

**IS THERE A HUMAN RIGHTS DOUBLE STANDARD?
U.S. POLICY TOWARD SAUDI ARABIA, IRAN,
AND UZBEKISTAN**

HEARING
BEFORE THE
SUBCOMMITTEE ON INTERNATIONAL
ORGANIZATIONS, HUMAN RIGHTS, AND OVERSIGHT
OF THE
COMMITTEE ON FOREIGN AFFAIRS
HOUSE OF REPRESENTATIVES
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THURSDAY, JUNE 14, 2007

HOUSE OF REPRESENTATIVES,
SUBCOMMITTEE ON INTERNATIONAL ORGANIZATIONS,
HUMAN RIGHTS, AND OVERSIGHT,
COMMITTEE ON FOREIGN AFFAIRS,
Washington, DC.

The subcommittee met, pursuant to notice, at 2:01 p.m. in Room 2172 Rayburn House Office Building, Hon. Bill Delahunt (chairman of the subcommittee) presiding.

Mr. DELAHUNT. This hearing of the Subcommittee on International Organizations, Human Rights, and Oversight will come to order. Today we are continuing in our series of hearings on the disparate treatment by the United States Government with respect to countries with troubling human rights records. Our first in the series addressed United States policy toward Equatorial Guinea and Ethiopia. In our hearing today we will hear testimony relative to Saudi Arabia, Iran, and Uzbekistan. And I noted that one of our witnesses also added a section relative to Pakistan, and I welcome those observations.

Before I read a rather brief statement pending arrival of my friend and colleague from California, the ranking member, Mr. Rohrabacher, why don't I proceed to introduce our witnesses?

Let me begin with Tom Malinowski, who is the Washington advocacy director at Human Rights Watch. Prior to joining Human Rights Watch, he was special assistant to President Clinton, and senior director for foreign policy speechwriting at the National Security Council. From 1994 to 1998, he was the speechwriter for Secretaries of State Christopher and Albright and a member of the State Department Policy Planning Staff. He has also worked for the Ford Foundation and as a legislative aide to Senator Daniel Patrick Moynihan. He studied at the University of California at Berkeley, at Oxford University, and is a member of the Council on Foreign Relations.

And the gentleman who just arrived, who is now sitting to my right, let me introduce Mr. Rohrabacher, the ranking member of the subcommittee.

Amr Hamzawy is a senior associate at the Carnegie Endowment for International Peace. He has previously taught at Cairo University and the Free University of Berlin. He received his Ph.D. from the Free University of Berlin, where he worked as an assistant pro-

fessor at the Center for Middle Eastern Studies. He also holds master's degrees from the Institute of Social Studies at The Hague and the University of Amsterdam. He obtained his bachelor of science from Cairo University. He has been published frequently, and includes titles such as *The Saudi Labyrinth*, *Evaluating the Current Political Opening*, and *Human Rights in the Arab World*.

Martha Brill Olcott is a senior associate at the Carnegie Endowment for International Peace in Washington, DC. Her book, *Central Asia's Second Chance*, examines the economic and political development of this ethnically diverse and strategically vital region in the context of the change in security that is post-9/11. She is professor emerita at Colgate University and has previously served as the director of the Central Asian American Enterprise Fund. Prior to her work at the Carnegie Endowment, Ms. Olcott served as special consultant to former Secretary of State Lawrence Eagleburger, who actually was a witness earlier today before the full committee. And she holds a Ph.D. from the University of Chicago.

Tom Lippman is an adjunct scholar at the Middle East Institute. He spent over 30 years as a reporter and editor for the *Washington Post*, covering the war in Iraq, and served as diplomatic national security and Middle East correspondent while based in Cairo. He is the author of *Inside the Mirage: America's Fragile Partnership with Saudi Arabia*, as well as *Madeleine Albright and the New American Diplomacy*, *Egypt After Nasser*, and *Understanding Islam*. He is a member of the Council on Foreign Relations, and received his degree from Columbia University.

