

**EXAMINATION OF A FUNDAMENTAL HUMAN
RIGHT: THE 2006 INTERNATIONAL RELIGIOUS
FREEDOM REPORT**

HEARING
BEFORE THE
**COMMITTEE ON
INTERNATIONAL RELATIONS
HOUSE OF REPRESENTATIVES**

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EXAMINATION OF A FUNDAMENTAL HUMAN RIGHT: THE 2006 INTERNATIONAL RELI- GIOUS FREEDOM REPORT

HOUSE OF REPRESENTATIVES,
COMMITTEE ON INTERNATIONAL RELATIONS,
Washington, DC.

The Committee met, pursuant to notice, at 11 o'clock a.m. in room 2172, Rayburn House Office Building, Hon. Christopher H. Smith (Vice Chairman of the Committee) presiding.

Mr. SMITH OF NEW JERSEY. The hearing will come to order, and good morning to everyone.

During this holiday season—and of course that term derives from “holy season”—it is especially appropriate for our Committee to proclaim in advance the universality and surpassing importance of religious freedom for every woman, man and child on Earth, with no exceptions.

Thus the Committee on International Relations is holding this oversight hearing on the congressionally-mandated *International Religious Freedom Report* and on designations of Countries of Particular Concern (CPC) for 2006. We are following up on some timely issues that were raised during the hearing that I chaired in June 2006, entitled “The Plight of Religious Minorities: Can Religious Pluralism Survive,” under the auspices of our Subcommittee on Africa, Global Human Rights and International Operations. We are also examining United States policy generally with respect to the promotion of religious freedom, with the attention given to the International Religious Freedom Act of 1998 which mandated the annual report.

In this country, we tend to take for granted the freedom to exercise our conscience and to practice our faith according to our personal beliefs. However, we need to remind ourselves that freedom of religion is a fundamental human right that must be vigorously and robustly safeguarded not only for the well-being of the individual, but also for society as a whole.

In the letter that he authored in 1980, Pope John Paul II emphasized that freedom of conscience and religion—and I quote him here—“is a primary and inalienable right of the human person . . . insofar as it touches the innermost sphere of the spirit, one can even say that it upholds the justification, deeply rooted in each individual, of all other liberties.” The Pope went on to say that “suppression, violation or restriction of religious freedom have caused suffering and bitterness, moral and material hardship, and that even today there are millions of people enduring these evils. By contrast, the recognition, guarantee and respect of religious free-

dom bring serenity to individuals and peace to the social community; they also represent an important factor in strengthening a nation's moral cohesion, in improving people's common welfare, and in enriching the cooperation among nations in an atmosphere of mutual trust."

The former director of the Office of International Religious Freedom, Dr. Thomas Farr, who will be testifying on the third panel here today, I believe, wisely sums up the centrality of religious freedom to a properly functioning democracy and the respect for all human rights. He states in his written testimony, and I quote a pertinent part:

"A regime of religious liberty is characterized by much more than the absence of persecution. Religious freedom anchors a political order in which individuals and religious communities are free to act publicly in significant ways—to worship, to manifest religious truth claims, and to influence public policy, bounded only by the norms of liberal democracy. Where religious liberty exists, the natural tensions between the claims of religion and the claims of the liberal state have been reconciled in ways that can be sustained by the political culture. If U.S. diplomacy were successful in encouraging this aspect of democratic development, it would help ensure that democratic elections and democratic constitutions yielded stable, liberal governments rather than fragile concoctions of sectarian interest groups."

Congress gave expression to our commitment to international religious freedom with the passage in 1998 of the International Religious Freedom Act (IRFA), which concretely established the promotion and protection of religious liberties as a foreign policy goal. Several of our witnesses will recall that IRFA was strongly opposed on the record. John Shadegg stood right here—good man, the former Assistant Secretary for Human Rights and Democracy and Labor—and said it would establish a hierarchy of human rights under U.S. law. And, of course, I and others—because I chaired those hearings—pointed out that when we fought against apartheid and said that that abomination of racism in South Africa, and any laws that we could enact to try to mitigate and end it, certainly did not detract from other human rights policies, it was always value added.

And in like manner, when we took up the cause of Soviet Jewry, and the Jackson-Vanik amendment was employed with such effectiveness, and we risked superpower confrontation in order to effectuate the release of Jews who were being harassed and persecuted in the former Soviet Union, it did not detract. It was not a hierarchy of human rights; it was all value added.

And in like matter the International Religious Freedom Act was also an increase, an addition to, and I think an important addition to it. And of course we persisted, and eventually the President did sign the bill into law, which was authored by my good friend and colleague, Frank Wolf.

A critical component of the law, as I think most here know, is the requirement that foreign countries be reviewed each year. Now, those found to be engaged in or tolerant of particularly severe vio-

lations of religious freedom during the preceding 12 months are to be designated as Countries of Particular Concern. Last month the Department of State notified Congress that seven countries had been designated as CPCs in 2005, had been so designated again in 2006, and they include China, Burma, Eritrea, Iran, North Korea, Saudi Arabia and Sudan. Vietnam, which was a CPC in 2005, was removed from the list in 2006. Uzbekistan was duly added to the list in 2006 and again brings the total number of CPC countries to eight.

I want to applaud Secretary Rice for designating Uzbekistan as a Country of Particular Concern. The situation for religious liberties has deteriorated significantly since the Andijon massacre in May 2005 when Uzbek security forces indiscriminately fired on a crowd of protestors. Over the past 18 months, the Karimov regime has increased its efforts to prohibit unregistered religious activity, to heavily fine individuals who meet illegally for worship, to jail thousands because of their Islamic affiliations or beliefs, and to prohibit the ability of individuals to share their religious views. I strongly believe that if the recalcitrant Karimov regime does not markedly improve religious freedoms within 90 days, Secretary Rice would be well justified to use the strict provisions given to her under the act.

Along with Uzbekistan, in recent years I and others have called for the designation of Turkmenistan as a CPC country, and, in fact, I am the author of a bill, H. Con. Res. 486, which focuses on the range of human rights concerns in Turkmenistan. With today's news of the sudden cardiac arrest and death of President Niyazov, the new leadership of Turkmenistan has the opportunity to ensure the right of their oppressed people to exercise their religious beliefs without hindrance. The new Law on Freedom of Conscience and Religious Organizations, if properly implemented, would allow freedom of religion, but to date government authorities in Turkmenistan have continued to harass registered and unregistered religious groups, unregistered religious activity is illegal, religious speech is severely limited, and conscientious objection to military service is criminalized.

I believe we should not lose focus on Russia either. To be sure, there are many positive religious activities taking place in Russia nowadays. However, as the U.S. Commission on International Religious Freedom recently reported, problems in the consolidation of religious freedom in Russia remain, especially for religious minorities.

While Russia is certainly entitled to combat terrorism and maintain domestic security, we note that even Muslim religious leaders who generally support Kremlin policies have complained about the tendency of some law enforcement officials to indiscriminately treat devout Muslims as terrorists. Moreover, this year's controversial NGO law could have damaging effects on religious organizations. Although the results at this writing have not been as catastrophic as some of us have feared, we still need to monitor that situation.

Let me point out to the audience and to the witnesses that I have deep reservations about the Secretary's decision to remove Vietnam as a Country of Particular Concern. During my last trip to Vietnam 1 year ago, I met with almost 60 religious political dissidents in

dozens of meetings in Hanoi, Hue and in Ho Chi Minh City. Included in those meetings was one with Father Ly, who was under House arrest, and another with Father Loi, also under house arrest. These were two Catholic priests who were incarcerated for their faith and still remain under that arrest. Father Ly's crime consisted in writing and sending testimony to the U.S. Commission on Religious Freedom—who will testify shortly—detailing religious repression in Vietnam. Only after 4 years and a rigorous campaign to effectuate his release was he removed from prison to house arrest.

Based upon this and other meetings, I was certainly convinced at the time that Vietnam was rightly designated as a Country of Particular Concern, and it is difficult to believe that in only 1 year the situation in Vietnam has improved sufficiently to warrant its removal from the list.

We will be interested to hear in greater detail the Administration's justification for taking this action; to what extent the Department of State's enthusiastic support for PNTR (permanent normal trade relations) for Vietnam played, if any, in the CPC decision; and what measures are in place to continue to pressure the Vietnamese Government to respect religious freedom now that PNTR status has been granted. We all remember that after the bilateral trade agreement, the Vietnamese Government went out of its way to remind us that there was no linkage whatsoever to that trade agreement and to fundamental human rights. We hope maybe that has changed.

As we will hear from some of our witnesses today, the condition in the remaining CPC countries continues to be of extreme concern. China is upholding its reputation as one of the worst human rights violators in the entire world and of religious freedom. They continue to make new lows. In 1994, I visited China with another congressional colleague, and we were privileged—Joe Kung, one of our witnesses here, was also with us on that trip—to meet with Bishop Su Zhimin of Baoding Province, part of the underground Roman Catholic Church. Bishop Su was arrested in 1997 again and has spent approximately three decades of his life under arrest, and we don't know where he is. Mr. Joseph Kung hopefully can provide some insights as to his whereabouts, although based on everything I have seen, we still don't know, and the Chinese Government has been totally nonresponsive to State Department requests and private requests to provide his whereabouts and hopefully to release him.

Let me just say a word or two about Eritrea and President Isaias Afwerki, who was praised as one of Africa's promising new leaders; however, his government has been responsible for what is arguably the worst, sustained series of violations of religious freedom in Africa. The Eritrean Government has harassed, arrested and detained members of churches not listed among the four approved religious groups, which are the Eritrean Orthodox Church, the Roman Catholic Church, the Evangelical Lutheran Church and Islam. According to some reports, there may be as many as 1,700 prisoners of conscience in detention in Eritrea.

Concerning the International Religious Freedom Act's framework more generally, I believe the act would support increased involve-

ment in—and should support increased involvement—by the Office of International Religious Freedom in the formulation of United States policy in the Middle East. If we are trying to win hearts and minds in the Islamic world, shouldn't we be employing this office and its assets who knows best, I think perhaps more than anybody else in the government, just what it needs to do to promote democracy and freedom there and to understand even the radical Islamic mind and try to promote democracy there?

The United States has been in the leadership on efforts to combat anti-Semitism, another issue that this Committee and the Commission on Security and Cooperation has taken a lead not only here, but in other parts of the world, especially in the OSCE region.

It is ever more important that we work internationally to combat hate, intolerance and violence based on religion that fuels extremist ideology and terrorism and the conflicts they produce throughout the world. Only by devoting the appropriate resources, personnel and high-level attention to these issues can we combat the spread of anti-Semitism and other forms of religious and ethnic intolerance.

I would be interested in hearing the perspective of our witnesses today as to how the discussion on religious liberty may be used to further combat the scourge of anti-Semitism.

Another area for increased IRF Office involvement would be in the work of the Organization for Security and Cooperation in Europe, which is at the forefront of combating anti-Semitism and Islamophobia. At the same time, the OSCE needs no step up its attention to discrimination against Christians, a topic that has received scant coverage. In Europe we continue to see troubling trends, especially when it comes to restrictive laws on religion. European Union countries like Austria, Czech Republic, Slovakia and Portugal maintain legal systems that unfairly discriminate against minority religious groups. Meanwhile Romania, a country poised to enter EU within the new year, is considering a draft which, if signed by the President in its form, would give Romania the dubious distinction of having the most burdensome religious registration system in the entire 56-nation OSCE region.

I would note, if Felice Gaer is here, she remembers the fight in the 1980s when we tried to suspend most favored nation status to the Ceausescu Government primarily because of the crackdown and its onerous registration requirement, and obviously the torture that was visited upon so many pastors and others like Father Calciu in Romania. We don't want to see the clock turn back when it comes to Romania, and this law sets them on a course which goes backwards.

These are but a few examples of government-sponsored prejudice inconsistent with international commitments on religious freedom and discrimination. Meanwhile others under the cloak of promoting tolerance are aggressively attacking the biblically-based doctrines of some Christian churches. We witnessed an outrageous example of this in Sweden with the prosecution of a Pentecostal pastor for the content of one of his sermons. While reason ultimately prevailed in that case, I fully expect that others will be targeted by those seeking to advance their agenda at the expense of those try-

ing to peacefully follow their faith. Such disturbing developments require vigilance on the part of those truly committed to religious liberty.

Again I want to thank all of our witnesses for joining us today, particularly during this busy holy season and holiday season, and I look forward to hearing your testimony and your perspectives on religious freedom around the world.

I would like to now ask our first panel—if Stephen Liston would make his way to the witness table. Mr. Liston has been a member of the Foreign Service since 1990. Before joining the Bureau of Democracy, Human Rights and Labor in 2005 as director of the Office of International Religious Freedom, he served as deputy coordinator for the Summit of the Americas. His most recent posting was to the United States Embassy in Lima, Peru, where he served as head of the economic section.

Mr. Liston has received a number of State Department awards including Superior and Meritorious Honor Awards, and again I welcome the director of the Office of International Religious Freedom, Mr. Liston. Please proceed as you would like.

STATEMENT OF MR. STEPHEN M. LISTON, DIRECTOR, OFFICE OF INTERNATIONAL RELIGIOUS FREEDOM, U.S. DEPARTMENT OF STATE

Mr. LISTON. Thank you very much, Mr. Chairman. I have summarized our statement for the purposes of our time today and would ask that the full statement be entered into the record.

Mr. SMITH OF NEW JERSEY. Without objection, so ordered.

Mr. LISTON. Thank you.

Mr. Chairman, it is an honor to be here today before the Committee, and I want to begin by thanking you for holding this hearing.

Ambassador Hanford was very sorry to have to miss this hearing as a result of a severe illness in his family. He asked me to convey to you his deep regrets as it has been his great pleasure to work with this Committee and with you over the past several years and to testify every year regarding the work of the State Department in promoting and protecting the precious right of religious freedom.

He especially asked me to note his gratitude for the Committee's commitment to religious freedom, for the support you have given to our efforts, and for the advocacy each of you do in your own right.

Religious freedom is deeply rooted in our principles and history as a Nation and is enshrined in our first amendment. It is also contained in numerous declarations, protocols and agreements which represent the ideals the international community has embraced, laying the foundation for our work with like-minded nations. But at its core, religious freedom is about individuals and the right to believe what they choose to believe, and this is why our efforts to promote that freedom unite us with people of faith all around the world.

In September, Secretary Rice submitted to Congress the Department's eighth *Annual Report on International Religious Freedom*. The report has become one of the most visible signals to both persecutor and persecuted of the importance we attach to religious

freedom. The production of the report is an enormous undertaking. This year's report covers events and conditions in 197 countries and areas.

But there is no question of the importance and value of this effort. In many countries, we are pleased to be able to document efforts by governments to protect religious freedom. In others, we hope that when the report brings to light abuses, this will spur governments to uphold their international commitments to provide for full freedom of religion and will encourage the international community to stand with those who are suffering for their beliefs.

One of the key functions of the report is to serve as the Department's basic tool for determining the worst violators of religious freedom around the world. Although we make every effort to work with governments to advance religious freedom, a number of countries not only fall far short of international standards, but have demonstrated little improvement. Therefore every year the Secretary of State finds it necessary to designate Countries of Particular Concern. Just last month, as you mentioned, Secretary Rice designated one new CPC, Uzbekistan, and redesignated seven countries which were on the CPC list last year, Burma, China, Eritrea, Iran, North Korea, Saudi Arabia and Sudan.

I would like to briefly mention today three of those countries where Ambassador Hanford and the Office of International Religious Freedom have focused our efforts over the last year.

Vietnam no longer meets the legal criteria set out in the International Religious Freedom Act and so was not designated a CPC this year. When Vietnam was first added to the list of Countries of Particular Concern in 2004, conditions for many religious believers were truly dire, with campaigns to force people to renounce their faith in certain regions, dozens of religious prisoners, and the harassment and physical mistreatment of some believers.

Over the last 2 years, the Government of Vietnam has put into place new laws prohibiting forced renunciations, which provided opportunity for registration of many hundreds of congregations. It legalized hundreds of meeting places and allowed for training of hundreds of new clergy members. The government has provided training for officials on how to interpret and implement these laws and has released all prisoners held on the basis of their religious beliefs.

Today the Government of Vietnam can no longer be identified as a severe violator of religious freedom. This marks the first time that a country has made sufficient progress as a result of diplomatic engagement to be removed from the CPC list. We view this as a very important milestone.

Now, there is no question that there still remains important work to do to advance religious freedom in Vietnam. Although registrations of congregations have begun in the North and Northwest Highlands, they have still not reached a majority of believers in these regions. At times, local officials still take the law into their own hands, ignoring the central government's policies and creating problems for religious believers. Some Buddhists, in particular the leadership of the Unified Buddhist Church of Vietnam, or UBCV, remain restricted in their freedom to move and to meet. And some

Montagnards in the Central Highlands have faced similar harassment because of their views.

Removal from the CPC list does not mean that religious freedom conditions are fully achieved, but the Government of Vietnam has addressed the central issues that constituted severe violations of religious freedom, and the decision not to redesignate Vietnam is an important signal that our purpose is to improve conditions for religious believers and that we will recognize progress when it occurs.

The remaining problems in Vietnam merit immediate attention and there is still a great deal of work for the Government of Vietnam to do to achieve full religious freedom. The President raised religious freedom issues in his meetings with the Prime Minister and President of Vietnam when he was in Hanoi in November. The Secretary of State also met with religious leaders on the margins of the APEC conference in Hanoi and stressed our continued dedication to this issue. We are all committed to securing further progress there, but we also hope that the real improvements achieved in Vietnam can be a model for progress and engagement in other nations.

Uzbekistan is just such a country where we hope to repeat our model of engagement and progress. The Secretary added the Government of Uzbekistan to the CPC list because violations of religious freedom in Uzbekistan are systematic and ongoing, and the situation has continued to deteriorate since last year. The government continues to target observant Muslims for arrest, often viewing conservative Islamic practice alone as evidence of extremism and terrorism. The already restrictive religion law has been further tightened. Christian congregations have been harassed and deregistered, and fines have been dramatically raised.

We recognize that the Government of Uzbekistan faces a legitimate security threat from groups that have used religion as an excuse for violence. It is important to be clear that our designation of Uzbekistan as a CPC is not in any way a defense of such groups. However, these legitimate security concerns cannot be used to justify the Uzbek authority's use of religious observance to target religious believers and brand them as extremists.

The Secretary took the step of designating Uzbekistan a Country of Particular Concern in the hope that the Uzbek Government would be encouraged to rethink its policies and undertake necessary reforms. I am pleased to say that Ambassador Hanford had several positive meetings with the Ambassador from Uzbekistan since we announced the designation, and it is our hope to be able to work with the Uzbek Ambassador and Government in Tashkent to help them meet international standards for protecting and promoting religious freedom.

Finally let me turn to Saudi Arabia where Ambassador Hanford and other Department officials have established continuing discussions with the Government of Saudi Arabia on religious freedom. Saudi Arabia was first designated a Country of Particular Concern in 2004 because, as the *International Religious Freedom Report* notes, religious freedom is not legally recognized as a right, nor is it protected for either citizens or guest workers. All citizens must

be Muslims, and basic religious freedoms are limited to all but those who adhere to the state-sanctioned version of Sunni Islam.

However, we are seeing indications that the government takes seriously the issue of increasing religious freedom as part of its broader efforts to combat extremism. We were especially pleased last summer that the Saudi Government outlined for us the steps it is taking to address concerns about intolerance and the status of freedom for religious practice. Saudi officials confirmed with our office a number of concrete steps to advance these goals. Their policies are designed to halt the dissemination of intolerant literature and extremist ideology both inside Saudi Arabia and around the world, which includes educational curriculum and textbooks. In addition, their policies also include protection of the right to private worship, curbing the harassment of religious groups, and empowering the Saudi Human Rights Commission.

By making these policies public for the first time, the Saudi Government has provided a baseline against which concerned groups can measure its actions. They recognize that this is just the beginning. Some religious practice is permitted, and tolerance is growing in Saudi Arabia, but there is no question that most religious groups, particularly non-Muslim religious groups, must worship in private and are still vulnerable to harassment by the religious police or others. Through our continuing engagement, we will press for full implementation of stated Saudi policies on religious practice and tolerance to create space for greater freedom.

The work we do to promote religious freedom in such countries as Saudi Arabia, Uzbekistan and Vietnam, and the effort we make to produce the *International Religious Freedom Report* each year are only the beginning of our work. Added to these efforts is work by my colleagues here and abroad day in and day out in countries around the globe to ensure greater religious freedom by seeking changes in laws that are oppressive or discriminatory, pressing for the release of religious prisoners, and coming to the aid of victims of abuse. This work is central to who we are as Americans and to our role in the world, and it is work to which President Bush and Secretary Rice, no less than Ambassador Hanford, are fully committed both for its own sake and as an important facet of our national security strategy. As President Bush has said, "The best antidote to radicalism and terror is the tolerance and hope kindled in free societies."

Again, we offer sincere thanks to you and to this Committee for your sincere commitment to promoting freedom of thought, conscience, and religion for every individual in every nation and society around the world. I would be pleased to take any questions you may have. Thank you.

[The prepared statement of Mr. Liston follows:]

PREPARED STATEMENT OF MR. STEPHEN M. LISTON, DIRECTOR, OFFICE OF
INTERNATIONAL RELIGIOUS FREEDOM, U.S. DEPARTMENT OF STATE

Mr. Chairman and Members of the Subcommittee: It is an honor to be here today before the Committee and I want to begin by thanking you for holding this hearing.

Ambassador Hanford was very sorry to have to miss this hearing as a result of a severe illness in his family. He asked me to convey his deep regrets, as it has been his great pleasure to work with this Committee over the past several years, and to testify every year regarding the work of the State Department in promoting and protecting the precious right to religious freedom. He especially asked me to

note his gratitude for the Committee's commitment to religious freedom, for the support you give to our efforts, and for the advocacy each of you do in your own right.

Religious freedom is deeply rooted in our principles and history as a nation, and is enshrined in our First Amendment. It is also contained in numerous declarations, protocols, and agreements, which represent the ideals that the international community has embraced, laying the foundation for our work with like-minded nations. But at its core, religious freedom is about individuals and their right to believe what they choose to believe. And this is why our efforts to promote that freedom unite us with people of faith all around the world.

Since the passage of the International Religious Freedom Act in 1998, we have made important strides in integrating religious freedom into U.S. foreign policy. Each year, literally hundreds of officers and staff at our embassies and consulates abroad, and here in Washington in my office and regional bureaus, are engaged in monitoring, defending, and promoting religious freedom.

International Religious Freedom Report

In September, Secretary Rice submitted to Congress the Department's eighth *Annual Report on International Religious Freedom*. The Report has become one of the most visible signals, to both persecutor and persecuted, of the importance we attach to religious freedom. The production of the Report is an enormous undertaking—this year's report covers events and conditions in 197 countries and areas. But there is no question of the importance and value of this effort. In many countries, we are pleased to be able to document efforts by governments to protect religious freedom. In others, we hope that, when the Report brings to light abuses, this will spur governments to uphold their international commitments to provide for full freedom of religion, and will encourage the international community to stand with those who are suffering for their beliefs.

Countries of Particular Concern

One of the key functions of the Report is to serve as the Department's basic tool for determining the worst violators of religious freedom around the world. Although we make every effort to work with governments to advance religious freedom, a number of countries not only fall far short of international standards, but demonstrate little improvement. Therefore, every year the Secretary of State designates Countries of Particular Concern. Just last month, Secretary Rice designated one new CPC, Uzbekistan, and re-designated seven countries which were on the CPC list last year: Burma, China, Eritrea, Iran, North Korea, Saudi Arabia, and Sudan. I would like to briefly mention today three countries where Ambassador Hanford and the Office of International Religious Freedom have focused our efforts over the last year.

Vietnam

Vietnam no longer meets the legal criteria set out in the International Religious Freedom Act, and so was not designated a CPC this year. When Vietnam was first added to the list of Countries of Particular Concern in 2004, conditions for many religious believers were truly dire, with campaigns to force people to renounce their faith in certain regions, dozens of religious prisoners, and the harassment and physical mistreatment of some believers.

Over the last two years, the Government of Vietnam has put into place new laws prohibiting forced renunciations, which provided the opportunity for registration of many hundreds of congregations. It legalized hundreds of meeting places, and allowed for training of hundreds of new clergy members. The government has provided training for officials on how to interpret and implement these laws, and has released all prisoners held on the basis of their religious beliefs.

Today, the Government of Vietnam can no longer be identified as a severe violator of religious freedom, marking the first time that a country has made sufficient progress as a result of diplomatic engagement to be removed from the CPC list. We view this as a very important milestone. Now, there is no question that there still remains important work to do to advance religious freedom in Vietnam. Although registrations of congregations have begun in the North and Northwest Highlands, they have still not reached a majority of believers in those regions. At times, local officials still take the law into their own hands, ignoring the central Government's policies, and creating problems for religious believers. Some Buddhists, in particular the leadership of the Unified Buddhist Church of Vietnam, or UBCV, remain restricted in their freedom to move and to meet, and some Montagnards in the Central Highlands have faced similar harassment because of their views.

Removal from the CPC list does not mean that religious freedom conditions are fully achieved. But the Government of Vietnam has addressed the central issues that constituted severe violations of religious freedom, and the decision not to re-

designate Vietnam is an important signal that our purpose is to improve conditions for religious believers, and that we will recognize progress when it occurs. The remaining problems in Vietnam merit immediate attention, and there is still a great deal of work for the Government of Vietnam to do to achieve full religious freedom. The President raised religious freedom issues in his meetings with the Prime Minister and President of Vietnam when he was in Hanoi in November. The Secretary of State also met with religious leaders on the margins of the APEC conference in Hanoi and stressed our continued dedication to this issue. We are all committed to securing further progress there and hope that the real improvements achieved in Vietnam can be a model for progress and engagement in other nations.

Uzbekistan

Uzbekistan is just such a country where we hope to replicate our model of engagement and progress. The Secretary added Uzbekistan to the CPC list because violations of religious freedom in Uzbekistan are systematic and ongoing and the situation has continued to deteriorate since last year. The Government continues to target observant Muslims for arrest, often viewing conservative Islamic practice alone as grounds for suspicion of involvement in terrorism. The already restrictive religion law has been further tightened, Christian congregations have been harassed and deregistered, and fines have been dramatically raised.

Muslims have long borne the brunt of the Government of Uzbekistan's harsh repression. The Government's ongoing campaign against extremist Muslims has resulted in the arrest of many observant, non-extremist Muslims, as well as allegations, dozens of them confirmed, that law enforcement has physically mistreated or tortured hundreds, perhaps thousands over the years. There are credible estimates that hundreds of Muslims who have no ties to extremist organizations are in prison, simply on the basis of their religious beliefs and practices. Furthermore, authorities often resort to planting evidence. Thus, despite documented growth in mosque attendance in general in the wake of the Andijon massacre, the result of such abuses is that many observant Muslims are afraid to be seen praying, attending mosque, or otherwise expressing their faith, particularly if they have adopted a religious expression that is seen as not conforming to the government's sanctioned version of Islam.

We recognize that the Government of Uzbekistan faces a legitimate security threat from groups that have used religion as an excuse for violence, such as the Islamic Movement of Uzbekistan, a group that is on the U.S. list of international terrorist organizations. In addition, we recognize that although the group Hizb ut Tahrir claims it is committed to non-violence, it is in fact an extremist political organization that promotes hatred, whose members have praised acts of terrorism, and whose writings have motivated terrorist acts. The Government of Uzbekistan has banned these two groups, and it is important to be clear—our designation of Uzbekistan as a CPC is not intended in any way to be a defense of these groups. However, we do take issue with the Uzbek authorities' use of religious observance to profile religious believers as extremists, offering little, if any material evidence that these individuals have been involved in or planned any specific acts of violence.

In addition to these acts against Muslims, the Uzbek Government's repression of Christians has increased markedly in the past year. We have seen raids, detentions, court trials, imprisonment, heavy fines, deportations, and congregations closed. The Uzbek Government has tried and convicted selected Protestant religious leaders for "offenses" such as meeting without being registered, as well as illegally distributing religious materials. Even registered congregations have been targeted by Uzbek authorities, who have fined leaders and de-registered some groups.

The Secretary took the step of designating Uzbekistan a Country of Particular Concern in the hope that the Uzbek Government would be encouraged to rethink its policies and undertake necessary reforms. Uzbekistan has a long history of religious tolerance, with Jewish, Russian Orthodox, Catholic and Protestant congregations practicing and coexisting peacefully with the Muslim majority, and we hope to build on that history. I am pleased to say that Ambassador Hanford has had several positive meetings with the Ambassador from Uzbekistan since we announced the designation, and it is our hope to be able to work with the Uzbek Ambassador and the Government in Tashkent toward helping them meet international standards for protecting and promoting religious freedom.

