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**Written Statement
by Mr Benedict Rogers, East Asia Team Leader, Christian Solidarity Worldwide
to the United States House of Representatives Foreign Affairs Committee
Subcommittee on Africa, Global Health, Global Human Rights, and International
Organisations**

**Hearing on the Worldwide Persecution of Christians
Tuesday, February 11, 2014**

Chairman Smith, Ranking Member Bass, Distinguished Members: may I firstly thank you very much for holding this hearing on this critically important subject, and pay tribute to your many years of leadership and activism, both on behalf of persecuted Christians around the world and for freedom of religion or belief for all.

My areas of expertise are Burma, Indonesia and North Korea, and I oversee the work of Christian Solidarity Worldwide (CSW) in China, Vietnam and Laos. In the limited time available today, I intend to concentrate on Burma, Indonesia, Vietnam and Laos.

The first point I wish to emphasise is that in Christian Solidarity Worldwide, we work for freedom of religion or belief, as set out in Article 18 of the Universal Declaration of Human Rights, for people of all faiths and none. Freedom of religion is indivisible and is a basic right to which all people, of all beliefs, in every country are entitled.

Secondly, it is important to note, in the context of the specific subject we are focusing on today, that other religious groups face severe persecution, including the Ahmadiyya and Shi'a Muslims in Indonesia, and the Rohingyas and wider Muslim community in Burma.

Nevertheless, it is absolutely the case that Christianity is the most widely persecuted religion in the world today, facing threats from a wide range of sources in almost every corner of the globe.

Indonesia

Let me turn first to Indonesia, the world's largest Muslim-majority nation, a nation that has made a remarkable transition from authoritarianism to democracy, and a nation that has a tremendous tradition of religious pluralism, harmony and freedom. Indeed, the state ideology, known as Pancasila, protects religious pluralism, although such protection is limited to the six officially recognised religions of Islam, Protestantism, Catholicism, Buddhism, Hinduism and Confucianism and therefore there is room for the principle of pluralism enshrined in Pancasila to be built upon and expanded to protect all Indonesian citizens.

However, that tradition of pluralism in Indonesia is increasingly under threat. Next week, CSW will publish a major new report, which I have authored, called *Indonesia: Pluralism in Peril – The rise of religious intolerance across the archipelago.*¹ The report, including the appendices, is almost 60,000 words and more than one hundred pages in length, and contains dozens of first-hand case studies of Christians, as well as Ahmadis, Shi'as, Sufis, Buddhists, Baha'is, Confucianists, adherents of indigenous traditional beliefs and an atheist, Alexander Aan, who was imprisoned for two and a half years for

¹ CSW, *Indonesia: Pluralism In Peril: The Rise of Religious Intolerance Across the Archipelago*, February 2014 – www.csw.org.uk/2014-indonesia-report

declaring himself an atheist on Facebook. I went to visit Mr Aan in prison twice, and I am pleased to say that he was granted early release, subject to certain restrictions, last month.

For Christians in Indonesia, there are two major threats: regulatory restrictions and vigilante intimidation and violence. According to the Communion of Churches in Indonesia, at least 430 churches have been attacked, closed down or burned down since 2004. According to the Jakarta Christian Communication Forum, the number of attacks against Christian churches reached a total of 75 in 2012. This marks a steady rise from just ten in 2009 to 47 in 2010 and 64 in 2011.

The situation is most severe in Aceh, where in May 2012 seventeen churches were closed down, and in October 2012 a further nine churches were closed. Christians in Aceh live in fear. "People worship in secret," one church leader told CSW.

However, the persecution of Christians in Indonesia is by no means confined to Aceh.

