

**PROTECTING RELIGIOUS FREEDOM: U.S. EFFORTS  
TO HOLD ACCOUNTABLE COUNTRIES OF  
PARTICULAR CONCERN**

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**HEARING**

BEFORE THE

SUBCOMMITTEE ON AFRICA, GLOBAL HEALTH,  
GLOBAL HUMAN RIGHTS, AND  
INTERNATIONAL ORGANIZATIONS

OF THE

COMMITTEE ON FOREIGN AFFAIRS  
HOUSE OF REPRESENTATIVES

ONE HUNDRED THIRTEENTH CONGRESS

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**THURSDAY, MAY 22, 2014**

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

The subcommittee met, pursuant to notice, at 10 o'clock a.m., in room 2200 Rayburn 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 all of you and thank you for being at this very important hearing and ongoing series of hearings concerning religious freedom, and with particular focus today on the Commission and some of the work that they have done, some of the outstanding and exemplary work they have done, and the state of religious freedom around the world.

And we have some excellent witnesses who will be presenting testimony to the subcommittee. Hopefully it will be heard not just by Congress but also by offending countries and those who are on the bubble, about to be offending countries, but also by the executive branch which we hope will take clear note of what is said here, especially by our, like I said, very distinguished witnesses.

The headlines are filled with examples of religious persecution. A 27-year-old expectant mother, Mrs. Ibrahim, is in prison and faces a death sentence today in Sudan because she refused to renounce her Christian faith. In like manner, Habila Adamu was shot in the head and left for dead, a man that I first met in September of last year when I was in Jos, a place in Nigeria where churches have been firebombed.

I remember meeting with the archbishop there, Kaigama, who told me how he was working very closely with the imam and other top Muslim clerics to combat the persecution of Christians in particular, Muslims secondarily, who are not targeted as robustly as Christians, and unfortunately the situation in Nigeria as we all know with the recent abduction of the schoolgirls has gone from extremely bad to even worse.

So here we are. We met with this man, Habila Adamu, who many of you have met. He testified before our subcommittee. And I will never forget when he told us that when the Boko Haram rad-

ical Islamists put the AK-47 to his nose and the top of part of his face, said that you renounce your belief in Jesus or else I will kill you, and you must convert to Islam, he said, I am ready to meet my Lord, and the man pulled the trigger and left him for dead.

And he was quite disfigured by this attempted murder, this attempted assassination, but it was a clear, compelling example of courage, unbelievable courage, but also deep conviction in his religious beliefs which happen to be Christian.

Anti-Semitism as well has resurfaced in many parts of the world. In some cases it never went away. And we are also seeing it now in Ukraine with a series of violent attacks following the ouster of former Prime Minister Yanukovich.

Wednesday we received word that American pastor Saeed Abedini who is serving an 8-year sentence in Iran for his faith was severely beaten and returned to prison. He had been hospitalized due to internal bleeding from beatings previously received in prison. His wife, Naghmeh Abedini, testified before this committee, as well as before a committee convened by Frank Wolf, and begged that the administration make securing her husband's release a top priority.

Tragically, many countries of the world are a long way from recognizing the human right of religious freedom set forth by Article 18 of both the Universal Declaration of Human Rights as well as the International Covenant on Civil and Political Rights. In the United States we claim religious freedom as the first freedom because of its placement at the top of the Bill of Rights enumerated in our Constitution and because of its foundational role in the life of a free and democratic nation.

Religious freedom is a constant reminder to governments that their power is limited, that governments do not create rights but merely recognize them, and that a man or woman's first duty is to his or her well-formed conscience.

The evidence bears out the importance of protecting and promoting religious freedom. As the Pew Research Center and Berkeley Center at Georgetown have shown, governments that protect and promote religious freedom have higher levels of social harmony. Just as importantly for national security, high observance of religious freedom is correlated with lower levels of religious extremism.

In 1998, Congress had the foresight to make the protection and promotion of religious freedom a priority in U.S. foreign policy by creating an Ambassador-at-Large for Religious Freedom, the Office of International Religious Freedom at Department of State, which authors the international religious freedom reports on every country in the world, and the U.S. Commission on International Religious Freedom, with their watchdog report to Congress.

Importantly, this landmark piece of legislation, the International Religious Freedom Act, authored by Chairman Frank Wolf of Virginia, created a system for naming and taking action against a Country of Particular Concern, the language that was included in the text, or as we call them, CPCs. Sixteen years later, the need for U.S. leadership on religious freedom could not be more critical, things have actually gotten worse in many parts of the world, but sadly the tools needed for the U.S. to lead are very lightly used.

The administration recently announced its intention to appoint two new members to U.S. Commission on International Religious Freedom, but the post of Ambassador-at-Large is in its seventh month of vacancy. As a matter of fact, for more than half of President Obama's tenure in office there has been no Ambassador-at-Large. A revelation, in my opinion, of priorities. The post, as I said, has been empty for a long time.

Despite the fact that IRFA called for an annual review of CPC designations, the administration has not named CPCs since 2011. That is an outrage. There are countries, and I know the Commission has made recommendations for some eight countries that ought to be added to the list including the Government of Vietnam, and yet they are not, and they have not made designations since 2011.

What few Presidential actions, like sanctions, that have been taken in correlation with the 2011 CPC designation have now lapsed. History has shown that when the U.S. makes religious freedom a priority and that priority is conveyed to a Country of Particular Concern we have seen conditions have changed with minimal harm to security or economic cooperation.

For instance, CPC designation worked as intended with Vietnam until it was removed prematurely, and that was under the Bush administration. In 2004, Bush designated Vietnam a CPC country as part of a larger bilateral relationship. Vietnam did take positive steps. And I traveled to Vietnam on a few occasions during that time period, and there seemed to be an easing and it was done in correlation with the bilateral trade agreement, but right after that they reverted right back to form and the repression has gotten worse ever since. It is time to redesignate Vietnam.

Since 2006 USCIRF has made a compelling case why Vietnam should be designated as a CPC. I have read your reports. They are outstanding. Very incisive, and why that designation would again produce results and why it is in the U.S. interest to prioritize religious freedom in that bilateral relationship. Seven years later we are still waiting.

Today's hearing will take a close look at the ongoing need for the United States to actively pursue religious freedom as a priority as intended by Congress and as articulated in the International Religious Freedom Act. I would like to yield to my good friend and colleague, Mr. Meadows, for any comments he might have.

Mr. MEADOWS. Thank you, Mr. Chairman, and thank you for your continued work on this. I will keep my comments very brief. We have two panels, we have votes coming up, and so we will get obviously to you first, Dr. George. Thank you for your work. Thank you for your passion for your work, And I look forward to working with you in a real way.

I do want to share one personal story because I think it goes to the heart of what we are talking about here. Many of you that are here listening to this today are fighting the fight every day for religious freedom. You are here because you care, because you see the injustice of it.

And yet last night I found a very interesting dichotomy, where my wife and I were traveling to see a new art exhibition from an Arab country where they were actually bringing artwork here to

display it from a Muslim country. And yet as we were traveling there, my wife is reading an article about what is happening, tragically, to a mother and a child in Sudan. And so my wife says, you have to do something. You have to get on the phone. You need to do that tonight.

And so here we are having this conversation going back and forth with real progress on one area and just a tragic circumstance on the other. And yet what we must do is make sure that religious freedoms are protected, not just for Christians and Jews but for Muslims and Hindus and all religions. When we really look at that and we see those protections taking place, then indeed we have a free society.

So I thank each one of you for your work. Dr. George, I look forward to hearing your testimony, and I will yield back, Mr. Chairman.

Mr. SMITH. Thank you very much.

I would like to now introduce our first very distinguished witness, Dr. Robert George, who is the current chairman of the U.S. Commission on International Religious Freedom. In addition to his current chairmanship, Robert George is a professor at Princeton University and member of the Council on Foreign Relations.

Dr. George has also served on the President's Council on Bioethics, the United States Commission on Civil Rights, and UNESCO's World Commission on the Ethics of Scientific Knowledge and Technology. Dr. George was also a former judicial fellow at the U.S. Supreme Court.

And I would just note parenthetically that I read much of what Dr. George writes and rarely have I found anyone so interesting, incisive, and his speech last week to the Catholic Prayer Breakfast was a landmark speech that all should read. And I want to thank you for that extraordinary leadership. Dr. George.

**STATEMENT OF ROBERT P. GEORGE, PH.D., CHAIRMAN, U.S. COMMISSION ON INTERNATIONAL RELIGIOUS FREEDOM**

Mr. GEORGE. Thank you very much, Chairman Smith. It is a very great honor to be appearing before your committee today in my role as chairman of the United States Commission on International Religious Freedom. It is customary I know in these circumstances to begin not only by thanking the committee and its chairman, but by praising you and praising your work, and the rhetorical inflation that has come as a result of that custom sometimes robs words of their meaning.

So I want to lay a special stress on the sincerity of my words when I thank you, Congressman Smith, and Congressman Wolf, and Congressman Meadows, and others on this committee, and others in the Congress who have taken the lead in defending human rights, and particularly our cherished right to religious freedom. When I say ours, I don't mean simply ours as Americans. I mean ours as members of the human family.

The work that you have done both here in the Congress and beyond has been vital to the progress that we have been able to make, and lays the foundation for future progress that not only those of us on the Commission on International Religious Freedom are aspiring to, but members of the human rights family, the



human rights community, some of whom are in this room, are working day and night for. So please believe me when I thank you from the bottom of my heart for the work that you continue to do.

I am also grateful for your very kind words about our 2014 report, our annual report from the U.S. Commission on International Religious Freedom. I want to take this occasion to say that the excellence of this report is mainly the product of our extraordinary staff.

We at the U.S. Commission on International Religious Freedom are truly blessed with an amazing, dedicated, gifted group of men and women with extraordinary knowledge of the circumstances of religious freedom around the globe, working on their particular regions, deeply committed as we are committed to religious freedom as a fundamental human right, and their dedication, their knowledge, their brilliance is what makes this report so good.

So thank you for your kind words about the report, and thank you for all that you do to make our work more widely available, get it before Members of Congress, before the general public. Only good can come of that.

I am grateful for the opportunity to serve as the Commission's chairman, as a member of the Commission. I am grateful to Speaker of the House John Boehner for appointing me. I have just been appointed to a second term. Really, it is an honor to be able to stand up and speak out for persecuted people around the world.

People persecuted for their religion or for their beliefs, whether they are Ahmadis, Bahá'ís, Jews, my fellow Christians, Rohingya Muslims or other minority Muslims in various places, Tibetan and other Buddhists, Hindus, atheists, people of all faiths and people who profess no faith are persecuted for their religion or belief across much of the globe today. And while that is a dreadful horror that we must fight against with all our might, for those of us who are committed to the cause it really is an honor to be able to provide a voice for these often voiceless victims.

By any measure, religious freedom remains under serious assault across the globe. Our report reveals that a very substantial proportion of the world's population live in circumstances in which they are either victimized by their own governments, or by mobs or terrorists who operate with impunity because of a government's unwillingness or inability to do anything about it, including bringing perpetrators to justice—much less deterring the atrocities that are committed against them.

And I request, Chairman Smith, that the full text of my statement, my longer statement, be included in the record.

Mr. SMITH. Without objection, so ordered.

Mr. GEORGE. Simply stated, freedom of religion or belief is a pivotal, fundamental, central human right. It is central to our own history, and it is affirmed as well by international treaties and conventions and other obligations. And as Congressman Smith mentioned in his opening remarks, we have every reason to believe that this essential fundamental human right is crucial to our security and to the security of the world.

Religious freedom should be promoted, advanced, protected, first, because it is the right thing to do because it is essential to the dignity of the human being. Secondly, because self-protection, security,

requires it. If we want to combat terrorism, if we want to protect our own people from the kinds of atrocities that others have too often experienced, then one of the chief steps that we can take is to promote religious freedom abroad, especially in those countries where the absence of religious freedom contributes to an environment in which terrorism can flourish.

In fact, religious freedom and religious freedom violations are central to the narratives of countries that top our country's foreign policy and diplomatic policy and security agendas. Effectively promoting religious freedom can help the U.S. to achieve crucial goals by fostering respect for human rights while promoting stability and ultimately national security.

So I hope that my testimony here today underscores the role of our Commission, the U.S. Commission on International Religious Freedom, in promoting religious freedom as a fundamental and universal human right, and that Members of Congress, Mr. Smith, will support H.R. 4653, the bill introduced by the great human rights champion, Frank Wolf, which reauthorizes our Commission.

This Commission was created out of a concern about religious freedom, abuses, and violations abroad. Back in 1998, as you will recall, responding to religious persecution worldwide and the perception that the U.S. Government was neglecting to adequately support religious freedom abroad, the International Religious Freedom Act was passed to make religious freedom a priority in U.S. foreign policy, and to give it the place it deserved along with other considerations such as trade considerations, economic matters, geostrategic and military considerations. To give religious freedom a place at the table too when it came to the formation of U.S. foreign and diplomatic policy.

The IRFA created government institutions to monitor and report on religious persecution abroad, an Ambassador-at-Large and an Office of International Religious Freedom within the U.S. Department of State, and our independent and bipartisan U.S. Commission on International Religious Freedom.

Importantly, the law also gave teeth to this effort by requiring the U.S. Government to identify foreign governments that engage in or tolerate, and I quote from the statute, "systematic, ongoing, and egregious violations," which the statute calls of course Countries of Particular Concern, and to take appropriate action in response. Let me lay some stress on the fact that this is not optional. It is the law of the United States. It is required that these identifications and designations be made pursuant to the terms of the statute.

IRFA created USCIRF as an independent bipartisan body distinct and separate from, and therefore independent of, of course, the Department of State. And we were given the task of monitoring religious freedom worldwide and making policy recommendations to the President, to the Secretary of State and of course to you in Congress.

Far from duplicating the State Department's work, our Commission's independence allows it to speak publicly about violations while also developing concrete and constructive recommendations for new U.S. policies to address these concerns. The advisory role we play is really quite critically important. The independence that

we enjoy under the statute enables us to perform that advisory role well.

Now one of USCIRF's chief responsibilities is to recommend to the State Department nations it should designate as CPCs precisely for their systematic, ongoing, and egregious abuses. In our 2014 annual report we recommended that the State Department redesignate the following eight countries as CPCs: Burma, China, Eritrea, Iran, North Korea, Saudi Arabia, Sudan, and Uzbekistan. We recommended, as Congressman Smith pointed out, that eight other nations also be designated as CPCs, and we did that because they fully meet the requirements, the standard set forth in the law in the IRFA. And these countries are Egypt, Iraq, Nigeria, Pakistan, Syria, Tajikistan, Turkmenistan, and Vietnam.

We didn't pull these out of a hat. We are urging the designation of these nations as CPCs precisely because upon rigorous examination they are guilty of systematic, ongoing, and egregious abuses.

With the State Department religious freedom report itself soon to be issued and along with it we hope CPC designations, we entirely agree, Chairman Smith, that the making of these designations on a regular, indeed, annual basis, is critical. So along with it we hope that there will be CPC designations.

We recommended that the CPC be expanded. It has been 8 years since any country has been added or removed. We are concerned that the designations that have been made in the past simply become, in the words of our vice chairman, Katrina Lantos Swett, the great human rights champion, part of the wallpaper that nobody pays attention to.

We need people to pay attention. We need our Government, we need our citizens to pay attention to what is happening abroad so that our foreign policy can be formed in line with giving a high priority to religious freedom. And what that requires of course is that we regularly call attention to these abuses by making the designations on a regular basis. Conditions remain, alas, extremely poor in many countries with several nations meeting the statutory threshold, regrettably.

Let me highlight two countries we believe should be added as CPCs, and I would single these out because of the singularly urgent nature of the situation in these countries. We have repeatedly recommended Pakistan, concluding this year in our report that Pakistan represents the world's worst religious freedom environment for a country not currently designated as a CPC.

Secondly is Syria. USCIRF recommended CPC status for the first time in our annual report this year due to the collective actions of the Assad regime, internationally recognized opposition groups, and extremists in U.S. designated terrorist groups in Syria. When we look at Syria, horrifically we see egregious, systematic and ongoing violations of basic religious freedom rights perpetrated by the government and perpetrated by the forces seeking to overthrow the government. It is a horrible and tragic situation. It is time for Syria to be designated as a Country of Particular Concern.

To give policymakers advance warning of deteriorating conditions USCIRF also highlights other nations, those not recommended for designation as CPC status nations, what we call Tier 2 countries. And these are countries whose governments engage in or tolerate

serious violations characterized by at least one of the elements of the systematic, ongoing, and egregious CPC standard. Tier 2 countries are Afghanistan, Azerbaijan, Cuba, India, Indonesia, Kazakhstan, Laos, Malaysia, Russia, and Turkey.

Now the CPC designations take IRFA beyond naming and shaming by creating concrete incentives for governments to improve and disincentives for inaction. Unfortunately neither Republican nor Democratic administrations, since USCIRF was created and since the IRFA was enacted, have fully utilized the CPC mechanism as the key foreign policy tool it was intended to be.

So we want to call on both parties to recognize the importance of this tool being used in the way it was meant to be used under the statute whether the President is a Republican or Democrat. It doesn't matter. This is not a partisan question. And we, alas, find fault in administrations of both parties in failing fully to utilize the CPC mechanism.

We also have praise for steps that have been taken by the Bush administration and by the Obama administration. There is much to praise in what has been done. But not enough has been done to utilize this tool so that it can have the maximum good effect for the persecuted people of the world.

Now to be sure, religious freedom advocacies should not only involve naming countries to a list and imposing sanctions. USCIRF country recommendations also include constructive ways to advance religious freedom. Yet the designation process and the possibility of punitive actions can breathe new life into diplomatic efforts that should both precede and follow the designation and stimulate political will in foreign capitals.

However, designating CPC countries without additional consequences limits the value of the tool, and if the timing of designating countries is erratic, if years and years and years go on without designations, well, the CPC process obviously becomes less credible. It loses its force. And we now know from experience that many, many countries including some of the worst offending countries really do care about the CPC designation. They let us know because they fault us for making those designations. They challenge the basis on which we make these designations.

It is also important to know, again, from our experience that these CPC designations can also lift the spirits and encourage those human rights activists and persecuted communities within countries. It can serve, in the words of my daughter who is an international relations Ph.D. candidate at the London School of Economics who in her own writing calls this an anchor, the way U.S. actions including CPC designations can serve as an anchor that supports the work of dissidents, of human rights activists, of minority persecuted communities in countries to help them more effectively advocate for the cause of religious freedom.

USCIRF strongly recommends the full and robust application of all of IRFA's existing mechanisms. This would entail, for starters, annual CPC designations and congressional oversight hearings. That needs to become the standard. Annual designations. Not maybe once every 3 years or maybe once every 5 years, that creates the wallpaper problem. We need to press every administration. We don't care what political party leads it. Every administration needs

to make these designations on a regular and, we believe, annual basis.

It would also mean that the CPC list will expand and contract as conditions warrant. While the current list of countries has remained unchanged for a decade except for the addition of Uzbekistan in 2006, the religious freedom environment has worsened in the past 10 years with a poor religious freedom environment in Pakistan; backsliding in Vietnam, a country that Chairman Smith in his opening remarks discussed; continuing and rising violations in Egypt, and serious descent into a horrible sectarian civil war in Syria with all sides, as I said a moment ago, perpetrating egregious religious freedom abuses.

Yet despite that, no new countries have been added to the State Department's CPC list. What that tells us is that the tool fashioned by the Congress, part of our law that is not optional, part of our law is not being used in the way it needs to be used to accomplish the goal that we all share. This is a bipartisan goal. It is shared by Congress. It is shared by people in the administration. It is shared by Democrats. It is shared by Republicans. Our Commission is bipartisan. Five of us were appointed by Democrats at the moment. Four of us were appointed by Republicans. We are all on the same page with this.

So let us use the tool. Let us make the annual designations. Let us update the CPC list. Let us add Pakistan. Let us add Syria. Let us add the other nations that we have on careful review of the facts on the ground determined meet the standard for designation of as Countries of Particular Concern.

And finally, better application of IRFA tools would include a more dynamic and strategic use of Presidential actions tailored to each situation and directly related to religious freedom violations. That is what Presidents can do. They can use the tool in a way to tailor their actions to have the maximum impact on offending nations to ameliorate and relieve the suffering, the persecution of people who are under severe pressure for their beliefs in those countries.

Of the current eight countries designated CPCs, six had "double-hatted" sanctions for which the religious freedom basis is now expired, and two have indefinite waivers. Indefinite waivers is a problematic idea in itself. Yes, the statute does anticipate or create the circumstances in which, or the procedures by which, waivers can be granted in the case of CPC nations.

But if they are to be granted, surely they should not be granted on an unlimited and unconditional basis. If we are to have teeth in our CPC designations, if our IRFA policies are to have any real effect, where waivers are granted they should be for limited terms and on conditions. We should require improvements if waivers are to be maintained.

In addition, the IRFA toolbox also should be used in a continuum of actions including diplomatic engagement, consultations about possible CPC action, CPC designations of course, binding agreement negotiations with other countries, Presidential actions, and/or a waiver for the narrowest circumstances of circumstances and not on an unlimited and unconditional basis.

Besides making better use of the IRFA law, we should also consider amending it. That is a proposal that we have for you in the Congress this year. While times have changed since IRFA's 1998 enactment, the law has not changed. So it is time for some revision. The CPC tool should be broadened to allow the naming of not only governments of countries, but countries themselves where there is no effective government or government control, as is the case, for example, today, in Somalia and the Central African Republic.

So Chairman Smith that is a request that we have for you in the Congress. And we have a second one. The State Department should also be permitted to designate transnational or local organizations that perpetrate particularly severe religious freedom abuses. In the world we find ourselves in today, very often the offenders or the responsibility or the locus of responsibility is with transnational or local organizations. We need to be able to take note of that. The State Department needs to be able to take note of that in making its designations.

So it is simply updating in some limited ways the original IRFA law to accomplish the ends the law was designed to accomplish back in 1998. Not radical reforms, they are not necessary. It is a good law. Minor, limited adjustments to bring the law into line with the world.

Now my written testimony includes other IRFA related recommendations, which I hope that you will consider, such as ensuring the Ambassador-at-Large has direct and regular access to the Secretary of State and more resources for the IRF office in the State Department. Also establishing monitoring mechanisms consisting of lists of persons believed to be imprisoned, detained or placed under house arrest for their religious faith. We are doing the very best we can on that on the Commission itself. We are communicating what we know to our leaders in Congress so that you can do your best on behalf of these people.

Also expanding grant making and deepening the State Department's training on international religious freedom. It is very important that our diplomats and others who are responsible for the formation and conduct of our foreign and diplomatic policy understand religious freedom, understand its centrality, understand how it works.

There should also be greater efforts to increase strategic communications programs to counter violent extremism. And the Broadcasting Board of Governors and other U.S. Government entities should increase their broadcasts and Internet programs with information on religious freedom and related human rights. That again is updating things to put us in touch with the reality of what is happening in the world today.

Other recommendations are included in my written testimony on how the U.S. can more effectively promote religious freedom: The need for the President, the Secretary of State and Members of Congress to demonstrate in words and deeds their commitment to international religious freedom; the importance of reinvigorating IRFA's tools and creating new ones as I have suggested; expanding training, programming, and public diplomacy on religious freedom

and belief; and expanding multilateral efforts, something that we at USCIRF are ourselves very much involved in.

Over the past decade and a half, to conclude, USCIRF has played a unique role in developing policy recommendations in response to these difficult challenges and spurring our Government to greater activity. There is no entity quite like USCIRF anywhere in the world. We are trying to promote more USCIRF-type organizations in Europe, in our other ally countries, but there is nothing with USCIRF's bipartisanship, its independence and its clout that we know of. So we are a singularly American institution.

Thanks to the expertise of our commissioners, my colleagues on the Commission, and our wonderful staff, we have had an impact. We have worked well with Congress and administrations across the years. Considering how issues of religious freedom are more relevant than ever, more important than ever, so is the work of USCIRF.

Congress has an essential role to play in promoting religious freedom and USCIRF urges members to undertake activities that reflect religious freedom's vital importance to our foreign policy. We hope that such actions will include reauthorizing the U.S. Commission on International Religious Freedom.

We are grateful for today's hearing, Congressman Smith, and urge that Congress support legislation that promotes freedom of religion and belief, hold hearings in support of international religious freedom. The holding of hearings itself is an act of witness and a way of getting the word out that is unique in its power. Also support civil society and prisoners of conscience abroad, and participate.

We would like all Members of Congress to participate in the Defending Freedoms Project, a collaborative effort between the Tom Lantos Human Rights Commission, USCIRF, and another partner, whereby Members of Congress adopt prisoners of conscience and advocate on their behalf. Some of you have done that and we are grateful to you for doing that. It is an important way of bearing witness and calling attention to the plight of the persecuted, and we encourage you to encourage your colleagues to become involved in our Defending Freedoms Project and especially our Prisoners of Conscience Project.

So by improving our use of existing tools for the job and creating new tools for a rapidly changing environment for religious freedom and related human rights, we can see constructive change. I believe we will see constructive change. We are on the right track. We need to make some revisions and adjustments. We need to rededicate ourselves. We need to reenergize ourselves, but we are going in the right direction. We just need to step on the pedal and move forward more forcefully, more smartly.

If we renew our resolve, Chairman Smith, to integrate this fundamental freedom more fully into the foreign policy of our nation, I know we can bring genuine progress to those beyond our shores who yearn for the freedoms that we have so long enjoyed. I thank you very much for this opportunity to testify and I look forward to your questions.

[The prepared statement of Mr. George follows:]

**TESTIMONY**

**BEFORE THE SUBCOMMITTEE ON AFRICA, GLOBAL HEALTH,  
GLOBAL HUMAN RIGHTS, AND INTERNATIONAL ORGANIZATIONS  
OF THE**

**HOUSE COMMITTEE ON  
FOREIGN AFFAIRS**

**ON**

**PROTECTING RELIGIOUS FREEDOM: U.S. EFFORTS TO HOLD  
ACCOUNTABLE COUNTRIES OF PARTICULAR CONCERN**

**BY**

**ROBERT P. GEORGE**

**CHAIRMAN**

**U.S. COMMISSION ON INTERNATIONAL RELIGIOUS FREEDOM**

**MAY 22, 2014**



I am Dr. Robert P. George, Chairman of the U.S. Commission on International Religious Freedom (USCIRF). Thank you for the opportunity to testify today before the Africa, Global Health, Global Human Rights, and International Organizations Subcommittee on “Protecting Religious Freedom: U.S. Efforts to Hold Accountable Countries of Particular Concern.” This hearing is timely and important. Religious freedom remains under serious assault across much of the world. This pivotal human right is central to U.S. history, affirmed by international treaties and obligations, and a practical necessity crucial to the security of the United States and the world.

The International Religious Freedom Act (IRFA) is a key part of the United States’ efforts to support religious freedom abroad. IRFA seeks to make religious freedom a priority in U.S. foreign policy. Signed into law in 1998, IRFA was a response to the growing concern about religious persecution worldwide and the perception that religious freedom was an orphaned human right that the U.S. government often neglected. In the words of the law, IRFA provides that it shall be the policy of the United States to:

- condemn violations of religious freedom, and to promote, and to assist other governments in the promotion of, the fundamental right to freedom of religion;
- seek to channel United States security and development assistance to governments other than those found to be engaged in gross violations of the right to freedom of religion...;
- be vigorous and flexible, reflecting both the unwavering commitment of the United States to religious freedom and the desire of the United States for the most effective and principled response, in light of the range of violations of religious freedom by a variety of persecuting regimes, and the status of the relations of the United States with different nations;
- work with foreign governments that affirm and protect religious freedom, in order to develop multilateral documents and initiatives to combat violations of religious freedom and promote the right to religious freedom abroad; and
- use and implement appropriate tools in the United States foreign policy apparatus, including diplomatic, political, commercial, charitable, educational, and cultural channels, to promote respect for religious freedom by all governments and peoples, thus standing for liberty and the persecuted.

IRFA created government institutions to monitor and report on religious persecution abroad: An Ambassador-at Large and Office of International Religious Freedom within the Department of State, and the bipartisan and independent U.S. Commission on International Religious Freedom (USCIRF), on which I serve. Importantly, the law also gave teeth to this new effort, requiring the U.S. government to identify foreign governments that engage in or tolerate “systematic, ongoing, and egregious” violations – which the statute calls “country-of-particular-concern” status – and to take some action in response.

In my testimony, I will begin by discussing what religious freedom entails and why it matters. I will then focus on USCIRF’s efforts to promote religious freedom and make it a key factor in U.S. foreign policy and the importance of Congressional leadership. I next will discuss USCIRF’s

recommendations for how the U.S. government can more effectively implement IRFA. IRFA is an important foreign policy tool that provides the U.S. government with unique capabilities to promote religious freedom and address violations of this fundamental freedom. These capabilities are significant given that religious freedom violations are implicated in some of the United States' most pressing foreign policy challenges.

I hope that this testimony underscores the important role that USCIRF plays in promoting religious freedom or belief abroad, and that Members of Congress will support H.R. 4653, a bill introduced by Representative Frank Wolf that reauthorizes USCIRF and, among other provisions, extends USCIRF's sunset date from September 30, 2014 to September 30, 2019.

**What is Religious Freedom and Why Should it Matter to the United States?**

Freedom of religion or belief is a broad, inclusive right, sweeping in scope, embracing the full range of thought, belief, and behavior. Religious freedom is as deep as it is broad, honoring and upholding the claims of conscience. Religious freedom means the right of all human beings to think as they please, believe or not believe as their conscience leads, and live out their beliefs openly, peacefully, and without fear. When it comes to the peaceful exercise of religion or belief, no government, group, or individual has the right to compel others to act against their conscience or restrain them from answering its call.

Support for religious freedom stands in opposition to every form of coercion or restraint on people's ability to choose and peacefully practice their beliefs. Rather than imposing beliefs, it is about protecting people's right to believe and remain true to their deepest convictions. Religious freedom applies to the holders of all religious beliefs. Broader still, the right to religious freedom extends to those who reject religious beliefs altogether.

Besides protecting every religious belief, freedom of religion is itself a conviction that is not the exclusive preserve of any one country, but a universal value endorsed in Article 18 of the Universal Declaration of Human Rights, which was overwhelmingly adopted in 1948, as well as in subsequent agreements. Religious freedom also merits a seat at the table with economic and security concerns as the U.S. and other nations conduct their affairs. There is no automatic tradeoff between religious freedom or other human rights and economic or security concerns. Rather, both are tied together in the real world.

Religious freedom needs to be a key factor in U.S. foreign policy since by any measure religious freedom is under serious and sustained pressure across much of the globe. According to the most recent Pew study, more than three-quarters of the world's population live in countries in which religion is restricted significantly, either by the government or societal actors. Yet for the vast majority of people across the globe, religion matters: Fully 84 percent of the world's population identifies with a specific religious group.

Unfortunately, it also is true that for some, religion is a driver of dangerous conflict with others who hold different beliefs. Either way, it follows that our nation and its diplomats cannot have honest, mutually respectful dialogue with the rest of the world, let alone productive and

satisfactory relations or outcomes, if we are inclined to ignore, downplay, or dismiss religion's pivotal role.

Because religious freedom is so central to human identity, we would expect that in places where it is unprotected, societal well-being would suffer. And according to a growing number of studies, that indeed may be the case across much of the world. Politically, religious freedom abuses are linked with the absence of democracy and the presence of abuses of other human rights, such as freedom of expression, association, and assembly. Economically, religious persecution can destabilize communities and marginalize the persecuted, causing their talents and abilities to go unrealized, robbing a nation of added productivity, and reducing its ability to fight poverty and make positive economic strides. Civically, whenever religious liberty is violated, nations needlessly surrender the tangible benefit that religious beliefs may yield through the molding of character which can empower individuals to exercise positive and responsible citizenship. Socially, wherever religious freedom is abused, peace and security may become ever more elusive. And the resulting instability directly bears not only on the well-being of those societies, but the security of the United States and the overall stability of the world. Promoting the kind of tolerance that gives rise to religious freedom is critical in these societies.

In addition, for at least three reasons, there appears to be an association between a lack of religious freedom and the presence of violent religious extremism.

First, when governments enforce laws, such as blasphemy-like codes, that stifle religious freedom, they embolden extremists to commit violence against perceived transgressors. In Pakistan, such codes fuel extremist violence threatening all Pakistanis, but particularly Christians and Ahmadi Muslims.

Second, when governments repress religious freedom or fail to protect it, they risk driving some into the arms of radical religious groups and movements. Russia's repression of Muslims in the name of fighting the extremist views of some has produced violent extremism in others.

And finally, governments that crack down on everyone's liberty in the name of fighting extremists risk strengthening the hand of extremists by weakening in the process their more democratic, but often less hardy or resilient competition. Under President Mubarak's rule, Egypt ended up strengthening the Salafists and their allies while enfeebling their more liberal opposition.

These examples demonstrate the centrality of religious freedom and religious freedom violations to the narratives of countries that top the U.S. foreign policy and security agendas. They also underscore that effectively promoting religious freedom can help U.S. policy makers achieve crucial goals by fostering respect for human rights while promoting stability and ultimately national security. And IRFA, when used properly, can help the U.S. achieve these important goals.

#### **USCIRF's Role in IRFA Implementation**

USCIRF was created by IRFA as an entity separate and distinct from the State Department: an independent U.S. government advisory body which monitors religious freedom worldwide and makes policy recommendations to the President, Secretary of State, and Congress. USCIRF bases

its recommendations on the standards found in the Universal Declaration of Human Rights and other international documents.

USCIRF last was reauthorized in 2011 and sunsets on September 30, 2014. We hope that Congress speedily reauthorizes USCIRF by passing H.R. 4653, the “United States Commission on International Religious Freedom Reauthorization Act of 2014.” Recently introduced by Representative Frank Wolf, the bill would reauthorize USCIRF for 5 years, until September 30, 2019, and make some minor changes to help the Commission operate more effectively. We look forward to continuing to work closely with Members of this Committee and other Members of Congress in support of this vitally important freedom. USCIRF cannot effectively carry out its work without the support of Members of Congress.

USCIRF is bipartisan. Its work is accomplished through the leadership of its Commissioners, who serve in a voluntary capacity without pay, and the engagement of its professional staff. Three Commissioners are appointed by the President, while six are appointed by the leadership of both parties in the House and Senate. Congressional leaders of the party that is not the President’s appoints four Commissioners, and the party in the White House appoints five. The Ambassador-at-Large for International Religious Freedom also serves as a non-voting *ex officio* member. That position currently is vacant, and we look forward to the speedy appointment of a new Ambassador-at-Large and to working with the individual who fills that position.