I have had the opportunity to read the written statements submitted by all of our witnesses, and I must acknowledge that I was very impressed with the scholarship involved and the experience that it reflected. We look forward to hearing from you and engaging in a conversation.

With that, why don't I turn to my colleague Mr. Rohrabacher?

Mr. ROHRABACHER. Mr. Chairman, again I thank you for holding this particular hearing and making the decision to look into this issue and bring up this matter of importance for discussion.

Today we are asking whether the United States treats Saudi Arabia differently than we do other countries, and specifically Uzbekistan and Iran. Is there a double standard in our policies toward Saudi Arabia as compared to those other countries?

Since Franklin Roosevelt first met with King Saud back in 1945, every American President seems to have had close ties to Saudi Arabia. From Lyndon Johnson, John F. Kennedy, Bill Clinton, Jimmy Carter, Ronald Reagan and both of the Bushes, every President in the last six decades seems to have been determined that an alliance with the Saudi Royal Family is in the best interest of our country. Yet as we all know, Saudi extremists were mostly responsible for the atrocities of 9/11. We have also seen a radical forum of Wahhabism being financed and spread throughout the world in an effort to beat back moderate Muslims; all of this, of course, financed from Saudi Arabia.

Saudis operate under Shari'a law, where there is no democracy, no freedom of press, no freedom of religion. The cultural and religious police monitor the average citizen in Saudi Arabia. Apostasy is a capital crime and women are treated like property.

So I look forward to hearing from our panelists in terms of how we should approach Saudi Arabia and is there a double standard. Mr. Chairman, as we discuss this issue, which is based on human rights and a standard of human rights, that we believe that there shouldn't be a double standard of human rights, we should not overlook the fact that this week a senior member of our committee hosted a reception to honor a delegation of Communist Chinese National People's Congress. Now, I was astonished when I received an invitation to this event, which, as I say, was being hosted in the United States Capitol by one of our own members, and it is giving status and establishing a personal recognition of these members of the Communist Party's apparatus that controls China.

And when we talk about double standards, I mean, this is a double standard that is right here in our midst, right here, right among us as Members of Congress. Should we be treating people who are representing a regime, not the people of a country, but a regime that is the worst human rights abuser in the world? I mean if Saudi Arabia is a human rights abuser, which it is, China is the worst in the world. And even though the Saudis repress people of other faiths, the Communist Party in China represses people of all faiths. And Saudi Arabia at least doesn't arrest Falun Gong or people who want to worship God in the way the Falun Gong does and then murder them and sell their organs from prison.

Yes, we need to talk about double standards, and I am very happy we are going to be discussing that double standard that we have with Saudi Arabia today. And I appreciate your leadership on that. But we need to make sure if we do talk about double standards, that we don't turn a blind eye to this type of double standard with China. And as we should know, of course, the business community of the United States drives our policy toward China, and they could give a damn about human rights abuses in China.

And I would say that probably today we may learn that may be the same driving force that has to do with our relations with the Saudi Royal Family. So let us note that this isn't the only double standard that surrounds us.

With that said, Mr. Chairman, I look forward to hearing the witnesses today. I appreciate your leadership and bringing up this issue.

Mr. DELAHUNT. I thank the gentleman for his statement. And does the vice chair of the subcommittee, Mr. Carnahan, wish to make any opening remarks?

Mr. CARNAHAN. No. I am confident that the chairman and ranking member have covered very well and I look forward—

Mr. DELAHUNT. I haven't actually made a statement yet.

Mr. CARNAHAN. Then you have definitely covered it well.

Mr. DELAHUNT. Okay. Let me just briefly address the subject of today's hearing. When President Bush, in his second inaugural address, set forth his vision for his foreign policy, he pledged America to the ultimate goal of ending tyranny in our world; and in his speech last weekend in Prague, he recommitted himself to what he called the freedom agenda. And I do not doubt his sincerity; let me be clear on that.

Let me read a quote uttered by President Bush:

“All who live in tyranny and hopelessness can know the United States will not ignore your oppression or excuse your oppressors. We stand for liberty. We will stand for you. By our reference, we have lit a fire, a fire in the minds of men. It warms those who feel its power; it burns those who fight its progress. And one day this untamed fire of freedom will reach the darkest corners of our world.”