In West Java, for example, there have been several high-profile cases. In particular the cases of HKBP Filadelfia Church in Bekasi and GKI Yasmin Church in Bogor. Both churches received permission to open, have all the appropriate licenses, have support from their local community, and yet the local Mayors, under pressure from the radical Islamists, have forcibly closed the church buildings. In both cases the churches brought the case to court, and in both cases the courts at every level – up to and including the Supreme Court – ruled that the churches were legal, licensed and should be allowed to open. In both cases, the Mayor, in defiance of the court rulings, has refused to allow them to open. The cases are detailed in more depth in my report, but let me tell you what I have seen first-hand. I have visited both churches. I have stood with the congregation of HKBP Filadelfia outside their church building, as they attempted to hold a Sunday service in the street, because they were not permitted to use their building. We were surrounded by a mob of angry Islamists, shouting "Christians get out, kill the Christians". When I was with GKI Yasmin church, I witnessed a similar scene. The congregation was trying to hold a peaceful Sunday service in the street outside their church, because their church is locked and sealed. Again, an angry mob surrounded the congregation shouting abuse.

The pastor of HKBP Filadelfia, the Reverend Palti Panjaitan, whom I have interviewed four times, has received death threats, false criminal charges, and constant abuse. "Sometimes they threatened to kill me," he said. "They would sit outside my house. I do not feel safe."

Last year, I interviewed Pastor Bernhard Maukar, of GPDI Church in Rancaekek, Jatiningor, West Java. His church has been attacked several times by members of the notorious Islamic Defenders Front (FPI). On one occasion, a mob climbed over the gate during a Sunday service. He told me: "They pulled me by my tie, taking me to the gate. They took other church members, pulling them by their clothes. Then they destroyed my property, taking chairs and other equipment, putting it all into trucks. They were shouting, 'Go out, Reverend, we will kill you. You are a devil church.' They destroyed the gate. Our church members ran away. Some of them were teenagers and children, and they were traumatised by the experience." On 27 January, 2013 his church was attacked again, and he was beaten. Two days later, following a trial where the FPI intimidated the judge, Pastor Bernhard was sentenced to three months in prison for running an unregistered church, even though he had offered to pay the fine. He said: "The church has been here 27 years, and we had no problems until 2011. We had a good relationship with our neighbours and they accepted us. Now, 27 churches have been closed in our area. Most Christians do not want to come to church here now, because they are too afraid."

The forthcoming report also includes the story of Dr Rebekka Zakaria, who was imprisoned for running a Sunday school. During her trial, radical Islamists built a coffin and shouted "Kill Rebekka, Kill Rebekka". It also includes the case of the Reverend Luspida, who was attacked along with her congregation on 12 September 2010. And it includes the recent case of HKBP Setu Church in Bekasi,

West Java, and the words of one member of this congregation, Mega Eenta Sihite, who said: “This is my right to worship, my basic human right. Why can’t I have this right? I feel like a guest in this nation. Please give attention to this and support our government to manage our diversity here. ... This country was colonised by the Dutch with tanks and bombs. Now my brothers are the colonisers, coming with equipment to kill my rights by destroying the church.”

There are two myths about Indonesia. The first is that religious intolerance is confined to certain areas, and amounts to occasional incidents. President Susilo Bambang Yudhoyono has referred to “pockets of intolerance” and has suggested that “communal conflicts occasionally flare up”. Such language is profoundly misleading and underestimates the severity of the situation. It is a nationwide phenomenon and incidents are regular and continuous. The second myth is that the President and his Government are a force of moderation, but are at worst weak and constrained by societal factors. My research shows that this is untrue. They are neither a force, nor particularly moderate. As Andreas Harsono from Human Rights Watch told CSW, President Yudhoyono is “the President who laid down the most sectarian regulatory infrastructure in Indonesia.”

The President and his Government has been an active participant in the escalation of religious intolerance in Indonesia, in three ways: by statements made by the President and Government ministers; by regulations introduced by this Government; and by consistent and repeated inaction. As Dr Ahmad Suaedy, Director of the Abdurrahman Wahid Centre for Inter-Faith Dialogue and former Director of The Wahid Institute, told CSW, “Religious intolerance is not only because of political balances. It is because of actual policy.” He added: “We are seeing the mainstreaming of intolerance.”