Saudi Arabia

Finally, let me turn to Saudi Arabia, where Ambassador Hanford and other Department officials have established continuing discussions with the Government of Saudi Arabia on religious freedom. Saudi Arabia was first designated a Country of Particular Concern in 2004 because, as the International Religious Freedom Report

notes, religious freedom is not legally recognized as a right, nor is it protected for either citizens or guest workers. All citizens must be Muslims, and basic religious freedoms are limited to all but those who adhere to the state-sanctioned version of Sunni Islam.

However, we are seeing indications that the Saudi Government takes seriously the issue of increasing religious freedom as part of its broader efforts to combat extremism. We were especially pleased last summer that the Saudi Government outlined for us the steps it is taking to address concerns about intolerance and the status of freedom for religious practice. Saudi officials confirmed with our office a number of concrete steps to advance these goals. Their policies are designed to halt the dissemination of intolerant literature and extremist ideology, both in Saudi Arabia and around the world, which includes educational curricula and textbooks. In addition, their policies also include protection of the right to private worship, curbing the harassment of religious groups, and empowering the Saudi Human Rights Commission.

By making these policies public for the first time, the Saudi Government has provided a baseline against which concerned groups can measure its actions. The Saudi Government recognizes that this is just the beginning. Some religious practice is permitted and tolerance is growing in Saudi Arabia, but there is no question that most religious groups, particularly non-Muslim religious groups, must worship in private and are still vulnerable to harassment by the religious police or others. Through our continuing engagement, we will press for full implementation of stated Saudi policies on religious practice and tolerance to create space for greater freedom.

Allow me to say a few words about the status of religious freedom in the other CPC countries:

In Burma, the government infiltrated religious organizations and discouraged or prohibited non-Buddhist groups from constructing new places of worship or repairing existing ones. Some religious leaders, including a number of Buddhist monks who promote human rights and political freedom, are imprisoned, and some Christian clergy face arrest and the destruction of their churches. Muslims, particularly the Rohingyas in Northern Rakhine State, suffer severe legal, economic and social discrimination and widespread prejudice.

In China, the underground Protestant groups, Catholics who recognize the spiritual authority of the Pope, Muslim Uighurs, Tibetan Buddhists, and members of groups the government considers to be “cults,” including the Falun Gong, continue to experience intimidation, harassment, detention and reeducation-through-labor camps. In prison, the government abused members of unregistered religious groups like the South China Church for refusing to recant their beliefs. There were also credible reports of deaths in prisons and labor camps due to torture and abuse.

In Eritrea, the government continues to harass, arrest, and imprison without trial members of Pentecostal and other independent evangelical groups and Jehovah’s Witnesses. Some religious prisoners were held in harsh conditions that included placing them in shipping containers in the desert. As a result, in September Secretary Rice approved a sanction to deny commercial export to Eritrea of any defense articles and defense services controlled under the Arms Export Control Act, with narrow specified exceptions.

In Iran, members of religious minorities—including Baha’is, Sunni and Sufi Muslims, Jews, and Christians—face imprisonment, harassment, intimidation, and discrimination based on their religious beliefs.

In North Korea, genuine religious freedom is non-existent. Defectors continued to report that the regime arrested and executed members of underground Christian churches in prior years. Ownership of Bibles or other religious material is reportedly illegal and may be punished by imprisonment or execution.

In Sudan, Islamization has been the objective of the governing party and it continued to attempt to impose “Shari’a” on non-Muslims in some parts of the country. Many non-Muslims state they have been treated as second-class citizens. We will be watching the actions of the new Government of National Unity to ensure that it fully implements the provisions of the Comprehensive Peace Agreement and the new constitution, both of which provide specific guarantees for religious freedom for all citizens.

Positive Developments

In contrast to these problems, in other countries we see governments taking important steps to open the door to greater religious freedom. Although serious problems remain in Pakistan, for example, that government is among those making efforts to curb extremist ideology and encourage religious tolerance. In Afghanistan,

the government is seeking to uphold constitutional guarantees of religious freedom, despite a long-standing culture of intolerance.

In India, the national government is leading efforts to promote greater respect for freedom of religion, although there have been instances in which some state and local governments have attempted to limit this freedom. Indonesia and other religiously diverse countries face similar challenges, and we support efforts by governments in such countries to counter extremist sentiments, to ensure equality for religious minorities, and to encourage interfaith understanding.

Conclusion

Promoting religious freedom in such countries as Saudi Arabia, Uzbekistan, and Vietnam, and producing the International Religious Freedom Report each year, are only the beginning of our work. Added to these efforts is work by my colleagues here and abroad, day in and day out, in countries around the globe, to ensure greater religious freedom by seeking changes in laws that are oppressive or discriminatory, pressing for the release of religious prisoners, and coming to the aid of victims of abuse. This work is central to who we are as Americans and to our role in the world, and it is work to which President Bush, Secretary Rice, and Ambassador Hanford are fully committed, both for its own sake and as an important facet of our national security strategy. As President Bush has said, “the best antidote to radicalism and terror is the tolerance and hope kindled in free societies.”

Again, we offer sincere thanks to you and to this Committee for your sincere commitment to promoting freedom of thought, conscience, and religion for every individual, in every nation and society around the world. I would be pleased to take any questions you may have.

Mr. SMITH OF NEW JERSEY. Thank you so very much, Mr. Director, and I hope you will convey to Ambassador Hanford our hope for a speedy recovery for his family member. I spoke to him yesterday, and he did say how very much he would like to be here, but he would be very proud of the job you have done. Thank you.

Let me first ask a couple of questions. The first has to do with Vietnam. I understand the tension and the fact that Ambassador Hanford is obviously very much involved with the actual negotiations creating agreements that then are shared, letters that are shared, between the two governments. And it is a very difficult way; it is hard to measure. Have you gotten enough prudent men and women to make that decision?

And I point out that you have made the point that removal from the CPC list does not mean religious freedom conditions are fully achieved in Vietnam, and I would have to agree, but on the other side of the coin, Felice Gaer will be testifying in the next panel and makes the point that the Commission is disappointed, that it is much too soon for the United States to drop Vietnam from the list, and that very importantly, I think, it is the Commission’s view that Vietnam’s new laws on religion are being used to restrict and control freedom rather than fully protect it.

I would note, parenthetically, when I first read the law, because I did read it, I was struck by how it seemed to me it was a double-edged sword, that it could very easily be used to restrict, while it purports to expand religious liberty. And Ms. Gaer makes the point, while she pointed out that the law adopted by Vietnam proscribes forced renunciations, that forced renunciations of faith continue—this is the Commission—particularly among ethnic minority Protestants and Unified Buddhist Church in Vietnam, monks and nuns. And I am wondering about that disconnect.

What is the best available information about the terrible and despicable use of the Vietnamese Government of forcing people, under pain of torture and degrading and inhumane treatment, to recant their faith? In many cases it is in Christ, but others as well.

The monks have also been subjected to such extreme and barbaric behavior. There seems to be a disconnect. Has it abated? Has it gone away?

Mr. LISTON. I can't speak to where the Commission is getting this information. I will say that not designating Vietnam this year has not in any way changed our commitment to working on this issue. And as I said, it does not mean everything is perfect. We recognize that there are still major problems that need to be addressed there. The government, I think, recognizes this as well.

What I can tell you about where we have our information from is that Ambassador Hanford traveled there twice this year, including in August most recently. Each time he has met with religious leaders. I can also tell you that our office is in almost daily engagement with our Embassy, and I would like to say that Ambassador Marine and our Embassy in Hanoi have been extremely vigilant in terms of checking up on reports that the Commission receives and going out and meeting with religious leaders. The Ambassador was just in the northern part of the country doing just that recently. We know that the Embassy has met with religious leaders as recently as this week to ask them their opinions of how things are going, if this is making a difference, and we expect that there may be additional cases. And of course we will look at those and raise those with the government. And we continue to do that. We continue to talk to the government about these issues.

All that said, what is happening with regard to religious freedom in Vietnam now is completely different from what it was when it was designated. And it was a very difficult decision for Ambassador Hanford to make, to make the recommendation to the Secretary that he did. But based on his trips there, based on all the information he was receiving, he felt that it was the right time to do that, that they no longer met the legal definition of a CPC country. And that is the criteria that we are using.

We will continue to work on this issue, and what I can tell you is that we are working with the government even now. They know there are continuing problems. We raised those with them. We have seen them addressed. And I can also tell you that very recently religious leaders in the country have told us that they continue to see improvements, that the difference really is dramatic in just the last few months, and that it continues. So that is very encouraging.

Mr. SMITH OF NEW JERSEY. If that is the trend line, certainly that is encouraging, but if Vietnam were to stagnate at this level or begin further deterioration, or if we realized that they had been duplicitous, which is not above happening, would we be willing, would the political will exist to reimpose a CPC status based on those facts?

Mr. LISTON. Well, the law gives the Secretary the ability to designate a CPC at any time, which means we don't have to wait until next year. She can do that at any time. The encouraging thing is that at this time, what we are seeing is a continuing trend toward improvement. We are seeing additional registrations in the last month, and we are seeing—we expect to see more. We are being told there will be more. So we continue to be very hopeful that this, in fact, is a real change, and that while it may take some time to

work its way into all the places in the country, it is doing that, and that that will happen.

Mr. SMITH OF NEW JERSEY. Let me commend you on the report as it relates to China. The 25 pages of text that documents one human rights abuse after another by the Chinese Government, I think, makes for very disturbing reading, and the fact that they continue to be a CPC country is absolutely warranted. But I am wondering, you know, the dialogue with the Chinese, the fact that we have a very robust trading relationship with them, the balance of trade is in excess of \$200 billion, all in their favor, and there are many people beginning to rethink about whether we are wittingly or unwittingly enabling dictatorship with our trade policies.

Yesterday I was at the State Department with Paula Dobriansky when they announced a new initiative on the whole issue of Internet freedom, and you might recall I introduced the Global On-line Freedom Act, held a hearing here where we heard from Google, Yahoo!, SISCO and Microsoft, and the fact that again, wittingly or unwittingly, they are enabling dictatorship, because dictatorship needs two things, as we all know, to prosper—at least two—and that is the ability to engage in propaganda in an unfettered way—and certainly they are controlling that with Google's help—and also a strong secret police that is able to track down, incarcerate and torture dissidents, religious and human rights as well.

Now, when I read this report—and I think all of us when we read it—it seems to me things are getting worse in China. The Uyghurs are suffering more, the Tibetans; the Buddhists are suffering more, the Catholic underground church, the Protestant underground church; the Falun Gong have been subjected to extreme torture, and the Chinese Government follows them here, too, and to other Western countries or anywhere else that they may be in, and hopefully the FBI is doing more to try to stop that.

But if you could speak to the China record, but also what we are doing in terms of the penalty phase. One of the—you know, there are in excess of a dozen specific things that this country can do as prescribed in the International Religious Freedom Act, and to date I am not sure if any of those have been used other than perhaps the demarche to get their attention.

There are things we can do in international lending, there are actions that we can take, sanctions if you will, and since China has been on that list—as a matter of fact, former Ambassador Bob Seipel was instrumental in getting them on that list, and I think that was a very brave bit of leadership on his part. But it seems to me that given the fact that virtually everyone who is part of the underground movement or the illegal movement, like Falun Gong, they—we need to step up to the plate, I would respectfully submit, and do much more.

And are you contemplating a penalty phase for China? And if not, why not? But I would say this is the most opportune time. The time has come, long past.

Mr. LISTON. Thank you very much. Obviously we have no disagreement that the record of China on religious freedom is extremely poor. They are a Country of Particular Concern, and they remain one. And they belong among the eight worst violators of religious freedom in the world, and that is where they are.

And I think we are constantly looking at new ways to address this issue with the Chinese. I know that the President has raised it, and I know that it is something of great concern to the Secretary. Ambassador Hanford has been working this issue, and I think we are open to looking at new ways to work on this issue with the Chinese.

The fact is that for many people, conditions have gotten worse there, and we need to reassess and look at new ways that we can address this issue. It is a large country. There are many things happening. But frankly, some of the things that we had hoped would work have not, and I think we need to continue looking for new ways.

So I very much appreciate your suggestion, and I think that we can certainly look at new ways that we can address this with the Chinese that will hopefully get their attention and lead to more changes.

Mr. SMITH OF NEW JERSEY. When Hu Jintao visited the United States, the day before he came, I chaired a hearing on human rights abuses in China. We heard from a number of prominent leaders, including Harry Wu and others who spoke truth to power. My concern is that with all the diplomatic niceties that went along with that visit and virtually every other visit, it seems to me that when it comes to looking people in the eye and talking about their record, does your office get the kind of attention within the regional bureau, the China Desk, right up to the very top?

I mean, it is important that you have designated China a CPC. I don't think you could do anything other than that. But how do you mainstream the policies? And I quoted from Tom Farr before. He also makes a very good statement that our Foreign Service officers clearly need to more fully incorporate a view that respect for religion isn't some appendage somewhere, some asterisk at the bottom of a talking point. I know you don't believe that, but for far too many—we were working on the Religious Freedom Act, and I chaired the hearings right here in this room. It was as if this was an alien philosophy that was being discussed, an "us and them" type of relationship, although when you talk economic and other issues, everybody is on board. And I have seen this everywhere I have traveled—that very often the Foreign Service officer is the junior man or woman in that Embassy, and while the Ambassador will say, Well, I do it, too, how mainstream is it?

My question is with China in particular, are we doing enough at every level starting with President Bush, Dr. Rice, and on down to say, This isn't something we are just doing to fill in some time. This is profoundly important, and it will have consequences—again the penalty phase—if you indeed do not begin to reform immediately.

Mr. LISTON. Mr. Chairman, I think I have never seen anything but a sincere commitment on the part of everyone in the regional bureau and the Embassy with regard to this issue.

I think Ambassador Hanford communicates with our Ambassador in China. I think we have raised this issue. When we have gone to them and raised issues with our Embassy, with others in the regional bureau, they take them very seriously. And I think that there is—again, we are always looking for new ways to go at this

issue. And as long as the situation remains as it is, we have to be looking for new ways to address this issue. So I think we will do that.

If I could just say for a moment regarding Foreign Service officers and working this issue, it is still a fairly new issue and one that we in our office are working very hard, with a lot of support, to educate people on and to work very hard on. But my experience has been that most of the people we work with from our office are actually very receptive. They may not know how to go about it, but they work with us, and they work very hard to address this issue.

I think there has been a recognition that this is something that we need to be working on, and that it is appropriate for us to be working on. And we have been very pleased by the help we get.

Mr. SMITH OF NEW JERSEY. I appreciate that, and let's work together with that going forward.

Finally on China, if I could ask one final question. You point out on page 11 that the government had not responded to a request to clarify the status of Bishop Su at the end of the reporting period. I just want the record to clearly show, when I met with Bishop Su in 1994, before he was rearrested and let go and then rearrested again in 1997, I have never seen such clarity in a man's—and kindness—clarity of his eyes. He looked me in the eyes and he said, "I have no malice toward this government. I pray for the government"; and talked about, you know, faith and goodness and generosity and compassion. And yet for that he gets 30 years in the Gulag in the laogai.

My question is, What kind of requests do we make that have gone unanswered by the Chinese Government? It seems to be very simple for them to say, Here is where he is at. He is under house arrest. He is under—we know he is not that—but he is in a laogai, or he is deceased. Why can't they provide that basic information for a Roman Catholic bishop? And he is one of many, as you know, who are incarcerated today.

Mr. LISTON. Mr. Chairman, I can't answer that question today.

Mr. SMITH OF NEW JERSEY. Could you get back on that? And how is it being raised? Who is raising it, the Ambassador?

Mr. LISTON. I can't remember—Ambassador Hanford certainly has raised it during his visits there, and I know we continue to raise that question. Why they don't answer it, I can't tell you.

I don't know of—I agree with you. Why would that be a difficult question to answer? It is something that we are very much following, we are very much raising, we are very much concerned about, as well as the broader plight of many, many Catholics in China, which remains simply unacceptable in terms of their treatment.

Mr. SMITH OF NEW JERSEY. Just very briefly if you could on Saudi Arabia, and I know we have other witnesses, so I won't—and I will submit a number of questions for the record, but what are the problems or concerns? I am encouraged that the Saudis seem to be at least talking.

I point out parenthetically that the former chaplain of Desert Storm is the priest that married my wife and me 30 years ago, and he made it so clear as to how onerous the mutawaa were. If somebody converts, they are subjected to capital punishment. But a lot

of the internationals from the Philippines, including the United States, you can't outwardly show something other than Muslim beliefs. They are not tolerated.

What specific steps? I know that there seems to be a promise, and maybe it is not all that vague, maybe it is concrete, but the textbooks, as we know, are rife with anti-Americanism, anti-Semitism, anti-Christianity, and we have had hearings here in this room where we have had people who have read from the textbooks that have emanated from Saudi Arabia.

My question is, What specific steps and when in Saudi Arabia?

Mr. LISTON. Well, the government has committed—with regard to textbooks, Mr. Chairman, the government has committed to revising, finishing a revision process, in 1 to 2 years. Now, it has been less than 6 months since that commitment was made to us, so we know that it is a process that is ongoing, and we continue to follow it and discuss with appropriate officials in Saudi Arabia that process. We are very interested in following that and are doing that as well.

Our office continues to work very hard on Saudi Arabia. Our officer covering Saudi Arabia returned from a 10-day trip there just last week. And I think conditions obviously remain severe, and there are problems with religious freedom that make it a CPC, very much so.

But what we are hearing is that indeed there have been changes; that we are hearing from non-Muslims in the country that there are changes, that conditions are improving, that harassment has been reduced, and that the religious belief, in fact, is now being given free rein. This is very encouraging. And obviously it is a beginning, not an end.

And we—the list of policies and in terms of allowing people to bring in and use their own religious materials, we are continually monitoring these issues, the religious beliefs, the ability of people to bring in religious materials for their personal use and the ability to worship in private. And what we are seeing is improvements on all of these fronts, and that is very encouraging. It is a first step.

We remain very concerned about the continued violations of religious freedom in that country, but we are encouraged by the small steps that are being taken.

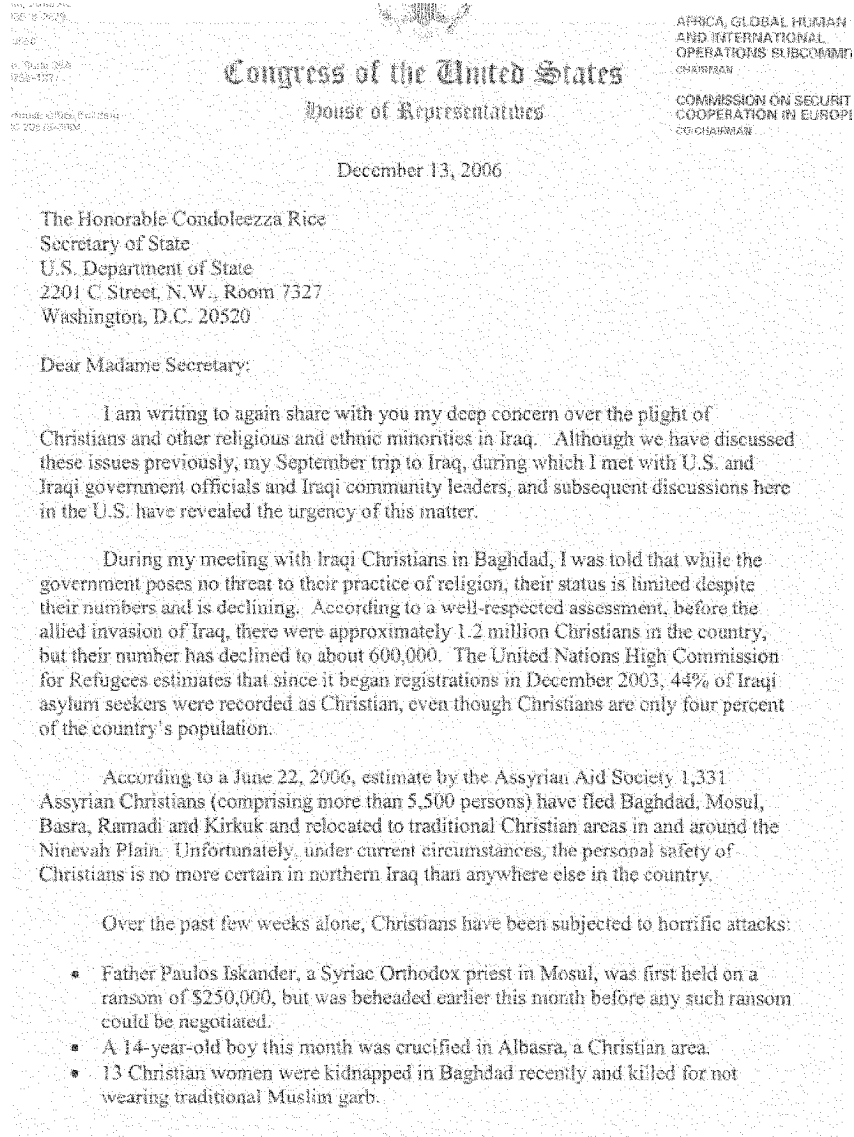
Mr. SMITH OF NEW JERSEY. Let me ask you with regard to Iraqi Christians, obviously an area where we should have additional leverage with the government for all obvious reasons. I was in Baghdad in September and met with the reconciliation commission with four other Members, including the Chairman, and brought with me testimony that we had received from a witness who spoke of the extreme discrimination against ChaldoAssyrians and the fact that there have been beheadings, churches have been destroyed, young people have been killed, and the UNHCR estimates that although they only constitute about 3 percent of the total Iraqi population, they are about 40 percent of the Iraqi refugees over the past 3 years, and they are leaving for an obvious reason: They seem to be profoundly unwelcome and are being discriminated against.

What are we going to try to ensure—and I raised it with our military, I raised it here, and that goes also—and this is again why this integration is so important, in my view—we are providing sig-

nificant humanitarian and reconstruction aid, and yet they seem to be left out of that as well. Not just are they discriminated against by their own government, but by our foreign aid as well.

Without objection, I would like to include a letter I sent to Dr. Rice on this very issue.

[The information referred to follows:]



- St. Mary's Cathedral in Baghdad was bombed in September in an explosion timed to occur when worshippers were leaving the Sunday morning service.

Having visited Iraq, I do understand that the pervasive violence in the country has an impact on all matters. However, I am greatly concerned that investigating and preventing the attacks on Christians does not seem to be a priority for either the federal government in Iraq or the Kurdish-dominated northern provincial governments. Even the Iraq Study Group failed to note this aspect of the crisis in its analysis. Clearly, addressing the concerns of Iraqi Christians must remain a priority for the United States government.

Certainly, Iraq is a majority Muslim country, but the murder, torture and coerced removal of religious and ethnic minorities cannot be tolerated. Just as our nation faced down racist terrorists in the American civil rights movement, we must stand against those who would deny freedom and liberty to Iraqi minorities. A church bombing in Baghdad must be as repugnant to us as those that took place in the American South during the civil rights movement. The same pernicious hatred that caused the bombing of black southern churches then causes explosions in Christian churches in Iraq today, and we cannot fail to address these gross injustices, or they will continue and multiply.

I ask you, Madame Secretary, to investigate this matter to determine whether the U.S. government has done and is doing all it can to safeguard the welfare of Christians and other religious and ethnic minorities in Iraq. Moreover, I urge the Administration to examine whether the civil affairs funding we provide is equitably distributed among all of Iraq's people. Finally, I call upon the Administration to insist that Kurdish authorities responsible for the Ninevah Plain area ensure that Christians and other minorities there will have equal access to needed services and security from attacks that will allow them to remain in Iraq if they so choose, or we should facilitate asylum for those Iraqi Christians and other minorities who are compelled to leave Iraq.

Our government and our people have invested much in redeeming Iraq from tyranny. I ask that we not abandon minorities in Iraq even if support of their rights comes with a price.

Sincerely,



CHRISTOPHER H. SMITH
Chairman
House Subcommittee on Africa,
Global Human Rights and
International Operations

Mr. SMITH OF NEW JERSEY. But I would ask you, What is your office doing with regards to these Christians in Iraq?

Mr. LISTON. We—the suffering that is going on there, and not by Christians, but also by others on the basis of their—simply of their religious beliefs and affiliations is truly disturbing, and it is something that we are very much concerned about and are very aware of.

We are working—with regard to Christians in particular, we work very closely with our Bureau of Population, Refugees and Migration in terms of the issues, the refugee issues, that have arisen there, and we, through them and others working, are working with the UN High Commissioner on Refugees to extend its temporary protection regime for Iraqis who are in other countries seeking refugee status there.

We have urged the UNHCR to accelerate the pace of its refugee status determination, screenings for Iraqi refugees, and to refer for resettlement consideration those who are particularly at risk. So we are working within the structures of the UN High Commission for Refugees to try to address the very serious problems there.

Obviously, the best we can do is to seek an end to the sectarian violence more broadly and work toward that end for all those who are suffering, whether Christians or others.

Mr. SMITH OF NEW JERSEY. Could I ask you if you would speak as to why Turkmenistan was not included?

Mr. LISTON. Turkmenistan, obviously there are ongoing problems there. And we—I don't think the lack of a designation doesn't mean that things are perfect there either. There are some serious problems.

What we have seen in Turkmenistan is the limited progress, and we are very hopeful that the government will build on that progress going forward. There have been registrations. There has been more contact, more willingness to meet with religious groups. We have been very encouraged by that, limited though it is, and we would hope that we would see more progress going forward.

Mr. SMITH OF NEW JERSEY. With all due respect, I hope that you would seriously consider naming that country.

The Commission has recommended that Pakistan also be included. What is your take on that recommendation?

Mr. LISTON. Well, again, there are serious problems there. We don't minimize that. We don't believe they rise to the level of a Country of Particular Concern as it is set out in the International Religious Freedom Act. We are also seeing real efforts by the government to address these issues and to work with us and to work with others on these issues. We are encouraged by that. We think they are serious about this, and we want to encourage them to continue. We are monitoring that situation very closely.

And again, the Secretary has the ability to designate at any time, and I think with regard to both Turkmenistan and Pakistan, we continue to watch, and if we think the legal threshold has been met, I think Ambassador Hanford would have no qualms about making a recommendation.

Mr. SMITH OF NEW JERSEY. If you could—and we have had three hearings on North Korea so far this Congress focusing on the work that Jay Lefkowitz is doing and the implementation of the North

Korean Human Rights Act. Would you want to make any comments with regards to North Korea?

Obviously Iran, a CPC country, bitterly and systematically discriminates against huge numbers of minorities, including the Baha'i. If you would touch on that; Sudan as well.

And then on Eritrea, I know, as Chairman of the Africa, Global Human Rights and International Operations Subcommittee, that we have tried ourselves repeatedly to get the Eritrean Government to realize the misguided path they have chosen, and so again I applaud you for including them. But any insights you might have on any hope of any progress there, because I know Ambassador Hanford has raised that issue with their high leadership repeatedly to no avail as well. This is my final question.

Mr. LISTON. Yes, Mr. Chairman. Starting with Eritrea, I think that in some ways is one of our largest disappointments, the effort we have put into working with them before designation and since to try to raise these issues. And in some ways the issues they face should be fairly simple to deal with. But we continue to raise that. Our Embassy at all levels has made them aware of our concerns. We are particularly concerned about the treatment of the head of the Eritrean Orthodox Church there. It is just hard to imagine the type of repression that is going on with regard not only to unregistered religious groups, but even registered religious groups. We continue to try to raise this issue. We are not getting responses.

In some ways Eritrea is very much like the situation in Iran and in North Korea. These are very difficult countries for us to work on. The other two where we don't have diplomatic relations for us to raise these issues, I think on North Korea and Iran, our effort really is to work with like-minded governments to raise this issue in multilateral forums and to really push forward to get the international community more actively engaged in terms of addressing these issues where we can. The situation in both of those countries remains disturbing, especially in North Korea, where we have no access and where the reports coming out are just, frankly, heart-breaking in terms of the types of abuse that religious believers are suffering.

Mr. SMITH OF NEW JERSEY. I do have one final question. We keep hearing that many of the ASEAN countries are increasingly fed up with the Burmese junta and its threat, the fact that it is an embarrassment to the region, and obviously they are a CPC country, as they should be. Do you see any hope in Burma with regards to that government softening its stance toward believers?

Mr. LISTON. Well, Mr. Chairman, I guess we always have to have hope. But, again, the main way that we are working this right now is through the international community, trying to raise the awareness there. We raised this within those multilateral forums. We have been pushing for resolutions on Burma in the Security Council and the Human Rights Commission. I think these are appropriate. Those in and of themselves won't change conditions, but what we hope they will be do is raise the profile of these issues and encourage other countries to continue pressing for change as well.

Mr. SMITH OF NEW JERSEY. Mr. Liston, is there anything else you would like to add?

Mr. LISTON. No thank you.

Mr. SMITH OF NEW JERSEY. Thank you so very much.

Mr. LISTON. Thank you for having us here.