As I said, I commend the President for this vision, and I would note the eloquence of the statement. It is a vision, I daresay, that is shared by all Americans, Members of Congress, and all those who are concerned with America’s global role, including myself obviously.

Where there are deficiencies, however, in this vision’s implementation, we can’t bring fire to those dark corners of the world on a selective basis, when in some of those dark corners we are not offering the fire of liberty, we are not even providing a flashlight. Because when we closely associate ourselves with some of those leaders who preside over those dark corners and do not give voice persistently and constantly to the values of freedom and the necessity for respect for human rights, we open ourselves to the accusation of not practicing what we preach, but being hypocritical.

And let me suggest that this undermines the very goals that were articulated in that eloquent remark by President Bush. It results in a glaring dichotomy between our rhetoric and our deeds and makes us vulnerable, as I said, to the accusation of double standards. Even our friends inevitably question the sincerity of our commitment to human rights and the rule of law, the very values which are the cornerstone of our democracy and the very values which, I would suggest, have made the United States an inspiration through our history. And it provides fodder for those who resent our core observations of their conduct vis-à-vis human rights.

I noted last week a statement by President Putin, and this is what he had to say in response to a reporter at the G-8 summit:

“Let us not be hypocritical about democratic freedoms and human rights. I already said that I have a copy of Amnesty International’s report, including on the United States. There is probably no need to repeat this so as not to offend anyone.”

I don’t want to continue on, but—

And I also want to be clear that I am not questioning the integrity of the reports that are issued by our Department of State in terms of the various countries. But when we see disparate treatment based on policy decisions without a common persistent voice to those with whom we ally ourselves about their behavior, then we hurt ourselves, I would suggest, in the long term, because it erodes the respect that the rest of the world has in terms of the implementation of that vision that was articulated by President Bush.

Well, let’s begin. Mr. Lippman, we do have a 5-minute rule, if you are able to—I can see Dr. Olcott just had a look of disbelief—that the order in the breach in this particular subcommittee—but if you can be somewhat concise, we would appreciate it so that then we could have a conversation.

Mr. Lippman. Mr. Lippman, can you hit the button?

**STATEMENT OF MR. THOMAS W. LIPPMAN, ADJUNCT
SCHOLAR, MIDDLE EAST INSTITUTE**

Mr. LIPPMAN. Thank you, Mr. Chairman. I appreciate the opportunity to appear today and offer my views on this very interesting and important subject. This is a summary of my written testimony, which you have.

The question before the subcommittee is whether there is a double standard on human rights in American policy toward Saudi Arabia, Iran, and Uzbekistan. In the case of Saudi Arabia, the answer is yes. And there always has been under every American President since the 1930s. The United States relationship with Saudi Arabia has never been measured by our own standards of human rights, individual liberty, or religious freedom. If we use those tests, the Saudis would fail them all. But we don't use those tests and we hardly ever have. In fact, our official policy has long been to do the opposite, to make allowances for Saudi Arabia's internal system rather than confront it.

In 1951, the State Department issued a comprehensive statement policy toward Saudi Arabia that stipulated that the United States should, and I quote, "observe the utmost respect for Saudi Arabia's sovereignty, sanctity of the holy places, and local customs. In all our efforts to carry out our policies in Saudi Arabia, we should take care to serve as guide or partner and avoid the impression of wishing to dominate the country." That has been our policy pretty much ever since.

And therefore, while all the negative findings about Saudi Arabia issued every year in the State Department's reports on human rights and religious freedom are true, they are essentially irrelevant to the bilateral strategic and economic relationship.

And we should not assume that the citizens of Saudi Arabia desire to order their society according to our standards of individual liberty and personal freedom. They are driven by other imperatives. When I was there last month, I was reminded again that Saudi Arabia is an evolving society, not a static one. The Saudis wrestle every day with fundamental issues of justice, individual opportunity, political evolution, and women's rights. They will decide those matters according to their own standards based on Islam and Islamic law, the family, Arabian tradition, and economic imperatives. They are only marginally susceptible to input from us on those subjects.