On 26 July 2005, less than a year after he was first elected, President Susilo Bambang Yudhoyono delivered a speech to the National Congress of the Indonesian Ulama Council (MUI), the highest body of Islamic clerics and legal scholars in the country, promising them a “central role in matters regarding the Islamic faith”. He said: “We open our hearts and minds to receiving the thoughts, recommendations and *fatwas* [religious rulings] from the MUI at any time.” Within days, the MUI issued a series of *fatwas* which have underpinned the ensuing deterioration in religious freedom, including *fatwas* against pluralism. Two years later, the president went further in another address to the MUI, saying: “After a *fatwa* is issued, the tools of the state can do their duty ... We must all take strict measures against deviant beliefs.”

Other Government Ministers have made inflammatory statements, which are detailed in the forthcoming report. In particular, it is worth noting that in July 2013 the Minister of Religious Affairs, Suryadharma Ali, described inter-faith conflict as “a normal part of human nature”, and he repeated those remarks in November 2013, saying that “conflict is normal”. Earlier in 2013 he blamed Christians for politicising the issue, and bringing persecution upon themselves.

The introduction of the 2006 Joint Ministerial Decree by the Ministry of Religious Affairs and the Ministry of Home Affairs, detailing the procedures required for permission to construct places of worship, has restricted freedom of religion for Christians in Indonesia. The Decree was drafted by a committee led by Ma’ruf Amin, the head of the MUI’s Fatwa Committee. To construct a church building in Indonesia, a church has to provide the names and identity cards of at least 90 members of the congregation, approved by the local authority; support from at least 60 other members of the local community, endorsed by the village head; written recommendation from the local Ministry of Religious Affairs; and written recommendation from the district or city Religious Harmony Forum (FKUB).

These criteria are difficult enough to meet: but even when churches meet these requirements and are approved, they are still insecure, as the cases of HKBP Filadefia and GKI Yasmin show.

Reverend Luspida told CSW: “I hope you are not only here to hear our stories, but to do something, to make something change. The government is ignorant about our situation. There is no religious

freedom here any more. The government does not want to hear our cries We need to give a message to the president. We must remind him that our situation is very critical and we should do something for the future of Indonesia. Support from outside Indonesia is very important, to pressure the president to do something.”

There are some in the Indonesian Government who recognise the severity of the problem and recognise some of the possible solutions. The senior adviser to the Vice-President of Indonesia, Dr Dewi Fortuna Anwar, is one such person, and her proposed recommendations are detailed in my report. She told CSW: “The international community should continue to play an important role in encouraging and reminding Indonesia what it stands for, and not to betray all that of which it is justly proud.” The international community should look carefully at the recommendations she makes, and the recommendations in CSW’s report, and prioritise religious freedom in Indonesia.

This year, Indonesia will hold both parliamentary and presidential elections. It is essential that these concerns are raised with all the presidential candidates, and that the new President is encouraged by the international community to address these concerns. In particular, I urge the United States to encourage the Indonesian government to provide proper protection for religious minorities vulnerable to attack and intimidation; to urge the Indonesian authorities to respect and protect freedom of religion or belief and to permit the construction of places of worship which have received licences through the approved process; to provide support for human rights, civil society, inter-faith dialogue and cooperation initiatives and counter-extremism work, and to engage proactively with the efforts of Muslim, other faith-based and secular civil society organisations working to promote pluralism, harmony and religious freedom, and to counter radicalism and extremism; to continue to monitor the situation in Indonesia, noting the recommendation of the United States Commission on International Religious Freedom to categorise Indonesia as a country on the “Watch List”; to press the government of Indonesia to invite the US Ambassador-at-Large for International Religious Freedom and the US Commission on International Religious Freedom to visit the country; to urge the government of Indonesia to invite the UN Special Rapporteur on freedom of religion or belief to visit the country; and to ensure that the recommendations which were accepted by the government of Indonesia during the UN’s Universal Periodic Review in 2012 are implemented.

Burma

I turn now to Burma. In many respects, in the past two years or more there have been some extraordinary changes in Burma, for the better, and I wholeheartedly welcome the progress. Nevertheless, there is still a very long way to go, and in relation to freedom of religion, there have in fact been setbacks, with a severe and dramatic rise in anti-Muslim hatred and violence, affecting firstly the Rohingya Muslim people, and then the wider Burmese Muslim community. I have been actively involved in trying to address these very serious concerns.

