

Testimony of

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before the

Tom Lantos Human Rights Commission

on

Defending Freedoms:

Highlighting the Plight of Prisoners of Conscience around the World

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I want to thank the Co-Chairs and Members of the Tom Lantos Human Rights Commission for holding this hearing and inviting me to testify today on behalf of the U.S. Commission on International Religious Freedom (USCIRF). With your approval, I would like to submit my written testimony for the record.

I commend the Commission for its support for the Defending Freedoms Project and spotlighting the project at today's hearing. I also want to commend Representatives Wolf and McGovern, not only for their sponsoring of this effort, but also for their longstanding leadership and support for human rights around the world.

What is the Defending Freedoms Project? Through this effort, Members of Congress advocate on behalf of prisoners of conscience from around the world. Through these actions, Members stand in solidarity with these imprisoned individuals, raising their cases at the highest levels. USCIRF, and our partner in this effort, Amnesty International USA, is proud to work on this project with the Tom Lantos Human Rights Commission. All of us want these prisoners of conscience to know that they are neither forgotten nor alone. We also want to shine a light on the laws and policies that led to their imprisonment, and we want to hold their governments accountable. Ultimately, we want to see these prisoners freed.

While quiet diplomacy has a key role to play, public inattention can lead to more persecution, not more freedom. In fact, at its worst, private diplomacy can be interpreted as a lack of serious interest and therefore a license to continue to oppress. And while most countries want to be viewed as fulfilling their international obligations, international human rights mechanisms cannot force compliance. Oppressive nations oftentimes need to be reminded and prodded publicly, through hearings such as this one today, about their obligations to protect their own people from serious abuses, including violations of their human rights.

And, that is what the Defending Freedoms Project is about: people. Sadly, today it is almost impossible to read the newspaper, listen to the radio, or go online and not find a report about someone being detained for who they are, what they believe, and how they have chosen to express their convictions. These prisoners of conscience have been unjustly prevented from enjoying the most fundamental human rights enshrined in the Universal Declaration of Human Rights, the International Covenant on Civil and Political Rights, and other international human rights instruments and standards. To help ensure these brave souls are not forgotten, along with my testimony, I request that the list of prisoners of conscience created for the Defending Freedoms Project be included in the record.

It is important that we shine a light on these prisoners of conscience until they are free – and until the countries that have imprisoned them have implemented needed reforms that reflect the internationally approved standards that many of them have agreed to in writing but violate in practice.

HUMAN RIGHTS AND RELIGIOUS FREEDOM:

In 1948, only three short years after the horrors of World War II, the United Nations adopted the landmark Universal Declaration of Human Rights (UDHR). The UDHR delineated fundamental

rights that form the basis for a democratic society including the freedoms of expression, peaceful assembly and association, as well as freedom of thought, conscience, and religion. These basic rights also include not being subjected to arbitrary arrest, detention or exile, and a fair and public hearing by an independent and impartial tribunal.

The International Covenant on Civil and Political Rights (ICCPR) made these rights legally binding on the nations who acceded to the treaty. This covenant, which 167 countries including the U.S. have joined, commits its parties to respect individuals' civil and political rights, including the freedoms of speech, assembly, and religion, as well as electoral rights and rights to due process and a fair trial.

Given my position as Chairman of the U.S. Commission on International religious Freedom (USCIRF), I want to focus on one specific human right, religious freedom, which is enshrined with the other rights in international treaties and understandings. Freedom of religion or belief also encompasses other freedoms, including expression, association, and assembly. As it often is the first right taken away, religious freedom serves as the proverbial canary in the coal mine, warning us that denial of other liberties almost surely will follow.

Supporting religious freedom abroad is not just a legal or moral duty, but a practical necessity crucial to the security of the United States and the world as it builds a foundation for progress and stability. Research confirms that religious freedom in countries that honor and protect this right is associated with vibrant political democracy, rising economic and social well-being, and diminished tension and violence. In contrast, nations that trample on religious freedom are more likely to be mired in poverty and insecurity, war and terror, and violent, radical extremism. Simply put, violations of religious freedom lead to violent religious extremism, with too many governments either perpetrating or tolerating religious freedom abuses. The human victims of these abuses are among the prisoners of conscience that we highlight today.

The fate of individual prisoners of conscience join the legal, moral and security concerns that make a compelling case to rigorously support religious freedom. Numbers do so as well. A recent study found that one-third of all nations, comprising 75% of the world's population, severely restrict religion through the actions of governments or societal actors. In these countries, many of which top the U.S. foreign policy agenda, religion constitutes their core narratives and religious freedom violations often are the catalyst for their divisions and problems.