Far from duplicating the work of the State Department and its Office of International Religious Freedom, USCIRF’s independence gives it the freedom to speak publicly about violations of this fundamental right and ways the United States can engage positively. To perform this function, USCIRF issues written analyses, including its Annual Report, as well as periodic policy briefs and frequent articles and frequent press statements and op-eds. For example, since 2013, USCIRF has issued reports on religious freedom conditions in Syria; the U.S. government’s detention of asylum seekers; the role of Shari’ah in the Sudanese constitution and law; the religious freedom situation in Russia; a review of the Egyptian constitution; and a report on individuals jailed under blasphemy laws.

In addition, USCIRF has released major reports on a variety of issues, highlighting specific actions the U.S. government should take to improve religious freedom. Such reports have included two studies on religious freedom conditions in North Korea based on first-hand testimony from refugees and defectors;<sup>1</sup> a study on school textbooks in Pakistan;<sup>2</sup> two studies on the religion-state relationship and freedom of religion or belief in the constitutions of Muslim-majority countries;<sup>3</sup>

<sup>1</sup> *Thank You Father Kim Il Sung: Eyewitness Accounts of Severe Violations of Freedom of Thought, Conscience and Religion in North Korea* (2005), available here:

[http://www.uscirtf.gov/sites/default/files/resources/stories/pdf/nkwitnesses\\_wgraphics.pdf](http://www.uscirtf.gov/sites/default/files/resources/stories/pdf/nkwitnesses_wgraphics.pdf); *A Prison Without Bars* (2008), available here:

[http://www.uscirtf.gov/sites/default/files/resources/A\\_Prison\\_Without\\_Bars/prisonwithoutbars.pdf](http://www.uscirtf.gov/sites/default/files/resources/A_Prison_Without_Bars/prisonwithoutbars.pdf)

<sup>2</sup> *Connecting the Dots: Education and Religious Discrimination in Pakistan* (2011), available here:

<http://www.uscirtf.gov/reports-briefs/special-reports/connecting-the-dots-education-and-religious-discrimination-in>

<sup>3</sup> *The Religion-State Relationship and the Right to Freedom of Religion or Belief: A Comparative Textual Analysis of the Constitutions of Predominantly Muslim Countries* (2005), and *The Religion-State Relationship and the Right to Freedom of Religion or Belief: A Comparative Textual Analysis of the Constitutions of Predominantly Muslim Countries and Other OIC Members* (2012), both available here: <http://www.uscirtf.gov/issues/muslim-constitutions>

and a study of the U.S. government's treatment of asylum seekers in Expedited Removal and related follow-up reports.<sup>4</sup>

USCIRF also works with Congress. Commissioners and USCIRF staff serve as a resource to Members of the House and Senate and their offices on a range of countries and issues, including testifying before Congressional committees about USCIRF's independent findings and recommendations. USCIRF has testified at Congressional hearings and held briefings on issues such as: human rights abuses in Egypt; Iran's persecution of American pastor Saeed Abedini; religious minorities in Syria; anti-Semitism; religious freedom in Vietnam; and persecuted Uighur Muslims in China. In collaboration with the Tom Lantos Human Rights Commission, USCIRF helped launch the Defending Freedoms Project, working with Members of Congress to highlight imprisoned human rights defenders worldwide.

USCIRF engages with the State Department, National Security Council, USAID, and other executive-branch entities to help promote international religious freedom as a key foreign policy priority, as IRFA mandated. The Commission also meets with high-ranking officials from foreign governments and international organizations, participates in U.S. delegations to international meetings, and helps provide training to Foreign Service officers and other U.S. officials. The Commission travels internationally to examine conditions firsthand, meeting with high-level officials and others.

USCIRF also engages with religious groups and non-governmental organizations (NGOs), seeking their insights and benefiting from their information. Commissioners and staff meet with representatives of religious communities and institutions, victims of religious persecution and their families, human rights groups, academics, and policy experts.

#### **USCIRF's CPC Recommendations**

One of USCIRF's most important responsibilities is to recommend to the State Department those countries that the Department should designate as "countries of particular concern," or CPCs, for their "systematic, ongoing and egregious" violations of religious freedom.

In its 2014 Annual Report, USCIRF recommended that the State Department re-designate the following eight countries as CPCs: Burma, China, Eritrea, Iran, North Korea, Saudi Arabia, Sudan, and Uzbekistan:

- Political reforms in Burma have not improved legal protections for religious freedom and have done little to curtail anti-Muslim violence, incitement and discrimination, particularly targeting the Rohingya Muslim minority. Police failed to intervene effectively and the government has

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<sup>4</sup> *The Treatment of Asylum Seekers in Expedited Removal* (2005), available at <http://www.uscirtf.gov/reports-briefs/special-reports/report-asylum-seekers-in-expedited-removal>. Expedited Removal Study Report Card: 2 Years Later (2007), available at: <http://www.uscirtf.gov/news-room/press-releases/uscirtf-finds-disappointing-response-departments-justice-and-homeland>  
Assessing the U.S. Government's Detention of Asylum Seekers: Further Action Needed to Fully Implement Reforms (2013), available at <http://www.uscirtf.gov/sites/default/files/resources/ERS-detention%20reforms%20report%20April%202013.pdf>

taken inadequate steps to address the underlying causes of sectarian violence or hold individuals fully accountable. State-sponsored discrimination and state-condoned violence against Rohingya and Kaman ethnic Muslim minorities also continued, and ethnic minority Christians faced serious abuses during recent military incursions in Kachin state. The State Department has designated Burma a CPC since 1999.

- In China, the government continues to perpetrate particularly severe violations of religious freedom. For Tibetan Buddhists and Uighur Muslims, conditions are worse now than at any time in the past decade. Independent Catholics and Protestant face arrests, fines, and the shuttering of their places of worship. Practitioners of Falun Gong, as well as other Buddhist, folk religionist, and Protestant groups deemed “superstitious” or “evil cults,” face long jail terms, forced renunciations of faith, and torture in detention, and the government has not sufficiently answered accusations of psychiatric experimentation and organ harvesting. The State Department has designated China as a CPC since 1999.
- In Eritrea, systematic, ongoing, and egregious religious freedom violations continue under the regime of President Isaias Afwerki. Violations include torture or other ill-treatment of religious prisoners, arbitrary arrests and detentions without charges, a prolonged ban on public religious activities, and interference in the internal affairs of registered religious groups. The religious freedom situation is particularly grave for Evangelical and Pentecostal Christians and Jehovah’s Witnesses. The government dominates the internal affairs of the Orthodox Church of Eritrea, the country’s largest Christian denomination, and suppresses Muslim religious activities and those opposed to the government-appointed head of the Muslim community. The State Department has designated Eritrea as a CPC since 2004.
- In Iran, despite the June 2013 election of a new and purportedly moderate president, already-poor religious freedom conditions continued to deteriorate, particularly for religious minorities, especially Baha’is and Christian converts. Sufi and Sunni Muslims and dissenting Shi’a Muslims also faced harassment, arrests, and imprisonment. The government of Iran continues to engage in systematic, ongoing, and egregious violations of religious freedom, including prolonged detention, torture, and executions based primarily or entirely upon the religion of the accused. The State Department has designated Iran as a CPC since 1999.
- The government of North Korea tightly controls all religious activity and perpetuates an extreme cult of personality venerating the Kim family as a pseudo-religion. Individuals engaged in clandestine religious activity are arrested, tortured, imprisoned, and sometimes executed. Thousands of religious believers and their families are imprisoned in penal labor camps, including refugees repatriated from China. The State Department has designated North Korea a CPC since 2001.
- Despite improvements in religious freedom, Saudi Arabia remains unique in the extent to which it restricts the public expression of any religion other than Islam. Not a single church or other non-Muslim house of worship exists in the country. The government favors its own interpretation of Sunni Islam over all other interpretations. It also has arrested individuals for dissent, apostasy, blasphemy, and sorcery. The State Department has designated Saudi Arabia

a CPC since 2004, but an indefinite waiver on taking any action as a consequence of the CPC designation has been in place since 2006.

- The government of Sudan led by President Omar Hassan al-Bashir continues to engage in systematic, ongoing, and egregious violations of freedom of religion or belief. It imposes a restrictive interpretation of Shari'ah (Islamic law) on Muslims and non-Muslims alike, using amputations and floggings for crimes and acts of "indecent" and "immorality" and arresting Christians for proselytizing. President al-Bashir and other National Congress Party (NCP) leaders have stated that Sudan's new constitution, when drafted, will be based on its interpretation of Shari'ah. Governmental and non-governmental attacks on the Christian community also continue. These religious freedom violations, as well as the violence in Southern Kordofan, Blue Nile, and Darfur, are the result of President Bashir's policies of Islamization and Arabization. The State Department has designated Sudan a CPC since 1999.
- Particularly severe violations of freedom of religion or belief continue in Uzbekistan through a highly restrictive religion law and harsh penalties on all independent religious activity. The government also imprisons individuals who do not conform to officially-prescribed practices or whom it claims are extremist, including as many as 12,000 Muslims. The State Department has designated Uzbekistan as a CPC since 2006, but has indefinitely waived taking any punitive action since 2009.

In our 2014 Annual Report, USCIRF also determined that eight other nations meet the CPC threshold and recommended their designation as CPCs: Egypt, Iraq, Nigeria, Pakistan, Syria, Tajikistan, Turkmenistan, and Vietnam:

- In Egypt, despite some progress during a turbulent political transition, the Morsi-era government and the interim government failed or were slow to protect from violence religious minorities, particularly Coptic Orthodox Christians. While the new constitution includes improvements regarding freedom of religion or belief, the interpretation and implementation of relevant provisions remain to be seen. Discriminatory and repressive laws and policies that restrict freedom of thought, conscience and religion or belief remain in place. For example, Egyptian courts continue to prosecute, convict, and imprison Egyptian citizens for blasphemy. USCIRF has recommended CPC designation for Egypt since 2011.
- In the past year in Iraq, the government failed to stem egregious and increasing violence by non-state actors against Iraqi civilians, including attacks targeting religious pilgrims and worshippers, religious sites, and leaders, as well as individuals for their actual or assumed religious identity. While the Syrian crisis contributed to sectarian tensions, the Iraqi government took actions that increased, rather than reduced, Sunni-Shi'a strife, threatening the country's already fragile stability and further exacerbating the poor religious freedom environment. Especially concerning is the draft personal status law that would separately apply to Shi'a Iraqis, which risks further deepening the sectarian divide. USCIRF has recommended CPC designation for Iraq since 2008.
- Nigeria's democracy is being tested by recurring sectarian violence, attacks and threats against Christians and Muslims by Boko Haram, and the misuse of religion by politicians, religious

leaders, and others. In a country where religion and religious identity are intertwined in ethnic, political, economic, and social controversies, these dynamics strain already tense Christian-Muslim relations. While the Nigerian government does not engage in religious persecution, it tolerates severe violations through its failure to bring to justice those responsible for systematic, ongoing, and egregious religious freedom violations, or prevent or contain sectarian violence. Boko Haram benefits from this culture of impunity and lawlessness as it exploits religious tensions to destabilize Nigeria. USCIRF has recommended CPC designation for Nigeria since 2009.

- Pakistan represents the worst situation in the world for religious freedom for a country not currently designated by the U.S. government as a CPC. In the past year, religious freedom conditions reached an all-time low due to chronic sectarian violence targeting mostly Shi'a Muslims but also Christians, Ahmadis, and Hindus. The previous and current governments failed to provide adequate protection or arrest perpetrators. Also, Pakistan's repressive blasphemy laws and anti-Ahmadi laws are widely used to violate religious freedoms and foster a climate of impunity. USCIRF has recommended that Pakistan be named a CPC since 2002.
- The crisis in Syria has devolved largely into a sectarian conflict, exacerbated by the actions of the Bashar al-Assad regime, with particularly severe violations of religious freedom affecting all Syrians. The regime's targeting of Sunni Muslims and other individuals or groups that oppose it and its indiscriminate shelling of civilian areas have killed tens of thousands of Syrians and displaced millions. In addition, extremist and U.S.-designated terrorist groups, including al-Qaeda and the Islamic State of Iraq and the Levant (ISIL), target because of their faith religious minority communities, including Christians and Alawites, and internationally-recognized opposition military groups have committed religious freedom violations when working with other groups to secure strategic areas. The existing humanitarian disaster and egregious human rights and religious freedom violations pose a serious danger post-conflict to Syria's religious diversity. Due to the collective actions of the Bashar al-Assad regime, internationally-recognized opposition groups, and extremist and U.S.-designated terrorist groups, USCIRF recommended in 2014, for the first time, that Syria be designated a CPC.
- Systematic, ongoing, egregious violations of religious freedom continue in Tajikistan. The government suppresses and punishes all religious activity independent of state control, particularly the activities of Muslims, Protestants, and Jehovah's Witnesses. The government also imprisons individuals on unproven criminal allegations linked to Islamic religious activity and affiliation. Jehovah's Witnesses have been banned since 2007, and there are no legal provisions on conscientious objection to military service. USCIRF has recommended CPC designation for Tajikistan since 2012.
- Particularly severe religious freedom violations persist in Turkmenistan. Despite a few limited reforms in 2007, the country's laws, policies, and practices continue to violate international human rights norms, including those on freedom of religion or belief. Police raids and harassment of registered and unregistered religious groups continue. The repressive 2003 religion law remains in force, causing major difficulties for all religious groups. Turkmen law does not allow a civilian alternative to military service and nine Jehovah's Witnesses are



imprisoned for conscientious objection. USCIRF has recommended CPC designation for Turkmenistan since 2000.

- Despite some positive changes over the past decade in Vietnam, the government continues to imprison individuals for religious activity or religious freedom advocacy. It uses a specialized religious police force and vague national security laws to suppress independent Buddhist, Protestant, Hoa Hao, and Cao Dai activities, and seeks to stop the growth of ethnic minority Protestantism and Catholicism via discrimination, violence, and forced renunciations of their faith. In the past year, arrests and confrontations with the Catholic Church have escalated tensions. Based on these systematic, ongoing, and egregious violations, USCIRF again recommends that Vietnam be designated a “country of particular concern,” or CPC, in 2014. The Commission has recommended that Vietnam be named a CPC since 2001. The State Department did so in 2004 and 2005, but removed the designation in 2006 because of progress toward fulfilling a bilateral agreement to release prisoners, ban forced renunciations of faith, and expand legal protections for religious groups. However, USCIRF found that the binding agreement and the steps taken did not address all of the country’s severe religious freedom issues, and has noted backsliding on religious freedom since the CPC designation was lifted, and therefore has continued to recommend CPC status for Vietnam.

#### **USCIRF’s Tier 2 and Other Countries Monitored**

In addition to the countries the Commission recommends for CPC status (Tier 1 countries), USCIRF believes it is important to shine the light on other countries that violate religious freedom. As a result, our Annual Report also includes a second group of countries we refer to as “Tier 2,” formerly our Watch List. Tier 2 countries are those in which the violations engaged in or tolerated by the governments of these countries are serious and characterized by at least one of the elements of the “systematic, ongoing, and egregious” CPC standard, but do not fully meet this standard.

The Commission has placed ten nations on its Tier 2 List in 2014: Afghanistan, Azerbaijan, Cuba, India, Indonesia, Kazakhstan, Laos, Malaysia, Russia, and Turkey.

For instance, in Indonesia, a tradition of religious tolerance and pluralism increasingly is threatened by the detention of individuals considered religiously “deviant” and the ongoing intimidation, discrimination, and violence against religious minorities, including Ahmadis, Christians, Shi’a, Sufis, Hindus, Baha’is, and followers of indigenous religions. Government officials sometimes tolerate, and occasionally actively support, the efforts of extremist groups, such as the Islamic Defenders Front (FPI), to stop the perceived growth of religious minorities and police the orthodoxy of the Sunni majority. Indonesia has been on Tier 2, formerly USCIRF’s Watch List, since 2009.

In Malaysia, religion, ethnicity, and politics are profoundly intertwined and complicate religious freedom protections for religious minorities and non-Sunni Muslims. USCIRF has not reported on Malaysia since 2007. Renewed reporting stems from concerns about inadequate legal protections for religious minorities and ethnic Malays who wish to change their religion, bans on certain publications and groups considered religiously “deviant,” including Shi’a, and expanded efforts to

arrest and harass members of such groups in the past two years. Based on these concerns, USCIRF places Malaysia on Tier 2 in 2014.

In Russia, in the context of growing human rights abuses, religious freedom conditions suffered serious setbacks. Laws enacted in 2012 and 2014 amendments to the anti-extremism law were deployed against religious individuals and groups, particularly Jehovah's Witnesses and Muslim readers of Turkish theologian Said Nursi. There are hundreds of Muslims jailed, reportedly on false charges; many are denied due process and mistreated in detention. Rising xenophobia and intolerance, including anti-Semitism, are linked to violent and lethal hate crimes that occur with impunity. A blasphemy law, which went into effect in July 2013, further curtailed the freedoms of religion, belief, and expression.

In addition to Tier 1 and Tier 2 countries, USCIRF's Annual Report also spotlights countries and regions in which current religious freedom trends are worth monitoring. In 2014, these were Bahrain, Bangladesh, Belarus, Central African Republic, Ethiopia, Kyrgyzstan Sri Lanka, and Western Europe.

### **CPC Designations**

The CPC designation should be the centerpiece of the executive branch's religious freedom activities. This designation takes IRFA beyond "naming and shaming" by creating incentives for improvements and consequences for inaction. Unfortunately, neither Republican nor Democratic Administrations have fully utilized the CPC mechanism as the key foreign policy tool it was intended to be. The Obama Administration issued CPC designations only once during its first term. While the Bush Administration issued several designations, it also allowed the annual designation process to fall off track. And Administrations of both parties typically have not taken unique actions as a consequence of CPC designations, which also undermines the effectiveness of this tool.

Under IRFA, countries remain designated until removed, but any corresponding penalties expire after two years. The eight countries currently designated—Burma, China, Eritrea, Iran, North Korea, Saudi Arabia, Sudan, and Uzbekistan—were named in August 2011. Thus, any Presidential actions associated with those CPC designation expired in August 2013. In addition, the State Department issued indefinite waivers on taking any action against Uzbekistan and Saudi Arabia, in both cases to "further the purposes of the [International Religious Freedom] Act." As a result of these waivers, the United States has not implemented any policy response tied to the CPC designation for either of these countries.

To be sure, religious freedom advocacy should not only be about naming countries to a black list and imposing sanctions. Yet the designation process and the possibility of punitive actions can breathe new life into the diplomatic efforts that should both precede and follow a designation and stimulate political will in foreign capitals where none existed. The designation process itself can have an important impact on a government's behavior and be supplemented by other tools. However, designating CPC countries without additional consequences limits its value as a tool to encourage reforms. And if the timing of designating countries is erratic over many years, the CPC process becomes less credible.

As a result, USCIRF recommends that current and future administrations and Congress recommit themselves to the full and robust application of IRFA's mechanisms. Interest has faded over the past decade-and-a-half, allowing these structures to atrophy. The tools remain relevant, as governments still perpetrate or tolerate religious freedom violations and IRFA's instruments are well-suited to engage those situations. They still can be used to positive effect in many problematic environments for religious freedom.

To revitalize IRFA's structures, the CPC process must occur annually, with Congress conducting annual oversight hearings. While some have argued that IRFA's language is unclear about an annual designation, reading the statute with an understanding of Congressional intent makes clear that it is an annual process. In fact, annual designations generally were made during the first seven years of State Department implementation. The State Department should ensure an annual designation process, and if it does not happen, Congress should clarify its intent by amending IRFA.

The CPC list also should expand and contract as conditions warrant. The current list of countries has not changed in a decade, except for the addition of Uzbekistan in 2006. The past 10 years have seen a worsening of the already-poor religious freedom environment in Pakistan, a continued dearth of religious freedom in Turkmenistan, backsliding in Vietnam, rising violations in Egypt before and after the Arab Spring, and Syria's descent into a sectarian civil war with all sides perpetrating egregious religious freedom abuses. Yet no new countries have been added to the State Department's CPC list. In fact, based on USCIRF's findings in the 2014 Annual Report, the current CPC-designation list does not fully reflect conditions of particularly severe violations of religious freedom around the world and should be doubled in size.

The use of Presidential actions also should be more dynamic. Of the current eight countries designated CPCs, six had "double-hatted" sanctions for which the religious-freedom basis has now expired, and two have indefinite waivers. USCIRF recommends taking Presidential actions that are unique to each situation and applying specific actions directly related to religious freedom violations. Double-hatting sanctions can be the appropriate action in some circumstances. In addition, specifically tailored actions can be more precise, either broadly structured or narrowly crafted to target specific government officials or provinces, if acute situations are highly localized. The Act allows for "commensurate actions," which could include freezing abusers' assets, for example, through the Senior Foreign Political Figure (also known as Politically Exposed Persons) status. Further, the waiver should be used more sparingly and tied to a specific timetable. Indefinite waivers of penalties undermine efforts to advance religious freedom, as they signal a lack of U.S. interest and communicate to the designated country that their religious freedom abuses carry no consequences.

Furthermore, while times have changed since the 1998 enactment of IRFA, the law has not. There are a growing number of situations in which the abuses of religious freedom in a country are particularly severe, with systematic, ongoing, and egregious violations, but no government is in control or able to respond. Current examples would include Somalia and the Central African Republic. The CPC tool should be broadened to allow the naming of countries (and not just governments of countries) where the government either does not exist or cannot control the country.

In addition, the State Department should be given the ability, where appropriate, to designate transnational or local organizations that are perpetrating particularly severe violators of religious freedom. These groups often are the ruling powers on the ground in failed or failing states. Being able to designate the actors perpetrating particularly severe violators of religious freedom would broaden the U.S. government's ability to engage the actual drivers of persecution. Such a step was taken with the Taliban, which was in effect named a CPC from 1999-2003 despite the United States' not recognizing its control of Afghanistan. While the ability of the United States to influence events on the ground may be marginal in these circumstances, naming these countries or groups would reflect actual conditions, which should be the core point of the CPC process.

Along with an annual CPC process, we recommend that the IRFA toolbox be used in its entirety in a continuum of action. U.S. diplomatic engagement cannot and should not solely rely on naming CPCs, but rather use a range of actions, including: diplomatic engagement; consultations about possible CPC action; CPC designations; binding agreement negotiations; presidential actions; and/or a waiver for the narrowest of circumstances. Past practice provides only a few examples of these tools being used together to bring about change in a country of concern. An annual CPC designation process should be the center of all IRF-related work, driving and energizing other areas of U.S. diplomacy, but should not be the sum total of all activity.

#### **Other IRFA Provisions**

Along with creating USCIRF, IRFA created the Ambassador-at-Large position and the International Religious Freedom Office in the State Department; authorized a director-level position at the NSC to coordinate efforts; mandated that the State Department establish prisoner lists; created an annual report system; bars the entry of aliens who are responsible for or directly carried out "particularly severe violations of religious freedom;" calls for American diplomats to receive training on how to promote religious freedom effectively around the world, and authorizes the expenditures of funds for grant making to promote religious freedom.

Addressing the Placement of the Ambassador-at-Large: The low placement of the Ambassador-at-Large for International Religious Freedom within the State Department hierarchy has been a concern for religious freedom advocates, including USCIRF. According to a 2013 report by the Government Accountability Office, the State Department's Bureau of Democracy, Human Rights and Labor (DRL) dramatically reduced the status of the Ambassador-at-Large. The demotion of the position constitutes a major change in the IRFA structure and frustrates congressional intent. Ensuring the Ambassador-at-Large has direct and regular access to the Secretary of State would fulfill IRFA's intention that the Ambassador be "a principal advisor to the President and Secretary of State" on matters relating to religious freedom. We also urge the Administration to speedily appoint an Ambassador-at-Large. In addition, we suggest that the Secretary of State create a working group with all the religiously-oriented positions and programs in the department to ensure consistency in message and strategy.

USCIRF also recommends that the State Department give the Ambassador-at-Large clear oversight of the IRF Office in addition to addressing the placement issue, and if it does not, Congress should clarify its intent. In addition, the Office of International Religious Freedom

should be strengthened, including by enlarging its staff, deepening its expertise, and providing dedicated programmatic funds for religious freedom promotion and protection.

Position at the NSC: IRFA also authorized the creation of a director-level position at the National Security Council to serve as the Special Adviser on International Religious Freedom. The Special Adviser was envisioned to be a resource for executive branch officials, compiling and maintaining information on the facts and circumstances of violations of religious freedom, and making policy recommendations. The Special Adviser was briefly filled during the Clinton administration, but since has been vacant. USCIRF urges the Administration to fill this position.

Monitoring Mechanisms – Prisoner Lists: 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.” While the State Department has advocated for individual prisoner cases, USCIRF is unaware of the Department establishing or maintaining a comprehensive prisoner list. However, USCIRF has compiled informal lists of the prisoners of whom it is aware in a number of countries, and the Congressional-Executive Commission on China maintains a comprehensive, searchable database of prisoners in China. The ability of both commissions to track prisoners, even while operating with substantially fewer resources and less access to international information than the State Department, demonstrates that the State Department can fulfill this statutory mandate.

Addressing Report Timing Issues: IRFA created a system in which the State Department’s and USCIRF’s annual reports would be issued approximately eight months apart, and USCIRF’s report would be based partly on a review of the State Department’s reporting. However, the State Department recently changed the reporting period to harmonize the timing of various human reports, which also changed the release date of the IRF Report. This had the unintended effect of upending this system, with both reports now being issued at almost the same time. In light of the State Department’s change in its timetable for the release of its reports on religious freedom, Congress should give USCIRF flexibility on the timing of the issuance of its annual report.

Increasing the Use of IRFA’s Inadmissibility Provision: USCIRF also recommends that the visa ban for individuals involved in particularly severe violations of religious freedom be used more expansively. USCIRF is aware of only one instance in which the visa ban was used – in 2005, against then State Minister of the Indian state of Gujarat, Narendra Modi. USCIRF supported and called for this decision, but it is highly likely that over the past 15 years, other violators of religious freedom applied for visas. An initiative of the IRF Office to ensure that people inadmissible under U.S. law due to religious freedom violations are denied entry is a useful first step. The consular sections of all embassies should be trained on this requirement and informed that the application of this provision is mandatory.

Expanding Training: Training is another area where IRFA’s mandate only recently has been implemented. The current optional Religion and Foreign Policy class at the Foreign Service Institute is a positive development, but it is one class among many others. The State Department should make training on international religious freedom mandatory, including education on what it is, why it is important for U.S. interests, and how to advance it. To ensure that this message is

received at all levels, it should be required at three intervals in each diplomat's career: the "A-100" class for incoming diplomats, Area Studies for midcareer officials, and a class for all ambassadors and deputy chiefs of missions. Relevant members of the military also should receive training on the importance of religious freedom and practical ways on how best to promote it as an aspect of U.S. foreign policy. As U.S. service members and military chaplains increasingly must navigate religion-infused landscapes, advanced training to help rising officers understand the importance of religious freedom would equip them to engage more effectively with religious leaders and government and military officials in countries of concern.

Ensuring Funding for Religious Freedom Programming: While IRFA authorizes the expenditures of funds for grant making to promote religious freedom, there is no annual appropriation of funds specifically for this purpose. In fact, it was more than a decade before any such funds were made available to the Office of International Religious Freedom, as a result of Representative Frank Wolf's directing the Bureau of Democracy, Human Rights, and Labor (DRL) to set aside funds from the Human Rights Defenders Fund (HRDF). As a result, the IRF Office currently receives from DRL approximately 5 percent of the overall HRDF funding.

USCIRF recommends that Congress annually call for the State Department to designate specific HRDF funds to the IRF Office for grant making, to help ensure consistent U.S. funding for civil society efforts to promote religious freedom in places and in ways that the U.S. government cannot do directly. Other potential funding sources would be the State Department's Middle East Partnership Initiative (MEPI) and the U.S. Agency for International Development's (USAID) Bureau for Democracy, Conflict, and Humanitarian Assistance. Congress also should seek to ensure that the National Endowment for Democracy, the U.S. Institute of Peace, and other entities dispersing federal funds for grant making undertake specific programming on religious freedom.

In statute, report language, and discussions, Congress has at times tasked USCIRF to develop recommendations for challenging issues. In addition to the Expedited Removal Study, one such congressional tasking resulted in USCIRF's study of how Pakistan's education system teaches about religious minorities in that country. Another example was a special fellowship program that was funded for two years to enable scholars to focus on the importance of freedom of religion or belief.

Emphasizing Religious Freedom in Public Diplomacy: Written at the start of the information revolution, IRFA stated that religious freedom should be an element in U.S. cultural exchanges and international broadcasting programs. These efforts would begin with the Undersecretary for Public Diplomacy and Public Affairs, who oversees the Bureau of Educational and Cultural Affairs, the Bureau of International Information Programs, the Bureau of Public Affairs, and the Center for Strategic Counterterrorism Communications. Religion is often the lens through which many societies see the United States and the world. The United States should be well-positioned to engage these countries on issues of religious freedom and religion-state relations, considering the role religious freedom has played in American history and the commitment the United States has placed on promoting and protecting this right abroad.

In addition, there should be greater efforts to increase strategic communications programs to counter violent extremism (CVE). A few embassies in key countries have established special CVE

programs that seed NGO activity for programming on ways to counter violent messages often grounded in a twisted theology. These activities should be expanded globally, while also incorporating messaging on the importance of religious tolerance and religious freedom to oppose rhetoric used to promote and justify violent acts.

As abuses continue to rise and religious communities increasingly are interconnected globally, more can be done to help expand understanding about the importance and value of religious freedom. In this effort, the Broadcasting Board of Governors (BBG) should increase broadcasts and Internet programs with information on religious freedom and related human rights. The BBG and other U.S. government entities also can use appropriated internet freedom funds to develop free, secure internet access for use in closed countries, for example by facilitating the provision of high-speed internet access via satellite. Greater efforts also should be taken to distribute proven and field-tested counter-censorship programs in order to prevent the arrest and harassment of religious freedom and human rights activists and help them maintain their freedom of expression and legitimate expectations of privacy. The U.S. government also can encourage the private sector to take into consideration the impact of their dealings with repressive countries on targeted religious communities.

#### **Congressional Leadership Is Central**

Congress also has an important role to play in promoting religious freedom. USCIRF urges Members of Congress to undertake activities that reflect the central role that religious freedom plays in U.S. foreign policy. We hope such actions include reauthorizing USCIRF. We appreciate today's hearing and urge that Congress:

- **Support Legislation that Promotes Freedom of Religion or Belief:** Introduce and support legislation that focuses on religious freedom violations and remedies for such violations in specific countries. Such remedies should underscore the human rights, foreign policy, and national security dimensions of religious freedom and address violations by measures including: implementing targeted visa bans and asset freezes on foreign government officials, their family members, and close associates who are implicated in violations of religious freedom; applying specific sanctions directly related to a country's violation of religious freedom; and supporting the provision of heightened security for religious minority communities and their places of congregation and worship;
- **Hold Hearings in Support of International Religious Freedom:** Hold Congressional oversight and other hearings in the relevant House and Senate committees on international religious freedom and related issues that underscore the many dimensions of the issue. Invite USCIRF Commissioners to testify about its Annual Report and topical issues, along with State Department officials who can speak about the Department's annual report on International Religious Freedom.
- **Support Civil Society and Prisoners Abroad:** During delegation trips abroad, meet with individuals and organizations that promote religious freedom and related human rights, targeted religious communities, and people detained for their religious freedom and human

rights work or beliefs. Undertake CODELS to countries of concern specifically to examine conditions of religious freedom for all faiths/beliefs.

- **Participate in the Defending Freedoms Project:** Another way Members of Congress can help prisoners who are detained for their religious freedom and human rights advocacy or religious observance is to join the Defending Freedoms Project. This is a collaborative effort between the Tom Lantos Human Rights Commission, Amnesty International and USCIRF whereby Members of Congress adopt prisoners of conscience and advocate on their behalf. By participating in the Project, Members of Congress will be standing in solidarity with these prisoners, letting them know they are not alone, shining a light on the laws and policies that have led to their imprisonment, and helping hold governments accountable.

**Key Recommendations:**

Before I conclude, let me summarize some of our key recommendations on how the United States can more effectively promote international religious freedom.

**Showing High-Level Commitment by Developing and Implementing a Religious Freedom Strategy**

- There is a need for continuous, high-level interest from the President, the Secretary of State, and Members of Congress about the importance of international religious freedom and for a renewed commitment to see the International Religious Freedom Act fully and consistently implemented;
- U.S. promotion of freedom of religion or belief should be mainstreamed to reflect how religious freedom concerns are interwoven throughout many of the greatest foreign policy challenges facing the United States, and deepened to strengthen the unique mechanism established by law; and
- Each administration should issue a strategy to guide how the U.S. government will protect and promote religious freedom abroad and set up a working group at the National Security Council to oversee its implementation across agencies.

**Demonstrating the Importance of International Religious Freedom**

- The President, the Secretary of State, Members of Congress, and other U.S. officials should consistently stress the importance of international religious freedom in their public statements as well as in public and private meetings in the United States and abroad;
- The U.S. government should publicly declare the results of its annual review of religious freedom conditions and make annual designations of “countries of particular concern” for particularly severe violations of religious freedom; and if it does not, Congress should take steps to require annual CPC designations through legislative action;



- The U.S. government should ensure that the CPC list expands and contracts as conditions warrant, and take Presidential actions that are unique to each situation; and
- Congress should hold annual oversight hearings on IRFA and hearings on religious freedom-specific issues, as well as raise concerns in hearings on countries and ambassadorial confirmations, and Members of Congress should introduce and support legislation focusing on religious freedom violations in specific countries and remedies for such violations.

#### **Reinvigorating IRFA's Tools**

- All of IRFA's tools should be used in a continuity of action, not limited to "country of particular concern," or CPC, designations but not ignoring them either;
- Concerns about religious freedom should be included across U.S. engagements, including in diplomatic exchanges and strategic dialogues with other countries, and during country visits;
- Vacancies in relevant positions, including the Ambassador-at-Large for International Religious Freedom and USCIRF Commissioners, should be quickly filled;
- Per IRFA's mandate that the Ambassador-at-Large for International Religious Freedom be "a principal adviser" to the President and the Secretary of State, and regardless of the formal reporting relationship that is established, the Ambassador-at-Large should have regular and direct access to the Secretary of State; if no action is taken, Congress should clarify its intent through legislation;
- The Office of International Religious Freedom should be better resourced and staffed similar to other offices with a global mandate;
- Congress should give USCIRF flexibility on the timing of the issuance of its annual report, in light of the State Department's change in its timetable for the release of its reports on religious freedom; and
- The State Department should make greater efforts to ensure individuals are denied entry into the United States due to their inadmissibility under U.S. law for their responsibility for religious freedom violations abroad.

#### **Creating New IRFA Tools**

- Congress should expand the CPC classification to allow for the designation of countries where particularly severe violations of religious freedom are occurring but a government does not exist or control its territory; and
- Congress should allow the naming of non-state actors who are perpetrating particularly severe violations of religious freedom.