Christians have not, so far, been widely targeted by the rise in militant Burman Buddhist nationalism, as presented in the form of the movement known as “969”, although there are reasonable concerns that this movement, which is currently focused on the Muslim community, could become a wider movement affecting all non-Buddhist religious minorities. However, on the whole, Christians have not been targeted by militant Buddhists in society, but decades of discrimination by successive military regimes have left a legacy and policies of discrimination continue.

In 2007, CSW published a report which I wrote, called *Carrying the Cross: The military regime’s campaign of restriction, discrimination and persecution against Christians in Burma*.² Although now almost seven years old, much of the evidence, conclusions and recommendations in that report is still valid today.

² CSW, *Carrying the Cross: The military regime’s campaign of restriction, discrimination and persecution against Christians in Burma*, 2007 - <http://dynamic.csw.org.uk/article.asp?t=report&id=36>

More recently, the Chin Human Rights Organisation, with whom we work very closely, has published two excellent pieces of research: a report, in 2012, *Threats to Our Existence: Persecution of Ethnic Chin Christians in Burma*³ and, in January 2014, *The State of Freedom of Religion or Belief for Chin in Burma/Myanmar 2013*.⁴

Burma's Constitution, introduced in 2008, notes the "special position" of Buddhism, whereas it notes simply the existence of Christianity, Islam, Hinduism and Animism. Yet for the Chin and Kachin ethnic nationalities in particular, and for a significant proportion of the Karenni and Karen ethnic nationalities, Christianity is their religion and is interwoven with their cultural identity. Both CSW and CHRO have documented serious violations of freedom of religion or belief affecting Christians in Burma, notably: the destruction of crosses in Chin and Kachin states, and the military's role in forcing Chin Christians to build Buddhist pagodas in place of crosses; forcible or coerced conversion of Chin Christians to Buddhism within military-run schools known as *Na Ta La*, as detailed by CHRO; and discrimination in public services, detailed in both CSW and CHRO's reports.

In March 2013, CSW visited Kachin State and documented attacks on Kachin Christians. While the conflict in Kachin State is primarily ethnic and political, there is a religious dimension, because Christianity is interwoven with Kachin identity. CSW interviewed the wife of one Kachin political prisoner, who had visited her husband just under a month after his arrest, in 2012. She said:

"When I visited my husband, his whole face was wounded. He was covered in blood, and his nose was broken. He had faced so many different kinds of torture during interrogation. An iron bar was rubbed along his legs. He was forced to engage in homosexual sex, and forced to dance the traditional Kachin Manau dance. He was told that as he was a Christian, he should kneel on very sharp stones with his arms outstretched like Christ on the cross, and then the others were forced to dance the Manau dance around him. He was beaten on his hands and arms. Police took off his clothes, and asked the men to have sex with each other. When they refused, they were beaten and forced to do it. One of them was tied up with ice and beaten severely.... They were hit in the head with guns."⁵

We urge the United States and the international community to encourage the Government of Burma to adopt legislation that prohibits direct or indirect discrimination against persons from religious minority backgrounds; to abolish the *Na Ta La* (Border Areas National Races Youth Development Training) schools and institute a single education system under the Ministry of Education where all students are treated equally and without discrimination; replace the Ministry of Religious Affairs with an independent and impartial commission on religious freedom, with a mandate to address deep-rooted discrimination on the basis of religious identity; and issue an invitation to the UN Special Rapporteur for Freedom of Religion or Belief to travel to all parts of the country to investigate reports of violations of freedom of religion or belief.

Laos

Laos has seen some improvement in religious freedom in recent years. Over the past decade, for example, there has been a reduction in the number of long-term Christian prisoners of conscience and in the average length of sentence. In 2013, the government also took steps to consult Protestant, Buddhist, Catholic, Baha'i and Muslim leaders on the revision of the Prime Minister's Decree on Management and Protection of Religious Activities (Decree 92). Furthermore, some sources believe

³ CHRO, *Threats to Our Existence: Persecution of Ethnic Chin Christians in Burma*, 2012 -

<http://www.chro.ca/index.php/publications/73-special-reports/411-threats-to-our-existence>

⁴ CHRO, *The State of Freedom of Religion or Belief for Chin in Burma/Myanmar 2013* -

http://chro.ca/images/CHRO_News/2013/CHRO-FoRB-2013.pdf

⁵ CSW, Burma: Visit Report, April, 2013 - <http://dynamic.csw.org.uk/article.asp?t=report&id=175>

that higher authorities have intervened in cases where church leaders had been arrested and detained without sufficient evidence.

