DEFENDING PRISONERS OF CONSCIENCE

HEARING

BEFORE THE

TOM LANTOS HUMAN RIGHTS COMMISSION

HOUSE OF REPRESENTATIVES

ONE HUNDRED AND FIFTEENTH CONGRESS

SECOND SESSION

FEBRUARY 15, 2018

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TOM LANTOS HUMAN RIGHTS COMMISSION

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DEFENDING PRISONERS OF CONSCIENCE

THURSDAY, FEBRUARY 15, 2018

HOUSE OF REPRESENTATIVES
TOM LANTOS HUMAN RIGHTS COMMISSION
Washington, D.C.

The commission met, pursuant to call, at 2:00 p.m., in Room 2255 Rayburn House Office Building, Hon. James P. McGovern and Hon. Randy Hultgren [co-chairmen of the commission] presiding.

Mr. HULTGREN: We are going to go ahead and get started, if that's all right. Good afternoon and welcome to the Tom Lantos Human Rights Commission's hearing on "Defending Prisoners of Conscience."

Prisoners of conscience are persons imprisoned for the peaceful expression of their political, religious, or other conscientiously-held beliefs even though they have neither used nor advocated those for violence.

As the number of prisoners of conscience, or POCs, continue to increase globally and as the space for civil society continues to shrink under authoritarian governments, it is vital that the international community and Congress in particular bring attention to those in prison for peacefully exercising their most basic human rights and work to secure their freedoms.

In 2012, the Tom Lantos Human Rights Commission launched the Defending Freedom Project to help members of Congress advocate for the release of POCs around the world.

Through this Defending Freedoms Project, or DFP, members adopt incarcerated prisoners of conscience, highlight their circumstances of the imprisonment, and stand in solidarity with the prisoner through letters, floors speeches, op-eds, and other actions to keep them and their situation in the public eye so that they are not forgotten.

The advocacy efforts of members and their staff have often contributed to better prison conditions, the reduction of prison sentences and even their release.

Today's witness organizations are all partners working on the DFP to identify and advocate for prisoners of conscience. Then we will focus on a variety of POCs including those who are imprisoned as journalists, religious leaders, scientists, human rights and democracy activists, and scholars.

We thank you for your commitment to this vital work and for coming to share your expertise with us today. I want to thank my fellow members of the Commission who are fighting on behalf of the prisoners listed under the DFP. I look forward to hearing about their experience doing this kind of advocacy.

We will also hear the powerful statements from several prisoners who have been released and from the family members of several who are still incarcerated.

In light of this important work, Co-Chair McGovern and I will be introducing a resolution expressing support for the designation of a Prisoners of Conscience Day.

This resolution will bring attention to the thousands of prisoners of conscience around the world and will underscore the importance of prioritizing and protection and the freedom of these prisoners and as a United States foreign policy goal.

I actually first became involved with the Tom Lantos Human Rights Commission when I was invited to advocate for a prisoner of conscience through the Defending Freedoms Project.

For several years now, I've sought to bring attention to the unjust imprisonment of democracy activist Zhu Yufu in China.

Zhu is a poet who was imprisoned for his view that the people of China should be able to believe and express themselves according to their own conscience. For this he received a seven-year prison sentence under very harsh conditions.

The Defending Freedoms Project consists of other similar heroes of human rights. Currently, we have over 20 prisoners of conscience who do not have a member of Congress advocating on their behalf.

My desire is to see my congressional colleagues adopt each of these prisoners, beginning even today.

Over on the side table we have the profiles of each prisoner of conscience in need of an advocate. We encourage you to select one of these prisoners who has not yet been adopted to take this opportunity back to your member and to email or otherwise let the Commission know of your selection. We will then send you a custom starter kit to help your office in the advocacy effort. This is an easy way for your office to make a difference on international human rights for one person.

I'd like to close my remarks by reading a statement from Zhu Yufu's son that he wrote for this hearing.

"I, Zhu Ang, the son of Zhu Yufu, represent my father to give his current situation. This is on the basis of personal visits with my father and my mother and I have made monthly over these past years.

Zhu Yufu was sentenced to seven years for inciting subversion in 2011 while he wrote a well-known poem, "It's Time." That is the third imprisonment since he participated in the establishment of the China Democratic Party in 1998. He still is in prison now.

His first prison term started in 1999 and he served seven years for subversion of state power. This first imprisonment was so cruel at the time -- sleep deprivation used during interrogation, threatening his family, inciting criminals to beat him together.

After his sentencing, he experienced 24-hour surveillance, confinement, and continuous standing as frequently-used punishment. After a beating, he was sent to the hospital for a perforated ear drum.

Then the international community noticed such human rights disasters happening in China both to my father and to other political prisoners. The news reported on this and political leaders from several countries met with the Chinese government.

Then the Chinese government dealt very deceptively with the international community when it came to my father. They asked my father to confess in exchange for better treatment and told the outside world my father was living well.

While my father refused to plead guilty, all his reading privileges, relief, and medical treatment were suspended, even for years. During the second imprisonment, my father was accused of obstructing official business and sentenced to two years in 2007. When the police pursued his friend for no reason, my father and I were taken away. We were sent to the same detention center but had different rooms. My father still did not plead guilty but this time he was most worried about me.

I told him I was okay but my rib was fractured after a prisoner hit me. The world knows few details about this period since it was not named a political crime.

But in fact, we were politically sentenced and persecuted. The most recent imprisonment has lasted until now. The world put much effort into reporting my father's plight.

He is already an old man now with severe diseases all over his body. He never got the chance to receive medical treatment for his gall stone, spine ache, cardiac tumor, or prostatitis.

Prison official officers exempt him from daily labor and sometimes he is given the right to write and draw. However, chances for exercise, chats, and mail are still rare.

Family visits have been restricted and no conversation about anything other than family-related subjects are allowed. He is not allowed to read the Bible. Other prisoners and officers scolded and humiliated him from time to time. They always seek to destroy his confidence but he still keeps up hope.

He knows I am safe and have gotten back my job, my friends, and my normal life in another country for which many people exerted effort.

In February 2017, my father was cast down by a prison officer and fainted. The U.S. Congress learned of this very soon and was concerned about it even though the prison officers lied and declared to the public that my father fell down by himself. They dare not arbitrarily hurt him like this again.

In the last conversation state security officers had with my father, they threatened to keep him under house arrest after his release. I know that there is no ultimate solution for saving my father unless he is set free.

I appreciate all the kindness from people who have kept up their concern for my father and others. I am so worried about his coming release. They may do nothing but move him from one jail to another. All I can do is just tell the truth and let history make the judgment."

Now it's my privilege to recognize our co-chairman, Jim McGovern.

[The prepared statement of Co-chair Hultgren follows]

PREPARED STATEMENT OF THE HONORABLE RANDY HULTGREN, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF ILLINOIS AND CO-CHAIRMAN OF THE TOM LANTOS HUMAN RIGHTS COMMISSION

Tom Lantos Human Rights Commission Hearing

<u>Defending Prisoners of Conscience</u>

February 15, 2018

2:00 – 3:30 PM
2255 Rayburn House Office Building

Opening Remarks as prepared for delivery

Good afternoon, and welcome to the Tom Lantos Human Rights Commission's hearing on Defending Prisoners of Conscience.

Prisoners of conscience (POCs) are persons imprisoned for the peaceful expression of their political, religious, or other conscientiously held beliefs, even though they have neither used nor advocated for violence.

As the number of POCs continues to increase globally, and as the space for civil society continues to shrink under authoritarian governments, it is vital that the international community, and Congress in particular, bring attention to those imprisoned for peacefully exercising their most basic human rights, and work to secure their freedom.

In 2012, the TLHRC launched the Defending Freedoms Project (DFP) to help Members of Congress advocate for the release of POCs around the world. Through the DFP, Members "adopt" incarcerated prisoners of conscience, highlight the circumstances of their imprisonment and stand in solidarity with the prisoner through letters, floor speeches, Op-Eds, and other actions to keep them and their situation in the public eye so they are not forgotten. The advocacy efforts of Members and their staff have often contributed to better prison conditions, the reduction of prison sentences, and even their release.

Today's witness organizations are all partners working on the DFP to identify and advocate for POCs. They will focus on a variety of POCs, including those who are imprisoned as journalists, religious leaders, scientists, human rights and democracy activists, and scholars. We thank you for your commitment to this vital work, and for coming to share your expertise with us today.

I want to thank my fellow Members on the Commission who are fighting on behalf of the prisoners listed under the DFP. I look forward to hearing about their experience doing this kind advocacy. We will also hear the powerful statements from several prisoners who have been released, and from the family members of several who are still incarcerated.

In light of this important work, Co-Chair McGovern and I will be introducing a resolution expressing support for the designation of a prisoners of conscience day. This

resolution will bring attention to the thousands of prisoners of conscience around the world, and will underscore the importance of prioritizing the protection and freedom of these prisoners as a United States foreign policy goal.

I actually first became involved with the TLHRC when I was invited to advocate for a prisoner of conscience through the Defending Freedoms Project. For several years now I have sought to bring attention to the unjust imprisonment of democracy activist, Zhu Yufu in China.

Zhu is a poet who was imprisoned for his view that the people of China should be able to believe and express themselves according to their own conscience. For this, he received a seven-year prison sentence under very harsh conditions.

The Defending Freedoms Project consists of other similar heroes of human rights. Currently we have over 20 prisoners of conscience who do not have a Member of Congress advocating on their behalf. My desire is to see my congressional colleagues "adopt" each of these prisoners – beginning today even. Over on the side table we have the profiles of each prisoner of conscience in need of an advocate. We encourage you to select one of these prisoners who has not yet been adopted, to take this opportunity back to your Member, and to email or otherwise let the Commission know of your selection. We will then send you a custom starter kit to help your office in their advocacy efforts. This is an easy way for your office to make a difference on international human rights for one person.

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I, Zhu Ang, the son of Zhu Yufu, represent my father to give his current situation. This is on the basis of personal visits with my father that my mother and I have made monthly over these past years.

Zhu Yufu was sentenced to seven years for "inciting subversion" in 2011, while he wrote a well-known poem, It's time. That is his third imprisonment since he participated in the establishment of the China Democratic Party in 1998. He is still in prison now.

His first prison term started in 1999, and he served 7 years for "subversion of state power." The first imprisonment was so cruel at that time: sleep deprivation used during interrogation, threatening his family, inciting criminals to beat him together. After his sentencing, he experienced 24-hour surveillance, confinement, and continuous standing as frequently used punishments. After a beating, he was sent to the hospital for a perforated eardrum.

Then, the international community noticed such human rights disasters happening in China, both to my father and other political prisoners. The news reported on this, and political leaders from several countries met with the Chinese government.

Then, the Chinese government dealt very deceptively with the international community when it came to my father. They asked my father to confess in exchange for better treatment, and told the outside world my father was living well. While my father refused to plead guilty, all his reading privileges, relief, and medical treatment were suspended, even for years.

During the second imprisonment, my father was accused of "obstructing official business" and sentenced to two years in 2007. When the police pursued his friend for no reason, my father and I were taken away.

We were sent into the same detention center but had different rooms. My father still did not plead guilty, but this time he was most worried about me. I told him I was okay, but my rib was fractured after a prisoner hit me. The world knows few details about this period, since it was not named a political crime, but in fact, we were politically sentenced and persecuted.

The most recent imprisonment has lasted until now. The world put much effort into reporting my father's plight. He is already an old man now, with severe diseases all over his body. He never got the chance to receive medical treatment for his gallstone, spine ache, cardiac tumor, and prostatitis.

Prison officers exempt him from daily labor, and sometimes he is given the right to write and draw. However, chances for exercise, chats, and mail are still rare. Family visits have been restricted, and no conversation about anything other than family-related subjects are allowed. He is not allowed to read the Bible.

Other prisoners and officers scolded and humiliated him from time to time; they always seek to destroy his confidence, but he still keeps up hope. He knows I am safe and have gotten back my job, my friends, and my normal life in another country, for which many people exerted effort.

In February 2017, my father was cast down by a prison officer and fainted. The U.S. Congress learned of this very soon and was concerned about it. Even though the prison officers lied and declared to the public that my father fell down by himself, they dare not arbitrarily hurt him like this again. In the last conversation state security officers had with my father, they threatened to keep him under house arrest after his release. I know that there is no ultimate solution for saving my father unless he is set free.

I appreciate all the kindness from people who keep up their concern for my father and others. I am so worried about his coming release. They may do nothing but move him from one jail to another. All I can do is just tell the truth, and let history make the judgment.

Zhu Ang, 1/27/2018

Mr. McGOVERN: Well, thank you, and I want to thank my colleague and co-chair, Randy Hultgren, for his statement and his passion and his commitment on issues that I think every -- all of us in this room, you know, believe are so important. And I want to welcome you all here to the Tom Lantos Rights Commission hearing on defending prisoners of conscience.

I want to welcome all of our witnesses, each of whom represents a Commission partner in the Defending Freedoms Project. Your work is crucial for the Defending Freedoms Project and so much else and so we appreciate all that you do.
I want to take this opportunity to announce a new partner in the Defending Freedoms Project and that is Scholars at Risk.

Scholars at Risk is a U.S.-based international network of more than 500 institutions of higher education including 16 in my home state of Massachusetts whose mission is to protect scholars and promote academic freedom.

The networks assists more than 300 threatened scholars worldwide every year, investigates and speaks out against attacks on higher education communities, and empowers scholars and students to expand the space for free expression and inquiry. The freedom to think is a fundamental right we sometimes take for granted in this country. But many prisoners of conscience around the world are in jail because they exercise this right.

People who think differently cannot help but challenge authority and that's always a problem for insecure authorities. So on behalf of the Defending Freedoms Project, I am happy to welcome SAR today as a new coalition member.

You know, I think many of us have probably had the experience of waking up in the morning, reading or listening to the news, and being overwhelmed by how bad it is. The unending capacity of our fellow human beings to inflict harm on one another and the sheer scale of the resulting misery can seem overwhelming.

That is why advocating on behalf of prisoners of conscience is so important to me and so gratifying. Human rights work is a long gain in which a step forward is often followed by two or three steps backwards.

But helping an individual who has been unjustly imprisoned, made to live in miserable conditions, perhaps tortured or deprived of food and medical care, a man or a woman purposely degraded and humiliated by some government -- giving a person in those conditions hope, maybe improving their conditions, maybe even getting them out, that is a great and sustaining thing to do.

And the Defending Freedoms Project allows members of Congress to do that good work. I currently advocate for three prisoners of conscience -- the Panchen Lama of Tibet, Nabeel Rajab of Bahrain, and Raif Badawi of Saudi Arabia.

Gedhun Choekyi Nyima was six-year-old boy when he was chosen on May 15th, 1995 by the Dalai Lama to be the 11th Panchen Lama. Two days later, he and his family were detained by Chinese authorities and no one has heard from him since.

Now he is one of the world's longest-held prisoners of conscience. Today I renew my call to the Chinese government to provide authenticated videographic evidence of the Panchen Lama's wellbeing.

The Chinese say the Panchen Lama is living a, quote, "normal and happy life." Even if true, I want to hear it directly from the Panchen Lama himself.

Nabeel Rajab is the president of the Bahrain Center for Human Rights. Since 2011, he has been repeatedly and unjustly imprisoned for doing things that should never be criminalized like participating in protests and writing to the New York Times.

Last summer, Nabeel was sentenced to two years in prison for making, quote, "false or malicious," end quote, statements about Bahraini authorities. He faces up to 15 additional years in jail for criticizing Bahrain's participation in the Saudi-led war against Houthi rebels in Yemen and for speaking out about torture in Bahrain's infamous Jaw Prison.

Nabeel's family has asked me to say -- asked me today to say that, and I quote, "knowing that international voices are speaking up for Nabeel gives us great encouragement. It means an enormous amount for Nabeel for the tough days in prison. That members of Congress are interested in keeping his case and those of other political prisoners on the agenda in Washington help sustains us through these very difficult times," end quote.

The third prisoner I advocate for is Raif Badawi, the Saudi Arabian founder and editor of a blog to religious and political debate. He has been in prison since 2012.

I would like to share a letter from his wife.

"My name is Ensaf Hadar. I am the wife of imprisoned blogger and activist Raif Badawi, the creator of the website Free Saudi Liberals.

I grew up in Saudi Arabia but now I live in Canada where my children and I fled for refuge after the imprisonment of my husband in 2012. I am addressing this commission as a woman, a wife, and a mother of three children who believes in her husband's innocence and desperately longs for his release to safety.

My husband Raif has been in prison in the city of Jeddah in Saudi Arabia for more than five years. Raif's alleged crime was the creation of this liberal website and his freely-expressed criticism of the power of the religious establishment in the country.

This website encouraged an online debate on basic issues related to freedom of speech and freedom of belief as well as women's rights. Raif was quickly arrested and charged with insulting Islam through electronic channels.

He was sentenced on June 17th, 2012 to 10 years in prison and up to 1,000 lashes, 50 of which have already been carried out publicly.

A committee of physicians determined that his injuries were too serious to carry out the other 950 lashes at the time. Words cannot describe the horror I felt as I watched my husband whipped over and over and over again through video posted on line.

Every second I spend away from him I fear for his life. Raif still has almost five more years of his sentence to serve in prison and 950 more lashes on his back to bear.

He was sentenced to an additional 10-year travel ban after completing his prison term, meaning that he will not be able to see our children, who live with me in Canada, until the year 2032.

The next time Raif will see our eldest daughter she will be 28 years old. The last time she saw him she was only eight.

For the past five years, there has been an international outcry for Raif's freedom. Amnesty International has labeled Raif's treatment and imprisonment a crime against humanity and their petition for Raif's freedom has received over 800,000.

Eighteen Nobel Laureates have signed a letter urging academics in Saudi Arabia to condemn my husband's flogging. He has received awards from the European Parliament, Reporters Without Borders, and many other international organizations.