#### **Expanding Training, Programming, and Public Diplomacy**

- The State Department should provide and implement mandatory training at the Foreign Service Institute on religion and foreign affairs and on the importance of international religious freedom;
- Congress should support State Department grants related to religious freedom programming, and call for entities that receive federal funds, including the Middle East Partnership Initiative, USAID, the National Endowment for Democracy, and U.S. Institute of Peace, to devote resources for religious freedom programming;
- The State Department should ensure that public diplomacy efforts address religious freedom issues and the U.S. commitment to advance this right abroad; efforts to promote Internet freedom for religious actors also should be increased; and
- The State Department should increase strategic communications programs to counter violent extremism by incorporating messaging on the importance of religious tolerance and religious freedom.

#### **Expanding Multilateral Efforts**

- The United States should continue vigorous multilateral engagement at the United Nations and the Organization of Security and Cooperation in Europe on religious freedom issues; and
- The U.S. government should work with other governments and parliaments interested in promoting international religious freedom to share information and coordinate activities, working to build a global coalition.

#### **Other Issues**

- The U.S. government should address within its Expedited Removal process long-standing flaws that place asylum seekers at risk of being returned to countries where they may face persecution or being detained under inappropriate conditions.

#### **Conclusion**

Let me conclude by saying that while we continue to face an enormously challenging landscape for freedom of religion or belief abroad, we have grounds for believing in a brighter tomorrow. By improving our use of existing tools for the job, and by creating new tools for a rapidly changing environment for religious freedom and related rights, we can and will see constructive change.

If we renew our resolve to integrate this fundamental freedom more fully into the foreign policy of our nation, we can bring genuine progress to those beyond our shores who yearn for freedom.

Mr. SMITH. Thank you very much, Mr. Chairman, for your excellent world look at religious persecution and the very real recommendations you have made as to what to be done. We do have a series of votes coming up. I am advised that you may be able to stay.

Mr. GEORGE. I would be happy to come back after your votes. I will stay here.

Mr. SMITH. There will be a Motion to Recommit which will give us about 20 to 25 minutes. Maybe we could ask all of our questions then. Maybe ask one or two now. But my friend Mr. Meadows is going to be presiding in the chair at the time, so he won't be back.

But Mr. Meadows, did you want to—

Mr. GEORGE. I am at your disposal all day, Congressman.

Mr. MEADOWS. What I would, and we won't because I think we are limited on time, but what I would like you to respond maybe for the record is how Members of Congress truly can follow up on the teeth that you are talking about. One is oversight, you mentioned that. I know a number of those what I would call Tier 2 are on-the-lookout countries that you have, there are three or four members of us that have great relationships with many of their ambassadors that are willing to work with you.

So how we can get Congress, not just the State Department, to get actively involved in a very robust dialogue to address some of those things? I would look forward to see where we could be most helpful there. And I will yield back and we will go vote, and hopefully I can get out of my commitment in the chair and come back in.

Mr. GEORGE. Yes. Well, I will respond to that when you return.

Mr. MEADOWS. Okay, thank you very much.

Mr. GEORGE. Yes, thank you.

Mr. SMITH. And we stand in brief recess. And I apologize to all the other witnesses and guests here for this delay. We do have 11 votes but they are 2-minute votes.

[Recess.]

Mr. SMITH. The subcommittee will resume its sitting, and I again I want to apologize for that very excessive delay owing to multiple votes that were back to back.

We are joined by, first, a member of the committee, the subcommittee, Mr. Marino from Pennsylvania who was the U.S. Attorney in the Middle District of Pennsylvania, a very effective prosecutor and a very effective Member of the Congress. And I would like to yield to him such time as he may consume.

Mr. MARINO. Thank you, Chairman. I apologize for not being here early on, but Chris asked me to stop over, and I work very closely with him and when Chris asks me to do something I do it.

Just a brief statement, Doctor, and then perhaps you can expand on it somewhat, give us your insight. And what the United States needs to do more of or start doing to become effective in the issues concerning religious persecution in other countries. We have a law. We have a law that I think has some teeth to it if we enforce it, if we take advantage of the intent behind the law.

Religious freedom and around the world from what we are seeing it is becoming more prevalent. We are seeing it in Iran, Iraq, Afghanistan. We are seeing it in Pakistan. We are seeing it in some

countries on the continent of Africa, and we probably could name another 20 or 30 places where this is becoming more and more prevalent.

One of my hobbies, interests, is I study the history of religions. And I cannot at this point quite put my finger on why we are seeing more and more religious persecutions other than the fact that politics is playing more and more of a role in it, and also when it comes right down to it, money and resources have a great deal of play in this.

I am disappointed that the administration isn't taking more of a role, let alone they are not taking an aggressive role that I would like to see. The United States has a great deal of trade around the world, and many countries around the world, almost all the countries around the world rely on the United States for trade and continual trade and know that they are doing business with someone honest.

There is where we could use our influence by simply saying if you want to trade with us we will be a good ally, we have been a good ally in the past, but this is not only an economic issue. We are talking about a humanitarian issue, a religious issue. On one of the main reasons why the United States exists today that we claimed our independence 230-some years ago and one of the issues was religious freedom, whether we choose to participate in religion or not.

So with that preface, could you please give me some insight where we should be headed and what more we can do and what else we can do?

Mr. GEORGE. Thank you, Congressman Marino. I agree with those sentiments wholeheartedly. Our Commission has a very good relationship with the State Department. Part of our task is to advise the State Department and the President as well as the Congress on the situation with religious freedom violations in nations across the globe, and we value that excellent relationship. We are working together toward the same ends.

I should also point out that I have high praise for the remarks that President Obama made at the National Prayer Breakfast on international religious freedom. I think all of us, those of us at the Commission, certainly, and you in Congress share the principles that the President articulated there and the goals that were articulated. But our Commission exists to push and to prod any administration and any Congress because there is more that can be done.

Now you might say that there is always more that can be done and that is true. But there are some very specific concrete things that could be done. And in my prepared remarks and in the written testimony that Congressman Smith kindly agreed to have entered into the record we have proposed some specific revisions to the statute that we think will enhance the quality of the tools that are currently available to advance the cause of religious freedom.

And I also very strongly recommended and called for some steps by the administration that I think really would make a difference. For example, making regular, preferably annual designations as countries as CPCs so that their status as offenders, the worst nation status as offenders, is constantly brought to the attention of policymakers and of the general public and doesn't become, in the

words of our vice chairman, Katrina Lantos Swett, just part of the wallpaper.

Also waivers can be granted of course for CPC nations and sometimes there are reasons to grant those waivers. But we don't think those waivers should be unlimited and unconditional. We should attach demands to those waivers for the amelioration of the suffering, the mitigation of the circumstances of people who are persecuted for their religion or for their beliefs around the globe. So there are some very concrete things that we can do.

Among the revisions to the statute we are proposing are revisions that would bring the law into line with the contemporary world. Some things have changed since 1998, or some things have become clear. They have literally transpired since 1998. We now know better what our situation is.

And among those is the fact that we have got some nations that really don't have functioning and effective governments, but where religious freedom violations are being perpetrated by elements within these nations. We need to be able to name those elements and attach consequences for the violations.

So we would like transnational organizations and other non-governmental organizations as well as, in some cases, local sorts of governments not just national governments to be subject to designation as CPCs with all that that entails. So those are some very concrete steps that can be taken.

And I will tell you some other things, and these will apply as much to you in the Congress as to the people over in the administration.

Mr. MARINO. Let me clarify one thing—

Mr. GEORGE. Yes, certainly.

Mr. MARINO [continuing]. If I may politely interrupt. I have been critical of previous administrations both Republicans and Democrats concerning this issue.

Mr. GEORGE. And you are right to be. And we have been as well. The designations were permitted to fall off track during the Bush administration, if I can just be very candid with everybody. They started strongly in the Bush administration, but then at a certain point they fell off track and they needed to be prodded and pushed. And we have not had the regular designations with the Obama administration, and they need to be prodded and pushed.

Mr. MARINO. Do you think it is a situation where we just have to become more aggressive? We, the organization has to become more aggressive and more vocal on these issues with the help of Congress?

Mr. GEORGE. That is exactly right. And holding hearings in itself is a very valuable way of bearing witness and keeping the plight of persecuted people in the forefront of our policy agenda. And right in the line of vision of our policymakers and in the forefront of the public's view so that they will help to put pressure on policymakers to do the right thing when it comes to coming to the assistance of people abroad.

Now those are things that we can do. You in Congress, we are strongly encouraging everyone in Congress to participate in our Prisoners of Conscience Project, our Defending Freedoms Project, to

adopt someone suffering persecution for his or her religion or beliefs somewhere around the world.

For particular Members of Congress whether the House or the Senate who have particular connections with or interests in particular nations—it might be Iran, it might be China, it might be Egypt—adopting and thereby elevating the visibility of a particular prisoner is a valuable thing to do. We would like you to do that.

We would like more hearings, Chairman Smith. The more often you can bring these matters to the attention of your colleagues and the public through hearings the better. Speaking out, taking advantage of the tools that you have to, in effect, designate particular people who offend, who are behind these religious freedom offenders persona non grata in the United States.

There are some possibilities there with China. I recently had the occasion to transmit a list that we obtained from the great dissident, Chen Guangcheng, to Congressman Wolf. He now knows the names. And I know Congressman Wolf is the most aggressive defender of human rights I know, and so he will do what can be done to make sure that those people are designated under the law for the consequences that are permitted when we, in effect, designate a person as persona non grata.

Mr. MARINO. I agree. Instead of just saying a specific country that we attach names to that.

Mr. GEORGE. Yes. The more specific we can get with the names the better, whether it is the names of the victims such as Meriam Ibrahim whose name was called to the attention of this meeting today by Congressman Meadows, quite rightly, or is a person who is a perpetrator. Name the names.

Congressman Marino, there is a place, it is rare but there is a place for quiet diplomacy when you don't want to say too much publicly and you operate behind the scenes. But all too often that becomes an excuse for not doing what needs to be done to shine a spotlight on the abused, the abuse, and the abuser. More often we are going to get good results that way. For example, our CPC designations. We know from our experience that CPC designations have made a difference, for example, in Vietnam, in Saudi Arabia, and Turkmenistan.

In the case of Vietnam I gave testimony, Congressman Smith might remember, for the Helsinki Commission where we also learned that when we attempted to encourage them by removing CPC, recommending removal of CPC status, there was some backsliding. So we know that what we do, using the tools of IRFA, can be effective. So let us just do it. Let us do more of it, let us do it more aggressively, and let us never lose focus or permit our friends in the administration, whether it is a Republican or Democratic administration, to lose focus.

I think more often the problem is that our policy people lose focus than that it is bad will. Usually it is not bad will. They believe what we believe. Of course they do. They are Americans. They are our fellow Americans. They believe in our values but they lose focus.

Mr. MARINO. There are so many things coming at us within Congress and I am sure—

Mr. GEORGE. Exactly.

Mr. MARINO. That is why we need to do more of this.

Mr. GEORGE. There are trade concerns. There are geostrategic concerns. You guys have a lot on your minds. But there is nothing more fundamental to America than religious freedom. There is a reason we call it our first freedom, and it is not just that it is first in the Bill of Rights, though it is. It is not just that it was at the cradle of basic liberty in our civilization. More than that it is just so fundamental to the dignity of the human being. When you lose religious freedom, it is the canary in the coal mine. When religious freedom is in jeopardy, all other civil liberties, all principles of decency are in jeopardy. That is why it has got to be first and foremost.

Mr. MARINO. I couldn't agree with you more. Thank you very much. I apologize. I have to be in my district in 5 hours and it is a 4½-hour drive. So I am pushing the envelope here.

Mr. SMITH. Mr. Marino, thank you so much.

Mr. GEORGE. Make it a safe drive, Congressman.

Mr. SMITH. I would like to now yield to the chairman of the Subcommittee on the Constitution and Civil Justice, but also the chairman of the caucus here on international religious freedom, Trent Franks.

Mr. FRANKS. Well, thank you, Mr. Chairman. Of course I know that these hearings can sometimes be an exercise in mutual flattery, but I truly believe that Chris Smith is one of the great champions we have for the cause of human dignity and freedom in the world. He has been a hero of mine forever and I just have to say that. It might be a little bit of flattery but it is sincere.

And Dr. George, I want you to know that maybe it is just my nature, but I truly believe that if you knew how many people behind the scenes hold you in the highest regard, especially with your acumen related to constitutional foundations and religious freedom, I just can't express to you, sir, the weight of intellectual momentum that you give to any argument that some of us make. And we rely on you. We think you are a national treasure, and I really mean that. I just happen to have two heroes in the room at the same time and it is a little awkward, because I don't hold everybody to be a hero, I promise.

Mr. GEORGE. Well, thank you. I am very honored to have you say that and to be classified with Congressman Smith. That is about more honor than I can bear.

Mr. FRANKS. That is good company for both of you. Actually, I should—

Mr. GEORGE. What you say about Congressman Smith has the additional virtue of being true.

Mr. FRANKS. Has the advantage of being true. Well, let me just suggest to you that your recent, your statements just a moment ago are why so many of us see you as such an intellectual beacon. Because indeed our religious persuasion and convictions animate almost every other area of our either philosophical or political life.

These are very important and basic things and indeed it is the cornerstone of all other freedom. If we fail religious freedom then there is really no foundation to build any notion that there is inherent human dignity. If we are all just intelligent animals, then we should just allow ourselves to be dragged kicking and screaming

into that Sumerian night where the light of human compassion has gone out and the survival of the fittest has prevailed over humanity. It is a pretty dark, scary place to be.

But apart from religious freedom we have no alternative from an intellectual standpoint. That is all we have to stand on. Because indeed if man is not created in the image of God, if he is not a child of God, then there is no inherent worth in this world and we are all worm food and we just proceed until it happens. So I am sure that is a real uplifting thought.

But the bottom line is, I guess my question to you, I mean, the Countries of Particular Concern, my great concern here, and I hope I don't overstate anything, I think America's most powerful ability to export religious freedom is to be the world's greatest example of religious freedom. And when we are starting to fight over that in our own country where we are confusing religious freedom and "freedom to worship," where as long the religious people stay behind doors and worship that is okay, but if they cannot live out their faith in the public square, then I think religious freedom has taken a terrible hit and we are not the example to the world that we need to be, which is our greatest ability, in my judgment, to persuade the rest of the world to embrace religious freedom at its core.

So my question is two-fold, and then I have to do like the other gentleman did and I have to go. But I am really anxious to hear two things from Dr. Robert George. And that is, number one, what if you were the emperor of the world, what is one thing that you would help America do to maintain both our commitment to religious freedom and our living out religious freedom in the government and public square, all the things that are necessary for people like us to know? And secondly, what one thing would you do to see religious freedom maintained and catalyzed throughout the world?

Mr. GEORGE. Well, thank you, Congressman Franks. The one thing that I would love to wave a magic wand and do for religious freedom is to have all of our own people here in the United States understand something that we at the Commission have repeatedly and unanimously pointed out in our press releases and in our statements and in our op-ed pieces and in our reports and in our dialogues with policymakers here in the United States and with ambassadors and others from foreign nations with whom we have had interaction, and that is this. The right of religious freedom is not some tiny cramped, crabbed principle of freedom of worship. Freedom of worship is part of religious freedom. It is an essential part of religious freedom. But it is only a part and indeed a small part. The robust and full right to religious freedom includes not only the right to do what we do in the temple or the church or the mosque or the synagogue or before meals around the table with our families at home or on our knees at bedtime. It includes the right to take one's faith into the public square, to advocate for it, to persuade and be persuaded by others. The right to change religions if in conscience one's views change perhaps under the pressure of argument, but without violence or undue pressure or coercion, physical or psychological.

It must include the right, Congressman Franks, to act on one's religiously inspired moral convictions about justice and the com-



mon good just as the Reverend Dr. Martin Luther King did to help end the monstrous horror of segregation and Jim Crow in our own country.

Too often we fall into this idea that religious freedom is about what you do in church or synagogue or it is about what happens at the dinner table or on your knees before bed. That is true. That is part, but it is only a part. We need to persuade all of our people to understand, as our founders understood, religious freedom in the fullest and most robust sense.

There are limits of course to religious freedom. There must be. Great atrocities can be committed in the name of religion and have been committed and are committed every day. Our Commission can tell you all about it. It is true that sometimes those atrocities committed "in the name of a religion" are really a pretext for an agenda driven by politics or tribalism or ethnic and sectarian hatreds or whatever. But sometimes they really are sincere religious beliefs that drive people to do terrible things, and we must never tolerate that. I mean it would be logically inconsistent to think you should tolerate that because then religious freedom could freely be violated in the name of religious freedom, and we know that can't be right.

So we on the Commission put it this way. That people must be free to practice their faith not only in the mosque, not only in the home, not only in the church, but in the public square and free to advocate and to persuade and to act as citizens on the basis of their religiously inspired beliefs so long as it is done without violence, so long as it is done without infringing on the equal rights of others.

That is what I would, if I could have a magic wand I would dismiss from the minds of our people the idea that religious freedom is only about church or synagogue and put in its place the robust and full understanding of religious freedom.

And then to your second question, again if I could do one thing I would activate everyone in Congress and everyone in the relevant policy positions in the administration to stay focused on religious freedom. Never let it fall out of view. Never let it take a secondary or tertiary position behind other legitimate concerns such as economic and trade concerns, geostrategic and military concerns. Make sure that it has the place at the table that it is supposed to have under IRFA.

I would remind all our policymakers and our representatives that that is not just a nice idea, and it is certainly not just Robert George's idea or the idea of my colleagues on the U.S. Commission on International Religious Freedom or the staff, it is the law. That is what we decided, what our nation decided, what you decided in Congress, what the President signed into law in IRFA. So let us do that.

And if I can reciprocate your praise, do what you do and do what Congressman Meadows does and Congressman Marino does and what Congressman Smith does and what Congressman Wolf masterially does which is to set an example for all of your colleagues of putting religious freedom at the top of the agenda.

Mr. FRANKS. Well, Mr. Chairman, I am so grateful that I got to attend this. Because a lot of us talk about religious freedom all the time but sometimes to come and hear it articulated so brilliantly and so accurately, it is an uplift again.

And I suppose some of us are concerned about America becoming a Country of Particular Concern if we keep going the direction we are going, but thank God that is not going to happen, and I am grateful again for your input and just your voice into this debate into this human family that we all live in together. And it gives me great hope, it certainly does. And thank you, Mr. Chairman. Thank you.

Mr. GEORGE. Thank you, Congressman Franks.

Mr. SMITH. Chairman Franks, thank you very much for your questions and for your kind remarks, and believe me, I feel the same way about you. You have been a leader on behalf of human rights for so long, and I appreciate your tremendous contribution.

I would like to just ask a few questions—

Mr. GEORGE. Sure, of course.

Mr. SMITH [continuing]. Before we go to Panel II, I want to note for the record we did invite the U.S. Department of State to be here. They have deferred. I don't think it was a denial although it could be. We will wait and see. They wanted to wait until the report came out. We have asked them before to come, so hopefully this time will be the charm.

I would note also parenthetically that this is about my 40th hearing exclusively focused on religious freedom, and I have to tell you I think it is getting demonstrably worse in the world. I think Chairman Franks' comment about the United States, while we may not look like some of the most egregious violators ever—hopefully that never happens—there is a shift and it is coming from the top, here, and I will say this absolutely publicly, from the President of the United States, that I find very disconcerting when it comes to religious freedom. And if we follow that pathway of worship as opposed to the free exercise of our religious liberties we are in very grave trouble, and the crowding out of the public square of religiously based voices will follow and is already at risk.

I also want to point out again, and I think for the record that the largely forgotten rough road that IRFA took or traveled to enactment is remembered well by me as well as by the bill's chief author Frank Wolf. Sitting right where you sat, as well as in 2172, Mr. Chairman, was, repeatedly, John Shattuck, the Assistant Secretary for Democracy, Human Rights, and Labor, the point person for the Clinton administration who was against, I repeat, underscore, exclamation point, against enactment of IRFA. He claimed that it would create a hierarchy of human rights. And frankly, it wasn't until it passed the House and Senate, and almost died in the Senate because of White House opposition, when it was finally passed President Clinton did sign it.

And a year later I asked the Ambassador-at-Large, is there any hierarchy of human rights? Any crowding out of other internationally recognized human rights? And he said absolutely not. So it was a bogus issue there, but I am concerned that that mindset has persisted in some quarters, in some political circles to this day. And when you have nonenforcement of a statute that says shall and shall and shall and we do not get enforcement of the law, it suggests that some of those old thoughts may still be very prevalent among people who are in policymaking positions.

So we will do a hearing on nonenforcement, and when State finally comes I am going to ask a lot of pointed questions. I hope they have great answers. We all should be on the same team on this. There should be no divide whatsoever, but right now there is a divide. And again, John Shattuck sat where you sat, and on the record, because I held all the hearings that led to IRFA, every single hearing in the House of Representatives, and every single time the administration was against, until they were for and they were presented a fait accompli, an engrossed bill sent over by the Senate after the House has passed it, and it came back over here, I should say, and then down to the White House for signature and then he signed it. And we weren't even sure up to the last moment. Eleven-fifty-nine, the clock was ticking, we weren't sure he did sign it. And we were grateful for that, but now implement it.

A couple of questions, if I could. And you have been, all of you, so patient with all the delays today. But on Pakistan, one of our witnesses will soon testify, Mr. Khan, and he makes the point regarding Pakistan which, I agree with you, ought to be a CPC. It is amazing that it is not, although no one is being designated anymore.

But he points out that the 50-word Penal Code ordinance called Section 295-C is such remarkably broad language that virtually anyone can register a blasphemy case against anyone else in Pakistan and the accused can face capital punishment. There needs to be serious pushback by the entire international community when those kinds of laws are used and people live in fear that any neighbor who may have a disagreement or any political figure or anyone could accuse you of something and your life is literally at risk, and that goes doubly of course for Christians.

But he points out that two of the five anti-blasphemy laws explicitly target by name the activities of the Ahmadiyya Muslim Community. If you could speak to that.

Mr. GEORGE. Yes, this is a matter that I am very, very concerned about and that our Commission is very concerned about. The abuse of the Ahmadis who are a peaceful religious group simply wanting to practice their faith in peace, respecting everybody else's right to practice their beliefs and religion in peace, is one of the outrages of the world today. And Pakistan is in the lead. It is not the only country that persecutes the Ahmadis. We have had the same problem in Saudi Arabia, for example. But Pakistan is in the lead, and its oppressive blasphemy laws and the singling out of the Ahmadis is really behind this.

So we want to put as much pressure as we can on the Pakistani regime to eliminate that practice, eliminate those blasphemy laws which are pretext for persecution, and particularly to respect the full citizenship, not only the rights to practice their religion, but the full citizenship of the Ahmadis and to not relegate them to second-class citizenship simply for expressing their faith in a peaceful way.

Now of course Ahmadis are not alone in being persecuted by the Pakistani regime. We have got Christians who are persecuted. Of course you know all too well the case of the church that was burned back in September in Peshawar with, I believe, close to 100

fatalities. There are Hindus who are persecuted. There are minority Muslims like Shias who are persecuted there.

It is a very serious offender, and that Congressman Smith, Chairman Smith, is why we put Pakistan as number one on the list of offenders among those not currently designated as CPCs, and we strongly urge, I can't emphasize enough how strongly we urge the State Department to list them as a CPC.

Mr. SMITH. I appreciate that very much. One of our other witnesses today, a man that you know very well—I have read his book, "God's Double Agent" is Bob Fu. Unfortunately it appears that China, Vietnam, and North Korea are in a race to the bottom when it comes to religious persecution. And China, despite all of the happy talk between some of our diplomats, has upped the ante. It has been bad. It is actually getting worse under Xi Jinping.

One of the other hats that I wear is chairman of the Congressional-Executive Commission on China, and we will be having a Tiananmen Square hearing next Friday with people who were there. And I can already tell you, having talked to them and getting a sense of what they are going to talk about, all human rights in general have deteriorated significantly since Tiananmen Square. But on religious freedom, whether it be the Falun Gong, the underground Christian Church, the Catholic or Protestants, the Uyghurs, and of course the Tibetan Buddhists, there is a wholesale effort to eradicate the church.

And I am wondering, I don't know what it takes to get this administration to raise the issue. We had a hearing in this room, it was in 2172. We heard from five daughters, and we called it Their Daughters' Appeal to Beijing: "Let Our Fathers Go!" all of whom, all of their dads are political prisoners. Gao Zhisheng is one of those, and he has represented Christians in the underground church, the Falun Gong.

He has been tortured to the point where I don't know how he survived the torture. His wife who has testified before, his daughter who testified at this one, and where is the press when we do any of these kinds of things? There seems to be a lack of concern about it, while the Washington Post, Fred Hiatt, wrote a brilliant essay, an op-ed on his own editorial page about the five daughters.

And what their one ask was, one ask, can we meet with President Obama? He has two daughters. He will understand. We contacted the White House. We wrote. We never got a letter back. We did get a phone call that he is too busy, the President of the United States, to meet five wonderful, articulate, loving daughters of five political dissidents who are being tortured.

What does it take to get this administration to focus on China, Vietnam, like I said, which is bad and getting worse? As you know we had Father Loi testify at the Lantos Commission hearing recently. You know that well because you were there. I met with Father Loi and I asked him a question. And he was under house arrest, same place. He Skyped in from that same location.

When I was there last time he had bully boys outside of his small home, his mother's home, and when he walked me out he said, that is as far as I can go because they will be nice seemingly at first and then they won't be so nice as they push me back in with fists into the room. And I asked him a pointed question and

he did answer it. It is far worse than it was even then. If you could speak to some of these Asian countries, especially China, Vietnam, and North Korea, I think, it couldn't be clearer how bad that is.

But certainly Vietnam is getting considered for TPP, and I have asked repeatedly, "Is human rights on the table?" We have had human rights dialogues but they seem to be cul-de-sacs, where an end game is to have a discussion but it is not connected to other foreign policy issues by trade. So if you could.

Mr. GEORGE. Certainly, Congressman Smith. As far as Vietnam, is concerned it is a serious offender. It should be a CPC, and we have recommended it for CPC status. I should add something or repeat something I mentioned earlier, Mr. Chairman, which is that we know that Vietnam does respond to these pressures because we have seen it happen in the past and then they backslid when they were removed from CPC status.

So the obvious answer is let us hit them again. Let us put them back on the CPC list and see if we can bring some more pressure, and get some more relief of the suffering of persecuted people whether they are Catholics, whether they are Buddhists, whatever their belief is, by the Vietnamese regime which is a world-class offender against religious liberty.

Now you mentioned that the situation in China is deteriorating. This entirely squares, Mr. Chairman, with our findings on the Commission. And you also point out the wide range of different shades of belief held by people who are persecuted for those beliefs in China. China qualifies as an equal opportunity religious freedom abuser. There doesn't seem to be any group whose religious freedom rights they will not trample upon. From the Falun Gong to the Uyghur Muslims, as you pointed out, to of course Catholics, Protestants, it doesn't matter.

Now I suspect that part of what is going on there is this, that China has learned all too well what they regard as the lessons of the fall of the Soviet Union. The Soviet Union permitted in that, China's view, imprudently, the Catholic Church to function as a refuge, as an alternative authority structure, as an independent institution of civil society in Poland, and that gave a base of operations for human rights activists and solidarity and so forth. And what began in Poland soon spread to the other countries of Eastern Europe and resulted in the collapse of the entire Soviet Empire.

My own perception here, I speak for myself on this particular point, Congressman Smith, rather than the entire Commission, not that I think they don't share my view, I just don't happen to know what their view is. But to share my own personal view with you, I think the Chinese regime sees what happened there and they do not want to permit any alternative authority structures or independent institutions of civil society to exist, lest they provide the fertile ground and the support structure for human rights activism that will, in the end, topple the unjust, oppressive, undemocratic regime that the great hero Bob Fu has done so much to expose.

So that is what I think is going on. It helps to explain why they seem to be so eager to stamp out and utterly control, if they can't stamp out, any religious organization of any, even organizations that don't seem to fit at least our Western classic ideas of religion, like the Falun Gong. They are brutal toward the Falun Gong.

We have recommended designation of China for CPC status since 1999, so this goes all the way back, really, to the beginning of our Commission. They were of course designated by the State Department. We renew that this year. Pressure needs to be brought on China.

Let me urge you, Chairman Smith, to urge the five daughters and the people who are working with the five daughters to not give up on your request to meet, get a meeting for them with President Obama. President Obama does have daughters. I think he would understand. It is not my place speaking on behalf of the Commission to criticize the President. I will say this. What the President said about religious freedom throughout the world, including in China, at the National Prayer Breakfast are words that you or I would have been proud to say.

I know the President in his heart believes those words, so let us just press every button we can to get the President's attention. He has many, many things on his mind. It is a complicated world. He is the President of the United States. To get his attention focused on religious freedom abuses, especially in places like China.

I think this is a case where, if I can quote the story in the Gospel that Jesus tells of the unjust judge. Remember, the woman before the unjust judge in the Bible was wanting justice, and the unjust judge doesn't care for God or man and he is not going to give her justice. He is going to do whatever is convenient to him until she becomes so persistent that he decides to give her justice in her case because she just won't give up and she is driving him crazy. Well, I think we should—I don't want to analogize the President to an unjust judge at all. That is not my point here. But my point is to emphasize the need for persistence especially with leaders who have many, many different things on their mind. But I think it would be very important and valuable for the President to meet with the five daughters. Let their stories and the stories of their fathers resonate in the President's ears. And I think that would move him to take some steps to at least at a minimum up the rhetorical pressure on China.

Now we have to realize that China is a complicated case for U.S. foreign policy. Obviously there are important trade considerations. There are important geostrategic, military considerations that apply in any thinking about China. But that is why it is up to us to be so persistent in pressing our policymakers all the way up the line to the very top to keep the focus on the religious freedom abuses.

We are never going to make any progress toward democratization and true respect for human rights in China until we address the religious freedom violations that are so rampant and have been, well, going all the way back, really, to the revolution that put Mao into power after the Second World War.

Mr. SMITH. I do have many questions, but I will just ask one final. I have noticed that obviously you name Iraq as a country that ought to be a CPC.

Mr. GEORGE. Yes.

Mr. SMITH. And obviously Iraq is a place where so many of our service members gave blood and have come home wounded. And it really is unconscionable that in a place that we liberated along

with our coalition forces and the Iraqis themselves would become a bastion of intolerance toward religious freedom. And I am wondering if you might want to speak on that issue as well, because obviously that is an area where again we have paid such a price.

Mr. GEORGE. My heart breaks for the victims of persecution and especially religious persecution in Iraq. Life has moved from one nightmare to another nightmare to another nightmare for these poor people. And they are people of different faiths. It is not just one community whose members are being victimized here.

They suffered under the monstrous regime of Saddam Hussein, sadistic beyond belief. They suffered through a terrible war where everything did not go just as we would have liked and as we had hoped. And now they suffer in many cases under persecution.

Can I call a particular attention, not because I am myself a Christian and not simply because I think the focus on Christians should be given priority. I don't think that. I think we need to be even-handed in our treatment. But I must mention here the particular suffering of Iraqi Christians, many of whom were forced to flee after the fall of Hussein, and many of whom fled to Syria where they hoped to find some peace, even under the Assad dictatorship, some peace and the ability to practice their faith without being subjected to violence and persecution. And now what do we find? They are victimized again with violence and persecution in the Syrian Civil War and many of them are now having to flee a second time. It is horrific suffering. So that gives me another opportunity to emphasize our recommendation to list Syria, designate Syria as well.

But you are absolutely right to point out that Iraq is a place where our young men and women spent their blood and where all of us spent our treasure in the effort to give them the freedoms that we cherish and enjoy. So we should be especially intolerant of any violations of basic human rights, especially the right to religious freedom, among those who have now gained power in Iraq.

Mr. SMITH. I do have one final, if you don't mind.

Mr. GEORGE. Sure.

Mr. SMITH. Like I said, I have many more. But more than 30 years ago I joined Ronald Reagan at the White House ceremony when he raised the issue of the Bahá'í in Iran. And it was a very momentous occasion, and he really helped bring focus for the first time, at least in this country, on the persecution of the Bahá'í by Iran.

And we know Iran does violate, you talk about equal opportunity in China, well, they violate the religious freedom of a whole lot of people including Pastor Abedini. And if you might want to spend a moment, we do have a representative of the Bahá'í, Kenneth Bowers, who will be testifying with very strong insights as to how discriminated against and persecuted the Bahá'í actually are in Iran.

But if you would want to take a moment to just—

Mr. GEORGE. The persecution of the Bahá'ís around the world now is an atrocity of the very first rank. I fear, Chairman Smith, that the Bahá'ís are becoming the Jews of today. My great friend, Chief Rabbi Jonathan Sacks of England, points out that throughout much of history wherever there have been Jews, Jews have been

persecuted. And now I fear we are seeing wherever there are Bahá'ís, Bahá'ís are persecuted. Thank God not in our own country, but in so many places around the world.

And there is a sad and tragic irony here, because the Bahá'í faith is a faith that includes centrally the beautiful teaching of the common brotherhood of all men. It is a beautiful teaching. And that a faith that makes that so central would be persecuted almost everywhere is a nightmare. But here we see it.

And it is time for all of us, those of us in the human rights advocacy world, those of you in Congress, those in the administration, to take note of what is happening to members of this peaceful faith who do no one any harm, who seek nothing but brotherhood, and yet they are brutally in many places persecuted. So we need to elevate and make more visible this fact so that to the extent possible we can become agents for the amelioration and relief of that persecution. So this is a very high priority for me personally. I know it is a high priority for our Commission.

Mr. SMITH. Dr. George, thank you, sir, very much for your incisive testimony. It will help inform our committee, and hopefully, by extension, the Congress. We will look very carefully at all of the recommendations that you have made, and I hope that we can look to move on them expeditiously, and thank you again. I appreciate your leadership.

Mr. GEORGE. Thank you, Congressman Smith.

Mr. SMITH. I would like to now invite our second panel to the witness table, beginning first with Mr. Kenneth Bowers who is the secretary of the National Spiritual Assembly of the Bahá'ís of the United States which is an annually elected governing body representing the Bahá'í in the United States. Prior to this position, Mr. Bowers owned and operated a shipping business in Atlanta, Georgia. He is also author of an introductory book on the Bahá'í faith entitled, "God Speaks Again."

We will then hear from Mr. Amjad Khan who is the national director of public affairs for the Ahmadiyya Muslim Community, United States of America. Concurrent, Mr. Khan is a lawyer in the Akin Gump Strauss Hauer & Feld, a post-graduate research fellow at Harvard Law School, and the president of the Ahmadiyya Muslim Lawyers Association of the United States. Additionally, he has dedicated many hours in legal aid in representing refugees and asylum seekers, especially those fleeing religious persecution abroad. Mr. Khan has frequently lectured and published articles on issues of religious freedom in the Islamic world particularly focusing on international human rights policy.