Mr. SMITH OF NEW JERSEY. I would like to now welcome to the witness table Ms. Felice Gaer, who serves as the chairwoman on the U.S. Commission on International Religious Freedom. She is also the director of the Jacob Blaustein Institute for the Advancement of Human Rights of the American Jewish Community, and in her 20 years in the field of human rights, Ms. Gaer has conceptualized, planned and conducted research and advocacy on many aspects of human rights, including freedom of religion, the human rights of women, the rights of national religious minorities and the prohibition against torture.

Ms. Gaer, please proceed.

**STATEMENT OF MS. FELICE D. GAER, CHAIR, U.S. COMMISSION
ON INTERNATIONAL RELIGIOUS FREEDOM**

Ms. GAER. Thank you, Mr. Chairman. I want to begin also by thanking you not only for the opportunity to testify at this hearing, but for your leadership on these issues over these many years. I plan to summarize the Commission's testimony in my oral remarks. I would like to request that our full written statement be included in the record.

Mr. SMITH OF NEW JERSEY. Without objection, so ordered.

Ms. GAER. Thank you very much.

The Department of State's *Annual Report on International Religious Freedom* and the work of our Commission continue to demonstrate that the issue of religious freedom intersects with and shapes numerous U.S. foreign policy concerns. The *Annual Report on International Religious Freedom* issued by the State Department last September provides an opportunity to assess the status of religious freedom throughout the world, to focus on the countries that are particularly serious violators of religious freedom, and to appraise U.S. efforts to integrate this important freedom within foreign policy.

The Commission's testimony not only addresses the annual report but also the designation by the Secretary of State of Countries of Particular Concern, including the decisions you, yourself, have just asked about this morning; adding Uzbekistan, removing Vietnam, et cetera. The testimony also discusses the Commission's concerns about deteriorating conditions in China, another CPC country, and the Commission also addresses two countries it has visited in the last year, Russia and Bangladesh.

Finally, the testimony comments on the absence of protections for religious minorities in Iraq and the subsequent refugee crisis. Now, like you, the Commission welcomed the designations of Countries of Particular Concern. As you noted, we supported the fact that Eritrea and Saudi Arabia were again named since there has been no developments in the past year to warrant their removal from the CPC list. The Commission also welcomed the addition of Uzbekistan as a CPC. We have recommended that previously. The Uzbek Government continues to exercise a high degree of control over the practice of the Islamic religion and to crack down harshly on Muslim individuals, groups, and mosques who do not conform to state-prescribed policies and practices that the government

claims are associated with extremist political programs. Our Commission has been quite outspoken in criticism of extremist groups and extremist threats in Uzbekistan, but the imprisonment of thousands of persons in recent years, most of whom are denied due process rights, where there are credible reports that many of those arrested continue to be tortured or beaten in detention, put into question, severe question, Uzbek promises to halt this practice.

The highly restrictive law and religion compound the problem. The Government of Uzbekistan, as you know, has had serious problems, with those of us following the country, since the Andijon events, which I know you have been very concerned with, Mr. Chairman.

We welcome the opportunity to work with the State Department as it prepares to take action in response to Uzbekistan's designation as a CPC because this opens up new opportunities, including the development of benchmarks regarding the steps necessary to improve Uzbekistan's record.

Well, you have stolen our thunder, Mr. Chairman, about the disappointment of the Commission about the dropping of Vietnam from the list, and, as you know and you have just heard again, the State Department had reached an agreement with Vietnam on benchmarks. The government agreed to consider taking Vietnam off the list if it met those benchmarks. You have just heard from Mr. Liston a list of the positive things that have happened. In fact, Ambassador Hanford, who we are sorry is unable to be here today and who is in our thoughts and prayers, indicated that "major progress has been achieved on all points of concern." I think the Commission agreed with that, and I think you probably do as well; that there has been major progress. The question is, the other side of the coin, and we heard this from Mr. Liston, that there are very severe problems that remain. And the devil is in the details here, how implementation of the laws, of the decrees and instructions are being carried out at the local level. And it is the judgment of the Commission that this was too soon to take them off of the CPC list.

The May 2005 agreement stipulated that Vietnam needed to implement fully its new laws on religion. In fact, the new laws on religion are not fully implemented according to the assessment reached by our commission. And, in some cases, these laws are being used to restrict and control freedom rather than fully protect it. The Commission has stated that these facts alone warrant Vietnam's redesignation as a CPC, and the Commission views the lifting of CPC designation as potentially removing an important incentive that has stimulated United States-Vietnamese discussions on religious freedom. You and I have talked before about how one calibrates policy, and the judgment on whether or not this removal of the CPC status will promote or hinder further positive developments in Vietnam is exactly the issue that needs to be calibrated. You have our views on that subject. It was much too soon.

In our view, retaining the CPC designation would have indicated that U.S. human rights concerns remain a priority and are critical to the scope and progress of United States-Vietnam relations. In our view, it would have continued to provide incentives for the Vietnamese Government to address remaining United States con-

cerns to establish permanent legal protections for religious and ethnic minorities, and to promote cooperation with U.S. assistance programs that advance legal reform, rule of law, economic development for ethnic minorities and capacity building for emerging civil society.

On the matter of Saudi Arabia, the Commission welcomed the State Department's announcement that by having legal discussions with Saudi Arabia, it enabled the United States to publicly confirm a variety of Saudi policies to improve religious practice and tolerance. Many of those were first recommended in Commission reports.

However, in the past, Saudi authorities have made statements regarding religious freedom reforms but did not act on them. The Commission therefore has recommended that the Department continue to press the Saudi Government to the specific steps that it will implement, that it will take to implement these policies and that it report publicly to this Congress every 120 days on what the Saudis have done or not done in that regard. Public reporting seems extremely important in this context.

Now the *Annual Report on International Religious Freedom* this year makes clear that two other countries merit CPC status. You have already discussed them with Mr. Liston: Pakistan and Turkmenistan.

We think the omission of Turkmenistan from the list is particularly troubling, and I look forward to discussing that with you further in view of last night's announcement and the transition that is currently underway. Turkmenistan has been among the most repressive states in the world, and we think this is—should have been on that list.

And we find it extremely troubling, we found it perplexing that despite a few superficial legal changes regarding religious freedom and little, if any, changes on the ground, that they have continued to escape the CPC designation so clearly deserved.

Now, Mr. Chairman, you know about our views on violation of religious freedom in China and the ongoing crackdown, and you will be hearing from others on that today. The cases that silence human rights defenders, in our view, clearly demonstrate Beijing's vow to fully demonstrate the rule of law are still thus far empty promises.

The Commission recommends congressional oversight of the strategic dialogue with China to ensure that religious freedom and other human rights goals are given prominent focus. And we also urge the United States Government to press Chinese authorities to implement more effectively rule of law reforms and human rights protections and to target United States assistance programs toward programs that will advance religious freedom in China, including programs on legal reform and training and civil society building.

As you know, Mr. Chairman, the Commission visited Russia this year, and we had five major areas of concern: The failure to adequately prosecute hate crimes, anti-Semitism, xenophobia and other hate crimes, crimes against Muslims; the Russian Government's attempt to challenge international human rights institutions and to undermine domestic rights advocacy was of particular concern; the increasing official harassment of Muslims; and the re-

strictive NGO law that also applies to religious organizations were among these concerns; and the local and regional level restrictions on religious practice as well. We have made extensive recommendations on these. We have just published a new policy brief on Russia, and I would like to submit them, too, for the record along with our testimony for you. We have a number of very specific recommendations about the importance of continuing a mechanism for public monitoring of human rights in Russia and ensuring that United States assistance and engagement is more effective.

We think Russia is a highly influential model for many countries, particularly the other countries of the former Soviet Union, and is an increasingly vital partner for the United States as well. Therefore, the United States should neither abandon nor neglect its efforts to strengthen human rights protection in Russia.

Mr. Chairman, our testimony also addresses the situation in Bangladesh where a crucial national election is coming, the last one having been marred by violence mainly directed against, largely directed against Hindus and other minorities. And we are concerned about the upsurge in violence by religious extremists and the vocal public campaign against the Ahmadi community. Only recently has the Government of Bangladesh become concerned or more public about the problem of violence, and we urge the U.S. Government to face up to the seriousness of the threat facing Bangladesh, encourage the government there to address the growing problem of religious extremists and violence to prevent anti-minority violence during this pre-election period and during the time of the polling, and that the U.S. Government could engage leading the international community in monitoring those elections which will take place in January. Again, our new policy brief on Bangladesh contains more information.

Finally, Mr. Chairman, in this holiday period, I wanted to also mention the Commission's concern about the failure to protect religious minorities in Iraq. The several ancient religious communities in Iraq, particularly the Assyrians and the Mandeans, are currently facing dire situations that have forced them to flee the country. The Commission has written to Under Secretary Dobriansky recommending that the U.S. Government create new or expands existing options for allowing members of the Assyrian and the Mandeans minority communities to access the United States refugee program and to urge UNHCR, the High Commissioner for Refugees, to resume full refugee status determinations for all Iraqi asylum seekers without delay.

We met with some representatives of these communities on a recent visit to Turkey.

Now, Mr. Chairman, the annual report is an important achievement that demonstrates the significant efforts of Foreign Service officers in our Embassies around the world as well as the Ambassador at Large for Religious Freedom and his staff at the State Department's Office of International Religious Freedom. We think many of the individual country records in the annual report are first rate, thorough and accurate. We have raised concerns about some of those. I think you are familiar with the attention we have called to the country report on Saudi Arabia in particular, but our testimony runs through the report on Saudi Arabia, China, North

Korea, Turkmenistan, Vietnam, and I won't go into that, but I look forward to engaging with the Committee and the Department on those because these reports are vitally important in the effort to promote freedom and to promote religious freedom worldwide.

Mr. Chairman, thank you for providing us the opportunity to share our views. And I would be pleased to answer any questions that you may have regarding our oral or written statements.

[The prepared statement of Ms. Gaer follows:]

PREPARED STATEMENT OF MS. FELICE D. GAER, CHAIR, U.S. COMMISSION ON
INTERNATIONAL RELIGIOUS FREEDOM

Mr. Chairman and distinguished Members of the Subcommittee, let me begin by thanking you for the opportunity to testify today at this important hearing. I plan to summarize the Commission's testimony in my oral remarks, but would like to request that my full written statement be included in the record.

The Department of State's *Annual Report on International Religious Freedom* and the work of our Commission continue to demonstrate that the issue of religious freedom intersects with and shapes numerous U.S. foreign policy concerns. No longer viewed as solely a human rights matter, the issue of religious freedom is now understood to have a profound impact on our own political and national security interests as well as on political stability throughout the world.

In passing the International Religious Freedom Act of 1998 (IRFA), Congress determined that it would be the policy of the United States to promote respect for this right as a matter of U.S. foreign policy. The State Department's Annual Report, which was released last September, provides an opportunity to assess the status of religious freedom throughout the world, to focus on the countries that are particularly serious violators of religious freedom, and to appraise U.S. efforts to integrate this important freedom within its foreign policy.

Along with the Commission's comments on the Annual Report, my testimony will address the Secretary of State's designations last month of "countries of particular concern" (CPCs), including the decision to add Uzbekistan to and remove Vietnam from the list. I will then discuss the Commission's concerns about the deteriorating religious freedom situation in China, another CPC country. In addition, I will focus on two countries which the Commission visited in the past year: Russia, where protections for religious freedom and other human rights are being deliberately whittled away by the present government, and Bangladesh, a country in which religious extremism appears to be gaining ground. I will also comment on the absence of protections for religious minorities in Iraq and the subsequent refugee crisis.

THE 2006 DESIGNATIONS OF COUNTRIES OF PARTICULAR CONCERN AND THE COUNTRIES
OMITTED FROM THE CPC LIST

One of the most critical elements of the IRFA legislation is the public naming by the U.S. government of the world's most severe violators of thought, conscience, and religion or belief. One of the purposes of the Annual Report is to make available the factual information necessary for the Department to carry out this task, that is, to determine which countries will be designated as "countries of particular concern," or CPCs, for engaging in systematic, ongoing, and egregious violations of freedom of religion or belief.

The Commission welcomed the continued designation last month by Secretary of State Condoleezza Rice of **Burma, China, Iran, North Korea, and Sudan** as CPCs. We also supported the fact that Eritrea and Saudi Arabia were once again named, since there have been no developments in the past year in either of those countries to warrant their removal from the CPC list.

Uzbekistan Named a CPC

The Commission also welcomed the designation of **Uzbekistan** as a CPC, which the Commission has recommended for two years. The Uzbek government continues to exercise a high degree of control over the practice of the Islamic religion and to crack down harshly on Muslim individuals, groups, and mosques that do not conform to state-prescribed practices or that the government claims are associated with extremist political programs. This has resulted in the imprisonment of thousands of persons in recent years, many of whom are denied the right to due process. There are credible reports that many of those arrested continue to be tortured or beaten in detention, despite official Uzbek promises to halt this practice. All mosques are

subject to state control and independent mosques have been closed by the government.

Allow me to cite one recent case, that of the independent imam, Ruhiddin Fahrutdinov. The Uzbek government alleges that he is a "Wahhabi" and therefore a religious extremist, a term often used by the Uzbek government to describe any Muslim who works outside the government-sponsored Muslim religious organization. On 15 September, 2006, the Tashkent City Criminal Court sentenced Fahrutdinov to 17 years' imprisonment for setting up an illegal religious organization and engaging in extremist activities. The court building was surrounded by about 50 Interior Ministry officers armed with automatic weapons. No observers and none of Fahrutdinov's close relatives were allowed into the court.

Moreover, Uzbekistan has a highly restrictive law on religion that severely limits the ability of religious communities to function, leaving over 100 religious groups currently denied registration. Twenty Protestant churches have been closed in the Karakalpakstan region in recent years.

The government of Uzbekistan faces threats to its security, but these threats do not excuse or justify the scope and harshness of the government's ill treatment of religious believers nor the continued practice of torture, which reportedly remains widespread. Existing restrictions on religious freedom for all religious denominations in Uzbekistan have deepened since last year's violence in Andijon, when the Uzbek government ordered the shooting of hundreds of unarmed protestors.

The Commission has traveled to Uzbekistan and issued numerous reports on the severe religious freedom problems there. We would welcome the opportunity to work with the State Department as it prepares to take action in response to Uzbekistan's designation as a CPC, including in the development of benchmarks regarding the steps necessary to improve that country's record on freedom of religion or belief.

The Removal of Vietnam from the List

The Commission has expressed disappointment that the State Department dropped **Vietnam** from the list. As you know Mr. Chairman, in May 2005, the State Department announced it had reached an agreement with Vietnam on benchmarks to demonstrate an improvement in religious freedom conditions. The U.S. government agreed to consider taking Vietnam off the CPC list if these conditions are met.

Although the Vietnamese government has taken some positive steps over the past year to address religious freedom concerns, the Commission has concluded that Vietnam has not yet fully complied with the May 2005 agreement. The Vietnamese have released prominent prisoners of concern, however, in the last year a dozen new arrests have been made and prominent leaders remain under house arrest. Even those recently released remain under intense government surveillance.

The May 2005 agreement stipulated that Vietnam needed to implement fully its new laws on religion. Over the past two years, the Vietnamese government issued orders banning forced renunciations of faith and two ordinances intended to loosen restrictions on religious practice and registration. It is the Commission's view, however, that Vietnam's new laws on religion are being used to restrict and control freedom rather than fully to protect it. For example, forced renunciations of faith continue particularly among ethnic minority Protestants and Unified Buddhist Church of Vietnam (UBCV) monks and nuns. Additionally, it has come to our attention that security forces are using the new laws to detain religious leaders and deny legal status to the UBCV and some Hoa Hao Buddhists, Vietnamese Mennonites, and Hmong and Montagnard Protestants, particularly those who refuse to join the government-approved religious organizations.

These facts alone warrant Vietnam's re-designation as a CPC. Moreover, in the Commission's view, lifting the CPC designation potentially removes an important incentive that has stimulated U.S.-Vietnamese discussions on religious freedom. Over the last year and half, religious freedom concerns have been made a diplomatic priority with productive results. Despite fears to the contrary, the CPC designation did not hinder progress on economic and security interests that the United States shares with Vietnam.

Therefore, in our view, it was much too soon for the United States to drop Vietnam from the list. Retaining the CPC designation would have indicated that U.S. human rights concerns remain a priority and are critical to the scope and progress of U.S.-Vietnamese relations. In addition, it would have continued to provide incentives for the Vietnamese government to address remaining U.S. concerns, to establish permanent legal protections for religious and ethnic minorities, and to promote cooperation with U.S. assistance programs that advance projects of legal reform, rule of law, economic development for ethnic minorities, and capacity building for an emerging civil society.

In the past year, the Commission has made many such recommendations regarding U.S. assistance programs in Vietnam, including the following recommendations for the U.S. government:

- Support the full and vigorous implementation of the Montagnard Development Program (MDP), which was created last year as part of the House and Senate Foreign Operations conference report. The MDP would provide targeted humanitarian and development support to the Montagnard/ Hmong people and would provide needed development funds for ethnic minorities whose demands for land rights and religious freedom are closely connected. This program is consistent with Vietnam's own stated goals of reducing poverty in the Central Highlands and northwest provinces and with the need for reform, transparency, and access to regions where many religious freedom abuses continue to occur.
- Reallocate the funds that formerly supported the STAR (Support for Trade Acceleration Program) to new projects on human rights training, civil society capacity building, and non-commercial rule of law programs in Vietnam. The Commission suggests the funds go to the creation of the Promoting Equal Rights and the Rule of Law (PEARL) program. Prime Minister Nguyen Tan Dung has said he is committed to reform, democracy and rule of law. The U.S. government should take him at his word and assist in that process.

Bilateral Discussions with Saudi Arabia

Last July, the Commission welcomed the State Department's announcement that bilateral discussions with **Saudi Arabia** have enabled the United States to confirm a variety of Saudi policies to improve "religious practice and tolerance"—many of which were first recommended in Commission reports. As far as we can tell, the newly-reported Saudi policies—if actually implemented in full—could advance much-needed efforts to dismantle some of the institutionalized policies that have promoted severe violations of freedom of religion or belief in Saudi Arabia and worldwide. The new policies reportedly aim to halt dissemination of intolerant textbooks and extremist ideology, protect the right of Muslims and non-Muslims to worship in private, and change the composition, powers, and practices of the *Mutawaa* (the religious police). Changes in these areas are necessary first steps for Saudi reform.

However, in the past, Saudi authorities have made statements regarding religious freedom reforms, but did not act on them. Because previous Saudi reform pledges have not been implemented in practice, the Commission is concerned about whether and how these reported Saudi policies will be implemented and how the United States will monitor them. The Commission therefore has recommended that the State Department continue to press the Saudi government on the specific steps that it will take to implement these policies and report publicly to Congress every 120 days on what the Saudis have done or not done in that regard.

Eritrea Continues to Deteriorate

The government of **Eritrea** continues to engage in systematic and egregious violations of religious freedom. Current violations include a prolonged ban on public religious activities by all religious groups that are not officially recognized, closure by the authorities of the places of worship of these religious groups, inordinate delays in acting on registration applications by religious groups, disruption of private religious and even social gatherings of members of unregistered groups, arbitrary arrests and detention without charge of their members, and the mistreatment or torture of religious detainees, sometimes resulting in death. Unfortunately, the situation has continued to deteriorate since the CPC designation was made in 2004.

Countries Not Named

The information in this year's Annual Report makes clear that two other countries merit CPC status in addition to those that have been previously named by the Secretary of State. The Commission finds that the governments of **Pakistan** and **Turkmenistan** persist in engaging in or tolerating particularly severe violations of religious freedom, and regrets that they were, once again, not designated as CPCs this year.

In **Pakistan**, discriminatory legislation effectively bans many of the activities of the Ahmadi community. Blasphemy allegations, routinely false, result in the lengthy detention, imprisonment of, and sometimes violence against Ahmadis, Christians, and Hindus, as well as Muslims, some of whom have been sentenced to death. Though two persons were acquitted of blasphemy charges last month, that same month, a Pakistani court sentenced two men to 10 years in prison on blasphemy charges. In the wake of rumors in October that the two men had committed blas-

phemy, it was reported that a mob of 500 persons attempted to kill them. What is more, even those who are acquitted are not able to return to their former lives, as the threat of violence frequently forces them to move or live in hiding. In addition, the government of Pakistan continues to provide an inadequate response to vigilante violence, sometimes in response to false blasphemy allegations, against Shi'as, Ahmadis, Hindus, and Christians.

The omission of **Turkmenistan** from the CPC list continues to be troubling and a discredit to Congress's intent in passing IRFA. Turkmenistan, among the most repressive states in the world today, allows virtually no independent religious activity. Severe government restrictions that effectively leave most, if not all, religious activity under strict—and often arbitrary—state control. In addition, Turkmen President Saparmurat Niyazov's ever-escalating personality cult has become a quasi-religion to which the Turkmen population is forced to adhere. His self-published work of "spiritual thoughts," called *Ruhnama*, is required reading in all schools. In addition, copies of *Ruhnama* must be given equal prominence to the Koran and the Bible in mosques and churches. In the past few years, President Niyazov has passed several decrees that permitted the registration of nine very small religious communities. However, despite this alleged easing of registration criteria, religious groups continue to require permission from the state before holding worship services of any kind, making it unclear what—if any—practical benefits registration actually provides. Moreover, religious groups that do not meet the often arbitrary registration rules still face possible criminal penalties due to their unregistered status and, according to the State Department, publishing religious literature is banned by government decree.

Even the rights of members of the two largest religious communities, the majority Sunni Muslims and the Russian Orthodox, are seriously circumscribed. In the past two years, seven mosques were destroyed in the country and President Niyazov forbade the construction of any new ones. Turkmenistan's former chief Mufti, Nazrullah ibn Ibadullah, refused to elevate the *Ruhnama* to the level of the Koran and was sentenced in 2005 to 22 years in prison on political motivated charges. Last year, President Niyazov undertook various moves against the country's only Muslim theological faculty.

Mr. Chairman, it is clear to virtually every observer, including to the members of the Helsinki Commission, of which you have been chair, that Turkmenistan is a highly repressive state, where the Turkmen people suffer under the yoke of a personality cult that allows them few freedoms of any kind, including religious freedom. The Commission finds it extremely troubling—and frankly, perplexing—that despite a few superficial legal changes regarding religious freedom, and little if any change to the situation on the ground, Turkmenistan continues to escape the CPC designation it so clearly deserves.

CHINA: RELIGIOUS FREEDOM VIOLATIONS CONTINUE UNABATED

In the past several months, the Commission has issued several statements expressing concern about continued violations of religious freedom in China. We have also drawn attention to an ongoing crackdown that aims to intimidate and silence lawyers, scholars, journalists, and other human rights defenders who attempt to use Chinese law as a means to protect individuals, including religious leaders, who often face persecution from government officials. In August of this year, the Commission condemned the arrests of prominent Chinese lawyers Gao Zhisheng and Xu Zhiyong. Xu Zhiyong was preparing to defend Chen Guangcheng, a blind legal activist who has campaigned against China's harsh population control measures. Although Xu was released shortly after Chen's trial on charges of incitement to disrupt traffic and commit vandalism, local officials in Shandong repeatedly used threats, beatings, and detention to intimidate several members of Chen's legal team throughout the investigation and trial period. Following Chen's re-trial last month, the Commission again expressed concern when three witnesses for the defense failed to appear in court, reportedly due to government efforts to intimidate them. These witnesses had signed affidavits stating that, before Chen's original trial, police tortured them in order to force them to give testimony implicating Chen. One day after the re-trial hearing, police abducted and beat Chen's wife, Yuan Weijing, leaving her hospitalized. On December 1, without considering any evidence outside of confessions that are credibly alleged to have been obtained through torture, the court upheld Chen's original conviction and again sentenced him to 4 years and 3 months imprisonment.

Following his August arrest, civil rights attorney Gao Zhisheng was held without charges for over a month and his family placed under house arrest. Gao was well known for his defense of religious leaders, his criticism of the crackdown on Falun Gong, and his outspoken open letters appealing to Chinese leaders to respect provi-

sions in their own laws that protect human rights. On December 12, Gao Zhisheng, who had not been permitted to meet with his lawyer for the duration of his detention period, was tried in secret and forced to plead guilty on charges of “incitement to subvert state power.” His lawyer and family members were also not present at the trial.

The Commission’s concerns about continuing religious freedom violations in China were heightened by the more recent reports of torture and other due process violations by Chinese authorities in the prosecution of the three sons of exiled Uighur human rights advocate Rebiya Kadeer. Last month, a court in Urumqi sentenced one of Kadeer’s sons to seven years imprisonment on charges of alleged tax fraud. The condition of another son, detained on more serious charges of subversion, remains unknown. Because the arrest of Kadeer’s sons coincided with efforts of local authorities to prevent members of the Kadeer family from meeting with a U.S. congressional staff delegation to discuss human rights conditions for Uighurs, observers suspect that the charges are politically motivated. Reports indicate that all three sons were tortured to confess their guilt to the charges against them.

These cases to silence human rights defenders clearly demonstrate that Beijing’s vows to fully promote the rule of law are, thus far, still empty promises. Moreover, the cases I have described here come at a time of worsening human rights conditions in China. During the past year, the Commission has received reports nearly every week of raids on unregistered religious gatherings and multiple cases of arrest, detention, and harassment of religious leaders, journalists, and human rights lawyers and activists.

The Commission continues to urge the U.S. government to engage in a systematic and high level human rights dialogue with China that prominently addresses China’s deteriorating religious freedom conditions. The previous U.S.-China human rights dialogue was folded into an all-encompassing “Strategic Dialogue” which has recently been superseded, at China’s insistence, by the recently concluded “Economic Dialogue.” The Commission recommends congressional oversight of the Strategic Dialogue to ensure that religious freedom and other human rights goals are given focus equal to economic and security interests. The Commission also urges the U.S. government to 1) press Chinese authorities to implement more effectively rule of law reforms and human rights protections and 2) target U.S. assistance programs toward programs that will advance religious freedom in China, including programs on legal reform and training and civil society building. Everyone’s right to due process and to freedom from torture should be protected in China, and the Chinese government should take immediate steps to ensure that these rights are not denied.

RUSSIA: HUMAN RIGHTS UNDERMINED

Let me begin by talking about Russia. In June this year, a delegation of the Commission traveled to Russia, visiting Moscow, St. Petersburg, and Kazan, the capital of the Republic of Tatarstan. As a result of its visit, the Commission noted five major areas of concern in Russia:

- *The Russian government’s failure adequately to prosecute hate crimes.* Although most attacks are motivated by ethnic hatred, some attacks against Muslim, Jewish, Protestant, and other religious communities are explicitly motivated by religious factors. Hostile articles in the de facto state-controlled Russian media contribute to intolerance, as do statements of some public officials and religious leaders. Persons who have investigated or been publicly critical of hate crimes in Russia have themselves been subject to violent attacks. Many Russian officials label crimes targeting ethnic or religious communities simply as “hooliganism.” More should be done to ensure that law enforcement agencies prevent and punish such crimes, particularly those involving ethnicity and religion. While vigorously promoting freedom of expression, public officials and leaders of religious communities should take steps to discourage rhetoric that promotes xenophobia or intolerance, including religious intolerance.
- *The Russian government’s attempts to challenge international human rights institutions and undermine domestic human rights advocacy.* The problem of rising ethnic and religious intolerance has been exacerbated by the repeated efforts of Russian government officials to label foreign funding of non-governmental organizations (NGOs) as “meddling” in Russia’s internal affairs. Although Russia has ratified international human rights treaties, Russian officials and other influential figures have challenged international human rights institutions, as well as the validity of human rights advocacy in Russia, charging that it is being used for political purposes. Moreover, the branding of human rights organizations as “foreign” has increased the vulnerability of

human rights advocates and those they defend. The Commission heard similar views expressed by Metropolitan Kirill, Metropolitan of Smolensk and Kaliningrad and External Affairs spokesman of the Moscow Patriarchate of the Russian Orthodox Church—a cause for concern, given the increasingly prominent role provided to the Russian Orthodox Church in Russian state and public affairs.