So today I am incredibly thankful that Congressman McGovern has adopted Raif as part of the Defending Freedoms Project. The congressman's public-facing advocacy on behalf of Raif and his repeated letters with Saudi officials in Saudi Arabia urging the government to release him has helped keep repeated pressure and public attention on Raif's case.

The Defending Freedoms Project has inspired a new hope in me that Raif will soon be released from his unjust imprisonment into the welcoming arms of this family who have waited many years to embrace him.

I am grateful to Congressman McGovern and Congressman Hultgren and the members of Congress who formed the Tom Lantos Human Rights Commission and for taking up Raif's cause.

My husband is not a criminal. He's a writer and independent thinker, a visionary, an activist. He deserves freedom and our children deserve to grow up with their father.

With hope, Ensaf Hadar."

And let me just say in closing that what we do as members of Congress to protect and defend human rights matters for our country and for people all over the world. The work we do through the Defending Freedoms Project matters for individuals who are thrown into prison for no reason other than the malfeasance of their governments.

I want to thank all my colleagues who are currently advocating for a prisoner of conscience through the Defending Freedoms Project and I join my colleague, Mr. Hultgren, in encouraging all other members to take on this important work.

I thank you and I yield back my time.

[The prepared statement of Co-chair McGovern follows]

PREPARED STATEMENT OF THE HONORABLE JAMES P. McGOVERN, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF MASSACHUSETTS AND CO-CHAIRMAN OF THE TOM LANTOS HUMAN RIGHTS COMMISSION

Tom Lantos Human Rights Commission Hearing

Defending Prisoners of Conscience

Thursday, February 15, 2018
2:00 – 3:30 PM
2255 Rayburn House Office Building

Opening Remarks as prepared for delivery

Good afternoon. I join my colleague and co-chair Randy Hultgren in welcoming you to the Tom Lantos Human Rights Commission hearing on Defending Prisoners of Conscience. And I join him in welcoming our panel of witnesses, each of whom represents a Commission partner in the Defending Freedoms Project. Your work is crucial for the DFP and so much else, and we deeply appreciate it.

I want to take this opportunity to announce a new partner in the Defending Freedoms Project, Scholars At Risk.

Scholars At Risk is a U.S.-based international network of more than 500 institutions of higher education -- including 16 in my home state of Massachusetts -- whose mission is to protect scholars and promote academic freedom.

The network assists more than 300 threatened scholars worldwide every year, investigates and speaks out against attacks on higher education communities, and empowers scholars and students to expand the space for free expression and inquiry.

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I think many of us have probably had the experience of waking up in the morning, reading or listening to the news, and being overwhelmed by how bad it is. The unending capacity of our fellow human beings to inflict harm on one another, and the sheer scale of the resulting misery, can seem overwhelming.

That is why advocating on behalf of prisoners of conscience is so important to me, and so gratifying.

Human rights work is a long game in which a step forward is often followed by two or three back.

But helping an individual who has been unjustly imprisoned, made to live in miserable conditions, perhaps tortured or deprived of food and medical care – a man or woman purposefully degraded and humiliated by some government – giving a person in those conditions hope, maybe improving their conditions, maybe even getting them out – that is a great and sustaining thing to do.

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Gedhun Choekyi Nyima was a 6-year-old boy when he was chosen on May 15, 1995 by the Dalai Lama, to be the 11th Panchen Lama. Two days later he and his family were detained by Chinese authorities and no one has heard from him since. Now he is one of the world's longest-held prisoners of conscience.

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Nabeel's family has asked me to say today that *"[k]nowing that international voices are speaking up for [Nabeel] gives us great encouragement, and means an enormous amount for Nabeel during the tough days in prison. That Members of Congress are interested and keeping his case and those of other political prisoners on the agenda in Washington helps sustain us through the difficult times …"*

The third prisoner I advocate for is Raif Badawi, the Saudi Arabian founder and editor of a blog to religious and political debate. He has been in prison since 2012.

I would like to share a letter from his wife:

"My name is Ensaf Haidar. I am the wife of imprisoned blogger and activist Raif Badawi, the creator of the website Free Saudi Liberals. I grew up in Saudi Arabia, but I now live in Canada, where my children and I fled for refuge after the imprisonment of my husband in 2012. I am addressing this Commission as a woman, a wife, and a mother of three children who believes in her husband's innocence and desperately longs for his release to safety.

"My husband Raif has been in prison in the city of Jeddah in Saudi Arabia for more than five years. Raif's alleged crime was the creation of this liberal website, and his freely expressed criticism of the power of the religious establishment in the country. This website encouraged an online debate on basic issues related to freedom of speech and freedom of belief, as well as women's rights.

"Raif was quickly arrested and charged with "insulting Islam through electronic channels." He was sentenced on June 17th, 2012 to ten years in prison and up to 1,000 lashes, 50 of which have already been carried out publicly. A committee of physicians determined that his injuries were too serious to carry out the other 950 lashes at that time. Words cannot describe the horror I felt as I watched my husband whipped over and over again through videos posted online. Every second I spend away from him I fear for his life.

"Raif still has almost five more years of his sentence to serve in prison, and 950 more lashes on his back to bear. He was sentenced to an additional ten-year travel ban after completing his prison term, meaning that he will not be able to see our children, who live with me in Canada, until the year 2032. The next time Raif will see our eldest daughter, she will be 28 years old. The last time she saw him she was only eight.

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"Today, I am incredibly thankful that Congressman McGovern has adopted Raif as part of the Defending Freedoms Project. The Congressman's public-facing advocacy on behalf of Raif, and his repeated letters with officials in Saudi Arabia urging the government to release him has helped keep repeated pressure and public attention on Raif's case. The Defending Freedoms Project has inspired a new hope in me that Raif will soon be released from his unjust imprisonment into the welcoming arms of his family, who have waited many years to embrace him.

"Thank you Congressman McGovern, Congressman Hultgren, and the other Members of Congress who form the Tom Lantos Human Rights Commission for taking up Raif's cause.

"My husband is not a criminal. He is a writer, an independent thinker, a visionary, and an activist. He deserves freedom, and our children deserve to grow up with a father.

"With hope,

"Ensaf Haidar"

Let me just say in closing that what we do as Members of Congress to protect and defend human rights matters for our country and for people all over the world. The work we do through the Defending Freedoms Project matters for individuals who are thrown into prison for no reason other than the malfeasance of their "governments."

I thank all my colleagues who are currently advocating for a prisoner of conscience through the Defending Freedoms Project – and I encourage all other Members to take on this important work.

Thank you and I yield back.

Mr. HULTGREN: Thank you so much.

We are grateful for the terrific panel today. We appreciate the work that you all do and we are grateful that you're willing to come share with us and talk a little bit about your work but also hopefully challenge us of what we can be doing. I am going to introduce the panel and then we will just go through and have you present your testimony and then we will have time for questions.

First, Andrew Fandino is Amnesty International's senior program officer with the Individuals at Risk program.

Next, Kristina Arriaga is the vice chairwoman of the United States Commission on International Religious Freedom.

Melina Milazzo is Freedom Now's Washington, D.C. director where she is responsible for developing and executing advocacy strategies aimed at freeing individual prisoners of conscience and addressing arbitrary detention.

Margaux Ewen is the North American director of Reporters Without Borders where she runs the U.S. activities for the organization and advocates for journalists, bloggers, and media rights worldwide.

And Annie Boyajian is the advocacy manager at Freedom House and leads Freedom House's advocacy to the U.S. Congress and collaboration with American human rights groups.

Thank you all so much for being here. With that, I'll recognize Mr. Fandino. If you could start us out.

STATEMENTS OF ANDREW FANDINO, SENIOR PROGRAM OFFICER, AMNESTY INTERNATIONAL; KRISTINA ARRIAGA, VICE CHAIR, U.S. COMMISSION ON INTERNATIONAL RELIGIOUS FREEDOM; MELINA MILAZZO, D.C. DIRECTOR, FREEDOM NOW; MARGAUX EWEN, NORTH AMERICAN DIRECTOR, REPORTERS WITHOUT BORDERS; ANNIE BOYAJIAN, ADVOCACY MANAGER, FREEDOM HOUSE

STATEMENT OF ANDREW FANDINO, SENIOR PROGRAM OFFICER, AMNESTY INTERNATIONAL

Mr. FANDINO: Great. Good afternoon, and thank you to the Tom Lantos Commission for holding this important hearing on defending the prisoners of conscience. I also want to thank the co-chairs for their leadership on this issue that has been very critical for our work. Your work has changed the lives of countless people.

Since the Defending Freedoms Project was founded in 2012, dozens of prisoners of conscience have been released and their conditions improved.

That has been due in part due to your pressure and commitment to these cases and people. These prisoners are now free to go back to their homes, to their families, and to try to rebuild their lives again, and I know that they thank you and Amnesty International thanks you as well.

Amnesty International's work on behalf of prisoners of conscience dates back to our founding in 1961 when a British lawyer, Peter Benenson, published an article in The Observer entitled "Forgotten Prisoner." Peter was appalled by the fact that two Portuguese students had been jailed simply for raising their glasses in a toast to freedom. His article in The Observer urged readers to write letters on behalf of people around the world who were imprisoned solely because of their -- they were exercising the right to basic human rights.

The response to Peter's article was enormous and the letter was reprinted throughout the world. This led to thousands of people writing their own letters to their own government officials.

These groups of letter writers in different countries would form the backbone of what Amnesty International is today. Since then, thousands of prisoners have been released thanks in part to those letters and actions of our members but also thanks to the letters and actions of members of Congress like you.

Amnesty International's work on prisoners of conscience is supported by over 7 million members, supporters, and activities worldwide.

Their actions range from writing letters to heads of state to making calls to foreign embassies in the U.S., and to visiting the members of Congress requesting additional assistance on cases.

Together, these actions sent a very clear message to governments across the globe -- that the world is watching. Countless messages have reached presidents, ministers, governors, and in many cases, down to the warden where a prisoner where a prisoner of conscience is being held.

These concerted actions have led to prisoners being released, their conditions improved, and in some cases investigations in accountability for their treatment.

Another critical role that these messages play that I cannot emphasize enough is that it brings much needed hope to these prisoners of conscience. Many prisoners of conscience spend extended periods of time unjustly imprisoned, sometimes for years, in horrendous and cruel conditions.

This is especially true for those that are in solitary confinement. For them, knowing that they are not alone, that someone in the outside world is fighting for them every day to get them released from prison is all that keeps them going sometimes.

Amnesty International has a specific program that focuses on getting prisoners of conscience released and that is the Individuals at Risk program.

The Individuals at Risk program works to end human rights abuses by getting ordinary individual people to take actions on cases of prisoners of conscience, human rights defenders, and individuals in communities at risk of imprisonment, torture, or even death.

The program does this by three key initiatives -- the Urgent Action Network, the Case Commitment Initiative, and the Write for Rights Campaign.

Urgent Action Network responds to human rights emergencies as they arise when a prisoner is at risk of arrest, when they have been detained, or their health conditions become critical. Our network of activists spring into action and take action.

When long-term cases and campaigning is needed, our student and local groups make commitments to a case and make sure that it is revolved through our Case Commitment Initiative and for the past 15 years Amnesty International has had an annual campaign known as Write for Rights.

Every year, Amnesty chooses between 10 and 12 cases from around the world for a mass global writing campaign. This year alone almost 2 million people have taken up their call to action.

But despite these actions, prisoners of conscience continue to remain in prison. When we finally see some progress on some cases, we are sadly reminded just how tenuous the status of prisoners of conscience is.

We only have to look back these past two weeks to see that with the arrest of Amnesty International Turkey's chair, Taner Kilic, also the conditions surrounding the release of Ethiopian journalist Eskinder Nega whose conditions were just recently dropped just yesterday to see that this is all too real.

So we need to fight for the immediate and unconditional release of all prisoners of conscience and that is more important than ever. Freedom of expression, association, assembly, and freedom of conscience is under attack around the world.

These rights are critical to achieving a world that is more free, just, and secure. Work for individual prisoners of conscience is in fact a work for humanity.

This is why Amnesty International U.S.A. urges members of the House to co-sponsor and pass the House resolution expressing the support for Prisoners of Conscience Day, which will be introduced by Chairmans McGovern and Hultgren.

Amnesty also urges members of Congress to take on a case for the Defending Freedoms Project as well. On behalf of Amnesty International, I would like to thank the Tom Lantos Human Rights Commission again for their support in the hearing and further commitment to human rights worldwide.

I look forward to answering any questions that you might have and working together to release prisoners of conscience throughout the world.

Thank you.

[The prepared statement of Andrew Fandino follows]

PREPARED STATEMENT OF ANDREW FANDINO

Defending Prisoners of Conscience
Tom Lantos Human Rights Commission
February 15, 2018

Written Testimony of Andrew Fandino,
Senior Program Officer, Individuals At Risk Program
Amnesty International USA.

Good afternoon. I would like to start off by thanking the Tom Lantos Human Rights Commission for holding this important hearing on the importance of freeing prisoners of conscience. In particular, I would like to thank Co-Chairs Hultgren and McGovern for their continued leadership on this issue, and Representatives Sheila Jackson Lee and Representative Lowenthal for their work on behalf of prisoners of conscience in Vietnam.

Your actions have helped change lives. Since the Defending Freedoms Project was founded in 2012, dozens of prisoners of conscience have been released, and that has been due in part to your continued pressure and commitment to these cases and people. These prisoners are now free to go back to their homes and families and to try to rebuild their lives again. I know they thank you and Amnesty International thanks you as well.

Amnesty International's work on behalf of prisoners of conscience dates back to our founding in 1961, when British lawyer Peter Benenson published an article in the *Observer* newspaper titled "The Forgotten Prisoners." Peter had been appalled by the fact that two Portuguese students were jailed solely for raising their glasses in a toast to freedom. His article in the *Observer* urged its readers to write letters on behalf of people around the world that were imprisoned solely because they exercised their basic human rights.

The response to Peter Benenson's article was enormous, and the letter was re-printed all over the world. That lead to thousands of people writing their own letters to government officials. These groups of letter writers in different countries would form the backbone of the organization that became Amnesty International. Since then, thousands of prisoners have been released thanks in part to the letters and actions of our members, and thanks to the letters and actions taken by Member of Congress like you.

Amnesty International defines a prisoner of conscience as someone who has not used violence or advocated violence or hatred and is imprisoned or placed under other physical restriction (for example, house arrest) solely because of their political, religious or other conscientiously held beliefs, ethnic origin, sex, color, language, national or social origin, economic status, birth, sexual orientation or other aspect of her or his identity. Amnesty International calls for the immediate and unconditional release of prisoners of conscience.

Amnesty International's work on prisoners of conscience is supported by our over seven million members, supporters and activists worldwide. Their actions range from writing letters to heads of State to making calls to foreign embassies in the US, to visiting their members of Congress requesting support on a case.

Together these actions have sent a very clear message to governments across the globe. The world is watching. Countless messages have reached Presidents, Ministers, Governors, and in many cases, down to the warden of a prison where a prisoner of conscience is being held. These concerted actions have led to prisoners being released, their conditions improved, and in some cases, investigations and accountability for their treatment.

Another critical role that these messages play, that cannot be emphasized enough, is that they bring much needed hope to prisoners of conscience. Many prisoners of conscience spend extended periods of time unjustly imprisoned, sometimes even for years in horrendous and cruel conditions. This is especially true for those in solitary confinement. For them, knowing that they are not alone, that someone in the outside world is fighting for them every day to get them released from prison, is all that keeps them going sometimes.

Amnesty International USA has a specific program that focuses on getting prisoners of conscience released, and that is the Individuals At Risk Program. The Individuals At Risk Program works to end human rights abuses by mobilizing ordinary people to take action on cases of prisoners of conscience, human rights defenders, and other individuals and communities that are at imminent risk of imprisonment, torture, or even death. The Program does this by three key initiatives:

1) The Urgent Action Network
2) Case Commitment Initiative
3) Write for Rights

The Urgent Action Network responds to human rights emergencies as they arise. When a person is at risk of arrest, has just been detained, or their health conditions become critical—our network of activists around the world springs into action. When long-term campaigning on a case is needed, our student and local groups make a commitment on the case and see it through to resolution through our Case Commitment Initiative. And for the past 15 years, Amnesty International has run an annual global campaign known as "Write for Rights." Every year Amnesty choses between 10-12 cases from

around the world to highlight for mass, global letter-writing. This past year alone almost two million people worldwide have respond to our call for action.

But despite all these actions, prisoners of conscience are still behind bars around the world. Even when we finally see some progress in cases, we are sadly reminded on just how tenuous the status of prisoners of conscience is. We only have to look back these past two weeks, with the re-arrest of Amnesty International Turkey's Chair, Taner Kilic; and the conditional release of Ethiopian journalist Eskinder Nega – only if he signs a false confession, which he refused – to see this all too well.

So the need to fight for the immediate and unconditional release of all prisoners of conscience is more important than ever. Freedom of expression, association, assembly and freedom of conscience are under attack around the world. These rights are critical to achieving a world that is free, just, and secure. Work for individual prisoners of conscience is in fact work for humanity.

This is why Amnesty International USA urges members of the House to co-sponsor and pass the House Resolution Expressing Support for Prisoner of Conscience Day, which will be introduced by Chairmen Hultgren and McGovern, and advocate for a Defending Freedoms case.

On behalf of Amnesty International, I would like to thank the Tom Lantos Human Rights Commission again for holding this important hearing, and for its commitment to the promotion and protection of human rights around the world. I look forward to any questions you might have and to working together to release all prisoners of conscience around the world.

Mr. HULTGREN: Next, Vice Chair Arriaga. Thank you.

If you can pull that close and make sure it's turned on. Thank you.

