entities that receive federal funds, including the Middle East Partnership Initiative, USAID, the National Endowment for Democracy, and U.S. Institute of Peace, to devote resources for religious freedom programming;
- The State Department should ensure that public diplomacy efforts address religious freedom issues and the U.S. commitment to advance this right abroad; efforts to promote Internet freedom for religious actors also should be increased; and
- The State Department should increase strategic communications programs to counter violent extremism by incorporating messaging on the importance of religious tolerance and religious freedom.

Expanding Multilateral Efforts

- The United States should continue vigorous multilateral engagement at the United Nations and the Organization of Security and Cooperation in Europe on religious freedom issues; and
- The U.S. government should work with other governments and parliaments interested in promoting international religious freedom to share information and coordinate activities, working to build a global coalition.

Other Issues

- The U.S. government should address within its Expedited Removal process long-standing flaws that place asylum seekers at risk of being returned to countries where they may face persecution or being detained under inappropriate conditions.

Conclusion

Let me conclude by saying that while we continue to face an enormously challenging landscape for freedom of religion or belief abroad, we have grounds for believing in a brighter tomorrow. By improving our use of existing tools for the job, and by creating new tools for a rapidly changing environment for religious freedom and related rights, we can and will see constructive change.

If we renew our resolve to integrate this fundamental freedom more fully into the foreign policy of our nation, we can bring genuine progress to those beyond our shores who yearn for freedom.