- *Increasing official harassment of Muslims.* The Russian government faces significant challenges as it addresses genuine threats of religious extremism and terrorism in Russia. One challenge is protecting the freedom of religion and other human rights of all persons, even as counter-terrorist efforts are undertaken. However, Russian human rights defenders provided evidence of numerous cases of Muslims being prosecuted for extremism or terrorism despite no apparent relation to such activities. Human rights activists also presented evidence that dozens of individuals have been detained for possessing religious literature such as the Koran, or on the basis of evidence planted by the police. In several regions, mosques have been closed by Russian government officials. These arbitrary actions may increase instability and exacerbate radicalism in Russia.
- *The restrictive NGO law that applies to religious organizations.* Sergei Movchan, the director of the Federal Registration Service (FRS), confirmed that some of the law's most intrusive provisions do apply to religious organizations. The FRS' 2,000 employees who are charged with oversight of NGOs have broad discretion to attend NGO events and demand documents, as well as to cancel programs and ban financial transactions of the Russian branches of foreign organizations. One key purpose of the new legislation was to prevent NGOs—especially those receiving foreign funding—from engaging in so-called political activities, a purpose not spelled out or defined in the legislation. Human rights organizations are particularly vulnerable to this implicit prohibition, which is subject to arbitrary interpretation. The provisions of the NGO law on foreign funding have been perceived as a part of a broader effort described above to link human rights groups to “foreign interference.” There is evidence that the FRS will examine the charters of religious groups and initiate closure proceedings if the FRS deems that any of the group's activities is not expressly laid out in the group's charter. I would like to mention here that the Commission will soon be issuing a comprehensive analysis of the NGO law, which lays out our views of the ways in which we believe the legislation runs counter to international norms.
- *Continuing restrictions on religious freedom at the regional and local levels.* Persistent problems include de facto state-controlled media attacks that incite intolerance; registration denials; refusals to allot land to build places of worship; restrictions on rental space for religious activities; and long delays in the return of religious property. According to the Russian Human Rights Ombudsman's office, legal advocates, and religious leaders, the restrictions and limitations that produce these complaints are based on subjective factors, including the notion that Russian officials should accord different treatment to the four so-called “traditional” religions (Russian Orthodox, Islam, Judaism, and Buddhism) compared to that accorded the many non-traditional religious communities in Russia. Another factor is the alleged influence on local and regional government leaders by Russian Orthodox priests who object to the activities of other religious groups.

Commission Recommendations on Russia:

The Commission has made an extensive set of recommendations which I would like to submit for the record along with our Policy Brief on Russia. I will limit my comments at this time to those that we hope that the Congress will consider:

- ensuring that U.S. government-funded grants to Russian NGOs include the promotion of legal protections and respect for religious freedom as well as methods to combat xenophobia and that solicitations and requests for proposals should include these objectives;
- supporting programs developed by Russian institutions to organize conferences and training programs on freedom of religion or belief, promoting inter-religious cooperation, encouraging pluralism, and combating hate crimes and xenophobia;
- supporting programs to train lawyers to contest violations of religious freedom in Russian courts;

- ensuring that Russia's citizens continue to have access to alternative sources of information through U.S.-government-funded radio and TV broadcasts and Internet communications, by:
 - restoring the funding of Russian-language radio broadcasts of Voice of America and Radio Free Europe/Radio Liberty (RFE/RL) to the levels of fiscal year 2006; and
 - increasing funding for radio broadcast programs in minority languages spoken in Russia, particularly in areas with majority Muslim populations;
- including in U.S.-funded exchange programs a wider ethnic and religious cross section of the Russian population, particularly for students from regions of Russia with sizeable Muslim and other religious and ethnic minority populations; and
- initiating International Visitor's Programs for Russian officials and other relevant figures on the prevention and prosecution of hate crimes.

Mr. Chairman, Russia continues to be a highly influential model for many countries, particularly other countries of the former Soviet Union. Russia also remains an increasingly vital partner for the United States which should neither abandon nor neglect its efforts to strengthen human rights protection and promote democracy in Russia. The Commission therefore strongly believes that as part of the bi-lateral relationship, the President and other U.S. officials should be prepared to counter claims by Russian leaders that U.S. and UN efforts to advance human rights concerns constitute foreign "meddling" or are aimed at harming the Russian Federation. Clearly, Russia's importance requires continuing examination of the Russian government's policies on democratic reform and protection of religious freedom and other human rights.

BANGLADESH: THE NEED TO ENSURE THAT MINORITIES ARE PROTECTED

Next month, in January 2007, the People's Republic of Bangladesh will hold a national election, its fourth since the fall of a military dictatorship in 1990. This election will be a critical test for the country. The last national election in October 2001 was marred by violence; many of the victims were Hindus, Bangladesh's largest religious minority. That election was won by an alliance that included, for the first time in Bangladesh, religiously based parties. The largest of these, Jamaat-e-Islami Bangladesh, openly promotes Bangladesh becoming an Islamic state with a legal system based on sharia, or Islamic law, and the establishment of an "Islamic social order." Moreover, avowedly Islamist political parties serving in the government coalition have sought to impose a more Islamic cast on government and society, a goal that could have serious implications for religious freedom in Bangladesh.

Since the 2001 election, Bangladesh has experienced an upsurge in violence by religious extremists increasing the concerns of the country's religious minorities, including Hindus, Christians, and Buddhists. In addition, Islamist activists have mounted a vocal public campaign against the Ahmadi religious community.¹ The country's courts and secular legal system have been subjected to terrorist attacks by those wishing to impose Islamic law. Secular NGOs, anti-extremist journalists, and other public figures have also been attacked, sometimes fatally. The government of Bangladesh initially downplayed the problem of violence, and only belatedly has it become more assertive in its response.

Bangladesh is by many standards a moderate and democratic majority-Muslim country. The 2007 election will help determine whether Bangladesh will be able to sustain its democratic institutions and effective secular legal system, which guarantee the human rights of all Bangladeshis.

The Commission traveled to Bangladesh in March and has this year again placed Bangladesh on its Watch List. We urge the U.S. government to:

- 1) face up to the seriousness of the threat facing Bangladesh
- 2) lead the international community in monitoring the January 2007 elections
- 3) urge the Bangladeshi government to prevent anti-minority violence during that upcoming election, and

¹Ahmadis are followers of Mirza Ghulam Ahmad, who founded a religious community in the late 19th century in what was then British India. Although Ahmadis consider themselves to be Muslim, some Muslims consider them heretics because of the Ahmadis' claim that their founder was the recipient of divine revelation, a claim believed by some Muslims to violate a basic Islamic tenet that Mohammed was the last of the prophets.

- 4) encourage the government of Bangladesh to address the growing problem of religious extremism and violence.

More specific policy recommendations can be found in our Policy Brief on Bangladesh.

THE FAILURE TO PROTECT RELIGIOUS MINORITIES IN IRAQ

Several ancient religious communities in Iraq, particularly the ChaldoAssyrians and Sabeian Mandaeans, currently face a dire situation that has forced them to flee their country. Because of the specific and well-documented threats these groups face in Iraq, including violence directed at them because of their religion, the Commission last month sent a letter to Paula Dobriansky, Under Secretary for Democracy Global Affairs, recommending that the U.S. government 1) create new or expand existing options for allowing members of Iraq's ChaldoAssyrian and Sabeian Mandaean religious minority communities to access the U.S. Refugee Program, and 2) urge UNHCR to resume full refugee status determinations for all Iraqi asylum seekers and assess all claims without delay.

UNHCR currently estimates that Iraqi ChaldoAssyrians and Mandaeans represent approximately 40 percent of the refugees who have fled Iraq over the past three years, although they constitute less than 3 percent of the Iraqi population. These individuals, numbering approximately 500,000, are dispersed through Jordan, Turkey, Syria, and Lebanon. According to UNHCR, those who have managed to flee Iraq increasingly "are becoming dependent and destitute," with the welcome mat "wearing thin in some of the neighboring states."

Yet, in the face of these developments, the United States has not made direct access to the U.S. Refugee Program available to Iraqi religious minorities, taking the position that ChaldoAssyrians and Sabeian Mandaeans are subject to generalized violence in Iraq rather than specifically targeted on account of their religion. This position is not supported by the facts. Moreover, although the State Department has indicated its willingness to take referrals from UNHCR, that agency has suspended refugee status determinations for all Iraqi nationals. As a result, those Iraqis fleeing persecution in their home country are being denied international protections to which they are entitled.

THE ANNUAL REPORT ON INTERNATIONAL RELIGIOUS FREEDOM

Mr. Chairman, the *Annual Report on International Religious Freedom* continues to be a critical part of the process of promoting religious freedom throughout the world. As we have stated in the past, the Annual Report is an important achievement that demonstrates the significant efforts of the foreign-service officers in our embassies around the world, as well as the Ambassador at Large for International Religious Freedom and his staff at the State Department's Office of International Religious Freedom. The 2006 Annual Report continues in this vein.

Individual Country Reports

As in the past, many of the individual country reports in the 2006 Annual Report are first-rate-thorough and accurate. However, the Commission is concerned about informational inaccuracies and troubling conclusions in a few important reports.

First and foremost, we must call attention to the country report on **Saudi Arabia**. When the Annual Report was released last September, the Commission could find no other word than that it was "shocked" that the State Department removed longstanding and widely quoted language from its report that freedom of religion "does not exist" in Saudi Arabia. The Commission continues to conclude that freedom of religion does not exist in Saudi Arabia. The Department's own report states that "there generally was no change in the status of religious freedom during the reporting period."

The government of Saudi Arabia persists in banning all forms of public religious expression other than that of the government's own interpretation of one school of Sunni Islam and forcefully represses private religious practice. Members of the Shi'a and other non-Sunni communities, as well as non-conforming Sunnis, are subject to government restrictions on public religious practices and official discrimination. There is a continuing pattern of punishment and abuse of non-Muslim foreigners for private religious practice. The government also continues to be involved in financing activities throughout the world that support extreme religious intolerance, hatred, and, in some cases, violence toward non-Muslims and disfavored Muslims. Last July, as I already mentioned, the U.S. government confirmed a variety of Saudi policies to improve "religious practice and tolerance." However, the new State Department report shows that such policies have not yet been implemented. Given the State Department's own conclusion that religious freedom conditions had not

changed in Saudi Arabia, it is extremely troubling that its own report would omit language in such a way as to suggest that some significant improvement had taken place—which had not.

This year's report on **China** contains stronger language in many areas, reflecting the deterioration in religious freedom conditions that several religious communities have experienced over the past year. However the report stops short of concluding that overall conditions had deteriorated, a conclusion that the Commission would support. The report's assessment of China's National Regulations on Religious Affairs, as promulgated in March 2005, takes due consideration of the problems that have arisen in many localities where officials are using the law as a means to interfere in the activities and practices of registered religious groups and to intimidate and harass the activities and leaders of unregistered groups. The Commission continues to find that given the vague and sometimes contradictory language of the Regulations, they do not adequately protect the rights and security of religious adherents and are not fully consistent with international norms.

However, it would be helpful if the report were to include more detail regarding the poor religious freedom conditions in Xinjiang, affecting primarily Uighur Muslims, as well as unregistered house church Christians and Orthodox Christians. The report contains language condemning the overall repression of religion in Xinjiang and especially the policies of the Chinese government that routinely conflate peaceful Uighur political opposition with violent separatist activities, extremism, and/or terrorism. On the other hand, it includes few details on the problems that religiously devout Uighur Muslims often face if they attempt to assemble for religious purposes, teach their children to be religiously observant, or celebrate certain Islamic traditions. In addition, according to statistics from one U.S. based NGO that monitors China, instances of arrest of unregistered Christians are higher in Xinjiang than in all but one other province of China. Similarly, reports of torture of those arrested for illegal religious activity are higher in Xinjiang than in other localities. We note that the country chapter on China contains a separate section on Tibet, in view of the fact that the situation for religious freedom and other human rights is especially severe there and also directly affects a particular ethnic group. Comparable treatment for the Xinjiang region may facilitate a more substantive and detailed accounting of the situation in that province.

The **North Korea** report admirably illustrates the systematic violations and brutality of the Kim Jong Il government. Although I think everyone here understand the difficulties of getting credible information out of that closed society, the report is nevertheless unnecessarily thin on details and background. For example, there is a wealth of information increasingly available from refugee interviews, including the Commission's study *Thank You Father Kim Il Sung: Eyewitness Accounts of Severe Violations of Freedom of Thought, Conscience, and Religion in North Korea*, that provide specific information about executions, torture of repatriated refugees from China, and policies used to both control and suppress religious freedom in North Korea. A fuller accounting of these details would pull aside the curtain that envelops North Korea for an international audience and provide additional evidence that China's repatriation of North Korean refugees is a violation of its international obligation to protect refugees.

The country report on **Turkmenistan** provides useful and detailed documentation on the status of religious freedom in that country. Indeed, after reading this report, one could—and should—conclude that Turkmenistan clearly deserves designation as a CPC. Nevertheless, the State Department has clearly not drawn this conclusion, nor other conclusions that should be obvious given the situation described in the report itself. For example, although the report notes that imams are ordered to recite from President Niyazov's so-called spiritual writings during sermons and that the country's former chief mufti objected to that requirement and was sentenced to 22 years in prison for voicing that objection, the report fails to make clear that President Niyazov's ever-growing personality cult can only, at this point, be described as a state-imposed quasi-religion. The report seems to want to avoid drawing attention to this oppressive, over-arching reality, suggesting instead that the registration of nine tiny religious communities outweighs the gross violations of religious freedom inherent in the promulgation of this personality cult, as well as in Turkmenistan's religion law and the ways in which the law's harsh implementation leads to religious freedom violations for the majority of the country's population.

Finally, the **Vietnam** report includes information on both positive developments and ongoing concerns. It notes some of the arrests and forced renunciations of faith that occurred in the past year, and details the slow process of implementing the new laws on religion. Ultimately, our concern with the Vietnam country report is not with its reporting on the facts but with the diplomatic conclusion drawn from those

facts, a flawed conclusion that led to Vietnam's removal from the CPC list, as I have already noted.

Religious Persecution and the U.S. Refugee Program

Section 601 of IRFA specifically directs that the *Annual Report on International Religious Freedom* serve as a resource for refugee and asylum adjudicators. In that sense, the Annual Report plays an important role not merely in documenting religious freedom violations, but in facilitating refuge for those who are fleeing religious persecution.

Appendix E of the report, the Overview of Refugee Policy, continues to improve, with more comprehensive coverage of religious persecution and the Refugee Program than in past years. Once again, however, the 2006 report contains little acknowledgment of the serious problem of intra-religious persecution, but instead focuses almost exclusively on the persecution of religious minorities by a majority religious community. Moreover, this section contains no mention of Iraq and only a passing reference to Eritrea which are significant refugee-source countries and where serious religious freedom problems persist. Indeed, the Secretary of State has designated Eritrea a CPC, and problems in Iraq—particularly with regard to the security of religious minority communities—are acute.

The Overview of Refugee Policy section does cite Saudi Arabia, a CPC, as well as Pakistan, which the Commission has recommended be designated a CPC, for their mistreatment of religious minorities. The Overview fails, however, to indicate how the U.S. Refugee Program has been responsive to this mistreatment.

In its Report to Congress on Refugee Admissions for FY2007, the Department of State provides a more complete description of the way in which it is facilitating access to the Refugee Program, at least for those asylum seekers who have fled CPCs. The Report to Congress is required to include such information under Section 304 of the North Korea Human Rights Act of 2004. Such information should be in the *Annual Report on International Religious Freedom* as well, even if not required by law.

The Commission does remain concerned that other refugee and asylum provisions of IRFA have been unevenly implemented. For example, Appendix D of the Report, "Department of Homeland Security (DHS) and the International Religious Freedom Act," accurately describes the measures taken by the Asylum and Refugee Corps to train its refugee and asylum adjudicators in international religious freedom, as required by sections 602 and 603 of IRFA. Yet, this section makes no mention of the training—if any—on international religious freedom undertaken by DHS Border Patrol agents and inspectors exercising Expedited Removal authority, even though such training is also required under IRFA. Nor does the report mention the efforts by the Department of Justice to ensure that immigration judges comply with IRFA training requirements.

Finally, section 602(b) of IRFA requires that all consular officers be trained in refugee law and policy. Although consular officers do not adjudicate refugee applications, they are authorized to refer refugee applicants to the Department of Homeland Security for adjudication, since the vast majority of asylum seekers are not permitted to apply to the Refugee Program without a referral from a U.S. embassy or the UNHCR. Appendix C of the Report, "Training at the Foreign Service Institute Related to the International Religious Freedom Act," states that consular training "includes a lecture on Immigrant Visa (sic) that incorporates discussion of refugee and asylum issues as they pertain to consular officers." Based on inquiries made by the Commission, however, it appears that the only training received by consular officers relevant to the Refugee Program is on the processing of immediate relative petitions filed by refugees and asylees. Such training does not even begin to comply with the broad requirements of section 602(b).² Consequently, the Commission is concerned that consular officers remain unaware of their ability to facilitate access to the resettlement program for asylum seekers in need of protection. Once again, the Commission urges the Department of State to comply with this training requirement, which could save the lives of bona fide refugees, particularly those who may have access to a U.S. consulate but not UNHCR.

CONCLUSION

Mr. Chairman, thank you for providing the Commission the opportunity to share with you its views and recommendations on a number of key religious freedom concerns as well as the efforts of our government to implement the International Reli-

²Section 602(b) of IRFA holds that "(t)he Secretary of State shall provide sessions on refugee law and adjudications and on religious persecution to each individual seeking a commission as a United States consular officer. . . ."

gious Freedom Act. We hope to continue to collaborate with the Congress to advance the promotion of religious freedom in U.S. policy. I am happy to answer any questions that you may have regarding my oral or written statements.

Mr. SMITH OF NEW JERSEY. Thank you very much. Let me ask you the first question and that would be—we now have since 1998 had the International Religious Freedom Act on the books, CPCs have been designated year in and year out, and one of the concerns that I have had—and I have expressed this same concern with legislation that I sponsored—and that was the Trafficking Victim Protection Act where tier 3 countries are also liable to some very significant penalties if they do not correct and reform. And while the shame and naming shame is important in trafficking, any religious violations, or any human rights violations for that matter, it seems to me that section 405 of IRFA needs to be dusted off and looked at as to the penalty phase.

And I mentioned China earlier to Mr. Liston, and I would ask you if your commission has been satisfied with that aspect of it. The naming is important. Speaking truth to power. Naming and shaming. But again, there are some very specific and very, I think, significant penalties that could be imposed on China and other countries if we were only willing to do it. And I am wondering what the Commission's view is as to this very powerful tool to encourage compliance with these basically minimum standards.

Ms. GAER. Thank you very much for asking about this. There is no substitute for information, facts, and speaking out about those facts; naming and shaming, if you want to call it that.

What was revolutionary about the International Religious Freedom Act was precisely section 405, the menu of options, the opportunity to really craft foreign policy in a way that can advance freedom and religious freedom in particular. And the Commission has spent its time working in both directions. Every one of our reports contains specific recommendations. Not because we are looking for work to do but because the IRFA has this unique component which allows flexibility but action. And when a country is named to CPC, we feel the measures should be commiserate. And to date, we have complained repeatedly that for years there was no action taken on a CPC country other than sanctions that were already preexisting. So the good news is we have begun to see some of that. Whether the action should be in the form of a binding agreement, or it should be in the form of some of the other actions set forth in the act in section 405, is something that hasn't been well enough developed. We think this is crucially important to the future of not just the act, but of American policy in this area and to the protection of religious freedom worldwide. We talk about it in every report. We are going to continue talking about it. We try to craft conclusions that could be adopted.

We have, I am sorry to say, expressed concern directly to the Department and to various ranking officials about the failure to take certain actions that could have been taken, the decision to take a waiver in some cases instead of action. These are judgment calls. This is what policy is about. This is why it is so interesting. This is why we spent our time on these issues, and why the nine commissioners, all of whom do this as a volunteer side activity in their professional lives, feel this is such vital work.

So we think more can be done. We look forward to doing more. We hope we will do some of that together with the Members of the Committee and the Congress. And we look forward to continuing to engage with the members of the Administration.

Mr. SMITH OF NEW JERSEY. Let me follow up on that. Since China is such an egregious violator of liberty and tortures so many, and I am sure you read Manford Nowak's—the UN Special Rapporteur on Tortures—report last year. I mean, it was an indictment of the Chinese Government in Beijing and yet to the best of my knowledge, there has been no serious enforcement of or penalty phase for the PRC with regards to their designation to CPC.

What is your sense on that, and what would you recommend they do—

Ms. GAER. Well, we can look at it from a variety of ways. I think you know, Mr. Chairman, I am a member of the U.S. Committee Against Torture, which is the treaty-monitoring body that looks at these issues. We reviewed China a few years ago. The good news is a new report from China has now been received. The bad news is that for a variety of reasons, it will be 2 years before that report comes before the Committee. And it has no authority, as the U.S. Government does, to take direct action, which is why the CPC, by legal formula, is such a good one.

Now in terms of specific actions that could be taken, one of the concerns that we have had, again, is the fact that China has no—is no longer the subject of any efforts to produce resolutions at the United Nations, whether in the new Human Rights Council or in the General Assembly or in other similar bodies. The U.S. used to devote a considerable amount of attention to this because it centered the debate. It mobilized the activist community. It got the attention of governments and it brought some results from governments.

We see a slippage this year in a whole variety of ways, actions against human rights defenders, actions against religious community leaders and so forth, and can't help but wonder if the failure to have that has made this somehow an easier decision for them to reach.

Now on the specific question of what the section 405 could do with regard to China, I just wanted to say that we released a policy brief during the past 13 months and made a number of specific recommendations in there. I haven't got them in front of me, but I would be very happy to submit them for the record.

Mr. SMITH OF NEW JERSEY. Without objection, we would like to have that for the record. And I appreciate that.

Just briefly on Turkmenistan, with the passing of the dictator, what do you see as the prospects and how should we engage this immediately to try to alleviate some of the sufferings of the believers there?

Ms. GAER. I think the prospects are for a period of—for a time of trouble inside Turkmenistan, a period of—there has already been one arrest—a period in which there may be arrests, reprisals and actions internally that need very close watching. It is a time when the country's leadership will be up for grabs. Mr. Niyazov left a huge vacuum there. And with everything from organized crime

to government attempts to reassert authority, it will lead to some turmoil.

In this period, nothing is more important than to emphasize the expectation that Turkmenistan will abide by and uphold the rule of law, and that that rule of law will include its human rights affirmations in its Constitution and the treaties it signed and so forth. There is nothing better that the United States can do than to emphasize the importance of and the expectation that Turkmenistan will abide by and live up to rule of law-type standards.

I think at this key moment it might be an opportunity for our commission, perhaps together with the Helsinki Commission—which you have done so much to focus on this country and this region—to engage with the Turkmenistan officials; to visit, to try to see if measures to moderate the implementation—to moderate these laws or to implement the better laws that have now been adopted there. Some small legal changes have been made. I think this is a moment where engagement on a variety of levels is possible.

In a way, it is a new ball game. It is a dangerous time. Transitions are always difficult times. We need institutions and principles and engagement to help us moderate and be involved at this point.

Mr. SMITH OF NEW JERSEY. Let me ask your opinion. I quoted from Tom Farr earlier in my opening comments, and I certainly respect the extraordinary job he did as director of the Office, but he makes a very good point. And when we started working on this legislation in the late 1990s it was very clear that the State Department had a bias, and it was a very negative bias about religion in countries all around the world, with very few exemptions, and the fact that the original legislation was vigorously opposed by the Department was further testimony today. Now he makes the point that we must stop treating religion—and I quote him—“as a pathology and integrate into our thinking about politics and economics, persecution in the absence of religious freedom impacts the vital interests of most nations, including their political stability and economic performance.” He admonishes government, us, to promote that the American Foreign Service should adopt a religion subspecialty under political and economic training, analogous to subspecialties in arms control or trade. All of our diplomats around the world should be capable of discussing religion as part of politics, economics, and of life as it is lived. And he goes on and elaborates on that.

I am always concerned about the stovepipe mentality where the Religious Freedom Office then becomes shunned away as some kind of a separate entity, that missions have to provide information now. That is good. That sparks interest and scrutiny in a given country. But how do we better integrate it into everything that a mission does so that trade policy is not seen as that is the important issue here? Real state craft looks at that and security issues, and then this other issue over here we put on page 8, if we put it there at all. How do we further integrate it in everything we think, say, and do in our diplomatic efforts?

Ms. GAER. Thank you for that question, Mr. Chairman. The ability to address violations of freedom of religion is one of many human rights concerns. The act itself makes it very clear that we

recognize that those violations take a variety of forms. The severe violations, disappearances, torture, imprisonment, killings, those are violations of article 6, 7, 9, 14, 18, 19, and 22 of the International Civil Political Covenant.

They aren't just about religion, they are about how rule of law operates. They are about how all human rights operates and they are about how the individual has rights against the state to be treated with dignity and respect, both legally and practically in all kinds of ways, and religion is a very important component of that, and violations of religious freedom cross-cuts all of the other freedoms.

So the first thing I would say is you have to strengthen human rights across the board in the policies of the government.

Second of all, you have to recognize that freedom of religion is at the core of so many of these other kinds of violations that take place. The lens of looking at these issues through the freedom of religion vantage point has been enormously valuable. We in the Commission have seen things and we have convinced the government also to see things in these terms when they are that way. Not to deny and say, Well, this isn't religious, this is political, when the two are intermingled closely in the concepts and minds of the officials who are taking those actions. So that is number one.

Number two, in our work we regularly examine the policies of the U.S. Government, and so oversight, the kind that this Committee does on so many different issues, is crucial to bringing about that kind of understanding.

Third of all, you have to engage, and you have to engage not only with the countries that are concerned because we have Embassies that are there, we have to engage with our governmental officials and State Department and the like.

One of the most extraordinary values of the human rights reports and now the religious freedom reports is that an entire cadre of Foreign Service officers has to spend months looking at these issues, dealing with people on these questions, and understanding the dimensions of these rights. This will shape their thinking and their openness to these issues years hence.

So I think you have a sea change in terms of personnel, in terms of the training by doing.

Now you are speaking about another issue which is Tom Farr's point about having special training in this area. Our commission has been concerned for some time about what the nature of the training is. I am very pleased to tell you, I think this is the first time we have mentioned this to anyone, but it is also the first time we have an appointment to see the head of the Foreign Service Institute in January, precisely to engage on the questions of what is and isn't being done in the training, preparation of diplomats, Ambassadors, personnel that are being sent to the field. So there is a sensitivity to the issues of freedom of religion. You can't be sensitive to freedom of religion if you don't know about religion. So it is not that we are asking people to study religion, but we are asking people to understand better and to understand how to operate, what the norms are and what the ways are that you operationalize those norms and practice.

Mr. SMITH OF NEW JERSEY. In your testimony, you mentioned the religious minorities in Iraq. And if there is any place on Earth where we should have some sway in terms of policy, it ought to be Iraq and Afghanistan, even as their sovereign governments emerge, in terms of systemic policy that they protect religious minorities. What is your take on how well or poorly we have done as a Government in both Iraq and Afghanistan? You have made mention of it in your testimony, and if you could maybe elaborate for a moment or 2.

Ms. GAER. The Commission has been outspoken on these issues. We think that by working together with the Congress and other concerned persons we have brought greater sensitivity to these issues in the Administration. We have been disappointed by the protection of religious minorities in a practical sense. And we will—we have written, and I will be happy to share with you and the other Members of the Committee, what we have written on this issue. We don't think it has been enough, and we think we have some obligations in this specific case of these religious minorities in Iraq to ensure that they have access to the refugee process.

We have also been asking for several years that there be a senior official on the ground in Iraq and Afghanistan, in the United States Embassies, who has the sole responsibility of looking at U.S. programs and policies in those countries with regard to human rights and religious freedom.

And Congress has endorsed our view on Iraq. It hasn't happened. We think that there are very concrete things that could be changed by presence on the ground of senior-level officials who report directly to the Ambassador and have these responsibilities.

Mr. SMITH OF NEW JERSEY. Let me ask one final question and then I will submit them for the record, if you would be kind enough to get back to us.

With regards to Sudan; I think most people don't realize that the loss of life in southern Sudan—which was approximately 2 million people, 4 million people displaced—was largely an issue about the imposition of Sharia law by Khartoum. And there are other issues, but that was one of the core.

And we see the same kind of problem in Darfur. I have been to Darfur. I have been to the camps. I have met with President Bashir in a rather contentious meeting about 18 months ago. Greg Simpkins, who is here, and I met with him, and it was a very telling dialogue, very disappointing dialogue.

Now my question is, obviously religious tolerance and freedom is at the core there when people are being told you must do this and must accept a new name, Islamic name, or else we will impose it upon you. Could you speak to the issue of Sudan?

We have the problem of Somalia and the Islamic courts and the Wahhabism that is now being imported there. I see some very ominous clouds for Africa with regards to radical extremist Muslim beliefs, and I think all of us would agree that the religion of Islam is one of the great religions of the world, but not the extremists' variety which seeks, at the barrel of a gun, to impose its ideology on its people.

So your thoughts on Sudan and Africa.

Ms. GAER. As you know, Sudan was one of the countries that the Commission started out focusing on. We continue to do so, both in the south and with regard to the Darfur area as well.

This is one of those cases where the "religion lens" revealed something very important that was happening in that country, and you have among those testifying in the third panel some real heroes of this effort who can no doubt elaborate on this.

One of the key questions here is the issue of forced Islamization. Now, there is no compulsion in religion. We are told, according to article 18, paragraph 2, of the International Covenant on Civil Political Rights, there can be no compulsory change of religion, and coercion has no role in religious freedom. And the problem that we have seen in Sudan, not only in southern Sudan, is linked to this aspect of forced Islamization and the appearance of compulsion. There are many elements involved in the Sudanese situation.