THE INTERNATIONAL RELIGIOUS FREEDOM ACT (IRFA)

The U.S. signaled its intent to strengthen its championing of religious freedom overseas with the passage in 1998 of the International Religious Freedom Act (IRFA), which created the commission on which I serve. IRFA mandated the promotion and protection of religious freedom around the world as a central element of American foreign policy. The Act was a response to the growing concern about religious persecution worldwide and the perception that religious freedom was an orphan human right on which the U.S. government was inadequately focused.

IRFA put into place three mechanisms to counter religious persecution abroad: An Ambassador-at-Large for International Religious Freedom within the Department of State; the bipartisan and independent U.S. Commission on International Religious Freedom (or USCIRF) on which I serve; and to give teeth to this new effort, the creation of a “country of particular concern” status for countries engaged in or tolerating “systematic, ongoing and egregious” violations.

Department of State: IRFA created the International Religious Freedom Office in the State Department with an Ambassador-at-Large as a principal adviser; authorized a director-level position at the NSC to coordinate efforts; mandated that the State Department establish prisoner lists; called for American diplomats to receive training on how to promote religious freedom effectively around the world; and barred the entry of aliens who are responsible for or directly carried out “particularly severe violations of religious freedom.”

The position of the Ambassador-at-Large is now vacant. USCIRF urges the Administration to speedily fill and Congress to confirm this important position. The Ambassador-at-Large is supposed to be the key official inside the U.S. government for coordinating and developing U.S. international religious freedom policy. However, according to a report by the Government Accountability Office (GAO), the State Department’s Bureau of Democracy, Human Rights and Labor (DRL) dramatically reduced the rank of the Ambassador-at-Large. This reduction in the Ambassador-at-Large’s rank constitutes a major change in the structure IRFA established and a thwarting of congressional intent. USCIRF recommends the Obama Administration fulfill IRFA’s intent that the Ambassador-at-Large be a “principal adviser to the President and the Secretary of State regarding matters affecting religious freedom abroad” by ensuring he or she has direct access to the President and the Secretary of State.

USCIRF repeatedly has raised the importance of annually designating “countries of particular concern” (CPCs). Unfortunately, neither Republican nor Democratic Administrations have fully utilized the CPC mechanism as the key foreign policy tool it was intended to be. Neither have designated CPCs in a timely manner nor issued specific Presidential actions based on these designations. For instance, the Obama Administration issued CPC designations only once during its first term; and while the Bush Administration issued several designations, it also allowed the annual designation process to fall off track. However, IRFA requires a CPC designation annually. Such designations enable the United States to raise concerns about systematic, ongoing and egregious violations of religious freedom at the highest levels with foreign governments and seek improvements in human rights conditions.

USCIRF also wants to draw the Commission’s attention to the need for the State Department to compile a list of prisoners. 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.” In compiling this list, the State Department was directed to use the resources of the various bureaus and embassies and consult with NGOs and religious groups. While the State Department has advocated for individual prisoner cases, USCIRF is unaware of the Department ever establishing or maintaining a comprehensive prisoner list. However, USCIRF has compiled an informal list of prisoners that reflects only a small number of those detained, jailed, or disappeared, and longer lists of

prisoners in Iran, Pakistan, and Uzbekistan are included in the 2013 Annual Report's appendices. In addition, 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.

USCIRF: USCIRF was created by IRFA as an entity separate and distinct from the State Department which would be an independent, bipartisan U.S. government advisory body to monitor religious freedom worldwide and make 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's work is accomplished through the leadership of its Commissioners, who serve in a voluntary capacity without pay, and the engagement of its professional staff. 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 frequent press statements and op-eds. USCIRF also has released major reports on a variety of issues, highlighting specific actions the U.S. government should take to improve religious freedom.

USCIRF also works with Congress on a range of issues. 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 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 also engages with the State Department, National Security Council, USAID, the Defense Department, and other executive branch entities to help promote international religious freedom as a key foreign policy priority, as IRFA mandated. The Commission 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. In fact, USCIRF delegations just returned from Egypt and Bahrain and soon will travel to Turkey, Burma, and Nigeria.

OVERARCHING TRENDS

Along with relentlessly advocating on behalf of prisoners of conscience, we can more effectively support those individuals who have been imprisoned for who they are, what they believe, and

how they have chosen to express their convictions if we understand some of the reasons that nations violate the human rights of their citizens.

