

**Testimony of**

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**Before the**

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**On**

**Mass Atrocities Prevention I**

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I want to commend the Co-Chairs of the Tom Lantos Human Rights Commission, Representative James McGovern (D-MA) and Randy Hultgren (R-IL) for holding today's hearing on "Mass Atrocities Prevention I" and thank them for inviting me to testify. I am Father Thomas J. Reese, S.J., a Commissioner on the U.S. Commission on International Religious Freedom (USCIRF). USCIRF is an independent, bipartisan U.S. federal government commission created by the 1998 International Religious Freedom Act (IRFA). The Commission uses international standards to monitor the universal right of religion or belief abroad and make policy recommendations to the Congress, President, and Secretary of State.

Mass atrocities prevention is a vitally necessary and challenging issue to address. Not only are the stakes high, with millions of lives and the stability of entire regions at stake, but consensus on even basic definitional issues has been elusive. In addition, effective solutions are difficult to achieve. Situations where atrocities occur, or are at risk of occurring, are complex, and competing national and international interests can trump attention to and action on them and, candidly, can sap the political will to step up and take action.

However, we cannot become bystanders one of the most important issues of our time. As a nation and member of the international community, the U.S. government must seek to proactively seek to prevent mass atrocities by timely addressing the harbingers of these atrocities and effectively responding to them once they occur. The case for the U.S. government to fulfill this responsibility is clear, especially given the following examples of mass atrocities:

- A massive crisis is unfolding in **Burma** and **Bangladesh**. The Burmese military and security forces' brutal response to October 2016 and August 2017 attacks on border guard and law enforcement personnel Rohingya Muslim insurgents carried out included indiscriminate and disproportionate acts against innocent civilians, including children, such as looting, burning, and destroying property; arbitrary detentions and arrests; rape and other sexual violence; enforced disappearances; and extrajudicial killings. U.S. and United Nations officials have characterized the abuses as an ethnic cleansing. The violence, which nonstate actors also perpetrated, first prompted 74,000 Rohingya Muslims to flee to Bangladesh, followed by upwards of 688,000, a number that continues to grow. The crisis is the culmination of decades of persecution and discrimination against Rohingya Muslims by successive governments, the military, and societal actors in Burma
- The **Islamic State of Iraq and Syria (ISIS)** has posed an existential threat to religious minorities, having committed genocide against groups including Yazidis, Christians, and Shi'a Muslims in **Iraq** and **Syria**, and crimes against humanity against these and other ethnic and religious groups. In Iraq, in the aftermath of liberation of areas from ISIS, human rights groups have documented discrimination, torture, and reprisal killings of Sunni Muslims suspected of being ISIS sympathizers. Iraq has long suffered from sectarian tensions, which have adversely affected human rights and religious freedom conditions, and helped create the conditions for ISIS' rise. The collective actions in Syria of the al-Assad regime, elements of the armed opposition, and U.S.-designated terrorist groups also contributed to the human rights crisis in Syria.

- In **North Korea**, the regime, guided by an extreme ideology, arrests, tortures, imprisons and executes anyone, including religious believers, whom it views as threats to the power of the leader. In fact, a 2014 U.N. commission of inquiry found “systematic, widespread, and gross human rights violations that include extermination; enslavement; torture; imprisonment; rape, forced abortions, and other sexual violence; persecution on political, religious, racial, and gender grounds; the forcible transfer of populations; and knowingly causing prolonged starvation.” These mass atrocities take place in the absence of an armed conflict. A U.N. Commission on Inquiry on Human Rights in the Democratic People’s Republic of Korea concluded that North Korea has committed crimes against humanity.

These examples underscore the need for the U.S. government and international community to work to prevent mass atrocities, taking actions that help save lives, safeguard communities, and rebuild societies. During my testimony, I will review the different kinds of mass atrocities; discuss examples of governments and non-state groups targeting religious minority communities for mass atrocities; highlight several situations where religious freedom violations may suggest a risk of mass atrocities; and recommend potential Congressional and Executive Branch actions that I hope will be explored more fully in future hearings.

### **What are Mass Atrocities**

While definitions matter, there is no formal legal definition of mass atrocities, with the consensus being that mass atrocities are large scale and systematic violence, deliberately inflicted against civilians. The legal categories most often associated with mass atrocities are genocide, crimes against humanity, and war crimes. Ethnic cleansing also is considered a mass atrocity, but does not have a legal codification. Also, the conceptual boundaries between these terms can be unclear.

- **Genocide**: *The United Nations Convention on the Prevention and Punishment of the Crime of Genocide* in Article II states that genocide means any of the following acts committed with intent to destroy, in whole or part, a national, ethnical, racial or religious group by: killing members of the group; causing serious bodily or mental harm to members of the group; deliberately inflicting on the group conditions of life calculated to bring about its physical destruction in whole or in part; imposing measures intended to prevent births with the group; or forcibly transferring children of the group to another group.