STATEMENT OF KRISTINA ARRIAGA, VICE CHAIR, U.S. COMMISSION ON INTERNATIONAL RELIGIOUS FREEDOM

Ms. ARRIAGA: Thank you.

Thank you to the Commission's co-chairs, Representative Hultgren and McGovern, for holding today's hearing and to all other members of Congress who will be coming here later for their advocacy.

My name is Kristina Arriaga. I serve as the vice chairwoman for the United States Commission on International Religious Freedom. We are an independent bipartisan federal government commission created by the 1998 International Religious Freedom Act to monitor the universal right to freedom of religion or believe abroad, and to make recommendations to Congress, the Department of State, and the White House. I would like to request my written testimony be submitted for the record.

Mr. HULTGREN: Without objection. Thank you.

Ms. ARRIAGA: Thank you.

Advocating on behalf of prisoners of conscience has been a lifelong passion for me and a high priority for USCIRF since our inception.

We were proud to help launch the Defending Freedoms Project with the Tom Lantos Human Rights Commission in 2012 and we recognize the tireless hours of work of our NGO partners, many of whom are also testifying today.

In 2017, USCIRF also launched the Religious Prisoners of Conscience Project. Our aim is to draw attention to prisoners of conscience and to the laws and policies that led to their imprisonment.

Each of the commissioners including myself have chosen to advocate for specific individuals. These men and women come from different faiths or no faith at all, from very political perspectives and parts of the world where they have all been unjustly imprisoned for exercising one of the most fundamental of human rights.

Since the launch of USCIRF's Religious Prisoners of Conscience, we have seen a little bit of progress. In July of last year, Pastor Chinh, a Christian leader in Vietnam, was released almost six years early from an 11-year prison sentence.

Congressman Lowenthal, Commissioner Jackie Wolcott, and an array of human rights organizations, and the State Department all repeatedly raised his case, forcefully condemning his imprisonment and calling for his release.

Regrettably, Buddhist leaders and dissident, Thich Quang Do, remains under house arrest in Vietnam with the Vietnamese government refusing to release him.

In Iran, we also saw the release of two Bahai women whom I had adopted -- Fariba Kamalabadi and poet Mahvash Sabet, members of the Bahai Seven.

Still, unfortunately, five of the Bahai Seven remain in prison. I have, along with my fellow vice chairwoman, Sandra Jolley, been advocating for Pastor Andrew Brunson, an American citizen. Pastor Brunson was arrested in Izmir, Turkey in October of 2016 and accused of trying to overthrow the Turkish government.

Vice Chairwoman Jolley and I were granted permission to visit Pastor Brunson in prison last October. It was a surreal experience to spend an hour with an innocent man. He doesn't look like this anymore.

He's lost over 50 pounds since his arrest and is held in almost complete isolation. He's the only English speaker in his prison. He is the only Christian in his prison. He is never allowed to leave his cell for any reason except when his wife or the consular officer comes to visit him.

There is no cafeteria. There is no exercise area. He is condemned to live in this cell. We called for Pastor Brunson to be released immediately.

Finally, let me just quickly highlight a region where I believe too many prisoners of conscience have been forgotten or overlooked -- Central Asia.

We regularly receive reports and have reported on examples of Muslims, Christians, Jehovah's Witnesses, and others who have been rounded up and imprisoned without due process by governments in this region.

In Uzbekistan, the estimated number of prisoners of conscience ranges as high as 10,000. Their names and identities are mostly unknown.

In Turkmenistan, prisoners of conscience simply disappear, never to be heard or seen again. In nearby Russia, prisoners do not fare any better. The Jehovah's Witnesses are suffering greatly and recently Scientologists such as Iwa Matsitsky have been rounded up and unjustly imprisoned.

Oscar Biscet, the Afro-Cuban medical doctor who has been tortured, beaten, and imprisoned said last year during a short visit to the United States while he was seeking

medical treatment before returning to Cuba, he said, "I have a moral obligation to return to Cuba and to help my people gain their freedom."

Just last week, I met with a young Catholic priest, born in the revolution, converted in the revolution, ordained while the revolution. His name is Father Castor Jose Alvarez Devesa. He is calling for reform in Cuba so the Cubans can experience the religious freedom they deserve.

He looked at me in the eye and he said he was willing to die, to be tortured, to be imprisoned for freedom. He shed tears because he didn't want to leave his mother behind. He's an only son.

But he said he had decided to take that step if necessary. Just last week, he returned to Cuba to advocate for religious freedom. Those of us who have the privilege of living in freedom must stand with those who fight for freedom of religion and belief. We have a moral obligation to speak up. After all, silence is the enabler of the oppressor. Thank you.

[The prepared statement of Kristina Arriaga follows:]

PREPARED STATEMENT OF KRISTINA ARRIAGA

TESTIMONY OF

Kristina Arriaga de Bucholz

Vice Chairwoman

U.S. COMMISSION ON INTERNATIONAL RELIGIOUS FREEDOM

BEFORE THE

Tom Lantos Human Rights Commission

ON

DEFENDING PRISONERS OF CONSCIENCE

FEBRUARY 15, 2018

Thank you to the Commission's Co-Chairs, Representatives Hultgren and McGovern, for holding today's hearing, and to Congressman Lowenthal and Congresswoman Sheila Jackson Lee for your remarks and advocacy. I am Kristina Arriaga and I serve as Vice Chairwoman for the U.S. Commission on International Religious Freedom (or USCIRF). We are an independent, bipartisan federal government commission created by the 1998 International Religious Freedom Act to monitor the universal right to freedom of religion or belief abroad.

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 169 countries including the United States 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 Vice Chairwoman 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.

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 79% 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.

Advocating on behalf of prisoners of conscience has been a lifelong passion for me, and a high priority for USCIRF since our inception. We were proud to help launch the Defending Freedoms

Project with the Tom Lantos Human Rights Commission in 2012, and we recognize the tireless work of our NGO partners, including those represented on the panel today.

In 2017, USCIRF also launched the Religious Prisoners of Conscience Project (RPOC). Our aim is to draw attention to prisoners of conscience and to the flawed laws and policies that led to their imprisonment. Each of the Commissioners, myself included, have chosen to advocate for one or two specific individuals imprisoned for exercising their right to freedom of religion or belief. These men and women come from different faiths, political perspectives, and parts of the world, but they all have been unjustly imprisoned for exercising one of the most fundamental of human rights.

I'm happy to report that since the launch of USCIRF's RPOC Project, we've seen some progress. In July of last year, Pastor Chinh, a Christian leader in Vietnam, was released almost six years early from an eleven-year prison sentence. Pastor Chinh, who was unjustly imprisoned in part for ignoring the Vietnamese government's ban on preaching in the Central Highlands, is a textbook example of the power of advocacy. Congressman Lowenthal, Commissioner Wolcott with USCIRF, an array of human rights organizations and the U.S State Department all repeatedly raised his case, forcefully condemning his imprisonment and calling for his release.

Sadly, for every story of a release there are hundreds more of imprisonment and abuse. I have, along with my fellow Vice Chairwoman Sandra Jolley, been advocating for Pastor Andrew Brunson. An American citizen, Pastor Brunson was arrested in Izmir, Turkey in October of 2016 and accused of trying to overthrow the Turkish government. Vice Chairwoman Jolley and I were granted permission to visit Pastor Brunson in prison last October. It was a surreal experience to spend an hour with an innocent man who has lost fifty pounds since his arrest and is held in almost complete isolation from friends, family, and his religious community.

A court document released at a December 9, 2016 hearing indicated that Pastor Brunson had been charged with "membership in an armed terrorist organization." The judge reportedly mentioned allegations that Pastor Brunson is linked to the Gülen movement, which the Turkish government accuses of planning the failed July 2016 coup.

Pastor Brunson initially was held in a cell with 21 other inmates that was built to hold only eight prisoners. He was transferred in August 2017 to Kiriklar Prison where he was in a cell with two other men who have been accused of being members of the Gülen movement. He spends 24 hours a day in his cell, leaving for one hour weekly for visits. Sometimes he is allowed family visits and the U.S. Embassy sees him regularly.

Anadolu, a state-run news agency, reported on August 24, 2017 that the prosecutor submitted new evidence supposedly proving that Brunson had obtained confidential political and military information with the aim of overthrowing the Turkish government. Authorities have not produced any evidence publicly against Brunson. If convicted, Pastor Brunson could be sentenced to life in prison.

The case against Pastor Brunson seems to be based on secret evidence and a secret witness. He has been incarcerated since October 2016 without due process.

Let me reiterate again now our call for Pastor Brunson to be released immediately and unconditionally and to be allowed to return home to his family.

Other current prisoners of conscience highlighted by the RPOC project include:

- **Patriarch Abune Antonios:** Patriarch Antonios was ordained as Patriarch of the Eritrean Orthodox Church on April 23, 2004. On May 27, 2007, the Eritrean government replaced Patriarch Antonios with Bishop Dioscoros of Mendefera, forcefully removed the Patriarch from his home, and placed him under house arrest at an undisclosed location. Patriarch Antonios, who is 89 years old, continues to be held incommunicado and reportedly is being denied medical care despite suffering from severe diabetes.

- **Raif Badawi**: Raif Badawi is a blogger, activist, and the creator of the website Free Saudi Liberals, which encourages debate on religious and political matters in Saudi Arabia. He was arrested on June 17, 2012, on a charge of insulting Islam through electronic channels and brought to court on several charges including apostasy, a conviction which carries an automatic death sentence. Mr. Badawi appeared before a district court in Jeddah on December 17, 2012, charged with "setting up a website that undermines general security," "ridiculing Islamic religious figures," and "going beyond the realm of obedience." On July 30, 2013, the Jeddah Criminal Court sentenced Mr. Badawi to seven years in prison and 600 lashes for founding an Internet forum that "violates Islamic values and propagates liberal thought." On May 7, 2014, an appeals court increased the punishment to 1,000 lashes and 10 years in prison. He also received a fine of 1 million riyals (equal to about $266,000) and is banned from any media work or foreign travel for 10 years after his release from prison.

  On January 9, 2015, Mr. Badawi was flogged 50 times before hundreds of spectators in front of a Jeddah mosque. He has not received additional floggings, due partly to international reaction and partly to a medical doctor's finding that he could not physically endure more lashings. On June 7, 2015, Saudi Arabia's Supreme Court denied another appeal from Badawi and upheld the sentence of 1,000 lashes.

- **Gedhun Choekyi Nyima – The Panchen Lama:** After the death of the 10th Panchen Lama, His Holiness the Dalai Lama chose Gedhun on May 15, 1995, to be the 11th Panchen Lama, which is the second highest position in Tibetan Buddhism. Three days after his selection as Panchen Lama, Chinese government authorities kidnapped then six-year-old Gedhun Choekyi Nyima and his family. On November 29, 1995, Chinese authorities announced their own pick to serve as the Panchen Lama: Gyancain Norbu. Most Tibetan Buddhists have rejected him.

  In the more than 20 years since Gedhun's abduction, Chinese authorities have provided little information about his whereabouts, alleging that they need to protect him from being "kidnapped by separatists." In May 2007, Asma Jahangir, then-United Nations Special Rapporteur on freedom of religion or belief, suggested that the Chinese government allow an independent expert to visit and confirm Gedhun's well-being. On July 17, 2007, the Chinese authorities said that he is a "perfectly ordinary Tibetan boy" attending school and

leading a normal life, and that he "does not wish to be disturbed." Authorities say that the state employs both of his parents and that his brothers and sisters are either working or at university.

- **Gulmira Imin**: Gulmira Imin is a Uighur Muslim and former web administrator for the Uighur-language website Salkin. Ms. Imin was also a government employee in Urumqi, the capital of the Xinjiang Uighur Autonomous Region in northwest China. Xinjiang is home to the majority of the country's Uighur Muslim population. In spring 2009, Ms. Imin became the moderator of Salkin, a Uighur-language culture and news website to which she had previously contributed poetry and short stories. Many of her online writings criticized government policies.

  On July 5, 2009, Ms. Imin participated in a major demonstration protesting the deaths of Uighur migrant workers in Guangdong Province. Initially peaceful, the protests turned violent, with about 200 people, including ethnic Han Chinese, killed during the riots and confrontations with police. On July 14, 2009, Ms. Imin was arrested in Aksu after authorities alleged she had organized the protests, posted an announcement for them on Salkin, and leaked state secrets by phone to her husband in Norway. Her family was not notified of the arrest, and was unaware of her location until the October 2009 airing of a China Central Television documentary that depicted Imin in prison garb.

  On April 1, 2010, the Urumqi Intermediate People's Court sentenced Ms. Imin to life in prison under Articles 103, 111, and 296 of China's Criminal Law on charges of "splittism, leaking state secrets, and organizing an illegal demonstration." She alleges she was tortured and forced to sign documents while in detention. She reportedly was not allowed to meet with her lawyer until the trial. Her appeal subsequently was rejected. Ms. Imin is currently detained in the Xinjiang Women's Prison (Xinjiang No. 2 Prison) located in Urumqi, where she is allowed one family visit every three months.

- **Abdul Shakoor:** Abdul Shakoor was born February 2, 1937 in Qadian, India. He is married and the father of five daughters and two sons.

  Before his arrest, Mr. Shakoor was the manager of an optician's store and bookshop in the main bazaar of Rabwah (also known as Chenab Nagar), Punjab province, Pakistan. The population of the Ahmadiyya community in Rabwah is about 70,000 about 95 percent of the city's total population. Many view the city as the de facto headquarters of Pakistan's Ahmadiyya community.

  On December 2, 2015, officials from the Counter Terrorism Department of the Punjab Police and Pakistan's Elite Force raided the bookshop Mr. Shakoor managed. He was arrested along with the shop's assistant, Mazhar Abbas – a Shia Muslim – and accused of selling an Ahmadiyya commentary on the Qur'an, among other publications. The officials confiscated Ahmadiyya publications during that raid and a later raid that took place on December 9. After their arrest, the two men were held in unknown locations and were not permitted to contact their families.

Mr. Shakoor's trial was held in the Anti-Terrorism Court in Faisalabad, Punjab province, with the officers who raided the bookstore as the only witnesses. The prosecution entered into evidence a letter that was ostensibly recovered during the December 9 raid from the Ahmadiyya Director of Public Affairs to Mr. Shakoor notifying him that the Punjab province government had banned some Ahmadiyya literature and that he should neither display nor sell the banned literature. Ahmadiyya leaders assert that the prosecution fabricated the letter to support their story, noting that none of the literature cited in the letter was banned until January 20, 2016, after the trial's conclusion. Mr. Shakoor contended during the trial and maintains the position that he did not distribute any of the literature listed, although he admits to being in possession of some of them. However, possession of Ahmadiyya literature is not a crime in Pakistan.

On January 2, 2016, Mr. Shakoor was given a five-year prison sentence for violating article 11-W of the 1997 Anti-Terrorism Act (ATA) which involves "printing, publishing, or disseminating any material to incite hatred." He also was given a three-year sentence for violating article 298-C of the Pakistani Penal Code, for a total of eight years. (Section 298 of Pakistan's Penal Code criminalizes acts and speech that insult a religion or religious beliefs or defile the Qur'an, the Prophet Muhammad, a place of worship, or religious symbols.) Mazhar Abbas, was sentenced to five years' imprisonment for violating article 11-W of the ATA. Mr. Shakoor filed a writ petition for bail and appeal against the verdict with the Lahore High Court. On multiple occasions, the Lahore High Court listed Mr. Shakoor's appeal on the daily docket, but each time the case was postponed. The last postponed hearing date was believed to be June 22, 2017.

Mr. Shakoor remains in prison and is suffering from a hernia and back pain.

Finally, let me just quickly highlight a region where I believe too many prisoners of conscience have been forgotten or overlooked: Central Asia. We regularly receive reports, and have reported on, examples of Muslims, Christians, Jehovah's Witnesses, and others who have been rounded up and imprisoned without due process by governments in this region. In Uzbekistan, the estimated number of prisoners of conscience ranges as high as 10,000. Their names or identities are mostly unknown, and much more work needs to be done to identify them and bring their cases to the world's attention. In Turkmenistan, prisoners of conscience are often simply "disappeared", never to be heard from or seen again.

The bottom line is, we have our work cut out for us. We have to be unceasing in our support for prisoners of conscience. Silence isn't golden when it comes to prisoners. Silence is the enabler of oppressive regimes. I very much look forward to continuing this deeply important work with the Lantos Commission and with all of you here.

Recommendations

Congress should:

- Organize sign-on letters to the U.S. State Department and foreign government officials in countries that have imprisoned prisoners of conscience. These letters should be carefully coordinated and bipartisan, and should call for the immediate release of the prisoner of conscience and guarantees of safety for the individual, his or her family, legal counsel, and any other groups or individuals that could be threatened in connection with the case of that prisoner of conscience

- Work with relevant members of the International Panel of Parliamentarians for Freedom of Religion or Belief whose countries have good relationships with governments imprisoning prisoners of conscience to issue statements and/or write letters urging those governments to release those prisoners.

- Members of Congress who have working relationships with foreign embassies and officials of countries that imprison prisoners of conscience should utilize those relationships to press officials on the status of these prisoners and to urge for their release.

- Organize Congressional delegations to visit countries with prisoners of conscience and engage foreign officials directly on their cases. Delegations could also request to visit with these prisoners and/or, if conditions allow, with their families and/or legal counsel

- Members of Congress, in conjunction with the Tom Lantos Human Rights Commission, USCIRF, and others should write press releases and op-eds, and hold regular interviews and/or press conferences highlighting prisoners of conscience

Mr. HULTGREN: Thank you.

Next, Ms. Milazzo, if you could share with us.

STATEMENT OF MELINA MILAZZO, D.C. DIRECTOR, FREEDOM NOW

Ms. MILAZZO: Thank you.