- Regimes that fear religion as an alternate source of authority imprison members of religious communities they view as unwelcome competitors. These authoritarian governments crack down on members of civil society that dare to challenge the status quo, including members of religious minority and majority communities, through repressive legal systems and laws and also brute force. The challenges raised by the relative ease of communication in the Internet age further threaten their grip on power.
- Government inaction to prevent or punish religious freedom violations coupled with efforts to sponsor violent ideologies is a proven recipe for human rights abuses. Instead of enforcing the law and protecting vulnerable populations, an increasing number of countries are turning a blind eye to repression, thereby creating climates of impunity. Just look at Nigeria and Pakistan to see what happens when authorities do not enforce the law: violence and death result. Hate-filled ideologies add fuel to this fire. For example, there continue to be reports that funding originating in Saudi Arabia is used globally to finance religious schools, mosques, hate literature, and other activities that support religious intolerance and, in some cases, violence toward non-Muslims and disfavored Muslims.
- Nations in turmoil, such as Egypt, Iraq, and Syria, represent another dire situation, as religious minorities face the twin threats from governmental and non-governmental oppression, imprisonment, and violence. Christians are of special concern, both in the Middle East and elsewhere, including Nigeria and Pakistan. In some countries, persecution and the resultant flight of the persecuted clouds the very future of these communities, some of which have existed for nearly two millennia. Even communities that do not face persecution confront difficult challenges as they try to live out their faiths in conflict-ridden environments.

It is my fervent hope that the history of Jews in Iraq does not foreshadow the fates of Christians and other religious minorities in the Middle East. 130,000 Jews lived in Iraq in 1948. After facing discrimination, harsh laws and quotas, being stripped of their property, and some being imprisoned and tortured, most members of the community were forced to flee. Today, fewer than 10 Jews remain.

BENDING TOWARD JUSTICE

When it comes to promoting religious freedom and combating the rise of violent religious extremism, religious freedom abuses not only offend human rights, but pose a grave threat to the security and stability of countries. And unfortunately, this instability and violence often spills beyond national borders into neighboring countries, threatening entire regions.

While the world has undergone some positive changes in the last decades, challenges remain today that make it incumbent on us to stand up for human rights. Paraphrasing the reforming minister of the Unitarian church and abolitionist Theodore Parker, Martin Luther King Jr. said that “the arc of the Moral Universe is long, but it bends toward Justice.” We have to be vigilant

to make sure it keeps on bending in the right direction, especially given the challenges that are taking place around the globe, including in the following areas:

AFRICA:

Eritrea: Eritrea has been called the North Korea of Africa, and for good reason. Brutal religious freedom violations routinely take place, including torture or other ill-treatment of thousands of religious prisoners; arbitrary arrests and detentions without charges of members of unregistered religious groups; a prolonged ban on public religious activities; revocation of citizenship rights of Jehovah's Witnesses; interference in the internal affairs of registered religious groups; and inordinate delays in responding to registration applications from religious groups. USCIRF, when interviewing Eritrean refugees in late 2012, heard credible reports that many of the 2,000 to 3,000 religious prisoners have experienced torture and other inhumane treatment. The situation is particularly dire for Jehovah's Witnesses and members of other small, disfavored religious groups, such as Evangelical and Pentecostal Christians. The government dominates the internal affairs of the four recognized religious (the Eritrean Orthodox Church, Sunni Islam, the Roman Catholic Church, and the Evangelical Lutheran Church of Eritrea). The government has appointed, over community objections, the heads of both the Orthodox and Muslim communities.

The government-deposed Eritrean Orthodox Patriarch Abune Antonios has been detained under house arrest since 2007. He is denied family visits and, despite suffering from severe diabetes, also is denied access to medical care. He is one of the prisoners of conscience included on the list of prisoners whom Members of Congress are encouraged to adopt.

In light of these particularly severe violations, USCIRF recommended in 2013 that Eritrea be designated as a CPC. Since 2004, the Commission has recommended, and the State Department has designated, Eritrea as a CPC. The State Department most recently re-designated Eritrea as a CPC in September 2011.

Ethiopia: In the summer of 2011, the Ethiopian government instituted what it called a "religious training" program for its Muslim community. In reality, the program imposed a little-known Islamic theology, al-Ahbash, on all Ethiopian Muslims. Throughout 2012, Ethiopian Muslims protested government interference in their internal religious affairs, holding almost weekly peaceful demonstrations following Friday prayers.