When Americans first established a presence in Saudi Arabia, exploring for oil in the 1930s and building a military relationship in the 1940s, the country's founding King, Abdul Aziz Ibn Saud, laid down the terms of our doing so in a famous dictum. "We will use your iron," he said, "but leave our faith alone."

What he meant was that Saudi Arabia wanted and needed American technology and American capital to develop what was then one of the world's poorest countries but had no interest in becoming a liberal, democratic, pluralistic society. It is a religious hierarchical traditional society where Islam is the purpose of the state. And as far as I can tell, it does not much wish to be anything else.

In the 1920s King Abdul Aziz had to take to the field to battle against his own fanatical militias to establish the principle that non-Muslims could be admitted into the sacred land of Arabia for

any reason. Having done that, he sought to placate his xenophobic people by limiting the work of those foreign infidels to economic development and minimizing their cultural and social impacts on his subjects.

All his successors have sought to follow the same path. Saudi Arabia gave American companies the right to develop the Saudi oil fields. Saudi Arabia invested billions in American goods and services. And Saudi Arabia stood by the United States during the Cold War, always on condition that we keep our hands off Saudi domestic and social affairs.

By and large, the United States has adhered to that agreement for more than six decades. This has not been a partisan issue in this country. Every President since Franklin Roosevelt, of whatever party, has basically decided that Saudi Arabia is too important to alienate. At times, our deference to Saudi Arabia has bordered on the obsequious, especially in the policy of the State and Defense Departments, until the 1970s, to refrain from assigning Jews to work there. President Kennedy came the closest to any serious effort to promote reform in Saudi Arabia. He put pressure on the Saudis to abolish slavery, with considerable success, and to end their ban on Jewish visitors or workers, with almost no success. Yet even Kennedy did not approach a serious breach in relations over human rights. On the contrary, he supported Saudi Arabia in its proxy war against Nasser's Egypt during the civil conflict in Yemen.

Even President Carter, who made human rights the cornerstone of his foreign policy, praised the rulers of Saudi Arabia effusively and refrained from pressing them about internal affairs. When he arrived in Riyadh in 1978—and I was there at the time to watch this—President Carter greeted his hosts with these words:

“Seeing the generosity of this welcome, I feel that I am among my own people, and I know that my steps will not be hindered because I walk in the same steps as Your Majesty, toward a common goal of even greater friendship among our people, between our two countries, and peace for all the people of the world.”

The reason President Carter swallowed hard and uttered those words of praise was that he wanted something important from the Saudis; namely, support for the Camp David Peace Initiative. If the Saudis mistreated women or stifled the press or tortured prisoners, that was troubling, but not sufficiently important to prevail over more urgent concerns.

Sometimes we Americans have wanted access to Saudi oil. Sometimes we have wanted Saudi political and moral support to keep communism out of the Arab world. Sometimes we have wanted Saudi money to finance the Afghan Mujahideen in their struggle against the Soviet Union or the Nicaraguan Contras. Today we want the Saudis' help in the so-called “war on terror.”

Always there seems to be some imperative in Washington that trumps our concern for human rights. Saudi Arabia is not Burma. Saudi Arabia is important and we need the Saudis, and that is why this has happened.

The attacks of September 11 prompted many Americans to look beyond the longstanding “don’t ask, don’t tell” policy about Saudi Arabia and examine that country more closely. Many did not like what they saw. Editorial writers, strategy analysts, and some Members of Congress called for the United States to get tough on a country that appeared to be fostering extremism.

But after the onset of domestic terrorism in Saudi Arabia in 2003, the Saudis to some extent saw the error of their ways and tried to get right with Washington. They modified their educational and financial policies and their banking rules more or less in cooperation with the United States.