Thank you, Chairman Hultgren, Ranking Member McGovern, and all members of the Commission for convening this hearing today.

We appreciate your efforts to bring greater exposure to this important initiative and for leadership on defending prisoners of conscience.

My name is Melina Milazzo. I am the Washington director of Freedom Now, a legal advocacy organization that works to promote respect for human rights and the rule of law worldwide by helping to free prisoners of conscience and address arbitrary detention.

We work to achieve this objective by a strategic blend of international, legal, political, and public relations advocacy efforts. This includes pro bono international legal representation of prisoners of conscience on an individual basis and international advocacy initiatives tackling repressive laws, fair trial rights, and associated violations of human rights such as torture.

Prisoners of conscience are individuals who have been imprisoned as punishment for their nonviolent exercise of a fundamental right such as expression or belief, political association or participation in a public demonstration.

These courageous individuals dare to speak their minds, engage in independent journalism organize against corrupt government practices and seek to practice their religious beliefs independent from government control.

In turn, authoritarian governments retaliate, subjecting them to politically-motivate trials where the rule of law is ignored and the outcome is predetermined. The legal assistance we provide before international bodies is often a prisoner of conscience's only chance to hold their government accountable.

Once these individuals are freed, they can return to their communities and continue their work to protect human rights and root out corruption.

Some of our clients have been part of the Defending Freedoms Project including Vietnamese democracy activist Father Nguyen Van Ly and Mauritanian anti-slavery activities Biram Dah Abeid, who was awarded the U.S. State Department's Trafficking in Persons Report Heroes Award in 2016.

There is no doubt that the Defending Freedoms Project has had a noticeable impact on a number of prisoner of conscience cases around the world.

But there are some countries that need more attention. One such country is Azerbaijan. Since 2014, the government of Azerbaijan has overseen a large-scale crackdown on civil society in the country, imprisoning at last count 160 individuals.

Some of these individuals include prisoners who have been detained for several years such as political opposition leader Ilgar Mammadov, youth activist Ilkin Rustamzadeh, and journalist Seymur Hezi.

Others have been arrested more recently, such as you activist Bayram Mammadov and Giyas Ibrahimov or journalist Afgan Mukhtarli.

We have seen the Azerbaijani government respond to pressure from the U.S. Congress before such as when it released journalist Mehman Aliyev in November 2017 after Senator Durbin introduced an amendment withholding U.S. State Department funding from Azerbaijan as long as Mehman remained in prison.

However, we need more congressional voices to speak for the many individuals Azerbaijan has silenced. We hope you will consider adopting a prisoner from this country and be their voice.

Thank you.

[The prepared statement of Melina Milazzo follows]

PREPARED STATEMENT OF MELINA MILAZZO

Tom Lantos Human Rights Commission Hearing on
Defending Prisoners of Conscience

February 15, 2018

Testimony of Melina Milazzo, Washington Director, Freedom Now

Thank you Chairman Hultgren, Ranking Member McGovern, and all members of the Commission for convening this hearing today. We appreciate your efforts to bring greater exposure to this important initiative.

My name is Melina Milazzo and I am the Washington Director for Freedom Now, a legal advocacy organization that works to promote respect for human rights and the rule of law worldwide by helping to free prisoners of conscience and address arbitrary detention.

We work to achieve this objective by a strategic blend of international legal, political and public relations advocacy efforts. This includes *pro bono* international legal representation of prisoners of conscience on an individual basis and international advocacy initiatives tackling repressive laws, fair trial rights, and associated violations of human rights.

Prisoners of conscience are individuals who have been imprisoned as punishment for their nonviolent exercise of a fundamental right, such as expression or belief, political association or participation in a public demonstration. These courageous individuals dare to speak their minds, engage in independent journalism, organize against corrupt government practices, and seek to practice their religious beliefs independent from government control. In turn, authoritarian governments retaliate, subjecting them to politically motivated trials where the rule of law is ignored and the outcome is predetermined. The legal assistance we provide before international bodies is often a prisoner of conscience's only chance to hold their government accountable.

Once these individuals are freed they can return to their communities and continue their work to protect human rights and root out corruption. Some of our clients have been part of the Defending Freedoms Project, including Vietnamese democracy activist Father Nguyen Van Ly and Mauritanian anti-slavery activist Biram Dah Abeid, who was awarded the U.S. State Department's Trafficking in Persons Report Heroes Award in 2016.

There is no doubt that the Defending Freedoms Project has had a noticeable impact on a number of prisoner of conscience cases around the world, but there are some countries that need more attention. One such country is Azerbaijan. Since 2014, the government of Azerbaijan has overseen a large-scale crackdown on civil society in the country, imprisoning at last count 160 individuals. Some of these individuals include prisoners who have been detained for several years, such as political opposition leader Ilgar Mammadov, youth activist Ilkin Rustamzadeh, and journalist Seymur Hezi. Others have been arrested more recently, such as youth activists Bayram Mammadov and Giyas Ibrahimov or journalist Afgan Mukhtarli.

We have seen the Azerbaijani government respond to pressure from the U.S. Congress before, such as when it released journalist Mehman Aliyev in November 2017 after Senator Durbin introduced an amendment withholding U.S. State Department funding from Azerbaijan as long as Mehman remained in prison. However, we need more Congressional voices to speak for the many individuals Azerbaijan has silenced. We hope you will consider adopting a prisoner from this country and be their voice.

Thank you.

Mr. HULTGREN: Thank you so much. Thanks for your testimony and your work.

For the record, I will just say I am grateful for my co-chairman, Jim McGovern, and grateful -- again, there are so many places where it is partisan.

This is one of those that isn't and so grateful, again, that we are absolutely teammates and couldn't do this -- I couldn't do this without him. So thanks.

Thank you for your testimony and I will now -- I am honored to recognize Ms. Ewen for your testimony.

STATEMENT OF MARGAUX EWEN, NORTH AMERICAN DIRECTOR, REPORTERS WITHOUT BORDERS

Ms. EWEN: I would first like to thank Congressman McGovern and Hultgren and all the members of the Tom Lantos Human Rights Commission for their outstanding work on behalf of prisoners of conscience.

As you know, Reporters Without Borders, also known under its French name, Reporters Sans Frontieres, or RSF, is an international nonprofit organization defending freedom of information around the world since 1985.

Thanks to a local network of correspondents investigating in 130 countries, 12 offices around the world, and a consultative status at the United Nations and UNESCO, RSF is able to have global impact, gather on-the-ground information, conduct major advocacy campaigns, and assist and defend news providers all across the world.
As the great Burmese journalist and politician Win Tin told us after he was released from 19 years in prison for his views, press freedom is the freedom that allows us to verify the existence of all other freedoms.

At the time of this hearing, a total of 324 journalists, citizen journalists, and media assistants are currently behind bars, according to RSF's figures.

Around half of the total number of imprisoned journalists are being held in just five countries. China and Turkey are still the world's two biggest prisons for journalists, followed closely by Syria, Iran, and Vietnam.

The Commission's work through the Defending Freedoms Project shines a much-needed light on the imprisonment of news providers around the world.

It raises awareness on their case to not only the American people but to the people of other countries and their governments too in the hope that pressure from the United States government will ultimately facilitate their release.

As we saw this week, two journalists from Ethiopia have been released so we know that good news can happen. RSF must stress that in the current climate of declining press freedom not only in the world's worst authoritarian regimes but also in its democracies, the role of this Commission is more vital now than ever, especially given the current White House's anti-press rhetoric. The world needs to know that the U.S. government still believes in defending press freedom.

RSF has identified several repressive countries across the globe that are currently under represented in the project's list of prisoners of conscience.

In the former Soviet Union, we recommend that journalists from Azerbaijan, Kazakhstan, Turkmenistan, Russia, and Uzbekistan be added to the list.

In the Middle East and North Africa, we recommend adding prisoners from Iran, Egypt, and Morocco. In Africa, we recommend that Sudan be included. In Asia, we recommend adding journalists in Myanmar, Cambodia, and China, and in Latin America we recommend including Venezuela and Cuba.

Any countries I have not mentioned or currently prominently featured on the list, of course, those journalists should continue to have strong advocates, as many of them already do.

If time permits, I would like to just say the names of these journalists. I have submitted my remarks into the record for more information on each individual case.

Mr. HULTGREN: Great.

Ms. EWEN: In Azerbaijan, journalist Seymur Khazi and Afgan Mukhtarli, in Kazakhstan Yaroslav Golyshkin, in Turkmenistan Sapermamed Nepeskuliev, in Russia Igor Rudknikov, Aleksandr Sokolov, and Zhalaudi Geriyev, in Uzbekistan Yusuf Ruzimuradov, and Bobomurod Abdullaev, in Iran Narges Mohammad and Soheil Arabi, in Egypt Ismail Alexandrani and Shawkan, in Morocco Hamid El Mahdaoui, in Sudan Amal Habani, in Myanmar the two Reuters journalists, which you may already be familiar with, Wa Lone and Kyaw Soe Oo, in Cambodia, two former Radio Free Asia journalists, Uon Chhin and Yeang Sothearin, in China Huang Qi, in Venezuela Braulio Jatar, Antonio Medina, Alberto Cabrera, and in Cuba Yoeni de Jesus Guerra Garcia.

Thank you.

[The prepared statement of Margaux Ewen follows]

PREPARED STATEMENT OF MARGAUX EWEN

February 15, 2018
Washington, DC

Reporters Without Borders (RSF) Testimony before Tom Lantos Human Rights Commission Hearing: Defending Prisoners of Conscience

By Margaux Ewen, North America Director

I'd first like to thank Congressmen McGovern and Hultgren, and all the members of the Tom Lantos Human Rights Commission for their outstanding work on behalf of prisoners of conscience. As you know, Reporters Without Borders, also known under its French name Reporters Sans Frontières or RSF, is an international non-profit organization defending freedom of information around the world since 1985. Thanks to a local network of correspondents investigating in 130 countries, 12 offices (Paris, Vienna, Brussels, Helsinki, Berlin, Stockholm, Madrid, London, Rio de Janeiro, Taipei, DC) and a consultative status at the UN and UNESCO, RSF is able to have global impact, gather on-the-ground information, conduct major advocacy campaigns, and assist and defend news providers all across the world.

As the great Burmese journalist and politician Win Tin told us after he was released from 19 years in prison for his views, "press freedom is the freedom that allows us to verify the existence of all other freedoms."

At the time of this hearing, a total of 324 journalists, citizen journalists, and media assistants are currently behind bars, according to RSF's figures. Around half of the total number of imprisoned journalists are being held in just five countries. China and Turkey are still the world's two biggest prisons for journalists, followed closely by Syria, Iran, and Vietnam.

The Commission's work, through the Defending Freedoms Project, shines a much-needed light on the imprisonment of news providers around the world. It raises awareness on their case to not only the American people, but to the people of other countries and their governments too,

in the hope that pressure from the United States government will ultimately facilitate their release. RSF must stress that in the current climate of declining press freedom not only in the world's worst authoritarian regimes but also in its democracies, the role of this Commission is more vital now than ever, especially given the current White House's anti-press rhetoric. The world needs to know that the US government still believes in defending press freedom.

RSF has identified several repressive countries across the globe that are currently underrepresented in the project's list of prisoners of conscience.

In the former Soviet Union, we recommend that journalists from Azerbaijan, Kazakhstan, Turkmenistan, Russia, and Uzbekistan be added to the list; in the Middle East and North Africa we recommend adding prisoners from Iran, Egypt, and Morocco; in Africa we recommend that Sudan be included; in Asia we recommend adding journalists in Myanmar, Cambodia, and China; and in Latin America, we recommend including Venezuela and Cuba.

Below are some individual cases by country we recommend adding to the Project's list:

Azerbaijan

- RSF proposal: **Seymur Khazi** & **Afgan Mukhtarly**
    - Khazi, a reporter for the opposition daily *Azadlig* , was arrested on August 29, 2014 and sentenced to five years in prison for "aggravated hooliganism." He was a nominee for RSF's 2016 press freedom prize.
    - Mukhtarly, an investigative journalist and activist, was kidnapped in Georgia on May 29, 2017 where he was exiled and forcibly taken back to Azerbaijan where he was immediately imprisoned. He was accused of "smuggling", "illegal crossing of the border" and "refusal to obey the police". He is diabetic and suffering from hypertension.

Kazakhstan

- RSF proposal: journalist **Yaroslav Golyshkin**, has been in prison since May 14, 2015 because he was accused of "blackmail" and "extortion of funds" by the governor of the Pavlodar region, Kanat Bozoumbaev. He was investigating a rape perpetrated in the governor's residence. He decided not to publish his story pending further confirmation and in order to prevent harm to the victim, but this didn't keep him from getting arrested.

Turkmenistan

- RSF proposal: **Sapermamed Nepeskuliev**, a journalist for *Alternative Turkmenistan News, RFE / RL*, disappeared on July 7, 2015 and was found three weeks later in a detention center. He was sentenced to three years in prison in a case of drug possession. The trial was closed to the public and Nepeskuliev was denied a lawyer. He is currently the target of a slander campaign by state media, which is responsible for accrediting alleged charges of drug possession against him.

Russia

- RSF proposal: **Igor Rudnikov, Aleksandr Sokolov,** and **Zhalaudi Geriyev**
    - Rudnikov, editor of *Novye Kolesa*, was arrested on Nov. 1, 2017 and charged with "extortion". Despite a video showing agents of the FSB (Russian secret service) assure their superior that they had hit the reporter, no investigation was conducted on the violence suffered during his arrest. He has been behind bars for over 100 days.
    - Investigative reporter, Sokolov's conviction of three-and-a-half years in prison for "extremism" was upheld on appeal on December 21, 2017. Sokolov was arrested on July 27, 2015, guilty of "pursuing the activities of a banned extremist organization ".
    - Geriyev, a contributor for the independent news website *Kavkazsky Uzel*, was arrested on April 16, 2016 and was sentenced to three years in prison for "drug possession". The supreme court was given no evidence to support the charge aside from the "confession" that Geriyev made under duress at the time of his arrest and immediately retracted. Geriyev told the court that he was abducted by three men who took him to the woods where they beat him, tortured him and interrogated him. They then confiscated his backpack and took him to a cemetery in the village of Kurchaloi, where they finally extracted his "confession" and placed him under arrest. The attack was dismissed with no action.

Uzbekistan

- RSF proposal: **Yusuf Ruzimuradov** & **Bobomurod Abdullaev**
    - Ruzimuradov, a journalist for *Erk*, is now one of the longest held journalists in the world since he was arrested in 1999. He was jailed on anti-state charges and reportedly tortured before his trial.
    - Abdullaev, an independent journalist, disappeared on Sept. 27, 2017. Two days later he was found in a detention center, accused of wanting to "overthrow the constitutional order." He is facing up to 20 years in prison.

Iran

- RSF proposal: **Narges Mohammadi** + **Soheil Arabi**
    - **Mohammadi** has been in prison for over 1,000 days. She is a journalist and a spokeswoman for the Center for Human Rights Defenders in Iran. Imprisoned since May 5, 2015, Mohammadi has been sentenced to five years imprisonment for "meeting and conspiracy against the Islamic Republic", one year imprisonment for "propaganda against the regime" and ten years imprisonment for collaborating with the Legam association, which campaigns for the gradual abolition of the death penalty in Iran, a prohibited cause in the country. The journalist must therefore spend 10 years behind bars, despite her very poor state of health because of a lack of access to health care.
    - **Arabi**, an Iranian photographer and citizen-journalist who was awarded the RSF Press Freedom Prize in 2017, has been held for the past four years for his alleged role in creating a Facebook network that "blasphemed" Islam and criticized the

regime. After being sentenced to three years in prison and 30 lashes, he was retried a few months later and was sentenced to death. The death sentence was eventually overturned and in 2015 he was finally sentenced to seven and a half years in prison. What with being mistreated and recently taking a hunger strike for 52 days, he is now in very poor physical and psychological health.

Egypt

- RSF proposal: **Ismail Alexandrani** and **Shawkan**
    - Ismail Alexandrani is an independent investigative reporter and researcher who was arrested on Nov. 29, 2015. For two years, his detention has been systematically renewed every 45 days, reaching the limit set by Egyptian law; charges against him were not finalized during the beginning of his detention. He was accused of having published "false information" and belonging to the Muslim Brotherhood. He was nominated for RSF's 2016 Press Freedom Prize.
    - Mahmoud Abu Zeid, also known as Shawkan, a 30-year-old photojournalist, is facing the death penalty for covering the violent dispersal of pro-Morsi protesters on Rabaa al-Adawiya Square by Egyptian law enforcement on August 14, 2013. Shawkan has been in prison for four and a half years as his trial continues to drag on. He urgently needs medical help as he suffers from hepatitis C.

Morocco

- RSF proposal: **Hamid El Mahdaoui,** journalist and director of the Badil.info news site, was arrested on July 25, 2017. He was prosecuted for " instigating a banned demonstration" and sentenced to one year in prison on Sept. 12, 2017 with a fine. Hamid el Mahdaoui is also being prosecuted for "failure to report a crime violating State security" in a Casablanca court. For this count, he faces a sentence ranging from two to five years in prison. He has also faced a second trial for "undermining state security" and started a 14-day hunger strike.

Sudan

- RSF proposal: **Amal Habani,** an award-winning journalist and a reporter for the *Al-Taghyir* news website, was arrested on January 16 by National Intelligence and Security Service (NISS) agents while covering a protest in Khartoum against an increase in the price of bread. During the arrest, the agents beat her, causing her to suffer palpitations and breathing problems, and to lose consciousness. She has not been allowed to see a lawyer, although multiple human rights lawyers filed a constitutional appeal describing her arrest and detention as illegal. Members of her family have been allowed to see her but unable to ask about her state of health or if she's been given medicine for her high blood pressure.

