PRIORITIZING INTERNATIONAL RELIGIOUS FREEDOM IN U.S. FOREIGN POLICY

HEARING

BEFORE THE

SUBCOMMITTEE ON AFRICA, GLOBAL HEALTH, AND HUMAN RIGHTS

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FRIDAY, JUNE 3, 2011

HOUSE OF REPRESENTATIVES,
SUBCOMMITTEE ON AFRICA, GLOBAL HEALTH,
AND HUMAN RIGHTS
COMMITTEE ON FOREIGN AFFAIRS,
Washington, DC.

The subcommittee met, pursuant to notice, at 9:30 a.m., in room 334 Cannon House Office Building, Hon. Christopher H. Smith (chairman of the subcommittee) presiding.

Mr. SMITH. The subcommittee will come to order.

And I want to welcome our distinguished witnesses and our guests to this morning's hearing.

The subcommittee will be examining the role of international religious freedom in the U.S. foreign policy, particularly in light of the International Religious Freedom Act and the amendments being proposed to that act, H.R. 1856, the International Religious Freedom Act Amendments of 2011.

I had the privilege of chairing the committee hearings in the 1990s that prepared the passage of the 1998 International Religious Freedom Act. The act provided our administration with the tools necessary to make international religious freedom an integral component of the highest priority in U.S. foreign policy. Contrary to assertions that singling out religious freedom would somehow make it seem more important or separated from other fundamental human rights—and I would note parenthetically, the Clinton administration asserted that its strong opposition to the act at the time was based on its belief that the act would result in a "hierarchy of human rights." I remember Assistant Secretary of State for Democracy, Human Rights and Labor John Shattuck appearing at our hearings saying that it would establish a hierarchy of human rights, to which I responded repeatedly and to all those who made that argument, when we fought to ensure that Soviet Jewry and Soviet Jews immigrated, the Jackson-Vanik Amendment was value-added. It was not in lieu of any other legislation. And in like manner the effort to combat apartheid. And I was one of those on the Foreign Affairs Committee who supported vigorous sanctions to combat apartheid against that infamous, racist regime in South Africa. That too was in addition to not in lieu of any other rights policy.

So those of us who championed the bill argued that it was necessary to ensure that religious freedom was given its rightful place. It had been largely displaced in successive administrations and it

was time to make religious freedom a core component of U.S. foreign policy.

Unfortunately, the urgent call within IRFA to vigorously monitor and defend religious freedom as part of U.S. foreign policy has not been fully heeded. Religious freedom is threatened around the world, and the situation is getting demonstrably worse. Two years ago, the U.S. Commission on International Religious Freedom recommended that eight countries be designated as Countries of Particular Concern, or CPC status. In the 2011 USCIRF annual report released in April said that we are looking at 14 countries: Burma, the Democratic People's Republic of Korea or North Korea, Egypt, Eritrea, Iran, Iraq, Nigeria, Pakistan, the People's Republic of China, Saudi Arabia, Sudan, Turkmenistan, Uzbekistan and Vietnam.

The basic human rights of hundreds of millions of people are being violated each and every day. Their own governments are either direct perpetrators of religious freedom violations or fail to prosecute violations by other citizens, creating a climate of impunity.

Dr. Brian Grim, one of our witnesses this morning, has done significant research in this area. In a study he conducted in 2009, he found that nearly 70 percent of the world's 6.8 billion people live in countries with high or very high restrictions on religion. His study specifically cited Iran, Pakistan, China and Egypt as among the most repressive of religious expression. This is significant, not only because it highlights the number of people denied the most fundamental of human rights, but also because religious freedom is comprised of a "bundle of rights." Religious freedom implies freedom of conscience, freedom of speech, freedom of association and assembly, and even freedom of the press. Absent freedom of religion, all these other rights are in jeopardy.

In fact, Dr. Grim's research shows that countries that respect these rights reap a host of socio-economic benefits, including better education, better health care, greater equity of pay between men and women, and higher GDP, and these benefits arguably lead to greater social stability. On the other hand, countries without respect for religious freedom do worse on these socio-economic indicators, have greater societal tension, and are more prone to instability. The importance of promoting all components of religious freedom, therefore, cannot be overstated. Not only is it a moral imperative, but religious freedom keeps extremism and tyranny at bay.

For these reasons, U.S. leadership on religious freedom is desperately needed in many countries around the world, together with a more vigorous, robust utilization of the means provided in the IRF Act for promoting religious freedom and human rights. For example, the administration urgently needs to reassess its list of Countries of Particular Concern, particularly Egypt. As a result of severe and systematic religious freedom abuses against religious minorities, particularly Coptic Christians before and after the removal of President Mubarak, USCIRF is now recommending that Egypt be designated as a Country of Particular Concern.

The Obama administration has yet to make any CPC designations since coming to office. I strongly encourage the administration

to review carefully the recommendations made by the Commission, call out those countries that are engaging in "particularly severe violations of religious freedom," to quote from the act and apply meaningful sanctions as authorized under the International Religious Freedom Act.

The CPC designation is just one of many mechanisms in IRFA that need to be pulled out of the closet and reinvigorated. We will also look at how to strengthen the State Department's IRF office, the Commission, the engagement of our diplomatic corps, and the IRF Act itself.

I would just add—and I just would ask a member of my staff, if you could just hold up a couple of posters—it seems to me that when the administration does finally get around to designating CPC—and again I listed the countries that we believe, or I believe, should be added, they should look at what has happened in Vietnam—Vietnam has deteriorated so quickly after the Bilateral Trade Agreement, after the situation of ascension into the World Trade Organization and MFN, obviously, by the United States—Father Ly and so many of those brave men and women in Vietnam who have spoken out for religious freedom have either been re-arrested, tortured or under house arrest once again.

Charter 8, Bloc 8406, which was the equivalent of many of those charters that we saw in Eastern Europe, including Charter 77 led by Vaclav Havel, has become a list of individuals that now the Government of Vietnam is hunting down and putting into prison and meting out very severe tortures to those individuals.

That is a picture over there of Vietnam today—of Father Ly at his sentencing. And he, just like so many others, the venerable Thich Quang Do and many others, have suffered and we have been silent.

If you look at this picture here, that was in the early 1990s on a trip that I took, one of many, to the People's Republic of China. Bishop Su, a Roman Catholic Bishop of Baoding Province, had spent years in prison prior to being re-arrested in 1997 and now has not been heard from since. When you ask the Chinese Government, "Where is Bishop Su?" they say, "We do not know." What an unmitigated lie and nonsense. He may have been killed. He has been recognized at least on one occasion in a hospital with his face all puffed out, presumably having been beaten once again. Here is a man that when I met with him in our small delegation he had no malice whatsoever for the Chinese Government and told me and the others in that picture that he prayed for those who tortured him and hoped for a day when China would be free.

And finally, Gao. Gao is a man who is a human rights defender, a lawyer who has spoken up on behalf of the persecuted church and especially on behalf of the Falun Gong in the People's Republic of China. He's been missing almost 900 days. Again, he had been tortured without mercy, cattle prods put on his genitals, inside his mouth, under his arms and throughout his body. Here is a human rights defender that we need to speak out for. He has made religious freedom one of his most important issues. He now languishes in prison, probably being tortured as we meet here today.

He is one of three individuals that I and others asked be named as Nobel Peace Prize recipients. Liu Xiaobo was one of those three.

He was recognized. Of course, people like Vaclav Havel also had nominated him. But Gao remains unknown. We believe he is incarcerated and being subjected to hideous tortures as we meet here at this hearing.

I would like to yield to my good friend and colleague Mr. Payne, ranking member of our subcommittee.

Mr. PAYNE. Thank you very much. And I thank the chairman for calling this very important hearing and our panelists of esteemed witnesses for joining us here today.

As we know, religious freedom is a serious concern globally. According to a study by the Pew Research Center nearly 70 percent of the world's population live in countries with high or very high restrictions on religious practice. This is particularly troubling, as many experts assert that the absence of religious freedom is highly correlated with unsustainable democracies, low economic growth, low female literacy rates and religious extremism.

I look forward to hearing from our esteemed witnesses today about the global trends in religious freedom, as well as successful policy interventions and recommendations for further action. Unfortunately, restrictions on religious practice are pervasive. Some are driven by authoritarian regimes such as China whose progression opposition to Falun Gong, just to name one of the many oppressed groups, is well documented. For 12 years now thousands of practitioners of peaceful spiritual movements have been harshly persecuted by their governments with tens of thousands more were sentenced to forced labor camps. The Chinese Uyghur minority also suffered harsh repression of the religious practice.

The Chinese Government restricts public access to mosques, the training and role of imams, the celebration of Ramadan and participation in hajj, the Muslim pilgrimage to Mecca. Religious oppression also reared its ugly head in the recent Arab Spring Movement. In Bahrain, one of the Sunni Muslim regime's responses to peaceful protestors who were mostly Shiites seeking more political rights was to bulldoze nearly 30 ancient mosques, a breathtaking assault on a protestor's right to free practice and freely practice their religion. Such religious oppression is perilous as it only escalates and promotes dangerous social discord.

Unfortunately, a Pew study reported that worldwide the Middle East and North Africa region has the most severe and highest rate of government and social restrictions on religion. We should remain vigilant about combating religious discrimination in the West. Efforts in some European countries, mainly France, to effectively ban Muslim women from wearing head scarfs or veils as well as the Swiss ban on the constructions of minarets and on mosques remind us that these restrictions on religious freedom can be imposed by our democratic allies in Western Europe. We do not have to look far into the recent history to see the dangerous consequences of such lack of pluralistic tolerance with today's appearance of Ratko Mladic in front of the International Criminal Tribunal Yugoslavia for the genocide against Bosnian Muslims in Srebrenica among other crimes against humanity reminds the world that once again of the tragic consequences of sectarian and national violence.

In Sudan, Khartoum's attempts to severely restrict religious freedom and helped fuel the country's decade long civil war between

the North and South. To date, Sudan still remains a Country of Particular Concern for severe violations of religious freedom and religion, continues to undergird political alliances.

Elsewhere in Africa, Eritrea also remains a Country of Particular Concern because of the government's poor record on subjecting religious prisoners to harsh conditions, exercising control over officially registered groups and harassing members of unregistered groups.

In other countries the lack of religious freedom is driven by social hostilities rather than official government policies. Yet as governments tolerate such social intolerances, they in effect condone it. In Nigeria, for example, as many as 13,000 Nigerians died due to sectarian violence in the last 12 years. The government's failure to forcefully react to such ongoing egregious violations of religious freedom and their failure to work to prevent and contain religious motivated violence is extremely concerning.

In Egypt we see social hostility increasing against the local Coptic Christians. Such disturbing trends require vigilance and swift response.

Mr. Grim, I look forward to your testimony on religious freedom trends globally, especially in Africa.

The United States is unique in that it defines religious freedom as not only an American value, but a core objective of American foreign policy. Our exceptional global leadership is enshrined in the International Religious Freedom Act which is designed to promote religious freedom and fight persecution. With the act, the Congress created the International Religious Freedom office at the State Department charged with highlighting the status of freedom of religion globally as well as a related ambassador-at-large position to recommend appropriate diplomatic actions.

Ambassador Suzan Johnson Cook was sworn in by the Secretary just yesterday. Her priority countries she intends to visit in 2011 include includes Egypt, Pakistan, Afghanistan, China, Vietnam, Saudi Arabia, Nigeria and others. The Department is implementing tool kits that identify appropriate and achievable strategies for Countries of Particular Concern and other key countries to raise religious freedom issues with their diplomatic counterparts and other influences. Such individuals' high profile efforts are unique and effective. Thus, at the first U.S.-China Human Rights dialogue under the Obama administration religious freedom was one of the three main agenda items resulting in the Chinese agreeing to participate in a working group on religion.

The IRF office has also significantly expanded its engagement with inter-religious networks to advance religious freedom, foster respect, and decrease sectarian violence. The office played a significant role in participation in the U.S. sponsored Interfaith Collaboration Conference in Indonesia in Bangladesh, the Vatican and Geneva. The conference in Indonesia led to the establishment of that nation's first inter-religious council, a body that is actively promoting harmony between faith communities.

In addition, the IRF Office and the State Department, Congress created the independent U.S. Commission for International Religious Freedom. Thanks to this institution or infrastructure we were able to intervene in countries that grievously violated religious freedoms.

In Eritrea, for example, where we observed systematic ongoing and egregious violations of religious freedom, the Bush administration reacted by imposing sanctions on all defense articles and service with few exceptions for the purpose of national security which the current administration continues to uphold.

In Nigeria, USAID established the 5-year $4.5 million program to provide conflict mitigation assistance in northern and middle belt states that has the recognition of sectarian tension.

In Afghanistan the State Department's use of quiet diplomacy contributed to the release of two Afghan converts from Islam who had been charged with apostasy.

These are just a few examples of our efforts to advance religious pluralism and tolerance. More needs to be done and more tools to promote inclusive societies need to be explored. For example, we should explore ways to facilitate education exchange between people of different backgrounds and religions as an instrument for combating religious repression.

Mr. Leo, Mr. Farr, Mr. Grieboski thank you again for your being here today, and I look forward to your testimonies about the countries and regions that require continued vigilance, as well as best practices and policy recommendations that we can get for you. And actually, Chairman Berman intended to be here, was unable to come, and Mr. Chairman, he has an opening statement that he would like admitted to the record.

Mr. SMITH. Without objection so ordered. Thank you.

Thank you, Mr. Payne.

I would like to now welcome to the witness table our first witness, Mr. Leonard Leo, who is the chair of the U.S. Commission on International Religious Freedom and has served on the Commission since 2007.

The Commission was created, as we all know, by the International Religious Freedom Act of 1998 and has the legislative mandate to review the facts and circumstances of religious freedom violations presented in the administration's Human Rights and International Religious Freedom reports and to make policy recommendations to the President, the Secretary of State, and the Congress with respect to international religious freedom matters.

Mr. Leo has served as Executive Vice President of the Federalist Society for Law and Public Policy Studies and participated actively in a number of international forums, and played a major role at the United Nations, most recently on the defamations resolution, which actually had a very positive outcome. He worked very closely with Congress and especially with the administration to ensure that the defamation resolution did not move forward. And at the end of the day, it was Pakistan that tabled a resolution that comported much more closely with the U.S. and what has been the universal recognition of religious freedom as an individual right of conscience to practice as one sees fit.

So, I want to thank Mr. Leo for his leadership on that, and so many other issues related to religious freedom.

STATEMENT OF MR. LEONARD LEO, CHAIRMAN, U.S. COMMISSION ON INTERNATIONAL RELIGIOUS FREEDOM

Mr. LEO. Chairman Smith and Ranking Member Payne, I am grateful for the opportunity to testify today about the role of the U.S. Commission on International Religious Freedom or USCIRF, the world's first and only Commission of its kind in strengthening the promotion of freedom of religion or belief in U.S. foreign policy.

And I am joined here today by one of my fellow Commissioners Mr. Ted Van Der Meid.

I would request that my full written statement be placed in the record.

Mr. SMITH. Without objection, so ordered.

Mr. LEO. Let me stress the importance of Congress acting promptly on H.R. 1856, the International Religious Act Amendments of 2011 introduced by Representative Frank Wolf as a means of strengthening U.S. religious freedom promotion by reauthorizing USCIRF. Through reauthorization our Commission will remain an independent bipartisan Federal agency that monitors international religious freedom conditions and provides recommendations to the President, the Secretary of State, and Members of Congress.

The importance of this work cannot be overstated. Religious freedom is humanity's first freedom, but religious freedom is also critical to our foreign policy and national security, especially in a post-9/11 world. Countries that protect religious freedom are more peaceful, prosperous, democratic and stable. Nations that do not protect this freedom provide fertile ground for poverty and insecurity, war and terror and violate radical movements and activities.

Unfortunately around the world, attacks on religious freedom occur with alarming frequency. This is why Congress passed the International Religious Freedom Act of 1998 or IRFA which mandated the creation of USCIRF. USCIRF gathers key information at home and overseas. We issue annual reports to Congress. We advise and work closely with Members of Congress and with White House and State Department officials. We participate in multilateral meetings. We get out our message through the media and consult with civil society and religious groups. We leverage the strengths and the access we have at minimal cost to the taxpayer.

Each year USCIRF recommends that the Secretary of State designate as Countries of Particular Concern or CPCs those nations that commit severe religious freedom violations. For 2011 USCIRF has recommended 14 countries to be so designated: Burma, China, Egypt, Eritrea, Iran, Iraq, Nigeria, North Korea, Pakistan, Saudi Arabia, Sudan, Turkmenistan, Uzbekistan, and Vietnam. This administration's State Department has yet to make any designations, although we are told that they are imminent.

USCIRF also recommends that certain countries be closely monitored. For 2011 we included in our Watch List: Afghanistan, Belarus, Cuba, India, Indonesia, Laos, Russia, Somalia, Tajikastan, Turkey, and Venezuela.

USCIRF has had important successes in focusing U. S. Government attention on religious freedom issues. For example, in Sudan in order to avert another religiously related war, USCIRF called for direct U.S. engagement toward implementing the Comprehensive

Peace Agreement and was instrumental in strengthening ties between South Sudan's government and religious groups essential for facilitating voter education and turnout for the independence referendum.

In Saudi Arabia, we have raised concerns about the production of extremist literature and its exportation. Due to our raising concerns before and during our winter visit, six young Shi'a Muslims were released in February.

In Nigeria, after USCIRF visited the country following escalating violence between Christians and Muslims and raised the issue of impunity with high level government levels, the government brought prosecutions for the first time in a decade against violent perpetrators.

In Iran, in response to severe religious freedom violations, USCIRF worked with Congress to produce the first ever sanctions against Iran for human rights violations. President Obama sanctioned, among others, seven Iranian officials that USCIRF had recommended.

And at the U.N., USCIRF was a catalyst with the current administration and Congress leading to a historic breakthrough in March when the defamation of religions resolution favoring a global blasphemy standard was not introduced in the Human Rights Council of the U.N.

These are important religious freedom achievements, but there is so much more to do. Our Government should pressure countries to abolish laws that oppress religious minorities. Our Government needs to expect that countries will stop the exportation of extremist ideology and we need to partner with them in finding solutions. And our Government needs to demand that countries bring to justice the perpetrators of religiously related violence and where capacity is lacking, we need to find ways to help.

These are objectives that advance the worth and dignity of all people, and importantly bolster our own nation's stability and security in today's interconnected world.

It is our Commission's hope and goal that religious freedom will become more fully integrated into U.S. foreign policy for both humanitarian and national security reasons. By ensuring that we are reauthorized before our sunset date on September 30th, USCIRF will be able to continue to facilitate achievement of the same and will be able to build on our valuable relationships with you who serve in Congress toward that end.

And, Mr. Chairman, if I might make one other comment. I gather last night the Lautenberg Amendment had expired. The Commission has over the years been very supportive of this amendment because it has, as you know, provided a valve for religious minorities and others who are persecuted in Iran to be able to leave that country. And so as you work through a number of these different issues related to religious freedom, we would hope that the Lautenberg Amendment will be reenacted.

And thank you for the opportunity to be here this morning.

[The prepared statement of Mr. Leo follows:]

TESTIMONY OF CHAIRMAN LEONARD A. LEO

U.S. COMMISSION ON INTERNATIONAL RELIGIOUS FREEDOM

BEFORE THE HOUSE COMMITTEE ON FOREIGN AFFAIRS

SUBCOMMITTEE ON AFRICA, GLOBAL HEALTH, AND HUMAN RIGHTS

ON

INTERNATIONAL RELIGIOUS FREEDOM: STRENGTHENING ITS PROMOTION

IN U.S. FOREIGN POLICY

WASHINGTON, D.C.

JUNE 3, 2011

INTRODUCTION

Chairman Smith, Ranking Member Payne, and Members of the Committee: I am most grateful for the opportunity to testify today about the importance of our government vigorously promoting religious freedom abroad for all, and the role of the U.S. Commission on International Freedom, or USCIRF, in helping achieve this objective.

Permit me to first acknowledge the crucial importance of this Congressional committee and this hearing. Through this hearing, your colleagues and the American people can take a fresh look at the institutions and policies established by the International Religious Freedom Act of 1998 (IRFA), which include USCIRF, and what we do to have an impact on religious freedom around the world in ways that advance human rights universally as well as our own country's foreign policy and security interests.

We are the only commission of our kind in the world – actively monitoring international religious freedom conditions and providing timely and independent recommendations to the President, the Secretary of State, and Members of Congress on how to improve the situation abroad.

Religious freedom is a fundamental human right – indeed, a "first freedom" – while also being a critically important factor in the formulation of U.S. foreign policy and national security policy, especially in a post-9/11 world. Today, religious freedom – or more accurately, its absence or curtailment-- ought to be a key issue in countries that top the U.S. foreign policy agenda. From Egypt to China, Iraq to Sudan, Nigeria to Vietnam, and Russia to Turkey, promoting and protecting this fundamental right has never been more challenging.

And so, I will discuss this morning why freedom of religion is vital to promote and protect through our foreign policy. I will detail the unfortunate role that far too many governments play in religious freedom violations. I will talk about how USCIRF is uniquely structured, and how that structure enables the Commission to support U.S. foreign policy and national security objectives that relate to human rights promotion. I will highlight our accomplishments as an independent voice as well as an advisor for freedom of religion and related human rights. I will summarize some of our key recommendations for the coming year, and I will stress how important it is for Congress to act promptly on a bill that Representative Frank Wolf (R-VA) has introduced, H.R. 1856, the International Religious Freedom Act Amendments of 2011. The bill, in relevant part, strengthens U.S. religious freedom promotion by reauthorizing USCIRF, so our Commission can continue to operate as an independent, bipartisan federal entity.

WHY RELIGIOUS FREEDOM MATTERS

For those who drafted our Constitution's Bill of Rights, religious freedom was a fundamental right – the first of our liberties to appear in the First Amendment. And the reason for that was simple: Such basic matters of conscience and belief define who we are. There can be no true recognition of our worth and dignity, as well as the freedom to become what we want in our lives, in a state that denies such a right.

So, for us as Americans, religious freedom – including the freedom not to believe – matters greatly. For many beyond our shores, religion also remains a powerful source of identity, meaning, and purpose, and for literally billions of people there is no greater right than the freedom to practice one's own religion or belief system, without fear of coercion or retaliation.

Yet throughout much of the globe, religious freedom and related human rights are egregiously and routinely violated. According to a Pew Research Center study released in December 2009, seventy percent of the world's population dwells in countries where religious freedom is highly restricted.

Religious freedom abuses – whether caused by government action or inaction – should not go unchallenged, and that is not just an opinion of the United States or a reflection of our First Amendment. It is a basic tenet of international human rights law. In 1948, the international community created and adopted the landmark Universal Declaration of Human Rights, including Article 18, which states that:

> *Everyone has the right to freedom of thought, conscience, and religion; this right includes freedom to change his religion or belief, and freedom, alone or in community with others, and, in public or private, to manifest his religion or belief in teaching, practice, worship and observance.*

Since 1966, the governments of 156 countries have signed the International Covenant on Civil and Political Rights (ICCPR), a binding treaty which includes language similar to Article 18 of the 1948 Declaration, and which the United States ratified in 1992. Thereafter, nations of the world unanimously have affirmed the 1981 Declaration on Religious Intolerance, and other instruments which affirm and confirm that freedom of thought, conscience, and religion or belief is a universal and fundamental human right.

Standing for religious freedom around the world is a humanitarian, a moral, and a legal duty. It also is a practical necessity – especially in our post-9/11 world – one that is crucial to our own security and that of the world. Time and again, research has found that countries that honor and protect religious freedom have more vibrant political and democratic institutions, rising economic and social well-being, diminished tension and violence, and greater overall stability.

In contrast, nations that trample or fail to protect basic human rights, including religious freedom, provide fertile ground for poverty and insecurity, war and terror, and the emergence of violent, radical movements and activities. The assassinations earlier this year in Pakistan of two high ranking government officials for their opposition to blasphemy laws serve to remind us of how violent religious extremism and religious freedom violations are destabilizing a critical partner, creating a climate of impunity by fueling hatred and violence against both Muslims and non-Muslims in that country.

In today's battle against terrorism and extremist ideology, the key is to offer a competing – and compelling – vision of freedom, peace and prosperity, and a foreign policy that both places a premium on the freedom of thought, conscience, and religion or belief and advances this effort.

Supported by America's culture and heritage, backed by international law and treaty, and made indispensable by our critical security needs, the right to freedom of religion or belief deserves the U.S. government's strong and steadfast support.

GOVERNMENT ACTIONS OR INACTIONS THAT TRIGGER RELIGIOUS FREEDOM VIOLATIONS

Unfortunately, around the world, violations of the right to religious freedom occur with alarming frequency. USCIRF has identified three main kinds of government actions or inactions which trigger these violations. First, there is state ***hostility*** toward religion, religious communities, and/or religious leadership. Second, there is state ***sponsorship*** of extremist religious ideology and education. Third, there is state ***failure*** to prevent and punish religious freedom violations.

State hostility involves active mistreatment of groups or individuals. State sponsorship involves active promotion, including exportation, of radical, often violence-promoting, religious ideas and propaganda against these or other groups or individuals. State failure involves neglecting to take action necessary to protect targeted groups or individuals, creating a climate of impunity that enables private actors, including other citizens or organizations, to continue to threaten, intimidate, and even murder them due to their dissenting beliefs, actions or identity.

The actions of the governments of Iran and China exemplify state hostility toward religion, religious communities, and/or religious leadership.

In Iran, a theocratic government has executed individuals convicted of the charge of "waging war against God," while relentlessly targeting reformers among the Shi'a Muslim majority, as well as members of religious minorities, including Sunni and Sufi Muslims, Baha'is, and Christians, while also stirring up anti-Semitism by promoting Holocaust denial.