The government harshly put down these peaceful protests in July 2012, beating and arresting almost a thousand demonstrators. Some witnesses alleged police use of teargas and live ammunition against protestors. Almost all those arrested later were released; however 29 were charged in October 2012 under the Anti-Terror Proclamation, accused of "intending to advance a political, religious or ideological cause" by force and the "planning, preparation, conspiracy, incitement and attempt of terrorist acts." The Anti-Terror Proclamation is routinely used against journalists and political opponents. Among those targeted were nine members of the protestors'

Arbitration Committee who were tasked by the demonstrators to negotiate with the government on their demands that the government respect the Ethiopian constitution's protection of separation of religion and state. In December 2012, a USCIRF delegation travelled to Ethiopia and met with the lawyers for those charged. The delegation was informed that their clients were being subjected to torture while imprisoned and that the lawyers were not being granted adequate access to their clients. The next day, the delegation was informed that the charges against the 29 were increased to engaging in acts of terrorism. USCIRF is concerned that the Ethiopian government's efforts to deal with Islamic extremism and its recent harassment of its Muslim community will radicalize the population

In a positive development, in late December 2013, 10 of the 29 arrested for terrorism, including two members of the Arbitration Committee, were released after a court found that the government did not have a strong enough case against them. However, the remaining 19 prisoners continue to be prosecuted for planning terrorist activities and their trials are being held in secret. Peaceful protests, which continued in the summer of 2013, were met with violence by the Ethiopian government.

Nigeria: The government of Nigeria continues to tolerate systematic, ongoing, and egregious violations of religious freedom affecting all Nigerians, both Christian and Muslim. Since 1999, the government's failure to bring those responsible for sectarian violence to justice has resulted in more than 16,000 Nigerians being killed in Muslim and Christian communal clashes. Despite thousands of deaths in religion-related violence, USCIRF is aware of fewer than 200 people being convicted for perpetrating such violence. While other causes factor into the violence in areas of conflict, religion is a significant catalyst and is often misused by politicians, religious leaders, or others for political gain. Other religious freedom concerns in Nigeria include the application of a strict interpretation of Shari'ah (Islamic law) in the criminal codes of several northern Nigerian states and discrimination against local minority communities of Christians and Muslims.

The Nigerian government's failure to address chronic religion-related violence contrasts with its commitment to stop Boko Haram. Boko Haram ("Western education is a sin") has committed serious human rights abuses during the past year, conducting killings, bombings, kidnappings, and other attacks that have resulted in numerous deaths, injuries, and widespread property destruction. In three years, the Nigerian government has convicted six Boko Haram suspects of terrorism and murder, including Kabiru Sokoto, the man responsible for the 2011 Christmas bombing outside of Abuja that killed 44. In December 2013, the Nigerian government announced it plans to prosecute 500 suspected Boko Haram members for terrorism and murder. In addition, the Nigerian government has taken positive steps to prevent Boko Haram attacks on houses of worship, such as posting police officers at churches or shutting down streets in front of churches, during services or Christian holidays. By contrast, the government has not taken similar preventative actions, like posting of police at houses of worship, when Muslim-Christian tensions start to rise, such as before and after elections. However, the government's security services also have committed abuses with impunity in their fight against Boko Haram, including extrajudicial killings, beatings, arbitrary detention, inhuman and degrading treatment of prisoners, and destruction of property; and societal violence.

USCIRF has recommended that Nigeria be designated a “Country of Particular Concern” since 2009 because of the Nigerian government’s toleration of sectarian violence and the lack of effective prosecution of perpetrators.

ASIA

Burma: Ongoing political reforms have produced mixed results. While the Burmese government continues to release political and religious prisoners, has revised laws on media censorship and freedom of assembly, and allowed Aung San Suu Kyi’s National Democracy Party (NLD) to assume its seats in parliament, Burma’s overall human rights record remains poor. The government either is unable or unwilling to curtail security forces or social actors who have engaged in serious abuses against religious minorities and others during armed conflicts in Kachin State and sectarian violence in Rakhine (Arakan) State. Such impunity is deeply problematic, since issues of religion and ethnicity will shape the trajectory of Burma’s political reforms before the planned 2015 elections.

Dr. Tun Aung, the Chair of the Islamic Religious Affairs Council in Maungdaw, is a Burmese prisoner of conscience waiting to be advocated for by a Member of Congress.

Rohingya Muslims, who are denied Burmese citizenship, experience widespread discrimination, strict controls over their religious activities and ceremonies, and societal violence that Buddhist monks often incite and mobs and local militias, including police in Rakhine (Arakan) State, carry out with impunity. In the past year, over 1,000 Rohingya have been killed, their villages and religious structures destroyed, and women raped during attacks. In Kachin and northern Shan states, home to large Christian minority populations, the military conducted extensive operations beginning in January 2013. The military reportedly continues to limit religious worship and forcibly promote Buddhism as a means of pacification in these areas, and targets Christians for forced labor, rape, intimidation, and destruction of religious sites. The government also continues to censor religious publications and prohibits the import of Bibles and Qur’ans in indigenous languages. Released prisoners face harassment and restrictions, including U Gambria, the head of the All-Burma Monks Alliance.