The Commission has been in touch with the newly specially-appointed envoy, which we have called for and you have been so supportive of, Mr. Natsios, about things that can be done. And the need for public reporting by the special envoy, again, is an aspect you have just given me an opportunity to remind ourselves and yourself, the Committee, about the importance of having that on a regular basis.

The U.S. policy right now, the Commission has felt that the sanctions that are in place should not be withdrawn; but that, as is true across the board with U.S. policy, humanitarian assistance and development aid, even certain kinds of exchanges, should not be hampered by that, by those sanctions.

We think that it is crucially important to pay more attention to the CPA, the agreement in the south, and to make sure that the commissions established by the CPA function effectively, that the referenda and elections that are called for are moving forward, and that we need to have, again, more resources for human and financial devoted to the situation and the appointment of a senior official in Khartoum.

Our commissioners visited about 11 months ago, 10 months ago, visited Sudan and were absolutely convinced that these issues of human rights, freedom of religion and the like, did not have the importance within the Embassy that they should have, and that a sea change there is needed.

Mr. SMITH OF NEW JERSEY. Ms. Gaer, we do have additional questions, but I would like to submit them for the record in the interest of time.

Is there anything you would like to add before we go to our third and final panel?

Ms. GAER. Just a final thanks to you.

Mr. SMITH OF NEW JERSEY. Thank you for your work in this Commission.

I would like to welcome our third panel to the witness table. Beginning with Dr. Thomas Farr, who is currently the vice chair of the Board of Directors for Christian Solidarity Worldwide, USA, an international NGO that advocates religious freedom for all people. He is contributing editor to the *Review of Faith and International Affairs*, and serves on the Expert Committee for the Institute on Religion and Public Policy and on the Advisory Committee of the

Center for Democracy and Human Rights in Saudi Arabia. In addition, Mr. Farr was the State Department's first director of the Office of International Religious Freedom.

We will then hear from Ms. Nina Shea, who currently serves as the director for the Center of Freedom. Ms. Shea has been an international human rights lawyer for over 25 years, and for 19 of those, she has focused specifically on the issue of religious freedom in American foreign policy. She recently co-authored a book on government under Sharia law entitled *Radical Islam's Rules*. She is also the author of the widely acclaimed book, *In the Lion's Den*, several accounts of anti-Christian persecution. In addition, Ms. Shea was appointed by President Bush to serve on the U.S. Delegation to the UN Commission on Human Rights in Geneva. And I just would note that Ms. Shea has been a contributor to and a witness to hearings that have been held both on the House and the Senate side, and a very credible one at that.

We will then hear from Pastor Bui Thien Hue who is a Hoa Hao Buddhist and a former religious prisoner. As a result of his efforts to practice his religion and provide a voice to those who sing religious freedom, Pastor Hue has spent over 2 years under house arrest and 3 years in a Vietnamese prison. A collaborative effort by the U.S. Congress, Boat People S.O.S, the Committee for Religious Freedom, and the overseas Hoa Hao Buddhist Association resulted in his release from Vietnam and presence here today.

We will then hear from Mr. Joseph Kung, who is the director of the Cardinal Kung Foundation and one of the first small groups of Chinese refugees to immigrate to the United States under a special quota in 1955. A frequent guest on TV and radio programs, Mr. Kung has spoken before many organizations and before various international organizations as well. He was the recipient of the Freedom Award from the Cardinal Mindszenty Foundation in 1995 and the Freedom House Center for Religious Freedom in 2001. I would note as well, I have traveled to China with Mr. Kung on behalf of religious freedom back in the 1990s, and it was a very eye-opening trip for me because he knew so many of the nuances of policies that might otherwise go undetected, and I appreciate his expertise.

And we will then hear from Mr. Berhane Sium who was born in Eritrea. Since coming to the United States, Mr. Sium has become increasingly concerned about the way Eritrean Peoples Liberation Forces were mistreating the Eritrean population, particularly regarding their religious freedom. Mr. Sium has worked for many years with opposition groups attempting to implement the approved Constitution which assures democracy and freedom, but set aside by the current government. Mr. Sium and his wife provide help to families escaping religious persecution in Eritrea and recently arrived in the United States.

Then we will hear from Mr. Harry Wu who was first arrested as a young student at the Beijing Geology College for speaking out against the Soviet invasion of Hungary and criticizing the Chinese Communist Party. In 1960 he was sent to the laogai, the Chinese Gulag, as a counterrevolutionary rightist. Finally released in 1979, Mr. Wu came to the United States in 1985. He is the author of *Laogai, the Chinese Gulag*, a theoretical explanation of the laogai

system in Communist China; *Bitter Winds*, his autobiography, published in 1994; and *Troublemaker*, published in 1996. Mr. Wu is currently the executive director of the Laogai Research Foundation and head of the China Information Center, and a very, very valued contributor and witness to this Committee and to the Senate Committees that have dealt with these issues for many, many years.

And I would like to begin with Mr. Farr and then we will proceed.

**STATEMENT OF THOMAS F. FARR, PH.D., FORMER DIRECTOR,
OFFICE OF INTERNATIONAL RELIGIOUS FREEDOM, U.S. DEPARTMENT OF STATE**

Mr. FARR. Thank you, Mr. Chairman. I appreciate the opportunity to be here today and to testify. I would like to begin, if I might, with a brief tribute to the Chairman, whom I first met when I joined the Office of International Religious Freedom in 1999. Chris Smith has been an inspiration to me and countless others who labor for religious freedom. I learned from him that this right is not a luxury or an add-on. As he has said, as with finance, religious freedom lies at the heart of human dignity. Without the right to pursue transcendent meaning and truth, no one can be said to be truly free. And unless it protects and nourishes this right, no political order can endure, let alone provide for the nourishment of all of these citizens. So thank you for being a champion of human dignity.

I have been asked to give my views on religious freedom, on foreign policy, so let me go straight to the bottom line.

I believe the International Religious Freedom Act is a dynamic piece of legislation whose policy implementation has been far too narrow. On its face, the law requires the advancement of religious freedom. But the Department of State has not emphasized that goal. Until very recently, it has focused almost exclusively on denouncing persecution and freeing prisoners. Those are noble objectives worthy of our Nation, but they do not constitute a policy promoting religious freedom. Religious freedom means much more than the absence of persecution. Religious liberty anchors a political policy in which individuals and communities are free to act publicly in significant ways: To worship, to manifest truth claims, and to influence public policy, bounded only within the norms of liberal democracy. Where religious liberty exists, the natural tensions between the claims of religion and those of the liberal state have been reconciled within the political culture. If U.S. diplomacy were successful in encouraging this aspect of democracy, it would help ensure that democratic elections and Constitutions yielded stable governments rather than fragile concoctions of sectarian interest groups.

Consider Afghanistan. I would argue that our religious freedom policy there has succeeded only in the narrowest sense. With the overthrow of the Taliban, religious persecution decreased dramatically. But even democratic elections and a Constitution did not produce a regime of religious liberty. When Abdul Rahman was tried for apostasy earlier this year, his crime merited execution under the prosecutor's understanding of the democratic Constitution. It is true that United States pressure allowed Mr. Rahman to

flee the country but the trial itself was a red flag, a clear signal that Afghan democracy remains fragile, especially in the face of a resurgent Taliban and the ideas it represents.

Before I give you some concrete examples of what religious freedom policy should be doing, in my view, to address this kind of problem, let me first note some of the positive aspects of the law's implementation.

As you know and have already discussed this morning, the State Department's Office of the Ambassador at Large is charged with leading our religious freedom policy. In order to succeed, the Ambassador and his office must have the resources and the support within the Department to do so. When I joined the Religious Freedom Office in the summer of 1999, I brought its personnel strength to a grand total of three: Ambassador Bob Seipel, a Navy chaplain, and yours truly. Quite frankly, there was within the Department very little enthusiasm for letting that office grow in size or in influence. It was quarantined in the Human Rights Bureau. And when Ambassador Seipel departed, some argued internally, as you know, Mr. Chairman, that the Assistant Secretary of Human Rights should be double-hatted as Ambassador at Large. And for years it was the Assistant Secretary for Human Rights, not the Ambassador at Large for Religious Freedom, who actually controlled the religious freedom report.

Today Ambassador John Hanford presides over a large and growing staff of outstanding officers, one of whom you heard this morning, thanks in large part to the attention of Representatives Frank Wolf and Chris Smith. The religious freedom report itself is widely recognized as the best compendium of the status of religious persecution in the world. More than any other single factor, the report has changed attitudes within the Foreign Service about religion and religious freedom. This year and in this year's property for the first time, the religious freedom report is under the Ambassador's sole control, not that of the Bureau of Human Rights. This is critical if the report is to evolve from being a catalogue of horrors, however accurate, to a policy for supporting the advancement of religious freedom.

I have noted other successes in the longer version of my remarks. But despite those successes and the dedicated people who brought them about, it remains true in my view that the Religious Freedom Office, the Ambassador at Large, and the policy of promoting international religious freedom are bureaucratically and functionally isolated within the Department of State. Their potential, in my view, is grossly underexploited.

So let me turn to what needs to happen if U.S. religious freedom policy is to emerge from its isolation and provide more than a negative narrow focus on persecution and the price of the freeing of prisoners.

First, the State Department must abandon the tendency to treat religion as a private matter nor a subject somehow unfit for policy or action. U.S. diplomacy must accept the reality that the world of the 21st century will be suffused with religion, and that religion cannot simply be viewed as part of the problem. Most religious communities, whether they are Muslim, Christian, or other, seek, by their nature, to influence the rules by which they live. Our chal-

lenge in trying to facilitate stable government is not to privatize religious expression but to entice religious communities to embrace liberal norms as consistent with their beliefs.

Consider Egypt where a secular autocracy has long dominated political life. If free elections were held today, they would be won by the Muslim brotherhood. But the United States has not been, and is not today, in a position to influence either the Muslim brotherhood or more liberal Islamist groups, such as Hizb al-Wasat. It is they, however, not our favorite Egyptian secularists, who are likely to win elections in Egypt. And, unfortunately, even if we did engage those Islamists today, we currently lack the discernment and the vocabulary to influence them. This must change. Our religious freedom policy should be the vehicle for serious interaction with select groups in Egypt and elsewhere. We should first assess the potential attraction of particular Islamist groups to political norms and we should demonstrate to necessary groups how a liberal political order can benefit their communities and their culture with their religious truth claim. We should do this in our private diplomacy, our public diplomacy, our intelligence analysis, our U.S.-funded democracy promotion programs, interreligious dialogues and similar efforts.

We must stop treating religion as a pathology and integrate it into our thinking about politics and economics. When U.S. economic officers address development issues, for example, they should emphasize the contributions of religious communities to that economic development. In other words, the advancement of religious freedom should not be simply the burden of one Ambassador viewed by both sides as a compartmentalized special interest messenger. Within the State Department, the Ambassador at Large should be given the authority IRFA already prescribes. He and his office should be at the center of our public and private diplomacy in the Muslim world and elsewhere where religion is a factor. The Foreign Service should adopt a religion subspecialty under political and economic training analogous to subspecialties and, for example, arms control or trade. All of our diplomats around the world should be capable of discussing religion as part of politics, of economics, of society, of life as it is lived. And religious freedom matters in our Embassies abroad should no longer be left to the most junior human rights officers who often feel saddled with an unwanted and unrewarded task that will not help their careers.

What I am suggesting would require significant policy decisions by the President and Secretary of State, new training incentives for diplomats, and much more. I believe all of this is consistent with IRFA as currently configured. Amendments to the law may be wise over the long term, but I see no obstacle to the kinds of policy I am suggesting. Above all, this subject needs public debate, especially in Congress. That debate should be free as far as possible from the rancor that often attends discussion about religion in America. This is not a Blue State/Red State issue. It is a question of the well-being of the American people who expect and deserve a foreign policy that encounters the world as it is rather than as we might wish it to be. That world, for better or worse, promises to be heavily influenced by religious action for the foreseeable fu-

ture. American diplomacy must work to ensure that it is also one of ordered liberty.

Thank you.

[The prepared statement of Mr. Farr follows:]

PREPARED STATEMENT OF THOMAS F. FARR, PH.D., FORMER DIRECTOR, OFFICE OF INTERNATIONAL RELIGIOUS FREEDOM, U.S. DEPARTMENT OF STATE

Mr. Chairman and members of the committee, I want to thank each of you for your work on behalf of human rights, and for the opportunity to give testimony today. Let me begin with a brief tribute to the outgoing sub-committee chairman, Mr. Smith, whom I first met when I joined the office of international religious freedom in 1999. Chris Smith has been an inspiration to me and to countless others who work for the advancement of religious freedom. I learned from him that this right is not a luxury or an “add-on.” As he has said so often, religious freedom lies at the heart of human dignity. Without the right to pursue transcendent meaning and truth, no human being can be said to be truly free. And unless it protects and nourishes this right, no political order can endure, let alone provide for the flourishing of all its citizens. Thank you, Mr. Smith, for being a champion of human dignity and of the truly liberal state.

I have been asked to give my views on religious freedom and U.S. foreign policy, so let me go straight to the bottom line: I believe the International Religious Freedom Act (IRFA) is a dynamic piece of legislation whose policy implementation has been far too narrow. On its face IRFA requires the advancement of religious freedom, but the State Department has not emphasized that goal. Until very recently, it has focused almost exclusively on denouncing religious persecution and freeing religious prisoners. Those are noble objectives, worthy of our nation, but they do not constitute a policy of promoting religious freedom. IRFA was passed before 9/11, but its provisions are broad enough that U.S. IRF policy can and should contribute to the pursuit of national security strategies such as undermining Islamist extremism and encouraging stable, liberal self-government in the Middle East and elsewhere.

A regime of religious liberty is characterized by much more than the absence of persecution. Religious freedom anchors a political order in which individuals and religious communities are free to act publicly in significant ways—to worship, to manifest religious truth claims, and to influence public policy, bounded only by the norms of liberal democracy. Where religious liberty exists, the natural tensions between the claims of religion and the claims of the liberal state have been reconciled in ways that can be sustained by the political culture. If U.S. diplomacy were successful in encouraging this aspect of democratic development, it would help ensure that democratic elections and democratic constitutions yielded stable, liberal governments rather than fragile concoctions of sectarian interest groups.

Consider Afghanistan. I would argue that our religious freedom policy there has succeeded only in the narrowest sense. With the overthrow of the Taliban, religious persecution decreased dramatically, but even democratic elections and a constitution did not produce a regime of religious freedom. When Abdul Rahman was tried for apostasy in March of this year, his crime merited execution under the prosecutor’s understanding of the Afghan democratic constitution. It is true that U.S. pressure freed Mr. Rahman and allowed him to flee the country. But I would submit that the Rahman trial was a red flag, a clear signal that Afghan democracy contains a fault line which ensures its fragility, especially in the face of a resurgent Taliban and the ideas it represents.

I want to give you some concrete examples of what I believe U.S. IRF policy should be doing to address this kind of problem, but first let me note some of the things that have gone right with the law’s implementation. As you know, the State Department’s office of the Ambassador at Large for International Religious Freedom is charged with implementing IRF policy. In order for that policy to be successful, the Ambassador and his office must have the resources and the support within the Department to do the job. When I joined the IRF office in the summer of 1999 I brought its personnel strength to a grand total of three—Ambassador Bob Seiple, a Navy chaplain and yours truly. Quite frankly there was very little enthusiasm within the Department about letting that office grow in size or influence. It was bureaucratically quarantined in the human rights bureau, and when Ambassador Seiple departed, some argued internally that the Assistant Secretary for Human Rights should be “double hatted” as Ambassador at Large. For years it was the Assistant Secretary, not the Ambassador, who actually controlled the IRF Report.

Today Ambassador John Hanford presides over a large and growing staff of outstanding officers, thanks in part to the assistance of people like Representatives

Frank Wolf and Chris Smith. The IRF Report itself is at least a partial success story. It is widely recognized as the best compendium of the status of religious persecution in the world. More than any other single factor, the Report has changed attitudes within the Foreign Service about religion and religious freedom, simply because of the research required to complete it. This year, for the first time since IRFA was passed, the Report is under the Ambassador's sole control, not that of the bureau of Human Rights. This is critical if the Report is to evolve from being a catalogue of horrors, however accurate, to a policy tool supporting the advancement of religious freedom.

There have been other successes. Ambassador Bob Seiple was almost singlehandedly responsible for ensuring that China was among the first countries designated as a country of particular concern under the IRF Act. He was also personally responsible for freeing scores of men and women languishing in jails simply because of their religious beliefs. Ambassador John Hanford has employed the Act as more than a vehicle to publish lists of the worst persecuting governments—lists whose currency has, in my view, long since been discredited. I do not believe that unilateral economic sanctions alone can be effective in driving long-term changes in political culture. But to threaten sanctions and never deliver them is a policy of crying wolf, which is worse than no policy at all.

Ambassador Hanford has not only actually applied sanctions for the first time (against Eritrea), but far more importantly he is using the law to negotiate with persecuting governments. He has concluded agreements with the governments of Saudi Arabia and Vietnam. I am, quite frankly, skeptical that those agreements are going to yield substantive changes over the long term, but I applaud Ambassador Hanford and his staff for pursuing and achieving them. At the very least, he is developing a model than can be employed in the future with greater success, provided other changes take place.

Despite these successes, and the dedicated people who have brought them about, it remains true that the IRF office, the Ambassador at Large, and the policy of promoting international religious freedom are bureaucratically and functionally isolated within the Department of State. Their potential, in my view, remains grossly under exploited.

Let me turn to what I believe needs to happen if U.S. IRF policy is to emerge from its isolation and provide more than a negative, narrow focus on persecution, a policy which is too often viewed by foreign governments as a problem of "America management." Let me be clear: our policy *should* reduce persecution and free prisoners. But it can do so more effectively by promoting regimes of religious liberty that not only attack persecution but also address one of the most critical national security issues of the 21st century: the relationship between the authorities of religion and state.

The first step is for the State Department in general, and American diplomats in particular, to abandon their secularistic tendency to treat religion as a private matter or a subject somehow unfit for policy analysis or action. American diplomacy must accept the reality that the world of the 21st century will be suffused with religion and that religion must not simply be viewed as part of the problem. Most religious communities, whether they are Muslim, Christian, Hindu or other, seek by their nature to influence the rules and norms under which their adherents live. Our challenge in attempting to facilitate stable, liberal self government is not to privatize religious expression but to entice religious communities to embrace liberal norms as consistent with their beliefs.

That, of course, is a tall order. I am not suggesting that all American diplomats become theologians. I *am* suggesting that they become realists about religion, addressing it much as they do politics or economics, that is, as a powerful, natural human enterprise that influences how men, women and governments act. We must integrate this thinking into our strategies, whether we are trying to undermine Islamist extremism, counter China's anti-religion policies, or influence the Islamist political party that governs democratic Turkey.

Consider Egypt, where for half a century a secular autocracy has dominated political life. If free and fair elections were held today, they would likely be won by the Muslim Brotherhood, a radical Islamist party, which is why we are no longer pressing for elections. But despotism will not last forever in Egypt; free elections will very likely take place in the foreseeable future. And yet, the U.S. is not seeking to influence Islamist groups like the Muslim Brotherhood or the more liberal Hizb al Wasat, for fear of "legitimizing" them. But they, not our favored Egyptian secularists, are likely to win elections. Unfortunately, even if we did engage Islamists, we currently lack the discernment and the vocabulary to influence them.

This must change. Our IRF policy should be the vehicle for serious interaction with selected Islamist groups in Egypt and elsewhere. Our goal in each of these

areas should be, first, to assess the potential attraction of particular Islamist groups to liberal norms. For those meeting this test, we should work to demonstrate how a liberal political order can benefit *their* communities, in *their* culture, with *their* truth claims. We must do this work through private diplomacy, public diplomacy, intelligence analysis, U.S. funded democracy promotion programs, inter-religious dialogues and the like.

We must stop treating religion as a pathology, and integrate it into our thinking about politics and economics. Persecution and the absence of religious freedom impact the vital interests of most nations, including their political stability and economic performance. When our economic officers discuss development issues, for example, they should know how to elaborate the potential economic contributions of religious communities. In other words, the advancement of religious freedom should not be the job of one Ambassador and one office who are too often viewed by both sides as a compartmentalized “special interest” messenger.

Within the State Department the Ambassador at Large for International Religious Freedom should be given the authority IRFA prescribes. He and his office should be at the center of public and private diplomacy in the Muslim world and elsewhere when religion is a factor. The American Foreign Service should adopt a religion sub-specialty under political and economic training, analogous to sub specialties in arms control or trade. All our diplomats around the world should be capable of discussing religion as part of politics, economics, and of life as it is lived. Religious freedom matters in our embassies abroad should no longer be left to the most junior human rights officers, who often feel saddled with an unwanted and unrewarded task that will not help their careers.

There is, of course, much more to be said. What I am suggesting would require significant policy decisions by a President and a Secretary of State, new training and incentives for diplomats, and much more. I believe all this is consistent with IRFA as currently configured. Amendments to the law may be wise over the long term, but I see no obstacle in the current statute to the kind of policy I am suggesting.

Above all, this subject needs public debate—especially in Congress and among policy makers and scholars. That debate should be free as far as possible from the rancor that often attends discussions about religion in America. This is not a blue-state, red-state issue. It is a question of the security and well being of the American people, who expect and deserve a foreign policy that encounters the world as it is, rather than as we might wish it to be. That world, for better or worse, promises to be heavily influenced by religious actors for the foreseeable future. American diplomacy must work to ensure that it is also one of ordered liberty.

Mr. SMITH OF NEW JERSEY. Dr. Farr, thank you so very much for your eloquence and vision and for your leadership.

Ms. Shea.

**STATEMENT OF MS. NINA SHEA, DIRECTOR, CENTER FOR
RELIGIOUS FREEDOM, FREEDOM HOUSE**

Ms. SHEA. Thank you, Mr. Chairman, for inviting me to testify today on behalf of the Center for Religious Freedom. Mr. Chairman, you have been an impassioned leader for many years, and I wish to commend you for all of the important hearings that you have held as Chairman of the Subcommittee on Africa, Global Human Rights and International Operations. They have held governments around the world accountable, including our own, and given hope and relief to millions of oppressed people around the world.

This hearing today is no exception, and I think it is especially fitting that the last hearing of the year and your last hearing as Chair, for at least a little while, is on the first freedom—what Thomas Jefferson called the first freedom. Egregious religious persecution occurs in a number of countries. Eight of them are designated by the State Department as Countries of Particular Concern and have been and are being addressed by other witnesses today. There is an additional country where other groups of reli-

gious faiths face some of the bloodiest persecution of the world today, a country that is not listed among the CPCs. It is Iraq. And it is on this country—and particularly on the persecution faced by Iraq's smallest, most vulnerable minorities—that I will direct my testimony.

We should view Iraq's smallest religious minorities, the Christian Chaldeans, Assyrians, the Syriacs, the Armenians, Protestants, the Mandeans, the Yizidis, the Bahais, the Kaka'is and the Jews as we once did Soviet Jews. The persecution these minorities face stand out against even the backdrop of the horrific violence now racking the rest of the population in Iraq. This is demonstrated by the stark statistic that half of the minorities' members have been driven from their homes, either to other parts of the country or abroad. Their very survival within Iraq is now threatened by what amounts to ethnic, or rather cultural cleansing. The State Department's religious freedom reports accurately depict a defenseless non-Muslim population that is being pounded by all other factions. Shiite militias, Kurdish militants and criminal gangs all persecute and prey on these small religious minorities.

Their situation is unique: Their religion and culture identifies them with the "infidel occupiers" in the minds of the extremists. And lacking the militias, tribal structures and foreign champions of Iraq's other groups; they are singularly defenseless against the mayhem that has followed the occupation because they do not govern any department. They are at the tender mercies of these domineering groups who aim to take their properties, villages, and businesses.

The United States has a great moral responsibility to address their plight and specify what specific policy actions are required to help them. These policies will differ from the efforts we once took on behalf of Soviet Jews. Admitting them as refugees should not be the only U.S. policy. And I would like to repeat that. The policy, the U.S. policy, and response to their persecution should not be reduced to only giving them refugee status. Many of these small minority people do not wish to leave Iraq. We must expeditiously take actions that will maximize their security within Iraq and will draw back some of those who have taken temporary shelter in other surrounding countries; and, yes, for the most desperate among them, we must begin to resettle them here where many, if not most, already have relatives more established.

While Shiites and Sunnis who comprise Iraq's religious majority also face appalling levels of extremist violence, it is the plight of Iraq's small religious minorities on which I will focus today both because the situation confronting these people threatens their very survival and because their situation is not being sufficiently addressed by United States policy and was all but ignored in the Iraq Study Group report. The very fact of their defenselessness—they are persecuted and killed, but do not themselves persecute and kill—contributes to the inverse relationship between their suffering and the world apathy at their situation.

These small religious groups number about 1 million. They constitute some 3 or 4 percent of Iraq's population, according to the UNHCR, and they represent about 40 percent of the refugee popu-

lation. This disproportionate exodus does attest to the intolerable treatment and conditions they face inside Iraq.

We have also received reports that an estimated half of the Christians who remain in Iraq are intentionally displaced, with those from the south moving to the north of the country for relative security.

The UNHCR has determined they are being targeted for their religion by militants determined to establish an extreme Sharia-ruled state. Because they speak Western languages and have cultural ties to the West, they have also been targeted for perceived or real cooperation with the U.S. Embassy and the coalition.

In 2004 a dozen churches were attacked in coordinated bombings, and other similar incidents have followed. Since last July alone, seven clergymen have been kidnapped and two of them, both from Mosul, murdered. As the State Department notes, these religious groups can no longer gather in safety and many have stopped holding worship services altogether. My friend, the Chaldean Archbishop of Basra—who says his prayers in the language of Jesus, Aramaic, as is the Chaldean tradition—has been transferred apparently for security reasons to the diocese of Australia and New Zealand, and his Basra diocese now has only a couple hundred families remaining. These churches are not just lying low; they are being eradicated.

Christian, Mandaean and other women in some areas are being violently pressured to conform to supposed Islamic conduct and dress, with some killed or maimed for refusing to comply, while men who operate liquor stores and cinemas have also been violently attacked by extremists. Fliers were posted at Mosul University this month declaring: “In cases where non-Muslims do not conform to wearing the Hijab,” the women’s head covering, “and are not conservative with their attire in accordance with the Islamic way, the violators will have the Sharia and the Islamic law applied to them.” It was in Mosul that some female students were murdered for wearing Western clothes and having a picnic with men in 2005, and where Orthodox priest Father Paulis Iskander was beheaded and dismembered on October 11.

Some of the death threats against non-Muslim minorities have been personal, and some of these have been collected and translated, such as the samples that are included in my written testimony that were provided to us by the Chaldean Federation of America, and I will just read one of them to give a flavor of this:

“To the traitor, apostate Amir XX, after we warned you more than once to quit working with the American occupiers, but you did not learn from what happened to others, and you continued, you and your infidel wife XXX by opening a women hair cutting place and this is among the forbidden things for us, and therefore we are telling you and your wife to quit these deeds and to pay the amount of (20,000) thousand dollars in protective tax for your violation and within only one week or we will kill you and your family, member by member, and those who have warned are excused”

That is signed by the Al-Mujahideen Battalions. There are many other examples and many cases of targeted killings backing them

up. Grisly reports of kidnapped children being crucified and mutilated after ransoms were not paid have emerged this fall from the ChaldoAssyrian community. Numerous cases are reported on the Web site of the Assyrian International News Agency, and I will refer you to them.

This week I received a letter from the Sabeian Mandaean Association in Australia, and this is the group that are followers of John the Baptist. This letter detailed the cases of Mandeans kidnapped and assassinated for their religion this past year. Some of the kidnap-for-ransom victims were reportedly circumcised before being released. A detail that indicates religion played a role in the crime.

Listed among the cases was the murder on December 2, just the other week, of the Reverend Taleb Salman Araby, the deacon who assisted His Holiness Ganzevra Sattar Jabbar Hilo al-Zahrony, the worldwide head of the Mandaean community. He was easily recognizable because he wore the white Rasta robes of the Mandaean clergy. His family was prevented from holding a funeral service for him by extremists who threatened to blow up their house and the bereaved family was forced to bury him without any religious ceremony.

Furthermore, such violence against Christians and members of the smallest minorities is conducted with impunity. In northern Iraq and in the Nineveh Plains region where up to a third of the small minorities live, there have been no local police forces established, unlike other areas in Iraq, and the few forces that are provided to Christian and minority areas from elsewhere have been known to harass and prey on these small minorities. There are reports that the judiciary discriminates against Christians and other small minorities. The Washington-based Iraq Sustainable Democracy Project, for example, reports that courts in the Kurdish area discriminates against Assyrians who contest land and property confiscated by Kurdish militants.

The project also reports that in the Kurdish areas, Christian and other small minority towns have not benefited equally from U.S. reconstruction and development aid; their villages have been excluded by provincial-level officials from benefiting from water and electrical systems and denied their fair share of other utilities and services, such as schools and medical facilities provided by U.S. aid.