In China, the world's most populous nation, a Communist government ruthlessly suppresses disfavored religious groups, from Tibetan Buddhists to Uighur Muslims, and from Falun Gong to the Protestant house church movement and Catholics who resist government control of the church.

Regarding state sponsorship or exportation of extremist ideology, the autocratic monarchy of Saudi Arabia continues to export its own extremist interpretation of Sunni Islam through textbooks and other literature which teach intolerance and hatred of other religious groups and perspectives. Extremist references also are found in educational materials and textbooks in Iran and Pakistan.

The actions of the governments of Egypt, Iraq, and Pakistan exemplify state failure to protect its citizens against religiously-related violence.

In Egypt, the former government of Hosni Mubarak tolerated widespread abuses against religious minorities, from Bahai's and dissident Sunni and Shi'a Muslims to Coptic Orthodox and other Christians, failing to take adequate steps to bring the perpetrators of violence to justice

and respond to virulent anti-Semitism in state-controlled media. Since Mubarak's departure, religious freedom conditions have not improved and remain deeply problematic.

In Iraq, private actors repeatedly have targeted for violence Christians and other religious minorities, including Mandaeans and Yazidis, triggering a mass exodus of members of these groups, and the Iraqi government has failed to provide them with either security or justice.

In Pakistan, the government's longtime failure to protect religious freedom was on brutal display earlier this year with the assassinations in January of Salmaan Taseer, a Muslim who was Governor of Punjab province, and in March of Shahbaz Bhatti, a Christian who was Pakistan's Minister for Minority Affairs and a longtime champion of religious freedom. Both officials were killed for opposing Pakistan's draconian blasphemy law, which is used against both Muslims and non-Muslims.

Impunity is still one of the most serious and growing problems around the world. In just the past several months, there also have been extremely concerning incidents of religiously-related violence in Afghanistan, Ethiopia, Indonesia, Iran, and Nigeria which are not being addressed by investigations, trials, or punishments.

USCIRF STRUCTURE AND IMPACT

It was in response to such abuses that Congress passed the International Religious Freedom Act of 1998, an act which mandated the creation of USCIRF, as well as the International Religious Freedom Office (IRF Office) in the Department of State and the Ambassador-at-Large for International Religious Freedom. USCIRF welcomes the new Ambassador-at-Large, Rev. Suzan Johnson Cook, and looks forward to working with her and to the contributions she will make as an ex-officio, albeit non-voting, member of USCIRF.

Like the Ambassador-at-Large and the IRF Office, USCIRF plays a critical role in advancing the fundamental right of freedom of religion or belief, but from the outside. USCIRF is both an advisor and an advocate due to our unique composition and mandate. As an independent bipartisan commission, we accomplish our work through the leadership of our Commissioners and the engagement of our professional staff. Three Commissioners are appointed by the President, while six are appointed by the leadership of both parties in the House and Senate. The State Department's Ambassador-at-Large for International Religious Freedom serves as a non-voting ex officio member. We do our best to urge actors in both the Executive and Legislative branches to do as much as possible to promote and protect religious freedom, as well as provide recommendations for how U.S. foreign policy can creatively and effectively promote this right.

Because Congress has structured USCIRF as an independent, bipartisan federal government commission, USCIRF is able to add unique value to the cause of international religious freedom. Our structure provides us with the capacity to speak candidly and act effectively in pursuit of our aims and in conjunction with human rights and religious freedom advocates in every arena, including Members of Congress and the Executive branch, members of academia, and religious and civil society leaders.

USCIRF gathers information at home and abroad. We issue comprehensive annual reports to Congress and convene hearings and work with Congressional offices on both sides of the aisle on critical issues. We advise and work closely with officials in the White House and the State Department. We participate in multilateral meetings with the EU and OSCE. We get out our message through the media and consult with civil society as well. In short, USCIRF will leverage whatever strengths and access we have because of our unique mandate to advance freedom of religion abroad.

USCIRF ACCOMPLISHMENTS

USCIRF has had important success at focusing high-level U.S. government attention on issues of religious freedom. Our past reporting period is a good illustration.

In Sudan, for example, a free and fair referendum on independence for the South was important to help sustain religious freedom there. To that end, USCIRF called for Secretary of State Clinton's direct engagement in the implementation of the Comprehensive Peace Agreement (CPA) and was instrumental in strengthening working ties between the government of South Sudan and religious groups that proved essential for facilitating voter education and turnout in the referendum process. USCIRF also has been a critical bridge in bringing Southern Sudanese together with the U.S. judiciary and other public and private U.S. institutions in order to begin the process of providing capacity-building and technical assistance in an independent South Sudan.

In Saudi Arabia, due to USCIRF's engagement, six young Shi'a Muslims in Saudi Arabia were released in February 2011. USCIRF raised concerns about these individuals during a January/February 2011 visit. The individuals ranged between the ages of 17 and 22, and were detained in February 2010 by authorities, allegedly for passing out sweets on a Shi'a religious holiday. Authorities reportedly claimed the youths defaced a Saudi flag and threw stones at police. In January 2011, the six youths were transferred to a state security detention facility in Riyadh. The six were released on February 23 after a year in detention without charges, despite a limit of six months for pretrial detention under the Saudi criminal procedure code. USCIRF has long focused attention on extremist references in Saudi textbooks – which teach hatred toward other religions and in some cases promote violence. Funding originating in Saudi Arabia is used globally to finance religious schools, mosques, hate literature, and other activities that support religious intolerance and, in some cases, violence toward non-Muslims and disfavored Muslims.

In Nigeria, USCIRF Commissioners visited the country following a severe escalation in sectarian violence between Christians and Muslims. After our visit, the Nigerian government brought prosecutions for the first time in a decade against the perpetrators of a recent incident of violence. In addition, USAID is awarding a grant to the Interfaith Mediation Center in Kaduna to provide conflict mitigation and management assistance in northern and middle belt Nigerian states. USCIRF's recommendation to create programming for conflict prevention and reconciliation played a catalyzing role in helping bring the USAID project into fruition.

In response to Iran's systematic, ongoing, and egregious violations of religious freedom, USCIRF has long called for the U.S. government to identify Iranian officials and entities responsible and impose travel bans and asset freezes on those individuals. Previously, no sanctions measures against Iran had provisions dealing with human rights violations; USCIRF worked with Congressional offices to develop such sanctions.

These sanctions are included in CISADA, the Comprehensive Iran Sanctions, Accountability, and Divestment Act (P.L. 111-195). CISADA requires the President to submit to Congress a list of Iranian government officials or persons acting on their behalf who are responsible for human rights and religious freedom abuses, bars their entry into the United States, and freezes their assets. The Executive Order President Obama issued in September 2010 sanctioned eight Iranian officials for having committed serious human rights abuses after the Iranian Presidential election in June 2009. Two more Iranian officials were sanctioned in February 2011, bringing the total to 10. Prior to these actions, USCIRF had recommended that seven of these officials be sanctioned.

Regarding Pakistan, USCIRF was instrumental in introducing the U.S. government to Shahbaz Bhatti, who was an ardent defender of human rights reform within the Pakistani government and a staunch opponent of its blasphemy law. These connections provided Minister Bhatti with important leverage with his own government colleagues in Islamabad. As I mentioned, Minister Bhatti was tragically assassinated in March by the Pakistani Taliban. After his death, USCIRF worked with congressional offices to have a resolution introduced in his honor that pressed for improvements on these issues.

Finally, at the United Nations, USCIRF played a catalytic role, working with the Administration and Members of Congress to engage a significant number of UN member states to help reduce support for the so-called defamation of religions resolutions that sought to establish a global blasphemy law. We achieved a significant breakthrough when the Organization of the Islamic Conference declined to introduce this resolution at the March UN Human Rights Council meeting.

Due to this loss of support, the UN Human Rights Council in March 2011 adopted a consensus resolution on "combating intolerance, negative stereotyping and stigmatization of, and discrimination, incitement to violence, and violence against persons based on religion or belief." The resolution properly focuses on protecting individuals from discrimination or violence, instead of protecting religions from criticism. The new resolution protects the adherents of all religions or beliefs, instead of focusing on one religion, and promotes a human rights approach, not one that destroys that approach.

RECOMMENDATIONS FOR 2011: CPCs

Besides these accomplishments, USCIRF continues to add value in the religious freedom arena by providing timely, fact-based policy recommendations to the U.S. government each year, in accordance with IRFA. The Act requires the President, who has delegated this function to the Secretary of State, to designate as "countries of particular concern" or CPCs, those nations that commit systematic, ongoing, and egregious violations of religious freedom. These nations

would qualify as the world's most severe religious freedom violators. In accordance with IRFA, USCIRF recommends countries that in our view, meet the CPC threshold. To date, this Administration's State Department has yet to make any designations, although we are told new designations are imminent.

For 2011, USCIRF has recommended that the following 14 countries be designated as CPCs: Burma, the Democratic People's Republic of Korea (North Korea), Egypt, Eritrea, Iran, Iraq, Nigeria, Pakistan, the People's Republic of China, Saudi Arabia, Sudan, Turkmenistan, Uzbekistan, and Vietnam. I'd like to focus on four of these nations: China, Egypt, Pakistan, and Saudi Arabia.

China

Since last year's reporting period, USCIRF has observed no improvement in the religious freedom situation in China and, in fact, notes a marked deterioration in Tibetan Buddhist and Uighur Muslim areas in particular. Conditions for these two religious communities are the worst they have been in the past ten years.

Unregistered Protestants have also continued to suffer mistreatment by China's government. More than five hundred were detained in the past year and as many as 30 individuals were given sentences of over a year. The Chinese government stepped up efforts to raid unregistered Protestant meetings, destroy large churches that previously operated openly, and close "illegal" meeting points. The urgency of raising religious freedom as a priority was demonstrated during Easter week when authorities prevented members of Beijing's Shouwang Protestant Church from peacefully holding a public Easter service. According to Shouwang Church senior leaders, starting the night before Easter Sunday, 500 members of the congregation were detained in their homes and prevented from coming to the service.

China's government has also kept dozens of Catholic clergy, including three Bishops, in detention, in home confinement, or under surveillance. There have been disappearances of Catholic clergy as well. In 2010, eleven Chinese Roman Catholic bishops were ordained but without the approval of the Vatican.

According to official Chinese statements, adherents to the Falun Gong movement continue to face long-term and arbitrary arrests, forced renunciations of faith, torture, and psychiatric experiments conducted on adherents who are in detention.

The government has systematically targeted human rights lawyers and activists for intimidation, detention, and arrest and continued efforts to revoke the licenses of lawyers and shut down law firms that take on "political" cases. The signers of Charter '08 have met with harassment including detention, surveillance, raids and seizures of property. Since February over a 100 human rights defenders were held under house arrest or disappeared as Beijing feared popular sentiment sympathetic to the "Jasmine revolution." Lawyers Teng Biao and Jiang Tianyong recently reappeared, but lawyer Gao Zhisheng and Fan Yafeng remain isolated, detained, and

reportedly abused. These are unacceptable actions in a country that now claims to follow the rule of law.

Given the status of religious freedom in China, USCIRF:

- Concludes that a robust religious freedom agenda should be a critical component of bilateral relations and woven firmly into the fabric of the U.S.-China bilateral relationship;

- Urges the Secretary of State to impose a new sanction targeting Chinese officials who perpetrate religious freedom abuses in provinces where religious freedom conditions are most egregious;

- Urges the U.S. government to urge the Chinese government to cease harassing, surveilling, arresting and detaining individuals and groups, including human rights defenders and others who support them, on account of their religious beliefs, activities, or religious freedom advocacy;

- Urges the U.S. government to support the development and distribution of proven technologies to counter internet censorship and protect Chinese activists from arrest and harassment; and

- Urges Congress to press the Administration to adopt a "whole of government" approach to human rights diplomacy in China and use its oversight role to ensure a productive and real human rights dialogue with the Chinese.

Egypt

Concerning Egypt, the government engaged in and tolerated religious freedom violations before President Hosni Mubarak stepped down on February 11, 2011 and has remained on this unfortunate path since his departure. Serious problems of discrimination, intolerance, and other human rights violations against members of religious minorities, as well as disfavored Muslims, remain widespread in Egypt.

Violence targeting Coptic Orthodox Christians remained high during the past year. This high level of violence and the failure to convict those responsible – including two of the three alleged perpetrators in the 2010 Naga Hammadi attack – continued to foster a climate of impunity, making further violence more likely. The Egyptian government has failed to protect religious minorities, particularly Coptic Christians, from violent attacks, including during the transitional period when minority communities are increasingly vulnerable. Since February 11, religious freedom conditions have not improved and attacks targeting religious minorities have continued. In fact, attacks on minorities, particularly Coptic Christians, by Islamist militants and others who impose extra-judicial punishments have increased and resulted in numerous deaths and injuries.

As a consequence of the CPC designation and to help achieve respect for the law and compliance with human rights standards in Egypt, USCIRF recommends that the U.S. government should:

- Direct a portion of existing military assistance to provide heightened protection for Coptic Christians and other religious minorities;

- Increase and provide economic assistance for organizations that provide democracy and governance training, as well as for Egyptian civil society groups working to advance human rights and religious freedom reforms;

- Press the transitional Egyptian government to undertake immediate reforms to improve religious freedom conditions, including: repealing decrees banning religious minority faiths; removing religion from official identity documents; and passing a unified law for the construction and repair of places of worship; and

- Press the Egyptian government to prosecute perpetrators of sectarian violence more aggressively, including by creating a special unit in the Office of the Public Prosecutor, and to ensure that responsibility for religious affairs is not under the jurisdiction of the new domestic security agency.

Pakistan

Concerning Pakistan, the religious freedom situation has deteriorated greatly during the past year. Numerous attacks against religious groups continue to occur, and as I noted earlier, two high-profile members of the ruling party, Salmaan Taseer and Shahbaz Bhatti, were assassinated for their advocacy against Pakistan's repressive blasphemy laws. Pakistan is arguably the most glaring omission to the State Department's CPC list, as the government is both responsible for and tolerates egregious violations of religious freedom.

While the Zardari government has taken some positive actions to promote religious tolerance and remedy abuses, it has failed to reverse the erosion in the social and legal status of religious minorities and the severe obstacles the majority Muslim community faces to the free discussion of sensitive religious and social issues.

Blasphemy laws are used against members of religious minority communities and dissenters within the majority Muslim community, and frequently result in imprisonment on account of religion or belief and/or vigilante violence. Three individuals had death sentences imposed or upheld against them during the reporting period, including the inexcusable sentence against Asia Bibi.

Anti-Ahmadi laws discriminate against individual Ahmadis and effectively criminalize various practices of their faith. The Hudood Ordinances provide for harsh punishments for alleged violations of Islamic law by both Muslims and non-Muslims.

These laws and other religiously discriminatory legislation have created an atmosphere of violent extremism and vigilantism. The government has failed to protect members of the majority faith and religious minorities. Pakistani authorities have not consistently brought perpetrators to justice or taken action against societal leaders who incite violence.

To make religious freedom promotion a key element in the bilateral relationship, the U.S. government should designate Pakistan a CPC. In doing so, the U.S Government should urge the Pakistani government to:

- Reinforce the rule of law and align its laws, particularly those regarding blasphemy and the Ahmadis, with international human rights standards; and

- Actively prosecute those committing acts of violence as well as unconditionally release individuals currently jailed for blasphemy and place a moratorium on use of the law until it is reformed or repealed.

Saudi Arabia

Earlier this year, USCIRF visited Saudi Arabia and noted limited improvements since our last visit more than three years ago.

Despite King Abdullah undertaking some modest reform measures and promoting inter-religious dialogue in international fora, the Saudi government persists in banning all forms of public religious expression, other than that of the government's own interpretation of one school of Sunni Islam, and continues to interfere with private religious practice, including of non-Muslim expatriate workers. In addition, the government continues to prohibit churches, synagogues, temples, and other non-Muslim places of worship. Ismaili Muslims suffer repression on account of their religious identity and there have been numerous arrests and detentions of Shi'a Muslim dissidents, in part as a result of increasing regional unrest.

Members of the Commission to Promote Virtue and Prevent Vice (CPVPV), often referred to as the religious police, continue to commit abuses and remain immune to punishment. The government still uses state textbooks in schools and online that continue to espouse intolerance and incite violence. The government continues to support activities globally that promote an extremist ideology, and in some cases, violence toward non-Muslims and disfavored Muslims.

Almost 10 years since the September 11, 2001 attacks on the United States, the Saudi government has failed to implement a number of promised reforms related to religious practice and tolerance. There also has been little progress nearly five years after the State Department publicly announced that, as a result of bilateral discussions, the Saudi government had confirmed that it would advance specific policies with the aim of improving religious freedom conditions.

Unrest in the region since early 2011 provides added leverage for the U.S. government to:

- Lift the indefinite waiver of action, or at a minimum extend a limited 180- day waiver, during which time the Saudi government should complete reforms on textbooks and rein in the CPVPV; and

- Urge the Saudi government to bring members of the CPVPV to account for past abuses and ultimately abolish the CPVPV and entrust law enforcement to the regular Saudi police; and

- Seek from the Saudi Ministry of Justice the names of those members of the CPVPV who have been investigated, prosecuted, convicted, dismissed, disciplined or otherwise punished for past abuses and provide information about each alleged offense and an update about the current status of each case.

Finally, USCIRF strongly recommends that Congress should require the State Department to issue a five-year progress report on efforts and results achieved by the Saudi government to implement religious freedom reforms announced in July 2006 following bilateral discussions between the two countries.

WATCH LIST COUNTRIES FOR 2011

Besides our CPC recommendations, USCIRF also provides recommendations to the U.S. government on dealing with nations we have placed on our Watch List. The list includes countries where religious freedom violations engaged in or tolerated by their governments do not meet the CPC threshold but are serious enough to require close monitoring. The Watch List provides advance warning of negative trends that could develop into severe violations of religious freedom, thereby providing policymakers with the opportunity to engage early and increasing the likelihood of preventing or diminishing the violations. The following countries are on USCIRF's Watch List in this reporting period: Afghanistan, Belarus, Cuba, India, Indonesia, Laos, Russia, Somalia, Tajikistan, Turkey, and Venezuela. I'd like to focus on two of these nations: Russia and Afghanistan.

Russia

For 12 years, USCIRF has reported on the status of freedom of religion or belief in Russia. Due to increasing concerns about limitations on religious freedom across the Russian Federation, in 2009 USCIRF added Russia to its Watch List, and kept it there in 2010 and 2011.

Religious freedom conditions in Russia continued to deteriorate in the past year: The government increased its use of anti-extremist legislation against religious groups that are not known to use or advocate violence. National and local government officials also harass Muslims and members of religious groups they view as non-traditional through enforcement of other laws, including on religious organizations.

While Russia faces serious security threats from groups which advocate or perpetrate violence in the name of religion, the government's broad-brush approach to this situation is problematic, due to its arbitrary application of vague anti-extremism laws against religious adherents and others who pose no credible threat to security. Human rights groups are concerned that the way the Russian government is addressing security threats could increase instability and radicalism among Russia's Muslim community.

Difficulties for religious communities stem from other laws, as well. Muslims and several minority religious groups continued to experience denials of registration, and delays and refusals to permit construction of or grant permits to rent places of worship, with their members often

harassed and detained. Russian officials also continue to describe certain religious and other groups as alien to Russian culture and society, thereby contributing to a climate of intolerance. A rise in Russian xenophobia and intolerance continues to result in numerous violent attacks and other hate crimes, including anti-Semitic crimes.

USCIRF has concluded that freedom of religion or belief should be treated as an important issue in the U.S.-Russia bilateral relationship, recognizing that it is both a human rights and security concern in Russia, and that the United States should:

- Urge Russia to reform its overly broad law on extremism and ensure it is not used against peaceful religious communities; and

- Implement the provisions of the "Smith Amendment" in the FY 2010 Consolidated Appropriations Act (Section 7074 of P.L. 111-117) that would prohibit U.S. financial assistance to the Russian Federation government due to, inter alia, its discrimination against religious groups through laws and government actions, excessive application of the vague and overly-broad extremism law, and reported restrictions by regional and local officials on minority religious groups.

Afghanistan

USCIRF has determined that conditions for religious freedom remain exceedingly poor in Afghanistan for minority religious communities and dissenting members of the majority faith. The Commission has made this finding despite the presence of U.S. armed forces in Afghanistan for almost 10 years and the substantial investment of lives, resources, and expertise by the United States and international community.

Many of the problems emanate from the 2004 Afghan constitution, which effectively has established Islamic law as the law of the land. Afghan jurists and government officials do not view the guarantees to human rights that come later in the document as taking precedence. Considering the emphasis placed on respect for the constitution in negotiations and reconciliation efforts with the Taliban, USCIRF is concerned that this widespread interpretation of the constitution's provisions on Islamic law would seriously undermine religious freedom and women's human rights in the country.

In addition, the absence of effective constitutional protections means individuals lack protection to dissent from state-imposed orthodoxy, debate the role and content of religion in law and society, advocate for the human rights of women and members of religious minorities, or question interpretations of Islamic precepts. The government has prosecuted individuals for religious "crimes" such as apostasy and blasphemy in violation of international standards.

In the past year, the small and vulnerable Christian community experienced a spike in government arrests, with Christians being detained and some jailed for the "crime" of apostasy. And while the minority Hazara Shi'a community experienced greater freedoms to hold public

religious festivals without incident, gains for women's human rights remain tenuous and reversible.

U.S. policy has not prioritized freedom of religion or belief in Afghanistan. U.S. engagement has been reactive and has not effectively engaged the underlying dynamics that continue to lead to religious freedom abuses. USCIRF recommends that the U.S. government:

- Use its influence to support those who advocate respect for freedom of religion or belief;
- Increase efforts to ensure that the formal and informal judicial sectors uphold international standards of human rights: and
- Urge inclusion of representatives of civil society, including women and members of minority communities, in any reconciliation process, and work to ensure that any reconciliation process does not provide immunity to known human-rights violators.

IRFA AND THE INTERNATIONAL RELIGIOUS FREEDOM ACT AMENDMENTS OF 2011

Religious freedom promotion needs to be a central aspect of U.S. foreign policy strategic planning. IRFA established as the policy of the United States that the U.S. government would "condemn violations of religious freedom" and would work to "promote, and to assist other governments in the promotion of, the fundamental right to freedom of religion."

Congress intended the Ambassador-at-Large to be a "principal adviser to the President and the Secretary of State regarding matters affecting religious freedom abroad." Since the position was established, it has been situated in the Bureau of Democracy, Human Rights and Labor (DRL) and is therefore under its Assistant Secretary. Other Ambassadors-at-Large, such as those for Global Women's Issues, Counterterrorism, and War Crime Issues, as well as the AIDS Coordinator, are situated in the Secretary's office and have direct access to the Secretary. In contrast, the Ambassador-at-Large for International Religious Freedom reports to the Secretary through three intermediate officials: the DRL Assistant Secretary, the Under Secretary for Democracy and Global Affairs, and the Deputy Secretary.

The Commission recommended in its 2011 Annual Report that the Ambassador-at-Large have direct access to the President and the Secretary of State; that the Ambassador and the Office of International Religious Freedom are provided the necessary resources for travel and staffing, similar to other offices with a global mandate; and that the State Department continues the practice of having the Ambassador maintain direct oversight of the Office of International Religious Freedom.

IRFA also envisaged the funding of religious freedom programs, authorizing foreign assistance to promote and develop "legal protections and cultural respect for religious freedom." This authorization was funded in fiscal year 2008, when $4 million was appropriated for specific DRL grants on religious freedom programming under the Human Rights Democracy Fund (HRDF).

Considering the statutory recognition of these programs and the demonstrated interest and capacity of human rights and religious freedom organizations, USCIRF has recommended that Congress provide a specific carve-out of HRDF funds to ensure ongoing religious freedom programming that is managed by the Office of International Religious Freedom.

IRFA mandated that the Secretary of State establish monitoring mechanisms "consisting of lists of persons believed to be imprisoned, detained, or placed under house arrest for their religious faith, together with brief evaluations and critiques of the policies of the respective country restricting religious freedom." In compiling this list, the State Department was directed to use the resources of the various bureaus and embassies and to consult with NGOs and religious groups. While the State Department has advocated for individual prisoner cases, USCIRF is unaware of the Department establishing or maintaining a comprehensive list of such prisoners.

IRFA calls for American diplomats to receive training on how to promote religious freedom effectively around the world. In the past, training for Foreign Service Officers on issues of religious freedom has been minimal, consisting mainly of ad hoc lectures on the subject. Notably, during this past year, the Foreign Service Institute developed a two-day interagency policy seminar entitled "Engaging Communities of Faith to Advance Policy Objectives" and a three-day course on Religion and Foreign Policy. USCIRF welcomes this initiative. These courses remain optional, though, and are not yet part of the core curriculum for all diplomats in training.

Another IRFA issue relevant to both the State Department and the Department of Homeland Security (DHS) relates to the admission to the United States of aliens who were "responsible for or directly carried out…particularly severe violations of religious freedom." IRFA bars the entry of such individuals. This provision has been invoked only once: in March 2005, it was used to exclude Chief Minister Narendra Modi of Gujarat state in India due to his complicity in the 2002 riots that resulted in the deaths of an estimated 1,100 to 2,000 Muslims. USCIRF had urged such an action. USCIRF also continues to urge the Departments of State and Homeland Security to develop a lookout list of aliens who are inadmissible to the United States on this basis.

Looking ahead to the future and because of these concerns, USCIRF urges this Committee and the House to reauthorize USCIRF until September 30, 2018: without this reauthorization, USCIRF would sunset on September 30, 2011.

