



United States Department of State

Washington, D.C. 20520

JAN - 3 2018

The Honorable
Edward R. Royce, Chairman
Committee on Foreign Affairs
House of Representatives
Washington, DC 20515

Dear Mr. Chairman:

The Secretary of State asked that we convey to Congress his designation regarding countries of particular concern required by Public Law 105-292, also known as the International Religious Freedom Act of 1998 as amended (IRF Act). The Secretary of State has designated each of the following countries as a "country of particular concern" for having engaged in or tolerated particularly severe violations of religious freedom: Burma, China, Eritrea, the Democratic People's Republic of Korea, Iran, Saudi Arabia, Sudan, Tajikistan, Turkmenistan, and Uzbekistan. Particularly severe violations are defined as systematic, ongoing, egregious violations of religious freedom, including violations such as torture or cruel, inhuman, or degrading treatment or punishment; prolonged detention without charges; causing the disappearance of persons by the abduction or clandestine detention of those persons; or other flagrant denial of the right to life, liberty, or the security of persons. In addition, the Secretary of State has designated the following country as a "special watch list" country for serious violations of religious freedom: Pakistan.

As required under the IRF Act, these designations are based on information contained in the latest *Country Reports on Human Rights Practices*, the *Annual Report on International Religious Freedom*, and other available evidence, which may include reports from local and international NGOs. The review also takes into account the relevant findings or recommendations of the U.S. Commission on International Religious Freedom. More extensive information on violations and abuses of religious freedom in these countries, as well as actions taken by the United States government in this regard, is detailed in the 2016 Annual Report on International Religious Freedom.

To promote respect for the right to religious freedom, with respect to Burma, China, Eritrea, Iran, the Democratic People's Republic of Korea, and Sudan the Secretary of State has designated Presidential Actions in accordance with section 402(c)(1) of the IRF Act. With respect to Saudi Arabia, Tajikistan, Turkmenistan, and Uzbekistan, the Secretary has exercised the waiver authority in section 407 of the IRF Act.

As explained in the enclosed Memorandum of Justification, the Secretary determined that the exercise of waiver authority with respect to the aforementioned countries is required by the important national interest of the United States.

We appreciate ongoing Congressional interest in the protection and promotion of religious freedom. Please let us know if you have further questions or if we can be of assistance.

Sincerely,

A handwritten signature in blue ink that reads "Mary K. Waters". The signature is written in a cursive, flowing style.

Mary K. Waters
Assistant Secretary
Legislative Affairs

Enclosures:

As stated.

**Designations of Countries of Particular Concern,
Imposition of Presidential Actions, and Exercise of Waiver Authority
Under the International Religious Freedom Act of 1998**

Pursuant to the authority vested in the Secretary of State by section 402(b) of the International Religious Freedom Act of 1998 (P.L. 105-292), as amended (the Act), and the Presidential Delegation Memorandum for the Secretary of State, dated August 17, 1999, I hereby designate Burma, China, Eritrea, Iran, the Democratic People's Republic of Korea, Saudi Arabia, Sudan, Tajikistan, Turkmenistan, and Uzbekistan as countries of particular concern for religious freedom. In addition, the Secretary of State has designated following country as a "special watch list" country for serious violations of religious freedom: Pakistan.

Accordingly, with respect to Burma, China, Eritrea, Iran, the Democratic People's Republic of Korea, and Sudan, I hereby designate as the Presidential Action, in accordance with section 402(c)(1) of the IRF Act,

(1) with respect to Burma, the existing ongoing restrictions referenced in 22 CFR 126.1, pursuant to section 402(c)(5) of the Act;

(2) with respect to China, the existing ongoing restriction on exports to China of crime control and detection instruments and equipment, under the Foreign Relations Authorization Act of 1990 and 1991 (Public Law 101-246), pursuant to section 402(c)(5) of the Act;

(3) with respect to Eritrea, the existing ongoing restrictions referenced in 22 CFR 126.1, pursuant to section 402(c)(5) of the Act;

(4) with respect to Iran, the existing ongoing travel restrictions in section 221(c) of the Iran Threat Reduction and Syria Human Rights Act of 2012 (TRA) for individuals identified under section 221(a)(1)(C) of the TRA in connection with the commission of serious human rights abuses, pursuant to section 402(c)(5) of the Act;

(5) with respect to the Democratic People's Republic of Korea, the existing ongoing restrictions to which North Korea is subject under sections 402 and 409 of the Trade Act of 1974 (the Jackson-Vanik Amendment), pursuant to section 402(c)(5) of the Act;