And now, after the 9/11 Commission Report has exonerated the Royal Family, and after repeated testimony from Bush administration officials that the Saudis are more help than hindrance in combating terrorism, the public clamor in this country has receded and Saudi Arabia is once again in good standing, even though internally it remains much the same.

When Abdullah bin Abdul Aziz, then Crown Prince and now King, visited President Bush in his Texas ranch in 2005, the two issued a joint statement that basically gave Saudi Arabia a free ride on the issue of human rights and democratic reform, the United States has said, and considers that nations will create institutions that reflect the history, culture, and traditions of their own societies. And it does not seek to impose its own style of government on the Government and people of Saudi Arabia.

In my opinion, President Bush and all his predecessors from the past 70 years have made the right choice. The people of Saudi Arabia are incomparably better off today in every economic and material way than they were in their grandfathers’ day. How they run their country is and will remain up to them. Thank you very much.

[The prepared statement of Mr. Lippman follows:]

PREPARED STATEMENT OF MR. THOMAS W. LIPPMAN, ADJUNCT SCHOLAR, MIDDLE EAST INSTITUTE

The question before the subcommittee is whether there is a double standard on human rights in American policy toward Saudi Arabia, Iran and Uzbekistan. In the case of Saudi Arabia, the answer is yes, and there always has been, under every American president since the 1930s. To understand why, it is necessary to examine the history of this unique bilateral relationship, which has benefited both countries for more than seven decades.

The origins of the unlikely partnership between the United States and Saudi Arabia predate the establishment of the unified Kingdom of Saudi Arabia in 1932, but only after Americans discovered commercial quantities of oil there in 1938 did the two countries begin to forge the economic and strategic alliance that endures to this day.

Abdul Aziz ibn Saud, who created the modern kingdom of Saudi Arabia by force of arms in the first quarter of the Twentieth Century, was a devout Muslim who saw all of life as a manifestation of his faith and labored to restrain the influence of non-Muslims on his realm, but he did not share the ferocious xenophobia of the desert warriors who were the instruments of his conquests.

On the contrary, he sent clear early signals that he would welcome external assistance for his impoverished realm, even from infidels if need be, provided that the outsiders refrain from interference with his rule or with Arabian traditions. Beginning in about 1913, Abdul Aziz invited American doctors from the Protestant medical mission in Bahrain to enter Arabia’s eastern regions to minister to needy people there. An English officer, Captain William Shakespear, fought at his side at Jarrab in 1915, and later that same year Abdul Aziz entered into a friendship treaty with Britain. He was subsidized by the British during and after the Arab Revolt against the Ottoman Turks, and sent his beloved second son, Prince Faisal, on a tour of Eu-

rope in 1919. And in 1923, when the fanatical Islamic warriors known as the *Ikhwan* were still his allies, Abdul Aziz granted an early, albeit fruitless, oil exploration concession to a New Zealander, Frank Holmes.

The *Ikhwan*, who opposed any infidel presence in Arabia and disdained all forms of innovation as un-Islamic, denounced Abdul Aziz's early embrace of outsiders and of the automobile and the telegraph; but Abdul Aziz found technology interesting as well as useful in consolidating his power. The *Ikhwan*'s backward views could not be allowed to obstruct his vision. He turned on them, and crushed them at the battle of Sibila in 1929, freeing himself to run his new country as he saw fit. By bringing the *Ikhwan* to heel—with the assistance of the British, who had been offended by *Ikhwan* raids into Iraq—Abdul Aziz established that he and only he would rule in the new Kingdom of Nejd and the Hijaz; and while he would rule in the name and under the banner of Islam, he would do so in harmony with his neighbors and would use external sources to develop the country he had unified. The Prophet Muhammad had sought the help of infidels when it was needed, Abdul Aziz declared, and so would he.

Indeed Abdul Aziz established a pattern that has prevailed, with minor variations, during the reigns of all his successors, in which the king and senior princes of the House of Saud have propelled their country along the path of physical modernization with outside help while striving to preserve the rigorous religious orthodoxy and conservative social values prevalent among the population.