Myanmar

- RSF proposal: Two *Reuters* journalists, **Wa Lone and Kyaw Soe Oo,** are facing the possibility of 14 years in prison. They were arrested on December 12 2017 for being "in

possession of important secret government documents related to Rakhine State and security forces". They were arrested immediately after receiving documents from mysterious policemen in a restaurant, under the Secrets of State Act. They were attempting to report on the most recent developments in the country's Rohingya crisis.

Cambodia

- RSF proposal: After the arrests of two former *Radio Free Asia (RFA)* journalists, **Uon Chhin and Yeang Sothearin**, in Phnom Penh on November 14, interior ministry spokesman Kieu Sopheak accused them of trying to improvise a studio in order to send news to RFA's Washington headquarters. "The court is checking to find the crime," the spokesman added, referring to the Phnom Penh municipal court's uncertainty as to what they would be charged with.

China

- RSF proposal: **Huang Qi**, a leading civil rights journalist, was arrested at his home on November 28, 2016. He is detained under alarming health conditions, such as mistreatment and physical violence. His arrest was apparently prompted by what he had written about Sichuan police violence against local petitioners. Eighteen days after his arrest, he was formally detained on the catch-all charge of "illegally providing state secrets abroad," which in extreme cases is punishable by death. He is the winner of RSF's 2017 press freedom prize.

Venezuela

- RSF proposal: **Braulio Jatar, Antonio Medina,** and **Alberto Cabrera**
    - Jatar is a lawyer and a journalist, as well as the director of the website *Reporter Confidencial*. He was held on September 3, 2016 and been put under house arrest since May 2017. Authorities claimed he was in possession of $25,000 USD in cash, which they claimed was to be used to fund a planned terror attack during the September 13, 2016, summit of the Non-Aligned Movement on the island. It is assumed that authorities planted the money on Jatar, punishing Jatar for publishing the protest video on his website after Maduro became president. Jatar has very chronic high blood pressure.
    - Medina and Cabrera are journalists who worked with a municipal deputy, and were both arrested at the same time while covering a protest on July 26, 2017. They are still being detained in a military center to date.

Cuba

- RSF proposal: **Yoeni de Jesús Guerra García,** an independent blogger from the agency *Yayabo Press,* was sentenced to 7 years in prison in March 2014 on charges of illegally slaughtering cattle. He claimed that the charges against him were fabricated due to his reporting. Yoeni has repeatedly been the victim of violence and possible torture by prison staff. RSF advocated for his release as part of the amnesty preceding Pope Francis' visit to Cuba last September, yet Yoeni still languishes in prison.

Mr. HULTGREN: Thank you.

Ms. Boyajian, if you would give us your testimony. Thank you.

STATEMENT OF ANNIE BOYAJIAN, ADVOCACY MANAGER, FREEDOM HOUSE

Ms. BOYAJIAN: Chairman Hultgren -- can you hear me okay? Light is on. Can you hear me? Closer. How's that? Normally, I am too loud.

Chairman Hultgren, Chairman McGovern, I want to thank you both so much for the honor to testify today. As a former Hill staffer who used to track this commission closely, it's especially meaningful and I want to echo the thanks that my colleagues have given. You two don't have to spend your time on this but you do, and it is so needed and so effective and so we all really appreciate it. So thank you so much.

Freedom House, as you know, is a 75-year-old nonpartisan organization dedicated to the expansion of freedom and democracy around the world and we do that through a unique combination of advocacy, research, and on-the-ground programming in highly restrictive environments.

And in the 10 years since our emergency programming began, we have supported more than 5,000 human rights defenders, members of religious minorities and civil society groups in more than 100 countries in their moment of greatest need.

We've been able to help them get a lawyer, find medical treatment, support their families when they've been in jail and unable to do so, help them return to work, and, in many cases, literally save their lives.

Unfortunately, we are seeing the need for this emergency programming and long-term programming increase. Our research has documented a twelfth straight year of declines in freedom and democracy around the world including in established democracies, and a corresponding and deeply troubling rise in anti-democratic and authoritarian practices.

Space for civil society continues to shrink as free and fair elections, the rights of minorities, freedom of the press, and rule of law come under attack.

Modern authoritarian leaders employ nuanced strategies of repression. They exploit open societies by repressing opposition without completely crushing it, flouting the rule of law while maintaining a plausible veneer of order, legitimacy, and prosperity.

All of these factors have resulted in a large number of prisoners of conscience around the world, as you have heard. The Commission's Defending Freedoms Project highlights prisoners in 17 countries including China and, indeed, it is impossible to have

a hearing about prisoners of conscience without talking about China, which is home to one of the largest populations of prisoners in the world.

Documentation is difficult due to the sheer numbers and the secrecy surrounding many of the cases. But Freedom House estimates tens of thousands in detention.

That number appears to have skyrocketed over the past year and Radio Free Asia estimates that more than 120,000 Uighurs alone are in detention.

As Freedom House noted last year in our report on religious freedom in China, religious prisoners form the largest contingent of prisoners of conscience.

Yao Guofu and Liang Xin, a married couple jailed since December 2015 are, unfortunately, a perfect example. Each is serving four and a half years in prison for disseminating materials about the persecuted Falun Gong spiritual practice.

The problem of prisoners of conscience, as you well know, reaches far beyond the countries highlighted in the Defending Freedoms Project. There are around 60,000 political prisoners in Egypt including human rights defender Hanan Badr el Din, 233 at the last count in Venezuela including opposition leader Leopoldo Lopez and Judge Maria Lourdes Afiuni.

In Turkey, which you have heard about, tens of thousands were rounded up in the purge that followed the coup attempt including 157 journalists, American pastor Andrew Brunson, Amnesty International Turkey Chair Taner Kilic, and civil society activist Osman Kavala. In Russia, Oyub Titiyev, the director of the human rights group Memorial, has been jailed on trumped up charges since January 9th.

As we face rising authoritarianism and other threats to democracies, congressional advocacy is more important than ever. The United States Congress is the most powerful legislative body in the world and as such staffers and members are one of the most crucial voices for prisoners of conscience, again, as you both know.

Democracy and fundamental freedoms are not side issues. They are the heart and soul of statecraft. Without robust democracy where rule of law is upheld and the rights of minorities are respected, national security and economic prosperity suffer.

So the prisoner of conscience languishing in a prison halfway around the world does in fact matter to the United States. They matter not only because the values our nation was founded on require us to care about this person but also because we are living in an interconnected world.

The most important thing we can all do to end the problem of political prisoners is to, of course, eliminate political prisoners and I look forward to discussing the ways that Congress can work to do this.

Thank you.

[The prepared statement of Annie Boyajian follows]

PREPARED STATEMENT OF ANNIE BOYAJIAN

Freedom House
75 Years Championing Democracy

Tom Lantos Human Rights Commission Hearing: Defending Prisoners of Conscience February 15, 2018

Written Testimony by Annie Boyajian
Advocacy Manager

Chairman McGovern, Chairman Hultgren, and Members of the Commission, it's an honor to testify today.

The Role of Freedom House: Emergency Assistance for Human Rights Defenders

Freedom House is a 75 year old nonpartisan organization dedicated to the expansion of democracy and freedom around the world through a unique combination of research, advocacy, and on-the-ground programming in highly restrictive environments. In the 10 years since our emergency assistance programs began, we have supported more than 3000 human rights defenders, members of religious minorities, and civil society groups in more than 100 countries at their moment of greatest need. We have been able to help them receive medical treatment, obtain legal counsel, support their families when they have been in prison, given them means to resume their critical work, and in many cases saved their lives.

Freedom House Research: Democratic Declines and Authoritarian Advances

Unfortunately, need for both emergency and long-term assistance is increasing. Our research has documented the 12th straight year of declines in global democracy, including

in established democracies, and a corresponding and deeply troubling rise in antidemocratic and authoritarian practices.[1],[2] Space for civil society continues to shrink as free and fair elections, the rights of minorities, freedom of the press, and the rule of law come under attack. Modern authoritarian leaders employ nuanced strategies of repression.[3] They exploit open societies, repress opposition without completely crushing it, and flout the rule of law "while maintaining a plausible veneer of order, legitimacy, and prosperity."[4]

Prisoners of Conscience: a Global Problem

All of these factors have resulted in an increasing number of prisoners of conscience around the world. The Commission's Defending Freedoms Project highlights prisoners in 17 countries, including China.

It is impossible to have a hearing about prisoners of conscience without mentioning China, home to one of the largest populations of prisoners in the world, with individuals detained not only in formal prisons but in a variety of extralegal detention facilities. Documentation is difficult due to the sheer volume of cases and the secrecy surrounding many of them, but Freedom House estimates tens of thousands in detention. The Congressional-Executive Commission on China documents 1,414 political prisoners in their database, and Dui Hua has an even more extensive database of 7,506.[5],[6] These are just the tip of the iceberg. The number of prisoners of conscience appears to have skyrocketed over the past year with the emergence of political indoctrination centers in Xinjiang. Radio Free Asia estimates that

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[1] *Freedom in the World 2018, https://freedomhouse.org/report/freedom-world/freedom-world-2018*
[2] *Breaking Down Democracy: Goals, Strategies, and Methods of Modern Authoritarians, 2017, https://freedomhouse.org/report/special-reports/breaking-down-democracy-goals-strategies-and-methods-modern-authoritarians*
[3] *Breaking Down Democracy: Goals, Strategies, and Methods of Modern Authoritarians, 2017, https://freedomhouse.org/report/special-reports/breaking-down-democracy-goals-strategies-and-methods-modern-authoritarians*
[4] *Breaking Down Democracy: Goals, Strategies, and Methods of Modern Authoritarians, 2017, https://freedomhouse.org/report/special-reports/breaking-down-democracy-goals-strategies-and-methods-modern-authoritarians*
[5] https://www.cecc.gov/resources/political-prisoner-database
[6] https://duihua.org/wp/?page_id=195

more than 120,000 Uyghurs are detained.[7] As Freedom House noted last year in our report on religious freedom in China, "religious prisoners form the largest contingent of prisoners of conscience."[8] Yao Guofu and Liang Xin, a married couple jailed since December 2015, are a perfect example. Each is serving 4.5 years in prison for disseminating materials about the persecuted Falun Gong spiritual group.

The problem of prisoners of conscience reaches far beyond the countries highlighted thus far by the Defending Freedoms Project. There are around 60,000 political prisoners in Egypt,[9] including human rights defender Hanan Badr el-Din[10] and 233 at the last count in Venezuela, including opposition leader Leopoldo Lopez.[11] In Turkey, tens of thousands were rounded up in the purge that followed the coup-attempt, including 157 journalists, American pastor Andrew Brunson (who is noted as a political prisoner by the U.S. Commission on International Religious Freedom),[12] Amnesty International Turkey chair Taner Kiliç,[13] and civil society activist Osman Kavala.[14] In Russia, Oyub Titiyev, the director of the human rights group Memorial, has been jailed on trumped-up charges since January 9 in retaliation for his work.[15] The European Parliament has called for his release.[16]

Recommendations for Congress

The United States remains the most powerful nation in the world, and the United States Congress remains the most powerful legislative body in the world. As such, staffers and

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[7] https://www.rfa.org/english/news/uyghur/detentions-01222018171657.html
[8] *The Battle for China's Spirit: Religious Revival, Repression, and Resistance Under Xi Jinping, 2017,* https://freedomhouse.org/report/china-religious-freedom
[9] https://www.nytimes.com/2017/03/14/magazine/how-egypts-activists-became-generation-jail.html
[10] https://www.amnestyusa.org/urgent-actions/urgent-action-prisoner-of-conscience-denied-vital-medication-egypt-ua-129-17/
[11] https://foropenal.com/en/presos-politicos/#listado-presos-politicos.
[12] http://www.uscirf.gov/pastor-andrew-brunson
[13] https://www.frontlinedefenders.org/en/profile/taner-kilic
[14] https://www.nytimes.com/2017/11/03/opinion/osman-kavala-erdogan-turkey.html
[15] https://www.rferl.org/a/eu-lawmakers-demand-release-of-activist-jailed-in-chechnya/29027513.html
[16] https://www.rferl.org/a/eu-lawmakers-demand-release-of-activist-jailed-in-chechnya/29027513.html

Members have a tremendous responsibility and a tremendous opportunity: you remain one of the most crucial voices for prisoners of conscience around the world.

1. **Use your voice!**

Use your voice! You can speak out for prisoners of conscience, both publicly and privately. It is obvious, but bears repeating: adopt a prisoner from the Lantos database. Give a speech, write an op-ed, hold a rally with family members, meet with the country's ambassador in Washington, travel to the region, withhold foreign assistance. If you do not feel you can take action publicly, remember that behind the scenes interventions can be effective. Civil society groups working to assist prisoners of conscience can help you by providing relevant information and draft materials.

2. **Be creative.**

Be creative in your efforts to advocate for prisoners. All of us should reject the notion that constituents will not care about prisoners of conscience. I worked for Members from the Midwest, and plenty of constituents not only cared about these issues, they loved the passion Members showed on this topic. If you are from a district with active churches, mosques, or synagogues, adopt an imprisoned person of faith and partner with believers to highlight the case. If you are from a university town, champion an academic. If a large number of constituents share a foreign heritage, champion a prisoner from that country.

Get beyond thinking of prisoner adoption as simply churning out one minute speeches. The Lantos Commission partnered on an excellent online tool that can be found at HumanRightsontheHill.org, listing different ways Members can engage on human rights issues. Many of the ideas would work for prisoners of conscience.

And, if a particular foreign official is known to have tortured or abused a prisoner of conscience, submit the name of that individual to the State Department and Treasury Department for sanction under laws like the *Global Magnitsky Act* and the *International Religious Freedom Act.*

3. **Be relentless.**

Finally, be relentless. A single speech is unlikely to secure a prisoner's release. Raise these prisoners continually with the foreign government in question, with the U.S. government, with partner nations, with the American public. One of the proudest moments in my professional career came when I learned about the release of a couple whose cause I had helped support. Their daughter had come to DC several times and worked with us and other human rights groups to meet with Members of Congress. And these Members, including Congressman McGovern, worked with civil society. Together we were relentless, together, using private calls, private letters, public letters, press releases, briefings, hearings, protests, and even the appropriations process, to exert pressure on the offending government. It took 17 months, but we finally got her parents out. They are now reunited as a family. It can be done.

Conclusion

Democracy and fundamental freedoms are not side issues. They are the heart and soul of statecraft. Without robust democracy where rule of law is upheld and the rights of minorities are respected, national security and economic prosperity suffer. Prosperity and security are strongest where humanity is free to flourish.

So the prisoner of conscience languishing in a dark, dirty cell halfway around the world DOES matter to the United States. They matter not only because the values on which this nation was founded require us to care about every human life, but also because we live in an interconnected world. Like it or not, economic problems and unrest in one country have a ripple effect to others.

I consider one of the biggest responsibilities of my job to convey to you what I hear from the activists we work with. As we face rising authoritarianism and other threats to democracies, congressional advocacy is more important than ever. There are people right now, at this very moment being tortured, being killed, because they won't back down. They

will persist in their religious belief. They will continue their peaceful dissent. They will speak truth to power. These human rights advocates are the best hope for the future we all want.

These are the people who, if allowed to, will create the stable democracies that protect and respect human life, that will partner on security issues, that will engage in trade that generates economic growth, that will promote human flourishing. They are the change-makers and we want them to win.

So, on behalf of the human rights defenders I am privileged to work with and for, I implore you – use your voice. Take action for the hundreds of thousands of prisoners of conscience around the world. Adopt and advocate for the people highlighted in the Defending Freedoms Project and discussed here today.

Thank you.

Mr. HULTGREN: Again, thank you all. We are so grateful for your testimony and even more grateful for your work. I've got a couple questions and then I am going to hand it over to my co-chair.

First, if I could address Vice Chair Arriaga, if you could talk briefly. I know with USCIRF, the Frank R. Wolf International Religious Freedom Act requires that USCIRF compile a list of religious prisoners of conscience.

I wonder if you'd just briefly talk about the criteria information that's used and what the current status of that project is.

Ms. ARRIAGA: Sure. There's a brand new mandate -- as you know, this is a brand new mandate that has been added to the Commission's force. We are in the process of analysing how we are going to do this.

We are also putting -- making sure that we put in place a verification process that is multilevel to make sure that the information is accurate.

So I am sorry to say that it is only at its beginning stages. So I don't have much to add right now.

Mr. HULTGREN: That's great. If you can keep us updated of how that's going and if we can helpful in any way. That's, obviously, of concern to us and something that Congress is looking forward to hearing more as that moves forward.

I would open up maybe to any of you or each of you if you have a thought or question, just to talk, and I think we've got a sense from your testimony on this. But I wonder if you could just talk a little bit about what you're seeing in your specific areas where you focus of some of the trends and trajectories of those who are being targeted.

My sense is you're seeing an increase. But I wonder if you could just talk maybe a little bit more about that and if there are any positive trends that you're seeing out there, and then also just suggestions that you would have of how effective the U.S. government efforts have been in advocating for prisoners of conscience.

I do believe it makes a difference when we speak up, when we get on the floor and talk. Is there anything else that we can be doing or encouraging our colleagues to do to have that kind of impact.

So I would just open it up to if any of you have any thoughts on those questions.

Ms. ARRIAGA: I am happy to go first. Thank you for all the work you do. I have worked with political prisoners for over 30 years and to a person they have all said that sometimes hearing their name was mentioned in a hearing was enough for them to endure years of torture.

Armando Valladares, who spent 22 years in prison in Cuba, he spent six of those years in solitary confinement naked covered in excrement that the -- that the prison guards were throwing on him every single day. He had nothing, and the only thing that kept him going was the ability for him to recreate a world inside of himself, and when he would hear through messages that were passed from other prisoners, which were very rare, that his name had been mentioned in any international forum.

So, again, thank you. This is lifesaving work. I would love it if Congress were to work with the executive branch to enforce the Global Magnitsky Act.