Article III lists the following acts as punishable: genocide; conspiracy to commit genocide; direct and public incitement to commit genocide; attempt to commit genocide; complicity in genocide.

- **Crimes against Humanity**: *The Rome Statute of the International Criminal Court*, which the United States has not ratified, states that crimes against humanity mean any of the following acts when committed as part of a widespread or systematic attack directed against any civilian population, with knowledge of the attack: murder; extermination; enslavement; deportation or forcible transfer of population; imprisonment or other severe deprivation of physical liberty in violation of fundamental rules of international law; torture; rape, sexual slavery, enforced prostitution, forced pregnancy, enforced sterilization, or any other form of sexual violence of comparable gravity; persecution against any identifiable group or collectivity on political,

racial, national, ethnic, cultural, religious, gender, or other grounds that are universally recognized as impermissible under international law; enforced disappearance of persons; the crime of apartheid; other inhumane acts of a similar character intentionally causing great suffering, or serious injury to body or to mental or physical health.

- War Crimes: According to *The Rome Statute*, war crimes mean any of the following acts against persons or property protected under the provisions of the relevant Geneva Convention: willful killing; torture or inhuman treatment, including biological experiments; willfully causing great suffering or serious injury to body or health; extensive destruction and appropriation of property, not justified by military necessity and carried out unlawfully and wantonly; compelling a prisoner of war or other protected person to serve in the forces of a hostile Power; willfully depriving a prisoner of war or other protected person of the rights of fair and regular trial; unlawful deportation or transfer or unlawful confinement; taking of hostages; and other serious violations of the laws and customs applicable in international armed conflict, within the established framework of international law, including namely, any of the following acts: intentionally directing attacks against the civilian population as such or against individual civilians not taking direct part in hostilities; and intentionally directing attacks against civilian objects, that is, objects which are not military objectives. (The Statute continues by listing other acts.)
- Ethnic Cleansing: Ethnic cleansing is the deliberate and systematic removal of an ethnic or religious group from a specific geographical area. The UN Security Council in 1994 confirmed a 1992 United Nations Report (*Final Report of Experts Established Pursuant to the United Nations Security Council Resolution 780*) that ethnic cleansing is a purposeful policy designed by one ethnic or religious group to remove by violent and terror-inspiring means the civilian population of another ethnic or religious group from certain geographic areas.

Mass atrocities have taken place during armed conflicts and in the absence of conflicts, perpetrated by governments (through their actions or omissions), or their proxies or non-state actors. Individuals and groups can be targeted based on their national, racial, religious, ethnic or other affiliations. The kinds of atrocities vary and can include systematic killings and abductions, enslavement and forced labor, displacement, aerial bombardment, torture, starvation, use of chemical weapons and rape. And the motives also can vary, reflecting an area's or country's history and circumstances, and can change over time, among individuals, and within one mass atrocity event.

The diversity of past mass atrocities suggests that future atrocities may have different characteristics, especially given changing political, economic, and social forces, and new ideologies and technology. This variability makes it especially challenging to predict future atrocities and propose effective actions.

Many believe, and USCIRF agrees, that using the concept of "mass atrocities" usefully broadens the discussion and debate. For many years, public policy and advocacy focused exclusively on genocide, given the power of the word and the pressure it brings to bear on the world community to act to protect the victimized group.

Yet, it is important to recognize that a declaration of genocide does not impose any new obligations. As a signatory, along with over 140 other nations, to the [1948 Convention on the Prevention and Punishment of the Crime of Genocide](#), the United States “undertake[s] to prevent and to punish the crime of genocide.” However, the Convention does not specify what this obligation entails, and the U.S. government has interpreted the legal requirement to prevent genocide being limited to a signatory’s own territory.

The day before then-Secretary of State Kerry’s March 17, 2016 announcement that ISIS is responsible for genocide, the State Department spokesperson [said](#) that “acknowledging that genocide or crimes against humanity have taken place in another country would not necessarily result in any particular legal obligation for the United States.” He also stated that “[the Genocide Convention] does create obligations on states to prevent genocide within their territory and [to] punish genocide, so there is the accountability aspect of it.”

After the Secretary’s statement, State Department officials [said](#) “that the finding imposes no new obligations beyond what is already being done but that it could ‘galvanize’ other countries to step up the battle against the Islamic State.” Some non-governmental experts agree with this assessment of the legal implications of the genocide finding. For example, Gregory Stanton, president of Genocide Watch and a past president of the International Association of Genocide Scholars, [told](#) the Washington Post in February 2016, “There is a misconception about the word. The Genocide Convention doesn’t require us to do anything.” In the same article, Cameron Hudson, director of the U.S. Holocaust Memorial Museum’s center for genocide prevention, said that “the debate over the word is somewhat misplaced, as it’s not clear that it would mandate or change anything on the ground.”