"The battle of Sibila marked the end of an epoch," wrote Abdul Aziz's British adviser and confidant, H. St. John Philby. "Saudi Arabia had virtually assumed its final shape as the result of constant war upon the infidel; and henceforth the infidel would be a valued ally in the common cause of progress . . . The sting had been taken out of the *Ikhwan* movement which had played so prominent a part in the creation of the new regime, and could now serve no further useful purpose."

More than seven decades later, it can be seen that Philby's assessment was essentially correct, even if his account oversimplified a complicated tale and was less than candid about his own role in bringing about the 1933 concession agreement between Saudi Arabia and the Standard Oil Company of California.

The fact was that Abdul Aziz, having overpowered all challengers to his authority over Arabia, ruled a prize of dubious value; other than the levies imposed on pilgrims to the Islamic holy sites at Mecca and Medina and the limited taxes the king was able to extract from Hijazi merchants, Saudi Arabia in the early 1930s when Abdul Aziz was consolidating his power had no income. As the worldwide Great Depression choked off pilgrimage traffic, even the meager revenue stream from pilgrims' taxes dried up. The king needed money to purchase loyalty among the tribes he had defeated or neutralized, and he needed money to import the food required by his subjects. If that need mandated that he turn to outsiders and even non-Muslims for the cash and technology that would sustain his rule and lift up his people, so be it, provided only that the outsiders honor the terms he would set down to regulate their work on the Kingdom's holy soil.

Those terms were recorded by William A. Eddy, who as chief of the U.S. diplomatic mission in Jeddah during World War II became a trusted confidant of the king. "We will use your iron, but leave our faith alone," the king told Eddy.

"The King's position," Eddy recalled, "was that the Koran regulated all matters of faith, family, and property, which were not for unbelievers to get involved with. 'Our patriarchal authority and the veiling of women are none of your business. On the other hand, you have much that we need and will accept: radio, airplanes, pumps, oil-drilling rigs and technical know-how.' This acceptance of technology was far in advance of his people, and the King had to fight many battles with bigots to win support for his suspected friendship with Christian governments and his cordial relationship with the Arabian-American Oil Company."

That was the basis upon which one of the modern world's most improbable bilateral alliances has long operated. No two countries and no two societies could have been more dissimilar; the social environment and governmental system of each was alien and distasteful to the other. And yet Saudi Arabia and the United States worked together, to the general satisfaction and benefit of both, through the endless vicissitudes of Middle East politics because of one fundamental, unchanging policy followed by all U.S. administrations since Franklin Roosevelt: The United States does not interfere in Saudi Arabia's internal affairs. How the kingdom treats its citizens is not the business of the United States.

If the Saudi world view sees all humanity as belonging either to the Dar al-Islam, or House of Islam, or the *Dar al-Harb*, the house or land of war, the Saudis were also sufficiently pragmatic to persuade themselves that Americans, as monotheists, need not be consigned to the latter. As the diplomat-scholar David Long put it, the Saudi world view "is a perception, not a blueprint for policy action. Saudi Arabia

is no different from any other country in viewing issues in international relations in terms of their national interests, not as part of a rigid formula dictating a set response." After Sibila, that attitude prevailed, with only sporadic challenge from the absolutists such as the violent takeover of the Great Mosque in Mecca in 1979.

As for the Americans, they harvested the bounty of Saudi Arabia's oil fields and earned many billions of dollars through contracts to develop the country's airports, hospitals, electric power stations and military bases. The United States government under every president from Harry Truman to George H. W. Bush valued Saudi Arabia as a redoubt against Soviet penetration of the Gulf region. What made this partnership durable was a commitment by the United States government and by major American businesses in the kingdom to accept the terms laid down by Abdul Aziz and to refrain from interference with, challenges to, or even criticism of Saudi Arabia's domestic policies and its social and religious practices.

However abhorrent the Saudi Arabian system may have been, the Americans who lived and worked in the kingdom and negotiated with Saudi officials generally accepted it as a fact of life, and worked around it. Those Americans who might have been inclined to challenge the system loosely labeled Wahhabism were generally excluded from employment in Saudi Arabia, both by the U.S. government and by the major American corporations doing business there. U.S. government agencies and American corporations complied with Saudi Arabia's insistence on excluding from employment there anyone whom the House of Saud deemed unacceptable—which for thirty years meant no American Jews were hired for jobs in the kingdom.