Unfortunately, there are a lot of individuals who, in their country of origin, torture people and repress people's religious freedom and they're still able to come here at Christmas time to New York to go Christmas shopping. That is a travesty.

We have a lot of names and we have a lot of pressure that we can put so those individuals and their relatives do not obtain visas to come to the United States.

Ms. Boyajian. Well, Freedom House has documented, as I mentioned, the twelfth year of decline and it's deeply troubling because we are seeing nations like China and Russia return to their more traditionally authoritarian practices like days of old.

In China, we are seeing an increased usage in black jails and extralegal detention centers, which have no measure of accountability and people just disappear at hotel rooms and are tortured and may reappear, may not. And it is, indeed, a deeply troubling trend.

I think on the positive I would echo the ability that Congress has to really make a difference. One of the proudest moments of my career was a couple who were imprisoned and their daughter came to the U.S. to meet with members of Congress including Chairman McGovern and she -- it took 17 months. We had numerous meetings and the members we talked to were wonderful. They did private letters, public letters, meetings.

We even had a protest and rally. We used the appropriations process and finally, after 17 months, they were reunited and they are together today and the couple continues their work.

So we do see stories like that being possible and I would echo Ms. Arriaga the importance of mentioning someone's name can not only get them released but can get them treated so much better in prison.

And so for Congress, I would recommend three things that you two already do so well, which is to use your voice, to be creative, and to be relentless, and I think it's very

easy for members to think of adopting a prisoner as, you know, going out and giving a one-minute speech and I might not have time or what if my constituents don't care.

But I actually worked for members from the Midwest and, as you well know, constituents do care and they love when their members show passion about this.

And it would be easy to find a political prisoner who matches with interests in your district -- for example, a particular faith group or a particular diaspora group, or if you're from a university town even adopting a scholar.

And then there's also the less soft tools like sanctions. So I am happy to talk more about all of those. But that would be my quick overview to your question.

Mr. HULTGREN: Well, again, I am so grateful.

Did you have something you want to say?

Ms. EWEN: Just really quickly, if there's time.

I wanted to just kind of reiterate something I touched on in my remarks, that Reporters Without Borders has really noticed an overall declining trend with regard to press freedom and we do maybe have a laser like focus on our mandate at this table.

But I think it's really important to highlight how much the world looks to members of Congress as powerful individuals who influence what our country does and I think that it's more important now than ever that press freedom not be forgotten and not be treated in the way that it has at times been treated by the current administration in the White House.

And I am sorry, I would be remiss not to mention that because world leaders are looking to our country and taking cues from what we do and how we treat our journalists at home, also how we treat journalists abroad.

And so the advocacy that the members of Congress are taking on behalf of these individuals is powerful. It is noticed.

And so I would encourage to keep doing what you have all been doing but also to take more opportunities when there are key dates -- visits of foreign officials into the country, et cetera, to really raise these cases so that they can be more publicly noticed by those foreign leaders that they need to free these journalists or bloggers as soon as possible.

Thank you.

Mr. HULTGREN: Thank you. Thank you again for all that you're doing.

I am going to -- I am afraid I am going to have to leave a little bit early. But I am going to read a letter that one of my colleagues, Representative Chris Smith, had asked if I could read if he was not able to make it.

One of the frustrations and challenges of this job is the busyness and oftentimes all of us, I think, can get caught up in urgent things and miss important things and I can't think of anything more important than this -- standing up for people who are in horrible, horrible conditions. So anyhow, I would like to read this letter real quickly.

"Dear U.S. members of the House of Representatives of the U.S. Congress." This was written by Father Nguyen Van Ly and was written on February 2nd, 2018.

"Dear U.S. members of the House of Representatives and of the U.S. Congress, on behalf of the desperate, poor, and illiterate people in the world and in Vietnam whose basic human rights were repressed, taken away, or rescinded, I sincerely thank you for your concerns -- the sufferings endured by those people and by all of us, although those concerns often have not yet been as fruitful or effective as hoped.

I often offer my thankfulness to you on behalf of 169 prisoners of conscience who advocated for human rights, freedom, and democracy in Vietnam and were arrested and imprisoned by the government of Vietnam since 2015 to January 2018. Forty-one of them were put in jail.

Quite often you have supported them and intervened in their cases by different means. In my particular situation, from 1977 to 2016, your intervention resulted in my early releases from prisons on four different occasions.

You have visited me several times inside and outside of prisons, especially in my third imprisonment in 2001 to 2005. Congressman Christopher Smith and Senator Sam Brownback visited me in Nam Ha Prison and I got early release 10 years before the end of the prison sentence.

Currently, I am still in house arrest with close surveillance at the retired home of Hue Archdiocese. Thanks to, again, all of you. Stepping into the year 2018, a dark and sorry veil is covering Vietnam on its democracy and human rights protection.

Freedom of speech is lacking. As far as religious freedom, I believe Vietnam should have been designated as a country of particular concern.

I hope that you will continue to raise awareness on Vietnam so that all 169 prisoners of conscience, male and female, on the list provided by Dr. Nguyen Dinh Thang of Boat People SOS could be freed.

Hence, if all advocated for human rights could garner their right to freedom of movement, they would not be restricted in certain areas and would be free to contribute to

building a new Vietnam, a country respecting moral values, being independent, cultural, civilized, free, democratic, safe, stable.

We recommend that to be effective you apply economic, diplomatic, and communicative pressures on Vietnam. We wish you a happy and prosperous 2018 new year. Yours thankfully, February 2nd, 2018, Father Tadeo Nguyen Van Ly."

And again, that was -- Congressman Chris Smith had advocated on his behalf. We are also grateful to have Congresswoman Sheila Jackson Lee with us.

With this, I will yield to my good friend and co-chairman, Jim McGovern, and excuse myself.

Mr. McGOVERN: Well, thank you very much and, again, thanks for your advocacy.

Let me -- let me yield to my colleague from Texas if you have an opening statement and want to make a few remarks you are welcome at this time.

Ms. JACKSON LEE: Mr. Chairman, thank you, and to the chairs and co-chairs, thank you. Thank you to all the witnesses for being here. What an important topic of defending prisoners of conscience and as well to have exposure of defenders of conscience.

So many of them all over the world who are living in unspeakable pain and violence and abuse, maintaining their conscience but also some who are not so fortunate to be able to even know that there are advocates for their posture.

So I was hoping and had invited to testify Ms. Ta Phong Tan. But I will sit in her position, not from my experience but from my working with her, for she was one of the many fearless and resilient prisoners of conscience that really you all have been speaking of.

As I indicated, I thank the commissioners who brought about this hearing, and might I thank the late Tom Lantos for his vision on human rights. He will always be remembered and I am privileged to have had the opportunity to not only work with him but to travel with him and to hear him speak on a constant basis about those who sacrificed because of conscience.

In December of 2012, the Tom Lantos Human Rights Commission, in conjunction with the U.S. Commission on International Religious Freedom and Amnesty International USA, launched the Defending Freedoms Project, which gave members of Congress the opportunity to bring awareness to human rights abuses and encouraging the accountability on behalf of these prisoners.

The ability to voice our thoughts and opinions is a powerful right of us to take for -- a powerful right many of us take for granted -- to silence anyone who is fighting a gross injustice and it is really our duty to stand up for those victims of these abuses. We cannot forget the plight of these prisoners, those I have mentioned that are living in the midst of violence and not even knowing of the advocacy.

Some of them cannot have any engagement with their families or the advocates or those who are in their surrounding areas who are fighting and protesting for them, the sacrifices they have made, and the causes they stand for.

As Elie Wiesel said, silence encourages the tormenter, never the tormented. According to the Committee to Protect Journalist, 262 journalists have been imprisoned around the world in 2017, which is a new record that surpasses the historical high of 259 journalists imprisoned last week in 2016 -- last year in 2016.

I was pleased to adopt Vietnamese political dissident Ta Phong Tan, who was arrested in September 2011 solely for expressing her thoughts as a blogger criticizing and exposing the government corruption in her home country of Vietnam.

Secretary of State John Kerry described her arrest as helping to inspire an awakening to the concern for citizen bloggers and journalists in Vietnam.

Tan was sentenced to 10 years in prison and in the years she was there she protested the mistreatment of other prisoners. Again, even in her imprisonment, she was defending conscience and those who could not speak for themselves.

During this difficult time, Ta Phong Tan suffered through the loss of her mother, who committed suicide by burning herself in protest of her daughter's unjust imprisonment.

The desperation of families, the desperation of those incarcerated, the desperation of those who are not connected even though there's a lifeline, causes this Commission to stand for those who are defending on the basis of their conscience and to really not leave this issue alone.

Despite these unfortunate turn of events, Ta Phong Tan has remained resilient and hopeful. She was released in 2015, now resides in the United States where she continues to fight for justice for the people of Vietnam and the young people of Vietnam.

Like Ta Phong Tan, we must never give up; leave no stone unturned in the path of striving to secure basic human rights for repressed people wherever they may be. We must show the oppressors that the world will not stomach the injustice they unfurl onto innocent individuals.

We refuse to leave these prisoners alone in their struggle and only with our actions can we lead humanity toward a positive change.

Thank you to my fellow colleagues who are reading the testimonies of the prisoners of conscience they have adopted through the Defending Freedoms Project.

Again, thank you to the advocates and the participants today including our chair and co-chair and, again, I would like to thank each of the witnesses who are here for your sacrifice and for your voice never being diminished.

I know that during the Iraq War and the wars that were so painful in the last two decades many of us would say, "Not on our watch," and I continue to say that on behalf of the defenders of conscience and those who cannot speak for themselves that we who can will say loudly, "Not on our watch."

Mr. Chairman, thank you, and with that I want to yield back.

[The prepared statement of Representative Jackson Lee follows]

PREPARED STATEMENT OF THE HONORABLE SHEILA JACKSON LEE, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF TEXAS AND A MEMBER OF THE TOM LANTOS HUMAN RIGHTS COMMISSION

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Immigration and Border Security

HOMELAND SECURITY
SUBCOMMITTEES:
Cybersecurity, Infrastructure Protection, and Security Technologies

Border and Maritime Security

SENIOR WHIP
DEMOCRATIC CAUCUS

CONGRESSWOMAN SHEILA JACKSON LEE OF TEXAS
TALKING POINTS
Tom Lantos Human Rights Commission Hearing
Defending Prisoners of Conscience

Thursday, February 15, 2018
2:00 – 3:30 PM
2255 Rayburn House Office Building

- My fellow Members of Congress, panelists, and attendants here today, good afternoon to you all.

- My thanks to all the members of the Commission for holding today's hearing and inviting me to testify in my role as an advocate for Ta Phong Tan, just one of the many fearless and resilient prisoners of conscience.

- I would also like to thank the Commissioners McGovern and Hultgren in particular, for their continuous dedication and commitment for human rights.

- In December 2012, the Tom Lantos Human Rights Commission, in conjunction with the U.S. Commission on International Religious Freedom and Amnesty International USA, launched the Defending Freedoms Project which gives Members of Congress the opportunity to bring awareness to human rights abuses and encouraging accountability on behalf of these prisoners of conscience.

- The ability to voice our thoughts and opinions is a powerful right many of us take for granted. To silence anyone is a gross injustice and it is our duty to stand up for the victims of these abuses.

- We cannot forget the plight of these prisoners, the sacrifices they have made and the causes they stand for. As Eli Wiesel said, "Silence encourages the tormentor, never the tormented."

- According to the Committee to Protect Journalists, 262 journalists have been imprisoned around the world in 2017, which is a new record that surpasses the historical high of 259 journalists imprisoned in 2016.

- I was pleased to adopt Vietnamese political dissident Ta Phong Tan who was arrested in September 2011 solely for expressing her thoughts as a blogger criticizing and exposing government corruption in her home country Vietnam.

- U.S. Secretary of State John Kerry said Tan has helped inspire "an awakening of citizen journalists and bloggers" who challenge government in Vietnam.

- Tan was sentenced to 10 years in prison and in the years she was there, she protested the mistreatment of prisoners.

- During this difficult time, Ta Phong Tan suffered through the loss of her mother who committed suicide by burning herself in protest of her daughter's unjust imprisonment.

- Despite these unfortunate turn of events, Ta Phong Tan has remained resilient and hopeful.

- She was released in 2015 and now resides in the US where she continues to fight for the justice of the people of Vietnam.

- Like Ta Phong Tan, we must never give up, leave no stone unturned in the path for striving to secure basic human rights for repressed people, wherever they may be.

- We must show the oppressors that the world will not stomach the injustice they unfurl onto innocent individuals.

- We refuse to leave these prisoners alone in their struggle and only with our actions can we lead humanity toward a positive change.

- Thank you to my fellow colleagues who have adopted prisoners of conscience through the Defending Freedoms Project.

- Rep. Randy Hultgren is the advocate for Zhu Yufu of China, Rep. James McGovern is reading the testimonies of Raif

Badawi and Nabeel Rajab, and Rep. Alan Lowenthal, is an advocate for Nguyen Cong Chinh.

- I would like to thank the speakers of today's event:

  - **Andrew Fandino,** Senior Program Officer, Amnesty International
  - **Kristina Arriaga,** Commissioner, U.S. Commission on International Religious Freedom
  - **Melina Milazzo,** DC Director, Freedom Now
  - **Margaux Ewen,** North American Director, Reporters Without Borders
  - **Annie Boyajian,** Advocacy Manager, Freedom House

- I again, thank the Tom Lantos Commission and the Members of Congress involved in making this hearing successful.

Mr. McGOVERN: I want to thank the gentlelady for her comments and her commitment on so many issues related to human rights.

We appreciate her voice and all that she does, and I -- the truth is that we could be here, you know, for weeks reading -- months reading testimonies of prisoners of conscience, which is a sad reality.

But it's an accurate assessment of just how many people are in prison because of who they are, what they believe. They have no reason being imprisoned at all.

They make their governments insecure for whatever reason and it is really tragic and I think, you know, we take so much for granted in this country although we're not perfect and we need to acknowledge that we can do better not only in terms of human rights here at home but in terms of our advocacy of human rights abroad.

Ms. Ewen, I take -- I agree with you on the issue of we have to be careful what is said here in this country, especially on issues of, you know, freedom of press because, you know, I have talked to reporters who, as the anti-press rhetoric has increased have been getting threats and then, you know, it's -- we are also setting the example for the rest of the world and the example we set ought to be a good one, not one that, you know, not the one that we are setting right now.

But before I go to some questions, I would like to recognize my colleague from California, Congressman Alan Lowenthal, and want to yield to him for whatever time he would like to speak or ask questions or whatever.

Mr. LOWENTHAL: Thank you.

Mr. McGOVERN: Well, put your microphone on. Otherwise, we can't hear you.

Mr. LOWENTHAL: I was just informed -- I was on an Aspen trip to -- leaving to Rwanda and Ethiopia has just been cancelled so I have a week to talk now.

[Laughter.]

Well, thank you, ladies and gentleman, and thank you to the -- today's hearing being hosted by the Tom Lantos Human Rights Commission on the issue of prisoners of conscience.

You know, since the launch of the Defending Freedom Project in 2012 members of Congress have advocated on behalf of prisoners of conscience to bring awareness to human rights abuses around the world.

As you know, many of these prisoners are jailed for their pro-democracy activism, for speaking out against unjust laws within their country, and the work of the Defending Freedom Project has been crucial in saving lives.

We've had many successes. I am glad to say that two of my former prisoners of conscience have been released. Most recently, Pastor Nguyen Cong Chinh, a longtime pro-democracy activist, was released last year through collective efforts by members of Congress and the United States State Department.

I adopted Pastor Chinh as my prisoner of conscience in 2014. In exercising his religious freedom, Pastor Chinh was sentenced to 11 years in prison under the false charges of undermining national solidarity.

In prison, he was physically and verbally abused by the authorities and was denied medical treatment. His wife and their five children were constantly harassed, monitored, and sometimes violently attacked by plainclothes public security forces.

The Vietnamese government released Pastor Nguyen Cong Chinh under the condition that he immediately leave the country in exile. Pastor Chinh and his family now reside in the United States.

Although Pastor Chinh has been free, other prisoners of conscience are often not so lucky and I want to highlight the case now of the Most Venerable Thich Quang Do, the supreme patriarch of the United -- not the Unified -- the United Buddhist Church of Vietnam.

The patriarch has been jailed numerous times for leading nonviolent protests against the Vietnamese government and he's been called -- where he has called for religious freedom.

He is currently under house arrest in Vietnam. The Most Venerable Thich Quang Do became a monk at the age of 14 and he -- where he witnessed -- when he witnessed the execution of his religious master later on when he was then 17.

His master had simply helped to relieve victims of the Great Famine in North Vietnam. But the communists accused him of using religion as an opium of the people and they shot him dead.

I want to read a statement from the Most Venerable Thich Quang Do -- a letter to me.

"Dear Congressman Lowenthal, I am informed by the UBCV's international spokesman, Mr. Vo Van Ai, that you will be speaking at a hearing in the U.S. Congress on religious freedom and human rights in Vietnam. I am happy to learn that the U.S. Congress is concerned about human rights in my country.

Recently, Vietnam has intensified repression against civil society activists, religious followers, and human rights defenders on an unprecedented scale.

We Vietnamese are not afraid to speak out and today many young people are using their blogs or staging demonstrations to demand respect of the environment, freedom of expression, association, and religion.

But our voices are weak for the Vietnamese authorities use their massive police force, unfair judiciary system, and vast network of prisons to stifle our legitimate appeals. This is why hearings in the United States Congress are so important for they amplify the voices of all of those who are putting their safety on the line to express their ideals and beliefs.