However, at least one expert disagrees with the United States’ territorial interpretation of the duty to prevent. John Heieck of the University of Kent has [asserted](#), based on the International Court of Justice’s opinion in the Bosnian Genocide case, that “the scope of the duty to prevent genocide is determined by the ‘due diligence standard,’” which “provides that, if a State has the capacity to effectively influence the genocidal actors and the knowledge that genocide is imminent or ongoing, the State has a legal duty to use its best efforts within the means available to it to prevent the genocide from occurring or continuing.”

Notwithstanding the legal debate over the consequences of a genocide declaration, it is in the U.S. national interest to understand the complexities of mass atrocities and which groups are likely to be targets, and develop policies and programs to prevent these atrocities and respond effectively to them once they take place. Congress has an important role to play in this process.

### **Religious Minority Communities as Targets of Mass Atrocities**

Religious minority groups in countries around the world are likely targets of mass atrocities, vulnerable to discrimination and violence from both governments and non-state actors. These actions, as is evident from the examples below, threaten the lives of millions, destabilize nations and regions, encourage extremism, and threaten U.S. national interests.

**Burma:** The Burmese military in 2017 brutally responded to Rohingya insurgents who targeted security personnel. While both committed human rights abuses, the scale of the military and security forces' abuses in Rakhine State overwhelms those of the insurgents. The crackdown by the military and security forces, aided by local Buddhists acting as vigilantes, prompted more than 700,000 Rohingya to flee to Bangladesh, and included indiscriminate and disproportionate acts against innocent civilians, including children, such as looting, burning, and destroying property; arbitrary detentions and arrests; rape and other sexual violence; enforced disappearances; and extrajudicial killings. The humanitarian crisis deepened for the Rohingya Muslims and others who remained in Rakhine State after Burma blocked deliveries of virtually all humanitarian assistance. The government also disallowed access by international human rights monitors and independent media to northern Rakhine State, making it difficult to assess conditions there, and rebuffed all of the United Nations' attempts to investigate human rights abuses.

While the human rights and humanitarian crisis in Rakhine State, including religious freedom violations, is unique in scope and scale to Rohingya Muslims, it is nonetheless symptomatic of the endemic abuses both state and nonstate actors long have perpetrated against religious and ethnic minorities in Burma. For nearly seven decades, anyone not belonging to the majority Bamar ethnic group or the majority Buddhist faith has been at risk of discrimination, deprivation of rights, imprisonment, and violence, particularly violence stemming from the military's longstanding conflicts with ethnic armed organizations. Extreme nationalist sentiment among some Buddhists continues to drive enmity toward Muslims in Burma.

In November 2017, a USCIRF delegation travelled to Burma to meet with government officials, civil society, and religious representatives. In January 2018, USCIRF staff travelled to Dhaka and Cox's Bazar, in Bangladesh, to gather information on the situation of Rohingya Muslim refugees, as a deeply flawed repatriation plan that Bangladesh brokered, and the United Nations and aid groups have strongly criticized, has stalled. USCIRF cannot stress enough that any and all returns must be voluntary, and appropriate safeguards must be put in place to guarantee Rohingya Muslims safety, security, and a credible path to citizenship. USCIRF also would like to commend the Herculean efforts the government of Bangladesh has undertaken to, not only provide a safe space for Rohingya Muslim refugees, but also permit them the greatest degree of religious freedom most of them have ever known.

In Cox's Bazar, USCIRF visited two of the camps for Rohingya refugees, Kutupalong and Nayapara. Kutupalong is currently the world's largest refugee camp and Bangladesh's fourth largest city. USCIRF met with 63 Rohingya refugees (19 women and 44 men), to learn about conditions both in Burma and in the camps.

The U.S. government last designated Burma as a "Country of Particular Concern" (CPC) for systematic, egregious, ongoing religious freedom violations in December 2017 and has: repeatedly condemned the attacks in northern Rakhine State; called on the Burmese military to cease its atrocities against Rohingya Muslims; terminated travel waivers for current and former military leaders; rescinded invitations to U.S.-sponsored events; and cut off U.S. assistance programs to military and security personnel who took part in the abuses. After visiting Burma in November 2017, Secretary of State Tillerson issued a press release characterizing the situation in northern Rakhine state as ethnic cleansing. In December, President Donald Trump signed an Executive

Order sanctioning General Maung Soe, former head of the Burmese army's Western Command, under the Global Magnitsky Human Rights Accountability Act (P.L. 114-328), for overseeing military operations and myriad human rights abuses in Rakhine State. Between August and November 2017, the U.S. government reported providing more than \$87 million in humanitarian assistance for the Rakhine State crisis, including assistance to Bangladesh for hosting the vast majority of Rohingya Muslim refugees.