In light of these systematic, ongoing, egregious violations of freedom of religion and belief, USCIRF has recommended that Burma again be designated as a CPC in 2013. The State Department has designated Burma as a CPC since 1999.

China: The Chinese government commits widespread human rights violations, including the arbitrary detention of dissidents without charges, legal representation, or trials. Human rights defenders face harassment, surveillance, house arrest, and imprisonment, and the censorship of the Internet and other media has grown. Falun Gong practitioners and land petitioners are often held in “black jails” and “transformation centers” where there are credible reports of severe abuses, including torture, psychiatric experimentation, and the possible harvesting of organs.

The Chinese government continues to perpetrate particularly severe violations of the freedom of thought, conscience, and religion or belief. Religious groups and individuals considered to threaten national security or social harmony, or whose practices are deemed beyond the vague

legal definition of “normal religious activities,” are illegal and face severe restrictions, harassment, detention, imprisonment, and other abuses. Religious freedom conditions for Tibetan Buddhists and Uighur Muslims remain particularly acute, as the government has broadened its efforts to discredit and imprison religious leaders, control the selection of clergy, ban certain religious gatherings, and control the distribution of religious literature by members of these groups. The government also detained unregistered Protestants leader, closed “illegal” meeting points, and prohibited public worship activities. Unregistered Catholic clergy remain in detention or disappeared. Falun Gong face some of the most intense and violent forms of persecution. Adherents are tortured and mistreated in detention and are pursued by an extralegal security force chartered to stamp out “evil cults.” The Chinese government continues to harass, detain, intimidate, and disbar attorneys who defend members of vulnerable religious groups and restricts online access to religious information and the authority of religious communities to choose their own leadership, and parents to teach their children religion, particularly in Uighur and Tibetan areas.

Gao Zhisheng, one of the most respected human rights lawyers in China, defended activists and religious minorities and documented human rights abuses. In reaction to his efforts, the Chinese government disbarred and tortured him, concealed his whereabouts for nearly 20 months, and has imprisoned him in northwest China. With us today is Gao’s wife, Geng He. Along with her children, she was forced to flee China and now lives in the U.S. where they have been granted asylum. Representative Wolf has adopted Gao Zhisheng.

Representative Hultgren has adopted another prisoner, Zhu Yufu, a democracy advocate who reportedly is suffering ill-treatment, and Representative Chabot has adopted Peng Ming, another human rights advocate. Representative Kerry Bentivolio has adopted Wang Bingzhang, a political activist and pro-democracy movement founder. Representative Lynn Jenkins has adopted Alimujiang Yimit, a Uyghur house church leader. These are just five of the many Chinese citizens detained or imprisoned for exercising their human rights under international law.

Because of these systematic, ongoing, and egregious violations of religious freedom, USCIRF recommends in 2013 that China again be designated as a CPC. USCIRF has recommended and the State Department has designated China as a CPC since 1999.

Vietnam: The government of Vietnam commits egregious human rights violations against its citizens including by severely limiting the freedoms of speech, press, and association; arbitrarily arresting and detaining people and mistreating them during their arrest and detention; and denying people the right to a fair and expeditious trial. The government also prohibits independent human rights organizations, and restricts internet freedom, attacks web sites critical of the government, and spies on dissident bloggers. Groups and individuals viewed as hostile to the Communist Party or that refuse government oversight were arrested, detained, and harassed.

Mrs. Tran Thi Ngoc Minh, mother of imprisoned Vietnamese Labor Activist Do Thi Minh Hanh, will be testifying today. Tran is waiting to be adopted by a Member of Congress, as are other Vietnamese prisoners of conscience. Representative Alan Lowenthal has adopted blogger and activist Nguyen Tien Trung. Representative David Price has adopted Cu Huy Ha Vu, a

prominent human rights lawyer and critic of the Vietnamese government. Representative Sheila Jackson Lee has adopted dissident blogger Ta Phong Tan. Representative Chris Smith has adopted Father Nguyen Van Ly. Father Ly, a case USCIRF has followed for years, has spent over fifteen years in prison for the causes of religious freedom, democracy and human rights.

The government of Vietnam continues to expand control over all religious activities, severely restrict independent religious practice, and repress individuals and religious groups it views as challenging its authority. Authorities continue to imprison or detain individuals for reasons related to their religious activity or religious freedom advocacy; independent religious activity remains repressed; the government maintains a specialized police for dealing with religious groups; legal protections for government-approved religious organizations are subject to arbitrary or discriminatory interpretations based on political factors; and converts to ethnic-minority Protestantism and Catholicism face discrimination, intimidation, and pressure to renounce their faith.