CONCLUSION

Since starting its work in 1999, USCIRF has worked diligently to fulfill our mission of promoting the right of freedom of religion or belief around the globe. From the beginning, we realized that we cannot fulfill our mission alone. That is why we value our partnerships, such as with NGOs and religious communities, and also importantly with the State Department's Office of International Religious Freedom. We welcome the new Ambassador-at-Large for International Religious Freedom, Dr. Suzan Johnson Cook, and look forward to a productive collaboration with Ambassador Cook and her office.

We especially value our relationships with members of Congress. Indeed, since its role in creating our Commission 13 years ago through IRFA, Congress has been invaluable in helping us advance our goals, and I believe USCIRF has been a very useful resource and partner for the Congress as well. Congress now can make a lasting difference this year for religious freedom through reauthorizing USCIRF, reaffirming the commitment to the promotion abroad of the freedom of religion as a fundamental human right.

I look forward to our continuing to work together to fulfill our mandate.

Mr. SMITH. Thank you very much for your testimony, and having read your full statement, it is very comprehensive and provides us with very, very useful insights as to how to proceed.

Let me ask you first if the International Religious Freedom Act is not reauthorized—because we all know that a lot of good bills in the House or Senate, often in the Senate, you know through inaction or through when they hotline it something happens along the way, somebody just refuses to allow it floor time—what would be the consequences if the act were not reauthorized?

Mr. LEO. Well, I think there are both domestic and international consequences.

Domestically, USCIRF has been a very important resource for Congress and for administrations in terms of making recommendations about how to bolster our U.S. foreign policy and our national security agenda in ways that promote freedom of religion abroad. And so I think we would lose an important resource there.

I also think that Congress' failure to reauthorize USCIRF sends a signal to both the executive branch and to, unfortunately, the civil society world that religious freedom is not as important to our Government as it used to be. And that, of course, then in turn sends an even more unfortunate signal to the rest of the international community.

You know, right now we have a commission and an infrastructure that is unique in the world, one that has I think in a number of instances been able to have a lot of leverage over foreign governments, that is both USCIRF and our Ambassador-at-Large. And in the absence of that infrastructure certainly if it were just allowed to die on the vine, I think many countries would view that as a signal that we were no longer focused on this issue and that they are allowed to engaged in the kinds of abuses we have seen with impunity.

Mr. SMITH. I referenced in my opening comments the extreme hostility, and it was hostility, toward the legislation by a previous administration, by the Clinton administration, although Bill Clinton did sign it. And, you know, we were always very grateful for that fact. But sometimes you can sign a bill and then refuse to implement it in a robust way.

And Tom Farr who ran the office for 4 years points out that no administration can claim we will have advanced religious freedom in a substantial way. Religious freedom has always been orphaned within the State Department.

Mr. Wolf and I have traveled all over the world on religious freedom issues, and time and again we find it is an asterisk to human rights in general or page 4 down at the bottom on talking points and religious freedom demoted even further. And usually the Foreign Service officer tasked with religious freedom issues is someone very, very low on the totem poll and the Ambassador, the DCM and others see it as an irritant. And that has been 31 years of my experience traveling. Even during the worst days of Soviet repression of Jews, my first trip to the Soviet Union was with the National Conference of Soviet Jewry in January 1982. And at the same time, the Siberian 7 Pentecostals had made their way into our Embassy seeking protection from the cruelty that was meted out against them. And many people in that Embassy were profoundly unhappy

to have them at the Embassy because it complicated our diplomatic relations with Moscow.

And I was sickened by it, frankly. And we have seen it time again, Mr. Wolf and I, who has now joined us, the author of the International Religious Freedom Act. There are some FSOs, Foreign Service officers who care deeply, but there are many who see this, including ambassadors, as an irritant.

And you might want to comment on the culture. One of the provisions of IRFA was to train Foreign Service officers so that they would be not just sensitive to, but would embrace, the cause of religious freedom. Has that happened?

Mr. LEO. Well as you rightly point out, Mr. Chairman, religious freedom has always been a very difficult issue to get to the forefront of our foreign policy and national security agenda. This has been the case in every Presidential administration. The challenge always in public diplomacy is to take that whole basket of issues; trade, security, human rights, religious freedom in particular, and to find a way to engage countries on all of them. What I think we have to do is we have to educate diplomats and Foreign Service officers that freedom of religion or belief is an essential part of ensuring that countries in our world more generally are stable, prosperous and secure.

We know from events in recent history that there is a tremendous interrelationship between the extent to which freedom of religion is protected and prosperity and stability.

You are quite right that education to some extent is not where it needs to be right now. There is a course that will be instituted soon, in fact I think it may have even started this week, for Foreign Service officers, but it is not yet part of the core curriculum, and that needs to happen.

Also I think that within the State Department it is very important for the Ambassador-at-Large to have the kind of direct access that she needs to the President and to the Secretary of State. And I had the privilege of seeing our new Ambassador-at-Large Suzan Johnson Cook yesterday. She is a captivating, intensely committed woman who understands the importance of human rights. And it is my hope that she will be given the kind of resources and access that she needs to help to put this issue in front of the bureaus in the State Department, the National Security Council, at the White House and others.

Mr. SMITH. Let me ask if you could comment on the rising tide of persecution against Christians, particularly in places like China. You know it was not lost on Beijing that it was people of faith, largely, whether it be in Romania, whether it be what empowered Lech Walesa to lead his fight and Solidarity's fight in Poland, and my experience backs that up that it was often people of faith in each of the countries that led to the demise of the Soviet Empire. The lesson learned by Beijing is that you need to crush faith-based people. And Christians, which after the United States, it is estimated that China has more Christians then any other country in the world, most of them living underground and attending underground churches.

Pope Benedict XVI made the point in a statement that AP carried on December 16th that at present Christians are the religious

group that suffers most from persecution on account of faith. The Pontiff asserted this and cited Christian communities suffering from violence and intolerance, particularly in Asia, Africa, the Middle East, and the Holy Land. And, of course, Asia, China and North Korea being among the worst violators on the face of the earth. And your thoughts on that and on the Pope's statement?

Mr. LEO. We have seen three disturbing trends regarding the plight of Christians around the world. One would be outright persecution. So for example, the application of laws like blasphemy or apostasy laws that can result in torture, execution, imprisonment or laws that are invoked to confiscate property, to desecrate property of religious communities around the world.

Secondly, we have seen a significant uptick in impunity. Basically the kind of violence, Mr. Payne, that you mentioned that occurs in various parts of Africa where essentially there are individuals who strike out against Christian communities and they are never brought to justice by the governments. We have seen an uptick of this, and that is part of the reason why the Holy Father, as well as actually President Obama at the very end of last year, talked about this issue in connection with the Coptic Christians in Egypt and also mentioned Nigeria.

And then the third kind of trend we have seen is an increase in controls on the hierarchies or institutional infrastructure of Christian churches. So, you will see for example countries like China trying to control the priests who may be ordained or the ministers who may take over a particular church. You may see controls on the institution of seminaries, or outright bans on seminaries in some cases to dwindle down the number of religious who are able to minister to their communities.

So, those are the three areas where we have seen an uptick in various kinds of prohibitions, suppression, and persecution against Christians.

And by the way, for what it is worth, many of these oppressive governments are equal opportunity persecutors. So you will see in a lot of these countries persecution against lots of other religious minorities. As you know, in Asia for example the Buddhists and others are equally persecuted. There are many Muslim communities around the world that are facing the brunt of discrimination and oppression by governments, too. So there has been an uptick, certainly for Christians and there has been a lot of focus on that because of what has been going on. And then also quite a number of other religious minorities around the world.

Mr. SMITH. At the appropriate time we will have the administration here, and there will be a second hearing, we will ask the administration why they have not, since the Obama administration has been in office, designated countries either on the CPC list or not. I mean, we are well into this administration. It seems to be a glaring omission that has been made by them. What is your thought?

Mr. LEO. Well, we have called for CPC designations by this administration as well as the previous administration when it was not moving fast enough. And we very much hope that those designations are imminent.

You know, there are a couple of problems here. It is not simply the fact that there are not designations. It is what happens after a country is designated, what do we do about it? You know, there are sanctions that are available. There are various kinds of things that our country could be doing once a country is designated, engage them. But what historically has happened is that sanctions are generally not applied. Only one country, and I think, Mr. Payne, you mentioned it, Eritera. Eritera is the only country that has sanctions specifically directed against it under IRFA. All the other countries that have sanctions, they have double hatted them under other statutes. And in addition to that, you know quite often these countries may receive waivers. So, for example, Saudia Arabia has an indefinite waiver.

So it is not just the designations but it is also what happens after: What can we do to get officials within our executive branch to think seriously about how to leverage that designation through sanctions or bilateral negotiations, or other forms of pressure?

Mr. SMITH. I would agree with you on sanctions. If it goes unused, it becomes impotent. And there was actually a delay, as you know, in the bill—with the 18 sanctions prescribed in the bill—so that there could be an opportunity for the country to make whole and take some remedial action. But if you do not drop the sanction after you designate the country a CPC, it becomes, not a useless, but a very much diminished threat. So, I think your point is well taken.

Let me just finally ask you about what you say is arguably the most glaring omission to the State Department CPC list—Pakistan. And all of us, obviously, mourned the assassination of Minister Bhatti when he was brutally slain, a man who had called for an end, certainly a mitigation, of the blasphemy laws in Pakistan. Do you think that is likely to happen within the State Department?

And secondly, if I could, he was sitting where you are sitting, on two occasions, I chaired hearings on anti-Semitism when we had Natan Sharansky testify. And he made a very compelling argument that the rising tide of anti-Semitism is being spread through mass media, through soap operas. He actually brought a soap opera that he showed us here of blood libel. He said this is what many in the Arab community, especially the young, feed on and think is true.

In it he showed this young boy, Christopher, which is shown on Arab TV broadcasts on satellite television throughout Europe and the United States, being killed, his throat slit in order to put his blood into matzah. And he said we think it is a horror movie, they think it is real. And if you inculcate that into the youth, it only leads to more anti-Semitism.

He also, as he did at the OSCE Conference on anti-Semitism in Berlin, talked about the three "D's" that are very veiled excuses for anti-Semitism: Demonization, delegitimization, and denial of Israel's right to exist. That when anyone of those three are present you can be very sure it is really at its core anti-Semitism.

I know we have a separate office, because I actually authored the legislation to create it, but do you believe that IRFA has been effective in combating anti-Semitism? And I would just add to that, there was a hearing on the Senate side about Muslim and acts against Muslims here in the United States. The FBI chronicles

hate crimes. Christians? It is under 9 percent in the United States. Muslims? It is under 9 percent within the United States in terms of hate crimes based on religion. For Jews, it is 75 percent, even though the Jewish population makes up less then 2 percent of the U.S. population, about 5–6 million people. Totally disproportionate, and yet there are some people somehow in the United States that think that there is an equivalency.

The Jews, there is a rising tide of anti-Semitism even here. I know it is State Department, but obviously it has cross-over effects into what we do abroad and what we should also be teaching and promoting here. What are your thoughts on that, as well as Minister Bhatti?

Mr. LEO. Well, first on Pakistan. We, the Commission, had a very close relationship with Minister Bhatti and we were shattered when we heard of his assassination. He was probably the brightest light for human rights and religious freedom that Pakistan had at that time. And his assassination was a tremendous blow to progress in that country. So that is a very serious matter and one that we really are grieving over.

We do want to see Pakistan as a Country of Particular Concern. We do not believe that keeping them off the CPC list is a way to see progress in that country. It has not worked and it will not work in the future.

This is a country that has one of the most oppressive and misused blasphemy laws in the world. It has been a major proponent of the worldwide blasphemy standard. And it is a country that has been known for exporting extremist ideology throughout North and sub-Saharan Africa.

When you visit Nigeria and you talk to security officials in Nigeria. When you visit Kano and Kaduna in the North, you will find materials—you will find materials that have been exported from madrassahs in Pakistan that are hateful and inciteful in the way they treat religious minorities or Christians in that country.

And so the situation in Pakistan is very serious. Impunity is rampant. They are exporting extremism in ways that is very troubling for our national security and human rights regime internationally. And they should be deemed a CPC and we should begin to pressure them in whatever way possible to begin to rollback some of the oppressive laws they have, which in turn I think would gradually change that culture.

With regard to anti-Semitism, of course this is a multi-jurisdictional issue, but you know there has been some attention to anti-Semitism under IRFA. You know, two countries come to mind: Russia and Venezuela.

We have noticed an increasing trend in Russia over the years, less attention to dealing with hate crimes related to anti-Semitism. And one of the reasons that we continue to keep Venezuela on our watch list is because they have not brought to justice individuals in their country who have vandalized synagogues and other important places that are gathering points for the Jewish community in Venezuela.

So we have tried to put a spotlight on those issues. I think IRFA can be an effective mechanism for doing that. What does have to happen, though, is that our Commission and the IRF Office needs

to work with the special ambassador that is appointed for those issues so that there can be some coordination and collaboration. And we did meet with her earlier, I guess late last year, and we hope to continue to work with that office and find points of leverage that we can begin to use to combat anti-Semitism.

Mr. SMITH. Mr. Payne?

Mr. PAYNE. Thank you very much for your testimony and for the outstanding work that you do.

Just sort of a general question and then your opinion. Do you think that religious tolerance worldwide is improving or do you think that there is sort of a continued erosion? Just, I mean the world is big so I know it is not a simple answer, but just generally speaking.

Mr. LEO. My own view is that it is eroding. And I think the fact that our Commission has, as I think the chairman pointed out, gone from eight CPC recommended countries 2 years ago to 14 today is somewhat testament to that.

We have seen an awful lot of instability and erosion in North and sub-Saharan Africa. We are very concerned as a Commission about the situation in Nigeria and in Eritera. We are deeply concerned about what may happen in Sudan. We are very troubled by the violence taking place in Abyei. As you well know, the inability to complete the Comprehensive Peace Agreement and really have a peaceful transition to independence could well result in another very bloody religiously-related war in that part of the world.

We have seen an uptick in religious oppression and violence through the Middle East.

China ebbs and flows, but things seem to be on an uptick there as well as in Vietnam.

The Muslim communities in Central Asia, particularly Uzbekistan, Tajikistan and to some extent Turkmenistan seem to be under continued siege.

The Indonesians, they are on our watch list. They have a mixed record but the fact of the matter is that they continue to refuse to recognize that their blasphemy laws and other forms of discrimination against the Ahmadiyah and other religious minorities are causing acts of impunity to take place there.

So there is a real uptick in religious tensions and violence. And, Mr. Payne, it is happening in countries where it historically has not happened before.

On the way back from Sudan last time we stopped in Ethiopia because, as you may remember, there were around 37 or so Protestant house churches that were torched. And when we were there we talked to some of the human rights officers and we were struck by the fact that this was new to them. This had not happened in recent history or memory in Ethiopia.

We are seeing those incidents elsewhere around the world. Syria, which has been a very important safe harbor for Christians throughout the Middle East is now, of course, because of its instability a place where we have to be watching very closely.

Uzbekistan, there are something like 4,000 or 5,000 prisoners, many of them Muslims who are detained there simply for practicing their faith peaceably. And there seems to be no sign of reducing the size of that prison population through releases.

So the situation is not good. And, of course, the economic crises that the world's facing makes it even harder, right? Because everyone is focused on trade and commerce and the economy and not focused as much as they ought to be on human rights, even though as you have all said those two issues are inexpiably intertwined and you are not going to solve the one without dealing with the other.

Mr. PAYNE. Thank you very much.

I also agree that in my opinion, too, there is an uptick particularly in Africa. There is up until the recent maybe past decade or so religion was really not a dividing force. And a family would have Christians, Muslims and it was just the way that the countries were. But as you have noted in Nigeria, for example, there is heightened tension, killings that go on.

And in Eritrea, I visited there and you know with the President specifically on this whole question several years ago and said that they do not have religious persecution. It was interesting that I met with a number of religious groups and they, of course, were saying that they did not feel any religious persecution. Of course, I am not so sure that they were speaking the whole truth. However, it was interesting that there were a number of long term existing religions that they would sort of leave alone to some degree, even a Jewish temple actually in Eritrea.

I met with maybe six or seven different religious groups, each just with that group. Because I really wanted to try to get to the bottom of what was going on. We did find that they totally excluded any new groups coming in. That was the argument that we do not want new groups that disrupt the family, that puts children against elders. And the ones that were there were okay, said the President. They were restricting those that wanted to come into the country.

And so it was interesting to be able to go to these houses of worship and these people were talking freely about their religious freedom. Of course, I know that when maybe someone from the government happens to be in the group, they are not going to necessarily tell the full truth. But I just, to once again say, that I think that the situation that in the past was really not a big issue in Africa in general now is certainly raising its ugly head and is really becoming a very divisive issue.

Mr. LEO. Mr. Payne, we would be very interested in working with you and others further on Eritrea. As you rightly point out, there are the older established religions there, orthodox Christians, Jews, some Catholics who do get treated better than some of the other minority faiths. And a lot of what happens in Eritrea around repression of people of faith often has political overtones to it: Concerns about political authority and security in the country and so forth. So it is one of the more complicated places where religion ends up bleeding into other issues that shape the political dynamic.

We are very interested in trying to find some solutions in Eritrea and we have been grasping about trying to identify those. There may be opportunities there because I think that this new administration, in handling the sort of relations between Ethiopia and Eritrea, we may find a way of also opening doors in Eritrea and having more fruitful human rights discussions.

So, if you or your colleagues have ideas for how we can perhaps create some points of leverage there, we would be very interested.

Mr. PAYNE. That is great. I believe, too, there is an opportunity at this time. The question of Badme has sort of been downplayed. I visited there, actually, from the Ethiopian side and then went to Eritrea and was chastised by the President of why did you go through Ethiopia. Since it was easier to get there, that is all. But we have had some ability to have dialogue with the President there. Of course, it is very difficult as you know to deal with the other countries around, Djibouti and problems with of course Ethiopia. But I do think that that we may give it one last shot, and I would be very happy to work directly specifically on this issue with you on the religious situation.

Thank you.

Mr. SMITH. Thank you very much, Mr. Payne.

Regrettably, there is a vote on the floor. If Mr. Fortenberry returns, because he went over to vote first, he will reconvene the hearing and ask his questions of Mr. Leo. And then Mr. Wolf will be next after that.

We stand in temporary recess.

(Whereupon, at 10:29 a.m., the subcommittee recessed, to reconvene at 10:36 a.m., the same day.)

Mr. FORTENBERRY. The hearing will now reconvene.

Thank you, Mr. Leo, for your presence here, and I am sorry for the disruption. I know you have been up here before, but it is a way of life. It is particularly a difficult day in that the House is seeking to adjourn while also considering several resolutions relating to the ongoing conflict Libya. So you may have members in and out. But we really thank you for your presence.

And in his absence, I would like to thank Chairman Smith as well for elevating this important issue of religious freedom as a foreign policy priority for the United States. I was honored to join him and Congressman Wolf as a co-sponsor of the International Religious Freedom Act of 2011. And I want to commend both of those gentlemen for their leadership to ensure that this first freedom, the freedom of religious discretion, will continue to have a prominent seat at the table in U.S. diplomatic engagement.

Again, thank you for your leadership on the Commission as well, Mr. Leo. I believe you have done extraordinary work since the establishment in 1998. It is a small but flexible organization that I think has played an indispensable role in informing our oversight efforts with critical firsthand knowledge of human rights abuses throughout the world and recommendations for U.S. policymakers.

After I finish some of these opening comments, that is what I will ask you, further recommendations for policymakers.

This year we have witnessed a staggering movement for self-determination throughout the world, particularly in the Middle East with serious implications for the future of that region. Religious freedom is a most fundamental element of self-determination. The acid test of this movement's success I think will be to the extent to which emerging or evolving institutions of government respect the human dignity and inherent rights of all persons subject to their jurisdiction and foster the rule of law in an impartial and just manner.

Tragically, we have also witnessed the worst manifestations of ruthlessness and violent attacks, for instance on indigenous Egyptian faith communities. And as you were mentioning earlier, the callous murders of Minister Bhatti and Governor Taseer in Pakistan who courageously upheld that nation's founding vision in seeking to protect vulnerable individuals in persecuted faith communities.

As a side note, I had requested a private meeting just last spring with Minister Bhatti and had an extensive conversation about the blasphemy laws and his attempt not only to protect Christian minority communities, but other faith minority communities in that country.

These and other pervasive incidents of religiously motivated violence and persecution, wherever they occur, and the environment of impunity that so often accompanies them call for a sustained and consistent response from the United States through numerous venues, and I would also consider trade negotiations one of those venues, in which we engage the broader world.

While there is much work to do we have set a higher bar, thanks to your efforts, the Commission's efforts and I think made some significant steps forward.

Again, I look forward to learning more about your work, but let us move quickly to that question about potential recommendations that the Commission may have to strengthen this element of fundamental justice for all people.

Mr. LEO. Well, thank you very much, Mr. Fortenberry, both for your attention on these issues and also your leadership. It is so very much needed in today's world and we are very grateful for it. And we have enjoyed working with you and your staff, and we look forward to that in the future.

With regard to your question about further recommendations for how we can improve conditions for religious freedom, first I think we have to bolster attention to the issue here at home. There are lots of different ways to do that, but I will mention three.

First, as I mentioned before, the Ambassador-at-Large needs to have very direct access to the Secretary of State and to the Executive Office of the President, the President in particular, to put these issues into play as the State Department apparatus and the White House apparatus engages in its various bilateral and multilateral negotiations.

Secondly, while there is some training in religious freedom for Foreign Service officers there needs to be more, and it needs to be part of the core curriculum. There was a course that I think has begun this week, but again more courses are needed and it does need to be part of the core curriculum.

And then finally, it would be very useful I think for raising the profile of these issues to have a more systematic monitoring mechanism within our Government for monitoring religious prisoners and having those kinds of lists. Because that brings the issue home for a lot of folks and it is a way of really raising the profile.

In terms of other things we could do, we do have to pressure countries abroad as vigorously as we can, and I think more vigorously then we are now. Certainly naming countries as Countries of Particular Concern is helpful. But as I said before, you have got to

back that up with real pressure and sanctions at times. Certainly you have to put the issue of religious freedom higher up on the totem pole in bilateral negotiations with countries.

And then the are some specific things you can sometimes do. For example, you could bar severe religious freedom violators from coming into the United States, and those kinds of travel bans sometimes could be helpful particularly when you are dealing with these kinds of abuses in North Africa, sub-Saharan Africa and the Middle East.

But, you know it is important not simply to curse the darkness, right? So you have to find ways of helping countries to get to where they need to be. So, for example, in the case of Nigeria you know the Commission simply has not criticized Nigeria for its lack of capacity or lack of will to investigate and prosecute the perpetrators of religiously-related violence. We have worked with them in trying to find ways where U.S. resources can be brought to bear to help them think through the issues of investigation and prosecution. So we need to find ways of providing these countries with the capacity building or technical assistance that they need in order to deal with the issue of impunity or to deal effectively with inner-religious dialogue. And I think that those are things that we can do, and we need to do more of.

So, in a nutshell those are some of the ways that I think we can bring our resources to bear and also put pressure on countries abroad and focus the issue more intensely here at home.

Mr. FORTENBERRY. Thank you.

In the Middle East, let us turn there for a moment, there is in effect a Christian diaspora occurring at the moment. The Christian communities and other minority faiths in that region have an ancient claim to that homeland, as do other peoples. It is my concern in addition to being an injustice if you lose these faith communities, which in some ways have provided a leavening influence, in some ways an insulating influence between other persons who have had traditional conflicts, you exacerbate the geo-political concerns in the arena and you complete efforts such as peace between Jewish persons and Palestinian persons who are Muslims.

So I think that elevating the idea, and to the President's credit he mentioned this in his speech to the Arab world recently, and it was somewhat overlooked that religious freedom is a hallmark of democratic values. And I thought that that was important. When Prime Minister Netanyahu came here shortly after the President's speech he alluded to the same things in regards to having an environment which respects multiple confessions, all of which have claim to an ancient homeland there.

In this regard, I think it is important to continue to talk about this hidden, in many ways, diaspora that is going on in many countries: Iraq, Syria, to some degree the pressures in Egypt might be significant enough to spark that kind of movement there, as well as in other lands in the region.

I think this is very, very important to continue to elevate that particular concern because it is so related to geo-political movements of the moment. If we lose an emphasis on that, I think talking democratic values and the new civil structures that can lead to more democratic processes is good, but it has to be undergirded by

some philosophical principles that are inculturated and institutionalized, namely respect for human rights and dignity and religious expression is one of those.

So as the manifestation of Christians basically being forced to leave and other minority faith communities. My own district for instance, I have a significant number of people who practice an ancient religion called the Yazidi faith which is a section Iraq in the north who are begging for more security and the ability to simply be left alone, but in a safe environment, where they could practice their ancient faith.

So, I think this is important if we could focus attention there as well, particularly given the dynamics of the moment I think it undergirds what we all hope as further democratic movement in the area.

Mr. LEO. Well, Iraq needs to be a lesson for us. Because as you point out, the Christian communities in Iraq are nearly extinct: The Yazidis, the Mandeans, the Chaldo-Assyrians, of course the Jews as well. These communities are dwindling fast and they have little hope those who have left of returning. And that is a sad situation because the long term prosperity; health, security and instability of Iraq is going to depend, in part, upon democratic pluralism. And those communities were very, very important catalysts for peace and stability and prosperity. So we should learn from our experience in Iraq and when we see sectarian tensions, we should not run from them or deny that they exist. We need to find ways to take them on straight away. And when we are in the midst of a conflict where sectarian tensions are high, we need to find ways of building up security for those communities. And that is something that our Commission has been working on and speaking with the State Department about. In fact, we have several meetings on this next week.

And, of course, that provides a window into Egypt because now the Coptic Christians in Egypt are worried for their own survival long term, and it is unclear what is going to happen there.