I speak as a victim with firsthand experiences of over three decades of repression. When I was just 19, I witnessed the summary execution of my Buddhist master in North Vietnam. After 1975, when Vietnam was united under communist rule, I was imprisoned, harassed, condemned to internal exile for 10 years, then imprisoned again and finally placed under house arrest at the Van Hanh Zen Monastery in Saigon for the crime of launching an appeal for democracy in Vietnam.

Since then, I've remained under house arrest without any due process of law. I am under constant police surveillance. My communications are monitored and I am forbidden to travel. My letter to you today was sent through underground channels.

The Unified Buddhist Church of Vietnam -- UBCV -- it is the Unified Church of Vietnam, of which I am the leader, is not recognized by the authorities and our members suffer daily harassments, intimidation, repression, and detention. Vietnam has adopted a new law and belief -- on belief and religion which came into force this month.

But the authorities continue to persecute independent religious communities such as the UBCV. Today's world is focused on business, trade, and development. But economic development is only sustainable if it is built on the foundation of democratic freedoms and human rights.

I urge you to do your utmost in the halls of the United States Congress and beyond, to speak out loud and clear in defense of democracy, and to keep up the fight to win freedom for all those who are deprived of their liberty simply for the peaceful exercise of their convictions and beliefs. Yours sincerely," and that's Thich Quang Do, the fifth Supreme Patriarch of the Unified Buddhist Church of Vietnam.

You know, prisoners of conscience are not only persecuted for their religious belief but often for defending human rights abuses.

My current prisoner of conscience, Nguyen Van Dai, is a Vietnamese human rights lawyer and blogger. He has travelled throughout Vietnam to teach law students and to train young human rights defenders on human rights reporting mechanisms and

how to deal with police interrogation. Dai has been tried for conducting propaganda against the state, sentenced to prison and forced to close his offices.

The Vietnamese government has denied Dai legal representation. In January of 2018, his wife visited him for the first time in three years. She reports that he does not look like he's in good health. Dai also told her that he has almost never been allowed out of his cell during the entire time he's been in jail, and that began in December of 2015.

The work that advocates -- that advocates take on behalf of prisoners of conscience is very important. From speaking out about these issues to holding briefings or hearings or even raising concerns in the country in which the prisoner is detained, it helps bring awareness about prisoners and open discussion about much needed reform. Lastly, I just want to conclude by reading testimony from another former prisoner conscience of mine, Nguyen Tien Trung, a Vietnamese blogger and activist who credits the work of the Tom Lantos Commission on his release, and I am just going to read this one statement and then I will complete my statement.

"I am Nguyen Tien Trung from Saigon, Vietnam. In 2006 while studying in France, I founded the organization Viet Youth for Democracy and joined the Democratic Party of Vietnam. I also wrote many articles on BBC Vietnamese to advocate for the democratic -- the democratization of my country.

After coming back to Vietnam in 2007, the communist government forced me to join the army on March 5th, 2008. It's their way to restrict my movement, a kind of informal prison.

As I refused to pledge allegiance to the Communist Party, I was expelled from the army on July 6th, 2009 and I was arrested on the very next day, July 7th of 2009. I was sentenced to seven years in jail, three years on probation for the charge of, quote, "taking activities aiming at overthrowing the people's government." Three of my colleagues were also convicted of this charge in the same case with me.

It was an injustice for me as the -- as the freedom of expression, association, and assembly are international standards of human rights. These rights are also recognized by the Communist Party of Vietnam in their self-imposed constitution.

During my seemingly endless days in the communist prison, I had more strength to overcome the hardship because my relatives had informed me that the U.S. Congress paid particular attention to my case.

That's why the prison guards treated me with leniency and I was released earlier than expected on April 12th, 2014 instead of July 7th, 2016. My three-year probation ended on April 12th, 2017 and I met Congressman Lowenthal in Saigon during this period.

I was lucky because Congressman Alan Lowenthal and other congressman always sought opportunities to speak out for my case. However, there are still many prisoners of conscience in Vietnam including many of my colleagues.

That is why I am appealing to Congress to continue your support for democratic activists and prisoners of conscience in Vietnam. Your support is precious to us and makes us mentally stronger.

I hope to study in the United States in one of these fields of political science, development economics, public policy, public management, or constitutional law. I believe Vietnam in the post-communist era will be in dire need of experts in these fields. I hope that I may meet members of the Tom Lantos Human Rights Commission in the near future to express my profound gratitude towards the U.S. Congress and in particular Congressman Lowenthal."

Thank you, Mr. Chair, and I yield back.

[The prepared statement of Representative Lowenthal follows]

PREPARED STATEMENT OF THE HONORABLE ALAN LOWENTHAL, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF CALIFORNIA AND A MEMBER OF THE TOM LANTOS HUMAN RIGHTS COMMISSION

Welcome, ladies and gentlemen, to today's hearing hosted by the Tom Lantos Human Rights Commission on the issue of prisoners of conscience.

Since the launch of the Defending Freedom Project in 2012, Members of Congress has advocated on behalf of prisoners of conscience to bring awareness to human right abuses around the world.

Many of these prisoners are jailed for their pro-democracy activism or for speaking against unjust laws within their country

The work of the Defending Freedom Project has been crucial in saving lives. We've had many successes and I am glad to say that two of my former prisoners of conscience have been released.

Most recently, Pastor Nguyen Cong Chinh, a long time pro-democracy activist, was released last year through collective efforts by Members of Congress and the U.S. State Department. I adopted Pastor Chinh as my prisoner of conscience in 2014. In exercising his religious freedom, Pastor Chinh was sentenced to 11 years in prison under false charges of "undermining national solidarity." In prison, he was physically and verbally abused by the authorities and was denied medical treatment. His wife and their five children were constantly harassed, monitored, and sometime violently attacked by plain-clothed public security forces.

The Vietnamese government released Pastor Nguyen Cong Chinh on the condition that he immediately leave the country in exile. Pastor Chinh and his family now resides in the United States.

Although Pastor Chinh has been freed, other prisoners of conscience are often not so lucky. I also want to highlight the case of Most Venerable Thich Quang Do, the Supreme Patriarch of the United Buddhist Church of Vietnam.

The Patriarch has been jailed numerous times for leading non-violent protests against the Vietnamese government calling for religious freedom. He is currently under house arrest in Vietnam. Most Venerable Thich Quang Do became a monk at the age of 14 and witnessed the execution of his religious master when he was 17. His master had simply helped to relieve victims of the grave famine in North Vietnam, but the Communists accused him of using religion as "opium of the people" and shot him dead.

I want to read a statement by Most Venerable Thich Quang Do.

> *Dear Congressman Lowenthal,*
>
> *I am informed by the UBCV's International Spokesman, Mr. Vo Van Ai, that you will speak at a hearing in the US Congress on religious freedom and human rights in Vietnam.*
>
> *I am happy to learn that the US Congress is concerned about human rights in my country. Recently, Vietnam has intensified repression against civil society activists,*

religious followers and human rights defenders on an unprecedented scale. We Vietnamese are not afraid to speak out, and today many young people are using their blogs or staging demonstrations to demand respect of the environment, freedom of expression, association and religion. But our voices are weak, for the Vietnamese authorities use their massive police force, unfair judiciary system and vast network of prisons to stifle our legitimate appeals. This is why hearings in the US Congress are important, for they amplify the voices of all those who are putting their safety on the line to express their ideals and beliefs.

I speak as a victim, with firsthand experience of over three decades of repression. When I was just 19, I witnessed the summary execution of my Buddhist master in North Vietnam. After 1975, when Vietnam was united under communist rule, I was imprisoned, harassed, condemned to internal exile for 10 years, then imprisoned again, and finally placed under house arrest at the Thank Minh Zen Monastery in Saigon for the "crime" of launching an Appeal for Democracy in Vietnam. Since then, I have remained under house arrest without any due process of law. I am under constant police surveillance, my communications are monitored, and I am forbidden to travel. My letter to you today was sent through underground channels.

The Unified Buddhist Church of Vietnam (UBCV), oh which I am the leader, is not recognized by the authorities, and our members suffer daily harassments, intimidation, repression, and detention. Vietnam has adopted a new Law on Belief and Religion which came into force this month, but the authorities continue to persecute independent religious communities such as the UBCV.

Today's world is focused on business, trade, and development. But economic development is only sustainable if it is built on the foundations of democratic freedom and human rights. I urge you to do your utmost, in the halls of the US Congress and beyond, to speak out loud and clear in defense of democracy, and keep up the goof fight to win freedom for all those who are deprived of their liberty simple for the peaceful exercise of their convictions and beliefs.

Yours sincerely,

Sramana THICH QUANG DO
Fifth Supreme Patriarch
Unified Buddhist Church of Vietnam

Prisoners of conscience not only are persecuted for their religious beliefs, but often for defending human right abuses. My current prisoner of conscience, Nguyen Van Dai, is a Vietnamese human rights lawyer and blogger.

He has travelled throughout Vietnam to teach law students and train young human rights defenders on human rights reporting mechanisms and how to deal with police interrogation.

Dai has been tried for "conducting propaganda against the state," sentenced to prison, and forced to close his offices. The Vietnamese government has denied Dai legal representation. January 2018, his wife visited him for the first time in 3 years. She reports that he does not look like he's in good health. Dai also told her that he has almost never been allowed out of his cell during his entire time in jail since December 2015.

The work that advocates take on behalf of prisoners of conscience is important. From speaking out about these issues, to holding briefings or hearings, or even raising concerns to the country in which the prisoner is detained helps bring awareness about prisoners and open discussions about much needed reform.

Lastly, I want to read a testimony from another former prisoner of conscience of mine, Nguyen Tien Trung – a Vietnamese blogger and activist – who credits the work of the Tom Lantos Commission on his release.

> *Congressmen,*
>
> *I am Nguyễn Tiến Trung from Saigon, Vietnam. In 2006, while studying in France, I founded the organization Viet Youth for Democracy and joined the Democratic Party of Vietnam. I also wrote many articles on BBC Vietnamese to advocate the democratization of my country.*
>
> *After having come back to Vietnam in 2007, the communist government forced me to join the army on March 5th, 2008. It's their way to restrict my movement, a kind of informal prison. As I refused to pledge allegiance to the Communist Party, I was expelled from the army on July 6th, 2009, then I was arrested on the very next day July 7th 2009.*
>
> *I was sentenced to 7 years in jail, 3 years in probation for the charge of "taking activities aiming at overthrowing the people's government". Three of my colleagues were also convicted with this charge in the same case with me. They are Mr.Trần Huỳnh Duy Thức, Mr.Lê Công Định, and Mr.Lê Thăng Long.*
>
> *It was an injustice for me as the freedom of expression, association, and assembly are of international standards of human rights. These rights are also recognized by the Communist Party of Vietnam in their self-imposed Constitution.*
>
> *During my seemingly endless days in the communist prison, I had more strength to overcome the hardship because my relatives had informed me that the US Congress paid particular attention to my case. That's why the prison guards treated me with leniency, and I was released earlier than expected, on April 12th, 2014 instead of July 7th, 2016. My three-year probation ended on April 12th, 2017, and I met Congressman Lowenthal in Saigon during this period.*
>
> *I was lucky because Congressman Alan Lowenthal and other Congressmen always sought opportunities to speak out for my case. However, there are still many prisoners of conscience in Vietnam, including many of my colleagues. That's why I am appealing to*

Congress to continue your support for democratic activists and prisoners of conscience in Vietnam. Your support is precious to us and makes us mentally stronger.

I hope to study in the United States in one of these fields: Political science, Development Economics, Public policy, Public Management, or Constitutional law. I believe Vietnam in the post-communist era will be in dire need of experts in these fields. I hope that I may meet Members of the Tom Lantos Commission in the near future to express my profound gratitude toward the US Congress, and in particular Congressman Lowenthal.

Mr. McGOVERN: Thank you. Thank you very much. I appreciate very much your testimony and the statements.

Does anyone have an idea how many prisoners of conscience there are in the world today?

Ms. BOYAJIAN: I could not find a good count. Actually, I was looking ahead of this hearing. It has to be in the hundreds of thousands. If you listen just to the numbers we've talked about and the countries are only a fraction.

Mr. McGOVERN: Right. You know, and, you know, we -- you know, we've read some testimonies here about prisoners of conscience who have benefited from the advocacy of this commission and that's gratifying to all of us because, you know, we are making a difference.

But the bottom line is that we need to do better and, you know, and I want to pose a question to you about how we can sharpen our advocacy or how we can expand it in a way that we can do better.

You know, we -- you know, one of my frustrations is that you're never going to meet a politician in Washington who tells you they're pro-human rights violations, right.

Everybody is outraged over -- at least they say they're outraged over prisoners of conscience, people whose human rights are being violated on a regular basis and yet when that -- when we try to turn that talk into action sometimes it's a little bit challenging and it's challenging because we have a lot of interests -- trade, economic interests. And so while people will say, you know, it's terrible that somebody is being held as a prisoner of conscience in, let's say, China, there seems to be a reluctance by official Washington to push hard because we have so many business interests.

You know, or there's some strategic interest that involves our military that is involved. I mean, there's always kind of these excuses as to why we can't push harder.

And, you know, I am now convinced that we need to kind of expand our pressure not just, you know, amongst our colleagues in Congress -- and part of our goal here is to get more and more people to adopt a prisoner of conscience -- not just more pressure on the White House which, to be honest with you, has been disappointing to me that they've been in some of these countries where there are lots of prisoners of conscience and human rights never gets mentioned, but we are going to continue to pressure the administration.

But I also think we need to expand this to put more pressure on the business community. The United States business community and the multinational business community. You know, I mean, the fact of the matter is is that some of these countries

benefit greatly from our -- from our businesses and trade and their economies, you know, thrive because of interaction with our business community.

And yet, you know, by and large, with very few exceptions, the business community is silent. I mean, and, you know, it's something maybe we -- obviously, we can't legislate.

But, you know, there ought to be a concerted campaign touting key businesses, you know, that do business in some of these countries that have terrible human rights records to actually speak up because silence means you're complicity and, you know, and or even -- you know, I mean, I've had conversations with a number of companies who have told me things like they agree that things are -- you know, things in the country -- I will give you -- without revealing names here, you know, we did a recent trip to India and met with His Holiness, the Dalai Lama, to talk about the plight of the Tibetan community.

We also visited Nepal, where a lot of Tibetan refugees are being mistreated or being sent back to China, and we talked to some of the -- I talked to some of the businesses that do a lot of -- U.S.-based businesses that do a lot of business in those -- in those -- in China and in Nepal, and they all agree, you know, when we're behind closed doors that the treatment of the Tibetans is terrible.

But they don't raise their voice. I don't think China is going to kick them out of China because China wants their business. But part of the -- our effectiveness here is to make China feel uncomfortable, and if members of Congress getting on the floor and giving speeches about prisoners of conscience doesn't do it, then we need to start thinking about how we add to that.

We have this Global Magnitsky Act. That will hopefully provide us, you know, some avenues. But even beyond that, I think we need to find ways to get others involved in this campaign.

And I would just like to get your assessment of that or other concrete actions that we can take to put a little bit more power behind what we are trying to do there.
I open it up to -- yes, Ms. Ewen.

Ms. EWEN: Thank you so much for highlighting that. I think everyone at this table will agree with you that the business community does need to be pressured in particular.

At times, the technological industry, social media networks do play a role in repression in countries like Vietnam, in Turkey, et cetera. The list is too long to name all of the countries here.

Another potential link with the work that we all do is journalists who try and uncover corruption in different countries and are then imprisoned for doing so. The link between money flows and the work of journalists or other prisoners of conscience that may have revealed information that is vital to expelling corruption and promoting democracy I think is something that the U.S. Congress can explore more -- for example, World Bank loans given to certain countries like Azerbaijan, to reform their judicial system which then, as you know, imprisons many journalists.

It's not just Reporters Without Borders that mentioned journalists from Azerbaijan on this panel today. It's overwhelming the country that was mentioned by almost everyone on this panel.

So I think that the voice of U.S. Congress members is strong enough to put public pressure simply by tweeting or making statements alluding to the need for the business community to publicly denounce imprisonment of prisoners of conscience, especially when it comes to eradicating corruption, which is one of the fundamental pillars of the work of the World Bank, for example.

Ms. BOYAJIAN: I think there's a huge opportunity for the general public to get engaged as well. We -- actually there was a group of us having a conversation with your friend and former colleague -- former Congressman Frank Wolf about this very issue, about the importance of engaging with businesses who are selling surveillance equipment, who are selling technology equipment that is then turned around and used to repress people.

There are so many members of the American public who are passionate about this issue. They should engage not only with the U.S. government but with the companies to put pressure on the companies and also to support companies. Situations like Marriott getting bullied into changing their website, for example, are absurd.

Mr. McGOVERN: Right.

Ms. BOYAJIAN: It should not happen. This is the United States. You're not a Chinese company. You don't have to be bullied by the Chinese government.

And there's also a big opportunity as we are having a very important discussion here in the United States about using taxpayer dollars effectively and what do we want our budget to look like and how we want to engage overseas.

The American public has a great opportunity to weigh in on the importance of democracy funding and governance funding. Right now, it's only 0.05 percent of the federal budget and we, unfortunately, saw in President Trump's proposed budget a recommended cut of more than 40 percent to these programs.

Well, if you want to use taxpayer dollars wisely, you should be investing in these issues so you save on defense costs on the back end, so that you hopefully put organizations like ours out of business.

We would rather not be here advocating about political prisoners. And so I think the apathy of the American public really should be challenged because they can engage and have a lot of power, I think.

Mr. McGOVERN: Right. I think the American public has a conscience too, right. I mean, part of it is making sure they understand, you know, who are good players and who are bad players.

Whether it's surveillance companies or clothing companies or I don't care what kind of companies, you know, if they are making money, you know, in places that are exploiting people, where there are lots of prisoners of conscience, then we want them to use their voice.

If not, we don't want to buy their products.

Yes, Ms. Arriaga.