Given the mass atrocities committed against Rohingya Muslims in Burma, USCIRF supports the continued CPC designation of Burma and the use of targeted sanctions against General Maung Maung Soe, and urges additional targeted sanctions against officials, agencies, and units, involved in the brutal campaign against the Rohingya. USCIRF also recommends that the U.S. government:

- Work with bilateral and multilateral partners to bring concerted pressure on Burma's government and military to allow an independent investigation into the root causes of and human rights violations in conflict areas like Rakhine, Kachin, and Shan states, and hold accountable perpetrators or inciters of these abuses;
- Retain the position of the U.S. Special Representative and Policy Coordinator for Burma and ensure that religious freedom is a priority for that office;
- Work with Burma's government in support of a credible path to citizenship for Rohingya Muslims, ensure their freedom of movement, and restore their political rights to vote and run for office; and
- Use the term "Rohingya" both publicly and privately, which respects the right of Rohingya Muslims to identify as they choose.

**Iraq:** Iraq long has suffered from sectarian tensions, with developments since the U.S. invasion in 2003 leading to a severely bifurcated society and deadly tensions between the Shi'a and Sunni communities, now including Kurdish Sunni Muslims after the September 25 KRG independence referendum. Saddam Hussein's favoritism of the Sunni population and former Prime Minister Nouri al-Maliki's favoritism of the Shi'a population helped create these divisions and distrust between the two communities. Since 2014, Prime Minister Haider al-Abadi has attempted to reverse former Prime Minister al-Maliki's sectarian policies, but much work remains.

This climate helped to facilitate ISIS's rise in northern and central Iraq. Yet, even before the rise of the Islamic State in Iraq and Syria (ISIS), Iraq's smallest religious communities, including Catholics, Orthodox Christians, Protestants, Yazidis, and Sabeen Mandaean, were significantly diminished. Their numbers declined further after ISIS first appeared in 2014.

While attacks by ISIS continued throughout most of 2017, by the end of the year the Global Coalition to Defeat ISIS had fully liberated all areas from the group's control. Yet, of the 6,400 Yazidis once captured by ISIS, about 3,200 of them reportedly still are hostages, many of them as sexual slaves. Mass graves have been discovered throughout the areas previously under ISIS control. Since November 2015, over 50 mass graves have been uncovered, many of them containing Yazidi victims.

On September 21, 2017, after four years of negotiations with the Iraqi government, the UN Security Council approved [UN Security Council Resolution 2379](#) to authorize a UN investigative team to collect, preserve, and store evidence in Iraq of acts by ISIS that may be war crimes, crimes against humanity, or genocide. The resolution also creates the position of UN Special Adviser to promote accountability for war crimes, crimes against humanity, or genocide committed by ISIS, and to work with survivors in a manner consistent with relevant national laws.

The U.S. government has announced that it will continue to work with the Iraqi government to prevent the reemergence of ISIS or any other violent extremist organization. Additionally, on October 26, 2017, Vice President Mike Pence [announced](#) that the Department of State will expand funding beyond the UN Development Program (UNDP) and provide direct support through the U.S. Agency for International Development (USAID) for new programs addressing persecuted and displaced religious minority communities.

USCIRF has recommended that ISIS be designated as an “entity of particular concern under P.L. 114-281, the Frank R. Wolf International Religious Freedom Act for particularly severe religious freedom violations. In addition, USIRF recommends that the U.S. government:

- Assist the government of Iraq in swiftly implementing United Nations (UN) Security Council Resolution 2379, which includes the selection of a Special Advisor and establishment of an independent investigative team to support domestic efforts to hold ISIS accountable for its actions in Iraq;
- Provide, in an expeditious manner, U.S. assistance to the most vulnerable communities, especially in minority areas such as predominantly Christian Nineveh Province;
- Prioritize funding for rehabilitation and stabilization for areas liberated from ISIS control to help create conditions to allow displaced communities to return, and to mitigate ethno-sectarian tensions, including credible accountability and transitional justice mechanisms;
- Prioritize working with the Iraqi government to curb sectarian attacks by some elements of the PMF and armed groups that promote a sectarian agenda; and
- Stipulate in all military or security assistance to the Iraqi government and the KRG that security forces be integrated to reflect the country’s religious and ethnic diversity, and provide training for recipient units on universal human rights standards and how to treat civilians, particularly religious minorities.

**Syria:** Religious freedom conditions, as well as human rights, remain dire in Syria. The government initially perpetrated atrocities against unarmed civilians. However, as the situation evolved, some groups took up arms opposing the government, with the conflict attracting armed groups from across the region. ISIS, as well as other non-state actors, have committed atrocities, even while the Syrian government is responsible for most of the civilian casualties.