Apparently, the United States has no safeguards or checks in place to prevent this. As an Assyrian mayor of one of these towns, Telhaif, told me in November, such discrimination and marginalization is making minority towns and neighborhoods uninhabitable and forcing their residents out. According to detailed reports, once abandoned, Christian, Yizidi and Mandaean properties have been seized by Kurdish authorities. Such treatment has given rise to charges that Kurdish authorities are carrying out ethnic cleansing against Christians and smaller minorities, including other ethnic minorities, such as the Shabaks and Turkomen.

Government leaders in Iraq have been largely indifferent to the victimization of the small minorities. The Speaker of the Iraq Parliament, Mahmoud al-Mashhadani, was quoted earlier this year urging kidnappers to target Christian women instead of Muslims. After addressing the tragic kidnapping of his own sister, Thayseer, the Speaker of the Iraqi National Assembly was broadcast by al-

Iraqiya Satellite Television as stating: "Why kidnap this Muslim woman; instead of Thayseer, why not kidnap Margaret or Jean?" The latter are Christian names, thus implying it would have been better for a Christian woman to have been kidnapped, raped, and killed.

The United States Government urgently needs to take effective measures to help the most vulnerable of Iraq's religious groups. The U.S. owes a special obligation to these people because their non-Muslim status associates them with the American occupation in the minds of Islamic extremists. Furthermore, they alone are defenseless, lacking militias, social structures, and governing authority. Such measures should include actions that would help these people, who have maintained a presence in Iraq for thousands of years, to survive inside Iraq, as well as actions that would help the most desperate among them find sanctuary abroad.

In my testimony, I give a few recommendations that have been submitted through consultations with the minority representatives themselves and other policy experts, and I will just point out a few: Appoint a Special Aid Coordinator for Iraq as recommended by the Iraq Study Group. Provide emergency relief for internally displaced persons inside Iraq. And while this relief should not be limited just to Christians and small minorities, they shouldn't be excluded from that either. And the U.S. should ensure that they reach them. Ensure that the United States reconstruction aid and development assistance is equitably distributed to Christian, Yizidi, Mandaean and other small communities, including the ethnic minorities, the Shabaks and the Turkomen, particularly in northern Kurdish areas where many are now fleeing from other parts of Iraq and where the United States carries so much influence. Legitimate, independent, local leadership of these minority communities should be consulted about the reconstruction priorities of their communities. Kurdish authorities must not be allowed to use United States aid to ethnically cleanse northern Iraq. Support the establishment of a new autonomous district that would be jointly governed by ChaldoAssyrian Christians, Shabaks, Yizidis, and other minorities in the Nineveh Plains. And this is an initiative provided for under article 125 of Iraq's Constitution. Support the formation of police forces drawn from the local minority populations for Christian and small minority areas in the Nineveh Plains. Use more effective diplomacy with Iraqi leaders, especially Kurdish leaders, to insist on protection and equitable treatment of small religious minorities. Finally, resettle in the United States the most vulnerable individuals of the Christian and other small minorities. And last year, the United States admitted a mere 198 refugees from all of Iraq.

Many other steps could be taken. While no group is spared suffering in Iraq, the smallest minorities are defenseless and the most vulnerable. In addition, they are viewed as collaborators of American occupiers by extremists. Today these Iraqi Christian Chaldo-Assyrians, Yizidis, Mandaeans, and others are comparable to yesteryear's Soviet Jews. They need our help to survive egregious and pervasive religious persecution and discrimination. The State Department's religious freedom report describes much of their suffering, but it is also clear that United States policy in that regard has been lacking.

Thank you, Mr. Chairman.
[The prepared statement of Nina Shea follows:]

PREPARED STATEMENT OF MS. NINA SHEA, DIRECTOR, CENTER FOR RELIGIOUS
FREEDOM, FREEDOM HOUSE

Thank you, Mr. Chairman and Members of the Committee, for allowing me to testify today on behalf of the Center for Religious Freedom.

Chairman Chris Smith has been a dedicated and passionate leader on human rights for many years, and I wish to commend him for all the important hearings held under his chairmanship in this subcommittee. They have held governments around the world accountable, including our own, and given hope and relief to millions of the world's oppressed. This hearing today is no exception.

Egregious religious persecution occurs in North Korea, Saudi Arabia, China, Vietnam, Eritrea, Iran, Sudan and several other countries officially designated by the State Department as "Countries of Particular Concern," and is being addressed by the other witnesses today. There is an additional country where religious groups of various faiths face some of the bloodiest persecution in the world today, a country that is not listed among the CPC's. It is Iraq, and it is on this country, and particularly on the persecution faced by Iraq's smallest, most vulnerable minorities, that I will direct my testimony.

We should view Iraq's smallest religious minorities—the Christians, Yizidis, Mandeans, Baha'is, Kaka'i and Jews—as we once did Soviet Jews. The persecution these small minorities face stands out against even the horrific violence now wracking the rest of the population. This is demonstrated by the stark statistic that an estimated half of the members of the small minorities have been driven from their homes in the past two or three years, either to other parts of the country or abroad. Their very survival as communities within Iraq is now threatened by what amounts to ethnic, or rather cultural, cleansing. The State Department's Religious Freedom Reports accurately depicts a defenseless non-Muslim population that is being pounded by all other factions. Al Qaeda terrorists, Sunni insurgents, Shiite militias, Kurdish militants, and criminal gangs all persecute and prey on these small religious minorities.

Their situation is unique: Their religion and culture identifies them with the "infidel occupiers" in the minds of the extremists, and lacking the militias, tribal structures and foreign champions of Iraq's other groups, they are singularly defenseless against the mayhem that has followed the occupation. Because they do not govern any department, they are at the tender mercies of those dominant groups who aim to take their property, businesses and villages. The United States has a great moral responsibility to address their plight, and specific policy actions are required to help them. These policies will differ from the efforts we once took on behalf of Soviet Jews. Most of these small minority people do not wish to leave Iraq. We must expeditiously take actions that will maximize their security within Iraq, and will draw back some of those who have taken temporary shelter in other surrounding countries. For the most desperate among them, we must begin to resettle them here, where many, if not most, already have relatives who are well established.

While Shiites and Sunnis, who comprise Iraq's religious majority, also face appalling levels of extremist violence, sectarian strife, and official discrimination on account of their religions, it is the plight of Iraq's small religious minorities on which I will focus today both because the situation confronting these peoples threatens their very survival, and because their situation is not being sufficiently addressed by U.S. policy and was all but ignored in the recent Iraq Study Group Report. The very fact of their defenselessness—they are persecuted and killed, but do not themselves persecute and kill—contributes to the inverse relationship between their suffering and the world apathy at their situation.

Iraq's small religious groups—Christians (Chaldean, who are Eastern rite Catholics Assyrian, including the Church of the East, Syriac, who are Eastern Orthodox, Armenians, both Roman Catholic and Orthodox, and Protestants, who are Anglican, Presbyterian, Baptist, evangelical and others), Mandeans (followers of John the Baptist), Yizidis (an ancient angel religion), Bahais, Kaka'i (a syncretic group around Kirkuk) and Jews, together number an estimated one million of Iraq's population of 26 million at the fall of Saddam Hussein's regime. The largest group of these is Christian, the next largest is the Yizidis with about 70,000–500,000 and the Mandeans with about 6,000–10,000, and the smallest, the Jewish community, whose numbers had dwindled to the double-digits by 2003. Under escalating persecution and violence, these groups are fleeing their homeland *en masse*. Though they constitute some 3 or 4 per cent of Iraq's population, according to the UNHCR, they represent about 40 per cent of the refugee population. This disproportionate exodus at-

tests to the intolerable treatment and conditions they face inside Iraq. We have also received reports that an estimated half of the Christians who remain in Iraq are internally displaced, with those from the south moving to the north of the country for relative security.

The UNHCR has determined that they are being targeted for their religion by militants determined to establish an extreme sharia ruled state. Because they speak Western languages and have cultural ties to the West, they have also been targeted for perceived or real cooperation with the US embassy and the Coalition.

In 2004 a dozen churches were attacked in coordinated bombings and other similar incidents have followed. Since July 2006 alone, seven clergymen have been kidnapped and two of them, both from Mosul, murdered. As the State Department notes, these religious groups can no longer gather in safety and many have stopped holding worship services altogether. My friend, the Chaldean Archbishop of Basra, who says his prayers in the language of Jesus, Aramaic, as is the Chaldean tradition, has been transferred apparently for security reasons to the diocese of Australia and New Zealand, and his Basra diocese now has only a couple of hundred families remaining. These churches are not just lying low, they are being eradicated.

Christian, Mandaean and other women in some areas are being violently pressured to conform to supposed Islamic conduct and dress, with some killed or maimed, while men who operate liquor stores and cinemas have also been violently attacked by extremists. Flyers were posted at Mosul University this month declaring: *"in cases where non-Muslims do not conform to wearing the Hijab (woman's head cover) and are not conservative with their attire in accordance with the Islamic way, the violators will have the Sharia and the Islamic law applied to them."* It was in Mosul that some female students were murdered for wearing Western clothes and having a picnic with men in 2005 and where Orthodox priest Fr. Paulis Iskander was beheaded and dismembered on October 11.

Some of the death threats against non-Muslim minorities have been personal and some of these have been collected and translated, such as the samples that follow that were provided to the Center for Religious Freedom by the Chaldean Federation of America.:

"To the traitor, apostate Amir XX, after we warned you more than once to quit working with the American occupiers, but you did not learn from what happened to others, and you continued, you and your infidel wife XXX by opening a women hair cutting place and this is among the forbidden things for us, and therefore we are telling you and your wife to quit these deeds and to pay the amount of (20,000) thousand dollars in protective tax for your violation and within only one week or we will kill you and your family, member by member, and those who have warned are excused.

Al-Mujahideen Battalions."

"You traitor, Amjad,

We can behead the traitor and we are ready for that.

We can chase the infidels and renegades and everybody who deals with them and with the occupiers and punish them according to Islam law, 'The unjust have no supporters' Allah is the most honest,

The Islamic Army in Iraq."

"This is the last warning . . . to the American nasty crusader agent (James).

Our battalion will execute you by cutting your head and blowing up your house.

Allah willing. Our battalions will pursue the snakehead your brother (Talia). We will arrest him wherever he is—God willing.

Copy to the battalion Commander the Mudjahed

Abu Sayyaf and the Commander Abu Ther"

There are many other such examples—and many cases of targeted killings backing them up. Grisly reports of kidnapped Christian children being crucified and mutilated after ransoms were not paid have emerged this fall from the ChaldoAssyrian community. Numerous cases are also reported by the Assyrian International News Agency on its website, www.aina.org.

This week, I received a letter from the Sabeian Mandaean Association in Australia that detailed the cases of Mandeans kidnapped and assassinated for their religion this past year. Some of the kidnap-for-ransom victims were reportedly circumcised before being released, a detail that indicates religion played a role in the crime.

Listed among the cases was the murder on December 2 of the Rev. Taleb Salman Araby, the deacon who assisted His Holiness Ganzevra Sattar Jabbar Hilo al-Zahrany, the worldwide head of the Mandaean Community. He was easily recognizable because he wore the white *rasta* robes of the Mandaean clergy. His family was prevented from holding a funeral service for him by extremists who threatened to

blow up their house and the bereaved family was forced to bury him without any religious ceremony.

Furthermore, such violence against Christians and members of the smallest minorities is conducted with impunity. In northern Iraq and in the Nineveh Plains region where up to a third of the small minorities live, there have been no local police forces established unlike other areas in Iraq, and the few forces that are provided to Christian and minority areas from elsewhere have been known to harass and prey on these small minorities. There are reports that the judiciary discriminates against Christians and other small minorities. The Washington-based Iraq Sustainable Democracy Project, for example, reports that courts in the Kurdish area discriminate against Assyrians who contest land and property confiscated by Kurdish militants.

The Project also reports that in the Kurdish areas, Christian and other small minority towns have not benefited equally from U.S. reconstruction and development aid; their villages have been excluded by provincial-level officials from benefiting from water and electrical systems and denied their fair share of other utilities and services, such as schools and medical facilities, provided by U.S. aid. Apparently the US has no safeguards or checks in place to prevent this. As an Assyrian mayor of one of these towns, Telhaif, told me in November, such discrimination and marginalization is making minority towns and neighborhoods uninhabitable and forcing their residents out. According to detailed reports, once abandoned, Christian, Yizidi and Mandaean properties have been seized by Kurdish authorities. Such treatment has given rise to charges that Kurdish authorities are carrying out ethnic cleansing against Christians and smaller minorities, including other ethnic minorities, such as the Shabaks and Turkomen.

Government leaders in Iraq have been largely indifferent to the victimization of the small minorities. The Speaker of the Iraqi Parliament, Mahmoud al-Mashhadani, was quoted earlier this year urging kidnappers to target Christian women instead of Muslims. After addressing the kidnapping of his own sister, Thayseer, the Speaker of the Iraqi National Assembly was broadcast by al-Iraqiya Satellite Television as stating: "Why kidnap this Muslim woman; instead of Thayseer, why not kidnap Margaret or Jean?" The latter are Christian names, thus implying that it would have been better for a Christian woman to have been kidnapped, raped and killed.

The United States Government urgently needs to take effective measures to help the most vulnerable of Iraq's religious groups. The US owes a special obligation to these peoples because their non-Muslim status associates them with the American occupation in the minds of Islamist extremists. Furthermore, they alone are defenseless, lacking militias, social structures and governing authority. Such measures should include actions that would help these peoples, who have maintained a presence in Iraq for thousands of years, to survive inside Iraq, as well as actions that would help the most desperate among them find sanctuary abroad. All such measures should be expeditiously implemented. They are:

- Appoint a Special Aid Coordinator for Iraq as recommended by the Iraq Study Group. This post could prove to be very helpful in sustaining Christian and small minority communities, particularly those in northern Iraq that are being now marginalized.
- Provide emergency relief for Internally Displaced Persons inside Iraq. Ensure that this aid reaches the needy Christians, and other small minorities now amassing in northern areas of Iraq.
- Ensure that US reconstruction aid and development assistance is equitably distributed to Christian, Yizidi, Mandaean and other small minority communities, including the ethnic minorities, the Shabaks and Turkomen, particularly in northern Kurdish areas where many are now fleeing from other parts of Iraq and where the US carries much influence. Legitimate, independent, local leadership of these minority communities should be consulted about the reconstruction priorities of their communities. Kurdish authorities must not be allowed to use US aid to ethnically cleanse northern Iraq.
- Support the establishment of a new autonomous district that would be jointly governed by ChaldoAssyrian Christians, Shabaks (an ethnic minority with Shiite roots), Yizidis and other small minorities in the Nineveh Plains, an initiative provided for under article 125 of Iraq's Constitution.
- Support the formation of police forces drawn from the local minority populations for Christian and small minority areas in the Nineveh Plains, as consistent with a decision of the Iraqi National Assembly and implemented elsewhere in Iraq.

- Use more effective diplomacy with Iraqi leaders, particularly Kurdish leaders, to insist on the protection and equitable treatment of small religious minorities.
- Resettle in the United States the most vulnerable members of the Christian and other smallest minorities. This group includes those orphaned, widowed, and maimed by targeted violence. There are over thousands of such refugees who seek to join relatives already in the US. Last year the US admitted a mere 198 refugees from Iraq, and is already authorized to admit up to 20,000. The US must provide funding to the UNHCR for the processing of such people and admit greater numbers.

Many other steps could be taken as well. While no group is spared suffering in Iraq, the smallest minorities are defenseless and the most vulnerable. In addition, they are viewed as collaborators of American occupiers by extremists. Today these Iraqi Christian ChaldoAssyrians, Yizidis, Mandeans, and others are comparable to yesteryear's Soviet Jews. They need our help to survive egregious and pervasive religious persecution and discrimination. The State Department's Religious Freedom Reports describes much of their suffering, but U.S. policy in their regard has been lacking.

Thank you, Mr. Chairman. This concludes my testimony.

Mr. SMITH OF NEW JERSEY. Ms. Shea, thank you very much.
I would now like to ask Pastor Hue, if you would proceed.

**STATEMENT OF PASTOR BUI THIEN HUE, HOA HAO CHURCH,
HOUSTON, TEXAS**

[The following testimony was delivered through an interpreter.]

Mr. HUE. Mr. Chairman and Members of the Committee, my name is Bui Thien Hue, and I am an Hoa Hao Buddhist and a former religious prisoner of Vietnam. I came to the United States in September of this year. Due to my language limitation, I am going to ask your permission to let Mr. Tran read my oral report and to be my translator for today. Thank you.

Mr. Chairman, Members of the Committee, my name is Bui Thien Hue. I am an Hoa Hao Buddhist and a former religious prisoner. Last June, when I was still in Vietnam, I had the opportunity to submit my written testimony to the Members of Congress. Today I am very grateful to be here in person to brief you on the current situation of Hoa Hao Buddhism in Vietnam. With your indulgence, I would like to do that by telling you my personal story, how I was repressed by the Vietnamese Government and how I got to the United States.

After 1975, Hoa Hao Buddhism has been suppressed for more than 30 years. In 1993 many Hoa Hao Buddhists and I voiced our objection to the Vietnamese Government for publishing a book maligning our religious founder—prophet Huynh Phu So. Subsequently, we also demanded the government to let us practice our religion openly. In May 1999, under international pressure, the Vietnamese Government has to formally recognize Hoa Hao Buddhism as a religion. However, they appointed a hand-picked administrative committee to run the church's affairs. This 21-member council has been chaired by a 50-year veteran member of the Communist Party.

Due to my objections, I was put under house arrest for 24 months. My mother soon fell critically ill and I had to leave the house to take care of her. For this parole violation, I was given another 36-month sentence for violating decree 31/CP. All of my relatives, including my brother, have been continuously harassed by the local police ever since.

In April 2001, I escaped to Cambodia and applied for refugee status at the United Nations Refugee Agency in Phnom Penh. Although I was granted refugee status, the local police force was out to arrest and imprison me. To escape this crackdown, I linked up with six Vietnamese highlanders to escape and hide out in Mondonkiri, a province in the northeastern part of Cambodia. We managed to lay low for 3 months. However, under the pressure from the Vietnamese Government, the Cambodian police force stepped up their search and caught us in July.

Again, in compliance to the demands from the Vietnamese Government, the Cambodian Government disregarded my refugee status and repatriated me back to Vietnam. I was immediately sentenced and imprisoned for 36 months at Xuan Loc, Dong Nai.

After 3 long years, I was finally freed. I and other Hoa Hao dissidents picked up our struggle for religious freedom. With help from the Committee for Religious Freedom and the Southern California Hoa Hao Buddhist Association, I submitted a written testimony to the U.S. Congress in June of last year to unveil the horrific repression on the Hoa Hao Buddhists in Vietnam. Because of this written testimony, I was, again, imprisoned.

Towards the end of last year, I had the honor to speak to you, Mr. Chairman, during your visit to Vietnam. With your help, the help of the two above organizations, and Dr. Thang of Boat People S.O.S., in September of this year, 3 months ago, I was allowed to leave Vietnam via Priority One program.

Mr. Chairman, ever since I came to this safe haven ground, rarely have I spent a day not thinking about the rest of the religious prisoners still in Vietnam. They are facing uphill struggles due to constant harassment and intimidation by the authority. I particularly miss my friends and fellow Hoa Hao Buddhists, Mr. Vo Van Thanh Liem, a simple monk, who was sentenced to 7 years imprisonment; Mr. Le Minh Triet, who was beaten for not accepting the house arrest order. My heart aches for my friend Mr. Truong Van Thuc and his brother, who were beaten, thrown into the river, and left to die. And I have great concerns for hundreds of other religious dissidents who are suffering in prisons all over the country.

As Dr. Thang, executive director of Boat People S.O.S., stated, by repatriating me from Cambodia back to Vietnam, the Vietnamese Government was sending a warning message to other dissidents that there is no place for them to escape from the Vietnamese Government's long arm of control and punishment. The Priority One program has opened up a route to salvation for the Vietnamese religious prisoners. For that reason I would like to call for your help in assisting Boat People S.O.S. and the Committee for Religious Freedom to continue this noble effort.

Mr. Chairman, I am but a humble Hoa Hao Buddhist. I don't know much about politics and I do not understand all of the reasons behind the Administration's decision to remove Vietnam from the list of Countries of Particular Concern, but I am a living witness to the undeniable fact that there is still horrific religious repression in Vietnam. Therefore, I respectfully request the U.S. Congress, the State Department, and the U.S. Commission on International Religious Freedom to work with the Government of Vietnam to call for the release of all Hoa Hao Buddhists and all other

religious prisoners; closely monitor and report all religious violation and harassment to the world community; urge the Government of Vietnam to allow Hoa Hao Buddhists to choose and vote for their own leaders; return all confiscated church properties and rebuild the Hoa Hao Buddhist Library, one of our religious and cultural monuments, which was destroyed last year; allow the Hoa Hao Buddhists to commemorate Prophet Huynh Disappearance Day.

Again, please accept my eternal gratitude for your help in bringing democracy, human rights, and freedom of religion to Vietnam and especially in bringing me to the United States.

Thank you, Mr. Chairman.

[The prepared statement of Bui Thien Hue follows:]

PREPARED STATEMENT OF PASTOR BUI THIEN HUE, HOA HAO CHURCH, HOUSTON,
TEXAS

Dear Members of the Committee

Dear Congressman Christopher Smith:

My name is Bui Thien Hue. I am a Hoa Hao Buddhist and a former religious prisoner. Last June, when I was still in Vietnam, I had the opportunity to submit my written testimony to the members of Congress. Today, I am very grateful to be here in person to brief you on the current situation of Hoa Hao Buddhism in Vietnam. With your indulgence, I would like to do that by telling you my personal story, how I was repressed by the Vietnamese government and how I got to the U.S.

After 1975, Hoa Hao Buddhism has been oppressed for more than 30 years. In 1993, many Hoa Hao Buddhists and I voiced our objection to the Vietnamese government for publishing a book maligning our religious founder—prophet Huynh Phu So. Subsequently, we demanded the government to let us practice our religion openly. In May 1999, under international pressure, the Vietnamese government has to formally recognize Hoa Hao Buddhism as a religion. However, they appointed a handpicked administrative committee to run the Church's affairs. This 21-member Council has been chaired by a 50-year veteran member of the Communist Party.

Due to my objections, I was put under house arrest for 24 months. My mother soon felt critically ill and I had to leave the house to take care of her. For this parole violation, I was given another 36-month sentence for violating decree 31/CP. All of my relatives, including my brother have been continuously harassed by the local police ever since.

In April 2001, I escaped to Cambodia and applied for refugee status at the United Nations Refugee Agency in Phnom Penh. Although I was granted refugee status, the local police force was out to arrest and imprison me. To escape this crackdown, I linked up with six Vietnamese highlanders to escape and hideout in Mondonkiri, a province in the North-Eastern part of Cambodia. We managed to lay low for 3 months. However, under the pressure from the Vietnamese government, the Cambodian police force stepped up their search and caught us in July. Again, in compliance to the demands from the Vietnamese government, the Cambodian government disregarded my refugee status and repatriated me back to Vietnam. I was immediately sentenced and imprisoned for 36 months at Xuan Loc, Dong Nai.

After 3 long years, I was finally freed. I and other Hoa Hao dissidents picked up our struggle for religious freedom. With the help from the *Committee for Religious Freedom and the Southern California Hoa Hao Buddhist Association*, I submitted a written testimony to the U.S. Congress in June of last year to unveil the horrific repression on the Hoa Hao Buddhists in Vietnam. Because of this written testimony, I was again imprisoned. Towards the end of last year, I had the honor to speak to Congressman Smith during his visit to Vietnam. With his help, the help of the two above organizations and Dr. Thang of *Boat People S.O.S.*, in September of this year, I was allowed to leave Vietnam via the Priority One program.

Ever since I came to this safe haven ground, rarely have I spent a day not thinking about the rest of the religious prisoners still in Vietnam. They are facing uphill struggles due to constant harassment and intimidation by the authority.

In particular, I missed my friend and fellow Hoa Hao Buddhists—Mr. Vo Van Thanh Liem who was sentenced to 7 years imprisonment; Mr. Le Minh Triet who was beaten for not accepting the house arrest order. My heart aches for my friend Mr. Truong Van Thuc and his brother who have been beaten, thrown into the river and left to die. And I have great concerns for hundreds of other religious dissidents who are suffering in prisons all over the country.

As Dr. Thang, executive director of Boat People S.O.S stated, by repatriated me from Cambodia back to Vietnam, the Vietnamese government was sending a warning message to other dissidents that there is no place to escape from their long-arm of control and punishment. The Priority One program has opened up a route to salvation for the Vietnamese religious prisoners. For that reason, I would like to call for your help in assisting *Boat People S.O.S and the Committee for Religious Freedom* to continue this noble effort.

Dear Sir,

I am but a humble Hoa Hao Buddhist. I don't know much about politics and I don't understand the reason behind the Administration's decision to remove Vietnam from the list of Countries of Particular Concern. But I am a living witness to the undeniable fact that there is still religious repression in Vietnam.

Therefore, I respectfully request the U.S. Congress, the State Department, and the U.S. Commission on International Religious Freedom (USCIRF) to work with the government of Vietnam to:

1. Call for the release of all Hoa Hao Buddhist and all other religious prisoners.
2. Closely monitor and report all religious violation and harassment to the world community.
3. Urge the government of Vietnam to allow Hoa Hao Buddhists to choose and vote their own leaders.
4. Return all confiscated Church properties and rebuild our Hoa Hao Buddhist Library, one of our religious and cultural monuments.
5. Allow the Hoa Hao Buddhists to commemorate Prophet Huynh Disappearance day.

Please accept my eternal gratitude for your help in letting me come to the U.S, bringing democracy, human rights and freedom of religion to Vietnam.

Mr. SMITH OF NEW JERSEY. Pastor Hue, thank you so much for your very important contribution to human rights in Vietnam and for this witness today. And I would remind you that CPC status can be reimposed at any time. And with regards to your brother and your family, friends who remain in Vietnam, I would hope that you would keep us apprised as to whether or not there is any retaliation by the Vietnamese Government to anyone because of your witness here today, especially given the past that when you did provide testimony, you were punished for it. And I think that would speak volumes as to what the trajectory is of the Vietnamese Government, whether or not they are truly on the path to reform or whether or not this was all a ruse in order to curry economic favor with the United States.

And I can assure you we will be watching it closely and I would respectfully ask that you let us know of even the slightest retaliation by the Vietnamese Government against your family and friends in Vietnam.

Mr. Kung.

**STATEMENT OF MR. JOSEPH KUNG, PRESIDENT, THE
CARDINAL KUNG FOUNDATION**

Mr. KUNG. Thank you, Mr. Chairman, for inviting me. Because of time constraints, this is my brief summary of views. I have another document for my prepared statements that I request to be included in the hearing record for its entirety.

Mr. SMITH OF NEW JERSEY. Without objection, your statement and that of all of our distinguished witnesses will remain a part of the record, the full statements.

Mr. KUNG. Thank you. This testimony is limited to the underground Roman Catholic Church in China.

I was here 8 months ago in April testifying about the atrocious and continuing persecution and the sufferings of the underground Roman Catholic Church in China. I testified, among many other happenings, about a bishop, Bishop Su Zhimin, who was arrested 9 years ago on October 8, 1997, and has since disappeared. We desperately need to know if Bishop Su is dead or alive. I have heard that if the bishop were still alive, he would not be in good health because of multiple ailments. We beg you, Mr. Chairman, to use your influence to the effect that if Bishop Su is still alive, the Chinese authority will release him from captivity, if not for his pastoral duty in his own diocese, then for the purpose of allowing him to go overseas to spend the twilight years of his life in a quiet and prayerful surroundings. He deserves nothing less.

Bishop An Shuxin, the auxiliary bishop to Bishop Su Zhimin, has been released from prison in August this year after more than 10 years confinement since May 1996. Bishop An is now under very strict surveillance by the Chinese authority.

There are seven priests serving the diocese of Baoding in Hebei now in jail. The Chinese authority built a special iron cage, like those used for animals, for confining three of these priests in an extremely uncomfortable, cruel, and humiliating position. This cage is housed in one of the detention centers of the police department.

When Bishop Su and Bishop An both disappeared and were held in captivity, Father Huo Junlong was the administrator of the Baoding underground diocese. More than 2 years ago, on August 16, 2004, Father Huo, together with seven other underground priests and the two seminarians, was arrested. Father Huo is a very important priest in the underground diocese of Baoding. He has been in jail ever since and has also disappeared.

Father Lu GenJun was to meet his priest friend at the Baoding railway station. On his way to the station, a speeding car screeched to a halt. The door popped open and several men, shouting and screaming, scrambled out and headed for Father Lu. The priest ran. It was a short chase. The men who were the plainclothes police officers captured Father Lu. It was February 17 of this year. This was his seventh arrest within the last 15 years. We do not know where he is now. Such is a typical life of a devoted servant of God in China.