But the decisions we make early on in these countries, the institutional and infrastructure-related decisions we make have tremendous bearing on what happens later. And with one quick example, which is Afghanistan.

A number of years ago the United States turned a blind eye to the fact that the proposed Afghan constitution contained a repugnancy clause that basically said anything inconsistent with Sharia principles would not be tolerated or enforced under their constitutional regime. One has to wonder whether you will ever have religious tolerance, religious harmony and religious freedom in Afghanistan with a constitutional provision like that.

Now when you are starting from that point it is very, very hard to make progress. So we have to be very mindful as we talk about democratic reform in these countries and we give all sorts of institutions and groups space to grow, that there ought to be certain kinds of reforms that are simply off limits because of the way in which they degrade human rights, and religious freedom particularly.

Mr. FORTENBERRY. Well said. Thank you very much.

Mr. Chairman.

Mr. SMITH. Thank you, Mr. Fortenberry.

And I would now like to yield to the chairman of the Commerce, Justice, and Science Subcommittee of the Appropriations Committee, the author of the International Religious Freedom Act, Mr. Wolf.

Mr. WOLF. Thank you.

Mr. Chairman, I have a meeting in my office. They have been there since 10:30, so I will not have any questions. I would want to ask permission to submit a statement for the record, if I may.

Mr. SMITH. Without objection.

[The prepared statement of Mr. Wolf follows:]

Opening Statement
HON. FRANK R. WOLF
of Virginia
Friday, June 3, 2011

Subcommittee on Africa, Global Health, and Human Rights

International Religious Freedom:
Strengthening Its Promotion in United States Foreign Policy

I'd like to thank my good friend, Chairman Smith, for convening this hearing to focus on the importance of international religious freedom in U.S. foreign policy, and specifically to examine legislation I've introduced, H.R. 1856, to amend the International Religious Freedom Act (IRFA), including reauthorizing the U.S. Commission on International Religious Freedom (USCIRF). Mr. Smith is a champion of human rights. Making this issue a priority is in keeping with his steadfast commitment to speaking out for those whose voices have been silenced.

Religious freedom, often referred to as the first freedom, is of central import to the American experiment. As such it should feature prominently in U.S. foreign policy. Recognizing that this critical issue and other human rights related issues are often relegated to the sidelines within the State Department, I authored legislation more than 10 years ago, in 1998, to establish the International Religious Freedom Office at the State Department, headed by an ambassador at-large, and to create the USCIRF—an independent, bipartisan commission charged with monitoring the status of freedom of religion or belief abroad and providing policy recommendations to the president, secretary of State, and Congress.

While important strides have been made, religious freedom still does not enjoy the preeminence it deserves. And sadly, a strong U.S. voice on this critical issue has arguably never been more needed. The daily headlines paint a grim picture about the repression, imprisonment, harassment and even death facing millions of people of faith around the globe.

The bill I've introduced will make a number of strategic improvements to the Religious Freedom Office at the State Department. To start, it places the ambassador-at-large in the office of the secretary of State as opposed to burying it within the Bureau of Democracy, Human Rights and Labor. This change is more in keeping with the original intent of the legislation that Congress passed. Over successive administrations, Republican and Democrat alike, this critical position has not been treated with the seniority it deserves and this new language will help rectify this problem.

The legislation also provides the ambassador with oversight and management authority of the IRF Office and other religiously oriented positions and programs at the State Department and carves out funding in the larger Human Rights and Democracy Fund to enable the IRF office to promote religious freedom through advocacy, reporting and programming.

In addition the legislation requires religious freedom training for every Foreign Service Officer (FSO) and states that USCIRF must be involved in that training. American embassies

abroad must be islands of freedom. Whether in Vietnam, China, Pakistan or Iraq—every FSO should be trained and committed to advocating for those whose voices have been silenced by their own governments. This mandatory training will help ensure that our diplomatic corps is equipped in this regard.

My legislation also strengthens the "Countries of Particular Concern" (CPC) designation process and effectiveness. CPCs are countries whose governments are found to have engaged in or tolerated particularly severe violations of religious freedom. The amended language will require that CPC designations are made 90 days after the issuance of the State Department's annual religious freedom report. One hundred and twenty days after a country has been designated a CPC, the secretary of State must submit a report to Congress that identifies the action taken, the purpose of the action, and an evaluation of its effectiveness and impact. Also included is language tightening the president's waiver authority, so that indefinite waivers are not an option.

Very significantly, this legislation will reauthorize the U.S. Commission on International Religious Freedom until September 30, 2018. USCIRF, unlike the State Department, is unencumbered by the impulse to maintain good bilateral relations above all else--an impulse which sadly can result in critical issues of religious freedom being sidelined in the pursuit of broader foreign policy goals.

USCIRF, as an independent, bipartisan federal government commission, has been a reliable voice for the world's persecuted people and I am glad that the committee will have the opportunity this morning to hear from USCIRF chair, Leonard Leo, about the commission's strategic import and notable accomplishments. USCIRF's bipartisan composition befits the cause it champions—religious freedom ought not be a Democrat or Republican issue.

Just in the last year the commission took a leadership role on a series of key issues. It was quick to recognize the strategic importance and courageous voice of the late Shahbaz Bhatti, Pakistan's federal minister of Minorities Affairs, an outspoken critic of his nation's draconian blasphemy laws. During a critical time for the people of Sudan, it also issued special recommendations on the implementation of the historic Comprehensive Peace Agreement. It has made a series of policy recommendations aimed at preserving and protecting Iraq's besieged religious minorities. It also has actively worked with dozens of Hill offices on combating the "defamation of religions" resolution before the United Nations.

In short, ensuring that the commission is reauthorized is of paramount importance.

I believe President Ronald Reagan is a compelling model of how to integrate and elevate human rights and religious freedom in our dealings with foreign governments, most notably the Soviet Union.

At the very end of his presidency, Reagan spoke at the newly restored Danilov Monastery in Moscow. He poignantly noted "the deep faith that lives in the hearts of the people of this land. Like the saints and martyrs depicted in these icons, the faith of your people has been tested and tempered in the crucible of hardship … We in our country share this hope for a new age of

religious freedom in the Soviet Union…" He closed by calling for a "resurgent spring of religious liberty."

Indeed, more than 20 years later we hope for a new birth of religious freedom around the world—for the imprisoned Tibetan Buddhist monk, for the Chaldo-Assyrian family living in fear in Iraq, for the Mennonite pastor on trial in Vietnam. These brave men and women too have been tested in the "crucible of hardship." They persevere in the face of persecution, but they look to America to be their voice.

I believe that passage of this legislation, with strong bipartisan support, will give these individuals great hope and send a desperately needed message that America is unwavering in her commitment to this first freedom.

Mr. WOLF. Secondly, thinking as I wrote some notes out as I was listening, one I want to thank Chairman Leo and your entire membership of the Commission and the staff. You have really done a great job. And I really appreciate your faithfulness for willingness to speak out. Perhaps this has been as good of an operation as I have seen. So I want to publicly thank you.

I want to thank Mr. Smith and Mr. Payne for having this hearing and for being advocates for these issues.

Thirdly, as I was listening, at the outset I want to say this and I want to say it on the record so it is public, it will be there forever and ever: I would hate to serve in a Congress where there was not a Congressman Chris Smith. I think Chairman Smith has done more on these issues: Human rights, religious freedom, anti-Semitism, children left behind, all of these issues than any other member in the 31 years that I have served. He is an advocate. He has followed very careful, very successful in the footsteps of two giants, Chairman Hyde and Chairman Lantos. And, frankly, I just want to publicly say as I watch these things; every time there is something on the floor, every time there is something in the record, every time there is one name now that always pops up. And I think the people in this town and in our country who have a commitment to human rights and religious freedom have to understand, Congressman Smith. Just listening, as you say, "I went here, I went there, I did this."

So, I appreciate the chairman's effort. And as I said, I would not want to see a United States Congress where there was not a Chris Smith or somebody like Chris Smith.

And with that, I will just yield and go on to my meeting.

Mr. SMITH. Thank you Chairman Wolf.

And thank you, again, for your leadership, and we look forward to an early markup of your legislation to reauthorize the International Religious Freedom Act.

Before going to our next panel, Mr. Leo, is there anything else you would like to add?

I just would note for the record in remembrance of the terrible massacre at Tiananmen Square, I picked today to introduce legislation. I mean, we are always trying to find ways to hold the government and the perpetrators to account for heinous crimes against humanity and genocide and religious persecution. Today I will be introducing the China Democracy Promotion Act of 2011. And that legislation is designed to empower the President with the ability to deny a visa to high government officials who are involved with human rights abuse in the People's Republic of China, including religious persecution.

In 2004 I authored the Belarus Democracy Act which targeted President Lukashenka, the last dictator in Europe, for his heinous crimes against his own people. And that legislation, which includes denial of visas and encourages lists of people who should not be allowed to make their way to the United States, and also provides sanctions of other kinds, has had an impact. As a matter of fact, at a meeting in Minsk not so long ago, 1½ years ago, 11 of us were meeting with him and he was very perturbed about that legislation because it inhibits his ability and especially people within his administration, the ability to travel to the United States.

And if we were to say to the Chinese, "We are not kidding." And Mr. Payne mentioned a moment ago that Mladic was picked up, finally, because of his crimes in Srebrencia and in Sarajevo and elsewhere, but particularly that is what the prosecutor will prosecute him on: Genocide in Srebrenica and crimes against humanity in Sarajevo. There is no statute of limitation on crimes against humanity. And, you know we learned that from Nuremberg, we learned it from the Tokyo War Crimes Tribunal, but especially Nuremberg that we will hunt down people who commit these crimes, but minimally they should not be allowed a visa to come to the United States. That is about the least we could do. So that legislation will be introduced today.

Any further comments?

Mr. LEO. All I would say, Mr. Chairman and Mr. Payne, is that our commissioners and the civil society community draw a lot of strength and inspiration from the commitment and leadership that is shown up here. So we thank you for what you are doing.

We stand ready in any way we can to continue to put points on the board for religious freedom. The game is not over yet and we want to keep on putting as much pressure on other countries as we can so that we can have the kind of human rights protection and freedom of religion that all peoples deserve.

Thank you.

Mr. SMITH. Thank you, Mr. Leo. And thank you for your extraordinary leadership. And Ted Van Der Meid, thank you for being here, and your leadership as well.

I would like to now welcome our next panel beginning with Mr. Tom Farr, who is visiting associate professor of religion and international affairs at Georgetown University's School of Foreign Service. He is a senior fellow at Geogetown's Berkley Center for Religion, Peace, and World Affairs where he directs the Religious Freedom Project and the Program on Religion and U.S. Foreign Policy. A former U.S. diplomat of 21 years, Mr. Farr was the State Department's first Director of the Office of International Religious Freedom.

He has published numerous articles on religion and U.S. national interests and appeared on many media outlets.

His book, "World of Faith and Freedom: Why International Religious Liberty is Vital to American National Security," was published by Oxford University Press.

Mr. Farr, welcome.

We will then hear from Mr. Joseph Grieboski, who is the founder and chairman of the board of directors of the Institute on Religion and Public Policy. He currently serves as the founder and secretary general of the Interparliamentary Conference on Human Rights and Religious Freedom; founder and chairman of the International Consortium on Religion, Culture and Dialogue; a member of the board of directors of the Leadership Council for Human Rights. And a member of the board of advisors of the Military Religious Freedom Foundation. Mr. Grieboski is a regular columnist for the Huffington Post. He has worked with the Executive Office on Immigration Review to train U.S. immigration judges and immigration attorneys on issues related to religious liberty and asylum.

Third, we will hear from Mr. Brian Grimm. He is director of Cross-National Data and senior researcher in religion and world affairs at the Pew Research Center's Forum on Religious and Public Life in Washington, DC.

Mr. Grim is co-author of "The Price of Freedom Denied: Religious Persecution and Conflict in the Twenty-First Century," and he co-edits the World Religion Database at Boston University.

Dr. Grim has extensive overseas experience from '82 to 2002. He lived and worked as an educator, researcher, and development coordinator in China, the former USSR, Central Asia, Europe, Malta, and the Middle East, including being an academic director at the UAE Military Academy.

His findings on international religious demography and religious freedom have been covered by all the major news outlets and contributed mightily to our understanding as to what is going on.

Mr. Farr?

STATEMENT OF MR. THOMAS FARR, DIRECTOR, RELIGIOUS FREEDOM PROJECT, BERKLEY CENTER FOR RELIGION, PEACE, AND WORLD AFFAIRS, GEORGETOWN UNIVERSITY

Mr. FARR. Thank you, Chairman Smith.

Mr. Chairman, Ranking Member Payne thank you for holding these important hearings and for your leadership on the issue of religious freedom. And speaking personally for a moment, let me associate myself with Mr. Wolf's fine comments about you, Mr. Chairman, for your decades of dedication to this important issue.

I am here to testify on behalf of H.R. 1856. I ask that the full text of my testimony be entered into the record.

Mr. SMITH. Without objection.

Mr. FARR. I also have here a letter in support of the bill signed thus far by 35 organizations and leaders from across the political, academic and religious spectrum. And I ask that it, too, be entered into the record.

Mr. SMITH. That, too, will be.

Mr. FARR. There are two broad reasons that the United States promotes international religious freedom. First, protecting this fundamental right goes to the core of who we are as a people. Second, the advancement of religious liberty brings American values into line with American interests, including its national security. It is in our fundamental interests for Egypt, Iraq, Afghanistan, Pakistan and others to succeed in establishing stable lasting democracies. But history and contemporary empirical studies make it clear that such highly religious societies cannot succeed at democracy and reduce religious-related terrorism without religious freedom in full. And very few of these countries have anything approaching religious freedom in full.

Unfortunately, no administration, including the current one, has successfully employed the International Religious Freedom Act, IRFA, to advance our values or national security. Over the dozen years since IRFA's passage our policy cannot be said in any substantial way to have reduced religious persecution, advanced religious freedom or increase American national security.

I believe that H.R. 1856 can help remedy this failure of American diplomacy.

Now there are many good features of this bill which I would like to have an opportunity to speak about later, but now I want to focus on three, all of them having to do with the Department of State which is what I know most about. Even though trained as an American diplomat, Mr. Chairman, I can speak at some length on things I do not know much about. [Laughter]

First, the bill requires the IRF Ambassador-at-Large to integrate religious freedom into U.S. democracy and civil society programs, and into the counterterrorism policies of the United States. This is critically important.

The reality is that stable democracies will not emerge in the greater Middle East, or anywhere else, and religious terrorism will continue to be incubated and exported including to the American homeland unless those societies adopt religious freedom.

I am pleased to see that H.R. 1856 allocates a percentage of the Human Rights and Democracy Fund to the Ambassador-at-Large for Religious Freedom for such programs. But I believe, Mr. Chairman, that the percentage that is currently in the bill, 5 percent, is too low. I would recommend that that be increased to something like one-third of the money allocated to the Human Rights and Democracy Fund.

Second, H.R. 1856 requires the State Department to place the Office of International Religious Freedom and the Ambassador-at-Large under the Secretary of State and stipulates that the Ambassador-at-Large will report directly to the Secretary. This placement represents the status that most other Ambassadors at Large have historically enjoyed at the Department of State, including the current Ambassador, for example, for Global Women's Issues. If the advancement of women's rights is important enough for such placement, which I believe it is, why not religious freedom? Placement in the Secretary's Office will empower the Ambassador and the religious freedom staff to carry out the duties prescribed by IRFA including as amended, especially those of integrating U.S. policy into our democracy and civil society, and counterterrorism programs.

Its current placement within the Bureau of Democracy, Human Rights and Labor not only subordinates the Ambassador to a lower ranking official, but communicates to foreign governments, religious communities and U.S. diplomats that religious freedom is not a priority for the American Government.

Third, H.R. 1856 requires the Department to train its diplomats in the scope and value of religious freedom. Now Congress thought it was levying such a requirement in the 1998 IRFA, which in fact mandates training. But it left the details to the Department and the results have been disappointing. For the past 12 years training has been ad hoc, inconsistent and ineffective. To their credit, the Foreign Service Institute has initiated a 3-day course on religion and foreign policy. I spoke at that course 2 days ago and it is an important beginning for which FSI and the Secretary should be applauded, but it is only a beginning. These courses will not work if they are occasional and voluntary. They must be systematically integrated into diplomatic training. H.R. 1856 accomplishes that objective by requiring mandatory training for all diplomats when they enter the Foreign Service and when they receiving area studies training in route to their next foreign assignment.

Critically, training on religious freedom will also be required for all ambassadors and deputy chiefs of mission before they take their duties in a foreign post.

Mr. Chairman, it is difficult to overestimate, in my view, the importance of this part of the amendment to the IRFA. The Department may resist this and other aspects of H.R. 1856, perhaps citing in this case the training which has just taken place. But again, that training was voluntary. Moreover, it did not focus on U.S. international religious freedom policy so much as it did the idea of religious engagement. The two are related, but they are not the same thing.

If our policy is to succeed, all of our diplomats need to be trained.

So, in conclusion, Mr. Chairman, H.R. 1856 is a much needed corrective to the way that the 1998 International Religious Freedom Act has been implemented. And I urge that it be passed.

Thank you.

[The prepared statement of Mr. Farr follows:]

Prioritizing International Religious Freedom in US Foreign Policy

Testimony before the House Committee on Foreign Affairs,
Subcommittee on Africa, Global Health, and Human Rights, June 3, 2011

Thomas F. Farr*
Director, Religious Freedom Project
Berkley Center for Religion, Peace, and World Affairs

Mr. Chairman and members of the committee, thank you for holding this important hearing. Mr. Smith, thank you for your lifetime of leadership and personal sacrifice in opposing religious persecution and advancing the right of religious freedom for all people.

And thank you for inviting me to testify on HR 1856, the amendments to the International Religious Freedom Act of 1998.

Mr. Chairman, I have with me a letter from a wide variety of religious and human rights organizations, and signed as well by a number of individual scholars and experts, which endorses HR 1856. While recognizing that the letter has just been published, and will doubtless engender more signatories, I ask that it be entered into the record.

HR 1856 builds on the lessons we have learned since the passage of the International Religious Freedom Act (IRFA). If these amendments are passed, I believe the IRFA can move closer to fulfilling its promise -- an international religious freedom policy that will advance both America's values and America's national security.

These amendments are necessary because no administration, including the current administration, has successfully employed IRFA to advance our values *or* our national security. Over the dozen years since IRFA's passage, our policy cannot be said to have, in any substantial way, reduced religious persecution, advanced religious freedom, or increased America's national security. In my view this constitutes a significant failure, and a major opportunity missed.

Part of the reason for this failure has been an abiding suspicion among US diplomats about the wisdom, and even the constitutionality, of the policy. That problem continues.[1] Moreover, US IRF policy is often perceived by its objects (and by some Americans) as American cultural imperialism, designed, for example, to marginalize Islam, or pave the way for Christian missionaries. This perception is not only false, but ironic -- even tragic -- in the extreme. The United States has been at pains *not* to marginalize Islam or to support Christian missionaries. On the other hand, it has done far too little to remedy the rising tide of religious persecution against indigenous Christian minorities in the Middle East.

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[1] See the report by the Chicago Council on Global Affairs, *Engaging Religious Communities Abroad: A New Imperative for US Foreign Policy*, 84-85; also see, Liora Danan and Alice Hunt, *Mixed Blessings: US Government Engagement with Religion in Conflict Prone Settings* (CSIS, 2007), 43-44.

HR 1856, if adopted, will help to remedy these problems by empowering, and by *requiring*, the State Department and other agencies of the U.S. government to take actions that they should have been taking for the past 12 years. It will provide the means to overcome diplomatic reticence, and the false perceptions at home and abroad, that have hamstrung our efforts.

Why U.S. IRF Policy is Important

The American people understand the profound moral and humanitarian issues at stake when it comes to religious freedom. They want our nation, as the International Religious Freedom Act (IRFA) puts it, "to stand with the persecuted."

We must never forget the men, women and children who suffer because of their religious beliefs and practices, or those of their tormentors. They are people such as:

- The martyred Pakistani Christian Shabbaz Bhatti, whom many of you knew, who was murdered for opposing Pakistan's blasphemy laws, as was his Muslim colleague, Salman Taseer, the governor of Punjab;
- The Iranian Baha'is and Christians who are routinely detained, tortured, and killed;
- The Iraqi Catholics who were slaughtered at mass last Christmas, and whose co-religionists continue to flee Iraq in such numbers that the very presence of Christianity in Iraq is imperiled;
- The Egyptian Copts who were murdered as they left their church in Alexandria, and whose co-religionists are deeply concerned about their fate as Egypt struggles toward democracy;
- The Ahmadiyya of Pakistan and Indonesia whose lives are under constant threat, and whose nations will never achieve stable democracy until this minority is fully integrated;
- The Indian Muslim mothers and children, unprotected by the police, massacred by Hindu mobs in Gujarat;
- The Tibetan Buddhists whose ancient culture and religious practices are under assault from a pitiless Chinese government;
- The countless victims of religion-based terrorism, including the men and women murdered in the twin towers, in the Pentagon, or in the fields of Pennsylvania, on September 11, 2001.

Americans of all faiths expect their leaders to put in place policies that will help to prevent such outrages in the future, and give hope to the victims of religious persecution.

But there is another reason the American people support U.S. IRF policy, a reason that is no less noble and is, in fact, closer to home. The advance of international religious freedom is important to vital American interests abroad, and to the security of the American people at home.

Both history and modern scholarship[2] make it clear that highly religious societies cannot attain stable, lasting democracy without religious freedom in full[3] — the set of institutions and habits

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[2] Brian Grim and Roger Finke, *The Price of Freedom Denied: Religious Persecution and Conflict in the 21st Century* (Cambridge University Press, 2011).

[3] See Thomas F. Farr, "The Widow's Torment: International Religious Freedom and American National Security in the 21st Century," *Drake Law Review* 57.4 (2009), 862-863; also see Farr, "International Religious Freedom and

that guarantee equality under the law for all religious actors and a sustainable balance between religion and state.

Unless nations like Egypt, Iraq, Afghanistan, and Pakistan can achieve the institutions and habits of religious liberty, democracy will not root in those countries and is likely to collapse into anarchy, theocracy, or authoritarianism.

Among other things, this means that, unless they embrace religious freedom in full, these societies are unlikely to achieve what they seek, including the secular benefits of democracy such as security, economic opportunity, and peace with the neighbors. Most critically for American interests, the chance that each would become, or continue to be, incubators and exporters of religion-related terrorism would dramatically increase.

Indeed, it is no exaggeration to say that religious freedom will help determine the success or failure of the whole Arab Spring, including in major countries such as Egypt. A May 30th article in the New York Times makes the point well. That article, "Egypt's Christians Fear Violence as Changes Embolden Islamists," demonstrates that Egypt's political future rests on whether it will accord full religious freedom for all its citizens, Christians as well as Muslims. "Will Christians have equal rights and full citizenship or not?" asked Sarkis Naoum, a Christian commentator in Beirut, Lebanon."The Copts are the crucial test case," said Heba Morayef, a researcher with Human Rights Watch, who added that facing off against "societal pressures" may in some ways be ever harder than criticizing a dictator. "It is the next big battle." As reporter David Kirkpatrick went on to observe, this is "a pivotal test of Egypt's tolerance, pluralism and the rule of law."

There will be no real freedom in Egypt -- period -- and there will be no real stability in Egypt -- period -- unless there is full religious freedom in Egypt, not only for its Coptic minority but also for moderate and reformist Muslim voices who might otherwise face impossible pressures from extremist Islamist forces.

It is therefore significant that HR 1856 updates the findings section of the law to acknowledge that religious freedom "is necessary for democracy to endure, and to yield its social, economic, political, and intellectual benefits to all its citizens. Contemporary scholarship also demonstrates that the absence of religious freedom is causally related not only to the persecution of religious minorities, but also to religious conflict, violence, extremism, and terrorism, including the kind of terrorism that has reached the American homeland."

Mr. Chairman, it is in our vital interests for democracy to succeed in the broader Middle East, in places like Egypt, Iraq, Afghanistan, and Pakistan. If those nations collapse into anarchy or move toward some form of theocratic authoritarianism, such as exists in Iran and Saudi Arabia, America will suffer. Not only will our sacrifices of blood and treasure have been for naught but these and other countries could join Iran and Saudi Arabia as breeding grounds for religious terrorism.

In short, the policy established by the IRFA is about the well being of our fellow human beings around the world. But it is also about the well being of our own children and our grandchildren (I

Moral Responsibility," in Gerard V. Bradley, ed., *21st Century Challenges to Religious Liberty* (Cambridge University Press, forthcoming).

am proud to say I have eight). So what I have to say about this law is not just about international relations and foreign policy. For me it is personal, as I know it is for you.

The Failures of US IRF Policy

The IRFA has now operated under three administrations. I had the honor to serve as director of the office of international religious freedom under the Clinton and Bush administrations, and I have published analyses[4] of the policies of both. At the outset of the Obama administration I authored, along with my colleague Dennis Hoover, a comprehensive set of policy recommendations[5] for the use of White House and State Department officials. For the past two and one-half years I have published a number of critiques[6] of US religious freedom policy. And I now direct the Religious Freedom Project[7] at Georgetown's Berkley Center for Religion, Peace, and World Affairs.

My view is that none of the three administrations has implemented the law in a vigorous and effective fashion. While each has had modest successes, all have fallen short in three areas: incorporating religious freedom into democracy and counter terrorism programs; investing sufficient authority in, and providing resources to, the ambassador at large and her office; and training America's diplomats on the importance of religious freedom and how to advance it.

HR 1856

Fortunately the amendments in HR 1856 address these three critical deficiencies, along with others. I believe that putting these amendments into law will go a long way toward extricating America's religious freedom policy from its longstanding isolation within the State Department and contribute to America's vital national interests, including its national security.