For most of the past year, ISIS carried out mass executions, attacked civilian populations, and kidnapped religious minorities. By year’s end, the Global Coalition to Defeat ISIS largely had

defeated the group in Raqqa and Deir-ez-Zor. The year also saw a massive spike in the involvement of the Syrian Local Defense Forces (LDF), militias Iran funded that has been integrated into the Syrian Armed Forces, in sectarian violence targeting Sunni Muslims. Foreign Shi'a fighters recruited by the Iranian Revolutionary Guard Corp (IRGC) from Afghanistan, Pakistan, Iraq, and Lebanon also carried out sectarian attacks on Sunni-dominated areas. Areas held by the armed opposition continued to vary in levels of constriction on religious freedom. The humanitarian consequences of nearly seven years of conflict have been grave. According to the United Nations, as of early 2018 there were almost 6 million Syrian refugees, more than 6.3 million internally displaced persons (IDPs), and more than 470,000 deaths.

USCIRF in 2017 found that due to the collective actions of the al-Assad regime, elements of the armed opposition, and U.S.-designated terrorist groups, Syria merits designation as a “country of particular concern,” or CPC, under the International Religious Freedom Act (IRFA), as it has found since 2014. USCIRF also found in 2017 that ISIS merits designation as an “entity of particular concern” (EPC) for religious freedom violations under P.L. 114-281, the Frank R. Wolf International Religious Freedom Act. USCIRF also recommends that the U.S. government:

- Continue to support international efforts to investigate and collect evidence of gross human rights abuses during the conflict, including the UN Human Rights Council-mandated [Independent International Commission of Inquiry \(CoI\)](#) and the UN General Assembly-mandated [International, Impartial and Independent Mechanism to Assist in the Investigation and Prosecution of Those Responsible for the Most Serious Crimes in Syria \(IIIM\)](#);
- Use targeted tools against specific officials and agencies identified as having participated in or being responsible for human rights abuses, including particularly severe violations of religious freedom; these tools include the “specially designated nationals” list maintained by the Treasury Department’s Office of Foreign Assets Control, visa denials under section 604(a) of IRFA and the Global Magnitsky Human Rights Accountability Act, and asset freezes under the Global Magnitsky Act;
- Encourage the Global Coalition to Counter ISIS, in its ongoing international meetings, to work to develop measures to protect and assist the region’s most vulnerable religious and ethnic minorities, including by increasing immediate humanitarian aid and providing longer-term support in host countries for those who hope to return to their homes post-conflict;
- Initiate an effort among relevant UN agencies, nongovernmental organizations, and like-minded partners among the Global Coalition to Defeat ISIS to fund and develop programs that bolster intra- and interreligious tolerance, alleviate sectarian tensions, and promote respect for religious freedom and related rights, both in neighboring countries and in preparing for a post-conflict Syria.

**North Korea:** Freedom of religion or belief does not exist in North Korea. Deifying the Kim family and the state has become a religion unto itself. Those who follow a religion or belief do so at great risk and typically secretly, at times even keeping their faith hidden from their own families to protect them from the collective punishment of “guilt by association” incarcerations in North Korea’s notorious political prison camps. In addition to abuses prisoners experience, the overall

human rights situation in North Korea remains bleak, including reports of malnutrition; limited freedom of movement, expression, and access to information; sexual assault; forced labor and enslavement; and enforced disappearances.

North Korean defectors who flee to China are at constant risk, many times falling prey to economic and/or sexual exploitation. North Korean defectors with whom USCIRF met in 2017 confirmed that those North Koreans the Chinese government forcibly repatriate back to North Korea are treated more harshly upon their return if they are believed to be Christians or came into contact with Christianity in China.

In December 2017, the War Crimes Committee of the International Bar Association issued a report about crimes against humanity in North Korea's political prisons. The report noted that "Christians are heavily persecuted and receive especially harsh treatment in prison camps"; prisoners are "tortured and killed on account of their religious affiliation" or for participating in Christian meetings, reading the Bible, or encountering Christianity outside North Korea; and "Christians (or those suspected of being Christians) [are] incarcerated in specific zones within the prison camp at which prisoners were subjected to more severe deprivation."

The U.S. Department of State last redesignated North Korea as a CPC in December 2017. In lieu of prescribing sanctions specific to the CPC designation, the State Department consistently has applied "double-hatted" sanctions against North Korea, in this case extending restrictions under the Jackson-Vanik Amendment of the Trade Act of 1974. Jackson-Vanik originated when Congress sought to pressure communist countries for their human rights violations, and has since been used to deny normal trade relations with countries like North Korea.

In addition to multilateral efforts at the United Nations in 2017, the Administration sought to underscore human rights and related concerns with the North Korean regime. The State Department in August 2017 issued a [fact sheet](#) that noted evidence of starvation, malnutrition, forced labor, and torture in six North Korean political prison camps, and in October 2017, released its third [report](#) on North Korea's human rights abuses and censorship pursuant to the North Korea Sanctions and Policy Enhancement Act of 2016 (P.L. 114-122). The report added seven individuals and three state entities to the list of those responsible for human rights violations and censorship; in total, the three reports have named 42 individuals and entities, including North Korean leader Kim Jong-un. None of the reports specifically mention religious freedom, though in statements for all three reports, the State Department characterized human rights abuses in North Korea as "among the worst in the world."