We will then hear from Mr. Bob Fu who is founder and the president of ChinaAid Association, a nonprofit organization that advocates for the underground church in China, political dissidents, and activists who seek to defend them. A former dissident and pastor of an underground church, Pastor Fu and his wife came to the United States in 1997 as religious refugees. He also spent some time in prison as a political prisoner.

He is now a professor of religion and public policy at Midwest University. Additionally, Pastor Fu is editor-in-chief of the Chinese Law and Religious Monitor, and I would note parenthetically has been of tremendous aid to a number of individual dissidents that



this committee and this chairman has worked tirelessly to try to effectuate the release of, most notably I would have to say would be Chen Guangcheng. Bob played the most pivotal role, I think, in the world in bringing that blind activist lawyer to freedom. So I want to thank him publicly for that again.

I would like to now go to Mr. Bowers, if you could begin.

**STATEMENT OF MR. KENNETH E. BOWERS, SECRETARY, NATIONAL SPIRITUAL ASSEMBLY OF THE BAHÁ'ÍS OF THE UNITED STATES**

Mr. BOWERS. Thank you, Mr. Chairman, for the opportunity to testify on the topic of religious freedom, which is truly one of the most vital and pressing human rights issues of our time. And I would like to request that my written statement be included in the record.

Mr. SMITH. Without objection, so ordered.

Mr. BOWERS. Thank you, sir. I am the secretary of the National Spiritual Assembly of the Bahá'ís of the United States, which is the elected governing body of the Bahá'ís of this country. The Bahá'í faith is an independent world religion with some 5 million followers in over 200 countries and territories representing virtually every racial, ethnic, and national group on the planet.

The Bahá'í community is the largest non-Muslim religious minority in Iran with over 300,000 members. Since the Islamic Revolution of 1979, religious minorities including Christians, Zoroastrians, Jews, Bahá'ís, and Sunni and Sufi Muslims have been subjected to persecution by this government. For Bahá'ís, the persecution has been both severe and systematic. It is official government policy to deal with Bahá'ís, and I quote from one of their own documents, "in such a way that their progress and development are blocked."

Unlike other religious minorities, Bahá'ís are not recognized under the Iranian Constitution. Their blood therefore is considered mobah, which means that it can be spilled with impunity. Over 200 Bahá'ís have been executed and thousands more have been imprisoned, many of them tortured. They are arbitrarily arrested and detained, their homes are raided, and their property is taken without compensation.

They are denied jobs and excluded from the nation's university system, and they are surveilled and required to register with the government. Their marriages are not recognized. They cannot inherit the property of their deceased relatives. Their holy places have been destroyed and their cemeteries are desecrated.

May 14, 2014, marked the sixth anniversary of the imprisonment of the seven former members of the ad hoc leadership group of the Bahá'ís of Iran who were sentenced to 20-year terms for their efforts to minister to the basic needs of the Bahá'í community. There are also 12 Bahá'í educators in prison for their efforts to educate Bahá'í youth who were denied entrance into Iran's universities because of their religion.

With the election of Hassan Rouhani, a self-described moderate, to the presidency of Iran in June 2013, the Bahá'í community held out some hope for an improvement, however modest, in the situa-

tion in Iran, but since his inauguration on August 4th the situation for the Bahá'ís has, rather, deteriorated.

On August 24, 2013, a prominent Bahá'í in Bandar Abbas was killed in what was by all indications religiously motivated, and in February of this year, a Bahá'í family in Birjand, Iran, was stabbed by a masked intruder who broke into their home, though they fortunately survived. There has been no progress in the investigation of either of these cases.

Two Bahá'í cemeteries have been attacked in recent months. One is Sanandaj in December 2013 which was partially destroyed, and one in Shiraz which is currently being excavated. In November 2013, President Rouhani issued a draft charter of citizens rights, a document that does not expand or strengthen the rights of Iranians, but instead appears to further entrench existing discrimination including against Bahá'ís. In January 2014, the number of Bahá'ís in prison in Iran reached 136, a two-decade high.

In short, the situation for the Bahá'ís of Iran has worsened rather than improved since President Rouhani took office. But in spite of all of this there is a ray of hope. With the rise of the Internet, Iranians are increasingly able to access information from sources not controlled by the State. This, combined with the gross mistreatment of citizens of all backgrounds, has undermined the government's attempts to justify its persecution of minorities and others and has fueled a burgeoning human rights discourse in that country.

And in the last several years, numerous prominent Iranians have spoken out for the rights of the Bahá'ís, often at great risk to themselves, further contributing to growing support for the Bahá'í community among Iranians. Just last month an extraordinary development took place when a senior cleric, Ayatollah Abdol-Hamid Masoumi-Tehrani, gifted to the Bahá'ís of Iran a calligraphic work of verses from Bahá'í sacred scripture.

Earlier this month he participated in a meeting at which a number of human rights activists including the recently released lawyer, Ms. Nasrin Satoudeh, called for an end to discrimination against the Bahá'ís, and signed a photo of the seven imprisoned Bahá'í leaders. And Mr. Chairman, if I may just show this photograph. This, a photograph of these people together. And you may not see it from here, but this is an Ayatollah, a very high ranking Islamic cleric, who has spoken on behalf of the rights of the Bahá'ís.

And also in this picture, and I won't bother pointing them out but just so that you will know, are Mohammad Nourizad who is a journalist and a former supporter of the regime but now is a reformist; Dr. Mohammad Maleki, the former president of the University of Tehran who publicly has apologized to the Bahá'ís last year; Narges Mohammadi, a prominent women's rights activist who spent time in prison with some of the Bahá'ís; Nasrin Sotoudeh, a human rights lawyer whom I mentioned; Massoumeh Dehghan, an activist and who is also the wife of a prominent human rights lawyer who is now imprisoned for his representation of the Bahá'ís; and then finally, Zhila Bani-Yaghoub and Isa Saharkhiz who are two prominent journalists who have also spent time in prison.

So this is an extraordinary photograph of an occasion where these people together have really gone out and taken a great risk on behalf of the rights of the Bahá'ís, and I thought that the subcommittee should see this. So we can see that we are now at a critical juncture because it is important to continue shining a spotlight on human rights and religious freedom in Iran.

The Government of Iran is, despite its protestations to the contrary, very sensitive to international opinion. And so we believe that this spotlighting has prevented the persecution of the Bahá'ís in Iran from becoming much worse than it already is. And mounting international attention lends crucial support to the domestic movement for human rights within Iran.

Critical to these efforts are the State Department's International Religious Freedom Reports, the U.S. Commission on International Religious Freedom's annual reports, public statements made by State Department officials and USCIRF commissioners, and op-ed pieces in major news outlets authored by USCIRF commissioners including, we would add, an op-ed on the persecution of the Bahá'ís of Iran published only this week in the Wall Street Journal's Opinion Section in Europe.

These put the Iranian Government on notice that it is being watched, provide other governments and civil society actors with the information they need to continue their work, and serve to highlight issues of human rights and religious freedom. We are hopeful that these rights and freedoms will be an important part of the U.S.'s current dialogue with Iran.

The U.S. Congress has also consistently condemned the persecution of the Bahá'ís in Iran. House Resolution 109, now pending in the House with 113 co-sponsors, yourself among them, sir, condemns this persecution and urges the President and Secretary of State to utilize all available authorities to impose sanctions on Iranian Government officials and other individuals who are directly responsible for serious human rights abuses including against the Bahá'í community.

Resolutions like these constitute a strong statement from the U.S. Government to the Government of Iran and to friends and allies around the world, help garner media coverage, raise public awareness of the situation in Iran, and support accountability for human rights violations in Iran. We hope that those Representatives who have not yet co-sponsored House Resolution 109 will do so, and that this resolution will be passed with strong bipartisan support.

I thank you again, Mr. Chairman, for holding this important hearing and for inviting me to offer my testimony. And we do hope that hearings like this will continue to shed a light on religious freedoms violation in Iran and will help to hasten the day when Bahá'ís and all the people of Iran are accorded their full human rights.

[The prepared statement of Mr. Bowers follows:]



**BAHÁ'ÍS OF THE UNITED STATES**

Testimony of Kenneth E. Bowers, Secretary  
National Spiritual Assembly of the Bahá'ís of the United States

Thursday, May 22, 2014

Hearing: "Protecting Religious Freedom: Effective Accountability for Countries of Particular Concern"

United States House of Representatives  
Committee on Foreign Affairs  
Subcommittee on Africa, Global Health, Global Human Rights, and International Organizations

Mr. Chairman Smith, Ranking Member Bass, Members of the Subcommittee, thank you for the opportunity to testify on the topic of religious freedom, one of the most vital and pressing human rights issues of our time. I would like to request that my written statement be included in the record.

I am the Secretary of the National Spiritual Assembly of the Bahá'ís of the United States, the elected governing body of the Bahá'ís of the United States. I am here today to speak about the persecution of the Bahá'ís of Iran, a group that Dr. Heiner Bielefeldt, the UN Special Rapporteur on the freedom of religion or belief, has labeled one of the clearest cases of state-sponsored religious persecution.

The Bahá'í Faith is a world religion with some five million followers in over 200 countries and territories, representing virtually every racial, ethnic, and national group on the planet. It is an independent religion with its own sacred scriptures which recognize the divine origin of all of the world's great religious systems, the oneness of the human race, the equality of men and women, the harmony of science and religion, and the importance of universal education. It eschews violence.

The Bahá'í community is the largest non-Muslim religious minority community in Iran, with over 300,000 members. Since the Islamic Revolution of 1979, religious minorities, including Christians, Zoroastrians, Jews, Bahá'ís, and Sunni and Sufi Muslims have been subjected to persecution by the government. For Bahá'ís, this persecution has been both severe and systematic. It is official government policy to deal with Bahá'ís “in such a way that their progress and development are blocked.”

Unlike other religious minorities, including Jews, Christians, and Zoroastrians, Bahá'ís are not recognized under the constitution. Their blood is considered “mohab,” which means it can be spilled with impunity. Over 200 Bahá'ís have been executed, and thousands more have been imprisoned, many of them tortured. Bahá'ís continue to be arbitrarily arrested and detained, and there are currently over 100 Bahá'ís in prison. In the last two years, four babies were incarcerated with their Bahá'í mothers.

Bahá'í schoolchildren are harassed and Bahá'í youth are excluded from the nation's university system. Even the informal network of higher education that the Bahá'í community of Iran established to educate its youth who are denied access to university, known as the Bahá'í Institute for Higher Education, or BIHE, has been declared illegal by the government and has been repeatedly raided and attacked by government agents. Bahá'ís are also the subject of a steady stream of hateful anti-Bahá'í propaganda in the state-sponsored media.

Bahá'ís are monitored and surveilled, and are required to register with the government. They are not permitted to hold government jobs, are officially barred from receiving business licenses in many categories of business, and private employers are pressured not to hire them. Their homes are raided and their property is taken without compensation; over 2,000 cases of confiscation of real property from Bahá'ís have been documented since the revolution. Bahá'ís are also denied legal redress for crimes that are committed against them, including vandalism, assault, and arson. Bahá'í marriages are not recognized, Bahá'ís cannot inherit the property of their relatives who have died, and numerous Bahá'í cemeteries have been defaced, destroyed and desecrated. In short, the Bahá'í experience in Iran is one of “cradle to grave” persecution.

May 14, 2014 marked the sixth anniversary of the imprisonment of the “Yaran-i-Iran,” or friends of Iran, the seven former members of the ad hoc leadership group of the Bahá'ís of Iran, who have been imprisoned for their membership in the Bahá'í Faith and for their efforts to minister to the basic needs of the Bahá'í community. The Yaran – Mrs. Fariba Kamalabadi, Mr. Jamaloddin Khanjani, Mr. Afif

Naeimi, Mr. Saeid Rezaie, Mrs. Mahvash Sabet, Mr. Behrouz Tavakkoli, and Mr. Vahid Tizfahm – are now serving 20-year prison terms, the longest of any prisoner of conscience in Iran.

In addition to the seven leaders, there are now twelve Bahá'í educators in prison: Mr. Mahmoud Badavam, Ms. Faran Hessami, Ms. Noushin Khadem, Mr. Foad Moghaddam, Mr. Kamran Mortezaie, Mr. Amanollah Mostaghim, Mr. Shahin Negari, Mr. Kamran Rahimian, Mr. Kayvan Rahimian, Mr. Farhad Sedghi, Mr. Riaz Sobhani and Mr. Ramin Zibaie. These individuals, who served as teachers and administrators for the Bahá'í Institute for Higher Education, have been imprisoned for their efforts to educate Bahá'í youth who are denied entrance to Iran's universities because of their religion.

With the election of Hassan Rouhani, a self-described moderate, to the presidency of Iran in June of 2013, the worldwide Bahá'í community held out some hope for an improvement, however modest, in the situation of the Bahá'ís in Iran. Yet, on July 29, days before Mr. Rouhani's inauguration, Ayatollah Ali Khamenei, the Supreme Leader of Iran, reissued a fatwa warning Iranians against associating with the “deviant and misleading sect,” a well-known reference to Bahá'ís. And, since Mr. Rouhani's inauguration on August 4, the situation for Bahá'ís has deteriorated.

Violent attacks on Bahá'ís have continued to occur. On August 24, 2014, Mr. Ataollah Rezvani, a prominent Bahá'í in the southern city of Bandar Abbas, was found dead in his car on the outskirts of town. He was shot in the head. Mr. Rezvani had been under pressure from intelligence agents and had been receiving threatening telephone calls for weeks. The day before his death, a local clergyman delivered an inflammatory sermon against Bahá'ís. By all indications, his death was a religiously-motivated murder – the clearest case involving a Bahá'í since the 1990s. There has been no progress in the investigation of his killing; at one point, investigators suggested, rather fantastically, that the death may have been a suicide. On February 3, 2014, a Bahá'í family – two parents and their adult daughter – were stabbed by a masked intruder who broke into their home in Birjand, Iran. They received intensive care in the hospital and, fortunately, survived, but there has also been no investigation or prosecution in the case.

Two Bahá'í cemeteries have also been attacked in recent months. In December 2013, a Bahá'í cemetery in Sanandaj was attacked and partly destroyed, and several weeks ago, Revolutionary Guards began excavating a Bahá'í cemetery in Shiraz. This cemetery is the site of about 950 Bahá'í graves, including those of 10 Bahá'í women hanged in Shiraz in 1983, the youngest of whom was 17.

In November 2013, President Rouhani's administration released a draft Citizens' Rights Charter, the fulfillment of his campaign promise to release a document on the rights of citizens within 100 days of taking office. While, superficially, this Charter may appear to be a step in the right direction, it does not expand or strengthen the rights of Iranians, but instead appears to further entrench existing discrimination. It states that all the rights it enumerates are subject to the national legal framework, which falls far short of international human rights standards. With respect to Bahá'ís in particular, the rights discussed in the Charter apply only to religious minorities officially recognized by the Iranian constitution – a grouping that excludes Bahá'ís – and the Charter does not address laws or policies that discriminate against Bahá'ís. The Rouhani administration invited comments on the Charter for a one-month period, which ended in December. It has not yet announced if or when it will finalize the Charter, but, should the Charter be finalized in its present form, it would risk reinforcing the repression of Bahá'ís and others.

In January 2014, the number of Bahá'ís in prison in Iran reached 136, a two-decade high. In short, the situation for the Bahá'ís of Iran has worsened rather than improved since President Rouhani took office.

Dr. Ahmed Shaheed, the UN Special Rapporteur for the situation of human rights in Iran, has stated that the Rouhani administration has taken only “baby steps” to improve human rights in Iran, and that major challenges remain. From the perspective of the Bahá’í community, any steps that have been taken by the government appear to be steps backward.

Nevertheless, there is cause for hope. An improving public attitude towards Bahá’is has been perceptible over the last decade. This is due to several factors.

First, despite efforts by the government of Iran to inhibit free access to the internet, Iranians have become increasingly able to access information from sources not controlled by the state. Many have educated themselves about domestic and international issues, and they have grown increasingly aware of and sensitive to the realities of life in Iran, including the government’s gross mistreatment of citizens of all backgrounds. This has undermined the government’s attempts to justify its persecution of minorities and others, and has fueled what some have described as a burgeoning human rights discourse.

Second, beginning in 2008, several prominent Iranians began publicly defending the rights of Bahá’is. The late Grand Ayatollah Ali Montazeri, a highly respected religious figure, declared that Bahá’is should have all the rights of citizens of Iran. In the same year, Nobel laureate and human rights lawyer Shirin Ebadi publicly took on the case of the seven imprisoned Bahá’í leaders and began speaking out for the rights of Bahá’is. In 2009, over 250 Iranian intellectuals and artists, primarily in the diaspora but some living in Iran, signed an open letter to the Bahá’í community that was widely circulated and entitled “We Are Ashamed,” in which they publicly apologized for their silence in the face of the injustices visited upon Bahá’is and vowed to work towards realizing the rights enshrined in the Universal Declaration of Human Rights. In the last year, other well-known figures, including Mohammad Nourizad, a journalist and former strong supporter of the government, and Mohammad Maleki, former President of the University of Tehran, have spoken out for Bahá’is as well.

Many of these individuals have defended Bahá’is at great risk to themselves. Ms. Ebadi had to flee Iran because of governmental pressure she was under as a result of her defense of unpopular clients, including Bahá’is. Other well-known human rights lawyers, including Nasrin Sotoudeh and Abdolfattah Soltani, were imprisoned for their representation of Bahá’is and others.

Just last month, Ayatollah Abdol-Hamid Masoumi-Tehrani, a senior cleric, gifted to the Bahá’í community an illuminated work of calligraphy he made of a verse from Bahá’í sacred scripture. In a statement on his website, he said that the gesture was a show of solidarity with Iran’s persecuted Bahá’í community, who had suffered greatly as a result of “blind religious prejudice,” and called for peaceful coexistence with Bahá’is and all Iranian citizens. Then, in an unprecedented gathering earlier this month, Ayatollah Tehrani, Nasrin Sotoudeh, Mr. Nourizad, Dr. Maleki, and several other prominent human rights activists in Iran commemorated the six-year anniversary of the imprisonment of the Bahá’í leaders and made statements calling for the emancipation of the Bahá’í community. The continued advocacy of influential figures like these is contributing to what may be a groundswell of support for the Bahá’í community among Iranians.

At this juncture, it is critical to continue shining a spotlight on human rights and religious freedom in Iran. The government of Iran is, despite its protestations to the contrary, sensitive to international opinion. It is vital that the U.S. government and other governments around the world keep a close eye on the situation in Iran, and continue to speak out against abuses. We believe that this spotlight has stayed the hand of the Iranian government and has prevented the persecution of the Bahá’is in Iran from

becoming much worse. And mounting international attention lends crucial support and momentum to the growing domestic movement for human rights within Iran.

The U.S. Department of State, in its annual [International Religious Freedom Reports](#), and the U.S. Commission on International Religious Freedom (USCIRF), in its [Annual Reports](#), provide an invaluable service in reporting on the status of religious freedom in Iran, as these reports put the Iranian government on notice that it is being watched, and they provide other governments and civil society actors with the information they need to continue their work in support of religious freedom and human rights.

These reports, as well as public statements made by State Department officials and USCIRF Commissioners, focus attention on egregious situations such as that in Iran. Of particular value have been op-ed pieces in major news outlets authored by USCIRF Commissioners. The latest of these concerning the Bahá'is in Iran, for which we are most appreciative, by Commissioners Dr. Robert P. George and Dr. Katrina Lantos Swett, about the sixth anniversary of the imprisonment of the Bahá'í leadership group, appeared just three days ago in *The Wall Street Journal's* Opinion Europe section. These are important tools in highlighting issues of human rights and religious freedom, particularly in Iran. We are hopeful that these rights and freedoms will be an important part of the U.S.' current dialogue with Iran.

In addition to the State Department and USCIRF, the U.S. Congress has also consistently condemned the persecution of the Bahá'is in Iran. On December 20, 2013, the Senate passed, with 35 bipartisan cosponsors, [Senate Resolution 75](#). Its companion, [House Resolution 109](#), is now pending in the House with 113 cosponsors, and we expect that it will be passed this year. These resolutions condemn the state-sponsored persecution of the Bahá'is in Iran and urge the President and Secretary of State to utilize all available authorities, including the Comprehensive Iran Sanctions, Accountability, and Divestment Act of 2010 (CISADA), to impose sanctions on Iranian government officials and other individuals who are directly responsible for serious human rights abuses, including abuses against the Bahá'í community.

Resolutions like these constitute a strong statement from the U.S. government to the government of Iran and to friends and allies around the world. They are instrumental in gaining media coverage and raising public awareness of the situation in Iran, and they support efforts to promote accountability for human rights violations in Iran. We hope that those representatives who have not yet cosponsored House Resolution 109 will do so promptly and that this resolution, like Senate Resolution 75, will be passed with strong bipartisan support.

I thank you again for holding this important hearing and for inviting me to offer my testimony. We hope that hearings like this will continue to shine a light on religious freedom violations in Iran, and will help to hasten the day when Bahá'is and all the people of Iran are accorded their full human rights.



Mr. SMITH. Mr. Bowers, thank you so very much for your testimony, and I will wait for questions until everybody is done. Mr. Khan?

**STATEMENT OF MR. AMJAD M. KHAN, NATIONAL DIRECTOR OF PUBLIC AFFAIRS, AHMADIYYA MUSLIM COMMUNITY USA**

Mr. KHAN. Thank you, Mr. Chairman, and the other members of the subcommittee. It is an honor and a privilege to be back here. Mr. Chairman, you mentioned this is your 40th hearing that you have convened on international religious freedom. I have had occasion to come on two prior occasions at the Lantos Commission testifying about the persecution of Ahmadi Muslims, but I commend your leadership on this issue. It is extremely valuable to us as a community.

I represent in my pro bono practice many, many refugees. I have represented Christians from Egypt. I have represented Jews from Iran. And I represent many Ahmadi Muslims who are fleeing persecution all over the world. Their stories are palpable and the persecution that many of these communities endure cuts very deep.

So I am wrapped up in these narratives and restless because of them, and I come to you today to comment on the persecution of the Ahmadiyya Community, particularly, and to focus on Pakistan. I have a lengthier statement and I request your permission to submit this statement in the record.

Mr. SMITH. Without objection, it will.

Mr. KHAN. Thank you. I am going to really focus on two aspects and I want to talk about Pakistan particularly, although the persecution of the Ahmadiyya Muslim Community is quite global and in many countries Ahmadi Muslims are suffering, particularly in South Asia, in Bangladesh, India, and Pakistan, and Indonesia as well, and in the Middle East where there is a growing concern around the persecution of Ahmadi Muslims particularly in Saudi Arabia and Egypt.

But Pakistan, I think, sir, for this hearing on this subject is a great case study. Before I do that, very briefly, the Ahmadiyya Muslim Community was founded in 1889. The Ahmadiyya Muslim Community is a revivalist movement within Islam. I want to make this point very clear. Ahmadi Muslims profess to be Muslim, so I will be using the phrase "Ahmadi Muslim" throughout my testimony. This is a critical distinction.

I am very happy that the President of the United States, President Obama, in his remarks at the Prayer Breakfast also used the term "Ahmadi Muslim," because it is our essential belief that is being challenged, our self-identification as Muslims is what is illegal in Pakistan. And as I will explain that really cuts deep in a very pervasive way.

A central tenet of our faith is that our community rejects terrorism for any and all reasons. And when violent extremists label their acts of terrorism as jihad they do so wrongly, but it is our community that is usually the first and most forceful in its denunciation. We focus on the true Islamic teachings, and the founder of our community preached for a bloodless, intellectual jihad by the pen as the true jihad and denounced very strongly extremism.

So our community has been suffering quite a bit and our religious leader—we are the largest Muslim community with a single

spiritual leader, His Holiness Mirza Masroor Ahmad. He came here in a congressional reception, a bipartisan reception where 30 Members of Congress hosted him. And he spoke about the peaceful teachings of Islam and also commented on the persecution. The U.S. Commission on International Religious Freedom and the Lantos Commission co-sponsored his trip and his visit.

So allow me to focus on Pakistan. There is a very rich legal history about the persecution of Ahmadis, and I will, for purposes of my testimony I will spare a lot of detail. But I will mention that Ahmadis by constitutional amendment are declared to be non-Muslim. The second amendment to Pakistan's Constitution passed in 1974 declares our community as a matter of law to be non-Muslim. So that is where we start.

But it gets worse than that. And Chairman Smith, you mentioned about the 50-word Penal Code provision, section 295-C, a source of intense litigation. The anti-blasphemy laws which affect a broad range of minorities, particularly the Christian and Ahmadiyya Community, two of those laws explicitly criminalize Ahmadi activities.

If we use the Islamic greeting, "As-salamu alaykum," if we use Arabic script on a wedding invitation card—these are real cases—those are arrestable offenses. And under these laws, witnessing our faith is a crime. And it is the legal apparatus that really intrigues me and gives me the most pause, how to dismantle that legal apparatus is the key question.

Virtually anyone can register a blasphemy case against anyone else in Pakistan because of this very broad language under section 295-C. Now we know the pernicious effects of these laws, and I wanted to cite a few high level statistics so you get a holistic picture of the persecution of our community.

Many hundreds of Ahmadis have been murdered in Pakistan. In the past 4 years, 137 Ahmadis have been murdered, and the single largest attack on the Ahmadiyya Community, which is one of the largest attacks, terrorist attacks, in Pakistan's history was on May 28, 2010, when 86 Ahmadis were gunned down, many hundreds injured by the Pakistani Taliban, the TTP. That was one of the deadliest attacks, and since that time in the past 4 years there has been a devolving and deteriorating situation.

It has always been bad, Representative Smith, but I hear the stories of so many Ahmadi refugees who are fleeing, hundreds, rather thousands, from Pakistan. And I know that in the past 4 years it has become extremely acute. I mentioned about the constitutional amendment. Every single Ahmadi man, woman, and child is declared to be non-Muslim by law, even though in the course of our beliefs we are Muslim through and through.

Since 1985, millions of Ahmadi Muslims in Pakistan can't vote. This is the eighth election. Last year was the eighth election, national election, where Ahmadis were not able to vote. In order to vote in Pakistan as an Ahmadi we have to declare ourselves to be non-Muslim which no Ahmadi would do. It is a remarkable situation that such a vibrant and literate community is disenfranchised. And almost 4,000 blasphemy cases have been registered against Ahmadis. Forty percent of all blasphemy arrests in Pakistan are of Ahmadi Muslims, and 90 Ahmadi Muslim mosques, and we can't

use the word “mosque” because that is an arrestable offense. They say houses of worship in Pakistan. Ninety of them have been either occupied forcibly, sealed, barred, or burned down. And the cemetery burial of Ahmadis, the bodies are being exhumed. We are being denied the right to even bury our own, and graves are being desecrated. So this is just a high-level situation.

In the interest of time, I have many incidences of persecution I can mention but I will just focus on one. It was last week. And this provides a snapshot, a window into the nature of this persecution. Six Ahmadi Muslims saw that a shopkeeper had on his Islamic calendar an insult against Ahmadi Muslims. So they walked to the store and said remove this insult.

The shopkeeper not only said no, but registered a blasphemy case against those six Ahmadis. They were put in a prison cell, this is in Sheikhpura in Punjab, and 3 days later while Khalil Ahmad, one of them who is 65 years old, a father of four, while he was in police custody a man walked in, asked to see Mr. Khalil, was given permission to see him, and shot and killed him, and he died. The community in Pakistan suspects that the police facilitated the killer’s entry and the lethal act.

So this in a nutshell is just an example of how the persecution is not just by sectarian groups, but that the police are aware of what a blasphemy case means in society. We know some of the most courageous voices against the blasphemy laws, Minister Shahbaz Bhatti, Governor Salman Taseer, were assassinated for their opposition against these laws. But we see that now the police are also unable or unwilling to control the situation.

Now what are the recurring patterns here? And this is really the key point that I would like to make. What we see in Pakistan is that police at the provincial and local levels routinely fail to provide adequate protection for vulnerable Ahmadi Muslims.

Let us talk about the Lahore attack. Eighty six were dead. Months before that attack there was written correspondence at the highest levels in the Human Rights Commission of Pakistan saying that those attacks were imminent, and yet nevertheless the attacks took place and police didn’t provide protection.

We know that Ahmadi physicians, lawyers, teachers, are particularly targeted. There are assassination hit lists with Ahmadi businesses and their addresses that are rampant all over Faisalabad. Billboards. If you drive through Lahore you will see billboards that say that Ahmadis are “Wajib ul Qatl,” worthy of being killed. They are funded by the government, those billboards, so the perpetrators of these attacks are not apprehended.

It is just, I say, a Kafkaesque world where the perpetrators are permitted to do these acts with impunity and the victims suffer in prison. That is the reality on the ground in Pakistan. And we know about the effects of the blasphemy laws. But against that backdrop, Chairman Smith, and this is where I want to turn to, we know what we can do in the United States.

The International Religious Freedom Act of 1998 is not just a law on the books. This law has provided tremendous support for our community. I have been involved on these cases since I was an undergrad in 1997–1998 when the law was passed. I have seen its trajectory in 15 years. I have litigated these cases. I have lived

these cases. I can tell you, Chairman Smith, that that act, and Congressman Wolf was the architect for it who is the chair of the Ahmadiyya Caucus, the newly-formed Ahmadiyya Caucus, that act has literally saved lives.

And I want to comment briefly about some of the features of USCIRF, particularly, because the U.S. Commission which is an independent watchdog has been a leader on this front and I have worked with commissioners from both sides on this and most recently Chairman George. First, USCIRF, supported by a highly knowledgeable and dedicated staff, has consistently monitored and reported on the deteriorating conditions of religious liberty for Ahmadi Muslims in the Islamic world.

Each year we know the Commission publishes an annual report. I am acutely aware as someone who lives in this space as an international human rights lawyer how hard it is to get reliable information on the ground. But USCIRF's report provides that information. We use it in court. In the case of the Egyptian Coptic Christians, I submitted a USCIRF report to the ninth circuit which turned that case around. I use USCIRF materials in advocacy.

Second, we know that the advocacy also consists of actually pressing our Government on these issues. We know that Dr. Robert George mentioned the case of two Ahmadi detainees in Saudi Arabia. In the recent trip of President Obama to Saudi we know that that case has taken traction because of USCIRF's work.

And I want to make this point very clear because it is a subtle point but it is very important. It is USCIRF's independence that allows it to shine a spotlight on abuses of religious freedom even when other organs of our own Government are constrained by political considerations of foreign policy or national security. I know there is a discussion about CPC designations. But it is USCIRF's independence that gives traction and allows us to be advocates on the ground.

And I want to also focus on the missions that USCIRF takes. They have gone to Nigeria. They have gone to Saudi. They have gone to Pakistan, Pakistan particularly, and they have raised these issues. We feel we have a voice, an independent voice that is verifying this information on the ground. So this tireless work that the commissioners and the staff routinely exhibit is something that we as a community deeply appreciate and we absolutely need, and we absolutely support the reauthorization of USCIRF.

Time is limited, so I want to conclude by again thanking you, Chairman Smith, for your leadership on this issue. The leadership in Congress has been terrific around the Ahmadi issue. We finally have now a caucus around our concerns and that is bipartisan, and we have, I understand, several dozen Members of Congress have joined that caucus. We hope that we can come into future hearings and talk about these issues. We have testified previously on Indonesia and other countries where Ahmadis are suffering.

And I will say at the end that the primary source of our community's persecution are religious extremists who espouse a militant perversion of Islam, and our community strongly believes that all such extremism must be cut at its root and we are prepared to work with you and others on this matter, and particularly USCIRF. Thank you.

[The prepared statement of Mr. Khan follows:]

**United States House of Representatives  
Committee on Foreign Affairs  
Subcommittee on Africa, Global Health, Global Human Rights and  
International Organizations  
Washington, D.C.**

**May 22, 2014**

**Testimony of Amjad Mahmood Khan, Esq.**

Mr. Chairman and Members of the Subcommittee:

Thank you for inviting me to testify today on the subject of *“Protecting Religious Freedom: U.S. Efforts to Hold Accountable Countries of Particular Concern.”*

I am a Muslim-American attorney residing in Los Angeles. In my private practice, I litigate complex business and commercial matters for an international law firm. In my *pro bono* practice, I represent refugees escaping persecution. I have studied international and human rights law at Harvard Law School (where I graduated in 2004) and have written about the global persecution of the Ahmadiyya Muslim Community and surrounding issues for prominent legal journals and national newspapers. I have testified before the Tom Lantos Human Rights Commission and the House Committee on Oversight and Government Reform about the global persecution of the Ahmadiyya Muslim Community and the vital importance of the International Religious Freedom Act of 1998. I also volunteer as the National Director of Public Affairs for the Ahmadiyya Muslim Community USA and provide my testimony today in that capacity.

I have divided my testimony into two main areas: *first*, I will discuss several recent disturbing developments in the ongoing persecution of Ahmadi Muslims in Pakistan, a country of particular concern to our Community; and *second*, I will explain how the International Religious Freedom Act of 1998, and specifically the U.S. Commission on International Religious Freedom, has benefitted our Community.

**I. INTRODUCTION TO AHMADIYYA MUSLIM COMMUNITY**

Before I delve into these two areas, allow me to briefly introduce our Community.

Founded in 1889, the Ahmadiyya Muslim Community is a revivalist movement within Islam. Ahmadi Muslims believe in the *Kalima* (the principal creed of a Muslim) and espouse the motto of “Love for all, hatred for none.” As a central tenet of its faith, the Community rejects terrorism for any and all reasons. When

violent extremists label their acts of terrorism as ‘jihad,’ they do so wrongly, and it is the Ahmadiyya Muslim Community that is usually first and most forceful in its denunciation, focusing on both conveying true Islamic teachings to Muslims around the world as well as removing misconceptions of ‘jihad’ and Islam generally in the West. Today, our Community is established in more than 200 countries, and its tens of millions of adherents all follow the only spiritual caliph in the Muslim world, His Holiness Mirza Masroor Ahmad, who resides in London. The Community is the largest organized Muslim community with a single leader in the world.

The Ahmadiyya Muslim Community is arguably the most persecuted Muslim community in the world. The U.S. State Department, the U.S. Commission on International Religious Freedom and dozens of human rights non-governmental organizations have documented the systematic persecution endured by our Community at the hands of religious extremists and state and quasi state institutions in numerous countries around the world, including Pakistan, India, Bangladesh, Kazakhstan, Kyrgyzstan, Indonesia, Saudi Arabia, Egypt, Libya and Syria.

## **I. PAKISTAN**

Today, I limit my focus to Pakistan, which has become a particularly disturbing long-term case study in religious intolerance.