Vietnam also issued a revised decree on religion that expanded control over religious affairs. Government officials continued to target Catholic communities, including with destruction of properties, detentions, and arrests. Police used force against Catholic clergy engaged in religious activities and continue to restrict members of the Redemptorist Order. Independent Protestants and Catholics in the Central Highlands were detained, beaten, and arrested in an ongoing campaign to repress their activities. Hoa Hao activists were sentenced for documenting religious freedom violations. Independent Hoa congregations, Cao Dai and Khmer Buddhist temples, and United Buddhist Church of Vietnam (UBCV) pagodas faced harassment and restrictions. Human rights defender Le Quoc Quan was arrested and is being held without charge.

Given these systematic, ongoing, and egregious violations, USCIRF recommends that Vietnam be designated as a CPC. 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 binding agreement.

EUROPE AND EURASIA

Russia: Russia restricts civil liberties by, among other measures, adopting laws that impose harsh fines for unsanctioned meetings, target nongovernmental organizations as “foreign agents” if they receive foreign funds, and allow authorities to block websites without a court order. The government also has denied due process to detainees, and has not brought to justice those responsible for the deaths of prominent journalists, activists and whistleblowers, including Sergey Magnitsky, nor has it adequately prosecuted or punished officials who have committed abuses, thereby encouraging a climate of impunity. Other problems include: interference in the judiciary and the right to a fair trial; intimidation of civil society and labor activists; limitations on the rights of workers; trafficking in persons; and attacks on migrants and select religious and ethnic minorities. Rule of law is particularly deficient in the North Caucasus, leading to numerous human rights abuses.

Religious freedom conditions in Russia continued to deteriorate in 2013, especially for religious minorities. The government increased its application of an anti-extremism law against religious

groups and individuals not known to use or advocate violence. National and local government officials regularly applied other laws to harass Muslims and religious groups they view as non-traditional. High levels of xenophobia and intolerance, including anti-Semitism, have resulted in violent and sometimes lethal hate crimes. Increasingly, readers of the works of Turkish theologian Said Nursi and Jehovah's Witnesses are being charged with extremism-related offenses. Muslims and several minority religious groups continued to experience denials of registration, and delays and refusals to permit construction of or grant permits to rent places of worship, and their members often were harassed and detained.

While Russia recently released some prisoners of conscience, including Mikhail Khodorkovsky and Pussy Rioters Nadezhda Tolokonnikova and Maria Alyokhina, their release -- which was decided by President Putin, not an independent court -- signals not a change in policy but a quest for positive publicity prior to the Sochi Olympic Games. Other prisoners of conscience remain detained in Russia.

Uzbekistan: Since Uzbekistan gained independence in 1991, its government has systematically and egregiously violated freedom of religion or belief, as well as other human rights. The Uzbek government harshly penalizes individuals for independent religious activity regardless of their religious affiliation. A restrictive religion law facilitates state control over all religious communities, particularly the majority Muslim community. Uzbek police and security forces continue to raid and detain members of unregistered, and sometimes registered, religious groups for peaceful religious activity. The government arrests Muslims and represses individuals, groups, and mosques that do not conform to officially-prescribed practices or that it claims are associated with extremist political programs.

Thousands of individuals remain imprisoned as alleged extremists, including many who reportedly are denied due process and subjected to torture. Over the past decade, the Uzbek government reportedly has sentenced or imprisoned -- sometimes in psychiatric hospitals -- as many as 10,000 individuals for terms of up to 20 years for their non-violent Islamic religious affiliations or beliefs in trials that fall far short of international standards.

Prisoners include Gaybullo Jalilov, a member of the Human Rights Society of Uzbekistan, who was sentenced to more than 11 years in prison on religious extremism charges; Hairulla Khamidov, a young Uzbek Muslim journalist who was charged with membership in an alleged extremist group and in May 2010 received a six-year prison camp sentence; and Akzam Turgunov a human rights activist and political opposition leader who has been detained in Uzbekistan since 2008 on extortion charges. Mr. Turgunov founded and served as Chairman of Mazlum ("The Oppressed"), a human rights organization in Tashkent that advocates on behalf of prisoners of conscience and protests against the use of torture.

Based on these systematic, ongoing, and egregious violations, USCIRF continues to recommend in 2013 that Uzbekistan be designated as a CPC. Since 2006, the State Department has so designated Uzbekistan, but since 2009 it placed a waiver on taking any action as a consequence of the CPC designation.