At the same time, however, there are continuing reports of religious freedom violations by both state and non-state actors. In 2013, CSW collected information about violations against Protestant Christians which included arrest and detention, eviction and fines in connection with their religious beliefs. Other common violations include disruption of religious meetings and services; restricted freedom of movement; discrimination in the distribution of food and school supplies; blocking of access to education; withdrawal of utilities; destruction of livestock and other property; forced participation in animist ceremonies; and threats, including death threats.

Sources agree that any improvements in religious freedom are most keenly felt in urban areas, in particular in Vientiane. One of the reasons for the discrepancy between urban and rural areas is the sensitivity around ethnic minorities, and specifically the perception by some local officials that the growth of Protestant Christianity among ethnic minorities is part of a US conspiracy to destroy social cohesion and challenge the authority of the Communist Party. Crucially, the key document on religious activities and organisations, Decree 22, is itself open to abuse by local officials, since it uses vague terms prohibiting religious believers from “dividing ethnic groups or religions in order to cause social disorder” (Article 13) and charging religious organisations with the preservation of “fine Lao national culture, customs and traditions” (Article 15).

Both conversion to Protestant Christianity and attempting to convert others (“spreading religion”) can result in restrictions. For example, in January 2013 in Attapeu Province, a couple received a written eviction order from the chief of the village which cited their conversion to Christianity as the reason for the eviction. The couple was warned that their village “does not welcome or allow followers of the Christian faith”. Also in 2013, three pastors from Savannakhet Province were arrested while making copies of a Christian DVD. Two were later charged with “spreading the Christian religion”. At least one was beaten, kicked and tortured in order to force him to confess.

In early 2013 Laos expressed an ambition to join the UN Human Rights Council in 2016. In response, human rights groups have been quick to point out that there is much more the government could be doing to improve its own human rights record. In addition, the disappearance of civil society leader Sombath Somphone in December 2012, and the government’s failure to conduct a proper investigation, has drawn attention to broader concerns about the lack of respect for basic rights.

Freedom of religion or belief is a touchstone for human rights standards: many aspects are inseparable from the right to freedom of expression, freedom of assembly, freedom of movement and other fundamental rights and freedoms. It is therefore essential that the Lao People’s Democratic Republic, as a potential Human Rights Council candidate and a party to the International Covenant on Civil and Political Rights, ensures that international standards on the right to freedom of religion or belief are upheld in law and in practice.

Vietnam

In July 2013, President Truong Tan Sang met with President Barack Obama in Washington DC and assured the President that Vietnam would invite the Special Rapporteur on Freedom of Religion or Belief to visit the country in 2014. Later that year, on 7 November, Vietnam signed United Nations Convention against Torture, and on 12 November was elected to the UN Human Rights Council.

These events are welcome signs that Vietnam is keen to engage with human rights issues as part of developing relationships within the international community. However, public declarations of commitment to human rights mean little unless they result in genuine and consistent efforts to address violations at the ground level, through changes to legislation and effective implementation of the law.

Religious activities in Vietnam must be registered with the relevant authorities. The specific requirements are outlined in 'Decree No. 92/2012/ND-CP: Specific provisions and measures for the implementation of the Ordinance on Belief and Religion' which came into effect on 1 January 2013, and replaces 'Decree 22', issued in 2005. As the title suggests, Decree 92 provides instructions for the implementation of the Ordinance on Belief and Religion, adopted in 2004. The Decree has drawn criticism from Christian and Buddhist leaders, lawyers and activists in Vietnam.

While the new Decree contains measures which, if properly implemented, will create a more transparent registration process, the Decree as a whole is aimed at control or management rather than the protection of religious freedom. For example, Article 5 adds a new level of activity, *sinh hoạt tôn giáo*, requiring registration/permission and in doing so simultaneously adds an extra stage to the process of applying for full registration/permission as an organisation conducting religious activities.