In addition to continuing the CPC designation for North Korea, USCIRF recommends that the U.S. government should:

- Use targeted tools against specific officials and agencies identified as having participated in or being responsible for human rights abuses, including particularly severe violations of religious freedom; these tools include the North Korea Sanctions and Policy Enhancement Act of 2016, the "specially designated nationals" list maintained by the U.S. Department of the Treasury's Office of Foreign Assets Control, visa denials under section 604(a) of IRFA and the Global

Magnitsky Human Rights Accountability Act, asset freezes under the Global Magnitsky Act, and other executive, congressional, or United Nations (UN) action;

- Identify and target with sanctions or other tools individuals or companies outside North Korea who work directly with North Korean human rights violators or benefit from these abuses;
- Call for a follow-up UN inquiry to track the findings of the [2014 report by the UN Commission of Inquiry on Human Rights in the Democratic People’s Republic of Korea \(COI\)](#) and assess any new developments—particularly with respect to violations of the freedom of religion or belief—and suggest a regularization of such analysis similar to and in coordination with the Universal Periodic Review process;
- Maintain the Special Envoy for North Korean Human Rights Issues as a full-time position at the U.S. Department of State and ensure that religious freedom is a priority for that office; and
- Expand existing radio programming transmitted into North Korea and along the border, as well as the dissemination of other forms of information technology, such as mobile phones, thumb drives, and DVDs, and improved Internet access so North Koreans have greater access to independent sources of information;

### **Early Warnings**

In order to prevent mass atrocities, it is imperative to focus on long-telegraphed signs of potential mass atrocities as soon as possible. In China, both Uyghur Muslims in Xinjiang and Buddhists in Tibet are at risk. The Chinese government increasingly is repressing members of both communities, each of which has different religious, ethnic, and cultural characteristics. Each has reacted distinctively to this repression, with some Tibetans self-immolating and a small number of Uyghur Muslims responding with violence. And in the Central African Republic, Muslims are being displaced in a country fractured along religious lines.

**Uighur Muslims:** The Chinese government has long restricted Uighur Muslims’ religious activity, including banning Uighurs from fasting during Ramadan, prohibiting children under 18 from going to mosques, monitoring phones for religious content, and confiscating prayer mats and Qur’ans. In 2017, authorities in the Xinjiang Uighur Autonomous Region imposed intrusive new restrictions on Uighurs, including profiling them at newly built armed checkpoints and police stations; limiting their travel within and outside of China; and using GPS systems, facial and iris recognition, DNA sampling, and voice pattern sampling to track them. The regional government also identified 15 types of “extremist” behavior, such as wearing an “abnormal” beard, wearing a veil, or following halal practices, and it banned the use of certain Islamic names by children under 16. During Ramadan 2017, authorities embedded Party cadres in Uighur homes to ensure that Muslims did not fast or pray.

The Chinese government also has taken unprecedented steps to round up Uighur Muslims both at home and abroad and force them into so-called “reeducation camps:” thousands reportedly have been sent to these government-run camps. Beijing also has ordered Uighur students studying abroad to return to their hometowns, in some cases detaining students’ family members in

Xinjiang. Citing the need to investigate their political views, authorities disappeared or jailed some students upon their return. The government also regularly targets Uighur advocates abroad and their families in China. In July 2017, Italian police detained Dolkun Isa—a German citizen originally from Xinjiang and current president of the Munich-based World Uyghur Congress—on his way to speak before the Italian Senate about the Chinese government’s restrictions against the Uighur people; police released him after several hours. In October 2017, Chinese officials reportedly had detained as many as 30 relatives of Rebiya Kadeer, a prominent leader among the Uighur people and a former political prisoner.

Uighur Muslim prisoners commonly receive unfair trials and harsh treatment in prison. Well-known Uighur scholar Ilham Tohti currently is serving a life sentence after being found guilty in 2014 of separatism in a two-day trial that human rights advocates called a sham. Gulmira Imin, who was a local government employee at the time of her arrest, also continues to serve a life sentence for her alleged role organizing protests in the regional capital, Urumqi, in July 2009—an allegation she denies. Throughout the year, USCIRF advocated on behalf of Ms. Imin as part of the Commission’s [Religious Prisoners of Conscience Project](#).

**Tibetan Buddhists:** The Chinese government implements countless restrictions on Tibetan Buddhism and Tibetans’ peaceful religious activity, implementing these restrictions in the Tibetan Autonomous Region and in Tibetan areas of other provinces. These restrictions include: reeducation campaigns; extensive surveillance – through for example, security forces and closed-circuit television, internet and mobile phone monitoring; official presence in monasteries; monitoring the training, assembly, publications, selection, education, and speeches of Tibetan Buddhist religious leaders; canceling previously permitted festivals; restricting travel; imposing intrusive restrictions on private religious practice; and prohibiting children from participating in religious activity. The government also quickly suppresses any perceived religious dissent, including through firing at unarmed people.