Bishop Jia Zhiguo, the bishop of Zheng Ding in Hebei, was finally released on September 25 of this year after he was dragged to jail from a hospital 3 months earlier on June 25 while he was still very sick with his catheter in place after his operation. He was arrested nine times since January 2004. He is now under 24-hour surveillance by the Chinese authority. He is the bishop who is taking care of approximately 100 handicapped children in his house.

However, 2 days ago I received an urgent message from China that Bishop Jia was again arrested at 8 o'clock in the morning on December 19. Now, this time the reason for his arrest was that he was about to offer a Thanksgiving mass to celebrate his 26th anniversary of being consecrated as a bishop, with hundreds of his faithful waiting in the church. Now, this morning I received another call and he was released again.

Two priests from the diocese of Wenzhou in Zhejiang, one its vicar general and the other its chancellor, were arrested on Sep-

tember 25 this year on their way home from a visit to a number of cities in Europe, including the Vatican. There they were arrested near the border of Kowloon, Hong Kong, which is still thousands of miles from their home. Bishop Yao Liang, 82 years of age, was arrested again by the Chinese authority on July 30 of this year. He is still detained. Two days later, on August 2nd, 90 underground Catholic faithful were arrested, although most of them were released shortly thereafter.

Mr. Chairman, I can go on and on listing these arrests, but let me provide some context. There are altogether seven underground bishops still in jail. As I testified 8 months ago, all of the underground bishops in China are still either arrested and are now in jail or under house arrest or under strict surveillance or in hiding or on the run or have simply disappeared. In addition, we also know there are approximately two dozen priests also in jail. This list is by no means complete. My educated guess is that there are hundreds in jail.

In short, regardless of the recent release of the two bishops, there is no improvement in the suppression of religious freedom in China.

I urgently request that the International Red Cross, Amnesty International, the United Nations, the human rights government officials in the United States, the International Olympic Committee, the World Trade Organization, and all freedom-loving countries of good conscience investigate and continue investigating the cruel treatment of religious believers described above and to decide whether China has violated the conditions for joining these organizations or for enjoying any preferential treatment from various countries.

China's irresponsible behavior has undoubtedly violated the generally accepted international standards of freedom of religion. Is it not also true that allowing China's continuing persecution of religious believers also violates the founding principle of these very organizations and countries? If so, then with what leverage still left that we will be able to muster, together we need to continue challenging this modern China into an era of true religious freedom and to request the Chinese authority to release all its religious prisoners and to exonerate their criminal charges.

Last but not least, during this Christmas season, we need to remember and respect these sufferings of religious believers in China. May they also have joy and warmth in their joyless and cold prisons.

Merry Christmas to everyone. Thank you.

[The prepared statement of Joseph Kung follows:]

PREPARED STATEMENT OF MR. JOSEPH KUNG, PRESIDENT, THE CARDINAL KUNG
FOUNDATION

Mr. Congressman and Ms. Congresslady:

I was here 8 months ago in April, testifying about the atrocious and continuing persecution and sufferings of the underground Roman Catholic Church in China. I testified, among many other happenings, about a bishop, Bishop Su Zhimin 蘇志民主教, who was arrested nine years ago on October 8, 1997, and has since disappeared. We desperately need to know if Bishop Su is dead or alive. I have heard that if Bishop were still alive, he would not be in good health because of multiple ailments. We beg you, Mr. Congressman and Ms Congresslady, to use your influence to the effect that, if bishop Su is still alive, the Chinese authority release him from captivity, if not for his pastoral duty in his own diocese, then for the purpose of allowing him to go oversees to spend the twilight years of his life in a quiet and prayerful surroundings. He deserves nothing less.

Bishop An Shuxin 安樹新主教, the auxiliary bishop to Bishop Su Zhimin, has been released from prison in August this year after more than ten years confinement since May 1996. Bishop An is now under very strict surveillance by the Chinese authority.

There are seven priests serving the diocese of Baoding in Hebei now in jail.

The Chinese authority built a special iron cage, like that used for animals, for confining three of these priests in an extremely uncomfortable, cruel, and humiliating position. This cage is housed in one of the detention centers of the police department in Xushui county 徐水縣 in Baoding. There names are Father Yen Shuangxi 尹雙喜神父 arrested in 2003, Father Guo Erguang 郭二光神父 arrested in 2001, and Father Zhang Zhenquan 張振全神父 arrested in 2001.

When Bishop Su and Bishop An both disappeared and held in captivity, Father HUO Junlong 霍俊龍神父 was the administrator of the Baoding underground diocese. More than two years ago on August 16, 2004, Father Huo, together with seven other underground priests and two seminarians, was arrested. Father HUO is a very important priest in the underground diocese of Baoding. He has been in jail ever since and has disappeared.

Father Lu GenJun 鹿根君神父 was to meet his priest friend at the Baoding railway station. On his way to the station, a speeding car screeched to a halt. The door popped open, and several men, shouting and screaming, scrambled out and headed for Father Lu. The priest ran. It was a short chase. The men who were the plainclothes police officers captured Father Lu. It was February 17 of this year.

Father Lu was first arrested in 1990, and detained for one month. He was arrested again on May 23, 1994, and released after a short period of detention. He was arrested again August 29, 1994, and released the following October 19. He was arrested again April 5, 1998, Palm Sunday, and detained for a short time. He was arrested again March 31, 2001, a couple weeks before Easter and was sent to labor camp for three years for, among other charges, his being a priest not recognized by the Patriotic Association, and his conducting illegal evangelization. He was released March 30, 2004. Approximately 6 weeks later, on May 14, Father Lu was arrested again while he was preparing to give talks to Catholic young married couples. He was released a few days later. He was arrested again this year on February 17 as I had described above. We do not know where he is now. Such is the typical life of a devoted servant of God in China.

The other two priests kept in captivity in Baoding are Father Ma Shunbao 馬順寶神父 and Father Ma Wuyong 馬武勇神父, both were arrested in 2003 and detained in QingYuan County 清苑縣 detention center in Baoding City.

Bishop Jia Zhiguo 賈志國主教, the Bishop of Zheng Ding 正定 in Hebei, was finally released on September 25 this year after he was dragged to jail from a hospital three months earlier, on June 25, while he was still very sick with his catheter in place after his operation. He was arrested 9 times since January 2004. He is now under 24 hour surveillance by the Chinese authority. He is the bishop who is taking care of approximately 100 handicapped children in his house. However, two days ago, I received an urgent message from China that Bishop Jia was arrested again at 8 AM Dec. 19. The reason for his arrest was that he was about to celebrate his 26th anniversary of being consecrated as a bishop

Two priests, Father Shao Zhumin 邵祝敏神父 and Father Jiang Sunian 姜溯念神父 from the diocese of Wenzhou 溫州 in Zhejiang 浙江, one its vicar general and the other its chancellor, were arrested on September 25 this year on their way home from a visit to a number of cities in Europe, including the Vatican. They were arrested near the border of Kowloon, HongKong, which is still thousands of miles from their home.

Bishop Yao Liang 姚良主教, 82 years of age, the auxiliary bishop of Xiwanzi 西灣子 in Hebei, was arrested again by the Chinese authority on July 30 this year. He is still detained. Two days later on August 2, 90 underground Catholic faithful were arrested, although most of them were released shortly thereafter.

I can go on and on listing these arrests. Let me provide some context.

There are altogether seven underground bishops still in jail. As I testified 8 months ago, all of the underground bishops in China are still either arrested and now in jail, or under house arrest, or under strict surveillance, or in hiding, or on the run, or simply missing. In addition, we know there are approximately 2 dozen priests also in jail. This list is by no means complete. My educated guess is that there are hundreds in jail.

In short, regardless of the recent release of one bishop, there is no improvement in the suppression of religious freedom in China.

I urgently request that the international Red Cross, Amnesty International, the United Nations, the human rights government officials in the United States, the International Olympic Committee, the World Trade Organization, and all freedom-loving countries of good conscience to investigate the cruel treatments of religious believers described above and to decide whether China has violated the conditions for joining these organizations or for enjoying preferential treatments from various countries.

China's irresponsible behavior has undoubtedly violated the generally accepted international standards of freedom of religion. Is it not also true that allowing China's continuing persecution of religious believers also violates the founding principles of these very organizations and countries? If so, then, with what leverage still left that we may be able to muster, together we need to challenge this modern China into an era of true religious freedom, and to request the Chinese authority to release all its religious prisoners and to exonerate their criminal charges.

Last but not least, during this Christmas season, we need to remember and respect these sufferings of religious believers in China. May they also have joy and warmth in their joyless and cold prisons.

Thank you.

Mr. SMITH OF NEW JERSEY. Mr. Kung, thank you so very much. Now, I would like to ask Mr. Sium from Eritrea to give his statement.

STATEMENT OF MR. BERHANE SIUM, EASTERN UNITED STATES COORDINATOR, THE ERITREAN NATIONAL SALVATION FRONT (ENSF)

Mr. SIUM. Mr. Chairman and the Committee, I would like to thank you very much for this golden opportunity to share my report about the repression on the religious freedom in Eritrea.

I am Berhane Sium and I am from Eritrea. Eritrea is in Africa on the Red Sea, to the east of the Sudan and north of Ethiopia. Thank you for the opportunity to talk about religious freedom in Eritrea. I am in frequent contact with citizens in Eritrea and meet with people who have just left the country, often as escapees.

I have reviewed the Eritrean section of the religious freedom report and find no inaccuracies but have some observations to make.

Since the early 1950s, Eritrea was a part of Ethiopia. In 1993 it won its independence. A Constitution was ratified by the people in 1997 to protect democracy, human rights, and religious freedom. Article 19, paragraph 4 of the Constitution states: "Every person shall have the freedom to practice any religion and to manifest such practice."

However, the dictator and his government who took power will not implement the Constitution. An uncivilized regime of cruelty, torture, and murder has had control. Countless people have fled the country. Those are caught leaving illegally are tortured or killed.

Religious freedom had never been a problem before the new government came. Muslims and Christians of all sects were free to exist and grow. However, the new government in 2002 outlawed all church activity except of the four registered faiths, which are Eritrean Orthodox Christian, Roman Catholic, Lutheran, and Islam.

Outlawed Protestant churches have been taken apart. First, pastors and key leaders were arrested without charges placed. Then church buildings were locked up and people were forbidden to use them for religion. Then the government took all the property.

An example of a church closed this way was the Kale Hiwot Baptist Church in Asmara, which is the capital city. The church had been giving aid to the poor as a registered NGO. And in October of this year, the staff was arrested, all computers and other office equipment and records taken, and the offices locked. The Kale Hiwot Church had been overseeing an orphanage and kindergartens throughout the country. I don't know what has happened to these.

Anyone caught worshipping in an unregistered church or group, even in a private home, is subject to arrest and jail under severe conditions. One notable example is Helen Berhane, who is a well-known evangelical singer. She was jailed following release of a popular CD of her music and kept for over 2 years because she would not renounce her faith and was released recently because of pressure from Amnesty International. But she has to be in a wheelchair because of beatings to her right leg. There are many who have been in jail for at least weeks or months, probably over 1,000.

People who are not serving in the military for religious reasons have been jailed in poor conditions, some for over 10 years. Jehovah's Witnesses have been hurt the most with this. Other groups, including Muslims, have been mistreated this way too. Members of illegal Christian sects in jail are required to renounce their religion before they will be released.

The government replaced the patriarch of the Eritrean Orthodox Church with someone of their own choosing. The officially elected one is now under house arrest. Thousands of Eritreans have made their way out of the country at risk of torture or death because of extreme human rights and religious mistreatment. We hope and pray for our Constitution to be implemented in a universal and sustainable way.

Thank you for your attention.

[The prepared statement of Berhane Sium follows:]

PREPARED STATEMENT OF MR. BERHANE SIUM, EASTERN UNITED STATES
COORDINATOR, THE ERITREAN NATIONAL SALVATION FRONT (ENSAF)

OBSERVATIONS ON RELIGIOUS FREEDOM IN ERITREA

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However, the new government in 2002 outlawed all church activity except of the four registered faiths, which are:

- Eritrean Orthodox Christian
- Roman Catholic
- Lutheran
- Islam

Outlawed protestant churches have been taken apart:

- First, pastors and key church leaders were arrested, without charges placed
- Then, church buildings were locked up, and people were forbidden to use them for religion
- Then the government took all the property

An example church closed this way was the Kale Hiwot Baptist Church in Asmara, which is the capital city. The church had been giving aid to the poor as a registered NGO. In October of this year, the staff was arrested, all computers and other office equipment and records taken, and the offices locked. Kale Hiwot Church had been overseeing an orphanage, and kindergartens throughout the country. I don't know what has happened to these.

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Thousands of Eritreans have made their way out of the country at risk of torture or death because of extreme human rights and religious mistreatment. We hope and pray for our constitution to be implemented in a universal and sustainable way.

Thank you for your attention.

Mr. SMITH OF NEW JERSEY. Thank you so very much. Let me begin the questioning, if I could, with you. The report suggests—you said 1,000—that up to 1,700 prisoners; so there is a range. To the best of your knowledge, has the African Union or the UN or any other body that has a human rights component to it held to any account for this gross mistreatment of religious believers, particularly as it relates to torture, and if not, why not?

Mr. SIUM. To my knowledge, I don't have any information following this case, but at least Amnesty International has been writing many times and even the Embassies from the—the United States Embassy in Asmara has written the government. I think I have the document here if everybody wants to see it. It is right here. It is about—how many pages—let me see—19 pages. United States Embassy in Asmara.

Mr. SMITH OF NEW JERSEY. So they have been very diligent in raising these issues?

Mr. SIUM. Exactly.

Mr. SMITH OF NEW JERSEY. That is very encouraging and not surprising because I know Ambassador Hanford has raised it a number of times. I know I, as Chairman of the Africa Subcommittee, have raised it with their Ambassador here and get rather dismissive answers, particularly as it relates to lists of people. So we need to, I think, ratchet up that pressure. And it seems to me that the AU has a real role to play in promoting religious freedom in general throughout all of sub-Saharan Africa, but certainly in Eritrea, and hopefully they will take the documentation that the religious freedom report provides and take it to heart and run with it.

If they don't have that ability to gather it themselves or have not done so, they are being given on a silver platter, if you will, information that is absolutely actionable by them, and we certainly will convey this to them, again, in hopes that they will take some action because this is absolutely—to see the deterioration and to see things go from bad to worse in Eritrea certainly is a heartbreak. And thank you for your witness today.

Mr. SIUM. Thank you, Mr. Chairman.

Mr. SMITH OF NEW JERSEY. Let me ask Dr. Farr: One of the things that struck me on one of my several visits to the People's Republic of China in the early 1990s in this case, I remember meeting with Wei Jingsheng, who had recently been let out by the Chinese Government to try to gain Olympics 2000, and we know they had the Olympics now at a latter date, but when they didn't get it, they rearrested him and put him back into prison. But I remem-

ber I met with the Chamber of Commerce in Beijing at a hotel for breakfast. The Embassy set that up. And I raised a number of specific human rights issues with them. The one-child-per-couple policy, for example, with its reliance on coercive abortion and involuntary sterilization, which was being implemented at the factory level; so our businesses were complicit in that whether they seemingly liked it or not, but also the issue of religious freedom. And I would say, parenthetically, I asked them to meet with this dissident, Wei Jingsheng, the father of the Democracy Wall, to at least learn what a dissident's view might be on what businesses' role ought to be in promoting human rights and openness and transparency in China.

I was struck, when I talked about religious freedom, by the naivete on the part of people who were stationed in Beijing who didn't have a clue what was going on right under their noses with regards to religious persecution. One of the individuals said, "Well, my secretary goes to a Catholic Church every week to mass." And I said, "You mean the Catholic Patriotic Association, which has the government imprimatur on it and is practically run by the government?" And that is not the underground church. He didn't even know there was a difference.

So my question is, especially as it relates to the Foreign Service and business, hopefully we are maturing enough in our state craft that we aren't compartmentalizing this issue to the point where it becomes less relevant or irrelevant or a talking point somewhere on the Secretary's agenda. How do we get the Chamber of Commerce and others, who are trading so robustly with the Chinese, to realize that this is the first right, as Nina Shea pointed out so correctly? You know, Felice Gaer mentioned earlier that she, for the first time in her commission, will be talking to the Foreign Service Institute, and that is a step in the right direction, but how many years did it take to get that?

You were on the inside. You fought the good fight. I remember meeting with you time and time again, and I know your frustration. Are we finally beginning to turn that page so that religious freedom is fully integrated into our foreign policy and that also includes our economic? I would say also at that meeting, when we had all these different heads of the government affairs types from most of the major industries from the United States operating in Beijing, many commerce people were there from our Embassy.

There was one lonely junior grade, earnest, bright, but junior grade Foreign Service officer who they almost asked to get the coffee. I say that as a bit of hyperbole, but it was that kind of hierarchy. He was at the bottom and he was the human rights officer. Has any of that changed in your view?

Mr. FARR. I think it has, Mr. Chairman. Thank you for that question. It has gotten, I think, considerably better since the 1990s, and much of that is due to the International Religious Freedom Act, and as Chairman Gaer was saying, the religious freedom report—I think you made the point too—has made a big difference because you have to prepare for that report. You have to go out and meet religious leaders. You have to talk to government. You have to compile the data for the report. So the tracks have been laid,

and I think it is important what Ambassador Seipel and Ambassador Hanford have done.

But I think there is a major step yet to be taken and it is a conceptual step, and that is, to put it bluntly, to normalize thinking about religion. It is perhaps a cultural problem for Americans. It is certainly a cultural problem for Western Europeans. I would think it would be a little easier for us, but it is tough for us to think about religion in normative terms. And the Foreign Service does not train people to think about religion that way. It thinks in political and economic terms, in strategic terms. But if you look at, for example, one of the world's foremost religious demographers, Todd Johnson, who has recently done a study in which he compiled all the data and looked down and said that 200 years into the future, a conservative estimate is that 80 percent of the world, conservative estimate, will be involved in some kind of religious community actively and that the public implications of this are staggering.

Now, the Foreign Service is the arm of the American Government that is given the job of engaging the world. We don't think in religious terms.

You mentioned China. You know David Aikman, who has written a book about China, who estimated that—I think he said by the year 2030 as much as 25 to 30 percent of China might be Christian, which is a staggering—it would scare the dickens out of the Chinese Government when they read it. That may be an over-generalization, but the point is religion is growing in importance and we don't look at it that way within the Foreign Service yet.

This is not a criticism of individuals or of particular programs. It is a criticism, in my view, of our failure to recognize. As we talk about the future, we talk about nuclear proliferation, we talk about globalization, all of these things are vital, but every one of these things is affected by the role of religion. So we need to get smart on this. And training, which I mentioned in my statement, is a vital part of it. We haven't gotten that right.

As Nina Shea knows, and I believe the rest of the Commission knows, back in 1999 or 2000, when the Commission was first constituted, they paid a visit to the Foreign Service Institute and made some of the points that I am making today, and as I recall, they were told, We do have a day in which we give to religious freedom and it is called a Freedom of Conscience Day. And this is really quite good, but the problem with it is it is voluntary. They have to literally threaten people to come and participate in this because Foreign Service officers are busy. They do what is set in front of them. And so I am not criticizing them. I am criticizing the way that we fail to think about this issue.

Mr. SMITH OF NEW JERSEY. Ms. Shea.

Ms. SHEA. Mr. Chairman, I would also like to add that it is important that this training that needs to be developed at the Foreign Service level needs to include a better understanding of the right to religious freedom, what constitutes the right, because it is a complex right. Others have said it is the core—Felice said it was at the core of other human rights, and indeed it is. Freedom of religion is a group right. Freedom of worship. And we saw how that was used. The group of meeting and protecting other persons'

human rights was a crucial part of opening up the Soviet Union and defending the rights of people under Communism during the Cold War.

There is also an individual dimension to this right, and that, I think, the individual dimension of religious freedom, where everyone can choose their beliefs, are free to choose their beliefs, are not punished for their beliefs, not punished for expressing their beliefs, is going to be absolutely essential, particularly in the Muslim world today where those who try to modernize or moderate systems or propose new ways of thinking are punished for apostasy and blasphemy, which are the opposite of religious freedom.

So I think that has to be—as well as teaching people, our Foreign Service, about different religions, the importance of religions to people, but they have to also understand the importance, the richness of this right.

Mr. SMITH OF NEW JERSEY. You mentioned something, Dr. Farr, about scaring the Chinese Government if that estimate turns out to be true. I would just add David Aikman, parenthetically, was one of our witnesses when Chi Haotian, the general who was the defense secretary in China, was received at the White House during the Clinton Administration with a 19-gun salute and red carpet treatment and said nearby at the War College that nobody died at Tiananmen Square.

We invited a panel, including survivors and David Aikman, who was one of those who spoke truth to power while this big lie was being proffered by General Chi Haotian, who then became, like I said, the defense secretary for China. And I often wonder about the mixed signal that somebody like that gets who was the operational control of the Tiananmen Square massacre. He sent in the tanks, ordered the bayoneting and the killing, and he is received here not as a war criminal or someone who has committed crimes against humanity, but as a distinguished visitor. And I wonder about what they take back when they see that kind of thing. But Aikman, I think, is a man who probably has his finger on the pulse.

Let me just ask with regards to scaring the Chinese because—and, Mr. Kung, you might want to answer this as well. Not only does faith give someone the ability to practice and see transcendent value in life itself, but it also gives them, I think, courage to resist barbaric policies. We saw it in the Warsaw Pact nations. I asked the great Jewish leader Shermansky in this room how he got through Perm Camp 35 in the Ural Mountains when he was a political prisoner. And as a matter of fact, Frank Wolf and I visited that camp a couple of years later. And he said that he meditated on the Psalms, Psalm 37 and some of the other Psalms that gave him hope and courage.

Lech Walesa always carried on his lapel a picture of Our Lady of Czestochowa, and it was his faith that gave him the ability to promote solidarity and labor rights. And I would just say that some of the Christians that I have met and other people of faith, including WEAGers and Tibetan Buddhists, it is their faith that gives them that certitude inside and that boldness to resist harsh and Draconian penalties that a government like China visits upon its own people.

And my question is the Chinese Government has a barbaric policy called the one-child-per-couple policy, which, to my great sadness, the UN should be calling it what it is—genocide—against the WEAGers, against the Tibetans, and against really so many people.

There is now missing in China something on the order of 100 million baby girls because brothers and sisters are illegal. Given the boy preference and their lack of social security, girls are aborted at phenomenal rates, and they are missing 100 million girls. The Catholics, I know, have been singled out, as have other people of faith, because they want to have children. They see children as a gift from God, not as the way the government sees it, as a burden.

And I raise this question because I believe many in the faith community are focused upon more egregiously and more harshly because they see these policies for what they are, gross violations of human rights, and then the woman says, I want to have this child and not have the government coerce me into an abortion. I wonder if any of you have any insights as to that.

We know that Catholic villages have been bulldozed and leveled to the ground simply because, as a faith community, they didn't want to go along with this Draconian policy, which, like I said, the UN Population Fund and others just love to death and promote and partner with in China. So there are implications to a society, not just worship. The Soviets said worship was okay in some instances but don't be involved in humanitarian work. Don't let it have any impact on policies that the government might want to promulgate.

So any comments on that at all by our panelists.

Mr. KUNG. Mr. Chairman, this country has been trying for the last several years, many years, to use the economic enticement to hopefully get China to realize all the atrocious persecution of the human rights and religious persecutions. I think it is about time that, regardless of what the government can or cannot do to influence China to a more moral policy; I think we as individuals can do a lot of things. We can refuse to buy anything made in China. Why do we have to buy anything made in China knowing that all these atrocities are going on? If everyone made a decision not to buy and reduce those products made in China by 10 percent or 20 percent, I think the Chinese Government would get a message.

Also, another thing, in my view, is that the media is not doing their job. They do not propagate, they don't publicize what is going on behind the bamboo curtain, behind China, the atrocious activities going on. They just don't report that much. How many times have we seen an editorial from the *New York Times* or *Washington Post* talking about a human rights violation in China? Very rarely. I think the Fox News, the CNN, and all the newspapers should report a lot more. For every crime which they report—when they report some good deal, they should report a violation of human rights, and in this way I think China would get a message too.

Mr. SMITH OF NEW JERSEY. I appreciate that. I would say for the record that I am grateful that C-Span has editorially decided to be here today and to cover this hearing, and as a direct result of that, millions of Americans and others will see this broadcast and hear your witness and hear that of other very distinguished witnesses

because, again, there has been, I think, a profound filtering of the reality on the ground in several of these countries from Vietnam to China. People perhaps know what is going on in Iran because that is covered, but some of these other countries get a pass when it comes to media scrutiny. But, again, C-Span is here and I again want to thank them for covering your witness and that of our previous two panels because it is important.

Dr. Farr.

Mr. FARR. Could I just add a word. Back in 2001 when I went to Beijing, at the time we didn't have an Ambassador at Large. Ambassador Seipel had left and Ambassador Hanford was yet to come on board. And the Chinese Government at first said they would see me and then removed the invitation. But I went anyway and it turned out to be one of the best trips I have taken because I didn't spend a lot of time in official meetings. I met with a Catholic priest who had, shall we say, feet in both branches of the Catholic Church, if I can put it that way. He had a lot of ties to the underground church, but he was friendly with the patriotic group as well. And we talked about this issue of the one-child policy and abortion. And he said to me in a sort of a surreptitious meeting:

"First of all, I can't possibly preach openly what the Catholic Church teaches about abortion. If I were to do this, I would go to prison. That is bad enough, but let me tell you what really bothers me. In the confessional, when Catholics come to me and say what must I do when I have been ordered to have an abortion, I am in the position of trying to decide what to say to them. I have to tell them what our church teaches, but if I tell them to do what our church teaches, then I am putting them in mortal danger of running into the government, being imprisoned, having a forced abortion."

And so I was really struck by this, and I went back and succeeded in, I believe, the 2001 report in getting a sentence, with some resistance, frankly, within the department. This is a religious freedom issue. This is a human rights issue. It is a barbaric practice. But when Catholics cannot say anywhere in the world openly what they believe about abortion, this is a religious freedom issue as well, and I think it is important that we recognize that.

Mr. SMITH OF NEW JERSEY. Any other comments by our distinguished panel?

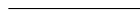
We will have some additional questions we would like to submit for the record, but I want to thank each of you for your witness, for your testimony. Your written testimonies, as well the oral, give this Committee a great daily to work on and to go forward with. And I do want to thank Lindsey, Greg and Sheri, who are on our staff, for the enormous work they have put in for these last several years and for today's hearing. This is the last hearing of this session, but I want to thank them. They have done an extraordinary amount of work. A lot of tough work with regards to information, figuring out policy. And as I think all of you know, so much of what we do from these hearings finds its way into an action plan and legislation whether by amendment or a freestanding bill, and this hearing will be no less. You gave us a lot of information that we now have to digest and figure out where we go from here. So I look

forward to working with you going forward. But thank you so much and thank you to the staff for their extraordinary work.

The hearing is adjourned.

[Whereupon, at 1:56 p.m., the Committee was adjourned.]

A P P E N D I X



MATERIAL SUBMITTED FOR THE HEARING RECORD

TESTIMONY OF
KATHRYN CAMERON PORTER
PRESIDENT
LEADERSHIP COUNCIL FOR HUMAN RIGHTS
WASHINGTON, D.C.
SUBMITTED FOR THE RECORD TO
UNITED STATES HOUSE COMMITTEE ON INTERNATIONAL RELATIONS
HEARING ON
EXAMINATION OF A FUNDAMENTAL HUMAN RIGHT:
THE 2006 INTERNATIONAL RELIGIOUS FREEDOM REPORT
DECEMBER 21, 2006

Thank you for the opportunity to present this testimony. I would like to publicly thank Chairman Henry Hyde for his service in Congress on behalf of beleaguered peoples around the world. His commitment to justice and freedom is unparalleled. I have been proud to know him from the time he served in the Illinois State House of Representatives to this culmination of a life spent in service to others.

The Leadership Council for Human Rights (LCHR) is committed to promoting and protecting human rights, religious freedom among them, throughout the world. Freedom of belief is the most fundamental human right, recognized as such in the Universal Declaration of Human Rights and the International Covenant on Civil and Political Rights; yet people of diverse religious traditions in many countries continue to be denied the right to practice their faith and worship as they wish.

The 2006 International Religious Freedom (IRF) Report is an important tool by which our government gauges the state of religious freedom in the world. It should and can provide a foundation for effective advocacy and action by the U.S. government with those countries who fall short of their international obligations; as important as the issuance of a timely, accurate, and complete report is that our government then uses the report to inform and support its proactive pursuit of improvements in the affected countries identified by the report. Without an Administration that is fully engaged in using the influence it wields in bilateral relationships to promote increased respect for human rights and religious freedom, the promise of the annual human rights/international religious freedom reporting mechanisms and the legislation which supports them cannot be realized.