### **A. Background and Legal Framework**

While precise counts are difficult to establish, some researchers estimate that several million Ahmadi Muslims currently live in Pakistan. Ahmadi Muslims profess to be Muslims, but their belief is irrelevant under the law. This is because Pakistan is the only Islamic state in the world to define who is or is not a Muslim in its Constitution (Article 260). The Second Amendment to Pakistan’s Constitution, passed in 1974, amends Article 260 to say:

*“A person who does not believe in the absolute and unqualified finality of the Prophethood of Muhammad, the last of the Prophets or claims to be a Prophet, in any sense of the word or of any description whatsoever, after Muhammad, or recognizes such a claimant as a Prophet or religious reformer, is not a Muslim for the purposes of the Constitution or law.”*

This amendment explicitly deprives members of the Ahmadiyya Muslim Community of their right to self-identify as Muslims.

As has been well-chronicled by the International Community, since 1984, Pakistan

has used its Criminal Code to prohibit and punish blasphemy. Blasphemy in Pakistan broadly refers to any spoken or written representation that “directly or indirectly” outrages the religious sentiments of Muslims. Five of Pakistan’s current penal code provisions punish blasphemy. These are collectively referred to as the “anti-blasphemy” laws.

Over the course of 30 years, several thousand individuals have been arrested under these laws. These individuals were Muslims (Sunnis, Shias and Ahmadis), Christians and Hindus. Their crimes ranged from wearing an Islamic slogan on a t-shirt to planning to build a Mosque to distributing Islamic literature in a public square to offering prayers in a Mosque to printing a wedding invitation card with Quranic verses to sending a text message perceived as critical of Islam. Their punishments ranged from fines to indefinite detention to life imprisonment to the death sentence. Although no one to date in Pakistan has been executed for blasphemy, at least 32 individuals have been killed by mobs after having been arrested for blasphemy.

The most notorious of Pakistan’s anti-blasphemy laws is a 50-word Penal Code Ordinance (called Section 295-C):

*“Whoever by words, either spoken or written, or by visible representation, or by any imputation, innuendo, or insinuation, directly or indirectly, defiles the sacred name of the Holy Prophet Muhammad (peace be upon him) shall be punished with death, or imprisonment for life, and shall also be liable to fine.”*

Based on this remarkably broad language, virtually anyone can register a blasphemy case against anyone else in Pakistan, and the accused can face capital punishment. Thus, Pakistan’s anti-blasphemy laws have essentially criminalized the very existence of Ahmadi Muslims.

Two of the five anti-blasphemy laws explicitly target by name the activities of the Ahmadiyya Muslim Community. These two laws are part of what is known as Martial Law Ordinance XX, which amended Pakistan’s Penal Code and Press Publication Ordinance Sections 298-B and 298-C. For fear of being charged with “indirectly or directly posing as a Muslim,” Ahmadi Muslims cannot profess their faith, either verbally or in writing. Pakistani police destroyed Ahmadi translations of the Qur’an and banned Ahmadi publications, the use of any Islamic terminology on Ahmadi Muslim wedding invitations, the offering of Ahmadi Muslim funeral prayers, and the displaying of the *Kalima* (the principal creed of a Muslim) on Ahmadi Muslim gravestones. In addition, Ordinance XX prohibited Ahmadi Muslims from declaring their faith publicly, propagating their faith, building mosques or making the call for Muslim prayers. In short, virtually any public act of worship, devotion or propagation by an Ahmadi Muslim can be

treated as a criminal offense punishable by fine, imprisonment or death.

Not surprisingly, having suffered under the anti-blasphemy laws for years, religious minorities in Pakistan have challenged the constitutionality of the anti-blasphemy laws under Article 20 of Pakistan's Constitution. Unfortunately, however, the anti-blasphemy laws have withstood legal scrutiny.

Just a few years after the laws were passed, the Federal Shariat Court (the highest religious court in Pakistan) was asked to exercise its jurisdiction under Article 203D of the constitution to rule whether or not Ordinance XX was contrary to the injunctions of the Qur'an and Sunnah (practice of Prophet Muhammad). The court, in the case *Mujibur Rahman v. Government of Pakistan*, upheld the validity of Ordinance XX and ruled that parliament had acted within its authority to declare Ahmadi Muslims as non-Muslims. Ordinance XX, the court maintained, merely prohibited Ahmadi Muslims from "calling themselves what they [were] not," namely Muslims.

On July 3, 1993, the Supreme Court of Pakistan dismissed eight appeals brought by Ahmadi Muslims who were arrested under Ordinance XX and Section 295-C. The collective complaint in the case, *Zaheerudin v. State*, was that the 1984 Ordinance violated the constitutional rights of religious minorities. The court dismissed the complaint on two main grounds. First, the court held that Ahmadi Muslim religious practice, however peaceful, angered and offended the Sunni majority in Pakistan; to maintain law and order, Pakistan would, therefore, need to control Ahmadi Muslim religious practice. Second, Ahmadi Muslims, having been deemed to be non-Muslims by law, could not use Islamic epithets in public without violating company and trademark laws. Pakistan, the court reasoned, had the right to protect the sanctity of religious terms under these laws and the right to prevent their usage by non-Muslims. The court also pointed to the sacredness of religious terms under the shari'a. The remarkable ruling further entrenched the anti-Ahmadi ordinances by giving the government power to freely punish Ahmadi Muslim religious practice as apostasy.

In light of these twin court decisions by the highest judicial bodies in Pakistan, Pakistan's anti-blasphemy laws remain a legitimate *state-approved* instrument for persecution of religious minorities. Religious minorities have no further legal recourse within Pakistan to overturn Pakistan's anti-blasphemy laws.

#### **B. High-Level Statistics**

Allow me to share some eye-opening statistics:

- Many hundreds of Ahmadi Muslims have been murdered in Pakistan since



it was founded. The past four years have been especially brutal with targeted killings of multiple family members and Ahmadi Muslim doctors, lawyers, religious leaders, businessmen and teachers. In 2010 alone, 99 Ahmadi Muslims were murdered in Pakistan – the deadliest year ever for the Community. This includes the murder of 86 Ahmadi Muslims (and hundreds more injured) on May 28, 2010 in a single attack in Lahore – one of Pakistan’s worst terrorist attacks ever.

- Since 1974, in contravention of their own beliefs, every single Ahmadi Muslim man, woman and child in Pakistan is declared to be “non-Muslim” by constitutional amendment.
- Since 1985, millions of Ahmadi Muslims cannot, by operation of law, fully and freely vote in national and provincial elections, and as of 2002, Ahmadi Muslims are the only religious group excluded from the nation’s joint electorate. Ahmadi Muslims can only vote in Pakistan if they (1) declare themselves to be a non-Muslim; (2) declare the founder of the Ahmadiyya Muslim Community to be an imposter; and (3) add their names to a separate supplementary list.
- To date, 3,943 cases have been registered against Ahmadi Muslims under Pakistan’s anti-blasphemy and anti-Ahmadi laws. Ahmadi Muslims now account for almost 40% of all arrests under Pakistan’s anti-blasphemy laws.
- To date, Pakistani authorities have demolished, set on fire, forcibly occupied, sealed or barred the construction of over 90 Ahmadi Muslim mosques. They have also denied the cemetery burial of at least 41 Ahmadi Muslims and have exhumed after burial the bodies of at least 28 Ahmadi Muslims.<sup>1</sup>

### C. Recent Incidents of Persecution

To give you a holistic picture of the dire situation for Ahmadi Muslims in Pakistan, I will share a few more incidents of persecution in the past several years. I apologize in advance for their particularly disturbing nature.

Just last week in the Sheikhpura District, on May 13, six Ahmadi Muslims, including Mr. Khalil Ahmad, were arrested on suspicion of having committed

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<sup>1</sup> In the most recent case, extremists in Gojra, with the assistance of police, prevented a father from burying his deceased one-and-a-half-year-old daughter in a neighborhood graveyard because the father and his daughter were Ahmadi Muslims. See Express Tribune, “Consecrated Ground: Child Buried After Four Days,” available at: <http://tribune.com.pk/story/650632/consecrated-ground-child-buried-after-four-days/> (last visited on May 20, 2014).

blasphemy. Apparently, a shopkeeper had posted insults about Ahmadi Muslims on an Islamic calendar that was posted in his shop. The Ahmadi Muslims asked the shopkeeper to remove the insults, and the shopkeeper registered blasphemy cases against all of them. Mr. Ahmad, along with the other Ahmadi Muslims, were subsequently taken into police custody at the Sharaqpur police station.

Just three days later, on May 16, while Mr. Ahmad was in police custody, a man walked into the police station with a gun. We are told that the gun was concealed in his lunch box. The police let him meet Mr. Ahmad, and the man shot and killed him point blank while inside the police lockup.<sup>2</sup> Reports suggest that he belonged to an Islamic seminary of Ahle Sunnat Wal Jama'at (ASWJ). The Community in Pakistan suspects that the police facilitated the killer's entry and lethal act. Mr. Ahmad, who was 65-years-old, was killed because of his faith. He is survived by his widow, two daughters and two sons.

Last November, police in Lahore arrested 72-year-old Dr. Masood Ahmad, a Pakistan-British dual national, homeopathic physician and Ahmadi Muslim.<sup>3</sup>

Two men posing as patients visited Dr. Ahmad's clinic in Lahore and began to ask questions about religion. They used a mobile phone to secretly film him reciting verses from the Holy Qur'an. Subsequently, they called the police in Lahore to arrest Dr. Masood for committing blasphemy and "outraging the religious sentiments of Muslims." In the mind of the accusers, Dr. Masood's public recitation of the Holy Qur'an was an unlawful blasphemous act.

Dr. Masood was subsequently arrested, imprisoned and charged for offenses under Section 295-C for "posing as a Muslim." Significantly, he was denied bail and remained in prison for 65 days despite his age and poor health. Fortunately, an appeals court in Lahore overturned the denial of his bail, and he subsequently managed to escape Pakistan and returned to the United Kingdom.

Between February and March 2012, Master Abdul Qudoos, an Ahmadi Muslim school teacher and president of a local chapter of the Ahmadiyya Muslim Community in Chenab Nagar (a largely Ahmadi town that Ahmadi Muslims refer to as "Rabwah"), was falsely accused in a murder inquiry, arrested by local police, and held incommunicado for 35 days. During this time, senior police officers attempted to get him to sign a statement that falsely implicated leading officials of the Ahmadiyya Muslim Community in the murder. When he refused to lie under

<sup>2</sup> See New York Times, "Pakistan: Boy Kills a Jailed Man Who Was Accused of Blasphemy," May 16, 2014, available at: [http://www.nytimes.com/2014/05/17/world/asia/pakistan-boy-kills-a-jailed-man-who-was-accused-of-blasphemy.html?\\_r=0](http://www.nytimes.com/2014/05/17/world/asia/pakistan-boy-kills-a-jailed-man-who-was-accused-of-blasphemy.html?_r=0) (last visited on May 20, 2014).

<sup>3</sup> See BBC News, "Jailed British Ahmadi Masood Ahmad in Pakistan blasphemy appeal," available at: <http://www.bbc.co.uk/news/world-asia-25498545> (last visited May 20, 2014).

oath, police hung him upside down by his ankles for long periods. They also forced him to lay flat on his back while a heavy wooden roller was rolled over his body. His captors stood on either side making sure he could not escape the torment. He was also subjected to senseless beatings and sleep deprivation. After torturing him, police authorities finally released him on March 26, 2012. Despite receiving medical treatment, Mr. Qudoos died on March 30, 2012, as a result of the injuries he sustained during the police torture. He is survived by his wife and four children. To date, authorities suspended six police officers but made no arrests in connection with Mr. Qudoos' murder.

In late January of 2012, some 5,000 people, including religious extremists and representatives from trade unions, gathered outside an Ahmadi Muslim mosque in Rawalpindi calling for the mosque's demolition and a ban of Ahmadi Muslim activities.<sup>4</sup> At the rally, many protesters could be heard referring to Ahmadi Muslims as "*wajib ul qatl*" or "worthy of being killed." Local police authorities had failed to take affirmative measures to adequately safeguard Ahmadi Muslims or their mosque.

In June of 2011, the All-Pakistan Students Khatam-e-Nabuwat Federation widely distributed shocking anti-Ahmadi pamphlets in Faisalabad—one of Pakistan's largest cities.<sup>5</sup> The pamphlets explicitly encouraged the outright assassination of a select group of Ahmadi Muslim industrialists, doctors and businessmen—who were listed by name and address and labeled as "*wajib ul qatl*" or "worthy of being killed." The pamphlets explicitly noted that an act of murder against an Ahmadi Muslim on the list would be deemed to be a "virtue" and a "blessing." When Ahmadi Muslim leaders brought the horrific content of the pamphlets to the attention of Faisalabad police authorities, the authorities refused to investigate or intervene. As a result, thousands of Ahmadi Muslims in Faisalabad continue to live in a state of perpetual fear with no adequate police protection. For example, the President of the Ahmadiyya Muslim Community in Faisalabad barely survived an assassination attempt by unidentified gunmen.

#### **D. Recurring Patterns**

Mr. Chairman, each of these incidents illuminates a few concerning patterns of persecution against Ahmadi Muslim in Pakistan:

<sup>4</sup> See Amnesty International, "Pakistan Should Protect Ahmadiyya Community Against Threats of Violence," February 2, 2012, available at: <http://amnesty.org/en/news/pakistan-should-protect-ahmaddiya-community-against-threats-violence-2012-02-02> (last visited on May 20, 2014).

<sup>5</sup> See Shamsul Islam, "Targeting Minorities: No Friends to Ahmadis in Pakistan," The Express Tribune, June 9, 2011, available at: <http://tribune.com.pk/story/185179/targeting-minorities-no-friend-to-ahmadis-in-faisalabad/> (last visited on May 20, 2014).

- Police at the provincial and local levels routinely fail to provide adequate protection and safeguards for vulnerable Ahmadi Muslims, despite receiving adequate notifications and warning of imminent threats. In some extreme cases, police are complicit in the persecution, torture and ultimate murder of Ahmadi Muslims.
- Ahmadi Muslim professionals, including physicians, lawyers and teachers, are particularly targeted by extreme terrorist groups.
- The perpetrators of deadly attacks on Ahmadi Muslims are rarely arrested and charged for their criminal acts, and in some cases, are permitted to act with impunity and even given legal sanctuary and safe havens.
- Frivolous blasphemy cases are routinely registered against Ahmadi Muslims as a means to settle personal scores and business rivalries.

### **III. IMPORTANCE OF U.S. COMMISSION ON INTERNATIONAL RELIGIOUS FREEDOM**

Against this troubling backdrop of persecution of Ahmadi Muslims in Pakistan, the International Religious Freedom Act of 1998 has proven to be a critical piece of legislation for our Community. The Act has helped to raise awareness within those countries in which Ahmadi Muslims, and indeed all religious minorities, face persecution, as well as in the United States, where organizations like the U.S. Commission for International Religious Freedom have advocated for the release of Ahmadi Muslim prisoners of conscience and the protection of their rights to practice their faith freely, and without fear of government or extremist reprisal.

In my last few minutes, I would like to explain how the U.S. Commission on International Religious Freedom, in particular, has been a source of tremendous assistance for our Community.

*First*, USCIRF, supported by a highly knowledgeable and dedicated staff, has consistently monitored and reported on the deteriorating conditions of religious liberty for Ahmadi Muslims in the Islamic world. Each year, the Commission publishes an annual report, which is prepared through painstaking research and verification. As a religious freedom advocate and international human rights lawyer, I am acutely aware of how difficult it is to obtain accurate and reliable information about abuses committed by governments and other actors that operate under the cover of secrecy. Thus, advocates and practitioners place singular dependence on USCIRF's annual report as a source of detailed and verified information about infringements of religious liberty. For instance, the Commission's 2014 Annual Report carefully documents instances of targeted

sectarian violence against Christians, Hindus and Ahmadi Muslims in Pakistan. It further details what it labels “the unique legal repression of Ahmadis” in Pakistan, including disfiguration of Ahmadi mosques, the desecration of Ahmadi graves, and the disenfranchisement of Ahmadi voters.

*Second*, USCIRF has proved immeasurably valuable in raising awareness about particular cases of acute concern for Ahmadi Muslims. By way of example, earlier this spring the Commission, led by Chairman Dr. Robert George, urged President Obama during his visit to Saudi Arabia to raise religious freedom concerns and call for the release of prisoners of conscience. USCIRF specifically urged the President to press King Abdullah to release two Saudis, Sultan and Saud Al-Enezi, detained by that country’s government for over two years, for becoming members of the Ahmadiyya Muslim Community in Saudi Arabia. As the case of the Ahmadi Muslim detainees in Saudi Arabia illustrates, USCIRF’s independence allows it to shine a spotlight on abuses of religious freedom, even when other organs of our government may feel constrained by considerations of foreign policy or national security.

Similarly, USCIRF official delegations play an invaluable role in raising issues of religious liberty directly with foreign officials. Just recently, a USCIRF delegation visited Kazakhstan, where it met with both Kazakh government officials and religious communities to understand better the deteriorating climate for religious freedom in that country. As USCIRF noted in its 2014 Annual Report, Kazakhstan has used its restrictive 2011 religion law to deny religious groups, including Ahmadi Muslims, legal status.

*Third*, USCIRF consistently sees the big picture and formulates incisive policy recommendations designed to safeguard both religious liberty and broader U.S. policy goals. USCIRF has long been on the forefront of highlighting the association between lack of religious freedom and the presence of violent religious extremism. In Pakistan, the Commission notes in its most recent annual report, the government’s enforcement of the blasphemy laws and related legislation fuel extremist violence threatening all Pakistanis, but particularly Christians and Ahmadi Muslims. USCIRF’s findings and recommendations flow from its tireless work on the ground. For example, Commissioners and staff routinely travel to Pakistan and other hotspots to meet firsthand with those vulnerable religious communities that are suffering from infringement of their religious liberty.

In conclusion, let me say that the primary source of our Community’s persecution is religious extremists who espouse a militant perversion of Islam. Our Community strongly believes that all such religious extremism must be cut at its root, and we welcome any and all efforts by the U.S. Government and U.S. Congress to redress global restrictions to international religious freedom. We

particularly welcome the leadership of U.S. Representatives Frank Wolf (R-VA) and Jackie Speier (D-CA), Co-Chairs of the newly formed Ahmadiyya Muslim Caucus in the 113th Session of U.S. Congress.

The International Religious Freedom Act, and the U.S. Commission that it has created, provide vital safeguards to protect fundamental universal human rights and redress gross human rights violations in countries of particular concern. Our Community whole-heartedly supports all efforts to sustain and perpetuate the Act's original mandate. Our Community stands ready to assist in this process.

Thank you.

### **Short Biography**

Amjad Mahmood Khan is litigation counsel at a prominent global law firm, a post-graduate research fellow at Harvard Law School and President of the Ahmadiyya Muslim Lawyers Association USA.

Mr. Khan's practice focuses on complex business and commercial litigation, with emphasis on disputes related to contracts, business torts, intellectual property, insurance and unfair competition. His clients have included a range of high-profile corporations, executives and organizations, including financial firms, major airlines, sports and entertainment entities and religious establishments.

Mr. Khan graduated *summa cum laude* from Claremont McKenna College in 2001 with degrees in English Literature and Government and was a member of Phi Beta Kappa and awarded "Student of the Year" as a senior. His thesis, "Fighting Extremism in Islam," earned departmental honors. In 2004, he earned a "Juris Doctor" (J.D.) degree from Harvard Law School, where he served as Editor-in-Chief of the *Harvard Human Rights Law Journal* and as a teaching assistant to Professor Scott Brewer (Contracts, Jurisprudence). He is a former judicial clerk to the late Honorable Warren J. Ferguson, Senior Circuit Judge for the United States Court of Appeals for the Ninth Circuit.

In addition to his commercial litigation practice, Mr. Khan devotes thousands of hours to pro bono matters. He has specific experience in asylum and refugee law, deportation defense and legal aid to disaster victims. He has first chaired over two dozen successful immigration and asylum matters in the U.S. and has represented hundreds of refugees escaping religious persecution abroad. He has traveled to the Middle East and South Asia to provide free legal support to prisoners of conscience. He frequently briefs the U.S. State Department and U.S. Commission on International Religious Freedom on his work to defend international religious freedom in the Islamic world. He has served as an expert witness for asylum cases involving oppressed religious minorities. He has testified three times before the Tom Lantos Human Rights Commission at the U.S. House of Representatives about the persecution of religious minorities in the Islamic world. He has received numerous awards and accolades for his pro bono work, which includes sharing the 2012 Muslim Advocates Thurgood Marshall Award for authoring an amicus brief for the U.S. Court of Appeals for the Federal Circuit in defense of the civil liberties of an American Muslim.

Some of his notable pro bono achievements include:

- counsel in an appellate asylum representation for an Egyptian Coptic Christian; petition for review was granted by the 9th Circuit
- counsel in an affirmative asylum representation for an Ahmadiyya Muslim from Indonesia in a case of first impression for the persecuted group; asylum was granted at the interview stage

- counsel in an affirmative asylum representation for a Jewish man from Iran; asylum was granted at the interview stage
- counsel in an affirmative asylum representation for the daughter of an Ethiopian actor and playwright; asylum was granted at the interview stage
- counsel in an asylum representation for an activist/journalist from Columbia; asylum was granted at the trial level
- counsel in an affirmative asylum representation for a juvenile immigrant from Honduras; asylum was granted at the interview stage
- counsel for Humanity First, USA to manage a grant connected to the Qatar Katrina Fund; legal work led to the rebuilding of six mosques and schools in the Greater New Orleans
- counsel for Humanity First, USA to manage a cross-border water filtration purchase agreement; legal work created access to clean and sanitary water for 1.26 million people in the earthquake-affected regions of Pakistan

Mr. Khan is a frequent lecturer on topics concerning international religious freedom in the Islamic world, with particular expertise on international human rights law and policy. He has lectured at several leading academic institutions, including Stanford Law School, Harvard Law School, Harvard Divinity School, Carnegie Mellon University, Claremont McKenna College, University of California Berkeley, Southern Methodist University and the State University of New York at Buffalo. His writings have appeared in a variety of prominent journals and newspapers, including the *Harvard Human Rights Law Journal*, *Georgetown Journal of International Affairs*, *Richmond Journal of Global Law and Business*, *Wall Street Journal*, *Washington Post*, *Los Angeles Times*, *Christian Science Monitor* and *New York Daily News*. His interviews have appeared in a variety of prominent media outlets, including *Al Jazeera* and *NPR*. He has testified before the Committee on Oversight and Government Reform at the U.S. House of Representatives on the Government's record on implementing the International Religious Freedom Act.

For three consecutive years, Mr. Khan has been named a "Southern California Super Lawyer Rising Star" by *Law & Politics* and *Los Angeles* magazines (2012-2014) – an honor award to 2.5% of California attorneys under 40 years of age.



Mr. SMITH. Mr. Khan, thank you very much for your testimony and your extraordinary leadership. Pastor Fu?

**STATEMENT OF PASTOR BOB FU, FOUNDER AND PRESIDENT,  
CHINA AID ASSOCIATION**

Mr. FU. Mr. Chairman Smith, thank you so much for having me again. Thank you for your leadership again on not only protecting, advocating for the religious vulnerables, persecuted faithfuls, and also for other human rights abused. I also want to commend the excellent, outstanding work and leadership of Chairman George for your outstanding staff compiling and, really, for this annual report.

And Mr. Chairman, as we have seen on these photos in the past few weeks about this recent escalation of persecution, religious persecution in China. We have documented in February an annual report about the persecution, just on the Christian persecution side, in 2013. We have seen compared to the year 2012, in 2013, the persecution against Christians in China alone had risen almost 30 percent.

And of the six categories ChinaAid uses to monitor the rate of persecution of Christians, all but one category increased from 2 to 50 percent. And among the 143 documented cases, which obviously a tip of the iceberg because of the information censorship, with 7,424 persecuted individuals, there are 1,470 people of faith, Christian, were detained in 2013 alone.

Of course back to this year, after February we have seen a much more dramatic increase of the persecution in the Christian communities. And this time, even the government-sanctioned Three-Self Patriotic Movement churches have been subject to severe suppression and across-the-board restrictions.

Since April this year, the Zhejiang Communist Committee of the province has planned and implemented some harsh suppressive measures against both the Three-Self churches and the independent house churches, forcibly demolishing the so-called illegally constructed church buildings and the crosses on the roof of churches throughout the province and forcing house churches to stop the so-called illegal gatherings, which has aroused many concerns and protests throughout the provinces.

According to our own documentation and the statistics, these suppressive measures now against the house churches and to the Three-Self churches have been carried out across the board in Beijing, in Guangdong, in Guizhou, in Henan, Shandong, Jiangsu, Anhui, Shaanxi, Shanxi, Xinjiang Uyghur Autonomous Region, Inner Mongolia Autonomous Region, Sichuan, Tibet Autonomous Region, and Guangxi Zhuang Province.

So it is not really just an isolated incident of some local officials' abuse of their power or just about destroying some unauthorized buildings. In the past 2 weeks or so, almost every day we have documented, and we have received well-documented reports, there is one church, either it was destroyed or the crosses on that church was removed or destroyed.

And we have also compiled a comprehensive report based on our independent investigation on the ground that shows up until May 18th, just last week, we have documented 64 churches, both the government-sanctioned churches and house churches had either

been destroyed or their crosses were being forcibly removed. Like this one just happened on the end of April, and it was a church has been there for almost 20 years.

And we just learned on May 18 that in 1 day alone, over 60 crosses were forcibly removed. And as some, even the American church leaders, claim that this is only isolated incident caused by local government officials, and how about these crosses? I mean, how offensive are, how much of a disturbance to the public safety or social stability is a cross on the top of the church?

So this certainly represents a major escalation of religious persecution, not only, of course, at the areas where the Tibetan Buddhists and Uyghur Muslims had been severely suppressed, but also in many other areas where both the house churches and the Three-Self churches has been targeted.

And even those, the Christian-held businesses now are targeted. Just to give one example, on February 18, Ms. Cheng Jie, she is a director of a Christian kindergarten, which is a subsidiary of a house church called the Liangren House Church from Guangzhou, and this kindergarten was raided, and the director Cheng Jie and her fellow coworker Mo Xiliu, they were all criminally detained and arrested simply because they were found using part of the curriculum on character-building with the Christian content.

And her lawyer, Ms. Chen Jie's lawyer, just last week visited her from her prison. And you can tell she was locked up. And she is the mother of two children. The youngest boy is only 2 years old. So she is being held there for 3 months already and facing a long term imprisonment. So this is Ms. Chen Jie.

And of course, in many other parts of China I can name on and on with these cases, like in Shaanxi Province, two believers were—just for simply having some Christian hymnbook available in the bookstore—they were sentenced to 3 and 5 years, respectively, in criminal sentence last year.

And of course in Pingdingshan, there are seven leaders who were also arrested and sentenced to 3 to 7 years for being accused of a evil cult as "The Shouters." And in Nanle, in Henan Province, one of the government Three-Self Church pastors, who is the chairman and president of the Three-Self Patriotic Movement, he was kidnapped and arrested along with 27 members and leaders of his church for simply advocating for social justice for the vulnerable of his believers. And many of his believers had been detained.

Some were sent to simply black jails without any judicial process, and those believers were tortured and interrogated on producing evidence—so-called evidence—against their pastor, Pastor Zhang Shaojie, who is facing up to, maybe, 15 years sentence if he is convicted.

In Beijing alone of course we have seen the increasing escalation of the persecution against the Shouwang Church. In the past 2 weeks the escalations has reached to the level that five members of that church were sentenced to administrative detention for the first time. And in the past 3 years, every Sunday in that church there are from 2,000 to 200 members were detained for simply going to outdoor worship.

And of course we have documented that report about the 64 churches where the crosses were being removed. A number of

church leaders in Zhejiang Province were sentenced to criminal detention as well. So besides my written reports, and I also sent to the committee about that latest compiled report about 64 churches were being destroyed and crosses were being taken down, and you can tell it is still going on.

And Mr. Chairman, I have a few recommendations I want to spell out. I think it is time for the U.S. Government and the international community to increase our effort to take action right away to stop this barbaric, Chinese Government-orchestrated, massive religious persecution in China, and, of course, I echo the call from my fellow witnesses today, along with the repressive governments in Pakistan and other countries.

And we all know of course that, as Chairman George mentioned and articulated so well, that this religious freedom is our first freedom, and it is treasured in the fundamental human rights called into international norms. And China had been designated in the CPC list since the enactment of the International Religious Freedom Act, since 1999, just 2 years after my wife and I, with our 2-month-old son, were granted as the first religious refugees to the United States.

And I think, here are some of my appeals. The CPC designations are really not being utilized as intended. The consequences of the sanctions or visa bans are rarely, if ever, employed effectively. I think, as Chairman George said, that the double-hatting of sanctions and use of waivers weakens the CPC. I call Congress to, really, to make some modification or amendments so that there is teeth on this CPC to enforce the list with the two meaningful sanctions so that China won't feel a free hand.

The most urgent right now is for the U.S. Government to make a public statement on calling to the Chinese Government to return the properties of numerous house churches represented by, like the Shouwang Church and other churches, to restore the physical freedom of the church leaders, like the senior pastor Jin Tianming who has been under arbitrary house arrest for the past 3 years. He may be the house church pastor who has served the longest time in the house arrest in his own home.

And to release these believers detained, really, in various black jails. I think the President, certainly, and the Secretary of State should step up and use the bully pulpit to just mention their names, and it will make a difference. I remember when we had, as you mentioned the blind, self-taught lawyer Chen Guangcheng at this room for the hearing, what a great difference that made for him and his family's freedom.

And I also suggest that the U.S. Government establish a database of the Chinese Communist officials violating religious freedom and implementing this religious persecution, and strictly bar them from visiting the U.S., and strengthen the cooperation with other nations and the United Nations in establishing an international coalition toward containing and sanctioning the Chinese Communist Government's violation of religious freedom.

And I also echo Chairman George's recommendation on that front. I think when Chen Guangcheng just named these 33 names of the Chinese Government officials who were found violating the women and children rights by forcing the forced abortion practice,

I think his township and county officials after that hearing immediately convened an emergency meeting, talked about the 33 names because some of their names are on that list. The only sarcastic tone at that emergency meeting convened by the village and county officials was, "Are you planning to go to the U.S.?" And they said, "No, we don't care." But that conversation alone means they do care. That means they do care about their children even coming to the United States.

Finally, I think this CPC designation will be, I think, ten times or more effective, I think, if we help the Internet freedom to break or bypass the Internet firewall. I would call the BBG to increase its budget to develop more effective tools that can be achievable, I think, if more well-documented cases are able to be obtained. If just 10 percent of Chinese population, just 140 million Christians or Catholics are able to get access of the Internet without hindrance, we will certainly, I think, gather more information, and certainly the regime will not be sustainable for the continued religious persecution. Thank you, Mr. Chairman.

[The prepared statement of Mr. Fu follows:]

听证会证词

Congressional Testimony

美国国会外交关系委员会“非洲、环球卫生、全球人权和国际组织委员会”  
关于“保护宗教自由----对存在宗教迫害的特别关注国的有效制约”  
的国会听证会

Hearing of the Committee on Foreign Affairs held by the Subcommittee on Africa,  
Global Health, Global Human Rights, and International Organizations

SUBJECT: Protection of religious freedom – effective constraints on countries of  
particular concern due to religious persecution

**中共政权全面打压基督教和其它宗教，宗教自由形势急剧恶化**  
**The Chinese Communist Regime Launches across-the-board Suppression on**  
**Christianity and Other Faiths; the Environment of Religious Freedom Declines**  
**Dramatically**

尊敬的委员会主席，尊敬的国会领袖和议员先生，尊敬的各位来宾：

Dear Honorable Chairman, members of Congress, and distinguished guests,

今年以来，中共政权加大了对中国家庭教会的打压和逼迫。即使是在政府登记注册的“三自教会”，也受到了严重的打压和全面的限制。从四月份开始，中共浙江省委部署并实施对三自教会和家庭教会的严厉打压措施，在全省范围内强拆所谓的违章建设教堂，强制拆除教堂十字架，并强制家庭教会停止所谓的“非法聚会”，引发了中国各地基督徒和全世界基督徒的关注和愤怒。中共浙江政权实施的对基督教会的严厉整肃行动已经开始向其它省份蔓延，据对华援助协会统计：北京市、广东省、贵州省、河南省、山东省、江苏省、安徽省、陕西省、山西省、新疆维吾尔自治区、内蒙古自治区、四川省、西藏自治区、广西壮族自治区等地已经全面开展整肃家庭教会的行动。地方公安部门、宗教管理部门和地方行政机关取缔家庭教会的聚会点、没收圣经和宗教书籍、没收教会财产等，甚至对牧师和传道人实施行政拘留等处罚。中共当局还对一些教会和地方政府的冲突采取刑事化处理方式，以刑事罪抓捕和判决教会成员。西藏和新疆地区的宗教迫害更加严重，对于法轮功修炼者群体的打压和强制转化也未停止。习近平执政以来特别在最近的半年内，中国宗教自由的政策大大退步。面对中国急剧恶化的宗教自由形势，急需美国及其它西方国家高度关注事态的发展，并迅速采取有力和有效的方式向中共领导人传递国际社会

的严重关注和不安，敦促中共政府切实履行有关宗教信仰自由的国际法和国际公约，迅速停止对各类宗教群体的迫害，保障中国人民有依法宗教信仰自由的权利。

Since the beginning of this year, the Chinese Communist government has intensified its suppression and persecution of house churches in China. Even government-sanctioned “Three-Self” churches have been subject to severe suppression and across-the-board restrictions. Since April this year, the Chinese Communist Committee Zhejiang Province has planned and implemented some harsh suppressive measures against “Three-Self” churches and house churches, forcibly demolishing so-called “illegally constructed church buildings” and the crosses on the roof of churches throughout the province, and forcing house churches to stop the so-called “illegal gatherings,” which has aroused the concern and anger of Christians across China and overseas. The harsh suppression of Christian churches by the communist government of Zhejiang Province is spreading to other provinces. According to ChinaAid’s statistics, suppressive measures against house churches have been carried out across the board in Beijing, Guangdong, Guizhou, Henan, Shandong, Jiangsu, Anhui, Shaanxi, Shanxi, Xinjiang Uyghur Autonomous Region, Inner Mongolia Autonomous Region, Sichuan, Tibet Autonomous Region, and Guangxi Zhuang Autonomous Region. Local public security departments, religious affairs management agencies and local administrative organs outlawed the meeting places of house churches, confiscated bibles, religious books, and church properties, and even imposed penalties such as administrative detention on pastors and evangelists. The Chinese Communist government also criminalizes some churches’ conflicts with local governments, seizing and sentencing church members on criminal charges. Religious persecution is the worse in Tibet and Xinjiang. The suppression and compulsory conversion of Falun Gong practitioners have never stopped. Since Xi Jinping took the office, particularly in recent six months, China’s the policy on religious freedom has significantly regressed. The rapid decline of the environment of religious freedom in China urgently demands the attention of the United States and other western countries. Strong and effective methods are needed to convey the serious concerns and worries of the international community to the Chinese Communist leaders, urging the Chinese government to take practical measures in fulfilling international laws and covenants on religious freedom, to stop the persecution of various religious groups right away, and to safeguard the Chinese people’s right of religious freedom prescribed by the law.