THE MIDDLE EAST

Bahrain: The Bahraini people in 2011 began protests for greater civil and political rights. Among their grievances were the abuses committed by the government, and ongoing lack of accountability for these abuses, against the Shi'a community. The government responded with a crackdown that has led to a continuing human rights crisis, with the use of excessive force, people killed, and others imprisoned, reportedly tortured, and tried before military courts. The government has inadequately implemented recommendations of the Bahrain Independent Commission of Inquiry (BICI), including related to the rebuilding of Shi'a mosques and religious structures the government destroyed in 2011. USCIRF remains concerned by the government's ongoing lack of accountability for abuses against the Shi'a community since 2011.

Nabeel Rajab, whose lawyer is with us today, languishes in prison in Bahrain along with other prisoners of conscience, with his appeal recently having been denied. Representative McGovern has adopted Nabeel Rajab. Representative Hank Johnson has adopted another Bahraini prisoner, Mahdi 'Issa Mahdi Abu Dheeb.

Egypt: Under former President Mubarak, Egyptians experienced the widespread use of torture, unfair trials of civilians before military and emergency courts, and restrictions on the peaceful exercise of the rights to freedom of expression, association, assembly, and religion. Since then, the military, the Morsi-led government, and the current transitional government all engaged in and tolerate systematic, ongoing, and egregious violations of freedom of thought, conscience and religion or belief. Despite some progress during a turbulent political transition, the Egyptian government has failed or been slow to protect from violence religious minorities, particularly Coptic Orthodox Christians. The high level of violence and the failure to convict those responsible continue to foster a climate of impunity, making further violence more likely. The government continues to prosecute, convict, and imprison Egyptian citizens, including Copts and dissenting Muslims, for "contempt" or "defamation" of religion. Implementation of previous court rulings—related to granting official identity documents to Baha'is and changing religious affiliation on identity documents for converts to Christianity—has seen some progress but continues to lag, particularly for Baha'is. In addition, the government has not responded adequately to combat widespread and virulent anti-Semitism in the government-controlled media.

Based on these concerns, USCIRF recommended in 2013 that Egypt be designated as a CPC for systematic, ongoing, and egregious violations of religious freedom. In 2011, USCIRF, for the first time, recommended that Egypt be designated a CPC. Before that, Egypt had been on USCIRF's Watch List since 2002.

Iran: The Islamic Republic of Iran severely limits the human rights and religious freedoms of its citizens. The most egregious violations include the government's severe limitations on free and fair elections; restrictions on the freedoms of assembly, speech, press, and religion; and the government's arbitrarily and unlawfully killing, torturing and imprisoning people; cruel, inhuman, and degrading treatment or punishment; and life-threatening conditions in detention and prison facilities; arbitrary arrest and lengthy pretrial detention, and executions without due process.

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. Iran is a constitutional, theocratic republic that discriminates against its citizens on the basis of religion or belief. The already poor religious freedom conditions continue to deteriorate, especially for religious minorities, in particular for Baha'is as well as Christians and Sufi Muslims. Physical attacks, harassment, detention, arrests, and imprisonment intensified. Even some of the recognized non-Muslim religious minorities protected under Iran's constitution—Jews, Armenian and Assyrian Christians, and Zoroastrians—face harassment, intimidation, discrimination, arrests, and imprisonment. Majority Shi'a and minority Sunni Muslims, including clerics who dissent, were intimidated, harassed, and detained. Dissidents and human rights defenders were increasingly subject to abuse and several were sentenced to death and even executed for the capital crime of "waging war against God." Heightened anti-Semitism and repeated Holocaust denials by senior government officials and clerics continue to foster a climate of fear among Iran's Jewish community. Since the 1979 revolution, members of minority religious communities have fled Iran in significant numbers for fear of persecution.

Pastor Saeed Abedini, a U.S. citizen, remains jailed in Iran. His eight-year prison sentence, issued in January 2012, was upheld in September of that year. His crime was "threatening national security" due to his involvement in Iran's house church movement. After holding Pastor Abedini in solitary confinement in Evin prison, Tehran compounded the injustice, transferring him last November to the forbiddingly harsh Gohardasht prison. Representative Trent Franks has adopted Pastor Abedini. Representative Jeff Duncan has adopted Pastor Farshid Fathi, a prisoner of conscience, who currently is serving a six-year term in Iran's notorious Evin prison. Three members of the Baha'i Seven, Fariba Kamalabadi, Mahvesh Sabet, and Saeid Rezaie have been adopted by Representatives Bonamici, Schakowsky and Jenkins respectively.

Since 1999, the State Department has designated Iran as a CPC under IRFA. USCIRF recommended in 2013 that Iran again be designated as a CPC.