Ms. ARRIAGA: Thank you. I have two very specific suggestions, if I may.

Mr. McGOVERN: Go ahead.

Ms. ARRIAGA: The United States Commission on International Religious Freedom has been working with a relatively newly-formed group called the International Panel of Parliamentarians for Freedom of Religion and Belief, and even though we are a very powerful country we do know that sometimes the fact that an American is advocating for a political prisoner in and of itself may not take it to the next level of release.

The IPPFoRB -- we have been cooperating with them. For instance, in the case of Pastor Brunson, the president has mentioned his name. The vice president has mentioned his name. So whenever you're dealing with foreign embassies on other matters, it may be a good issue to bring up.

Just recently both the French government and the German government were able to get their nationals released from Turkey as a gesture -- as a Christmas gesture from Erdogan. However, we cannot obtain the release of Pastor Brunson.

IPPFoRB has asked for American members of Congress to join them and that could be a terrific thing to do. The other is congressional delegations. If codels would let USCIRF know when they are going to a particular country, we can provide a list of individuals whose names they can bring up and sometimes just, as we have mentioned, if

someone goes in for a trade trip or an unrelated trip, if they just hand over a piece of paper with three or four names -- I am interested in finding out what the status of these individuals are -- that alone raises the profile of these individuals.

But USCIRF has no way of knowing when codels are happening. So if there were a way to do an interagency coordinating body that would notify when people were travelling that would be terrific.

Thank you.

Mr. McGOVERN: Thank you. Mr. Fandino.

Mr. FANDINO: Yes. Thank you.

Yes, I think -- I would just emphasize the importance that Congress can play in holding the business community accountable.

I mean, I think there's countless stories that we hear as organizations working throughout Southeast Asia and Africa and Central America of companies that are blatantly violating both domestic and international human rights and holding prisoners of conscience for extended periods of time.

I mean, I think just the importance of members of Congress, the embassy, to openly denounce that. I know in a lot of cases where, you know, these companies just feel very -- just blatantly being able to operate that way and feeling like there's no repercussions for that I think it's very important for that to continue to happen and, you know, members, with your colleague letters, bringing these up in statements but also codels I think is really important and having the embassy on the ground actually making statements on behalf of human rights defenders I think is a very essential part.

And as we've seen, I think, in our work as a trend of attacks against human rights defenders who are working on issues around businesses on the floor and so a lot of indigenous organizations and organizations in communities that are working on land and environmental and indigenous rights are being particularly targeted.

And so I think it's an essential role that the U.S. Congress can continue to play in pushing the White House and the State Department to make statements on behalf of these cases and having the embassy be more vocal in supporting these organizations and holding people accountable.

Thank you.

Mr. McGOVERN: Just one last before I turn it over to my colleagues here.

I mean, I think Mr. Hultgren kind of alluded to this. But I mean, are we -- are we -- are things getting worse or are they kind of stable or are they getting better?

Ms. BOYAJIAN: So in terms of Freedom House research, I would say they're better than the Cold War era. You know, we have our 75 years of data. The 12-year decline is deeply troubling.

I am an eternal optimist so I am going to say we have to watch closely. But we can make headway. The people I work with, the activists on the ground, the change makers who we all want to support, they are committed to doing this and if we can give them a little bit of help it can get better.

Mr. McGOVERN: I would think with reporters things are getting worse.

Ms. EWEN: Yes. In our world press freedom index that we published last spring 2017 we reported that media freedom around the world had never been under such threat, and as I alluded to in my remarks, it's not just authoritarian regimes that are sticking their heels in.

It's democracies that are now taking cues from some authoritarian tactics, implementing legislation that is very concerning. For example, in the U.K., a snooper's charter was adopted, which criminalizes leaking classified information.

That's very concerning from a democracy -- from a U.S. ally. And so when these kinds of incidents happen around the world, the United States needs to play that leader role and, you know, in terms of what's happening here on the ground for press freedom, we are noticing a decline in U.S. press freedom and that has a direct consequence on that freedom in other countries in the world.

Mr. McGOVERN: Anyone else?

Mr. FANDINO: I mean, I think there is two other concerning trends in terms of worsening situations if we look at attacks against human rights defenders.

Last year alone, there were -- according to Front Line Defenders, there were 312 human rights defenders that were killed. Just an increasing pattern of criminalization throughout the world as well as dissidents and not just human rights defenders but just anyone, really, criticizing the government.

And so that's really preoccupying as well as the use and misuse of laws to silence anyone that opposed the government or criticizes the government. And so I think that's of extreme concern and kind of the importance to highlight that in any kind of state meetings that are happening.

Mr. McGOVERN: Right. Ms. Arriaga.

Ms. ARRIAGA: We see a lot of deterioration at the United States Commission on International Religious Freedom but we are also very hopeful. This year alone I've been to, well, Egypt and Turkey, Saudi Arabia, in Burma, and in all these places human rights activists are able to access social media directly.

Mr. McGovern. Right.

Ms. ARRIAGA: There is no longer that filtering process that happened before when these instruments were not available.

So I would urge Congress to be creative with monitoring social media but also aggregating to those who are reporting plights from their own country and it's a great opportunity that we have now and we should take advantage of it.

Mr. McGOVERN: Right.

Colleagues, do you want to ask any questions?

Mr. LOWENTHAL: I want to comment on two things. One that you'd brought up -- one is how -- besides having prisoners of conscience, which I think are very important, do we ramp up the pressure on these countries.

I can just share with you, and I think timing is very important and will come back again. What I mean by that is I have visited Vietnam when the discussions were on the Trans-Pacific Partnership, the TPP, and my role -- and the Vietnamese government knew it and I was also in the -- although a minority member on the Foreign Affairs Committee at that time on the Subcommittee on Asia -- I played the bad cop of the group.

By that, I was very clear with the Vietnamese government and with businesses that were dealing in Vietnam that if they wanted my vote for the TPP they had to deal with human rights and religious freedom and political dissent in Vietnam -- that that had to be on the table during these negotiations.

We will again be developing trade relationships with these countries. We are not going to move away. As we say, businesses -- we are now in a global economy.

I think there are unique opportunities for the United States and for Congress to play a role to make sure that as Thich Quang Do had said in his letter that when we develop economic trade relationships we make sure that they are within a context of promoting human rights and religious freedom as part of our economic development message or else we don't have to play, and we can tell businesses, you want us to play you have to be also our spokesmen.

So I think that is critical -- a critical part of getting -- when we begin these negotiations. I will also say I am a little worried about democracy at this moment in the world. My district, besides having a very large Vietnamese-American community, also has a very large Cambodian community.

I represent Cambodia Town. The Cambodian government has just -- which had been on a democratic experiment since the mid-1990s after going through the Killing Fields and a horrible experience of genocide, had moved towards democracy. But it has now moved away from democracy in terms of an authoritarian autocratic ruler, Hun Sen, who's eliminated all political opposition, all -- any opposition, any speaking out. People are arrested, there's the elimination of political parties, and I too am quite surprised that, although we've talked out that the United States government and administration hasn't taken a stronger stand, I just believe that much of what we do in the world is when we are perceived as the moral leader -- as the one that promotes these values.

It's not that we are not that leader but we are not promoting those values. They are secondary to -- right now to economic development, and I am watching, I think, a deterioration in the promotion of democracy. And so it really bothers me a lot.

Mr. McGOVERN: Thank you.

Ms. Jackson Lee, any thoughts?
Ms. JACKSON LEE: Yes, I would. Thank you so very much.

I wanted to recite a line in your testimony, Margaret, that I think is particularly useful, and I probably just changed your name.

Ms. EWEN: Margaux.

Ms. JACKSON LEE: So a line in your testimony, Margaux, that I think is very pertinent overall and that is the line that you put in from the Burmese journalist that indicated -- and I think it's just a horror story that he was incarcerated for 19 years. And there are so many around the world that are now in that plight, and this is relating to press but it says press freedom is a freedom that allows us to verify the existence of all other freedoms -- religious freedom, freedom of access, freedom of speech.

So I wanted just one person to comment on their familiarity with the conditions in Russia and the number of political prisoners and/or prisoners on the basis of their press -- their freedom of speech or freedom of press.

Does anyone have an assessment? Because I heard -- I think I heard a mention of the Cold War and, from my perspective, Russia is returning under a Putin's Russia to that kind of despotic leadership and setting the tone for a number of surrounding countries to feel that it is all right.

Erdogan in Turkey has done, like, a 180-degree turn from five, six, seven years ago when secular Turkey was booming as well as those who were religious who had the same freedom to express any level of faith that they had. Turkey is known as a Muslim country but it seems as a modern-day societies -- 21st century we are now turning our heads backwards.

Someone on Russia -- what's the number of people from the press are political prisoners? Go right ahead.

Ms. ARRIAGA: As you may know, there have been recent laws that were adopted in Russia to label groups that were in -- dissidents with the government as extremist groups and these laws were applied arbitrarily.

So as a result, for instance, the Jehovah's Witnesses have now been deemed an extremist group. They're no longer allowed to exist. They are a pacifist group that didn't want to be involved with the government.

But Putin is destroying civil society. Anyone who does not subscribe to his agenda will now be considered an extremist.

The Jehovah's Witnesses had film footage of Russian agents coming in to plant information in their places of worship and then discovering it the next day, and even with that information they were unable to prevail in court.

The Scientologists have recently been targeted. Several Scientologists have been imprisoned and -- or under house arrest. So the destruction of civil society I believe starts with the destruction of any independent body, particularly those people who seek to live according to their conscience.

So whenever religious freedom is in crisis in a country, you're right, it's about to go after reporters. It's about to go after anyone who stands up for their conscience.

Thank you.

Ms. JACKSON LEE: Kristina, would you just allow me to pursue that a little bit? Would you have a guesstimate of how many political prisoners of varying types? Because they're layered.

There are those who were there 10, 15 years ago and they're still there. They might have been political. Then you're telling me of the rising attack on various religions. You would say or be able to speculate with facts that Russia has a sizeable population of dissidents imprisoned?

Ms. ARRIAGA: Yes. One of the reasons that it's very difficult to come up with data and Freedom House does such a terrific job with this is that in the era of the refuseniks -- and I am old enough to remember when the Russians were imprisoned and Tom Lantos advocated for them -- it was very clear when the government arrested someone who was a political prisoner and who wasn't.

Now, governments got smart about this so many of the people arrested get arrested as a security threat or violating the extremist law or being a member of a terrorist organization. Hindus in Russia are now considered also a terrorist organization. So it's very difficult to come up with numbers because government themselves are no longer reporting on the kind of arrests they are conducting.

Ms. JACKSON LEE: Did you -- did Freedom House have any numbers you selected?

Ms. BOYAJIAN: Previously, I talked to my colleagues about that and I would just say it is hard to pin down a specific number. It is indeed an increasing problem and we have seen not only, as you mentioned, increasing authoritarian tactics in Russia but the surrounding nations adopting those tactics and additional prisoners in those nations as well. And so I think the problem you highlighted is very real and quite critical.

Ms. JACKSON LEE: Let me conclude on this, Mr. Chairman.

Thank you for that edification. It's interesting because Russia is touted as certainly a world power with the personification of a marred and slick nation, and we know Russia of yesteryear, or the Soviet Union, as an oppressive society.

And I really think it's important that we tell the truth -- that Russia is compounding the Soviet Union's actions. The old dissidents are still there.

New dissidents are coming and there are expanded criteria for making you in violation of the government's desires -- new extremists definitions -- and I just want to put on the record we have an administration that seems to completely be blinded as relates to Putin's oppression and the expanded reach of oppression in Russia.

And Russia, therefore, is allowed to impress upon surrounding nations or nations as far away as Syria that what they're doing is good, and I am appalled, even though the sanctions was somewhat unrelated, for our administration not to issue sanctions on Russia in the current time and as well I am concerned that the present administration, albeit America's democracy is strong, has made comments about the press that I think are not helpful or do not give to the world the values that Americans have about freedom of press, freedom of speech.

And so it looks like we are intertwined with a Putin's oppression and walking step in step, and I for one don't like it and I think more of us need to rise up and say this is not

-- we are not Putin's America and we don't want to have Putin's Russia, and we want the people of Russia to have the same freedoms which the breakup of the Soviet Union was to create, which is not to change their style of government but to allow people to live.

As you indicated, the Jehovah's Witnesses did not want to be wrapped up in any political issues. They just wanted to practice as they practiced. Now, of their faith, they are declared an extremist for inaction, for just trying to be -- adhering to their faith.

So I thank you for this testimony and I hope that it inspires us to know that we have to go broader than what we are as it relates to protection of these people of conscience.

I yield back.

Mr. McGOVERN: I thank my colleague, and I want to thank all of you. Look, I mean, I think we need to aspire to become a government that is not silent in the face of human rights abuses because it's inconvenient for us to raise the issue for whatever reason.

And I have strong criticisms of our current administration but I am going to be totally honest -- I've had criticisms with every administration I've ever served with that there hasn't been the consistency, although I really have some real issues about the direction our country is moving in in terms of human rights in general under this current administration.

But having said that, you know, I appreciate all of your advocacy. There's a -- for those in the audience there's a list of unadopted prisoners of conscience on the table. I hope you will take them and try to get your member of Congress or if you know any members of Congress to adopt one, two, or three and work with us on this.

And, you know, I will just close by saying, you know, I am just really impatient like you all are. I mean, it's -- you know, I say this a lot. I mean, I used to think the older I got the more I would, like, understand things and, you know, and the older I am getting the more I am puzzled by the fact that there's so many people in this world who, you know, arrest people because of who they are or mistreat them because of who they are, what they believe or, you know, it's just such a destructive waste of energy and time and it is just so wrong.

And I just feel that we are not pushing back hard enough. I am saying that all of us, collectively, and that's why I was asking before about, you know, thinking a little bit out of the box, different approaches that we might be able to embrace to strengthen our advocacy.

And so I would -- I urge all of you. I mean, you gave me some suggestions here today. But if you think of things please share that with the Commission because, you

know, I can't -- I visited many of these prisoners of conscience in prisons all around the world.

I can't imagine what they're going through, their families. You know, I mean, when these prisoners of conscience are put in jail, I mean, it has a corrosive effect on civil society. If it's a reporter it sends a chilling signal to all reporters.

If it's an academic, it sends a chilling signal to academics. If it's a faith-based leader or somebody who just wants to practice a religion that may be a minority religion in the country and they're arrested, that sends a chilling signal to any -- everybody. And so it's just -- so in any event, this has been very, very helpful.

Thank you for all that you do and look forward to working with you, and the hearing has come to an end.

Thanks.

[Whereupon, at 3:45 p.m., the committee was adjourned.]

A P P E N D I X

MATERIAL SUBMITTED FOR THE HEARING RECORD

Tom Lantos Human Rights Commission Hearing

Hearing Notice

Defending Prisoners of Conscience

Thursday, February 15, 2018
2:00 – 3:30 p.m.
2255 Rayburn House Office Building

Please join the Tom Lantos Human Rights Commission (TLHRC) for a **hearing** on advocating for prisoners of conscience (POCs) around the world.

POCs are persons imprisoned for the peaceful expression of their political, religious, or other conscientiously held beliefs, even though they have neither used nor advocated for violence. As the number of POCs continues to increase globally, and as the space for civil society continues to shrink under authoritarian governments, it is vital that the international community, and Congress in particular, bring attention to those imprisoned for peacefully exercising their most basic human rights, and work to secure their freedom.

In conjunction with various civil society organizations who will serve as witnesses at the hearing, the TLHRC launched the ***Defending Freedoms Project (DFP)*** in 2012 to help Members of Congress advocate for the release of POCs around the world. Through the DFP, Members "adopt" incarcerated prisoners of conscience, highlight the circumstances of their imprisonment and stand in solidarity with the prisoner through letters, floor speeches, Op-Eds, and other actions to keep them and their situation in the public eye so they are not forgotten. The advocacy efforts of Members and their staff have often contributed to better prison conditions, the reduction of prison sentences, and even their release.

Members who have served as advocates for POCs will share their experiences. Through written statements, released prisoners of conscience will explain how advocacy on their behalf meant that their unjust imprisonment had not been forgotten, and for those

still imprisoned, continues to give them hope that one day they will be released. Members and witnesses will share best practices for defending prisoners of conscience as a way of reinforcing human rights as a key aspect of United States foreign policy.

Remarks

- **Rep. Randy Hultgren,** Co-Chair of TLHRC, Advocate for Zhu Yufu, China
- **Rep. James McGovern,** Co-Chair of TLHRC, Advocate for Raif Badawi, Saudi Arabia, and Nabeel Rajab, Bahrain
- **Rep. Sheila Jackson Lee**, Advocate for Ta Phong Tan, Vietnam
- **Rep. Alan Lowenthal,** Advocate for Nguyen Cong Chinh, Vietnam, and Nguyen Van Dai, Vietnam

Panel

- **Andrew Fandino,** Senior Program Officer, Amnesty International
- **Kristina Arriaga,** Vice Chair, U.S. Commission on International Religious Freedom
- **Melina Milazzo,** DC Director, Freedom Now
- **Margaux Ewen,** North American Director, Reporters Without Borders
- **Annie Boyajian,** Advocacy Manager, Freedom House

The hearing is open to Members of Congress, congressional staff, the interested public, and the media. The hearing will be livestreamed via YouTube on the Commission website, https://humanrightscommission.house.gov/news/watch-live and will also be available for viewing on the House Digital Channel service. For any questions, please contact Jamie Staley (for Mr. Hultgren) at 202-226-1516 or Jamie.Staley@mail.house.gov or Kimberly Stanton (for Mr. McGovern) at 202-225-3599 or Kimberly.Stanton@mail.house.gov.

Sincerely,

Randy Hultgren, M.C.
Co-Chair, TLHRC

James P. McGovern, M.C.
Co-Chair, TLHRC