First, *HR 1856 requires the ambassador at large for international religious freedom to integrate our religious freedom and religious engagement policies into US democracy and civil society programs, and into the counterterrorism policies of the United States.*

It is profoundly ironic that American democracy promotion programs have for decades avoided the engagement of religious actors and the promotion of religious freedom. These programs have for too long been administered as if American history had nothing to teach us about the necessity of religious liberty to the health and stability of democracy.

I want to acknowledge that this "religion-avoidance syndrome" in American diplomacy is slowly beginning to change. In programs funded by the National Endowment for Democracy, for example, we are seeing greater engagement of religious ideas and actors. The Obama administration has also increased our religious engagement. But there remains a great deal of

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[4] Thomas F. Farr, *World of Faith and Freedom: Why International Religious Liberty is Vital to American National Security* (Oxford University Press, 2008); Thomas F. Farr and William L. Saunders, Jr., "The Bush Administration and America's International Religious Freedom Policy," *The Harvard Journal of Law and Public Policy*, Vol. 32, No. 3, June, 2009.

[5] Thomas F. Farr and Dennis R. Hoover, *The Future of International Religious Freedom Policy: Recommendations for the Obama Administration* (The Berkley Center, 2009)

[6] See publications and blogs at http://berkleycenter.georgetown.edu/people/thomas-farr

[7] See the project's homepage at http://berkleycenter.georgetown.edu/programs/religious-freedom-project

disarray and confusion on the importance of religious freedom itself, and our actions in that field remain ad hoc and without strategic direction.

The same can be said of our counterterrorism policies. The success of the counterinsurgency strategy adopted by the US military in Iraq demonstrates the importance of engaging religious actors. But our policy cannot simply be one of talking and listening to religious leaders; talking, listening, and even "understanding" are means to an end. They are not a policy. Our goal should be to employ programs that convince religious actors, governments, and societies that embracing religious freedom is in their own interests. For example, we must help the Pakistanis to see that their anti-blasphemy laws encourage the extremist ideas that encourage religious terrorism and threaten Pakistani democracy itself.

Success in this approach can help overcome the false perception that US IRF policy is anti-Islam, and a front for Christian missionaries.

The reality is that stable democracies will not emerge in the greater Middle East, and religious terrorism will continue to be incubated and exported, unless those societies adopt religious freedom. In short, this aspect of HR 1856 speaks to America's investments of blood and treasure in Iraq and Afghanistan, and its vital interests in the emergence of stable democracy in Pakistan and Egypt.

I am pleased to see that HR 1856 allocates a percentage of the Human Rights and Democracy Fund to the IRF ambassador for use in funding these kinds of programs. But, Mr. Chairman, the percentage now in the bill – five percent – is entirely too low. The importance of this issue is such that the allocation should be much higher. I would recommend that a minimum of one third of the Human Rights and Democracy Fund be allocated to the advancement of religious freedom. This provision would not require any additional appropriation of monies by Congress.

Second, it is important that HR 1856 requires the State Department to place the office of international religious freedom and the ambassador at large under the Secretary of State, and that the ambassador will report directly to the Secretary. This placement represents the status that most other ambassadors at large have historically enjoyed at the Department, including the current ambassadors for Global Women's Issues, Counter Terrorism, and War Crimes. It is, in my view, the status that was originally intended by Congress in the 1998 IRFA when it established the IRF ambassador as "principal advisor to the President and Secretary of State."

Most importantly, placement in the Secretary's office will empower the ambassador and the religious freedom staff to carry out the duties prescribed by IRFA as amended, especially those of integrating US IRF policy into our democracy and counter terrorism programs. Its current placement within the bureau of Democracy, Human Rights, and Labor not only subordinates the ambassador to a lower ranking official, but communicates to foreign governments and US diplomats alike that religious freedom is not a priority for the American government.

I also note that HR 1856 requires that the State Department fund 15 "full time employees" (FTEs) for the religious freedom office. It is my understanding that the office, in fact, now has 15 FTEs. But it needs more if it is to accomplish its mission. For this reason, I would recommend that HR 1856 require the Department to fund 25 FTEs. Again, this provision would not require any additional appropriation by Congress.

Mr. Chairman, I hope I am wrong, but I anticipate the State Department will resist the elevation of the status of the ambassador and her office. I urge you to stand fast. This is critical to the future success of our policy.

Third, HR 1856 requires the Department of State to train its diplomats on the scope and value of religious freedom. Once again, Congress thought it was levying such a requirement in the 1998 IRFA, which in fact mandated training and instruction. But it left the details to the Department and the results are unsurprising. For the past 12 years training has been ad hoc and inconsistent.

During my four years in the office of international religious freedom we had some success in convincing the Foreign Service Institute to let us teach particular classes, and I know that my successors have attempted this as well. But occasional, voluntary classes will not overcome the deep suspicion that attaches to religious freedom policy among our diplomats. To their credit, FSI has initiated a three-day course on "Religion and Foreign Policy," which has been in the planning stage for many months. I spoke at that course two days ago, and it is an important beginning, for which FSI and the Secretary of State should be applauded.

But it is only a beginning. If religious freedom is to become an integrated, effective part of US foreign policy, these courses must not be occasional and voluntary. Rather, they must be mandatory for all diplomats, and occur regularly. HR 1856 accomplishes that objective. It requires mandatory training for all diplomats when they enter the foreign service and when they are receiving "area studies" training prior to posting to a foreign country. Critically, training on religious freedom will also be required for all ambassadors and deputy chiefs of mission before they assume their duties.

Mr. Chairman, it is difficult to overestimate the importance of this amendment to the IRFA. I anticipate that the Department will resist this provision, perhaps citing the training which has just taken place. But -- again -- that training was voluntary. Moreover, it did not focus on US international religious freedom policy so much as it did the idea of "religious engagement." The two are of course related but they are not the same thing.

If our IRF policy is to succeed, all our diplomats must be properly trained.

Conclusion

In conclusion, Mr. Chairman, let me repeat: HR 1856 is a much needed corrective to the 1998 International Religious Freedom Act. I urge that it be passed.

Thank you.

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*Thomas F. Farr is visiting associate professor of religion and international affairs at the Edmund A. Walsh School of Foreign Service, Georgetown University. He is a senior fellow at Georgetown's Berkley Center for Religion, Peace, and World Affairs, where he directs the Religious Freedom Project and the program on Religion and US Foreign Policy. He also directs the Task Force on International Religious Freedom for the Witherspoon Institute in Princeton, N.J. He is a member of the Board of Advisors of the John Templeton Foundation.

Mr. SMITH. Mr. Farr, thank you very much.

Mr. Grieboski?

STATEMENT OF MR. JOSEPH GRIEBOSKI, FOUNDER AND CHAIRMAN OF THE BOARD, INSTITUTE ON RELIGION AND PUBLIC POLICY

Mr. GRIEBOSKI. Thank you very much, Mr. Chairman and Ranking Member Payne, for the opportunity to be here today and to talk to the committee about such a fundamental and urgent issue.

I am grateful that you have taken the leadership and initiative to hold this hearing on a topic that is often either ignored or sidelined as what many policymakers call a "soft issue" and not given appropriate attention by policymakers despite the importance it plays in so many areas.

As you know, Mr. Chairman, I have quite a bit to say about this topic, so I request that the full statement be introduced into the record.

Mr. SMITH. Without objection so ordered.

Mr. GRIEBOSKI. Thank you, sir.

While this hearing focuses on ways to prioritize religious liberty and U.S. foreign policy, the issue of religious liberty is not a new one. The first act of violence recorded in Judaeo-Christian history is one of religious persecution. Cain's killing of Abel demonstrates that even at the very beginning of human history, Man found ways in which to demonize, and ultimately persecute and kill, one another based on religious practice.

Since the days of Cain and Abel, however, conditions have not improved. In the 20th century alone, more people died for their faith than in all previous 19 centuries combined. Nearly 1 billion people face significant discrimination and persecution because of their religious beliefs and identity on a daily basis. In related terms, on any given day, more than three times the population of the United States is potentially threatened or even killed because of the way they choose to pray, or not to pray. According to the already referenced Pew Forum study, "nearly 70 percent of the world's 6.8 billion people live in countries with high restrictions on religion, the brunt of which often falls on religious minorities."

While the International Religious Freedom Act was meant to help alleviate the potential and actual suffering of millions of people around the globe based on their religious and belief choices, the situation of religious freedom has, in fact, deteriorated since Congress' unanimous passage of the bill in 1998.

Sadly, the great Spirit of IRFA never became incorporated into the letter of policy. While each President since the passage of IRFA has acknowledged the importance of religious freedom, none has been a champion of the cause. Despite the importance of religious liberty issues to American security, particularly in a post-9/11 world, to economics and finance, to our general human rights policies and other vital interests, Presidents have instead fulfilled only the most basic requirements of IRFA.

Thankfully, the lack of Presidential leadership on this issue was matched equally with ardent and dedicated and unwavering passion for the issue from Members of Congress. You, Mr. Chairman, Mr. Wolf, Mr. Franks, Ms. Ros-Lehtinen, Mr. Cleaver, Mr. Sher-

man, Mr. Payne, and a few others, have taken immeasurable responsibility in guaranteeing this most basic and fundamental right is protected globally. However, if religious liberty is ever to be a significant priority in U.S. foreign policy, it is imperative that both the executive and legislative branches uphold both the spirit and the letter of the International Religious Freedom Act.

Unfortunately, the executive branch has never grasped the significance of the issue and especially the role it can play in the world following 9/11.

Instead of being fully incorporated into overall U.S. policy, religious freedom was seen as yet another issue item heaved upon the State Department by Congress. Thankfully, the Clinton administration had the foresight of naming Bob Seiple as the first Ambassador-at-Large, and the State Department, of appointing my colleague at this table, Tom Farr, as the first Office Director. Their early leadership of the office is, in large part, why the office survives and could potentially thrive, despite overwhelming odds.

Unfortunately, during the early days of implementation, the spirit of the law was lost to the letter of politics and bureaucracy. Religious liberty became the responsibility of the State Department alone rather than being fully integrated into overall U.S. foreign policy, and the U.S. Commission on International Religious Freedom simply became the watchdog of the State Department.

Other departments and agencies with direct and indirect foreign policy capacity were never fully engaged on the issue. Commerce, Justice, USAID, the Office of the U.S. Trade Representative, Defense, Homeland Security, Central Intelligence Agency, and the other agencies and departments involved in the overall making of U.S. foreign policy were not a part of the discussion. Similar to the faith-based initiatives appointment of liaison offices in appropriate agencies and departments, personnel could have been named to be religious liberty liaisons to assist in that integration.

Again, the lack of presidential leadership on the issue perpetuated the perception that religious liberty was not significantly important. Title III Section 301 of the International Religious Freedom Act offers a sense of Congress that a National Security Council staff person be appointed at the level of the Director within the Executive Office of the President as a special advisor to the President on international religious freedom. Neither the Clinton administration, the Bush administration, nor the Obama administration fully implemented the suggestion of Congress that a special advisor be appointed. Instead, they are almost always double-hatted with other NSC staff handling other issues. Such a point person on the NSC staff responsible for global review and interaction on religious liberty would serve not only to advance both the issue of religious liberty itself, but also provide the necessary support when such matters impact other security concerns and vital interests.

As the principal advisor to the President and the Secretary of State, and as the coordinator for overall U.S. international religious freedom policy, the Ambassador-at-Large for International Religious Freedom was never permitted access to even one Cabinet meeting in order to brief Cabinet officials on the efforts of the office and ways in which each appropriate Cabinet department can work with the Ambassador's office to enhance the issue. As a matter of

fact, it is my understanding that religious liberty has never been on the agenda of a Cabinet meeting since the passage of IRFA. It seems to me that such a discussion on such a topic would be vital to entrench religious liberty into overall policy, as envisioned by the authors of IRFA.

Mr. Chairman, religious liberty is far too significant and impactful an issue to be handled halfheartedly.

As I mentioned in my introduction, prioritizing religious liberty requires a commitment of both the executive and legislative branches to fulfill the spirit and letter of the law.

Mr. Wolf's recently introduced H.R. 1856 provides us with a historic opportunity to review the successes and, more importantly, the failures the past 13 years and to improve how religious liberty is prioritized and exercised in overall U.S. policy.

Mr. Chairman, I have a number of recommendations that are included in my testimony, but I would just like to point out a few with the time that is remaining.

First, the U.S. policy in dealing with human rights in general, and religious liberty in particular, is one of a stick approach, not a carrot and stick approach. Currently there is no incentive for non-CPC states with difficult religious liberty situations, or religious discrimination, to improve their conditions. In order to advance religious liberty in states whose conditions do not meet the CPC level but, nonetheless, are problematic, the IRF report can serve as the functional mechanism.

Taking a lesson from the Trafficking in Persons report, the IRF report can establish categories based on ones already outlined in the Executive Summary to categorize all countries in the world. Because even if persecution does not exist and discrimination does, discrimination cannot go unreported as incidents of discrimination can directly lead to incidents of persecution.

Mr. Wolf's new bill establishes a significant amount of new responsibilities for the IRF office, all of which are necessary for the advancement of the issue. Unfortunately, the bill does not provide for the corresponding resources to follow through on those responsibilities. While the bill does provide for 15 full-time employees, in bureaucratic structures like the State Department a floor of 15 becomes a ceiling of 15 staff. As a result, I recommend that the bill establish a line item in the budget for the Office of International Religious Freedom which would allow the office to manage its own personnel and program funds, allowing it to appropriately and functionally to promote religious liberty globally, without the hassle of internal budget concerns and without the necessary approval of the front office of DRL.

Attached to that, and my last recommendation for my remarks, is to follow on the comments of my colleague, Tom Farr. The original spirit and letter of the International Religious Freedom Act was quite clear that the Office of International Religious Freedom is an S office. As the principal advisor to the President and the Secretary, the Ambassador-at-Large should not have to seek the permission of the Assistant Secretary for Human Rights. It is a priority of U.S. foreign policy that it was not a regional ambassador, it was not a country ambassador, but an ambassador-at-large that was given the responsibility of promoting this issue. As a result,

the Ambassador-at-Large and her office should be given both the access and the resources to be able to fulfill that duty and that mission on a daily basis.

Mr. Chairman, thank you for the time.

[The prepared statement of Mr. Grieboski follows:]

Testimony of
Joseph K. Grieboski
Founder and Chairman of the Board
THE INSTITUTE on Religion and Public Policy
June 3, 2011
House Committee on Foreign Affairs, Subcommittee on Africa, Global Health, and Human Rights
"Prioritizing International Religious Freedom in U.S. Foreign Policy"

Chairman Smith:

Thank you very much for the opportunity to appear before the committee today to discuss such a fundamental and urgent issue. I am grateful that you have taken the leadership and initiative to hold this hearing on a topic that is often either ignored or sidelined as what many policymakers call a "soft issue," and not given appropriate attention by policymakers despite the importance it plays in so many arenas.

While this hearing focuses on ways to prioritize religious liberty in US foreign policy, the issue of religious liberty is not a new one. The very first act of violence recorded in Western religious history is one of religious persecution: Cain's killing of Abel demonstrates that even at the very beginning of human history, Man found ways in which to demonize and ultimately persecute and kill one another based on religious practice.

Since the days of Cain and Abel, conditions have not improved. In the 20th century alone, more people died for their faith than in all previous 19 centuries combined. Nearly 1 billion people face significant discrimination and persecution because of their religious beliefs and identity. In relational terms, on any given day, more than three times the population of the United States is potentially threatened or even killed because of the way they choose to pray, or not to pray. According to a Pew Forum on Religion and Public Life study, "Global Restrictions on Religion," "nearly 70 percent of the world's 6.8 billion people live in countries with high restrictions on religion, the brunt of which often falls on religious minorities."

While the International Religious Freedom Act was meant to help alleviate the potential and actual suffering of millions of people around the globe based on their religious and belief choices, the situation of religious freedom has in fact deteriorated since Congress' unanimous passage of the bill in 1998.

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Sadly, the great Spirit of IRFA never fully became incorporated into the Letter of policy. While each president since the passage of IRFA has acknowledged the importance of religious freedom, none has been a champion of the cause. Despite the importance of religious liberty issues to American security – particularly in a post-9/11 world – economics and finance, general human rights, and other vital interests, presidents have instead fulfilled only the most basic requirements of IRFA.

Thankfully the lack of presidential leadership on this issue was matched equally with ardent and dedicated and unwavering passion for the issue from Members of Congress. Mr. Chairman, you, Mr. Wolf, Mr. Franks, Ms. Ros-Lehtinen, Mr. Cleaver, Mr. Sherman, and a few others have taken immeasurable responsibility in guaranteeing this most basic and fundamental right is protected globally. However, if religious liberty is ever to be a significant priority in US foreign policy, it is imperative that both the Executive and Legislative branches uphold both the spirit and the letter of the International Religious Freedom Act.

IRFA was passed in 1998 because of a growing concern for the rising tide of religious discrimination and persecution taking place around the globe, regardless of religious identity or lack thereof.

Unfortunately, the Executive Branch never grasped the significance of the issue and especially the role it can play in the world following 9/11.

Instead of being fully implemented into overall US policy, religious freedom was seen as yet another issue item heaved upon the State Department by Congress. Thankfully, the Clinton Administration had the foresight of naming Bob Seiple as the first Ambassador at Large and the State Department of appointing Tom Farr as the first Office Director. Their early leadership of the office is in large part why the office survives and could potentially thrive despite overwhelming odds.

Unfortunately, during the early days of implementation of IRFA, the spirit of the law was lost to the letter of politics and bureaucracy. Religious liberty became the responsibility of the State Department rather than being fully integrated into overall US foreign policy, and the US Commission on International Religious Freedom became State's watchdog.

Other departments and agencies with direct and indirect foreign policy capacity were never engaged on the issue. Commerce, Justice, USAID, the Office of the US Trade Representative, Defense, Homeland Security, Central Intelligence Agency, and the other agencies and departments involved in the overall making of US foreign policy were not a part of the discussion. Similar to the faith-based initiatives appointment of liaison offices in appropriate agencies and departments, personnel could have been named to be religious liberty liaisons to assist in the integration of the issue within the other agencies. Furthermore, USCIRF could have taken the lead and become the focal point of integrating religious liberty in overall policy, but chose instead to be a watchdog agency.

Again, a lack of presidential leadership on the issue perpetuated the perception that religious liberty was not significantly important. Title III, Sec. 301 of IRFA offers a sense of Congress that "there should be within the staff of the National Security Council a Special Adviser to the President on International Religious Freedom, whose position should be comparable to that of a Director within the Executive Office of the President. The Special Adviser should serve as a resource for executive branch officials, compiling and maintaining information on the facts and circumstances of violations of religious freedom (as defined in section 3 of the International Religious Freedom Act of 1998), and making policy recommendations. The Special Adviser should serve as liaison with the Ambassador at Large for International Religious Freedom, the United States Commission on International Religious Freedom, Congress and, as advisable, religious nongovernmental organizations."

Neither the Clinton Administration, the Bush Administration, nor the Obama Administration fully implemented the suggestion of Congress that a Special Adviser be appointed. Instead, the role was always double-hatted with other NSC staff handling other issues. Such a point person on the NSC staff responsible for global review and interaction on religious liberty would serve not only to advance both the issue of religious liberty itself, but also provide the necessary support when such matters impact other security concerns and vital interests.

As the principal advisor to the President and the Secretary of State, and as the coordinator of overall U.S. international religious freedom policy, the Ambassador at Large for International Religious Freedom was never be permitted access to even one Cabinet meeting to brief the Cabinet on their efforts and ways in which each appropriate Cabinet department/agency can work with the Ambassador's office to enhance the issue. As a matter of fact, it is my understanding that religious liberty has never even been on the agenda of a Cabinet meeting since the passage of IRFA. It would seem that a discussion on that topic would have been vital to entrench religious liberty in overall US foreign policy as envisioned by the authors of IRFA.

Mr. Chairman, religious liberty is too significant and impactful an issue to be handled half-heartedly.

Freedom of religion is arguably the right most intimately connected to human dignity. Human beings are characterized by the capacity to reason, by a conscience formed through intellect and experience, and by the power to act on reason and conscience. As such, every person is "hard wired" with a thirst to know the truth about the origin, nature, purpose and destiny of mankind.

Accordingly, to protect religious freedom is to protect the right to seek that truth, and the right peacefully to live and worship in accord with it, both individually and in community with others. (Religious freedom also protects those who believe the search for truth, and the moral imperatives that ensue, involves not only rights but also binding obligations.) Religious freedom goes to the core of what it means to be human and what it means to say

(as does, for example, the Universal Declaration of Human Rights) that human beings possess an intrinsic and inviolable dignity.

A guarantee of religious freedom also supports the other fundamental rights necessary to all human persons; because it is grounded in the universal dignity of the human person, religious freedom encourages other related rights. A government that denies the right to freedom of religion and belief is far more likely to deny other rights central to human dignity, such as freedom from torture or murder. The reverse is also true. Freedom of religion and belief is also closely connected to other civil and political rights necessary to democracy.

Without freedom of conscience, there is no freedom of speech, as believers cannot communicate among themselves about their most fundamental beliefs; there is no freedom of assembly, as like-minded believers cannot meet to share their beliefs and worship their Creator; and there is no freedom of the press, as believers cannot print and share their beliefs with others. Religious individuals and groups need and deserve freedom of speech, freedom of assembly, and the right to be secure in their homes from unwarranted government intrusion.

In many countries with religious minorities, the most that is thought to be achievable is a commitment to religious tolerance. True religious freedom, however, is more than mere tolerance. It constitutes an embracing of universal human dignity because of – rather than in spite of – one's religious convictions.

Promoting freedom of religion and belief globally is vital to the national security of each and every state in the world, as well as to international security, in two ways. First, it promotes democracy and therefore strengthens internal and regional stability, and encourages economic prosperity. Second, it helps fight the war on religion-based terrorism. I am not aware of a single regime in the world that both respects religious freedom **and** poses a security threat to the U.S. or any other state.

It is indeed a fine and fragile balance that needs to be maintained between a state's secular nature and the positive role of believers in public life. To avoid such a twist is as necessary as it is to prevent the misuse of the concept of freedom. This corresponds, among other things, to the demands of a healthy pluralism and contributes to the building up of authentic democracy.

As Pope John Paul II stated, "When States are disciplined and balanced in the expression of their secular nature, dialogue between the different social sectors is fostered and, consequently, transparent and frequent cooperation between civil and religious society is promoted, which benefits the common good."

A systematic and systemic discrimination and persecution of any minority, particularly a religious minority, create security, economic, and social consequences for itself, its neighbors, and the international community. The estrangement of one sector of a state's population by the government or by another segment of the population with the

government's active or passive support establishes resentment and alienation among those groups.

Religion-based discrimination and persecution by a government, actively or passively, serve to create a security dilemma for said state among its neighbors, and may escalate to raise the attention of other interested states and international organizations.

Social and political tensions and conflicts created by feelings of inadequacy potentially lead to coercive measures and imposition of tougher laws. There could be no real power in laws that so many religious believers will resent or will try to circumvent. Alienating people and making them feel unwelcome is not the solution. The government has a responsibility for the common good, social peace and coexistence within the state. Consequently, it has the duty and responsibility to guarantee these rights and benefits by respecting pluralism.

Such feelings of isolation, separation, and inadequacy – created by inequitable social, economic, educational and other standards based solely on differences in religion – in addition to actual incidents of state-sponsored or supported persecution, are cause for entire migrations of targeted peoples. Such migrations create internal displacement and potential refugee issues for neighboring states.

Mass movements of populations across borders potentially become a security threat to states neighboring a religiously repressive state. This can grow to be a true security dilemma if the religiously repressive regime chooses to use force against religious minorities. While the situation in North Korea is horrific all the way around, the treatment of North Korean refugees by Chinese authorities provides an adequate example of concern for such an issue.

The security dilemma caused by a lack of religious freedom is amplified when religious repression and lack of religious freedom serve as an impetus for acts of violence and even terrorism by targeted religious minorities. These acts against the government are not and can never be justified, but may seem to the perpetrators as the only recourse to a regime that represses their fundamental rights. Denial of the fundamental right of religious freedom can indeed directly impact the state's own security. The respect of every expression of religious freedom is, therefore, an effective means for guaranteeing security and stability within a state.

Rejection of religious freedom also places a prodigious – and perhaps even fatal – obstacle in the way of successful democratic governance, a point closely related to the internal stability and sustainability of a given nation. The danger is greatest with new and aspiring democracies, but cannot be ignored in established polities. For example, the continued political success of India – the world's largest democracy – is contingent in part on overcoming the threat posed by Hindu extremists to that country's tradition (if 50 years can make a tradition) of religious tolerance. Nor can the problem of Kashmir be treated exclusively (by India, Pakistan, or the United States) as a politico-strategic issue, without taking into account the need to address the crucial matter of Hindu-Muslim intolerance.

In new and aspiring democracies, the stakes are even higher. We are witnessing a struggle over the value of religious freedom today in Afghanistan, the Middle East and North Africa, and still in many of the post-Soviet nations of Central Asia. Each is lurching at one speed or another in the general direction of democracy, but all are in danger of assuming that democracy amounts to little more than a sterile proceduralism of party organization and secret ballots. In fact, as long experience in the West has shown (and, indeed, may need to be relearned in Western Europe), democracy requires a moral framework of universal principles in which it can operate. If that framework is an intolerant interpretation of Islam, democracy will come aborted just as surely as it will flounder from a framework of secular intolerance.

It is very important to emphasize that freedom of religion must not be confused with freedom from religion. A policy of secularism should not be promoted in any way as a cover for unintentional intolerance and atheism as a state policy.