一：中共政权今年全面实施对基督教信仰的限制，加大力度试图钳制乃至消灭家庭教会

**I. The Chinese Communist government has imposed across-the-board restrictions on Christian faith this year and intensified its grip on and its efforts to wipe out house churches.**

1: 中共加大力度对城市或农村的家庭教会实施全面打压

**1. The Chinese Communist government intensified its comprehensive suppression of urban and rural house churches**

北京市守望教会继续在绝望中抗争。2014年的5月4日，是守望教会进入户外敬拜的第四个年头，也是今年的第16个主日。当日，有30位弟兄姊妹因参加户外敬拜而被公安机关强行带走并短暂拘押。其中陈佑伟弟兄、兰小方弟兄和代丽樱姊妹被北京市海淀区公安分局行政拘留五天。金天明牧师和教会其他几位长老继续被软禁在家里。中共当局对守望教会的持续打压就是想通过彻底打垮这个中国最有影响力的家庭教会，从而为全国各地政府打压家庭教会树立一个标杆，并起到震慑其它家庭教会的目的。因此，北京官方用一切手段让守望教会无法拥有聚会敬拜场所，无论租赁、购买或者建堂。北京市锡安教会也是有影响力的家庭教会，今年以来，警方以各种方式破坏该教会的聚会，金明日牧师几乎每周要被公安和宗教部门“喝茶”，这样的喝茶其实就是警告和恐吓。公安甚至以便衣的身份混进信徒里，威胁普通信徒不要参加“非法聚会”。

Beijing Shouwang Church continues its fight in dire circumstances. May 4, 2014 marked the fourth year of Shouwang Church's outdoor worship service and it was the 16<sup>th</sup> Sunday of this year. On that day, 30 brothers and sisters were taken and briefly detained by public security agents for attending outdoor worship service, among whom, Chen Youwei (male), Lan Xiaofang (male) and Dai Liying (female) were administratively detained for five days by Beijing Haidian District Public Security Bureau. Pastor Jin Tianming and a few elders of the church are still under house arrest. Attempting to break down this church, which is the most influential one in China, through continuous suppression, the government wishes to set an example for the suppression of house churches by local governments across China and deter other house churches. Therefore, the Beijing authorities have spared no means at their disposal to prevent Shouwang Church from owning a meeting place, be it through renting, purchasing or building a church. The meetings of another influential house church, Beijing Zion Church, have been sabotaged by police in various ways since the beginning of this year. Pastor Jin Mingri has been "invited" to "drink tea" with public security and religious affairs agents, which meant to warn and intimidate him. Public security agents even disguised themselves as believers and mingled with lay church members, and scared them out of "attending illegal church gatherings."

事实上，由于政府通过不同手段剥夺或限制家庭教会的聚会场所，在广州、山西、河南、浙江等地也屡屡发生基督徒去户外公共场所敬拜的事件。广州市广福家庭教会继续被警方以“非法集会”而禁止聚会。山东济南、东营、淄博、临沂、胶州和四川阆中、新疆乌鲁木齐、黑龙江齐齐哈尔、陕西西安、榆林等二十几个省、市数百家庭教会遭到政府强制取缔并没受教产。自 2013 年到现在，新疆地区的沙雅等几个县就有近 20 名家庭教会成员受到行政拘留的处罚并罚款。今年 4 月 9 日，在四川省甘孜藏族自治州巴塘县，家庭教会基督徒张峰和他的藏族妻子及另一名传道人王悦被行政拘留。2 月 23 日，河北省保定市五一家庭教会被封，教产被抢走。2 月 18 日，广州市良人家庭教会下属广西柳州市基督徒幼儿园园长程洁和同工莫息柳被刑事拘留，不久转为逮捕。仅仅因为她们使用了含有基督教内容的品德教材。2014 年 1 月，黑龙江省伊春市西林区苔青镇家庭教会教产被当地政府强占，教会失去聚会场所。新疆乌鲁木齐一水泥厂家庭教会 2014 年 1 月 1 日举行新年感恩聚会，在场的九名信徒遭到警方驱散及关押，其中传道人郭姊妹在派出所关押期间，怀疑受到不人道对待，导致肺气肿病复发，1 月 3 日去世。其余人还遭到警方罚款的处罚。2014 年 1 月 21 日，四川阆中家庭教会同工李明波因组织基督徒举行圣诞聚会，被警方行政拘留 15 天。2014 年 3 月起，家庭教会慈善机构深圳基督教关爱中心的多个地点的机构受到政府强制关闭和驱赶。2013 年下半年到现在，河南省开封、郑州、安阳等地的三自教会教产被地方政府强占，引发数万名基督徒抗议。

In fact, because the government used various means to deprive of or limit house churches' meeting places, it was not a rare occurrence in provinces like Guangzhou, Shanxi, Henan and Zhejiang that Christians had to resort to outdoor worship service. Guangfu House Church in Guangzhou is still banned by the police from meeting together on the charge of "illegal meetings." In more than 20 provinces and cities including Jinan, Dongying, Zibo, Linmu, and Jiaozhou of Shandong Province, Langzhong of Sichuan Province, Urumqi of Xinjiang, Qiqihar of Heilongjiang Province, Xi'an and Yulin of Shaanxi Province, over a hundred house churches were outlawed and church properties were confiscated by the government. Since 2013, close to 20 house church members in Shaya and a few other counties in Xinjiang have been subjected to administrative detention and fine. On April 9 this year, in Batang county of Ganzi Tibetan Autonomous Prefecture, Sichuan Province, house church believer Zhang Feng, his wife of Tibetan ethnicity, and a church evangelist named Wang Yue were administratively detained. On Feb. 23, Wuyi House Church in Baoding, Hebei Province, was shut down and church properties were taken by force. On Feb. 18, Chen Jie, the director of a Christian kindergarten (a subsidiary of Liangren House Church in Guangzhou) in Liuzhou,



Guangxi Province, and her coworker Mo Xiliu were criminally detained, and arrested soon after simply because they used books on character building with Christian content. In Jan. 2014, the properties of Taiqing Town House Church in Xilin District of Yichun, Heilongjiang Province, were forcibly appropriated by the local government the church lost its meeting place. The New Year Thanksgiving Service held by the house church of a cement factory in Urumqi, Xinjiang, was dispelled by police and nine believers were detained, including a female evangelist with the surname Guo, who was suspected to be treated badly during her detention, which caused the relapse of her pulmonary emphysema and death on Jan. 3. And the rest of the detained were fined by the police. On Jan. 21, 2014, Li Mingzhong, staff of Langzhong House Church in Sichuan, was administratively detained by police for 15 days because he had organized Christians in staging Christmas services. Since March, 2014, multiple locations of a house church charity organization, i.e. Shenzhen Christian Care Center, have been forcibly shut down and dispersed by the government. Since the second half of the year 2013, the properties of multiple “Three-Self” churches in Kaifeng, Zhengzhou and Anyang of Henan Province were forcibly seized by the government, which trigger the protests of as many as ten thousand Christians.

2: 去年下半年到现在，严重迫害基督徒和家庭教会的教案频发  
中共不仅加紧实施对家庭教会的全面打压，而且采取行政拘留、罚款、没收教产、刑事审判等法律手段对基督徒进行逼迫，导致教案频发。

2. From the second half of last year to present, religious cases of severely persecuting Christians and house churches have happened frequently. The Chinese Communist government not only took comprehensive measures to suppress house churches, but also persecuted Christians with legal means such as administrative detention, fine, confiscation of properties and criminal trial, which caused the frequent occurrence of religious cases.

**山西恩雨书房教案**-----2013年6月17日，山西太原恩雨书房教案一审宣判，以非法经营罪判处任拉成弟兄五年，并处罚金一万五千元，以同样罪名判处李文习弟兄有期徒刑两年，并处罚金六千元。此教案表面上看是因为恩雨书房“非法经营”赞美诗歌本及福音书(经山西省新闻出版局鉴定，查扣的《赞美诗歌》等4557册和《盼望》等4308张光碟均属非法出版)，实际上是山西当局对基督教的蓄意迫害和直接歧视，是为了惩罚任拉成弟兄向山西大学生等民众宣教、李文习弟兄开基督教书店传播基督教文化而实施的。

#### **The Enyu Bookstore Religious Case in Shanxi**

On June 17, 2013, a court decision regarding Enyu Bookstore's (located in Taiyuan, Shanxi) case was made. The court sentenced brother Lacheng Ren to five years in prison plus a fine of 15,000 yuan, and brother Wenxi Li to two years in prison plus a fine of 6,000 yuan on the charge of "illegal business operations." On the surface, this case is about Enyu Bookstore's "illegal operation" of hymn books and Christian books (Shanxi News and Press Bureau identified the confiscated 4,557 copies of "Worship Songs" and 4,308 copies of the "Hope" DVD as illegal publications). But the truth is that it is an act of Shanxi authorities' deliberate persecution of and blatant discrimination against Christianity. It is for the purpose of punishing brother Ren Lacheng for evangelizing college students and brother Li Wenxi for running a Christian bookstore to spread Christian culture.

**河南平顶山教案**-----2013年9月27日，在河南省平顶山市叶县所谓“呼喊派”邪教教案二审开庭。此案源于2012年4月14日，河南省平顶山市叶县动员了上百人的警力，以“呼喊派”邪教名义，对叶县任店镇大营村基督徒聚会处（也称“地方召会”、“小群”）的家庭聚会点进行了围捕，当场抓走了52人。之后，叶县检察院对其中7位基督徒批准逮捕，叶县法院一审判决韩海等7人犯利用邪教组织破坏法律实施罪，并被判3年-7年6个月不等的有期徒刑。由李柏光、张凯等二十多名基督徒维权律师组成的一审、二审律师团出庭辩护。

**The Pingdingshan Religious Case in Henan Province**

On September 27, a court had a second trial of "The Shouters" as a cult in Ye county, Pingdingshan, Henan Province. The case started on April 14, 2012, when Ye county in Pingdingshan, Henan Province, mobilized more than 100 police officers, citing the alleged charge of "the cult of the Shouters", surrounded a Christian meeting place (also called "local church" or "Little Flock") and seized 52 believers. After that, the Ye county procuratorate approved the arrest of seven of them and the first trial of the Ye county court decided to sentence the seven believers, including Han Hai, to prison time ranging from three years to seven years and six months on the charge of "using a cult to undermine law enforcement." Delegations of more than Christian rights defense lawyers including Li Baiguang and Zhang Kai defended the accused believers at the first and second trial.

**河南南乐教案**-----2013年11月16日上午，由于教产纠纷和伸张社会公义，河南南乐县三自会主席张少杰牧师被警方抓捕，教会的20多名信徒也在当天被抓，张牧师的办公室和家庭被查抄。事发后，夏钧等基督徒维权律师组成律师关注团前往当地，但受到当地政府部门的殴打、围攻和无理阻挠，无法与当事人见面。对于公

安机关践踏法律的野蛮行径，当地检察院也不受理控告。当地政府还雇佣当地众多男女流氓，野蛮地围攻、殴打和围困前去南乐参访的媒体记者、前去参与信仰活动的三自会牧师、各地信徒和维权律师。深圳传道人曹楠被殴打后还被当地公安行政拘留。张少杰牧师被当地法院以莫须有的“诈骗罪”、“聚众扰乱社会秩序罪”开庭审理，一审判决还未宣布。同时，还有被逮捕的教会骨干 6 人即将开庭。张少杰牧师一案的重要证人李彩忍被当地警方非法绑架关在黑监狱，至今没有下落。

#### **The Nanle Religious Case in Henan**

In the morning of Nov. 16, 2013, as a result of disputes over church property and pursuit of social justice, Pastor Zhang Shaojie, president of Nanle County's Christian Three-Self Patriotic Movement Committee, was taken into police custody along with more than 20 believers from his church. Zhang's office and home were searched. Following this incident, Pastor Zhang's lawyer Xia Jun and other Christian lawyers formed a delegation of lawyers and went to Nanle, but they were beat up, surrounded and illegally interfered with by the local government agencies, and were not able to meet with their clients. The local procuratorate refused to handle accusations against the brutal law-trampling behaviors of the public security department. The local government also hired many male and female thugs to violently surround, beat up and block journalists attempting to interview people concerned with the case, "Three-Self" church pastors attempting to attend religious activities, believers from other places, and rights defense lawyers. Cao Nan, an evangelist from Shenzhen, was beat up and administratively detained by the police. The local court held a trial of Pastor Zhang Shaojie on the unsubstantiated charges of "fraud" and "assembling a crowd to disturb public order." The decision of the court has not been announced. Meanwhile, there will be a trial on six other core church staff members in police custody. Li Cairen, a key witness in this case, was illegally abducted by police and throw in "black jail". To date his whereabouts are still unknown.

**陕西子洲教案**----2013 年 12 月 9 日，陕西省子洲县家庭教会带领人封天栋、姜河和张宝林及其它两位基督徒被当地警方逮捕。起因是警方在两年前暴力取缔他们教会，并把教会财产和封天栋的私人财产抢劫一空。封天栋带领十几名基督徒去当地派出所索要财物，反被当地警方以“聚众冲击国家机关罪”逮捕。这个案子将要开庭审理。

#### **The Zizhou Religious Case in Shaanxi**

On Dec. 9, 2013, Feng Tiandong, Jiang He and Zhang Baolin, who are leaders of a house church in Zizhou county, Shaanxi Province, were arrested by the local police along with two believers from their church. It all started two years ago when the police outlawed this church by force and robbed the church of all its properties and Feng Tiandong of his personal properties. Feng Tiandong went to the local police station with over a dozen

Christians to demand the return of properties, only to be arrested by the police on the charge of “assembling a crowd to assault state organs.” The case will soon be tried by a court.

**北京通州教案**-----2014年1月24日，北京市家庭教会“圣爱团契”的15名基督徒因集体看望生病的弟兄张文和，被北京市通州区警方全部抓到通州区梨园派出所。25-26日两天，除天津的两位基督徒被送回天津外，其余13名基督徒徐彩虹、于艳华、杨秋雨、杨敏、居小玲、吕动力、王素娥、王春艳、康素萍、张海彦、张文和、杨靖和徐永海被北京警方以涉嫌“非法集会罪”刑事拘留。虽然他们在关押三十多天后得以获释，但这起教案是典型的警方滥用“任意拘押”的案例。

**The Tongzhou Religious Case in Beijing**

On Jan. 24, 2014, fifteen believers from a Beijing house church named “Sheng'ai Fellowship” were seized by the police of Tongzhou district, Beijing, and taken to Liyuan Police Station in Tongzhou because they collectively went to visit a sick brother, Zhang Wenhe. On 25 and 26, except for two believers from Tianjin who were sent back to Tianjin, the remaining 13 believers, i.e. Xu Caihong, Yu Yanhua, Yang Qiuyu, Yang Min, Ju Xiaoling, Lu Dongli, Wang Su'e, Wang Chunyan, Kang Suping, Zhang Haiyan, Zhang Wenhe, Yang Jing and Xu Yonghai, were criminally detained by Beijing police for allegedly “assemble illegally.” Although they were released after being detained for more than 30 days, the incident showcases how “random detention” is abused by police.

**内蒙古呼和浩特教案**-----2013年7月25日，内蒙古呼和浩特市基督徒胡功弟兄、温卫红弟兄和刘爱英姊妹，仅仅因为信仰了有争议的基督教地方召会“呼喊派”，拥有“呼喊派”书籍并散发了数百份福音资料，就被呼和浩特市玉泉区法院，以刑法第三百条“组织和利用邪教破坏国家法律实施”罪，重判了8-9年的有期徒刑。

**The Huhhot Religious Case in Inner Mongolia**

On July 25, 2013, simply because they follow a controversial Christian sect called “The Shouters”, possessed publications by “The Shouters”, and distributed several hundred copies of gospel tracts, brother Hu Gong, brother Wen Weihong and sister Liu Aiying from Huhhot, Inner Mongolia, were sentenced to 8-9 years in prison by the court of Yuquan district in Huhhot on the charge of “organizing and using a cult to undermine the state's law enforcement” (Article 300 of the Criminal Law of PRC).

**二：从浙江省开始，中共政权开始在全国范围打压基督教信仰群体**

**II. Starting from Zhejiang Province, the Chinese Communist government started a nationwide crackdown on Christian groups.**

2014年4月28日整整一天，中国政府出动大量武警，对温州市永嘉县雄伟高大的三江教堂强行拆除。为了保卫三江教堂不被强拆，温州基督徒与当局进行了近一个月的和平抗争。三江教堂由基督徒捐款集资三千万元、历时12年建成。这个教堂的被强拆，宣告了中共政权全面打压和限制基督教发展的开始。不到一个月，浙江省各级政府在全省范围内以强拆违章建筑的名义，全面拆除家庭教会的教堂，强拆各地教堂的户外十字架。并在全省范围内排查和取缔家庭教会。强拆十字架和教堂的行动实际上从今年年初就开始了，2月27日，杭州余杭区黄湖镇黄湖基督教堂门顶上的十字架被拆除，当地政府派人并动用专用起重机拆除；同日，浙江舟山市定海区白泉镇白泉基督教堂得到当地政府方面的紧急通知，要求在2月28日、3月1日一定要把十字架拿下来，否则责任自负。浙江当局同时要求全省各教堂将矗立于屋顶的十字架移到教堂内，挂在墙上，成为“上改下”及“大改小”，但不能立在教堂顶上。

Throughout the day of April 28, 2014, the Chinese government mobilized a large number of paramilitary police officers to forcibly demolish the big and imposing Sanjiang Church in Yongjia county, Wenzhou. To protect the church from demolition, Christians in Wenzhou staged a peaceful protest which lasted nearly a month. Sanjiang Church was built over a span of 12 years and cost 30 million yuan donated by believers. The demolition of this church declared the onset of the Chinese government's all-rounded suppression and containment of Christianity. In less than a month, citing the excuse of "demolishing illegal structures," governments of all levels in Zhejiang Province tore down house church buildings and demolished the crosses on the roof of church buildings across the province, as well as screening and outlawing house churches. Actually, the campaign of demolishing crosses and churches started at the beginning of the year. On Feb. 27, the cross above the gate of Huanghu Christian Church in Huanghu county, Yuhang district, Hangzhou, was demolished by people sent in by the local government with a professional crane. On the same day, Baiquan Christian Church in Baiquan town, Dinghai district, Zhoushan, Zhejiang Province, received an emergent notice from the local government, requesting the church to remove its cross between Feb. 28 and March 1 and claiming that failure to comply will have consequences. In the meantime, Zhejiang authorities asked churches all over the province to move their crosses from the roof to the inside of church buildings and hang them on walls. Taken down and made smaller in size, crosses are not allowed to stand on top of church buildings.

由于全世界基督徒的反对，浙江当局年初拆除十字架一度暂停。但是进入4月份后，浙江全境强拆教会十字架和教堂的行动愈演愈烈。杭州、舟山、台州、奉化、萧山、宁波、丽水、海宁等地教会都被要求拆除十字架和教堂。据不完全统计，自今年一

月以来浙江省内基督教会接到“拆十字架及教堂”通知的除了温州永嘉三江教堂，还有：杭州地区乔司教堂、古楼教堂、三墩教堂、黄湖教堂、舟山白泉镇教堂、乐清张家桥教堂、湖上岙教堂、白象前潘教堂、苍南灵溪镇沪山教堂和五爱教会、瑞安沙河聚会处、光明堂和仙降镇新渡桥教堂等等。温州平阳县箭岙教堂与台州临海水洋教堂的十字架已被拆除。4月24日，舟山市白泉教会的十字架被拆除。4月25日，台州市椒江得恩堂的十字架被拆除。截至到5月18日，据不完全统计，在浙江几个地区就有64个教会被强拆，十字架被强制或威胁下被摘除或挪移。详细见我们附件的统计数字。

Due to worldwide protests from Christians, Zhejiang authorities put a halt to the demolition of crosses. But since April, the campaign of demolishing crosses and churches throughout Zhejiang Province resumed with a vengeance. Churches in Hangzhou, Zhoushan, Taizhou, Fenghua, Xiaoshan, Ningbo, Lishui, Haining and other places were all required to demolish their crosses and church buildings. According to incomplete statistics, since Jan. this year, other than Sanjiang Church in Yongjia, Wenzhou, Christian churches in Zhejiang Province that have received the notice on “demolishing cross and church” are as follows: Qiaosi Church, Gulou Church, Sandun Church and Huanghu Church in Hangzhou area, Baiquan Town Church in Zhoushan, Zhangjiaqiao Church in Yueqing, Hushangao Church, Qianpan Church in Baixiang, Lushan Church and Wu'ai Church in Lingxi town, Cangnan, Meeting Place and Guangming Church in Shahe, Rui'an, Xindujiao Church in Xianjiang town, etc. The cross of Jian'ao Church in Pingyang county, Wenzhou, and the cross of Shuiyang Church in Linhai, Taizhou, have been demolished. On April 24, the cross of Baiquan Church in Zhoushan was demolished. On April 25, the cross of De'en Church in Jiaojiang, Taizhou, was demolished. According to incomplete statistics by May 18, sixty-four churches in a few areas in Zhejiang have been forcibly demolished and their crosses have been removed or relocated by force or as a result of threat. Refer to the statistics attached for details.

一些教会的牧师和同工受到拘捕：

温州三江堂郭云华长老和另外同工被抓，传道人荣华被刑拘，三江堂多名信徒被抓  
温州10多信徒，因发图片、现场维权行政拘留7天

温州乐清的赵弟兄、尚弟兄维权被拘留

傅刚巧4月23日被传唤多次。吴迦勒传道也被传唤，手机则被公安扣留

乐清白象教会负责人的儿子赵千俊被政府带走拘留十天

永嘉瓯北牧区会长赵仁弟、瑞安教会传道严晓洁被公安人员传唤

Pastors and coworkers of some churches were detained.

Elder Guo Yunhua and some coworkers of Sanjiang Church in Wenzhou were taken into police custody. Evangelist Rong Hua was criminally detained. Many believers from Sanjiang Church were taken into police custody.

More than 10 believers in Wenzhou were administratively detained for posting photos and defending their rights at the scene of incident.

Brother Zhao and brother Shang from Yueqing, Wenzhou were detained for rights defense.

On April 23, Fu Gangqiao was summoned multiple times. Evangelist Wu Jiaole was also summoned and his cellphone taken by the police.

Zhao Qianjun, the son of the leader of Baixiang Church in Yueqing was taken and detained for 10 days by the government.

Zhao Rendi, director of Oubei Parish in Yongjia, and Yan Xiaojie, an evangelist of Rui'an Church, were summoned by police.

温州三江堂被强拆不是偶然的、孤立的、地方性的事件。种种迹象表明，被誉为“中国的耶路撒冷”的温州教会被强拆十字架和教堂的逼迫正在全浙江省开展，更有迹象表明，此宗教逼迫的决策并非止于浙江省，而是中共政权有意展开的对基督教的新一轮全国性逼迫。事实上，根据消息，除了浙江全境很多教会收到需要拆除十字架和教堂的通知外，东北各省、安徽、河南、四川等省份的教堂也收到了类似的通知。从全国的此种局面和温州作为中国基督教象征性城市受到的逼迫来看，2014年开始的这场对全中国基督教和基督徒的迫害和压制，已经以拆除十字架和教堂、侵犯教产权利的方式，无法避免地开始了。

The forced demolition of Sanjiang Church in Wenzhou is not an accidental, isolated, and local event. All sorts of evidence show that the persecution of churches in Wenzhou, which is known as “China’s Jerusalem”, manifested in the forced demolition of crosses and churches, is taking place throughout the Zhejiang Province. There is more evidence indicating that the policy behind such religious persecution is no confined to Zhejiang Province, but rather, this is a new round of nationwide persecution. As a matter of fact, it is reported that other than many churches in Zhejiang Province, churches in China’s Northeastern provinces, Anhui Province, Henan Province, and Sichuan Province have also received notices demanding the demolition of crosses and churches. The circumstances nationwide and the persecution imposed on Wenzhou, a city representing Christianity in China, indicate that the round of persecution and suppression of Christianity and believers across China, taking the form of demolishing crosses and churches as well as infringing upon the right of religious property, has inevitably started since the beginning of 2014.

2014年3月28日上午，浙江省召开推进“三改一拆”涉及宗教违法建筑处置工作电视电话会议，根据披露的会议记录，里面提到要“纠正宗教发展过快、场所过多、活动过热”、“要看清十字架背后的政治问题、抵御意识形态的渗透”、“掌控意识形态主导权”、“要培养狮子型领导”。在这样的大背景下，我们有理由相信：中央、浙江、温州等当局已经达成一致，借所谓“三改一拆”、违章建筑为幌子，通过铲除信仰的物理空间、破坏教会教产权利，来达到对整个浙江和全中国的方兴未艾的基督教的控制、打压和整肃。使基督教的发展，始终处于“非法化、隐蔽化、地下化、分散化、控制化”的弱势状态。

In the morning of March 28, 2014, the government of Zhejiang Province held a conference call to push forward the “three rectifications and one demolition” campaign regarding “illegal religious structures.” According to disclosed conference memo, the government asked to “redress the problem of religion growing too fast, religious venues being too many, and religious activities being too popular”, “identify the political issues behind cross and resist ideological infiltration,” “maintain ideological dominance,” and “foster lion-like leaders.” In this context, we have good reasons to believe that the central government, the government of Zhejiang Province and the authorities of Wenzhou have reached a consensus: in the disguise of the “three rectifications and one demolition” campaign targeting so-called illegal structures, through wiping out the physical space of religious faith and undermining churches’ right of properties, achieve the goal of controlling, suppressing and disciplining thriving Christian churches in Zhejiang and the whole country, and thereby thwart the growth of Christianity and cause churches to stay “illegal, in hiding, underground, scattered, and controlled.”

众所周知，近年来，对基督教界（无论是家庭教会、还是基层三自教会）最为严重的逼迫就是对教产的迫害，无论对北京守望教会还是对温州三江教堂，践踏教产权利成为践踏宗教自由的主要形式：或强制拆迁、或禁止购买、或中断租赁、或拒不归还。当局对教产的侵犯成为侵犯宗教自由的主要切入点，他们在对灵魂无法禁锢的情况下，就开始对信仰活动的物质形式加以禁锢，他们以为掌控了空间就会除灭信仰、剥夺了教产就能消灭宗教。所以，当下的宗教自由共识，应该特别强调宗教活动的场所及其它物质形式是宗教发展的内在要素，宗教财产权利是宗教自由的必备要件。宗教财产权利与公民及法人的财产权一样应该受到国家的法律保护，不得被国家和其他社团侵犯。

It is well-known that in recent years, the most severe persecution against Christianity churches, either house churches or grassroots “Three-Self” churches, targets church properties. In both the case of Beijing Shouwang Church and Wenzhou Sanjiang Church,



trampling on churches' right of properties has become the main form of violating religious freedom, including forced relocation, forbidding churches to buy property, suspending lease contract, or refusing to return church property. Violation of church properties has become the main focus of the authorities' violation of religious freedom. Since they cannot lock up people's souls, they turn to putting restrictions on the material form of religious faith, thinking that controlling physical space will lead to the perish of religion and stripping of church properties will cause religion to disappear. Therefore, consensus formed nowadays on religious freedom must emphasize that the venue of religious activities and other material things are an internal factor for the development of religion, and religious property rights are an indispensable condition for religious freedom. Religious property rights should be protected by the law of the country, no different from the property rights of citizens and legal persons, and they shall not be subject to the violation of the state and other organizations.

值得注意的是：近两年来，中共政权迫害教会和基督徒一般不以宗教的名义，而是以各种刑事犯罪的名义来实施逼迫。并且，象判决法轮功学员一样，中共用刑法三百条即“利用邪教破坏法律实施罪”来判处众多的不是主流的基督教信仰派别，如基督教呼喊派、地方召会、基督教灵恩派等。我们知道，政府无权裁定所谓正教、邪教并作出惩处。这个权柄不属于任何世上的世俗政权。

It is worth noting that in the past two years, the Chinese Communist government have often used criminal charges rather than religious excuses to carry out persecutions against churches and believers. And, like the conviction of Falun Gong practitioners, the government used Article 300 of China's Criminal Law, i.e. "using a cult to undermine law enforcement", to convict many non-mainstream Christian denominations, such as "The Shouters," "Local Church," and "Characteristic churches," etc. We know that government has no right to distinguish between "orthodox faith" and "cult." That authority does not lie in any secular power on this earth.

三：美国政府和国际社会必须立即行动，制止中共大规模的宗教迫害

**III. The U.S. government and international community ought to take actions right away to stop the Chinese Communist government's massive religious persecution.**

《世界人权宣言》、《公民权利和政治权利国际公约》、《经济、社会及文化国际公约》中所阐述的关于宗教信仰自由权利是所有人类的基本权利，也是当今世界公认的普世价值。而中共政权持续实施的是大规模侵犯基本人权和反普世价值的行为。

根据美国在 1998 年通过的 International Religious Freedom Act of 1998 (IRFA) 法案，中国一直是存在严重宗教迫害的、需要特别关注的国家。可是，美国的对华政策和行政当局对此基本事实一直采取软弱的人权绥靖政策。美国给与中国贸易最惠国待遇不与人权状况挂钩，美国行政当局包括总统和国务卿等高级官员对于中共长久的愈演愈烈的宗教迫害并没有公开大声的呼吁，相反大多数时候保持沉默和忽视。我们的立国先父们是为了反抗宗教迫害、追求自由而来到新大陆，保护宗教信仰自由和其它天赋人权是我们的立国之本。也曾经是美国外交坚持的神圣原则。但今天的美国政府丧失了原则，丧失了对神圣信念的坚守。

The religious freedom and rights prescribed in the Universal Declaration of Human Rights, the International Covenant on Civil and Political Rights, and International Covenant on Economic, Social and Cultural Rights are basic rights of all humanity and universal values recognized by the world. But the Chinese Communist government has been persistently committing massive violations of basic human rights and universal values. According to International Religious Freedom Act of 1998 (IRFA) passed by the US in 1998, China is a country with severe religious persecution and needs particular concern. However, America's policy towards China and the US government have always been characteristic of appeasement regarding human rights. The US granted China Most Favored Nation trade status despite China's human rights record. The US administration, including the President, Secretary of State and other high-ranking officials do not publicly protest China's lasting and escalating religious persecution, but rather keep quiet or turn a blind eye. It was out of rebellion against religious persecution and pursuit of religious freedom that our Founding Fathers came to this New World. The protection of religious freedom and other God-endowed human rights is the foundation of our nation and once was a sacred principle adhered by the US government in diplomacy. Today, however, the US government has given up the principle and its adherence to the sacred belief.

作为专门关注中国宗教自由和人权法治状况的机构领袖，我在此提出以下呼吁：

1：美国国会和美国政府必须立即行动起来，向中共政权发出清晰的、强有力的声音：中共政权必须立即停止一切形式的宗教迫害，真正实施其宪法承诺的公民有宗教信仰自由权利和其它基本人权，真正做到依法治国。中共政权如果不放弃错误的政策，将会为此付出代价。美国不会长期对一个塔利班式的反文明、反人权的独裁政权保持沉默；中美经济、文化和军事等领域的合作前景必须要和人权状况的改善联系起来；

As the leader of an organization specialized in monitoring the environment of religious freedom, human rights and rule of law in China, I appeal:

1. The US Congress and Administration should take actions right away and send a clear, strong message to the Chinese government: The Chinese government should stop all forms of religious persecution right away, truly implement what it promised in its constitution that citizens have the right of religious freedom and other basic rights, and truly govern China according to law; there will be consequences if the Chinese government refuses to drop its wrong policies; the United States will not stay quiet with a Taliban-like dictatorial regime which opposes civilization and human rights; the prospects of cooperation between China and the United States in economy, culture and military will depend on China's human rights conditions.
- 2: 建议美国国会和政府共同组成中国宗教自由和人权状况观察团，每年前往中国实地访问，全面接触和真正了解中国宗教自由及其它人权状况的实际情况。除了访问官方教会，还需要广泛接触家庭教会、藏区和疆区的宗教团体。应当立即任命总统宗教自由大使并让其真正履行职责；
  2. I suggest the US Congress and Administration jointly form an observatory group monitoring religious freedom and human rights conditions in China, and this group shall visit China each year to gain extensive and authentic understandings of the actual conditions of religious freedom and human rights in China. In addition to visiting government-sanctioned churches, this group needs to extensively get in touch with house churches, and religious groups in Tibet and Xinjiang. A religious freedom ambassador of the President should be appointed and perform his/her duties right away.
- 3: 现在最紧急的是美国政府发出公开声明，呼吁中国政府归还以守望教会为代表的众多家庭教会的教产，立即恢复无论是软禁、逮捕或在服刑的教会领袖和基督徒的人身自由。立即释放众多教案中被关押待审的牧师和基督徒。呼吁中国政府立即停止强拆教堂和十字架的行为，并真正停止大范围的对于家庭教会的逼迫。
  3. The most urgent right now is for the US government to make a public statement, calling on the Chinese government to return the properties of numerous house churches represented by Shouwang Church, and to restore the physical freedom of church leaders and believers being placed under house arrest, under arrest, or serving prison time. Release the pastors and believers detained in numerous religious cases. The Chinese government should stop its forced demolition of churches and crosses right away, and truly stop its massive persecution of house churches.

4: 建议美国政府建立“侵犯宗教自由、实施宗教迫害中共官员名单”数据库，严禁迫害者进入美国访问。并与其它国家、联合国等加强合作，建立遏止和制裁中共政权侵犯宗教自由的国际联盟。

4. I suggest that the US government establish a database of “Chinese Communist officials violating religious freedom and implementing religious persecution,” and strictly barred them from visiting the U. S., and strengthen cooperation with other nations and the United Nations in establishing an international coalition towards containing and sanctioning the Chinese Communist government’s violation of religious freedom.

附件:

**Attachments:**

浙江、温州教堂及十字架教案涉拆清单

The list of demolished churches and crosses in Wenzhou, Zhejiang Province

对华援助协会 2013 年中国大陆对基督教迫害报告

China Aid Association’s 2013 Annual Report on Chinese Government Persecution of Christians & Churches in Mainland China

**List of people summoned or arrested in Zhejiang sanjiang church case**

In April 2014, "sanjiang church case" broke out in Wenzhou city. Yongjia County government ordered sanjiang church to demolish the church building and the cross by themselves. To protect the church from being demolished, sanjiang church and other churches in Wenzhou launched a one-month apologetic movement

To prevent Christians from participating in the apologetic movement, the government took coercive measures to the participants with various excuses, including arresting 6 Christians from sanjiang church(Elder Guo Yunhua was detained for sure), and detained 2 Christians from Oubei district. The Public Security Bureaus of all counties summoned at least 23 Christians who took part in the movement(names of some of the captured are not clear, so these people were not counted) and detained at least 5.