New developments during the past year in two of LCHR's countries of focus, Egypt and Vietnam, highlight both important progress and continuing problems with their governments' respective approaches to religious freedom issues. While Egypt and Vietnam are vastly different countries and cultures, they share the common trait of having ethnic or religious minorities which have faced ongoing discrimination against or repression of their religious practices and been pressured to assimilate into the larger social or government culture in the name of "national identity" and unity. In both countries, the 2006 IRF report correctly identifies a mix of progress and continued problems.

In Egypt, the State Department cites continued restrictions on freedom of belief and the practice of religious rites, affecting both the country's Christian and Baha'i communities, while also noting President Mubarak's issuance of a decree loosening restrictions on church construction and repair. In Vietnam, the State Department describes significant improvements in long-standing strictures on religious organization and practice; these improvements were part of the rationale for the Administration's decision early November, following the IRF Report's release and on the eve of President Bush's departure for Hanoi, to remove Vietnam's designation as a "Country of Particular Concern" (CPC). This decision, however, was made in direct contradiction of the recommendation not to remove the designation by the U.S. Committee for International

Religious Freedom (USCIRF), an independent and non-partisan U.S. government agency whose mandate is to research, report, and make such recommendations.

In recent months LCHR testified or submitted written testimony at various Congressional hearings on human rights, including the Subcommittee on Middle East and Central Asia hearing, "Review of U.S. Assistance Programs to Egypt, Part II," and the Congressional Human Rights Caucus briefing, "Human Rights in Vietnam Today." In both of these forums, LCHR expressed serious concern about continuing restrictions placed on religious freedom in Egypt and in Vietnam, which include the following:

In Egypt:

Repression of ethno-religious minorities, specifically the Copts, is ongoing and significant. I traveled to Cairo, Alexandria, and the surrounding areas in June 2006, and experienced a situation so precarious that it reminded me of a 1980 fact-finding mission to the Soviet Union.

Restrictions on church repair and construction have improved in principle but remain problematic. While authority to grant permission for such activities has now been given to provincial governors instead of residing with the President, as was the case until late 2005, I visited a church outside of Alexandria where State Security agents had arrested workers for conducting routine maintenance. Security officials had surrounded the church, creating palpable fear in the local community.

Conversion from Islam is effectively denied, and forced conversion to Islam is occurring. I met with Muslim converts to Christianity who live in fear of being discovered, and heard firsthand from these individuals their belief that they would be attacked or even killed if their conversion was made known. I also spoke with Coptic parents whose teen daughters had been kidnapped and forced to convert to Islam and marry their captors, and who were then allowed to contact their parents again only after they turned 18.

Coptic women who do not cover their heads, or who display a visible of their faith such as a cross, are targeted by extremists. I met face to face with victims of acid and knife attacks who suffered violence because they did not adhere to the traditional dress code of Muslim women.

In Vietnam:

In the wake of granting Permanent Normal Trade Relations (PNTR) to Vietnam and its accompanying entry into the World Trade Organization (WTO), it is essential that the U.S. continues and strengthens its engagement with Vietnam on religious freedom and other human rights issues. The increased pragmatism shown by Vietnam in its relations with the U.S. in recent years has benefited the state of human rights policies and practices promulgated by the Vietnamese government; with Vietnam's PNTR/WTO goals having been achieved, and the Administration's decision, against the advice of the U.S. Commission for International Religious Freedom, to remove Vietnam's CPC designation,

many informed advocates and observers do not see the continued incentive for good cooperation with the U.S. on human rights issues. The newly-solidified economic ties between the U.S. and Vietnam, and the full normalization of bilateral relations that they represent, should be viewed not as ending but rather a new platform for increased U.S. engagement with Vietnam and for continued expansion of the human rights/religious freedom "space" in Vietnam.

Of continuing concern is the credible threat of detention and forcible return to Vietnam of ethnic minority asylum-seekers from the Central Highlands who have fled to Cambodia, fearing religious persecution. The Vietnamese and Cambodian governments, which coordinate closely on security and movement issues along their shared border, must both ensure that their treatment of those who seek asylum in Cambodia is in accordance with their obligations under international law.

UNHCR access to newly-arrived asylum seekers in Cambodia is intermittent and subject to delays imposed by the Cambodian government, and in Vietnam, UNHCR, diplomats and other interested observers have very limited access to repatriated or forcibly returned asylum seekers, requiring central government authorization for and facilitation of travel to the sometimes remote regions where these individuals are generally located. There are credible reports of the detention or arrest of persons attempting to leave Vietnam to seek asylum in Cambodia, a fundamental right which along with freedom of religion is enshrined in the most basic international human rights covenants to which both these countries are bound.

Recent Developments

Since the release of the 2006 International Religious Freedom Report, developments in Egypt and Vietnam indicate the need for continued vigilance to promote freedom of religion for all, not just for some.

Last week, the supreme administrative court of Egypt denied Baha'is the right to state their religion on official documents, and in the ruling, Judge Sayed Nofal wrote: "The constitution promotes freedom of belief for the three recognized heavenly religions and they are Islam, Christianity and Judaism. As for the Baha'is, Islamic jurists have all agreed that the Baha'i faith is not one of the three recognized religions. Those who belong to this religion are apostates of Islam, because the faith's principles contradict the Islamic religion and all other religions."

This judgment could in effect make non-citizens of the 2,000 Baha'is in Egypt, and LCHR joins the human rights community in condemning the ruling.

As a regional leader, Egypt should strive to be an example for other Middle Eastern states struggling with sectarian violence. Instead, it continues to discriminate against members of religious minorities which comprise approximately 12 percent of the population. As noted above, conversion to Islam is encouraged in Egypt through discriminatory and sometimes criminal methods. Financial incentives and societal pressure (refusal to grant

ID cards, exclusion from academic institutions and from promotion within government or military service, etc.), as well as kidnapping and forced conversions, are used to prompt Copts and other non-Muslims to convert.

We urge members of this Committee to continue to support secular channels and the broadening of a civic culture that promotes religious tolerance, as referenced by the 2006 International Religious Freedom Report. Public space for such dialogue does not currently exist in Egypt, and must be cultivated through grassroots civil society development networks.

With respect to Vietnam, on the same day that the State Department announced its removal from the list of "Countries of Particular Concern" and with an imminent vote in Congress on granting PNTR to Vietnam, Christian Solidarity Worldwide, a UK-based human rights organization, released a translation of an internal government training manual issued by the central Religious Affairs Commission detailing government policies and practices relating to Protestant Christians in Vietnam's Northwest Highlands. A stated objective of the manual is to curtail the propagation of Protestantism among indigenous tribes in this region. It lays out a new government policy whereby provincial authorities are given substantial autonomy to manage the alleged Protestant threat.

LCHR has verified the original Vietnamese-language document's authenticity, and the English translation suggests conflicting directives on religious freedom coming from the Vietnamese government. The manual simultaneously acknowledges the need for greater religious freedom and authorizes the forcible restriction of this fundamental freedom - sometimes in the same sentence. For instance, the manual simultaneously sets out "to guarantee the right to believe or not to believe in religion for the ethnic minorities and to resolutely subdue the abnormally rapid and spontaneous development of the Protestant religion in the region."

Language in the document links the spread of Protestantism to schemes promulgated by so-called "internal and foreign enemy forces," and calls for a multi-tiered response to these alleged threats on the part of local governments, depending on the degree to which the religion has already infiltrated a specific locale. Where Protestant religious practice is already well-entrenched the approach described is relatively benign - calling for enhanced church registration initiatives, for example. Activities directed for those areas where Protestantism has not yet gained a firm foothold are more troubling, with officials in some cases being encouraged to attempt to secure renunciations of faith, and to "mobilize and persuade the people to return to their traditional beliefs." This document confirms the extent to which the right to free religious practice, particularly for Vietnam's indigenous peoples, continues to be limited as a matter of central government policy. The relatively wide latitude granted to local authorities to do as they see fit gives local officials the discretion to decide who can and cannot participate in religious activities, a direct contradiction of central government decrees and instructions issued by Hanoi in its engagement with the U.S. on religious freedom issues over the past few years.

We urge members of this Committee to press the Bush Administration to set benchmarks for continued improvement of religious freedom and other human rights in Vietnam. The 2006 IRF Report cited extensive discussions of human rights and religious freedom issues between U.S. and Vietnamese government officials at multiple levels. However, during President Bush's four-day visit to Vietnam in November 2006, the only known and visible gesture of support for human rights was a passing comment to international press about religious freedom as the President attended a prayer service in Hanoi. The Prime Minister of Canada, in contrast, also in Vietnam for the APEC Summit, prominently raised human rights issues and specific cases in his meeting with the Vietnamese Prime Minister. The United States should not be second to anyone in promoting human rights and religious freedom, in Vietnam or anywhere in the world. The Bush Administration should be called to account and required to set forth an aggressive and coherent human rights strategy for Vietnam and other countries of continuing concern for the term of the coming Congress.

Additional Recommendations:

The U.S. must continue probing religious freedom concerns and affirm to the world that protection of this fundamental human right is a top priority of its foreign policy. Tangible benchmarks are needed to encourage reforms where needed, and the Administration itself must be an advocacy target. It is the responsibility of individual Members of Congress to press the Administration to take stronger action to promote this inherent human freedom.

Action must accompany and match words. The State Department has condemned attacks against religious minorities in Egypt while the U.S. government continues to support the Mubarak regime. Meanwhile, Members of Congress and the U.S. Commission on International Religious Freedom remain unsatisfied by the human rights situation in Vietnam, particularly its treatment of Christian ethnic minorities, yet the State Department removed it from the list of Countries of Particular Concern, just as the U.S. finalized a free trade agreement with Vietnam.

The U.S. must push for improved access of UNHCR and other monitoring groups to reach those populations most vulnerable to persecution and to "ground truth" allegations coming from the world's trouble spots.

Bringing Business, and Rights, to Vietnam

By Kathryn Cameron Porter
Saturday, November 18, 2006: A21

The American president who has spoken more forcefully and persistently about the world's need for democracy than perhaps any other elected leader in U.S. history finds himself this weekend in one of the few remaining communist capitals: Hanoi. With the weight of last week's election outcome and a string of security concerns glowing like lights on a Christmas tree, his main preoccupation at the Asia-Pacific Economic Cooperation forum is likely to be boosting U.S.-led consensus on North Korea's and Iran's nuclear adventures and terrorism, and assuring friends and foes alike that nothing will change.

But this is also a state visit, the second to unified Vietnam by a sitting U.S. president (Bill Clinton was the first, in 2000), and the full menu of concerns is presumably on the table. Accompanying President Bush are more than 200 leaders of American corporations, many of them Fortune 500 companies -- and zero representatives of American organizations working to raise the bottom line on human rights and religious freedom in Vietnam.

After several months' anticipation, and against the recommendations of congressional human rights leaders and the nonpartisan U.S. Commission on International Religious Freedom, the administration announced Monday that it was ending Vietnam's designation as a "country of particular concern" for its lack of religious freedom. In a textbook case of bad timing, the announcement was made just four hours before the House of Representatives' scheduled vote to grant Vietnam permanent normal trade relations, the top-tier trade status given to foreign countries.

The trade measure failed spectacularly, falling more than 60 votes short and putting Bush in the embarrassing position of arriving in Hanoi without the desired trade status intended as the final glaze on a 20-year rapprochement. Vietnam recently completed technical procedures to enter the World Trade Organization, and the U.S. failure to grant it permanent normal trade relations could deny American companies doing business with Vietnam the full benefits of that membership.

Two days later, perhaps hoping to cool tempers inflamed by the administration's claim that religious freedom is enjoying a renaissance in Vietnam, senior officials met at the State Department with representatives of Vietnamese American human rights and political groups, who have pressed hard for Secretary of State Condoleezza Rice to meet with homegrown dissidents during her stay in Vietnam. Whether such a meeting will be held or would even be useful is questionable, and as regards the president's profile on such issues, advocates will apparently have to be satisfied with a joint Protestant-Catholic prayer meeting that the president's staff has announced he will attend in Hanoi.

Similar high-profile outreach by U.S. officials to opposition leaders in Cuba has made for great headlines but has failed thus far to produce any real change. As good as it might make activists here at home feel, the United States needs something more substantive in Vietnam. For the long term, it should make firm commitments of material resources and political support in a cooperative effort to harmonize relevant Vietnamese laws and standards, including the criminal code, with that country's obligations under international law.

More immediately, and again in a context of cooperation, the United States should use all means available to encourage Vietnam to provide access for international and humanitarian relief and development organizations to the vulnerable native peoples of the Central Highlands, who by the Vietnamese government's own statistics on poverty and mortality have not shared in the Vietnamese economic miracle.

Last week Intel committed \$1 billion to build a major computer chip manufacturing and testing facility in Ho Chi Minh City. What will this American administration (or the next one) commit to ensure that Vietnam's remarkable economic progress is matched by equal progress in establishing the rule of law and human development in other aspects of the country's life?

In the words of a famous Vietnamese proverb, "One seeing is worth a thousand hearings."

The writer is president of the Leadership Council for Human Rights.



Department of Social Development and World Peace

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December 20, 2006

The Honorable Christopher Smith
 Chairman
 Subcommittee on Africa, Global Human Rights and International Operations
 Committee on International Relations
 of the United States House of Representatives
 Rayburn House Office Building
 Room 2170
 Washington, DC 20515

Dear Mr. Chairman:

As Chairman of the Committee on International Policy of the United States Conference of Catholic Bishops, I want to express our gratitude to you for holding a hearing on the 2006 Annual Report on Religious Freedom by the Department of State and offering us an opportunity to share our views for the record. These annual reports document progress, or the lack of it, in achieving religious freedom and serve as visible reminders of the commitment that our nation has made to pursue religious freedom as a central commitment of U.S. foreign policy.

We want to acknowledge and express our appreciation to you for your many years of leadership as Chairman of the Subcommittee on Africa, Global Human Rights and International Operations. You have promoted and championed human rights and religious freedom. Your tireless and dedicated service on behalf of the many victims of human rights abuses throughout the world, regardless of their race, ethnicity, creed or political views, is exemplary. Your work has embodied a vision that builds on the best values of our American tradition.

In particular, we are grateful to you for your commitment to religious freedom. Religious freedom is the first of our freedoms and lies at the heart of human rights from the perspective of Catholic teaching. Faith is oriented to the ultimate concern and purpose of human life. To deny religious freedom is to rob human persons of the ultimate meaning and direction of their lives. Constraining religious liberty diminishes our humanity.

Building an international order on the foundation of fundamental human rights is not simply a moral ideal; it is a practical necessity. As the late Pope John Paul II declared: "[R]espect for human rights [is] the secret of true peace." A genuine respect for human rights throughout the world would represent "a true milestone on the path of humanity's moral progress." Your continuing efforts to reach this milestone are deeply appreciated.

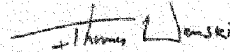
We assure you and your colleagues that the United States Conference of Catholic Bishops will continue vigorously to pursue the cause of religious freedom. We hope that in time all people living in every country of the world, including Saudi Arabia, Iraq, the Holy Land,

Letter to The Honorable Christopher Smith
December 20, 2006
Page Two

Sudan, China, Vietnam, Burma, India, Bangladesh, Pakistan, Egypt, Nigeria, Russia, Cuba and other places, will enjoy full religious freedom. Promoting human rights and religious freedom is critical to the Church's life and mission and to the pursuit of international peace. It is also at the heart of our nation's founding principles. My hope is that this important hearing can help advance religious freedom and human rights in important and concrete ways. In the words of Pope Benedict XVI, "The defense of religious freedom...is a permanent imperative."

Thank you again for your dedicated leadership, and we look forward to our continuing collaboration with you and the Congress as we seek to promote a world in which human rights and religious freedom are fully respected and observed.

Sincerely yours,



Bishop Thomas G. Wenski
Bishop of Orlando
Chairman, Committee on International Policy

**Testimony of Dr. Nguyen Dinh Thang
On behalf of Boat People SOS
And Committee for Religious Freedom in Vietnam
At Congressional Hearing on International Religious Freedom**

December 21, 2006

Mr. Chairman and Members of the Committee,

As a result of the country of particular concern (CPC) designation, the personal commitment of Ambassador John Hanford, the aggressive intervention of Ambassador Michael Marine, and the due attention of many members of Congress, particularly Mr. Chairman, Vietnam has made a number of unprecedented concessions. It has initiated policies more tolerant towards Protestantism, released scores of religious prisoners, and approved over a hundred house churches to conduct religious activities. There are significantly fewer incidents of physical assaults against people of faith.

Despite these progresses, the Vietnamese leadership still considers religions as undesirable. An internal training manual of the Central Bureau of Religious Affairs recently surfaced; it still labels Protestantism as an American, reactionary religion and prescribes ways to curtail it. This antagonism against religions percolates to the provincial and local levels.

Local authorities continue to erect barriers to discourage churches from registering their religious activities and in many locations the public security police targets individual members of house churches that attempted to register—registration applications must be filed with the full list of church members. Administrative measures frequently used include denial of temporary residence permit, request for replacement of ID documents, or issuance of passport. House churches that apply are told to cease all religious activities until their applications are approved, if at all. Registered churches face restrictions in terms of what activities they conduct and where to conduct them. Due to this restriction, house churches that previously supported their sister churches in other locations have stopped doing so. In many instances, the local authorities put pressure on hotels and restaurants not to rent space for religious events. Currently the government is waging a campaign to confiscate bibles published in the Hmong language in the Northwestern Mountainous Region. Facing such government hostility, many house churches, especially in remote regions, are reluctant to register.

Note that registration of religious activities, if approved, only means that these activities are permitted by the local authorities—it does not mean that the church conducting these activities is legally recognized. No religious institution has obtained legal status since the CPC designation more than two years ago. Without legal status, registered house churches may not build their church, produce publications, conduct mass, organize seminars, or ordain pastors. Restrictions on the scope of their activities prevent registered house churches from supporting their sister churches in distress—house churches in the Central Highlands have become even more isolated than before.

Hoa Hao Buddhists, who practice their faith at home in the house church model, have not been able to register their religious activities. Ven. Vo Van Thanh Liem remains in prison—he was arrested immediately after his submission of a written testimony to a prior hearing held by this Committee. His nephew was also arrested and sentenced to imprisonment. Several other Hoa

Hao Buddhists are serving long-term imprisonment as a result of their gathering at the home of one of them to demand religious freedom.

The Unified Buddhist Church of Vietnam continues to be outlawed.

Even though the CPC designation has been lifted for Vietnam, our government should continue to hold Vietnam accountable for the CPC roadmap and benchmarks. I would like to offer the following specific recommendations.

- Our embassy in Ha Noi and Consulate General in Saigon should hold monthly consultation meetings with church leaders to deliberate on effective ways to intervene on behalf of house churches denied registration.
- Our government should explore every opportunity available to expand the envelope of allowable activities for registered churches, such as to engage house churches in US-funded programs (e.g., HIV/AIDS, human trafficking), support their charity work (e.g., disaster relief), convene annual meetings with house church leaders (e.g., hosted by the US Ambassador), facilitate dialogue between church leaders and local government officials (e.g., via regional conferences);
- Our Department of State should request that Vietnam simplifies and expedites the registration process and eliminates the demand for list of church members, and help Hoa Hao Buddhist groups register their religious activities;
- Our Department of State should negotiate Vietnam's full recognition of registered churches as legal entities; and
- Our Department of State should take advantage of the upcoming human rights dialogue to secure the release of all prisoners who were arrested fully or partly because of their demand for religious freedom—Human Rights Watch and other organizations have documented over 400 such prisoners.

In concluding, I would like to recognize the dedication and hard work of Ambassador John Hanford and the responsiveness of our embassy in Hanoi under the leadership of Ambassador Marine. They have contributed greatly to the positive, even though not fully satisfactory, changes observed in the past few months.



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December 20, 2006

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The Honorable Christopher H. Smith
 Chairman, Subcommittee on Africa, Global Human Rights,
 and International Operations
 255 Ford House Office Building
 Washington, DC 20510

Dear Mr. Chairman:

I am pleased to submit the enclosed letter that I sent to Secretary of State Condoleezza Rice for your consideration to include as part of the record in your forthcoming hearing tomorrow, December 21, 2006, on "Examination of a Fundamental Human Right: The 2006 International Religious Freedom Report."

The letter is my first-hand account regarding mistreatment of American citizens by Turkish officials on the occasion of the visit to Istanbul, Turkey by Pope Benedict XVI to meet with His All Holiness Ecumenical Patriarch Bartholomew in late November.

I had the opportunity to attend this historic trip as part of the pilgrimage sponsored by the Archons of the Ecumenical Patriarchate.

Thank you for your consideration to include this as part of the official record of the committee hearing.

If you have any questions or need additional information, please let me know.

By way of re-acquaintance, we have met on a number of occasions, including in your district office outside of Trenton, NJ. Also, I too am a graduate of the College of New Jersey when it was still Trenton State College (class of '83).

My best wishes to you for the holiday season.

Best regards,

Sincerely,

Nick Larigakis
 Executive Director

Enclosure



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December 18, 2006

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The Honorable Condoleezza Rice
Secretary of State
2201 C Street, N.W.
Department of State
Washington, D.C. 20520

Re: Mistreatment of American citizens by Turkish officials

Dear Madame Secretary,

I write to make you aware of the recent mistreatment that I had the opportunity to witness first hand, of approximately 150 Americans at the hands of Turkish officials. The occasion was the late-November pilgrimage to Istanbul by American Archons of the Ecumenical Patriarchate and their families and friends to witness the historic meeting of Pope Benedict XVI and Patriarch Bartholomew I of the Ecumenical Patriarchate. The mistreatment consisted of harassment and unnecessary delays in allowing us to enter and exit the scheduled ceremonies and liturgies conducted in honor of the Pope's visit.

The mistreatment began on the evening of November 29, 2006 when we attended the welcome ceremony and Doxology of Peace in the Pope's honor at the Patriarchal Cathedral of Saint George. The organizers of our group had arranged for our buses to drop us off almost three hours early to clear security and take early places inside for what was expected to be a very full cathedral. Because it was only a short walk from the bus drop-off point to the cathedral entrance, and because we expected to be inside quickly and then for several hours during the liturgy, we were advised to dispense with overcoats.

What we did not expect was that it would take the Turkish security officials nearly half an hour just to set up their security check-point and another hour and a half to clear us through. These delays took place in the dark while our group, many of which were elderly, stood outside in bitter cold wind and rain sprinkles. Our organizers had provided us with special security badges, which the Turkish officials refused to recognize because they bore the word "Ecumenical" in reference to the Patriarchate. They demanded instead that we surrender our passports in return for Turkish security badges.

Ironically, once inside the cathedral we found it to be not as crowded as we expected. We later learned this was because Turkish officials had prevented the local Orthodox faithful from attending the services being held in their own church.

On leaving the Doxology, the harassment continued. Retrieving our passports involved surrendering our Turkish security badges, a nearly hour-long process again conducted outside in the cold. We were then informed that, for security reasons, we would have to walk about two miles to the buses that would take us to the dinner we hosted for U.S. Ambassador Ross Wilson. These were the very same buses that earlier had dropped us off *en masse* a few steps from the cathedral. Needless to say, this was a difficult walk in the weather conditions then prevailing, especially for those of our group who were using canes and crutches. Furthermore, we had no escort through the local streets and there was no police presence for the last mile or so. At times we were jeered. The situation was tense, and we felt that an ugly incident could easily have developed.

Upon arriving at the dinner, I alerted both Ambassador Wilson and Consul General Deborah Jones to what had happened. I pressed Ms. Jones to take action so that such intimidation tactics would not be repeated the following morning when our group would return to the cathedral to attend the Divine Liturgy.

But repeated they were. Once again the Turkish officials refused to accept our security badges and insisted that we surrender our U.S. passports in exchange for Turkish security badges. This time we entered the cathedral quickly, but the harassment occurred when we exited the cathedral. It developed that the Turkish officials had not linked the collection of our passports to the numbers on the Turkish security badges. Thus, there was no orderly way to return our passports. The officials merely shucked the passports back to our tour guides, who were left to sort them out by calling names through the crowd in another lengthy ordeal.

I later learned that no similar security procedures were in place at Istanbul's Roman Catholic Cathedral of the Holy Spirit, where the Pope conducted mass on December 1. I was told that persons simply showed their invitations and were admitted.

During our visit I heard accounts of other instances of official harassment. I was told disturbing accounts of officials trying to censor the press and shut down the Patriarchate press office, which some of the U.S. Archbishops were assisting. And I do not believe it was merely a coincidence that on numerous occasions during our week's stay in Istanbul the CNN and BBC stations at our hotel headquarters (the Ritz Carlton Istanbul) were blacked out.

During this pilgrimage I had the opportunity to hear speeches made by our U.S. Ambassador to Turkey, Ross Wilson and Consul General, Deborah Jones.

During our visit to the illegally closed Patriarchal Theological School of Halki, Ms. Jones made some fine comments regarding the U.S. support for the Ecumenical Patriarch and the Halki School. She said: "... the Patriarchate is deeply rooted in the city of Istanbul... we [the U.S.] make it a point to tell the Turks regarding their commitment to religious freedom... we discuss [with the Turks] our support for the reopening of the seminary... our ultimate goal is for the Church to survive and [for the Turks] to have respect for all other

human rights... we have stressed [to Turkish officials] in our regular dialogue the need for tolerance and respect of equality for citizens under the law.³

On the occasion of the Archon farewell banquet in honor of His All Holiness Bartholomew on December 1, 2006, Ambassador Wilson did make some fine comments regarding the Ecumenical Patriarchate. He stated, "... the continuing presence of the Ecumenical Patriarchate is critical to Turkey's past... we [the U.S.] strongly support the re-opening of the Halki Seminary (he received a standing ovation for this comment)... return of Church properties... support the title of 'Ecumenical'."⁴

The comments made above are welcome and appreciated; however, they will continue to resound in hollow echoes if our government does not ratchet up the pressure on the government of Turkey to fulfill these obligations under its treaties responsibility and international law.

Madame Secretary, I bring these events to your attention as evidence that Turkey's historic pattern of official antipathy toward ethnic Greeks extends even to American citizens. What the American Archons experienced merely mirrors the official provocations that Turkey's ethnic Greeks have dealt with for generations.

It is in the best interest of the United States to prevent further incidents regarding the Ecumenical Patriarch. This is a serious matter that needs to be addressed immediately before an escalation of future attempts are made whereby this crisis can lead to major political unrest. Clearly it is in the best interests of the United States to see that this does not happen.

Turkey should be proud to have this historical religious institution on its soil and to allow it to flourish. Ecumenical Patriarch Bartholomew I is a Turkish citizen who served in the Turkish Uniform Services. The Ecumenical Patriarch lives a pious life of honesty and humility. He performs his work diligently and conducts beautiful customs and traditions.

I cannot stress enough the importance of the Ecumenical Patriarch and his role as spiritual leader of 250 million Orthodox Christians in the overall goals of the United States to establish peaceful relations with and among the many important nations of the world that have substantial Orthodox Christian populations.

Our experience in Istanbul confirms why the U.S. must apply greater pressure on Turkey to reform its official practices and bring them into line with democratic and civilized norms. Until this happens the U.S. should withhold active support for Turkey's entry into the EU and should insist that Turkey

- live up to its obligations under the Treaty of Lausanne, which include allowing the free exercise of religion by Turkey's ethnic Greek minority;
- acknowledge His All Holiness Bartholomew I as the 270th Ecumenical Patriarch and spiritual leader of the world's 250 million Orthodox Christians (including over five million in the U.S.) and accord him and the Patriarchate all due protections;

- call for the immediate reopening of the Halki Patriarchal School of Theology (closed since 1971), and
- permit people to work at the Patriarchate without being a Turkish citizen.

The U.S. is not without tools for applying the necessary pressure. The most potent one is the International Religious Freedom Act of 1998 (22 U.S.C.A. § 6441, 6445) ("IRFA"). We urge the President to designate Turkey as a country of particular concern under IRFA for severely violating religious freedom and to impose appropriate sanctions. Failing to do so makes the U.S. complicit in Turkey's insidious efforts to extinguish its Orthodox Greek minority and the Ecumenical Patriarchate, which is a mathematical certainty if events continue to proceed unimpeded. As we have seen, such efforts collaterally affect U.S. citizens.

The United States is a major supporter of Turkey's entry into the European Union. A core principal of the EU and the founding of our own country is Religious Freedom. In Turkey this simply does not exist. All of us who attended this historic pilgrimage a few weeks ago can attest to that first hand.

Respectfully yours,



Nick Lavgakis
Executive Director

cc. Under Secretary of State for Political Affairs R. Nicholas Burns
Assistant Secretary of State for Europe and Eurasia Daniel Fried
Deputy Assistant Secretary of State for Europe and Eurasia Matthew Bryza
Director of Southern European Affairs Douglas Silliman
U.S. Ambassador to Turkey Ross Wilson
U.S. Consul General to Istanbul Deborah Jones
Turkey Desk Officer Paul Malik