Moreover, protecting religious freedom presents a foundational challenge to governments that, for whatever reason, seek to ally with a particular religious tradition in order to suppress others.

Overcoming this problem, as much as any economic, ethnic or political factor, will determine the success or failure of Russian democracy, as Russian leaders struggle with the temptation to suppress non-Orthodox religious minorities in seeking the political support of the Russian Orthodox Church. The same dilemma assails leaders in Ukraine, Belarus, Georgia and most other European countries that languished under the Communist thumb during the Soviet period.

Other "lingering-Communist" countries, such as China and Vietnam, in which no particular religious tradition underpins culture, view with alarm the growth of religious observance that appears to attend and hasten the demise of Communist institutions. The result is often harsh repression as such governments try to manage and control religious fervor and even alter faith traditions perceived as "foreign" and therefore threatening, such as Roman Catholicism in China. Both China and Vietnam have used the heightened international (and especially American) concern over terrorism to justify attacks on "splittists" and other erstwhile security threats such as Protestants in the Vietnamese Central Highlands, the Buddhists of Tibet, and Uighur Muslims in Northwest China.

In today's world, where terrorism is the new evil empire and religious extremism *the* threatening political ideology, these words of President Ronald Reagan hold as true as they did when he spoke them in his March 8, 1983 speech to the National Association of Evangelicals: "The real crisis we face today is a spiritual one; at root, it is a test of moral will and faith...the source of our strength in the quest for human freedom is not material but spiritual, and because it knows no limitation, it must terrify and ultimately triumph over those who would enslave their fellow man."

And yet religious liberty remains the one unused arrow in the quiver of counter-terrorism.

We must also be vigilantly aware that freedom of religion and belief does not equate to religious relativism nor does it equate to religious protectionism.

Religious liberty cannot be confused with the interpretation that all faiths are the same and equal in their theological or spiritual substance. In fact, it means nothing of the sort. Religious liberty grants legal equality to all faiths, not spiritual equality, and in so doing not only permits but also encourages faiths to exercise freely, grow ardently, and demonstrate publicly the Truth of their teachings.

At the same time, we must be aware and vigilant that freedom of religion not be used as a tool of religious or ideological protectionism. Religious liberty is not a means by which to advance a particular ideological worldview. It is a basic and fundamental human right that transcends right or left; that transcends liberal or conservative; that transcends political boundaries. Religious liberty is the most basic right of all peoples and cannot be linked in one way or another with a particular political or religious ideology for fear of undermining that right.

Further, religious liberty does not belong to a particular faith. After the unanimous passage by the United States Congress of the International Religious Freedom Act in 1998, the law was interpreted both at home and abroad as a tool of Evangelical proselytization put in place to protect American Evangelical missionaries around the globe. While that was not the intent of the authors of the bill, neither the Clinton, Bush, nor Obama Administrations have done much to counter that worldview. Unfortunately, neither have many Members of Congress.

The status of Hare Krishnas in Kazakhstan, Ahmadis in Pakistan and Zoroastrians in Iran are just as important as the status of Evangelicals in each of those countries. Elected officials must address religious discrimination and persecution of all faith communities equally and not be seen as a promoter or supporter of one religious or faith community over another. Furthermore, religious and faith minorities include non-traditional religious communities such as the Unification Church, Jehovah's Witnesses, Scientologists, Seventh-Day Adventists, Sikhs, and many others who are often left out of the usual religious liberty protection mechanisms because their theologies are different or unusual to the average onlooker. However, it is still our duty to promote their rights, while not promoting their beliefs.

If religious liberty is even perceived to be the bastion of one faith or another, then the rights of all faiths are undermined. Members of Congress have at their disposals tremendous capacity to advance this fundamental right both at home and abroad. However, Members of Congress must be broad, open, and inclusive in their support of religious liberty and not target states or foreign actors for perceived violations against particular groups. To do so destroys the credibility of religious liberty as an international legal issue, undermines the Member's credibility as an advocate for religious freedom, and twists religious liberty into a system of religious protectionism not dissimilar from the approach of the Saudis.

Mr. Chairman, as I mentioned in my introduction, prioritizing religious liberty requires a commitment of both the Executive and Legislative Branches to fulfill the spirit and letter of IRFA as an Act and religious liberty as an issue.

HR 1856, a bill to amend the International Religious Freedom Act of 1998 (IRFA) to strengthen the promotion of religious freedom in United States foreign policy and to reauthorize the United States Commission on International Religious Freedom (USCIRF) recently introduced by Mr. Wolf, provides us with an historic opportunity to review the successes – and more importantly the failures – of the past 13 years and improve how religious liberty is prioritized and exercised in overall US policy.

With your indulgence, Mr. Chairman, I would like to start with general recommendations to improve the promotion and protection of religious liberty then move to more specific recommendation as related to HR 1856.

The U.S. too often deals with human rights and religious liberty issues only in bilateral discussions, or in specific multilateral fora like the OSCE or the UN Human Rights Council. The United States must begin multilateral partnership and engagement on human rights and religious freedom issues. Alone, the US will be far less likely to advance such vital interests than it would in concert with other stakeholders.

Intelligence agencies must increase their monitoring and analysis of social conditions such as religious liberty as indicators of rising extremism and potential security threats. Had U.S. intelligence agencies been monitoring the rise of extremism in Afghanistan under the Taliban prior to 2001, the United States could have better understood the worldview and potential threat to the United States posed by the Taliban and their protection and support of Al Qaeda.

Our military chaplains are models of religious liberty on the ground in countries where US forces are present. It is imperative that the chaplains be supported and provided resources to perform outreach to local communities in order to begin engagement on interreligious dialogue and religious respect. Their model can set the framework and build the foundation for assisting nations in creating social understanding of religious freedom in parallel with legislative instruments in countries to protect this right.

Non-governmental organizations carry out the lion's share of the work on advancing human rights, religious liberty, and development around the globe. It is important for the Obama Administration to cooperate closely with NGOs in the advancement of these important issues. Regular briefings and other meetings with NGOs as well as their participation as members of the delegation to multilateral human rights/religious freedom meetings (such as the OSCE) would only support and improve the work of the Obama Administration on these and other issues.

The US Government's approach to freedom of religion has not been a balanced one. There is no stick and carrot, just a stick approach. Currently, there is no incentive for non-CPC states to improve their conditions. In order to advance religious liberty in states whose

conditions do not meet the CPC levels but nonetheless are problematic, the IRF report can serve as the functional mechanism. Taking a lesson from the Trafficking in Persons Report, the IRF report should establish categories based on the ones already outlined in the Executive Summary to categorize all countries in the world. Discrimination cannot go unreported, as incidents of discrimination directly lead to persecution.

I thank Mr. Wolf for once again his unbending leadership on and passion for religious liberty issues. His prophetic vision for the protection of all religious minorities and his legislative mastery in HR 1856 and the original Wolf/Specter bill which led to IRFA have provided us with a strong set of tools to advance this issue and to guarantee that religious liberty is a priority in US foreign policy. In order to make 1856 an even stronger tool for religious liberty, I would like to make the following recommendations about the bill:

The bill established a significant amount of new responsibilities for the IRF office, all of which are necessary for the advancement of the issue. Unfortunately, the bill does not provide for the corresponding resources to follow through on those responsibilities. While the bill does provide for 15 FTEs, in a bureaucratic structure like the State Department, a floor of 15 becomes a ceiling of 15. As a result, I would recommend that the bill establish a line item in the budget for the Office of International Religious Freedom which would allow the Office to manage its own personnel and program funds, allowing it to appropriately and functionally promote religious liberty globally without the hassle of internal budget concerns.

In addition to the new responsibilities added to the Office in the bill, the IRF Office is currently being asked to do things that are outside the scope of the IRF Office, some of which probably should be included in the IRF Act (programming, interfaith engagement, and intragovernmental coordination) and some of which probably should be affirmatively excluded from the IRF Act's mandate for the IRF Office (support for the Special Envoy for Monitoring and Combating anti-Semitism, who should be given her own office staff, and anti-Semitism should be covered primarily in the Human Rights Report). The IRF Office is overwhelmed already, and will be given significantly more work under HR 1856.

Current law requires all incidents of anti-Semitism to be included in the IRF Report, even though not all anti-Semitism is religion-related, let alone a violation of religious freedom. The blurring of this line provides fodder for Muslim extremists to argue that the IRF Office's real mission is to promote "Zionism." Congress might consider requiring incidents of anti-Semitism be included in the annual Human Rights Report, and only where an incident of anti-Semitism is based on the Jewish religion would they be included in the annual Religious Freedom Report.

The bill does much to strengthen the active work of an Administration to take religious liberty seriously. However, certain provisions of the bill blur the line between the separation of powers. For example, the bill's requirement that the President explain why he not follow the recommendation of USCIRF on the naming of a CPC places both the President and the State Department under the authorization of USCIRF, a position I am sure the President and Secretary may not be thrilled to find themselves.

The bill establishes a provision to eliminate the possibility of waiving sanctions, even for national security reasons. This would make it less likely that religious freedom violators would be designated as "Countries of Particular Concern" if they are states with whom the United States have significant and overarching security interests.

There needs to be much more interaction and integration (which the legislation begins to foster) between State and other federal agencies on religious freedom. One thing that is not in the bill but might be considered would be requiring personnel from other agencies that operate overseas and whose work is affected by foreign government's religious considerations also get training on religious beliefs prevalent where they are operating and religious freedom values that we are trying to promote there.

International broadcasting is one platform that could be used far more effectively to promote religious freedom. The same is true for international exchanges. The bill should take up such measures.

Refugee and asylum reforms are needed, especially in places like Iraq, where religious minorities are persecuted, but the process of getting refugee status or asylum takes far too long. As a result, they sometimes are killed before they can get out.

Sanctions are often dual-hatted, meaning that rather than imposing new sanctions for religious freedom violations, the State Department designates sanctions that are already in place as also being for the religious freedom violations. The Department is also extremely reluctant to use visa denials for those responsible for religious freedom violations as a sanction.

The recommended change in Sec. 102(b)(1)(B), which adds the line "whether in matters of private belief and practice or the peaceful involvement of such groups in the political life of a nation" raises serious and significant concerns for me. The addition of political rights violations into the mandate of the IRF Office dangerous blurs the mission of the Office and raises the spectre that religious freedom is being used as a tool of regime change.

While my reputation precedes me regarding my opinion of USCIRF, I do not and will not oppose the reauthorization of USCIRF. In fact, I will become its new champion if USCIRF takes on a more significant and immediate and necessary role as the mediator and integrator of religious liberty into overall US foreign policy rather than serving as a watchdog to State. To be blunt, a watchdog agency should not have an equal or greater number of staff than the office it oversees. As such, it makes little sense to reauthorize USCIRF and increase its funding if that is its only role. However, USCIRF can serve an impactful and authoritative role as the integrating body of religious liberty to other departments and agencies. And that can and must be encouraged in the bill itself.

In reference to HR 1856 and USCIRF, however, I must state my concern that the bill strikes all language referring to term limits of Commissioners. If USCIRF is to remain a relevant

and active institution, its members must periodically change to insert new ideas, new worldviews, new perspective, and new experiences.

Finally, the status of the Office of International Religious Freedom within the State Department makes a significant difference. Congressional intent in IRFA was clear and direct that the Office of International Religious Freedom within the State Department was meant to be located within the Office of the Secretary of State (S/) and not under another bureau. In order to demonstrate that the office and the Ambassador are not Potemkin villages, the Office should be firmly placed within the Office of the Secretary, the Ambassador at Large invited to the Secretary's daily briefings, and as "principal adviser to the President and the Secretary of State regarding matters affecting religious freedom abroad," be consulted on overall US policy where religion may be a factor. This is not simply a symbolic move, but a functional one that guarantees that the Office receives its appropriate resources and access to push such a significant issue and guarantees that the IRF Office need not compete with other bureau priorities to advance its issues. As Secretary Clinton said just yesterday at the swearing in of Ambassador at Large Suzan Johnson Cook, "we will work hand in hand." Congress should guarantee that.

Mr. Chairman, I appreciate the time and consideration of the committee and am happy to take any questions.

Mr. SMITH. Thank you very much for your testimony, your leadership and your very concrete recommendations.

Mr. Grim?

STATEMENT OF MR. BRIAN GRIM, SENIOR RESEARCHER AND DIRECTOR OF CROSS–NATIONAL DATA, FORUM ON RELIGION & PUBLIC LIFE, PEW RESEARCH CENTER

Mr. GRIM. Chairman Smith and Ranking Member Payne, thank you very much for the opportunity to speak this morning.

I have been asked to specifically address the situation in Africa from a global perspective. And I will summarize findings from our ongoing study at the Pew Research Center's Forum on Religion and Public Life on global restrictions on religion, which is generously funded by the Pew Charitable Trusts and the John Templeton Foundation.

And I do request that my comments be made a part of the public record.

Mr. SMITH. Without objection so ordered.

Mr. GRIM. Thank you.

The study itself covers 198 countries and territories, representing more than 99 percent of the world's population, for the 3 year period of July 2006 to June 2009. And the study continues to find that approximately 70 percent of the world's population lives in countries with high or very high restrictions on religion.

Across the continent of Africa, however, the situation varies. Restrictions are high or very high in all seven countries in North Africa where a series of popular uprising are still playing out. In contrast, only 9 of the 47 countries in sub-Saharan Africa, or 19 percent, have high or very high restrictions. However, I should note that because many of these countries with high restrictions in sub-Saharan Africa are very populous, nearly half of sub-Saharan Africa's population, about 48 percent, lives in countries with high or very high restrictions. An additional 22 percent of the population in sub-Saharan Africa, 12 countries, live with moderate restrictions and some 30 percent live in 26 countries with low restrictions. Some of these restrictions come from the actions and policies of governments while others come from hostile actions of people or groups in society.

The 10 countries on the Africa continent with the highest levels of government restrictions include, as I have mentioned, all seven North African countries; Egypt, Algeria, Libya, Sudan—in our reckoning of North Africa—Tunisia, Morocco and Western Sahara, plus Eritrea, Mauritania and Somalia in sub-Saharan Africa.

Government restrictions come in various forms, including detentions or imprisonments for religious reason which occurred in approximately two in five countries globally between mid-2006 and mid-2009. Such detentions, however, were routine in the East African country of Eritrea, where for instance Jehovah's Witnesses are frequently imprisoned or detained for refusing to do compulsory military service, which is against their religious convictions. Eritrea has the highest government restrictions on the African continent aside from Egypt. In fact, prior to the recent uprising in Egypt, government restrictions were already high. By mid-2009 Egypt joined the 5 percent of countries with the most intense social

hostilities involving religion. Again, these were all developments before the current uprisings.

Indeed, restrictions on religion also arise from the hostile actions of people and nongovernmental groups in society. In Nigeria, for instance, hostilities between Muslims and Christians were the rise well before the April 2011 Presidential election that saw Goodluck Jonathan, a Christian from the South, defeat Muhammadu Buhari, a Muslim from the North. A series of fatal clashes left hundreds dead and many thousands displaced from their homes. While conflicts in Nigeria are often triggered by socio-economic or political tensions, in many situations the enemy is identified by his or her religion. Indeed, Nigeria is among the 10 countries in the world the highest levels of social hostilities involving religion. And being the most populous country in Africa, this is a concerning situation.

On the continent of Africa, social hostilities in Nigeria are second only to those in Somalia. In addition to these two countries, social hostilities are also high in Egypt, Sudan, Algeria, Comoros, Kenya, Ethiopia, the Democratic Republic of the Congo and Ghana. Part of the social hostilities include a slight uptick in recent years of religion-related terrorism throughout Africa with violence occurring in 11 countries and recruiting activities in an additional nine countries, meaning that about one in three countries in Africa has some problem with religion-related terrorism.

In many cases, religious minorities in a country bear the brunt of these abuses associated with government restrictions or social hostilities involving religion. But adherents of the world's two largest religious groups, Christians and Muslims, who together comprise more than half of the global population, were harassed in the largest number of countries around the world. It is important to note, however, that these data that I am referring to do not measure the severity of harassment or persecution, so it is not possible to say whether one religious group is harassed or persecuted to a greater or lesser extent than other religious groups or ethnic minorities. Nevertheless, the data are revealing. Over the 3-year period study, incidents of either government or social harassment were reported against Christians in a total of 130 countries or 66 percent of countries in the world, and against Muslims in a 117 countries, 59 percent of the world's countries. Buddhists and Hindus, who together account for roughly one-fifth of the world's population, faced hostility in fewer places; harassment was reported against Buddhists in 16 countries and Hindus in 27 countries.

In proportion to their numbers, some smaller religious groups faced especially widespread hostility. Although Jews, which you have mentioned earlier in the hearing, comprise less than 1 percent of the world's population, government or social harassment of Jews was reported in 75 countries, or 38 percent of countries of the world. Members of other world religions, including ancient faiths such as Zoroastrianism, new faith groups such as Baha'is and Rastafarians, and localized groups that practice tribal or folk religions faced harassment in approximately 84 countries, or 42 percent of the countries of the world, far higher than their share of the global population, which is estimated to be less than 15 percent.

Between mid-2006 and mid-2009 on the continent of Africa one religion or another faced harassment in a majority of countries, 47 of the 54, or 87 percent. Government harassment occurred in 41 countries, slightly more than social harassment, which occurred in 37 countries. As with the global situation, Christians and Muslims in Africa were harassed in more countries than other religious groups, harassed in 39 and 34 countries respectively across the 54 countries in all of the continent of Africa. The next most commonly harassed group included members of localized groups that practice tribal or folk religions, such as African traditional religions. Also, throughout sub-Saharan Africa there were numerous reports of people being abused by members of society when often wrong accused of practicing black magic or witchcraft. By comparison, in Africa particularly, Jews were harassed in eight countries, Hindus in two and Buddhists in one.

While my testimony has focused on countries and situations in Africa where restrictions on religion and abuses of religious groups are high, I would like to wrap up on a more hopeful note. In the statistics I stated before, more than half of the countries in sub-Saharan Africa have low overall restrictions on religion. In Europe, by comparison, 42 percent of countries have low restrictions. And in the Asian Pacific region, just a third of countries fall under this category. Only the Americas have a larger proportion of countries with low overall restrictions on religion.

And finally, though I have not addressed the issue that the others on this panel have addressed directly, the careful documentation of human rights abuses in the State Department's annual International Religious Freedom report and the reports by the U.S. Commission on International Religious Freedom are two of the 16 international sources used by the Pew Forum researchers, six of whom are here with me today, to carry out our ongoing study of a changing world. Our next global report on changes and restrictions will come out this summer, so stay tuned.

Thank you.

[The prepared statement of Mr. Grim follows:]

COMMITTEE ON FOREIGN AFFAIRS
Subcommittee on Africa, Global Health, and Human Rights
Hearing on Prioritizing International Religious Freedom in U.S. Foreign Policy
June 3, 2011

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Africa: Restrictions on Religion in Global Perspective

Good morning. I would like to begin by thanking Chairman Smith and Ranking Democratic Member Payne for the opportunity to testify this morning. I have been asked to speak specifically on the situation in Africa, and I will summarize relevant findings from an ongoing study by the Pew Research Center's Forum on Religion & Public Life on global restrictions on religion, generously funded by the Pew Charitable Trusts and the John Templeton Foundation.[1] The study covers 198 countries and territories, representing more than 99% of the world's population, for the three-year period of July 2006 through June 2009. The study finds that approximately 70% of the world's population lives in countries with high or very high restrictions on religion.

Across the continent of Africa, however, the situation varies.[2] Restrictions are high or very high in all seven countries[3] in North Africa (100%), where a series of popular uprisings are still playing out. In contrast, only nine of the 47 countries in sub-Saharan Africa (19%) have high or very high restrictions. However, because many of these countries are populous, nearly half of sub-Saharan Africa's population (about 48%) lives in countries with high restrictions. An additional 22% live in the 12 countries in sub-Saharan Africa with moderate restrictions, and 30% live in the 26 countries with low restrictions. Some of these restrictions come from the actions or policies of governments, while others come from the hostile actions of people or groups in society.

The 10 countries on the African continent with the highest levels of government restrictions include all seven North African countries plus Eritrea, Mauritania and Somalia. Government restrictions come in various forms, including detentions or imprisonments for religious reasons, which occurred in approximately two-in-five countries globally between mid-2006 and mid-2009. Such detentions, however, were routine in the East African country of Eritrea, where Jehovah's Witnesses, for instance, are frequently imprisoned or detained for refusing to do compulsory military service, which is against their religious convictions. Eritrea has the highest

[1] See http://pewforum.org/Government/Global-Restrictions-on-Religion.aspx
[2] See attached Appendix.
[3] The seven countries in North Africa are Egypt, Algeria, Libya, Sudan, Tunisia, Morocco and Western Sahara.

level of government restrictions on the African continent aside from Egypt. Prior to the recent uprising in Egypt, government restrictions on religion were already very high there. By mid-2009, Egypt also joined the 5% of countries with the most intense social hostilities involving religion.

Indeed, restrictions on religion also arise from the hostile actions of people and nongovernmental groups in society.[4] In Nigeria, for instance, hostilities between Christians and Muslims were on the rise well before the April 2011 presidential election that saw Goodluck Jonathan, a Christian from the South, defeat Muhammadu Buhari, a Muslim from the North. A series of fatal clashes left hundreds dead and many thousands displaced from their homes. While the conflicts in Nigeria are often triggered by socio-economic or political tensions, in many situations the enemy is identified by his or her religion. Indeed, Nigeria is among the 10 countries in the world with the highest levels of social hostilities involving religion. On the continent of Africa, social hostilities in Nigeria are second only to those in Somalia. In addition to these two countries, social hostilities also are high in Egypt, Sudan, Algeria, Comoros, Kenya, Ethiopia, (the Democratic Republic of) Congo and Ghana.

In many cases, religious minorities in a country bear the brunt of abuses associated with government restrictions and social hostilities involving religion. But adherents of the world's two largest religious groups, Christians and Muslims, who together comprise more than half of the global population, were harassed in the largest number of countries around the world.[5] It is important to note, however, that these data do not measure the severity of the harassment or persecution, so it is not possible to say whether one religious group is harassed or persecuted to a greater or lesser extent than other religious or ethnic minorities. Nevertheless, the data are revealing. Over the three-year period studied, incidents of either governmental or social harassment were reported against Christians in a total of 130 countries (66%) and against Muslims in 117 countries (59%). Buddhists and Hindus, who together account for roughly one-fifth of the world's population, faced hostility in fewer places; harassment was reported against Buddhists in 16 countries (8%) and against Hindus in 27 countries (14%).

In proportion to their numbers, some smaller religious groups faced especially widespread hostility. Although Jews comprise less than 1% of the world's population, governmental or social harassment of Jews was reported in 75 countries (38%). Members of other world religions – including ancient faiths such as Zoroastrianism, newer faith groups such as Baha'is and Rastafarians, and localized groups that practice tribal or folk religions – reportedly faced

[4] There has also been a slight uptick in the level of religion-related terrorism in Africa, with violence occurring in 11 countries (20%), and recruiting activities occurring in an additional 9 countries (17%).

[5] As of 2010, Muslims made up nearly a quarter (23.4%) of the world's population, according to the Pew Forum's January 2011 report *The Future of the Global Muslim Population*. The Pew Forum is currently compiling population data on other world religions and intends to publish a series of reports on the demography of religion in 2011-2012. In the meantime, the population figures used here are from the *World Religion Database* at Boston University, which estimates that Christians comprise about a third (32.9%) of the world's population.

incidents of harassment in approximately 84 countries (42%), far higher than their share of the global population, estimated to be less than 15%.

Between mid-2006 and mid-2009 on the continent of Africa, one religion or another faced harassment in the majority of countries (47 of the 54, 87%). Government harassment occurred in 41 countries, slightly more than social harassment, which occurred in 37 counties. As with the global situation, Christians and Muslims in Africa were harassed in more countries than other religious groups (39 and 34 countries, respectively). The next most commonly harassed group included members of localized groups that practice tribal or folk religions (23 countries), such as traditional African religions. Also, throughout sub-Saharan Africa there were numerous reports of people being abused by members of society when accused (often wrongly) of practicing black magic or witchcraft. By comparison, Jews were harassed in eight countries in Africa, Hindus in two and Buddhists in one.

Finally, while my testimony has focused on countries in Africa where restrictions on religion and abuses of religious groups are high, more than half of the countries in sub-Saharan Africa (55%) have low overall restrictions. In Europe, by comparison, 42% of countries have low overall restrictions. And in the Asia-Pacific region, just a third of countries fall in this category. Only the Americas have a larger proportion of countries (86%) with low overall restrictions on religion.