The Chinese government seeks to strike at the heart of Tibetan Buddhism by attacking the Tibetan religious and educational institute of Larung Gar, the largest Tibetan Buddhist institute in the world which is located in Sichuan Province. In 2017, the government imposed new restrictions and checkpoint and installed Party cadres in top positions to oversee so-called “patriotic education” classes. Through June 2017, the government destroyed more than 4,700 structures, including homes, and evicted more than 4,800 monks and nuns. In August 2017, authorities commenced another phase of similar demolitions and evictions at the Yachen Gar Buddhist Center. Authorities reportedly had plans to demolish approximately 2,000 homes and expel 2,000 monks and nuns from Yachen Gar.

Authorities in 2017 confiscated Tibetans’ passports and regularly refused to issue them new ones, partly to restrict their travel to attend religious ceremonies and celebrations overseas. The Chinese government accuses the Dalai Lama of blasphemy and “splittism” and cracks down on anyone suspected of so-called separatist activities. Monks and nuns who refuse to denounce the Dalai Lama or pledge loyalty to Beijing have been expelled from their monasteries, imprisoned, and tortured. During 2017, authorities released several Tibetans from prison before they served their full sentences; however, many others continue to languish in prison. Renowned Tibetan language advocate Tashi Wangchuk faced a one-day trial in January 2018 connected to his March 2016

arrest and January 2017 indictment on separatism charges; the judge did not issue a verdict, but Mr. Tashi could face up to 15 years in prison. Another prisoner of conscience whose whereabouts have been a secret for more than two decades is Gedhun Choekyi Nyima. Selected by the Dalai Lama at the age of six as the 11th Panchen Lama, Gedhun holds the second-highest position in Tibetan Buddhism. Throughout the year, USCIRF advocated on behalf of the Panchen Lama as part of the Commission's [Religious Prisoners of Conscience Project](#). Representative McGovern has been working on behalf of the Panchen Lama as part of the Tom Lantos Human Rights Commission's Defending Freedoms Project.

In protest of repressive government policies, at least 152 Tibetans have self-immolated since February 2009, including two Tibetan monks, Tenga and Jamyang Losal, who both died in 2017 from injuries related to their self-immolations.

**Muslims in the Central African Republic:** The Central African Republic (CAR) remains violent, fragile, and fractured along religious lines. In 2017, targeted killings based on religious identity escalated in the center and east of the country. Violence was reminiscent of the extensive killing and displacement of Muslims that took place in 2014; armed groups especially targeted the ethnoreligious minority Peuhl population. In early August, then-United Nations (UN) Emergency Relief Coordinator Stephen O'Brien warned that the early signs of genocide are present in CAR. Militias that formed along opposing Muslim and Christian lines killed individuals based on their religious identity and displaced tens of thousands. More than one million Central Africans were displaced as of late 2017, the highest number since 2014. CAR's Muslim population remains disproportionately displaced, with 80 percent of that community having been driven from the country. In the western part of the country, some Muslims cannot practice their faith, move freely, or equally access services.

### **Next Steps**

This testimony highlights cases of mass atrocities which governments and nonstate actors have perpetrated against members of religious minority communities, and makes recommendations to the U.S. government. Hopefully, this testimony has made the case for prioritizing religious freedom and that not prioritizing this freedom comes with great cost.

It is evident that the U.S. government needs to pay more attention to preventing mass atrocities and directing more resources to these atrocities. Today's hearing, and the hearings that follow are a good step. More needs to be done especially in Burma, Iraq, Syria, and North Korea. It also is important to direct attention and actions to situations that present atrocity risks, such as the plight of Tibetan Buddhists and Uyghur Muslims in China and the conflict and displacement of Muslims in the Central African Republic. While not underestimating the difficulty of such efforts, it is important to work to create political will where it is lacking and overcome compassion fatigue due to the number of crises and the difficulties in responding.

USCIRF would be pleased to work with Congress and others to address and prevent atrocities. Below are some suggested steps which I hope will be explored in future Congressional discussions and hearings.

The Protection and Promotion of Religious Freedom Needs to be a Key Factor in a Mass Atrocity Prevention Framework: Members of religious minority communities provide a rich target for perpetrators of mass atrocities. The violations that take place destabilize nations and regions, through increased conflicts, political instability, restrictions on a range of rights, and violent extremism, thereby posing challenges to U.S. interests worldwide. In fact, almost all of the conflicts that top the U.S. foreign policy agenda involve either religious conflicts that threaten to destabilize societies or a state-sponsored religion or ideology that is used to suppress human liberty.