Saudi Arabia: The Saudi government continues to ban most forms of public religious expression other than that of the government's own interpretation of one school of Sunni Islam; prohibits any public non-Muslim places of worship; and periodically interferes with the private religious practice of non-Muslim expatriate workers in the country. There continue to be sporadic arrests and detentions of Shi'a Muslim dissidents, partly as a result of more frequent protests and demonstrations since early 2011. Saudi officials often cite national security concerns as a pretext for cracking down on religious minorities and Muslim dissidents. The Saudi government also continues to prosecute, convict, and imprison individuals charged with apostasy, blasphemy, and sorcery. The Saudi government uses these charges to suppress discussion and debate and silence dissidents. Promoters of political and human rights reforms, as well as those seeking to debate the role of religion in relation to the state, its laws, and society, are typically the target of such charges.

In May 2012, the Saudi government detained two Saudis, Sultan Hamid Marzooq al-Enezi and Saud Falih Awad al-Enezi, for the crime of becoming members of the Ahmadiyya Muslim

Community. Saudi clerics consider the Ahmadiyya to be non-Muslims. They are facing the death penalty for apostasy, and their current whereabouts and status are unknown. Saudi clerics had visited them in jail, putting pressure on them to recant their faith. They have been given neither access to legal advice nor an official charge sheet. The case can be referred to a judge for a ruling at any point and both of them reportedly have been threatened by officials from the Ministry of Islamic Affairs that failure to recant will result in the death penalty. They are still being detained more than 18 months after their arrest, despite a law stating that six months is the maximum period of detention without trial.

In June 2012, Raif Badawi, the founder and editor of the *Free Saudi Liberals* website which encourages religious and political debate, was arrested in Jeddah and charged with apostasy, “insulting Islam through electronic channels,” and “parental disobedience.” In January 2013, a Saudi court elected not to pursue the apostasy charge, which carries the death penalty in the Kingdom. On July 29, 2013 Badawi was sentenced by the court to 600 lashes and seven years in prison, and his website was ordered closed. Badawi received five years for insulting Islam and violating provisions of Saudi Arabia’s 2007 anti-cybercrime law through his liberal website and for promoting “unbelief; two years for insulting both Islam and the Committee for the Promotion of Virtue and Prevention of Vice (CPVPV), or religious police, in comments during television interviews; and three months for “parental disobedience,” apparently because of Badawi’s numerous public confrontations with his father over the years.

Despite progress by the Saudi government on certain policies and practices, USCIRF again recommended in 2013 that Saudi Arabia be designated as a CPC for systematic, ongoing, and egregious violations of religious freedom. Although so designated by the State Department since 2004, an indefinite waiver on taking any action in consequence of the CPC designation has been in place since 2006.

SOUTH EAST ASIA

Pakistan: Serious human rights problems in Pakistan include extrajudicial and targeted killings, forced disappearances, and torture, which affected thousands of citizens in nearly all parts of the country. The government of Pakistan also engages in and tolerates systematic, ongoing, and egregious violations of freedom of religion or belief. USCIRF documented during 2013 that there was little or no government response to the alarming spike in targeted attacks against religious communities that resulted in over 700 deaths.

Sectarian and religiously motivated violence is endemic, with the government failing to protect members of the majority faith and religious minorities. Chronic conditions remain, including the poor social and legal status of non-Muslim religious minorities and the severe obstacles to free discussion of sensitive religious and social issues faced by the majority Muslim community. Pakistan’s repressive blasphemy laws and other religiously discriminatory legislation, such as the anti-Ahmadi laws, have created an atmosphere of violent extremism and vigilantism. Aasia Bibi, whom Representative Pitts has adopted, is one of the 40 cases of Pakistanis jailed under the blasphemy laws that USCIRF has documented. They should not remain invisible, their names unknown. I request that this list be submitted for the record.

The blasphemy law, along with anti-Ahmadi laws that effectively criminalize various practices of their faith, has created a climate of vigilante violence. Hindus have suffered from this climate and hundreds have fled Pakistan for India. Human rights and religious freedom are increasingly under assault, particularly for women, members of religious minority communities, and those in the majority Muslim community whose views are deemed “un-Islamic.”

The government has proven unwilling or unable to confront militants perpetrating acts of violence against other Muslims and religious minorities. Pakistani authorities have not consistently brought perpetrators to justice or taken action against societal leaders who incite violence. Growing religious extremism threatens the freedoms of religion and expression and other human rights for everyone in Pakistan, particularly women, members of religious minorities, and those in the majority Muslim community who hold views deemed “un-Islamic” by extremists. This extremism also threatens Pakistan’s security and stability.

In light of these particularly severe violations, USCIRF again recommended in 2013 that Pakistan be designated a CPC. Since 2002, USCIRF has recommended Pakistan be named a CPC, but the State Department has not followed that recommendation. Pakistan represents the worst situation in the world for religious freedom for countries not currently designated as “countries of particular concern” by the U.S. government.