Appendix: Restrictions on Religion in Continental Africa, mid-2009

Country/Territory	Overall Restrictions	Government Restrictions on Religion	Social Hostilities Involving Religion	Region
Egypt	High	Very High	Very High	North Africa
Eritrea	High	Very High	Low	Sub-Saharan Africa
Algeria	High	High	High	North Africa
Libya	High	High	Moderate	North Africa
Mauritania	High	High	Low	Sub-Saharan Africa
Sudan	High	High	High	North Africa
Tunisia	High	High	Moderate	North Africa
Somalia	High	High	Very High	Sub-Saharan Africa
Morocco	High	High	Moderate	North Africa
Western Sahara	High	High	Low	North Africa
Nigeria	High	Moderate	Very High	Sub-Saharan Africa
Comoros	High	Moderate	High	Sub-Saharan Africa
Chad	Moderate	Moderate	Low	Sub-Saharan Africa
Zimbabwe	Moderate	Moderate	Moderate	Sub-Saharan Africa
Uganda	Moderate	Moderate	Low	Sub-Saharan Africa
Kenya	High	Moderate	High	Sub-Saharan Africa
Central African Republic	Moderate	Moderate	Moderate	Sub-Saharan Africa
Angola	Moderate	Moderate	Low	Sub-Saharan Africa
Ethiopia	High	Moderate	High	Sub-Saharan Africa

Country/Territory	Overall Restrictions	Government Restrictions on Religion	Social Hostilities Involving Religion	Region
Tanzania	Moderate	Moderate	Low	Sub-Saharan Africa
Rwanda	Low	Low	Low	Sub-Saharan Africa
Madagascar	Low	Low	Low	Sub-Saharan Africa
Ivory Coast	Moderate	Low	Moderate	Sub-Saharan Africa
Niger	Low	Low	Low	Sub-Saharan Africa
Equatorial Guinea	Low	Low	Low	Sub-Saharan Africa
Swaziland	Low	Low	Low	Sub-Saharan Africa
Zambia	Low	Low	Low	Sub-Saharan Africa
Congo (D.R.C.)	High	Low	High	Sub-Saharan Africa
Guinea	Low	Low	Low	Sub-Saharan Africa
Gabon	Low	Low	Low	Sub-Saharan Africa
Seychelles	Low	Low	Low	Sub-Saharan Africa
Mauritius	Moderate	Low	Moderate	Sub-Saharan Africa
Djibouti	Moderate	Low	Moderate	Sub-Saharan Africa
Gambia	Low	Low	Low	Sub-Saharan Africa
South Africa	Low	Low	Low	Sub-Saharan Africa
Togo	Low	Low	Low	Sub-Saharan Africa
Mozambique	Low	Low	Low	Sub-Saharan Africa
Senegal	Low	Low	Low	Sub-Saharan Africa
Burkina Faso	Moderate	Low	Moderate	Sub-Saharan Africa
Malawi	Low	Low	Low	Sub-Saharan Africa
Cameroon	Low	Low	Low	Sub-Saharan Africa
Mali	Low	Low	Low	Sub-Saharan Africa
Botswana	Low	Low	Low	Sub-Saharan Africa
Ghana	High	Low	High	Sub-Saharan Africa
Republic of Congo	Low	Low	Low	Sub-Saharan Africa
Lesotho	Low	Low	Low	Sub-Saharan Africa
Liberia	Moderate	Low	Moderate	Sub-Saharan Africa
Benin	Low	Low	Low	Sub-Saharan Africa
Guinea Bissau	Low	Low	Low	Sub-Saharan Africa
Cape Verde	Low	Low	Low	Sub-Saharan Africa
Namibia	Low	Low	Low	Sub-Saharan Africa
Burundi	Low	Low	Low	Sub-Saharan Africa
Sao Tome and Principe	Low	Low	Low	Sub-Saharan Africa
Sierra Leone	Moderate	Low	Moderate	Sub-Saharan Africa

Source: Preliminary data from a forthcoming report by the Pew Research Center's Forum on Religion & Public Life, 2011

Mr. SMITH. Thank you very much for your testimony.

Just let me ask a few questions, beginning with you, Mr. Farr, and anyone else who would like to speak to this. I am encouraged that training of our Foreign Service officers seems to be, at least, a beginning as you put it. I am wondering if you have any recommendations as to ambassadors. If the Foreign Service officers' career goals is to become ambassadors, hopefully, they will have gotten that training and will be sensitive to religious freedom issues. But we all know a very significant portion of our ambassadorial ranks are filled by donors to whoever the President might be in that particular year, and who may have no interest whatsoever in these issues.

And I would note parenthetically, right before the Olympics, Mr. Wolf and I traveled to Beijing. We had a list of 731 political prisoners, many of whom were religious prisoners. We met with house church pastors, all of whom were detained and were precluded from meeting with us, except for one. He was harassed after the fact. They wanted to meet with us; so we knew it would put them at risk, but they actually insisted. They thought that it was part of what will lead to change. I mean they are very heroic men and women. But our Ambassador, when we met with them, was more interested in what event he might attend, be it the basketball or track and field, and it was very disconcerting. It was, like, well, we know that there is an enhanced persecution occurring. Dissidents cannot meet with the press. I mean, you know the Olympic Games did not open up China. It led to a further restriction or constriction of rights there, including on the Internet.

And I am wondering what your feeling is with regard to ambassadors. How do we reach them so that they, too, are on the same page as, hopefully, a very earnest human rights officer in that Embassy?

Mr. FARR. Well, thank you for that question, Mr. Smith. My mind goes back, as I listen to you talk, to a political appointee who was going out to Beijing who was asked in the late 1990s about what he was going to do about house churches. And he looked blankly at the questioner and said, "Can you tell me what a house church is?" So this is not an unusual problem.

Unfortunately, the importance of religious freedom does not appear to be intuitively obvious to everyone, which is why we need training.

When I was in the Bureau of Intelligence and Research in the State Department we would conduct the training for new ambassadors and political appointees, area studies for them to bring them to date. In many cases they did not know very much about the countries where they were going to be ambassadors. So this would not be difficult, but it needs to be systematic, not ad hoc. It is not a matter of the day before the ambassador-designate comes that you find somebody hurriedly to come in and speak on religious freedom. It needs to be integrated into the wallpaper, if you will, of our curricula at the Foreign Service Institute, and among others who brief our ambassadors.

There is one other point I would make. Every ambassador that goes to post carries with him or her a set of instructions from the President of the United States. They tend to be very general, but

very important, i.e., "This is what you are going to do while you are there." This issue should be in those instructions. To my knowledge, it has never been for any ambassador. I could be wrong about that. But I think it needs to be there in every set of instructions except for that country in the world where there are no religious groups or no religious persecution, which is to say almost no country in the world. We need this to be part of our training for all diplomats, but especially for ambassadors. So thank you for that question.

Mr. SMITH. Let me ask you—again, remembering that today we remember, these couple of days, the Tiananmen Square massacre—yesterday at one of our hearings at the full committee I reminded my colleagues that Hu Jintao began his meteoric rise to where he is today as head of China, as the Chinese representative in Tibet. And before Tiananmen Square, 4 months or so before it, he was brutally crushing the Tibetan Buddhists, beating nuns and monks, deploying, closing out the press and then the tortures that followed, and continue until this day, that are hideous and mind-numbing. And yet when President Obama had Hu Jintao at the White House they had a press conference. The Associated Press asked a very good question about human rights, and President Obama said they have a different culture and a different political system. And he went on to say, as The Washington Post said in a scathing editorial entitled, "President Obama Defends Hu," H–U, of course "Hu Jintao on rights" that they have a different culture and pointed that out—and emphasized—it is a different culture, yes, but a culture that has people all over the country in the laogai and the gulag systems because they want freedom. I mean, there is no ethnicity or ethnic group that has a monopoly on freedom and democracy. The Chinese want it just as much as the Americans and everyone else.

So I thought that was a very, very damaging statement made by the President. And "different political system." It is a dictatorship; the people with the guns and secret police have the final say. I think huge damage was done to religious freedom or human rights, but religious freedom in particular.

Wei Jingsheng once told me—and I met him in 1994 before he went back into prison in Beijing—and he said, "You Americans do not understand when you coddle dictatorships and you say words that Clinton had used and then abandoned once he became President, when you kowtow to the Beijing regime, they beat us more, they mistreat us more, they torture us more. And when you are tough, transparent, predictable they beat us less and human rights violations, at least to some extent, are ameliorated."

And we continue to play, unfortunately, this other card of accommodation and it gets us nowhere and it hurts the Chinese people and particularly the religious believers.

So my question is, I mean do not know of any other country in the world in scope and magnitude that persecutes believers—Falun Gong, Uyghurs, Tibetan Buddhists, underground Christians—as egregiously and as systematically as China. What would be, perhaps from all of you, your recommendations to the President and to the White House in terms of reclaiming what should be an

American core position of saying, "This matters a great deal to us and we are not going to look askance?"

Mr. FARR. Well, Mr. Chairman, I agree that it is terribly short-sighted of the President—and frankly the Secretary of State who said something similar the first time she went to Beijing, i.e., that we have to deal with the Chinese concerning the important things. Maybe we will talk to them about human rights and religious freedom privately. That communicates something to the Chinese leaders.

China is a peculiar country. You know, every country has to be addressed differently, including in the Islamic world. China's huge plurality of religious groups are exploding in number throughout China. And I think our strategy there has to be far more broad based and comprehensive than it has been. But it has to begin with what the President and the Secretary of State say publicly as well as privately. And this has been a problem for as long as there has been an IRFA, at least as long as I have been involved in this.

In 1999 inside the State Department when we argued about the first CPC list, and China was the real outlier at the time, Bob Seiple was the Ambassador-at-Large. I have written about this, so this is not something that is not in the public record. There was a huge fight over China. And the argument by the China Desk was that, "sure in Tibet," for example which you mentioned, "there is persecution but it is not religious persecution. It is political persecution because they are separatists. They want to separate from China."

This is the kind of thinking that wants to set religion aside. Of course, there is a little bit of truth in the political aspects of this, but to suggest that these people are not being persecuted because of their religious beliefs, their belief in reincarnation, their reverence for the Dalai Lama is absurd. It is absurd on its face.

So I believe the answer to your question is first at the top, our leaders have got to speak out against this and show that even though we owe China a great deal of money, that we are not going to pull our punches about this issue which has been part of the American psyche since the founding.

But secondly I would just add something—I believe, I spoke briefly about programs that I want and I hope the Ambassador-at-Large will begin to implement. The Chinese are interested in this issue of religion. The Chinese Academy of Social Sciences has more people studying religion than, I am convinced, all of the American universities on the East Coast of the United States. They are genuinely interested in a problem that their country has, and so they are studying it. That, along with the rule of law, along with the growth of the economy provides several areas where we can use programs to convince the Chinese that it is in their interests to stop persecuting the Tibetan Buddhists, the Evangelical Protestants, the Catholics, the Muslims. We do not approach this systematically. And that is why in my view we need an Ambassador-at-Large with the status and the resources for every country in the world where this is important. And there is none more important than China to develop a strategy for advancing religious freedom.

Mr. SMITH. Yes, Mr. Grieboski.

Mr. GRIEBOSKI. Mr. Smith, I have to say when you bring up China, I remember longingly the days when you used to chair hearings under MFN to bring to the attention of not just your colleagues, but the United States Government and the American people the systematic abuse across the board on human rights that exist in China.

This touches back on one of, I think, the fundamental failures of the implementation of IRFA in the first place. It is fundamentally important that we understand how the Chinese Government sees religion. The Chinese Government sees itself as the final arbitrator of all things in the lives of its citizens. If a Chinese believer believes in something greater then the government, they are automatically a political security threat. But we are not having that kind of discussion with the Chinese Government. We are not having discussions on how freedom of religion in fact improves the lives of their citizens and increases their happiness.

But what is also failing in how we have implemented IRFA is that the Office of the U.S. Trade Representative has never been engaged when we talk about our trade relations with China to include this within the discussions. That there has not been that dialogue. There has not been that participation.

Another failing has been as much on the civil society side as it has been on the administration side is that there has not been enough engagement with the business community. If American corporations begin to understand both American law and religious freedom issues, but also the responsibility and the access and ability they have in China to advance human rights issues and to advance religious liberty issues, we would begin to see at least a small step forward. These are the areas we need to be talking to the Chinese about it, and it does not need to be within the larger context of human rights. It needs to be in the very practical, very basic and substance ways of what the Chinese want and what the Chinese understand.

And to build on something that Dr. Farr had said, it is important for those programs—Georgetown University has a relationship with the State Administration for Religious Affairs. Our ability, through the State Department's program funding, to work with Georgetown and with SARA to be able to bring about understandings in communications is a very large step forward, and we really need to be able to push that forward. But that requires the resources for the International Religious Freedom office to be able to do what needs to be done on those most important countries.

Mr. GRIM. Yes. Thank you, Mr. Chairman.

When I was working on the book that I have co-written with Roger Finke at Penn State called "The Price of Freedom Denied: Religious Persecution and Conflict in the Twenty-First Century," we were able to have some meetings with Chinese, both in the State Administration for Religious Affairs and other public security officials. And when we discussed that China has very high restrictions on religion, they said, "Of course. That it is logical. It is a dangerous thing. It can cause problems and we should restrict it." And so they said, "Well, we do not disagree with you, but you know we are interested, what is the right level of restrictions on religion?" A very pragmatic question.

And so I think the Chinese, as they approach this question, do not have a philosophical stance that you might find in some other countries of the world that would bar them from loosening restrictions. They should want to know if this good for us, will it be dangerous.

And I think a second thing that the Chinese now are thinking about that they did not when I first went to China in 1982, many years ago, is what is going on in the rest of the world and how it might affect them. And as has been discussed by several people today, countries where there is a lack of religious restrictions have higher hostilities, more violence, and are more unstable. The Chinese are now needing to depend on the stability of other countries for their own resources and their own interests.

So I think some of these pragmatic questions would be interesting for the Chinese to discuss. Academic researchers could look into these questions without having to take a stance and say we are trying to defend religious freedom, we are just trying to study it and see if it is in the interest of our country to have more or less and other countries to have more or less.

Thank you.

Mr. SMITH. With regards to the act itself, if I could, obviously, this is the time to make the improvements, this is the window of opportunity.

Mr. Grieboski, you talked about double-hatted both personnel and penalties, and I think that your point was very well taken and the fact that the National Security Council does not have the kind of representation that it ought to have.

And I think you raised a point that really has not been raised the way it should have been until you just did it, and that is that the CPC status is an all or nothing proposition.

I actually, as you know, sponsored the Trafficking Victims Protection Act. And one of the lessons we did learn was to have tiers. And I am wondering if your thought is that we need to have a tier system, which would mean more personnel, I would think, or at least a greater emphasis within data calls and everything else going out to our Embassies?

And, Mr. Farr, if you might want to speak to that as well. Should we have like a Tier I, Tier II and Tier III and maybe even a Watch List?

I do recall, and you might want to speak to this as well—I will throw out a few questions—when John Hanford was our Ambassador-at-Large, you know, he worked very hard on Vietnam and Saudi Arabia. He often talked about deliverables, particularly with regard to the textbooks and the like in Saudi Arabia. And on Vietnam, much of his work coincided with the bilateral agreement and WTO ascension for Hanoi. And unfortunately, the day they got it the snap back to severe persecution of religion was not unanticipated, but it was brutal, and some people were taken by surprise by it; some were not.

So, you know they are not a CPC country now, but they ought to be. Vietnam, I am talking about. Your thought on that?

And whether or not, when we were working with other issues like in this case the Bush administration wanted to get the bilateral trade agreement agreed to between ourselves and Vietnam,

you know, religious freedom became something of an incentive, but it turned, out in my opinion, to be a false one that actually brought a lot of the house church leaders out into the open, where now they have been rounded up and put into prisons and harassed. And so it was even worse. They thought it was a thawing, when it was just a ruse. So your thoughts on that.

Mr. GRIEBOSKI. Thank you, Mr. Chairman, for the question.

As to the tiers, I think it is fundamentally important that the report create a tier system. Not just because of levels of persecution and distinctions in persecution but because, again as I said in my testimony, there is no incentive for non-CPC countries to improve. With the way in which the structure currently exists, it is only those countries which are the most egregious, which reach levels that could potentially lead to sanctions. And even within that sanction regime there are levels of sanctions depending on the CPC violations.

The tier system allows us to look at every country in the world which comes back to, actually, the training issue which means that if our Foreign Service officers who are doing human rights work in France, in Russia, in Belgium, in Venezuela are now going to be responsible for having to coordinate the religious liberty activity and then report on it on levels, on standards that have to be met, that distinguish one level from another; it, one, increases the capacity for the State Department to do religious liberty on a much more effective and priority basis, but it also means that the countries that get away with discrimination but know that there will be no American response can no longer act that way. So when we see anti-religion laws in places like France, when we see an anti-minaret bill in Switzerland, now the French and the Swiss will have to say, "Will this impact our global positioning and how we are seen?"

Your point on Vietnam is very well taken and very important. Again, religious liberty is one of the unused tools in these negotiations. We could very easily have included in the negotiations with Vietnam as a part of the negotiations certain levels of religious liberty that must be met in order for the trade agreement to be in place. I am a firm believer that there is nothing wrong with our tying our aid policy to human rights standards. And I think the only way that we will see real and significant improvement in human rights in general and religious liberty in particular is if we have standards of religious liberty and human rights tied to our foreign aid. But that does not mean that we cannot have those conversations with those countries with whom we are establishing free trade agreements.

And as we learned from the transition from MFN to PNTR that movement significantly harmed the capacity of this body, but also the U.S. Government to be able to advance these fundamental issues.

Mr. FARR. I would support the idea of tiers, Mr. Chairman, substantially for the reasons that Joe Grieboski has enumerated. And I would also associate myself with his view that we need to bring in all the elements of the United States Government, particularly those dealing with economics and trade. Indeed, I have long argued that we need a subspecialty within the Foreign Service that would

include economics officers who would have a subspecialty in religious freedom. Such specialty is not offered for anybody, it is offered in other areas such as arms control and so forth, but not on religion and religious freedom.

I think, however, that there is a fundamental problem with what I think of as a CPC-dominated quiver in our tool kit which somebody mentioned today. I think the State Department is developing a tool kit.

If the only tool you have is CPCs, which is essentially negative, it seems to me what we have proven beyond a shadow of a doubt in the last 12 years is you are not going to change much structurally. I would quickly add that it is important that we have used the act to free some people, and I do not want to trivialize this. It is very important that some people have been freed. Often, however, that is through the intervention of people like yourself and others in individual cases.

As a broad matter, we just have not had much impact with this CPC dominated approach. I fully support the CPCs. I like the idea of tiers. This is why I emphasize the programs. I think it was Joe that said, "carrots and sticks." You know, that is not quite the way I would put it, but it makes the point. We do not give other countries like Vietnam reasons why it is in their interests to change what they are doing. That is why they went back to what they were doing before after they promised us they would stop requiring forced renunciations and they would rebuild all the churches, et cetera, et cetera. As soon as they got free of the incentive of the moment, they just went back to the way they always do things. We need to provide them reasons for changing, and that is what has been missing in our policy in Vietnam, and frankly most other countries.

Mr. SMITH. Let me just say, Mr. Grim, according to the UNHCR there are some 43 million people of interest including 27 million IDPs and 15.6 million refugees. In your analysis, how many of those, if it has been modified, would you attribute to religious persecution? Is there a breakout?

Mr. GRIM. That is an excellent question and one that we are studying this summer. It is very difficult to study that question and in short, no, there is not a good estimate of how many of those have been displaced internally or across borders due to religion-related reasons. But it is very difficult to get at because the data exists on how many people in a country have been displaced or are there from someplace else, but then the explanation of their stories is almost never documented by the U.N. So, we are looking into that, but I am not hopeful that we will be able to get it in short order.

Mr. SMITH. Is that something, Mr. Farr, that the office working with our refugee folks ought to be looking at, the further breakdown—the profile of the refugees and the IDPs?

Mr. FARR. There was language in the original IRFA for the Commission to look a little bit into this problem, which they did. They did a study, which was a very good study.

I think that the Office of Religious Freedom ought to be certainly very, very aware of the work that Brian Grim is doing and is about to produce this summer and on an ongoing basis. But I would also

add, Mr. Chairman, that a dearth of information is not the main problem that we have. We know this is a major, major problem. We know where the problem exists, we just have not learned the lessons about how to address it and get it in front of the problem rather then just reacting to it.

Mr. SMITH. Dr. Grim, you pointed out in your statement that the data does not measure the severity of the harassment or persecution; is there a way to better delineate that? For example, you know the Falun Gong in China, the number of tortured well exceed several thousands—tortured to death. And obviously the Buddhists and the Uyghurs and the Christians suffer similar fates. Is there a way to get to severity?

Mr. GRIM. Yes. Our measures do count severity of persecution within a country, but we just do not itemize it by which religious groups face the most problems. And it is a little tricky to get that exactly, but I think our data at least reflects what is going on in a country and then the extent to which each religious group faces restrictions globally.

Mr. SMITH. Let me ask all of you. One of the other hats I wear is working on the Helsinki Commission, and ODIHR, which is the human rights apparatus for the OSCE, has three special representatives; one on combating prejudice against Muslims, Christians and anti-Semitism. If you have any thoughts as to how the office interfaces with them, Mr. Farr, that would be helpful.

But, you know we got the African Union, the Organization of America States and then the U.N. itself, all three of which have not done, in my opinion, what could be done on religious freedom. I mean, our biggest fear in the last several months has been a resolution that might have passed at the U.N. that would have, as I said earlier, been catastrophic to individual religious freedom; thankfully, lead by Pakistan, it was a resolution tabled at the Human Rights Council that did not go that route.

And I have spoken to a number of Muslim leaders including the head of the OIC, their Ambassador to the U.N., and they seem pleased with that outcome. So, you know, maybe we are making some traction with our friends in the Muslim community. But how can those regional bodies work more closely with the IRFA Office? Have we empowered it enough through legislation, and that would include the OSCE, which I think is trying at least to address religious persecution?

Mr. FARR. I am not intimately familiar with the relationship of the Office to the ODIHR contemporarily speaking, Mr. Chairman. But I do know that the Office of International Religious Freedom is staffed, as you know, by some very committed, very intelligent, excellent Foreign Service officers and civil servants. And I would be very surprised if they did not have this problem on their screen.

For what it is worth, I think it is a mistake to balkanize religious freedom. I think it is a mistake to have an office for the Jews and the Muslims and the thises and the thats. It is a human problem. It is a problem for all societies, which is why I believe the religious freedom ambassador ought to be over all of this for the United States.

I fear that in Europe some of this is just the way they do things. They carve these things up. I think we should avoid this.

But to answer your question, I have confidence in the office. My successors there, I know these people, they are doing a great job. And I bet you if you ask them that question, they will give you a good answer.

Mr. GRIEBOSKI. Mr. Chairman, your question about the special representatives, it is fundamentally important and I support Tom's position on this. And what I wanted to mention about this is my concern that when we have the division among the three different special representatives, the first two special representatives you mentioned of the Muslims and the Jews is very clear. But then the third, which talks about Christianaphobia is a title too long for even the special representative to remember. Because the duties and responsibilities for that person are not just Christianaphobia, they are Christianaphobia plus. And so within the OSCE structure, anyone within the ODIHR system, there is not the appropriate structuralization of the issue of religious liberty but instead are issue areas that are not well coordinated above those special representatives.

At the same time, there has also been a movement within the OSCE system which you yourself have spoken on, Mr. Chairman, away from protecting rights and talking more about tolerance. And so it is a much looser support for fundamental rights then originally it was within the structure.

As for the question of the multilateralism, I mentioned in my written testimony that we have done a very good job, I think, in the State Department with what limited capacity they had to do it to advance religious liberty on a bilateral basis. But we have not seen that same overactive and impressive engagement in a multilateral form. I understand that Ambassador-at-Large Johnson Cook was just at the United Nations last week, but 1 week a year is not enough to actually have that engagement, which comes back to my encouragement that the IRF office be granted the resources within a line item, but also the access within an S/ system to be able to engage with these multi-lateral fora.

Mr. SMITH. Final question, and I will submit more for the record because I have about another 20. But I would ask you, Mr. Farr, how seriously does the State Department religious freedom office regard the hearings—the recommendations especially—for granting a country CPC that come from the Commission? Is it seen as a rival? Is it seen as a very useful mirror as to what is happening and, you know, hey, we missed that?

I mean, one of the things that I have learned in this job, and I learn it more everyday, is that I take seriously criticism because I often learn that there is a germ of truth, maybe a whole lot of truth to it, and you are missing something. And the whole idea of establishing the Commission in the first place was to be a parallel effort buoyed by what we do in Congress. And I probably have held more than 300 human rights hearings as chairman of Helsinki and the subcommittee that I chair—and I am not kidding, well over 300—but that is still not enough. And the Commission travels, it focuses, but does the State Department take it seriously or do they see it as a nuisance?

Mr. FARR. It is a great question, Mr. Chairman.

My view is that the Office of International Religious Freedom does take it seriously, but the State Department is a very different thing from the Office of International Religious Freedom.

This is a tiny office in a huge bureaucracy. I think the attitude of the Office of International Religious Freedom, at least when I was there and what I know of them now, is that there are many possibilities to work in coordination with the Commission. For example good cop/bad cop; to be able to go to countries and say, "Look, the Commission is making all of this trouble, you know, on the Hill and let us work together to avoid this." I mean, that is just one small example of how these two can work in tandem.

But I do think that more broadly the State Department views the Commission as an irritant. That it does not pay more than just lip service to many of its recommendations over the years, many of which have been extraordinarily good.

I support the reauthorization of the Commission. I think it is very important. I believe it is very important for the Commission to aim more of its fire on the State Department.

Joe and I may disagree a bit on this. But I think that the State Department needs scrutiny. More people need to reveal what it is not doing. And the reality is, Mr. Chairman, and this is not a criticism of the Commission, but it does not matter who is on the Commission, how much money they get, what their mandate is in the IRFA, if the State Department does not do its job, this policy is going to fail. And so this is why I say that the provisions of H.R. 1856 that focus on the State Department are vital and I urge you and Mr. Wolf and others to hold the line. Because I think there is going to be some attempt to roll some of these things back.

Mr. GRIEBOSKI. Mr. Chairman, I think my opinion on the Commission is quite well known. But I actually will back one part of what Tom just said. I will stand on the rooftops and support the reauthorization of the Commission from now until the end of time if the Commission takes on a different responsibility then being a watchdog. I think the watchdog role is a part of the Commission's responsibility, but not its only responsibility.

The Commission is the only agency, the only quasi-governmental agency with the capacity and the authority to be the mediator and integrator of religious liberty into all other government agencies.

We talked about training and education of ambassadors and Foreign Service officers earlier. I cannot overemphasize the importance of also training our CIA station chiefs and our intelligence officers. That our intelligence agencies need to be studying this issue and dealing with this issue. The State Department cannot do that. The CIA will not do not of its own free will. The Commission is the one body that has the capacity and the ability and the authority to do that.