Along with being a fundamental human right, religious freedom correlates with stability, accountable governments, strong economies, and vibrant civil societies. As such, the promotion and protection of religious freedom should be as a key factor in mass atrocity prevention efforts as well as U.S. national security, counterterrorism, conflict prevention and mitigation and democracy promotion strategies. To this end, USCIRF recommends that Congress should:

- Use its bully pulpit to highlight and promote the importance of religious freedom and the prevention of mass atrocities by holding hearings (such as this one) and speaking about these issues in Congress, with Members' constituents, and when abroad.
- Pass legislation that focuses on preventing and responding to mass atrocities, including: H.R. 390, the Iraq and Syria Genocide Emergency Relief and Accountability Act of 2017, which would focus on stabilization and peace-building in Iraq and Syria; S. 1158/H.R. 3030, the Elie Wiesel Genocide and Atrocities Prevention Act of 2017, which would enhance the U.S. government's capabilities to prevent, mitigate, and respond to these atrocities; H.R. 1677, Caesar Syria Civilian Protection Act of 2017, which would impose sanctions on persons responsible for or complicit in human rights abuses in Syria; S. 905, the Syrian War Crimes Accountability Act, which would require a report on, and authorizes technical assistance for, accountability for war crimes, crimes against humanity, and genocide in Syria; S. 1118, The North Korean Human Rights Act of 2017, which would promote human rights in North Korea by providing access to information to its citizens; H.R. 1872/S. 821, the Reciprocal Access to Tibet Act of 2017, which would deny entry into the United States for Chinese government officials responsible for creating or administering restrictions on U.S. government officials, journalists, independent observers, and tourists seeking to travel to Tibetan areas.
- Engage with the State Department, USAID, and other entities to prioritize programs that develop and disseminate educational and teacher training materials on international human rights and religious freedom standards, with a particular focus on countries with a history or risk of atrocities and with public and private education systems that promote religious intolerance and extremism.
- Urge the National Endowment for Democracy and other entities that receive federal funding to solicit competitive proposals on specific international religious freedom and atrocity prevention programming.

- Send regular Congressional delegations focused on religious freedom and related human rights and the prevention of mass atrocities to targeted countries and request to visit areas deeply impacted by severe religious freedom abuses by the government or non-state actors.
- Advocate on behalf of individual prisoners of conscience and persons whom a government has detained or disappeared, as well as their family members.
- Hold governments accountable by linking improvements in religious freedom to U.S. assistance;
- Fund initiatives that help integrate members of minority religious communities into judicial, law enforcement and security services, and assist those fleeing violence and persecution.
- Implement initiatives that discourage U.S. allies, such as Saudi Arabia, from supporting extremism, including by ceasing the exportation of extremist textbooks, and support programs that counter extremist propaganda and hatred.

Adopt an All-of-Government Approach to Prevent and Respond to Mass Atrocities: USCIRF has supported an all-of-government approach to the promotion of religious freedom as the most effective way to address violations and promote this essential right. Such an approach also is needed to prevent and, failing prevention, respond to atrocities beyond our borders. Yet, there is no consensus about when, how, and under what circumstances prevention should be pursued. In addition, the responsibility to address this issue is fragmented in both Congress and the Executive Branch, with jurisdiction in multiple Congressional committees and many departments and sections of the federal government. On the executive branch side, the administration should ensure that a mechanism, such as the Atrocities Prevention Board, exists and is operating to coordinate the disparate agency actors.

Use Targeted Sanctions Tools: Because public shaming has a key role to play to help hold accountable those individuals responsible for violating freedom of religion or belief and other human rights and perpetrating mass atrocities, I draw attention to two tools: the Global Magnitsky Act and the Designated Persons List for Particularly Severe Violations of Religious Freedom included in P.L. 114-281, The Frank R. Wolf International Religious Freedom Act.

- Designated Persons List for Particularly Severe Violations of Religious Freedom: P.L. 114-281 directs the Secretary of State, in coordination with the Ambassador at Large and in consultation with relevant government and nongovernment experts to establish and maintain a list of foreign individuals to whom a U.S. consular post has denied a visa on grounds of particularly severe violations of religious freedom, or who are subject to financial sanctions, or other measures, for particularly severe violations of religious freedom. It law also requires the Secretary to submit to Congress a report that contains the list required under this subsection and a description of the actions taken; and requires updates to the report every 180 days thereafter and as new information becomes available.
- The Global Magnitsky Human Rights Accountability Act: This Act gives the United States a powerful accountability tool by authorizing the President to impose U.S. entry and property

sanctions against any foreign person (or entity) who: Is responsible for extrajudicial killings, torture, or other gross violations of internationally recognized human rights committed against individuals in any foreign country seeking to expose illegal activity carried out by government officials, or to obtain, exercise, or promote human rights and freedoms; Acted as an agent of or on behalf of a foreign person in such activities; Is a government official or senior associate of such official responsible for, or complicit in, ordering or otherwise directing acts of significant corruption, including the expropriation of private or public assets for personal gain, corruption related to government contracts or the extraction of natural resources, bribery, or the facilitation or transfer of the proceeds of corruption to foreign jurisdictions; or has materially assisted or provided financial, material, or technological support for, or goods or services in support of, such activities.

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