One potential consequence of the Decree is that religious groups could be pressured to join organisations which are already registered. A second potential outcome is that organisations could be forced to operate illegally while they wait for registration/permission. This would be detrimental not only to religious adherents, but also to Vietnamese society as a whole, because it would mean that this Decree has turned law-abiding citizens into criminals simply because of their religious beliefs. Far from protecting citizens' right to religious freedom, Decree 92 risks making peaceful religious observance into a criminal activity.

In reality, some religious organisations and individuals are already treated as criminals for engaging in religious activities outside of state-approved associations such as the Caodai Governance Council. Independent Caodai groups who have refused to transfer the ownership of their temple to the local office of the Governance Council have been harassed and assaulted by local Council officials, Public Security Police and hired "thugs".

Ethnic minority Protestants continue to experience some of the harshest treatment by local authorities. Common violations include forced eviction, destruction of property and livestock, confiscation of property, blocking of access to public goods and services, discrimination in education and employment, and in some cases arrest, detention, torture and even death. In March and April 2013 CSW reported the case of Hoang Van Ngai, a Hmong Christian from Northeast Vietnam who migrated to Dak Nong Province in the Central Highlands. He was an elder of Bui Tre Church, which belongs to the legally recognised denomination, the Evangelical Church of Vietnam (South).

According to his relatives, some government officials hated Ngai because he struggled to preserve the church when the authorities forbid them to meet. On 15 March police arrested Hoang Van Ngai and his brother. No clear reason was given for the arrests, although some reports claim that the police accused the two brothers of "destroying the forest". The two brothers were detained in adjacent cells. At about 3pm on 17 March, Ngai's brother heard the sound of violent beating coming from his brother's cell. The following day, the police announced that he was dead.

Vietnamese Catholics have not only been one of the most restricted groups, but also one of the boldest in standing up for their rights, and the rights of others. In September 2013, for example, Catholics in My Yen parish gathered to peacefully protest the arrest of Nguyen Van Hai, 43, and Ngo Van Khoi, 53, also from My Yen, who were detained allegedly as "scapegoats" after being involved in arguments with plainclothes police officers searching Catholics on their way to a shrine. Several hundred members of the community arrived to protest against the continued detention of the two men, at which point that the military arrived to dispel the crowd, armed with guns, batons, tear gas, and guard dogs. Between 21 and 40 people were injured.

Many of the bloggers detained in 2013 in connection with their posts and articles on social justice and corruption were members of the Catholic Redemptorist order. In addition, Catholics have joined Protestants, Buddhists, Hoa Hao Buddhists, Cao Dai representatives to issue statements on

the 2004 Ordinance on Religion and Belief and Decree 92, as well as the treatment of young prisoners of conscience. Religious leaders and communities in Vietnam have become a voice for the voiceless, speaking out for the rights of society's most vulnerable: those who have been evicted from their homes, marginalised, and imprisoned.

CSW welcomes the Vietnamese Government's efforts to engage with international human rights mechanisms. Furthermore, the confirmation of a visit by the Special Rapporteur on freedom of religion or belief would be an important step towards demonstrating a genuine commitment to protecting religious freedom, rather than claiming that the problem lies with local level police and officials acting in ignorance of the law. The government has a responsibility to protect all Vietnamese citizens' right to freedom of religion or belief as defined by the International Covenant on Civil and Political Rights, to which Vietnam acceded in 1982. The Government of the Socialist Republic of Vietnam therefore needs to take urgent action to address its failure to protect this right, and thereby to fulfil its obligations under international law.

Conclusions

The persecution of Christians in the Middle East has drawn particular attention in recent months, and very understandably so. But while the persecution of Christians in the Middle East is perhaps the most acute form of persecution, it is important to remember that the persecution of Christians is indeed a worldwide phenomenon today. In South-East Asia, Christians in Indonesia, Malaysia, Burma, Laos and Vietnam continue to face discrimination, restrictions and persecution, which amount to serious violations of Article 18 of the Universal Declaration of Human Rights and which require urgent international attention.