And if you will indulge me with a comparison, part of my concern about the oversight role and the watchdog role of USCIRF is that I am not familiar with an oversight agency that matches person-for-person on personnel or on resources. In that sense, if I could make the comparison, that would be like a principal hiring three teachers to educate 1,000 students on every subject in the school and then hiring three consultants on the side, but paying those teachers by the way minimum wage and not giving them any re-

sources to have teaching material. But at the same time, hiring three outside consultants, paying them $0.25 million a year, giving them unlimited resources to write reports about the teachers and why they are not teaching enough or why their capacity is not there.

I think the Commission can do a tremendous job in making sure that the State Department has the capacity to do what it does as long as the two are engaged, as long as the two are cooperating and as long as there is not that competition, which Tom so appropriately discussed. But I think the Commission with both its resources and the tremendous capacity of its Commissioners, that they can do more than simply tell the State Department what it is not doing right.

Mr. SMITH. One final question; let me ask all of you for any recommendations you may have as we go to markup, in terms of text. You have already made a number of outstanding recommendations, which I hope we can incorporate into the bill.

But let me just ask you with regards to inter-religious dialogue among religions themselves. I have gotten to know a man named Mustafa Ceric, the Grand Mufti of Bosnia very, very well. I was there when they re-interred 800 people who were slaughtered during the genocide in Srebrenica. I spent a lot of time with him. I hosted him here. I have been back to Sarajevo to meet with him. Here is a man who really, genuinely, in his heart of hearts, believes in peace, in respecting all religions, and I do believe that is the model that we need to lift up and say among all religions that is what we all need to be following. He has been a part of the Vatican dialogue among religious leaders globally. And it just seems to me there is not enough of that. There needs to be a whole lot more among the Orthodox Church and all the other churches.

Recently I met with an imam and a bishop who were literally traveling throughout Nigeria talking about reconciliation and tolerance for one another. And, of course, Minister Bhatti ate, slept and breathed that. Sadly, it lead to his assassination.

I should have asked Mr. Leo this, but Mr. Farr, you might want to speak to this or anyone else. Is the Office and is the Commission, in your view, reaching out to religious bodies robustly enough, like the Vatican? I mean, we have a man, His Beatitude Jonah, who heads up the Orthodox Church here in the United States, and who profoundly believes in religious dialogue and wants to work across lines for human rights and respect for those rights. Do we do it enough?

Mr. FARR. I believe both the Commission and the Office of International Religious Freedom are doing a good deal of this, Mr. Chairman. Whether or not they are doing enough, I think the answer is probably no. But I would emphasize that dialogue for the sake of dialogue is not a policy. What is needed is the targeting of religious leaders and religious actors who are influential. Shahbaz Bhatti was killed by people who have a particular interpretation of Islam and the place of blasphemy in Islam. We should think about ways to change the dialogue within Pakistan on the issue of blasphemy.

So, it is not just talking. I mean, I am in an atmosphere of where there are any lists religious dialogues that go on and on a glacial

pace toward oblivion. They need to have a purpose. And this is why I come back again and again to the programs. I fear talk is cheap, and we have had an awful lot of talk.

So the answer to your question is yes, it is valuable, it needs to be targeted. And I think the office will do a good job of this is given the resources, the mandate and the authority to do it.

Mr. GRIM. As a side comment I can make on social hostilities involving in religion that the research that I have done both outside of Pew and at Pew sees a close connection between the level of social hostilities in a country and the government restrictions on religion.

One observation I have of the State Department International Religious Freedom reports is that over the past several years the sections on social intolerance or societal intolerance toward others have become shorter. They have been doing a bit less reporting. I do not think necessarily because there is less to report, but for some reasons, maybe editorial reasons those sections are becoming shorter. So I think that is an important topic to be covering. It is not exactly on interfaith dialogue, but some of these sections have been reporting on interfaith dialogue sort of on the positive side but not covering all that is going on in the country with as much depth as they did maybe 5 years ago. So, I just offer that as an observation.

Mr. SMITH. You know, I do have one final question, if I could. And that is on the Human Rights Council. The Human Rights Commission was flawed, very very misguided for years. I would go to it in Geneva, not every year but almost every year, and found that their only agenda was to bash Israel. Even getting a Cuba resolution and a resolution on Sudan was very, very difficult.

Now the Human Right Council was supposed to replace that. So far we have seen it is "deja vu all over again," to quote Yogi Berra. It is the same old, same old.

We now have a seat on there. Are we using it wisely to promote religious freedom at the Human Rights Council?

Mr. FARR. The Human Rights Council is a farce, but I am going to revert to my diplomatic demeanor, for a moment, and say that we have to be a player. We have to be there, even in a farce, because this is the way the international community wants to play the game and we have to be part of this. I have not paid as much attention to this perhaps as I should, but when I do I do see that we are sending some good people.

I know NGOs attend these things and work very hard to get their voices heard, Mr. Chairman. So I would say that it is important for us to keep working this issue. It has been out there for a long time. You remember in the 1990s we lost every year on China, again and again. I used to be involved in meetings about how we are going change this. Well, we came up with a bright idea and the Chinese beat us every time. It was an attempt to condemn the Chinese for human rights abuses and religious persecution and they went out and bought the votes and did everything they needed to defeat us. And they won every time. And so, this is a longstanding problem.

If I could just say one other thing in response to Joe Grieboski's point about the Commission. As I said, I agree with him about the

need to integrate this into other aspects of the government, particularly into trade and economic issues. I am not sure the Commission is the body to do that. Joe believe it has the authority to do it. I believe that it is that National Security official, I forget the title of it. I believe I am correct that in this bill, I may be wrong, that this is made mandatory. Frankly, I have forgotten. Forgive me. But if it is not mandatory that there ought to be an NSC official involved in religious freedom, an advisor to the President, it should be mandatory. And this is what this person ought to be doing; looking at this issue of how to involve all of the activities of the United States, all the executive agencies and coordinating them. This is where this ought to be done, in my view, rather than the Commission.

Mr. SMITH. Any final words from any of our witnesses before we conclude?

Again, I want to thank you so much for your passion and commitment to religious freedom, for your testimony today, your time, and above all for your recommendations, which will help us, hopefully, craft a good reauthorization bill. So thank you so much.

The hearing is adjourned.

[Whereupon, at 12:08 p.m., the subcommittee was adjourned.]

APPENDIX

Material Submitted for the Hearing Record

SUBCOMMITTEE HEARING NOTICE
COMMITTEE ON FOREIGN AFFAIRS

U.S. HOUSE OF REPRESENTATIVES
WASHINGTON, D.C. 20515-0128

SUBCOMMITTEE ON AFRICA, GLOBAL HEALTH, AND HUMAN RIGHTS
Christopher H. Smith (R-NJ), Chairman

June 1, 2011

You are respectfully requested to attend an OPEN hearing of the Subcommittee on Africa, Global Health, and Human Rights, to be held in **Room 334 of the Cannon House Office Building:**

DATE: Friday, June 3, 2011

TIME: 9:30 a.m.

SUBJECT: Prioritizing International Religious Freedom in U.S. Foreign Policy

WITNESSES:

Panel I
Mr. Leonard Leo
Chairman
U.S. Commission on International Religious Freedom

Panel II
Mr. Thomas Farr
Director, Religious Freedom Project
Berkley Center for Religion, Peace, and World Affairs
Georgetown University

Mr. Joseph Grieboski
Founder and Chairman of the Board
Institute on Religion and Public Policy

Mr. Brian Grim
Senior Researcher and Director of Cross-National Data
Forum on Religion & Public Life
Pew Research Center

By Direction of the Chairman

The Committee on Foreign Affairs seeks to make its facilities accessible to persons with disabilities. If you are in need of special accommodations, please call 202/225-5021 at least four business days in advance of the event, whenever practicable. Questions with regard to special accommodations in general (including availability of Committee materials in alternative formats and assistive listening devices) may be directed to the Committee.

COMMITTEE ON FOREIGN AFFAIRS

MINUTES OF SUBCOMMITTEE ON *Africa, Global Health, and, Human Rights* HEARING

Day *Friday* Date *June 3, 2011* Room *334 Cannon*

Starting Time *9:30 a.m.* Ending Time *12:08 p.m.*

Recesses *1* (10:29 a.m. to 10:36 a.m.) (____ to ____) (____ to ____) (____ to ____) (____ to ____) (____ to ____)

Presiding Member(s)

Rep. Chris Smith, Rep. Jeff Fortenberry

Check all of the following that apply:

Open Session ☑
Executive (closed) Session ☐
Televised ☑
Electronically Recorded (taped) ☑
Stenographic Record ☑

TITLE OF HEARING:

Prioritizing International Religious Freedom in U.S. Foreign Policy

SUBCOMMITTEE MEMBERS PRESENT:

Rep. Chris Smith, Rep. Donald Payne, Rep. Jeff Fortenberry

NON-SUBCOMMITTEE MEMBERS PRESENT: *(Mark with an * if they are not members of full committee.)*

Rep. Frank Wolf*

HEARING WITNESSES: Same as meeting notice attached? Yes ☑ **No** ☐
(If "no", please list below and include title, agency, department, or organization.)

STATEMENTS FOR THE RECORD: *(List any statements submitted for the record.)*

Prepared statement from Mr. Leo
Prepared statement from Mr. Wolf
Prepared statement from Mr. Farr
Prepared statement from Mr. Grieboski
Prepared statement from Mr. Grim
Prepared statement from Mr. Berman
Letter in support of H.R. 1856, submitted by Rep. Chris Smith
Questions for the Record from Mr. Carnahan with responses from Mr. Leo
Questions for the Record from Mr. Carnahan with responses from Mr. Grim

TIME SCHEDULED TO RECONVENE _____
or
TIME ADJOURNED *12:08 p.m.*

Sheri Rickert
Subcommittee Staff Director

Howard L. Berman Statement
House Foreign Affairs Subcommittee on Africa, Global Health and Human Rights Hearing
"Prioritizing International Religious Freedom in U.S. Foreign Policy"
June 3, 2011

I would like to thank Chairman Smith and Ranking Member Payne for allowing me this opportunity to raise a few brief issues before the subcommittee today.

Just three days ago the Lautenberg Amendment --which for nearly 20 years has been a critical tool for allowing religious minorities facing persecution to seek refuge in the United States -- was allowed to expire by this Congress.

The Lautenberg Amendment's "fast track" processing has served as a lifeline for religious minorities from the Former Soviet Union, Southeast Asia, and Iran.

I'm particularly concerned that the expiration of the Lautenberg Amendment will create great uncertainty for Jews, Baha'is and Christians hoping to escape religious oppression and persecution in Iran.

At a time when the Ahmadinejad regime continues its campaigns of Holocaust denial and virulent anti-Zionism that demonize Jews and jails Baha'i leaders who are put on trial for their beliefs, the Lautenberg Amendment preserves a pathway to asylum that is a beacon of hope.

I think we all agree that as the leading voice in efforts to protect religious freedom around the world, we have a unique moral obligation to help such historically persecuted groups.

I ask then should we lead by example?

I am particularly interested to hear the witnesses' thoughts today on the efficacy of this provision and what steps Congress should take in light of its expiration.

I hope my colleagues here today agree that with lives hanging in the balance, now is not the time for Congress to turn its back on these refugees.

I appreciate the Chairman and Ranking Member for allowing me the opportunity to express my support to extend the Lautenberg Amendment.

June 3, 2011

The Honorable Ileana Ros-Lehtinen
Chairman
House Foreign Affairs Committee
2170 Rayburn House Office Building
Washington, DC 20515

The Honorable Howard L. Berman
Ranking Member
House Foreign Affairs Committee
B-360 Rayburn House Office Building
Washington, DC 20515

The Honorable Christopher H. Smith
Chairman
Subcommittee on Africa, Global Health,
and Human Rights
2170 Rayburn House Office Building
Washington, DC 20515

The Honorable Donald M. Payne
Ranking Member
Subcommittee on Africa, Global Health,
and Human Rights
B-360 Rayburn House Office Building
Washington, DC 20515

Dear Representatives,

We write as an informal group of organizations and individuals who are scholars, religious leaders, human rights advocates and practitioners in strong support of H.R. 1856, a bill to amend the International Religious Freedom Act of 1998 (IRFA) to strengthen the promotion of religious freedom in United States foreign policy and to reauthorize the United States Commission on International Religious Freedom (USCIRF).

We respectfully urge you to act quickly to mark-up and pass this important bill, for USCIRF is set to expire on September 30, 2011, and its reauthorization provides Congress with the opportunity to take a hard look at IRFA and IRF policy, and to strengthen both.

The passage of IRFA was a seminal moment for the United States. There was considerable hope that religious freedom would gradually take its place as a functional, vital aspect of U.S. foreign policy and diplomacy.

Unfortunately, in the 12 years since its passage, the mechanisms created by IRFA have been allowed to wither and atrophy, and IRF policy has not been integrated into U.S. foreign policy and national security. As a result, it has become clear that our IRF policy has not had a significant impact on other governments and on levels of religious freedom, repression and persecution. In fact, a Pew Forum report recently concluded that 70 percent of the world's population lives in countries with high or very high restrictions on religion – an inherently destabilizing fact since 84 percent of the world's population reportedly belongs to some form of organized religion.

There are two compelling reasons for passing H.R. 1856 into law. First, religious freedom is perhaps the most personal and fundamental of all human rights, as it goes to the very core and dignity of a human being. Second, the advance of international religious freedom is a national security imperative for the American people. Religious freedom strengthens culture and provides the foundation for a stable democracy and its components, including civil society,

economic growth, and social harmony. Its absence is associated with religious conflict, instability, extremism and terrorism. History and modern scholarship make it clear that religious freedom is an effective counterweight that undermines religious extremism.

The turmoil in the Middle East and Pakistan – including the alarming spike in incidents of violence and persecution of Christians, Muslim communities, and other religious minorities – are the latest examples. Stable democracy in these areas is unlikely to succeed without religious freedom.

Simply put, the passage of H.R. 1856 can elevate religious freedom in U.S. foreign policy. The bill reauthorizes USCIRF for seven years and includes a number of strategic improvements to the IRF office at the State Department. Most important, the bill not only strengthens the "Countries of Particular Concern" (CPC) designation process, but it also enables the IRF office to more effectively promote religious freedom through advocacy, reporting and programming. And it requires religious freedom training for every Foreign Service Officer.

With a stronger IRF policy, the United States will have a much greater effect on levels of religious repression, persecution, violence and terrorism around the world.

For these reasons, we urge you to support and pass H.R. 1856 as soon as possible.

Respectfully,

ORGANIZATIONS

AMERICAN ISLAMIC CONGRESS

AMERICAN ISLAMIC FORUM FOR DEMOCRACY

CHURCH OF SCIENTOLOGY

FREEDOM HOUSE

HUMAN FRIENDS ORGANIZATION INTERNATIONAL

INSTITUTE FOR GILGIT BALTISTAN STUDIES (IGBS)

INSTITUTE FOR GLOBAL ENGAGEMENT (IGE)

ISLAMIC SOCIETY OF NORTH AMERICA (ISNA)

INTERNATIONAL RELIGIOUS LIBERTY ASSOCIATION

JUBILEE CAMPAIGN USA

OPEN DOORS USA

THE BECKET FUND FOR RELIGIOUS LIBERTY

UNION OF COUNCILS FOR JEWS IN THE FORMER SOVIET UNION (UCSJ)

UNITED SIKHS

UYGHUR AMERICAN ASSOCIATION (UAA)

WORLD UYGHUR CONGRESS (WUC)

Individuals

Gerard V. Bradley
Professor of Law
University of Notre Dame

Thomas F. Farr
Visiting Associate Professor, Walsh School of Foreign Service
Senior Fellow, Berkley Center for Religion, Peace and World Affairs
Former Director, Office of International Religious Freedom, State Department

Dr. Os Guinness
Author

Paul Marshall
Senior Fellow
Hudson Institute's Center for Religious Freedom

Greg Mitchell
President
The Mitchell Firm

CC:
The Honorable John Boehner, Speaker of the House
The Honorable Eric Cantor, Majority Leader
The Honorable Nancy Pelosi, Minority Leader

THE HONORABLE RUSS CARNAHAN (MO-03)
COMMITTEE ON FOREIGN AFFAIRS
SUBCOMMITTEE ON AFRICA, GLOBAL HEALTH, AND HUMAN RIGHTS
U.S. HOUSE OF REPRESENTATIVES

Hearing on
Prioritizing International Religious Freedom in U.S. Foreign Policy
Friday, June 3, 2011, 9:30 A.M.
334 Cannon House Office Building

Chairman Leo, you note in your testimony that USCIRF played a key role in the Administration's multilateral efforts to counter the "Defamation of Religions" resolution at the UN Human Rights Council and General Assembly. Thanks in part to U.S. engagement, the Organization of the Islamic Conference (OIC) presented a new resolution in Geneva this past March that focused on promoting tolerance and respect for religious diversity, replacing the contentious defamation model. I commend USCIRF and the Administration for this accomplishment. Could you please elaborate on the importance of the U.S. engaging the international community, particularly the United Nations system, on matters of international religious freedom?

Response from Chairman Leo:

USCIRF supports vigorous U.S. multilateral engagement to promote the fundamental freedom of thought, conscience, and religion or belief, particularly at the United Nations (UN) and the Organization for Security and Cooperation in Europe (OSCE). The International Religious Freedom Act of 1998 (IRFA) specifically cites U.S. participation in multilateral organizations as an avenue for advancing religious freedom.

At the UN, religious freedom issues are addressed primarily at the Human Rights Council, including through its new Universal Periodic Review (UPR) process, as well as through monitoring by its Special Rapporteur (independent expert) on Freedom of Religion or Belief. USCIRF urges the United States to continue to use the UPR process to raise religious freedom concerns, particularly when "countries of particular concern" are reviewed. USCIRF also recommends that the United States seek additional UN scrutiny of countries violating religious freedom and related human rights, such as through Human Rights Council and General Assembly resolutions, monitoring by relevant thematic experts including the Special Rapporteur on Freedom of Religion or Belief, and the appointment or continuation of country-specific Special Rapporteurs. In this regard, USCIRF commends the United States for its leadership in bringing about the creation, in March 2011, of a new UN Special Rapporteur on the human rights situation in Iran.

In recent years, USCIRF has been seriously concerned about initiatives by some UN member states to create an international legal norm, or redefine existing norms, to protect religions, rather than individuals, from alleged "defamation." Vigorous efforts by USCIRF and others, including the State Department, members of Congress, and NGOs, helped bring about a notable decrease in support for this problematic idea over the past three years. In 2009 and 2010, USCIRF

worked closely with members of Congress, particularly Representatives Eliot Engel (D-NY), Christopher Smith (R-NJ), Shelley Berkley (D-NV), and Frank Wolf (R-VA), to write letters and host lunches with selected UN ambassadors in New York to urge member states to vote against defamation of religions resolutions. USCIRF welcomes the UN Human Rights Council's move away from the flawed defamation of religions approach at its March 2011 session, but urges the United States and other UN members who support universal human rights to remain vigilant against further efforts by its proponents to insinuate the defamation of religious concept into international human rights law, including attempts to expand the meaning of existing incitement provisions.

The OSCE continues to be an important forum in which the 56 participating states are held accountable for the extensive human rights and religious freedom commitments elaborated in various OSCE documents, including commitments to counter intolerance, discrimination, and hate crimes. USCIRF urges the United States to lead an effort to revitalize the OSCE's human rights and tolerance activities, which some governments, particularly Russia, have sought to curtail or derail in recent years.

THE HONORABLE RUSS CARNAHAN (MO-03)
COMMITTEE ON FOREIGN AFFAIRS
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Mr. Grim notes in his testimony that all seven of the North African countries have high or very high restrictions on religious freedom. In the President's recent speech on U.S. policy towards the Middle East and North Africa, he asserted the importance of promoting religious freedom, especially in a region that was the birthplace of three world religions and where intolerance can so often lead to suffering and conflict.

- In the wake of unrest throughout the Middle East and North Africa, what is your view of the most appropriate and effective methods for the U.S. to be taking to address religious freedom along with other concepts of human rights in that region? Should we be shifting our strategy?
- In the President's first Middle East speech in Cairo, he also elevated the role that interfaith dialogues should play. What are the benefits of interfaith action and to what extent has it been utilized?

Mr. Carnahan, thank you for the opportunity to comment for the record on your questions from the hearing of June 3, 2011. At the start, I should mention that the Pew Research Center's Forum on Religion & Public Life is an information initiative and does not take positions or make recommendations on policy matters. I can, however, point to some findings from our latest study, *Rising Restrictions on Religion: One Third of the World Experiences and Increase*, released on Aug. 9, 2011, that can provide global and regional context regarding your questions.

Rising Restrictions on Religion in the Middle East-North Africa: Government restrictions on religion were high in the Middle East and North Africa ***prior to*** the recent unrest that continues in the region. This region also had the largest proportion of countries in which government restrictions on religion increased from mid-2006 to mid-2009, with nearly a third of the region's countries (30%) imposing greater restrictions.

Specifically, six of the 14 countries in the world where government restrictions on religion rose substantially between mid-2006 and mid-2009 were in the Middle East-North Africa region: Algeria, Egypt, Libya, Qatar, Syria and Yemen. Egypt, in particular, ranked very high (in the top 5% of all countries, as of mid-2009) on both government restrictions and social hostilities involving religion. Egypt was one of just two countries in the world – Indonesia was the other – that had very high scores on both measures as of mid-2009.

The level of government restrictions in Egypt, for instance, was increasing well before the recent uprising that led to the resignation of Egyptian President Hosni Mubarak in February 2011.

During the period ending in mid-2009, the government maintained a longstanding ban on the Muslim Brotherhood, an influential Islamic organization. Although some of the group's activities tacitly were tolerated by the government, members of the Brotherhood reportedly were subject to arbitrary detention and other pressure. The Egyptian government also continued to discriminate against Christians in public-sector hiring, including staff appointments at public universities, and continued to bar Christians from studying at Al-Azhar University, a publicly funded institution widely known as a seat of Islamic learning.

Many of the restrictions in Egypt were directed at Coptic Christians, who form one of the largest Christian populations in the Middle East and North Africa. At the local level, government officials often tried to prevent Coptic Christians from improving existing churches or constructing new ones. Officials in the Arbaeen District of the Assiut governorate in Upper Egypt, for example, have long refused to grant a building permit for a new Coptic church even though Egypt's president and the Ministry of the Interior approved the project many years ago.

While the study finds that the brunt of the restrictions often falls on religious minorities, followers of Islam were harassed in an even higher percentage of countries in the Middle East-North Africa region than were Jews or Christians, although this is a predominantly Muslim region. Indeed, there were reports of government and/or social harassment of religious groups and individuals in *all* 20 countries in the region.

Restrictions on religious beliefs and practices occur in a variety of circumstances, but the study also found that they are particularly common in countries that prohibit blasphemy, apostasy or defamation of religion. While such laws are sometimes promoted as a way to protect religion and reduce social hostilities involving religion, in practice they often serve to punish religious minorities whose beliefs are deemed unorthodox or heretical, and who therefore are seen as threatening religious harmony in the country. Eight-in-ten countries in the Middle East-North Africa region have laws against blasphemy, apostasy or defamation of religion, the highest share of any region. These penalties are enforced in 60% of the countries in the region.

Interfaith Tensions: In the period ending in mid-2009, some degree of public tension between religious groups was reported in the vast majority of countries (87%). In 133 countries (67%), these tensions led to hostilities involving physical violence, and in 50 countries (25%) they resulted in numerous cases of violence. Indeed, in 27 countries (14%), there were acts of sectarian or communal violence between religious groups. In Nigeria, for example, hostilities between Christians and Muslims were on the rise well before the April 2011 presidential election that saw Goodluck Jonathan, a Christian from the South, defeat Muhammadu Buhari, a Muslim from the North. In November 2008, for instance, at least 300 people were killed and hundreds of others were injured during three days of religious rioting in the city of Jos. A number of churches and mosques were destroyed and at least 10,000 people were temporarily displaced from their homes as a result of the violence. On Feb. 20, 2009, violence erupted in the town of Bauchi after Muslim worshippers parked their cars outside a nearby Christian church. Nearly a dozen people died and at least 100 were injured. The rioters also burned about 200 properties, including six churches and three mosques.

Globally, the report also found an uptick in the number of countries that experienced mob violence related to religion. Religion-related mob violence occurred in 52 countries in the two-year period ending in mid-2009, compared with 38 countries in the two-year period ending in mid-2008. In sub-Saharan Africa, accusations of witchcraft triggered several incidents of mob violence. The belief that some people are able to call on demons or other supernatural forces to harm others is common in parts of the region. In the Democratic Republic of the Congo, for example, a fight broke out at a soccer match in the city of Butembo in September 2008 over allegations that some players were using witchcraft to fix the game. The violence spread to the stands, and 11 people died as the spectators stampeded. In the Central African Republic, where witchcraft is a criminal offense, members of a rebel group known as the Popular Army for the Restoration of the Republic reportedly were involved in a number of attacks on people suspected of practicing witchcraft. For example, the group allegedly tortured a man near Kaga Bondoro in June 2009 after the man was accused of bewitching his nephew. The group also was implicated in an incident that occurred in the same month in the village of Ngoumourou, where a woman was tied to a tree and then beaten for allegedly practicing witchcraft.

Given these trends, it's unarguable that changes in religious restrictions are PART of the larger social and political forces shaping the world today in countries as diverse as Egypt and Nigeria.

For more information and detailed comparative statistics with other regions, please refer to the full report at http://pewforum.org/Government/Rising-Restrictions-on-Religion.aspx.

Respectfully submitted for the record,

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