The following are the preliminary statistics of the arrested Christians:

In April, Wenzhou Yongjia county government arrested from sanjiang church Elder Guo Yunhua(detained on April 22<sup>nd</sup>), Preacher Weng Linguang, Ji Tong, Deacon Chen Daozhen, 6 church coworkers including Chen Shengguang, Shanliang and so on.(some said brother Chen Shengguang and Shanliang have been released)

In April, church coworker Zhu Jiale from Wenzhou Yongjia Oubei district. Due to his poor health, he is said to be detained in a hospital in Yongjia county.

In April, brother Zhou Xianguang from Wenzhou Lucheng Tengqiao church was detained for 7 weeks

On April 22<sup>nd</sup>, Preacher Wu Jiale from Wenzhou Lucheng church was summoned by state security police and his mobile phone was withheld for 1 week

On April 22<sup>nd</sup>, Pastor Lin Xiaodong from Wenzhou Lucheng church was summoned by police through phone. He did not go to the police station because he was out of town

On April 23<sup>rd</sup> and the following day, Preacher Fu Gangqiao from Wenzhou Pingyang church was summoned twice by state security police. They even broke into the church at night to summon him.

On April 23<sup>rd</sup>, sister Chen Haiyan from Wenzhou Pingyang church was summoned by police in Aojiang town

On April 23<sup>rd</sup>, brother Zhao Qianjun from Wenzhou Leqing Baixiang church was summoned by police and detained for 1 week with the excuse of spreading rumors online

On April 23<sup>rd</sup>, Elder Zhou Chongguang from Wenzhou Lucheng Tengqiao church was summoned by police

On April 24<sup>th</sup>, church coworker Yan Xiaojie from Wenzhou Pingyang church was summoned by police

On April 24<sup>th</sup>, Elder Zhao Rendi from Wenzhou Yongjia Oubei district was arrested by police and is still detained in Yongjia detention center by now

On April 25<sup>th</sup>, church coworker Chen Yun from Wenzhou Lucheng Tengqiao church was summoned by police on the way to sanjiang church

On April 25<sup>th</sup>, Preacher Li Qihong from Wenzhou Lucheng church was arrested in sanjiang church and detained for 7 days with the excuse of disturbing public order. Together arrested were another 2 sisters whose names are not known.

On April 25<sup>th</sup>, brother Zhao Youzhong was arrested(not sure which church he belongs to)

On April 25<sup>th</sup>, Pastor Huang Yixing from Wenzhou Pingyang church and his wife were summoned by police

On April 27<sup>th</sup>, brother Wang(sister Wang Aifen's father) from Wenzhou Ruian church was arrested in sanjiang church

On April 27<sup>th</sup>, brother Xu Ke from Wenzhou Lucheng Tengqiao church was summoned by police in sanjiang church

On April 27<sup>th</sup>, sister Li Suyan from Wenzhou Longwan Yongqiang church was arrested near sanjiang church and was detained for 8 days

On April 28<sup>th</sup>, coworker Lin Jianjian from Wenzhou Pingyang church was arrested when taking photos of the sanjiang church demolition site. Together arrested were some other brothers whose names are not known.

On April 28<sup>th</sup>, brother Shang Pengda from Wenzhou Leqing Baixiang church was arrested when taking photos of the sanjiang church demolition site and was detained for 1 week.

On April 28<sup>th</sup>, the following Christians from Wenzhou Ruian Feiyun district were arrested when taking photos of the sanjiang church demolition site. They are: brother Chen Lingguang, brother Cai Youshui, brother Chen Liguang, brother Chen Liliang, sister Zhou Liqing, sister Yu Jianqing, sister Wu Yulan, sister Wu Yuqin and sister Lijuan.

**P.S.:**

In April, Wenzhou Yongjia government took tough measures to persecute the Christians from sanjiang church and Oubei district. They summoned sanjiang church Christians day and night, and forced them to consent to the church building demolition. They threatened to liquidate the companies run by those Christians. They withheld the companies' account book(the specific information about the threatened companies is not known)

The government also took various measures to confine local Christians at home and restrict them from going out. They summoned the Christians who posted online the up-to-date information about the sanjiang case. They threatened to suspend the job of those Christians holding public office and forced them to stop their family from going to sanjiang church. They threatened to close some Christians' companies and agitate them to dismiss the gathered Christians.

The revenge to companies also happened in Wenzhou Leqing Baixiang town. The government threatened to liquidate and close the companies(the names of the companies are not listed here) run by the Christians and their family who participated in protecting sanjiang church. They also planed to demolish a Catholic Notre Dame and threatened to liquidate all the companies run by those Catholic to force them to compromise.

The Wenzhou government launched an atheistic education activity among civil service staff and asked them to promise not to get involved in Christianity. They distributed registration forms to all civil service staff and school teachers. Anyone who confess his belief in Christianity in public would lose his job.

Wenzhou city and the whole Zhejiang province have demolished at least 60 church buildings and crosses. Wenzhou has obviously shrunken Christians' living space. It is said that Wenzhou plans to close 85 house churches in the city. These churches have services in rent office buildings in the city. Some of them have been ordered to stop the service. In Yongjia County, many churches were ordered to stop their Sunday school.

In early May, a district-level government held a religious affair conference. The conference was hosted by secretary of the district and one member of Zhejiang religious affair committee spoke about sanjiang church case. According to him, Christianity has the trend of developing into a heresy and has brought harm to the Communist political power, and thus would restrain the development of Christianity.

Based on the government's actions against Christianity and the predictable religious freedom infringement, Christianity in Wenzhou and the whole Zhejiang province is facing with the most severe religious freedom crisis since the "Cultural Revolution" happened in last century. It is high time that people arouse awareness and attention to the issue.

**The following photo is the detention notice for Elder Guo Yunhua from Wenzhou Yongjia sanjiang church:**

**Translation to the detention notice:**

Yongjia County Public Security Bureau

Detention Notice

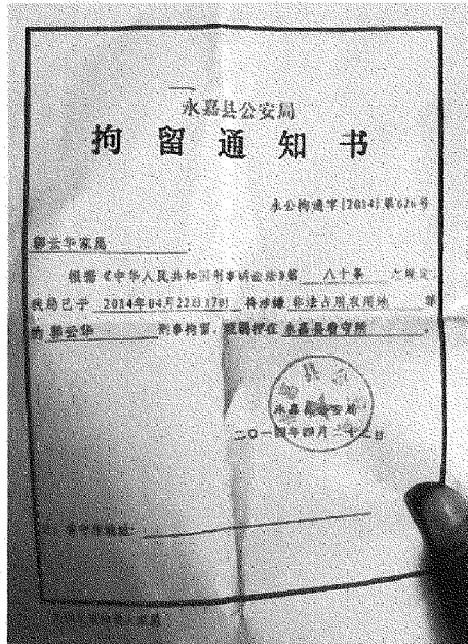
No. 626, 2014

Family of Guo Yunhua:



According to article 80 of the "criminal procedure law of the people's republic of china", we have detained Guo Yunhua at 5 pm, April 22<sup>nd</sup>, 2014, who is suspected to occupy agricultural land illegally. He is now detained in Yongjia County detention center.

Stamp of Yongjia County Public Security Bureau



Mr. SMITH. Thank you so very much, Pastor Fu. Just a few questions. And Dr. George, thank you again for your leadership and testimony today.

Let me ask all of you a general question, first, what you think would happen if the USCIRF was not reauthorized. I mentioned before the hostility that is sometimes not even concealed toward IRFA in general, but the hostility toward USCIRF is even more profound. No one likes somebody looking over their shoulder. There are people, vested interests, who would rather that the religious freedom issue would just go away. It complicates other diplomacy and statecraft, and I think it is absolutely essential to it, something that it complicates it.

And on the visa ban issue, if you could all speak to that one as well. The only person to my knowledge who has been sanctioned under the provisions of IRFA regarding the visa ban has been the new Prime Minister of India, Modi. That is it. In 2004, I sponsored a law called the Belarus Democracy Act. It provides that Belarus, because of its dictatorship and its repression of human rights, that a number of things take place, including a visa ban. It also holds Lukashenka and his cronies to task in terms of their ability to buy and sell and trade.

But on the visa ban there are some 200, give or take, people that are on the list for small, little Belarus. In 2000, I authored a bill called the Admiral James W. Nance and Meg Donovan Foreign Relations Authorization Act that included a visa ban for any country, and the focus is obviously China, where forced abortion and forced sterilization and those officials that are complicit in any of those crimes against women or children. And there have been, we asked the Congressional Research Service, years to date since 2000, under 30, under 30 people who have been denied visas pursuant to that legislation.

So tiny little Belarus, which is a human rights violator, we have 200. IRFA, we have one. And the Admiral James W. Nance and Meg Donovan Foreign Relations Authorization Act, we have under 30 for a crime against women that has religious freedom connotations as well, and it is horrific. I think we need to redouble our efforts on the visa ban side of it. I am wondering what all of you might think about that.

It does get their imaginations going when they know they can't send their kids, because it applies equally to the violator and to their families, the ability to send your kids to NYU or some other higher education or university here gets crimped if you are a religious persecutor. And our State Department, and it is already in the law, maybe we should look to ways to enhance it and to make it with exclamation points. But your thoughts on if there is no USCIRF, because again there are powers that be that want it to die when it expires, its authorization, and the visa ban in particular.

Mr. KHAN. I will take a shot at it, Chairman Smith. Excellent questions. I commented a bit in my testimony about how USCIRF has been so valuable to the work we do as a community. If there is no reauthorization of USCIRF there will be direct consequences on our advocacy, and specifically the independence of USCIRF, which was the intent of the International Religious Freedom Act.

The independent watchdog role that USCIRF plays is what gives it traction.

And unfortunately, and we have seen this transpire in the past 15 years under various administrations that sometimes the possibility of waiver at the State Department, even if there is a Country of Particular Concern that is violating religious freedom, there are exceptions built upon exceptions and there are national security considerations, and there are a whole host of considerations that go into enforcing the International Religious Freedom Act by the State Department.

Those are constraints on the State Department. That is very legitimate. There are a lot of considerations that should go into that and frankly that is above my pay grade. But not having USCIRF means that you don't have an independent voice that is checking what is actually happening on the ground, and the recommendations that an independent group is making must be taken seriously.

So I fear that there will be uneven enforcement on international religious freedom issues if USCIRF is not reauthorized. That will have staggering implications on minorities who are particularly suffering, vulnerable religious minorities. I know from our community perspective we will lose the ability to have independent reports on very serious violations in countries that it is very difficult to get information about, for example, Saudi Arabia, and to have USCIRF as an ally on that is very critical.

On the second point, on the visa ban it is interesting. As a community I don't think we have a particular view on how that plays out in terms of an enforcement tool, but I will say this. That a country like Pakistan, it is quite difficult to point to specific perpetrators who are harming Ahmadis because it is so legally entrenched and it is so surreptitiously engineered and so cleverly designed that it is hard to point to a particular person who is authorizing these acts.

It is police who are being given orders not to protect Ahmadis. It is individuals who are complicit in torture, rogue actors. It is hard to actually pinpoint individuals who are causing all of these problems. So I do think there is an inherent problem in a country like Pakistan or even Saudi where you can point to—and it is by design—where you can point to a specific person who is behind the wholesale international religious freedom violations.

But there are many mechanisms under the International Religious Freedom Act, private enforcement, private demarche. I want to make this point that you don't have to be a CPC to still be held accountable. I think for some reason, perhaps it is a mistaken view maybe in the State Department and in multiple administrations that somehow if you are not a CPC there can't be any accountability for these violations. Obviously there can be more, but there can be a lot done even for a country that is not designated as CPC, like Pakistan.

Mr. FU. If I, yes, also can make a comment. I agree with Mr. Khan's comment about the necessity to reauthorize the existence of USCIRF. I mean just imagine, in the past 6 months in the State Department International Religious Freedom office, the Ambassador-at-Large is vacant. And if USCIRF, if there is no organiza-

tion like USCIRF to release a report what could have happened, right?

And I think the State Department, of course, is a political body. And according to the Washington Post, when the Ambassador-at-Large was rejected for visa by China when she tried to travel to China last year, and she was even asked not to speak up about her visa being rejected by China, so without USCIRF then, the independent Commission, I think there is no authority, independent authority to address this issue.

And on the visa ban, I can assure you that I totally support about your effort to double, triple the effort to find names. And in the Chinese civil society, in the Chinese communities, we can really make document and collect the most accurate names, the perpetrators, and supply their names. For instance, in this Nanle case and all the persecuted believers know who is responsible. This is the Party secretary of Nanle County, Henan Province, Mr. Huang Shouxi. And he was even in the court when the pastors were tried and was just behind the curtain, orchestrated the whole thing. So we certainly know his name, we know his family members, we know their cell phone numbers. So I think you can be assured we will get the job done.

Mr. BOWERS. Thank you, Mr. Chairman, for that question. And I will only add to what has already been said by my fellow witnesses that I guess it comes down to competence, really. Who can name an organization that has done a better job in assessing the situation of religious freedom around the world? And with that competence has come a degree of credibility that is unmatched in human rights circles and influence, so that it is readily heeded whenever USCIRF submits an op-ed piece to major media outlets or in any way is involved in this work it has a very, very strong voice in that world. So I would add that to what my colleagues have said.

And in terms of the visa ban, you may recall that Resolution 109, now in the House, does urge the President and the Secretary of State to impose individual sanctions on Iranian officials and others who are guilty of human rights abuses, and we certainly do support that.

You mentioned the IRFA provision for that but the sanctions in this case could be brought also under the Comprehensive Iran Sanctions, Accountability, and Divestment Act of 2010, and the Iran Threat Reduction and Syria Human Rights Act of 2012, these also would be perfectly adequate to cover that. And we would support individual sanctions. And we in our case we could name and there have been names quite a number of individual officials who could be held accountable for their actions.

Mr. SMITH. Thank you. Can I ask you how helpful or less than helpful United Nations mechanisms have been, particularly the U.N. Human Rights Council? Many of us, and I was very loud in my dissent when the Commission was matriculating to the Council there were promises made that have been promises unkept, that this would be different than the original Commission because the Commission was filled with rogue nations that ran interference, tried to literally buy some of the votes with foreign aid, particularly China, and so that they would not be held to account. Even when

they went through their periodic review, the softballs that were lobbed at offending countries—it was like T-ball. You could just hit home runs. Very, very weak.

But I am wondering, yes, there are mechanisms. I mean the Human Rights Council could do much more than it does. Do you find the treaty bodies, I mean, some of these nations have signed treaties and they do have enforcement. The enforcement again is not binding but at least gives a platform to articulate the concerns.

Mr. KHAN. In the case of Pakistan, Mr. Chairman, I think, absolutely. And in the case of, actually, many countries the U.N. can do much more. I mean, I have studied international human rights law and really am focused on enforcement mechanisms, and I can tell you that the—let us take Pakistan, for example.

They have acceded to the ICCPR and significantly—and this is actually a positive step in the State Department; we brief the State Department regularly on these issues—withdrew reservations to Articles 18, 19, 20 and 27, those all pertain to religious freedom. Those reservations were swallowing their accession. They are basically saying that we won't protect religious freedom if there is a public order and safety rationale or some other rationale that is a sufficient enough reason for Pakistan not to abide by their international human rights commitments. Those are gone.

And now in Pakistan, the highest, the Pakistan Supreme Court in a case in 1993, it is mentioned in my testimony, Zaheeruddin, and the Federal Shariat Court, the highest courts have said these laws are constitutional. So there is no domestic recourse left. And we know that any type of marginal reform of the blasphemy laws in Pakistan's Parliament is met with stiff resistance and some of the most courageous voices are silenced.

So the international community can hold Pakistan accountable under the ICCPR. They have now withdrawn the reservations and the Human Rights Council, they can do a lot more to hold Pakistan accountable. They can't conceivably have ordinance 20 and the anti-blasphemy provisions in section 295-C on the book and still say seriously with a straight face that they are abiding by international human rights commitments.

The Universal Periodic Review, as the president of the Ahmadiyya Muslim Lawyers Association I submitted a very robust submission on the international human rights violations in the last review cycle. We have done it in prior cycles as well. And I share your view that the submission was quite hard-hitting, and I think the nation-states realized some of the questions to be asked. But there were some softball questions fielded and those were easily, readily dealt with and there were some obfuscation of the record on key issues too, and obvious just plain denial of the realities of what is happening on the ground in Pakistan.

The Universal Periodic Review is an important process. The U.S. Congress can have a role. When the United States is there they can ask questions. The representatives from the United States should ask very probing questions. The stakeholders can submit submissions. The NGOs are permitted to give submissions. We routinely do that as independent bodies.

So absolutely, the U.N. can do a lot more. So I hope that the U.N. isn't just perceived as a body that can't be effective. I think

there is maybe a view of that. I think there is a lot of improvement that can be done, but it takes a lot of will to focus on what are the existing commitments from these countries like Pakistan and how can they be held accountable. And I think, frankly, it is in Pakistan's best interest to make sure that their withdrawal of reservations is met with seriousness in the international body. So I hope, particularly on the ICCPR, that there is more that can be done.

Mr. BOWERS. Well, I don't deal directly with the United Nations myself so I can only give impressions at a little bit of a remove, Mr. Chairman. I would say certainly we would all wish that the United Nations could be more effective in many different ways. But also though to give credit, it does seem as though that the work of the United Nations has been effective, I think, in mitigating the severity of what is going on with respect to the Bahá'ís in Iran, and one can partly tell that by the violent reactions of Iranian authorities every time there is a vote in the U.N. condemning their activities and so on, so one can see. And of course their very aggressive fight not to have a U.N. Special Rapporteur to be appointed and so on to go to Iran.

So one can see that they are sensitive to even the fact of the discussion and these statements and votes that keep coming out. But another thing too that may also be important to mention here is that from what I understand the work at the U.N. also has paved the way for discussions in countries that have been slower to respond, or to lend their voices, I should say, to the persecution of religious minorities and others inside of Iran.

Mr. SMITH. Can I ask you about the effectiveness of the U.N. Special Rapporteur on freedom of religion or belief, Mr. Bielefeldt, how effective?

Mr. KHAN. I am glad you asked that question. We worked with him directly just a few weeks ago. We had a very lengthy session and meeting with him in Germany where we talked about the situation of Ahmadis in Central Asia, Kazakhstan and Kyrgyzstan and that is affecting, as you know, Mr. Chairman, a variety of religious communities. He has been quite effective. He is very vocal on these issues. He has taken clear stances on how religious freedom should be protected. Obviously the dynamics are such where it is a complicated relationship in terms of his authority, but I think the pronouncements publicly and privately have been very encouraging for our community and we continue to work with him directly.

Mr. SMITH. Let me ask, if I could, Pastor Fu. It appears that there is a surge, the likes of which I have not seen before in China, against religious freedom. The demolition of that large church that we all saw—

Mr. FU. Sanjiang Church.

Mr. SMITH [continuing]. On YouTube, when it was replayed, was almost emblematic or symbolic of the all-out effort that Xi Jinping has embarked upon. We are coming up on the 25th anniversary of Tiananmen Square. I am very concerned that people have forgotten that China could have made a pivot toward democracy and freedom and chose tanks and brutality instead.

But evil need not be forever, and the suffering believers in China—and I have met so many, many of them through your facilitation, frankly—are absolutely tenacious and courageous and long-

suffering. And I am wondering what is the mindset of the believers of people of various faiths, but you would know the Christian folks more than anyone else, are they discouraged? Do they feel that they have been abandoned? Obviously they look to God for help in sustaining grace and courage, but it would appear that the world has forgotten to some extent that China is an egregious human rights abuser and they stride the world's stage as a superpower as if there is a legitimacy to their reign. It is a dictatorship.

One of the most telling interviews that I have ever seen, and the Washington Post correctly pointed it out, when Hu Jintao was here he met with President Obama and was asked a good question by the Associated Press reporter about human rights in China. And Hu Jintao had a little bit of a problem with hearing the question or something, it seemed as bogus as a \$3 bill, and President Obama stepped in and said, well, they have a different culture and a different political system.

And as if to excuse, I mean the people of China know, understand and have paid with their blood particularly at Tiananmen Square, and all the other dissidents who have languished and suffered in prison, including yourself, understand what freedom is and want it, and want it desperately. The Washington Post did a scathing editorial when President Obama said this, and said, and the headline was, "President Obama makes Hu Jintao look good on rights" it was President Hu of course. And it was one of the most telling editorials, I think, of recent years, to take him to task on that. What is the feeling of the believers there?

Mr. FU. Yes, the persecution as I just mentioned, it is intensifying, and especially after President Xi Jinping took power. It seems the real hardliner policy is in place. And not only, really, the religious persecution has increased dramatically, but across the board other human rights, fundamental freedoms, like the freedom of the press.

A 70-year-old, China's very well-known journalist, Ms. Gao Yu was also arrested and being humiliated, even put on the CCTV for admitting to leaking a national secret, and in fact just leaking, release the Communist Party's secrets to crackdown the basic human rights.

And of course the rule of law has been also seriously degraded. We have, of course, read and documented a number of lawyers were being detained. They are abused. And just last month, four lawyers including lawyer Jiang Tianyong, who testified before your committee twice in 2009 for rule of law and forced abortion issue, and he and three other fellow lawyers last month visited a black jail to represent several Falun Gong practitioners who were in that black jail. They were all just brutally tortured. And I mean the four lawyers all together, combined together, their over 20 ribs were broken because of the repeated torture.

So this is a serious concern. I think, really, it represents of course the insecurity of the regime on the one hand, and on the other hand it also reflects the so-called, the kind of the green light the international community, especially I think the U.S. Government has taken, like these unhelpful comments. Almost like promoting a value of relativism, like you have your culture, I have my culture.

But human rights and this religious freedom and other freedoms are the fundamental freedoms recognized not only just American norms, it is by the United Nations and international treaties. And China has signed many, and even like freedom of religious belief is enshrined in the Chinese Constitution.

So I think it is a major concern, and I would, I think I would advise that we as, of course, as NGO leaders, we will never abandon those persecuted faithfuls. Whenever there is a case of persecution, we take that seriously. And you as a champion of course have relentlessly, of course, by holding hearings, press conferences, and issuing press statements.

And I really want to see the administration, I mean; it is not only just the State Department, ask the Embassy, raise a case issue, I think from the Secretary of State to the President should really take this seriously and make just public statements. I think the regime will take that as a serious reminder that American and the freedom-loving international community do care about them.

In terms of the feeling of the church, the persecuted faithfuls, they were crying out. There is a major storm coming, and in the next few months maybe that will more arrests, more detention, more torture, but there is also a feeling of a revival coming. After all, as we all know, as the Church father Tertullian said, "The blood of the martyrs is the seed of the Church." And we can anticipate there will be a bigger revival among the persecuted churches in China. So thank you.

Mr. SMITH. Let me just ask you. Next week and especially the week after, the hope will be that the President and many others will speak out strongly 25 years later. My hope is, is that the statements that emanate out of Washington, and particularly the White House, are not empty calories where grandiose statements are made about human rights that are meaningless and in no way ding or affect Beijing, because they will say he is just doing what he has to do for public consumption.

My hope is that there will be names named, that specific instances of religious persecution will be cited, and as specific as possible. Because what has happened post-Tiananmen Square, in a way, is Tiananmen Square happening over and over again, including as you pointed out in your testimony, the horrific abuse of forced abortion which is commonplace in China today. My hope is that it will be a very meaningful set of statements coming out of the White House, State Department, and from Members of Congress.

Let me just ask Mr. Khan, one final question to you. In your testimony you talked about Mr. Ahmad who was in police custody, and a man walked in who shot, was that man then arrested and is he being prosecuted today?

Mr. KHAN. No. At this point in time there has been an apprehension of the individual. I think he is going to be hopefully prosecuted, but there is no indication, and I haven't seen the latest reports in the last 24 to 48 hours because this story is fluid, but my sense is or my understanding is he hasn't yet been fully dealt with.

And this wouldn't surprise us because this has happened in the past. Why is it so difficult to figure out which individuals are responsible for these acts is because they are not arrested. The peo-



ple who blew up 86 Ahmadi Muslims, or gunned them down, rather, when they had suicide vests and so forth, of the TTP, these individuals, their backgrounds were known and they were known at pretty high levels.

And there was a letter sent by Asthma Jahangir, she was of the Human Rights Commission of Pakistan, about an imminent attack. But the attacks happened, some police came and they were helpful, but there was no prevention and then there was no apprehension. So this is a vicious cycle. And in this Kafkaesque reality, the perpetrators then act with impunity and even get emboldened by their ability to do this under color of law and have legal sanctuary. The blasphemy laws permitted and the legal apparatus permits it, and yet the victims are made to suffer and then the widows and their families as well.

So we don't expect, we don't hold much hope that there will be apprehension of people who commit acts of atrocity against Ahmadis. In this instance it was so brazen, we hope at least in this case of Mr. Khalil that this individual will be arrested and prosecuted. But our hope is that the security apparatus in Pakistan at the Federal and provincial level rise up and actually take these matters seriously, and that the Federal Government at all levels takes it seriously, particularly in Punjab where there is the worst violence.

Mr. SMITH. Before I ask you if you have anything final you would like to say regarding, because you have said much in your testimony, I deeply appreciate it, I would ask unanimous consent that the statements from Dr. Maryann Love from Catholic University of America be included in the record, as well as from Matteo Mecacci.

We will look to see if some of the photos that you have provided, all of you, or any additional extraneous materials you would like to add, if they could be included in the record, without objection, they will be included. Sometimes photos are a little more difficult but we will try.

And also we are going to keep the record open. There is a possibility of receiving testimony from the Reverend Thich Quang Do from the Unified Buddhist Church of Vietnam. I actually met him when he was under pagoda arrest. He is an unbelievably courageous man, like you, and has endured so much. We think we will be receiving a testimony from him as well.

So would anyone like to make any final comment before we conclude the hearing?

Mr. FU. Just want to mention, when I mentioned this lady, her pastor actually is in our midst. That is today, I just want to mention that. Pastor Wang Dao, he spent time in prison in Guangzhou. That is her pastor, he and his wife, of course, as they come over. Yes. Thank you so much.

Mr. KHAN. Thank you for your leadership.

Mr. BOWERS. Thank you very much, Mr. Chairman.

Mr. SMITH. Thank you. And I can assure you, your testimonies will be widely disseminated. They will be used by not only me but many others to help propel USCIRF. The House is not the problem. We are very concerned about the Senate. And I have had at least 30 of my bills die in the Senate. I have six pending over there right now. Sometimes it is very difficult to get bills out of the Senate.

But the hope is that it will, and it will be done in a timely fashion. Because this Commission is among the most important, I think, that has ever been created, and as you all said, it gives a sense of authority. They are accurate. They have excellent staff, great commissioners, now led so brilliantly by Dr. George. And it does help not only in foreign capitals, believe me, it helps here as well. And the hearing is adjourned.

[Whereupon, at 2:09 p.m., the subcommittee was adjourned.]

# A P P E N D I X

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MATERIAL SUBMITTED FOR THE RECORD

**SUBCOMMITTEE HEARING NOTICE**  
**COMMITTEE ON FOREIGN AFFAIRS**  
U.S. HOUSE OF REPRESENTATIVES  
WASHINGTON, DC 20515-6128

**Subcommittee on Africa, Global Health, Global Human Rights, and International Organizations**  
**Christopher H. Smith (R-NJ), Chairman**

May 21, 2014

**TO: MEMBERS OF THE COMMITTEE ON FOREIGN AFFAIRS**

You are respectfully requested to attend an OPEN hearing of the Committee on Foreign Affairs, to be held by the Subcommittee on Africa, Global Health, Global Human Rights, and International Organizations in Room 2200 of the Rayburn House Office Building (and available live on the Committee website at [www.foreignaffairs.house.gov](http://www.foreignaffairs.house.gov)):

**DATE:** Thursday, May 22, 2014

**TIME:** 10:00 a.m.

**SUBJECT:** Protecting Religious Freedom: U.S. Efforts to Hold Accountable Countries of Particular Concern

**WITNESSES:** Panel I  
Robert P. George, Ph.D.  
Chairman  
U.S. Commission on International Religious Freedom

Panel II  
Mr. Kenneth E. Bowers  
Secretary  
National Spiritual Assembly of the Bahá'is of the United States

Mr. Amjad M. Khan  
National Director of Public Affairs  
Ahmadiyya Muslim Community USA

Pastor Bob Fu  
Founder and President  
ChinaAid Association

**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, Global Human Rights, and International Organizations HEARING

Day Thursday Date May 22, 2014 Room 2200 Rayburn HOB

Starting Time 10:05 a.m. Ending Time 2:09 p.m.

Recesses 1 (10:44 to 12:08) ( to ) ( to ) ( to ) ( to ) ( to )

Presiding Member(s)

Rep. Chris Smith

Check all of the following that apply:

Open Session

Electronically Recorded (taped)

Executive (closed) Session

Stenographic Record

Televised

TITLE OF HEARING:

*Protecting Religious Freedom: U.S. Efforts to Hold Accountable Countries of Particular Concern*

SUBCOMMITTEE MEMBERS PRESENT:

Rep. Mark Meadows, Rep. Tom Marino

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

Rep. Dina Rohrabacher, Rep. Trent Franks\*

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.)

Report about 64 destroyed churches, submitted by Pastor Bob Fu  
Statement from Dr. Maryann Cusimano Love, submitted by Rep. Chris Smith  
Statement from Mr. Matteo Mecacci, submitted by Rep. Chris Smith

TIME SCHEDULED TO RECONVENE \_\_\_\_\_

or

TIME ADJOURNED 2:09 p.m.

*Gregory B. Saylor*  
Subcommittee Staff Director

MATERIAL SUBMITTED FOR THE RECORD BY PASTOR BOB FU, FOUNDER AND  
PRESIDENT, CHINA AID ASSOCIATION

**China Aid received compilation of 64 persecuted Zhejiang Churches**

**Government documents regarding the demolition of church buildings and rectification of crosses**

The "Notice from Zhejiang People's Government regarding the three-year campaign of 'Three Rectifications and One Demolition' to be unfolded throughout the province" promulgated by Zhejiang People's Government on Feb. 21, 2013, demands that "[They should] persist in making breakthroughs at key points, push forward in an orderly way and demolish illegal structures that violate laws and regulations, occupy farmland, affect public safety and major construction, seriously affect urban and rural planning, those that are located on both sides of main lines of transportation."

(source: [http://www.zj.gov.cn/art/2013/3/13/art\\_13012\\_77021.html](http://www.zj.gov.cn/art/2013/3/13/art_13012_77021.html), see <http://www.chinaaid.org/2014/04/exclusive-china-aid-receives-internal.html>)

On April 1, 2014, Lin Xiaofeng, mayor of Yueqing County, Wenzhou, required that "every township government and department shall take effective measures and make full efforts against all odds to forcefully launch an aggressive and relentless campaign of 'Three Rectifications and One Demolition.'" On April 3, Yueqing Daily published an article titled "Launch a Relentless Campaign of 'Three Rectifications and One Demolition'", which required "focusing on difficult cases and pushing forward in a legal, orderly and forceful way the demolition of illegal religious structures."

(source: <http://www.yqcn.com/system/2014/04/03/011625626.shtml>)

The Ru'an city government, of Zhejiang Province, issued "Notice of Statistics Regarding Doing a Good Job in 'Three Rectifications and One Demolition' that Involves Investigation and Screening of Illegal Structures for Religious Purposes and Folk Faiths."

To promote the campaign "Three Rectifications and One Demolition," the Zhejiang Provincial Committee for Ethnic and Religious Affairs devised a detailed list of "Seven types of structures that must be demolished." According to the "Notice regarding 'Implementation Plans for Rectification of Illegal Structures at Sites for Religious and Folk Faiths Activities in Shamen Town,'" the "seven types" include:

1) Christian gathering sites that are privately established without approval and are unregistered and other illegal sites for religious activities; 2) illegal structures that are not approved built at legally registered sites for activities and the portion of structures that exceeds the approved area should be demolished; 3) small temples and small nunneries that violate the law and regulations and that occupy farmland must be demolished; 4) small temples and small nunneries that affect public safety and major construction projects must be demolished; 5) small temples and small nunneries that seriously affect the village planning or construction of beautiful villages must be demolished; 6) small temples and small nunneries on both sides of main lines of transportation must be demolished; 7) small temples and small nunneries that accumulate wealth in the name of religion and other sites for illegal activities must be demolished.

(source: [http://www.yuhuan.gov.cn/yggc/shamen/zcwj/201312/t20131218\\_70014.html](http://www.yuhuan.gov.cn/yggc/shamen/zcwj/201312/t20131218_70014.html), see <http://www.chinaaid.org/2014/04/government-notice-lists-privately.html>)

"Report on the Demolition and Relocation of Structures for Religious Purposes and Folk Faiths in Yueqing County," Nov. 26, 2013

(source: <http://www.lcrenda.gov.cn/view.jsp?id0=z0g9bzc6&id1=z0g9bzc6&id=z0hoi8e9th>)

"Cangnan County Committee of Ethnic and Religious Affairs Meeting about Religion and Folk Faiths," April 16, 2014

(source: <http://www.zjsmzw.gov.cn/Public/NewsInfo.aspx?type=4&id=5a85b3ac-cd92-4431-a055-70e4c61219c1>)

The Zhejiang government documents listed above and the ways in which demolition and rectification have been implemented this year demonstrate that Zhejiang province is seriously implementing the demolition and rectification of religious buildings as its most important task. The true intention behind the demolishing church buildings and rectifying crosses is to curb the development of Christianity and demolishing "illegal" structures is only an excuse. The crosses of church buildings are not in violation of the law. Please refer to the list of removed crosses based on preliminary investigation.