(6) with respect to Sudan, the restriction in the annual Department of State, Foreign Operations, and Related Programs Appropriations Act on making certain appropriated funds available for assistance to the Government of Sudan, currently set forth in section 7042(j) of the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2016 (Div. K, P. L. 114-113), and any provision of law that is the same or substantially the same as this provision, pursuant to section 402(c)(5) of the Act;

Pursuant to the authority vested in the Secretary of State by section 407 of the Act and the Presidential Delegation Memorandum for the Secretary of State, dated August 17, 1999, I hereby determine that

(7) with respect to Saudi Arabia, a waiver is required in "the important national interest of the United States," pursuant to section 407 of the Act;

(8) with respect to Tajikistan, a waiver is required in "the important national interest of the United States," pursuant to section 407 of the Act;

(9) with respect to Turkmenistan, a waiver is required in "the important national interest of the United States," pursuant to section 407 of the Act;

(10) with respect to Uzbekistan, a waiver is required in "the important national interest of the United States," pursuant to section 407 of the Act;

This determination and the related Memorandum of Justification shall be reported to Congress. The determination shall be published in the *Federal Register*.

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**MEMORANDUM TO CONGRESS OF JUSTIFICATION
FOR THE WAIVER OF THE REQUIREMENT TO TAKE ACTION
WITH RESPECT TO SAUDI ARABIA,
TAJIKISTAN, TURKMENISTAN, AND UZBEKISTAN
UNDER THE INTERNATIONAL RELIGIOUS FREEDOM ACT**

Section 407 of the International Religious Freedom Act of 1998, as amended (IRF Act), permits the President in certain circumstances to waive the application of any of the actions described in paragraphs nine through 15 of section 405(a) (or commensurate action in substitution thereto) with respect to any country designated as a Country of Particular Concern (CPC). Presidential authority under the IRF Act has been delegated to the Secretary of State.

With respect to **Saudi Arabia**, particularly severe violations and abuses of religious freedom persist, and we will continue to press for improvements in critical areas. We also recognize, however, the necessity for cooperation with the Government of the Kingdom of Saudi Arabia on certain core U.S. national security interests, including our collective efforts to counter violent extremism and transnational terrorism, and on energy security for the United States. For this reason, the Secretary has determined that application of actions under paragraphs nine through 15 of section 405(a) of the IRF Act (or commensurate action in substitution thereto) with respect to Saudi Arabia should be waived as required by the important national interest of the United States. The Department is communicating to the Government of Saudi Arabia our expectation that they will make further and more meaningful progress on religious freedom. To motivate such progress, the Department will continue to engage systematically with the Government of Saudi Arabia to encourage it to take steps to increase its respect for freedom of religion or belief.

With respect to **Tajikistan**, its continued designation as a CPC demonstrates our deep concern over particularly severe violations of religious freedom in the country. We also recognize, however, the necessity for cooperation with the Government of Tajikistan on certain core U.S. national security interests, including our collective efforts to counter violent extremism and transnational terrorism. For this reason, the Secretary has determined that application of actions under paragraphs nine through 15 of section 405(a) of the IRF Act (or commensurate action in substitution thereto) with respect to Tajikistan should be waived as required by the important national interest of the United States. The Department will continue to engage systematically with the Government of Tajikistan to encourage it to take steps to increase respect for freedom of religion or belief.

With respect to **Turkmenistan**, we remain deeply concerned over particularly severe violations of religious freedom in the country. We also recognize, however, the necessity for cooperation with the Government of Turkmenistan on certain core U.S. national security interests, including our collective efforts to counter violent extremism and transnational terrorism. For this reason, the Secretary has determined that application of actions under paragraphs nine through 15 of section 405(a) of the IRF Act (or commensurate action in substitution thereto) with respect to Turkmenistan should be waived as required by the important national interest of the United States. To motivate such progress, the Department will continue to engage systematically with the Government of Turkmenistan to encourage it to take steps to increase respect for freedom of religion or belief.

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With respect to **Uzbekistan**, while the government continues its particularly severe violations of religious freedom, we also recognize the necessity for cooperation with the Government of Uzbekistan on certain core U.S. national security interests, including our collective efforts to counter violent extremism and transnational terrorism. For this reason, the Secretary has determined that application of actions under paragraphs nine through 15 of section 405(a) of the IRF Act (or commensurate action in substitution thereto) with respect to Uzbekistan should be waived as required by the important national interest of the United States. To motivate such progress, the Department will continue to engage systematically with the Government of Uzbekistan to encourage it to take steps to increase respect for freedom of religion or belief.

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