**The list of demolished churches and crosses in Wenzhou, Zhejiang:**

*(Photos in the list correlate with the description directly above them.)*

- 1) On Jan. 1, the Christian Church of Gou village, Liangzhu town, Yuhang District, Hangzhou, was required by Liangzhu town government to remove the cross of Gou Village Church.
2. On Feb, 27, the cross of Huanghu Christian Church, Huanghu town, Yuhang District, Hangzhou, was forcibly removed.
- 3-5: The crosses of Hangzhou Gulou Church, Sandun Church and Xingqiao Church are in the government's list of crosses that will be demolished.
6. On Feb. 27, Baiquan Church in Baiquan town, Dinghai District, Zhoushan, Zhejiang, received a notice from the local government, demanding the church to remove its cross between Feb. 28 and March 1. On April 4, more than 100 SWAT and paramilitary police officers suddenly surrounded the church, and the cross was forcibly removed. Registered with the government, Baiquan Church built its church 15 years ago. The construction of the church was approved by the government and closely followed architectural drawings with no violation of the law.
7. In early April, the cross of Gangtuo Church in Yantou town, Yongjia County, Wenzhou, was forcibly removed.
8. On April 4, the nursing home of Jiangjiaqiao Church in Yucqing County, Wenzhou was close to being demolished. Demolition stopped temporarily due to believers' resistance.
9. On April 4, Guangming Christian Church in Rui'an city, Wenzhou, received a demolition notice. The government demanded three churches located in Shibajia industrial district of Rui'an city to tear down parts of their church buildings before April 10.
10. On April 4, part of a church building under construction in Rui'an, Wenzhou, was demolished by the government.
11. On April 4, a Catholic church in Pingyang County, Wenzhou, was forcibly demolished. The government sent in SWAT to intimidate believers. Some believers were beaten up for resisting the demolition and one person was injured, head covered with blood and dropping to the ground. The church building was bulldozed to the ground.
12. On April 8, Baduzhen Church in Longquan city, Lishui District, Zhejiang, received a notice demanding the church's cross to be demolished because it was "too conspicuous."
13. A Christian meeting place in Rui'an, Wenzhou, received a notice from the Municipal Jinhui Office, demanding the demolition of the cross on the roof of the meeting place and other parts of the building.
14. Lushan Church in Lingxi town, Cangnan County, Wenzhou, received a demolition notice from the government.
15. On April 9, Tengqiaodaima Church in Ouhai District, Wenzhou, received a demolition notice demanding the demolition of the church's bell tower, which was under construction, before April 17.
16. On April 11, Gaoloudilai Church of Rui'an, Wenzhou, faced the demolition of its cross.
17. On April 11, Xiangjiangxindu Church in Rui'an, Wenzhou, received a demolition notice. The government covered the cross of the church with black canvas.
18. On April 12, Bailie Church in Tiantai County, Taizhou, Zhejiang, received a demolition notice for the church's cross.
19. On April 15, Xiaying Church of Yinzhou District, Ningbo, Zhejiang, received a notice from the government, demanding the church to demolish its cross and claiming that the failure to comply would cause the whole church building to be demolished. The deadline given to the church for demolishing its cross is May 20. This church was built in 2013.

20. On April 16, Baixiang Church in Yueqing, Wenzhou, which was under construction, received a demolition notice.
21. April 22, Chengguan Church in Wenling, Tiaozhou, Zhejiang, received a demolition notice despite its possession of all paperwork required by the government.
22. On April 28, Sanjiang Church in Yongjia, Zhejiang, was demolished completely.
- Note: The authorities demanded the demolition of Sanjiang Church on April 21 and 22. More than a thousand believers guarded the church until April 26. Early in the morning of April 28, the authorities took actions to demolish the church by force. At about 6 a.m., more than a hundred SWAT, traffic police and paramilitary police officers controlled Sanjiang Church and blocked all roads that led to the church. At about 9 a.m., the demolition of the main church building began when the arm of an excavator pushed through the side of the church. Sanjiang Church, which cost 30 million yuan (US \$4.8 million) to build, was torn down completely at about 8:35 p.m. on April 28. The church was the landmark of Yongjia County in 2013. It was only three weeks between when the demolition notice was issued by the government, on April 3, to the forcible demolition of the church on April 28.
23. On April 23, the cross of De'en Church in Jiaojiang, Zhejiang, was demolished.
24. On April 25, the cross of Shuiyang Church in Linhai, Zhejiang, was demolished. The church was built 14 years ago.
25. On April 29, the annexes and bicycle sheds of churches in Xiaanshan, Cheng'an, Linshan and Rendi, all in Tengqiao town, Lucheng district, Wenzhou, were demolished.
26. On April 30, Zengshan Evangelical Church in Pingyang, Wenzhou, received a notice from the government that demanded the church to demolish its building before May 4.
27. On May 1, parts of the Rendi Catholic Church building of Linjiang community, Tengqiao, Lucheng, Wenzhou, were torn down.
28. On May 2, Anji Church in Huzhou, Zhejiang, faced demolition.
29. In May, the sign of Zhu'en Church on Zhenxing Road, Yiwu, Zhejiang, was demolished.
30. On May 4, Longgangshan Catholic Church in Liu city, Yueqing, Wenzhou, was demolished.
31. On May 4, the annex of Feng'ao Church in Cangnan County, Wenzhou, was forcibly demolished.
32. On May 5, Getian Church in Yazc, Ouhai, Wenzhou, was converted into the "Cultural Auditorium of Getian Village."
33. On May 5, the cross of Dingqiao Church in Haining, Zhejiang, was removed. (The church received a notice demanding the demolition of its cross on April 22.)
34. On May 6, the unfinished Wu'ai Christian Church in Cangnan, Wenzhou, was forcibly demolished.
35. On May 6, the cross of Baixi Christian Church in Yandang town, Yueqing County, Wenzhou, was demolished.
- Note: The construction of Baixi Church was approved by the government, and the church obtained all paperwork required by the government. The government approved even the cross of the church. The church downsized the cross by dozens of centimeters from the original plans in order to be in compliance with government regulations.
36. On May 6, Bao'ao Church in Nanxi'ao pastoral area, Wenzhou, faced demolition.
37. On May 7, the cross of Taoyuan Catholic Church in Pingyang, Wenzhou, was covered with cloth.
38. On May 6, the cross of Shamen Church in Ouhai District, Wenzhou, was wrapped up in cloth.
39. On May 7, the cross of Qiaosi Church in Hangzhou, Zhejiang, was demolished.
40. On May 8, the cross of Wuchang Church on Wuchang Road in Hangzhou was removed, along with the church's sign: Wuchang Christian Church.



41. On May 8, the cross of a Catholic Church in Cangnan county, Wenzhou, was demolished.
42. On May 8, the cross of Lingxi Sabbath Day Adventist Church in Cangnan, Wenzhou, was removed.
43. On May 8, Hebing Church in Longwan, Wenzhou, was demolished. Guarded by police, workers only took two hours to tear the church down to the ground.
44. On May 9, the branch of Longwan Church in Shangwan village, Wenzhou, was demolished.
45. On May 12, Bethany Church in Wenzhou received a notice demanded the church to stop gathering.
46. The sign of Bingwang Church in Yiwu, Zhejiang, was removed.
- 47-49, the crosses of three churches in Jiande, Zhejiang Province, were demolished.
- 50-52. In mid-May, the cross of Shuangheyan Church in Yongjia County, Zhejiang, and the annexes of Huangtian Church and Fengbu Church, which were under construction, were demolished.
53. On May 16, the cross of a Yangshancang "Little Flock" Church in Shanglu, Yongjia County, Wenzhou, was demolished.
54. On May 16, the cross of Heyu Church in Shanglu, Yongjia County, Wenzhou, was demolished.
55. On May 16, the cross of "Little Flock" Church in Zhikou, Yongjia County, Wenzhou, was forcibly demolished.
56. The cross of Shancang Church in Yongjia County was demolished.
57. The cross of Zhang'ao Church in Yongjia County, Wenzhou, was demolished.
58. The cross of Jiuzhang Church in Yantou, Yongjia County, Wenzhou, was demolished.
59. On May 17, the cross of Lutian Church, Yongjia County, Wenzhou, was demolished.
60. The cross of Ruo'ao Church in Yongjia County, Wenzhou, was demolished.
61. The cross of Huangcun Church in Yongjia County, Wenzhou, was demolished.
62. The cross of Lishe Church in Yinzhou District, Ningbo, Zhejiang, was wrapped up with cloth by the government.
63. On May 17, the cross of Henglan'ao Catholic Church in Wuniu Street, Yueqing, Wenzhou, was demolished.
64. On May 17, the cross of Yantan Church in Yongjia County, Wenzhou, was demolished.

Note: 1) By May 18, more than 60 churches in Wenzhou, Zhejiang have received demolition notice, had annexes demolished and crosses either removed or covered. 2) The dates in the list are not confirmed demolition dates, but rather dates provided by postings on the web. 3) Wenzhou has the biggest number of churches being demolished. Yongjia County has the largest number of churches to have their crosses removed, and Sanjiang Church in Yongjia County, which cost 30 million yuan (US\$ 4.8 million) to build was demolished. 4) Due to pressure from the authorities, a few churches have not been able to send us timely information on demolition. 5) Following the campaign of demolishing churches and crosses in Wenzhou, there are signs that in late May, the authorities will start to outlaw house churches. There is word that the government will start by outlawing 85 churches. Some churches in Yongjia County, Wenzhou, have been ordered to stop Sunday school programs offered to minors.

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A REPRESENTATIVE IN CONGRESS FROM THE STATE OF NEW JERSEY, AND CHAIRMAN,  
SUBCOMMITTEE ON AFRICA, GLOBAL HEALTH, GLOBAL HUMAN RIGHTS, AND INTER-  
NATIONAL ORGANIZATIONS

**Testimony by Dr. Maryann Cusimano Love**  
**Associate Professor of International Relations,**  
**The Catholic University of America, Washington, DC**  
**before the Foreign Affairs Committee**  
**of the United States House of Representatives**  
**Subcommittee on Africa, Global Health and Human Rights**  
**May 22, 2014**

Mr. Chairman and distinguished members of the Subcommittee, thank you for inviting me to offer testimony today on the protection of international religious freedom in this hearing "Protecting Religious Freedom: Effective Accountability for Countries of Particular Concern." I appreciate the leadership you have shown, Mr. Chairman, in calling this hearing to emphasize the importance of religious freedom and the need to strengthen the U.S. government's tools for advancing religious freedom as a more integral element of U.S. foreign policy. I am Dr. Maryann Cusimano Love, a tenured associate professor of International Relations in the Department of Politics at the Catholic University of America in Washington, DC, and a "pracademic" who has served as a Crapa Fellow at the U.S. Commission on International Religious Freedom. My research and academic work on religion and foreign policy, including my books [Beyond Sovereignty](#) and my new book [Faith Forward](#), concludes that advancing international religious freedom promotes peace, prosperity, and human rights. My policy work also underscores the importance of international religious freedom, in my work on the Secretary of State's Core Group on Religion and Foreign Policy, the Advisory Board of the Catholic Peacebuilding Network, and as a consultant on the Committee on International Justice and Peace of the U.S. Bishops' Conference. I have been asked to comment on the effectiveness of the International Religious Freedom Act of 1998 (IRFA), which created the U.S. Commission on International Religious Freedom and the Country of Particular Concern designations, as well as accompanying sanction authority, in order to better integrate and promote religious freedom in US foreign policy, as well as my personal work integrating religious freedom into US foreign policy under the system created by IRFA, and my publications and research into religious freedom in Vietnam and Turkmenistan. I ask that the full written testimony be entered into the record.

**International Religious Freedom Still Matters**

The world is becoming more religious, thus the U.S. government needs more tools for engaging with religious actors and factors in foreign policy, such as the U.S. Commission on International Religious Freedom and CPC designation. Globalization's open markets, open societies, and open technologies facilitate the spread of religious actors and ideas. Religious groups are not "non-state" actors; they are *pre-state actors*, existing millennia before the creation of the modern sovereign state system. But globalization gives these old institutions new means of advancement. Religion is resurgent around the world. 85% of the people on the planet believe in a supreme being and call themselves religious. Religious actors and factors are increasingly important in international politics, as religion's "Three I's," religious institutions, ideas, and imaginations, benefit from globalization's open technologies, open economies, and open society infrastructures.<sup>1</sup>

But while religion is resurgent, so are attempts to repress religion. Thirty percent of countries, in which 64% of the world's populations reside, have rising and high or very high levels of

government restrictions on religion according to Pew Research.<sup>2</sup> Religious repression has consequences. Religious actors bring "Three I's" to global politics: institutions, ideas, and imagination. Religious institutions advance public goods in their charitable works. They feed the poor, heal the sick, and educate people. Where governments repress religious actors, people suffer, with less access to the "goody bag" of health care, food, emergency shelter, education, refugee resettlement, and other services, that religious institutions provide. Religious actors promote ideas, such as "thou shalt not steal," and "thou shalt not lie." Countries that repress religious actors thus lack effective civil society watchdogs, groups that advance accountability in anti-corruption programs. Religious actors animate imagination, urging people to imagine a better world. Countries that repress religion also repress the imagination needed to inspire social progress toward the common good.<sup>3</sup>

Religious freedom is often thought of as a human rights concern, not a security issue, but it is both. A majority of the countries where the world's worst wars rage are countries that are among the world's worst violators of religious freedom, such as Sudan, Pakistan, Iraq, Afghanistan, and Somalia. All of the top five least peaceful countries and a majority of the ten worst scoring countries on the Global Peace Index are also among the countries with the world's poorest records of religious freedom (Iraq, Somalia, Afghanistan, Sudan, Pakistan, the Russian Federation, and North Korea). All of the world's top thirty most peaceful countries have good religious freedom records. Where states repress religious groups, violence often ensues—violence by the state against religious minorities, violence by majority groups who take their cues from state policy, and violence by religious minorities trying to protect their communities and beliefs.

This is why Pope Francis notes that protecting religious freedom “guarantees the growth and development of the entire community.”

The world is increasingly religious, many countries increasingly repress religion with disastrous consequences, but the U.S. government, and other governments, often don't "get" the importance of religious actors and factors in international affairs. States are wired for relations with other states. Non state actors and pre-state actors, including religious actors and factors, present challenges. The foreign policy bureaucracies of the U.S. government were primarily built after the Second World War, when the primary focus of foreign policy was containing the threat from communist states. In fighting “Godless Communists,” religion was not thought to be important in global politics, and thus foreign policy bureaucracies were not equipped to examine or engage with religious actors and factors in foreign policy. Since the fall of the Berlin Wall 25 years ago, the U.S. has been grappling with a Cold War Hangover: how do we retrofit old foreign policy institutions, on-the-fly, to deal with emerging actors not deemed important in 1948?<sup>4</sup>

The International Religious Freedom Act (IRFA) of 1998 (Public Law 105-292) is an important tool to do this, needed now more than ever, working to promote religious freedom as a U.S. foreign policy goal and to combat religious persecution in other countries, and to advance the religious literacy and engagement of U.S. foreign policy bureaucracies. Engagement with religious communities is required by law for producing the Congressionally mandated annual reports on Human Rights and International Religious Freedom.

The IRFA law correctly understood that 50 years of U.S. government neglect of religious actors in international affairs would not easily be countered. Thus the Act wisely created a pincer movement of pressure from both within government (the dedicated personnel of the International Religious Freedom Ambassador and office in the State Department) and outside the government via the independent, nonpartisan U.S. Commission on International Religious Freedom. The DoS IRF Office's functions are primarily internal to DoS, engaged in quiet, behind the scenes diplomacy with foreign governments. In contrast, USCIRF mobilizes external and public attention to religious freedom, holding public, Congressional hearings and press briefings on religious freedom topics, traveling and holding fact-finding missions and meetings abroad, issuing policy recommendations to various government agencies (including Immigration and Customs Enforcement and the Department of Justice), and attending and offering briefings at international fora. Department of State officials note that USCIRF helpfully gives them more tools in foreign policy, giving them public leverage and "good cop/ bad cop" pressure to raise the profile and pressure on improving religious freedom in foreign policy. DoS religious freedom reports are more circumspect and muted in criticism of abuses of international religious freedom, because the State Department has many competing interests to balance in the report. In contrast, USCIRF reports "pull no punches," offering independent assessments of global religious freedom in the world's worst violators. A skilled diplomat can use the more frank USCIRF reports, CPC designation, and the associated threats of sanctions, to win concessions in protecting religious freedom. Further, in USCIRF the U.S. models and practices what we preach, involving civil society and representatives of religious organizations to engage in the public square on important public policy issues. The U.S. model on International Religious Freedom is yielding results, with many other governments initiating similar offices, civil society engagements, and policies to promote international religious freedom. ***U.S. IRF policy and tools are still needed, and are showing fruit; now is the time to increase resources and attention, not reduce resources and tools for U.S. engagement on international religious freedom.***

**USCIRF and CPC Status Helped Improve Religious Freedom in Vietnam**<sup>5</sup> Vietnam is one of the world's worst violators of religious freedom. Officially, the Vietnamese Constitution guarantees freedom of religion, freedom of belief and non-belief for its citizens, and people are allowed to participate in the approved activities of officially recognized religions. In practice, the Vietnamese government (VG) restricts the ability of religious communities to register, maintains tight control even over officially recognized religious communities, and can break up or imprison members of unrecognized religious groups at any time. Vietnam is an authoritarian country controlled by the Communist Party of Vietnam. Religious freedom and participation has improved since the communist takeover of Vietnam in 1975, particularly for recognized religious groups in urban areas. But religious freedom remains restricted, particularly for unrecognized religious communities in the rural provinces, for groups that are also ethnic minorities and/or whom the government suspects of anti-communist or separatist sentiments. The VG and Provincial officials used supplemental decrees to nullify or neuter the religious freedom clause of the Constitution. One stated that "All activities which threaten freedom of religious belief, all activities using religious belief in order to oppose the State of the Socialist Republic of Vietnam, to prevent the believers from carrying out their civic responsibilities, to sabotage the union of all the people, to go against the healthy culture of our nation, as well as superstitious activities, will be punished in conformity with the law." The UN Human Rights Committee and the UN Special Rapporteur on Freedom of Religion or Belief expressed concern about VG decrees which allow detention without trial for two years for anyone held on an alleged national security offense,

including "attempts to undermine national unity." Officially, the Office on Religious Affairs oversees recognized religious bodies. In practice, protection of religious freedom is uneven (particularly in the north and Central Highlands), and there are not effective means of repeal or redress for violations of religious freedom committed by government officials. These mechanisms afford the VG plenty of latitude to restrict religion.<sup>6</sup>

Both the State Department and the U.S. Commission on International Religious Freedom reports document serious abuses of religious freedom and human rights, including: imprisonment of religious leaders; physical beatings of believers; seizures and failures to return church properties; state control of all aspects of religious life, such as restricting and blocking which churches were allowed to register and operate, and state control over the naming and training of religious leaders, the publication and distribution of religious texts, and the conduct of religious services and activities. But USCIRF recommends CPC, Country of Particular Concern, status for Vietnam, while the State Department does not.

Vietnam is a majority Buddhist but religiously pluralistic country of 87.8 million people. Many Vietnamese Buddhists practice "the triple religion," a combination of Mahayana Buddhism, Taoism, and Confucian traditions. But the United Buddhist Church of Vietnam (UBCV) is not officially recognized, and its leaders are harassed, imprisoned, or placed under house arrest. Many older UBCV members opposed the Communist rise to power; many younger members feel the state-sanctioned Buddhist sect distorts their religious beliefs and practices. Many ethnic minority Buddhists are also not recognized. There are sizeable communities of Roman Catholics throughout the country (about 7 million). While Roman Catholicism is officially recognized by the VG, the government restricts the number of applicants to become priests in the seminaries, controls the ordination and assignment of priests and selection of bishops, restricts religious education, has confiscated and not returned many church properties and restricts the expansion or sometimes even repair of church facilities, does not recognize Catholic nuns, and has imprisoned some Catholic leaders. While there are over 1 million Protestants (1.2 percent of the population), the government does not officially recognize many Protestant organizations, such as the house churches whose members are often ethnic minorities in the Central Highlands and the northwestern provinces, such as the Hmong, Hre, Steing, and Montagnard Protestants.<sup>7</sup>

With pressure from USCIRF, Vietnam was named as a CPC in 2005. The threat of CPC sanctions gave U.S. negotiators leverage. As Ambassador Hanford explained, "I went back to Vietnam, sat down with officials and said, 'I would prefer rather than imposing sanctions, I would really prefer if we can talk this out over time and come to an agreement on what areas you'd be willing to address. We succeeded in coming up with a document that identified the basic areas that we were primarily concerned about, and these were prisoners, physical mistreatment of believers, forced renunciations of faith, the closing of places of worship, the need for a legal structure to grant greater religious freedom.'"<sup>8</sup>

The VG made improvements in religious freedom in 2005 and 2006. They agreed to implement new legislative reforms on religious belief and called on local officials and trained local officials to adhere to them; they officially banned forced renunciations of belief; they released 45 religious prisoners; they registered more religious groups and allowed the reopening of some churches that had been shut down. After improvements were made, CPC status was removed under pressure from the Bush White House, the trade community, and some in DoS and

Congress to remove any obstacles to trade relations (PNTR and WTO accession) for Vietnam, in readiness for President Bush's trip to Vietnam for the APEC meeting in November 2006. USCIRF pressure and CPC designation was helpful, a useful tool to the Embassy as leverage in winning concessions with recalcitrant governments, rather than merely a punishment. And Ambassadors Seiple and Hanford argued that if backsliding occurred in Vietnam after lifting the CPC designation, the USG could always re-designate Vietnam as a CPC. While backsliding has occurred, DoS has not designated Vietnam as a CPC since.

#### **USCIRF and CPC Status Helped Improve Religious Freedom in Turkmenistan<sup>9</sup>**

In Turkmenistan, Soviet control was followed with a repressive state with a poor record on religious freedom. USCIRF urged that Turkmenistan be designated as a Country of Particular Concern, one of the world's worst violators of religious freedom, due to its "nearly impossible registration requirements...Groups are denied permission to meet publicly and have no choice but to operate under the threat of harsh reprisals, such as home raids, imprisonment, deportation, internal exile, house eviction and even torture."<sup>10</sup> Within six hours of landing in Turkmenistan to begin her tenure as Ambassador, Ambassador Jacobson delivered the message to President Niyazov that Turkmenistan faced sanctions under the IRFA both for requiring exit visa requirements and harassing religious groups. "Originally his response was to explain the reasons why the rules exist. But eventually it became clear to him that these policies were an impediment to his goal of bettering relations with the U.S. I told him I wanted to work with him right away to find a way to address these problems and avoid sanctions."<sup>11</sup> By using the credentialing meeting for a substantive meeting, Ambassador Jacobson was able to emphasize that these issues were priorities for the U.S. government.

The U.S. Commission on International Religious Freedom continued to speak out on these issues. In 2001, 2002, 2003, and 2004 USCIRF called upon Secretary of State Powell and Administration officials to designate Turkmenistan as a CPC designation and undertake action against the regime, as it continues to do today.<sup>12</sup> In July and September 2003, USCIRF urged action in bilateral meetings with official Turkmen delegations at the Organization for Security and Cooperation in Europe Human Rights meetings. USCIRF worked with members of Congress as they introduced resolutions in the House and Senate calling for religious freedom improvements in Turkmenistan and designation of the country as a CPC. USCIRF and the Helsinki Commission held a joint Congressional briefing in 2004, to educate members of Congress and their staffs on these issues and push for change. Ambassador Jacobson believed the complementary pressures brought to bear by Congress and USCIRF was quite helpful. "Having a letter signed by prominent members of Congress whose names the government knew, having the USCIRF report and the IRF report and interest from that office-- all this was very useful to demonstrate that the U.S. government cares about this issue. If you are promoting religious freedom in a challenging environment, if it is not seen as a U.S. government, whole of government priority, it's not going to work. Within a year President Niyazov issued decrees changing both policies, the exit visa requirement and the restrictive religious registration law, although we must continue to monitor implementation."<sup>13</sup> USCIRF and CPC pressure helped to leverage improvements on religious freedom in Turkmenistan. As Ambassador Jacobson noted, "When we combine our efforts we can bring our assets to bear to make a difference."<sup>14</sup>

**Conclusion: Extend USCIRF and Use CPC Status More Effectively** Because of diplomatic concerns with other issues, the State Department does not fully utilize the CPC tool given to it in

the IRFA law. USCIRF is a necessary, independent, public voice, to mobilize useful pressure to persuade foreign governments to religious freedom reforms. As Bishop Ramirez noted in Testimony to this committee, the Department of State needs to give greater consideration to its designation of nations as "Countries of Particular Concern (CPC)"... In reviewing the annual International Religious Freedom reports submitted by the State Department, we noted that the same eight countries (Burma, China, Eritrea, Iran, North Korea, Saudi Arabia, Sudan and Uzbekistan) have been designated CPC for the years 2010, 2009, 2008, 2007. In 2006, Vietnam substituted for Uzbekistan on the State Department's CPC list. USCIRF's list of CPCs is longer, including those on the State Department's list, but adding other countries such as Iraq, Pakistan, Nigeria, and Turkmenistan based on their analysis. USCIRF also adds a Watch List of countries where trends indicate the predisposition toward severe violations of religious freedom. Countries on the USCIRF's Watch List change from year to year. This is a good practice and reflects the changing situations in various countries. While we have little doubt that the countries on the State Department's list of CPCs warrant that designation, we remain concerned that the list is not dynamic enough and may not adequately reflect changing conditions in other countries where religious minorities are at risk."<sup>15</sup>

Protecting religious freedom is important not only for persecuted religious minorities, but for whole societies-at-large. As Pope Francis reminds us:  
 "In the world today freedom of religion is often talked about rather than put into practice. ... The serious affronts inflicted on this primary right are a source of grave concern.... One and all are duty bound to defend religious freedom and to promote it for everyone. The shared protection of this moral good is also a guarantee of the entire community's growth and development."<sup>16</sup>

Too often the U.S. government seeks to avoid addressing religious actors and factors in foreign policy. But this avoidance approach is neither possible nor advisable. The world is an increasingly religious place. Religious literacy and engagement aids U.S. foreign policy, and their absence has disastrous effects. Effective U.S. foreign relations, and the IRFA law, require understanding and engagement of religious actors and factors abroad. **USCIRF and CPC status are needed tools in the foreign policy toolbox; they need strengthening at this critical juncture.**

<sup>1</sup> Maryann Cusimano Love, *Beyond Sovereignty*, 4th Edition, Chapter 7 "God and Global Governance," New York: Cengage, 2011.

<sup>2</sup> Brian Grim and Elizabeth O'Connell, Pew Report, "Rising Religious Restrictions Reach Six Year High," January 14, 2014, <http://www.pewforum.org/2014/01/14/religious-hostilities-reach-six-year-high/>

<sup>3</sup> Maryann Cusimano Love, *Beyond Sovereignty*, 4th Edition, Chapter 7 "God and Global Governance," New York: Cengage, 2011.

<sup>4</sup> Maryann Cusimano Love, *Beyond Sovereignty*, 4th Edition, Chapter 7 "God and Global Governance," New York: Cengage, 2011.

<sup>5</sup> Maryann Cusimano Love, Pew Case Study 552, "The Vietnam Dilemma," Georgetown University Institute for the Study of Diplomacy, 2012.

<sup>6</sup> USCIRF Report, 2014.

<sup>7</sup> USCIRF Report, 2014.

<sup>8</sup> Ambassador John Hanford, Interview with Author, March 10, 2010.

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<sup>9</sup> Maryann Cusimano Love, Pew Case Study 551, "Taking on Turkmenistan," Georgetown University Institute for the Study of Diplomacy, 2012.

<sup>10</sup> Maryann Cusimano Love, Pew Case Study 551, "Taking on Turkmenistan," Georgetown University Institute for the Study of Diplomacy, 2012.

<sup>11</sup> Ambassador Tracey Jacobson, Interview with Author, May 7, 2010.

<sup>12</sup> U.S. Commission on International Religious Freedom, Annual Reports 2001, 2002, 2003 and 2004.

<sup>13</sup> Ambassador Tracey Jacobson, Interview with Author, May 7, 2010.

<sup>14</sup> Ambassador Tracey Jacobson, Interview with Author, May 7, 2010; also echoed by Ambassador John Hanford, Interview with Author, March 10, 2010.

<sup>15</sup> Bishop Ramirez, Testimony to the Subcommittee on Africa, Global Health and Human Rights, Nov. 17, 2011.

<sup>16</sup> Pope Francis, Address to President of Italy, June 8, 2013.



**Testimony of  
Matteo Mecacci, President, International Campaign for Tibet**  
**Hearing on “Protecting Religious Freedom: U.S Efforts to Hold Accountable  
Countries of Particular Concern”**

**Subcommittee on Africa, Global Health and Global Human Rights**

**May 22, 2014**

I would like to thank Chairman Smith, Ranking Member Bass, and other members of the Subcommittee for this opportunity to testify.

The International Campaign for Tibet has testified to and extensively documented the attacks on freedom of religion in Tibet. First, I would like to give you a snapshot of all the restrictions that have been placed on the practice of Tibetan Buddhism in China today and then I will go into ways the U.S. can hold Countries of Particular Concern accountable.

The International Campaign for Tibet is a non-profit organization that has been advocating for a quarter century for the democratic freedoms and human rights of the Tibet people, in Washington, Europe and beyond.

The government of the People’s Republic of China restricts the practice of Tibetan Buddhism both through policies and as well as extra-judicial practices.

The institution of Tibetan Buddhism is seen by the Chinese government as a potential threat to the authority of the Communist Party. The state therefore imposes its control over the practice of this religion. This has led to the creation of a criminal class of religious practitioners, both among the clergy and lay people, as implemented under Chinese criminal laws. Ordinary Tibetans face detention or torture simply for holding a picture of the Dalai Lama or travelling for pilgrimage without official approval.

According to the Congressional Executive Commission on China (CECC), 58 percent of the Tibetans in its political prisoner database are monks and nuns. One notable prisoner of conscience is Tenzin Delek Rinpoche a highly respected Lama who was sentenced to death (converted to life in prison) and is now serving his 13th year in prison. He is on the Tom Lantos Human Rights Commission Prisoner of Conscience list.

This strict control of religious activities is manifested in several ways. The Chinese government controls monasteries with regulations such as the 2011 policy called the “Complete Long Term Management Mechanism for Tibetan Buddhist Monasteries.” This system requires a “Management Committee” of up to 30 lay officials appointed by the government to be responsible for the rituals and other matters in the monastery. This policy constricts the education of new monks in the monasteries according to the Tibetan

Buddhist tradition and instead forces them to learn only in a manner in which the government approves.

In 2007, China's State Administration for Religious Affairs (SARA) Department issued regulations on reincarnation of Tibetan Buddhism. These required that all reincarnations get government approval, or otherwise be "illegal or invalid." These regulations would apply to the next Dalai Lama. The decree states, "Reincarnating living Buddhas should respect and protect the principles of the unification of the state, protecting the unity of minorities...." It also requires that temples, which "apply" for reincarnation of a living Buddha, must already be registered venues for Tibetan Buddhist activities. Reincarnation applications have to be submitted to four governmental bodies for approval.

Chairman Smith, you are well aware of the tragedy this regulation of religion causes, through your association with the case of the Panchen Lama. Gedhun Choekyi Nyima was disappeared by Chinese authorities in 1995 after being recognized as the 10<sup>th</sup> Panchen Lama by the Dalai Lama. His current whereabouts are unknown. The Chinese Communist Party instead appointed a boy of their choosing, who does not have the respect of the Tibetan people.

For ICT this reincarnation law "indicates a more aggressive and consistent approach towards controlling the selection, installation and education of reincarnate lamas (including the Dalai Lama), as a means of strengthening the government's position as the 'official' arbiter of Tibetan Buddhist culture."<sup>1</sup> The Chinese government imposes these stringent measures in full knowledge that Buddhist institutions and education are the bedrock of the Tibetan culture and identity. Despite 60 years of Chinese propaganda, Tibetans' devotion to the Dalai Lama and their belief system has not diminished.

With this in mind, it is important that the United States, as a democratic country, employs all the tools in its diplomatic toolbox to promote the freedom of religious belief and practice, as provided by domestic and international law and by our value system.

One of the ways the U.S. holds others accountable on violations of religious freedom is through the designation of "Countries of Particular Concern" (CPC) under the International Religious Freedom Act. Principal Deputy Assistant Secretary of State for Democracy, Human Rights, and Labor Uzra Zeya said at the Brookings Institute on May 14, 2014, that a top-tier manner in which the Department operationalizes religious engagement within U.S foreign policy is "The International Religious Freedom Report and Country of Particular Concern (CPC) Designations."

The CPC tool is valued by the State Department. It is supported by the majority of Congress, as well as by the international religious freedom advocacy community. Clearly, there is no political will to remove the CPC process.

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<sup>1</sup> ICT report, "New measures on reincarnation reveal Party's objectives of political control" <http://www.savetibet.org/new-measures-on-reincarnation-reveal-partys-objectives-of-political-control/>. August 15, 2007

But objectively, is CPC a needed tool? I say yes.

Promoting fundamental human rights, including freedom of religion, is a long-standing and core aspect of U.S. foreign policy. The establishment and employment of mechanisms to review countries' compliance comports with international law. The U.S. maintains through its domestic law various mechanisms to monitor and promote accountability of these human rights.

The CPC is one of the mechanisms the U.S. has at its disposal. Its value is several-fold. For one, it forces the Department to undergo a process of determination for CPC designation. That serves to inculcate the importance of religious freedom within the bureaucracy. It also informs Congress, opinion leaders, and the public on the record of our trading partners on this important human rights metric.

Most important of all, the CPC designation sends a critical and necessary signal to those whose inherent rights to religious belief and practice are being violated by their own governments to know that the world is watching out for them. This is the lesson I can convey from the Tibet experience.

I am not able to inform the Subcommittee that the CPC designation has directly led to the freeing of one monk from detention, or allowed one nun to openly venerate the Dalai Lama. If that is the metric by which some analyst is urging you to evaluate the effectiveness of CPC, then I urge you to look at the bigger picture.

Free, democratic countries do make a difference in the lives of those living in oppressed countries. We have plenty of evidence that Tibetans suffering under the heavy, brutal hand of Chinese oppression take great heart in knowing that the United States hears their cry. When the Dalai Lama meets the President, Tibetans celebrate. How do they learn this? Through the U.S.-funded Voice of America and Radio Free Asia.

Keeping human rights at the center of United States' relationship with China, or actually with any country, is important. The CPC designation is a medium for a democratic country to engage with a country that is aggressive both internally and externally. For a mutually beneficial relationship between countries the development of the rule of law is integral and cannot be dismissed as a secondary matter.

The CPC is an important tool because it is grounded in the rule of law. It has clear benchmarks that indicate the measures a country has to take, to be taken off the list. The way to keep such designated countries accountable is to follow up on those benchmarks and criteria and tenaciously continue to do so until they have been met.

China may be intransigent on human rights. So we must be all the more firm in creating clear expectations that they abide by the international standards they agreed to accept and which their citizens deserve. Withdrawal of CPC, rather, would send an extremely negative signal to the people of China and Tibet who are struggling every day for rights and dignity.

Every Tibetan monk and lay person who today is facing persecution just for lighting a butter lamp or keeping a picture of His Holiness the Dalai Lama needs to know that the United States and the international community stand with them. The Countries of Particular Concern designation provides a beacon of hope as they peacefully resist oppression.

Thank you.