In return, the Saudi monarchs allowed their American guests to create communities where they could replicate the more comfortable life back home, communities to which ordinary Saudis had little access. In Dhahran, the American oil town in al-Hasa, and later in other compounds all around the country, Americans and other foreigners conducted Christian religious services, showed movies, drank alcohol, and educated boys and girls in mixed classrooms; men and women socialized together and swam in the same pools. American women drove automobiles and rode bicycles. Such activities were prohibited to Saudi Arabs and indeed to all residents of the Kingdom, but they were tolerated in the closed communities because Abdul Aziz and his successors wished the foreigners there to remain in the country.

As the foreign presence grew over time, there were naturally exceptions and variations to this fundamental arrangement. Some Americans preferred to live among the Arabs, embracing the local culture rather than isolating themselves from it. A few defied the rules, violating pork and alcohol restrictions or committing petty crimes; some of these went to jail, others were quickly deported. Occasionally the non-Muslim religious services became too elaborate or too visible, prompting a crackdown. Quite a few Americans, upon seeing a public display of Wahhabi justice such as a severed hand hanging from a pole, expressed private revulsion, but neither they nor their employers engaged in public criticism because at all times in this relationship the Saudis held the decisive lever of power, the ability to revoke the oil concession.

The American policy of deference to Saudi customs and tradition was manifest from the earliest days when the first geologists arrived to look for oil in the autumn of 1933. The Americans wore Arab garb, out of respect for local custom. The amir of the region, as the king's representative, dispatched a squad of soldiers to ensure the safety of the oil team. The easternmost regions of Saudi Arabia were less hostile to outsiders than the Americans might have expected because a substantial part of the population was not Wahhabi at all but Shi'ite; nevertheless, the further they ventured inland away from the coast, the more hostility the Americans encountered, and only the strong commitment of the king and the amir ensured their safety.

From those early days at least through the Persian Gulf War of 1991, the archives of the State Department, the U.S. military and the Arabian American Oil Company are replete with policy statements and exhortations to the effect that Saudi beliefs and practices were to be respected, rather than challenged or ridiculed. However alien the Saudi system might be to Americans steeped in the values of individual liberty and impartial justice, outsiders were instructed not to concern themselves with it. If the education that the Saudi Arabs acquired under American patronage moderated their views, well and good; but the Americans were constantly reminded that they were in the country for economic and strategic reasons, not to alter Saudi Arabian society.

President Kennedy was an exception in that he put direct pressure on the House of Saud to abolish slavery, which it did in the 1960s. Otherwise, aside from modest efforts by Presidents Truman, Eisenhower and especially Kennedy to persuade the Saudis to abandon their policy of refusing to admit Jews into the country, the U.S. policy of accommodation remained largely in place until the age of terrorism begin-

ning in the mid-1990s. Not until Henry Kissinger broke the taboo on Jews in the 1970s were American Jews regularly admitted to Saudi Arabia.

This is not to say that the United States and Saudi Arabia always agreed on matters of policy. The Saudis were and to some extent remain bitter over American acceptance of the partition of Palestine and the creation of Israel. Deep differences emerged over Saudi participation in the Arab oil embargo of 1973–1974 and over Saudi Arabia's refusal to accept the decision of Egyptian President Anwar Sadat to make peace with Israel. The United States reacted with open fury upon discovering in 1988 that Saudi Arabia had secretly acquired nuclear-capable ballistic missiles from China. But these arguments were never about internal conditions in Saudi Arabia, and it can be argued that one reason the bilateral strategic and economic relationship survived these confrontations was that the Saudis appreciated the American policy of non-interference—a policy that gave them incalculable benefits at little political cost. Washington not only accepted Saudi Arabia's domestic system but sometimes even endorsed it, to the point of obsequiousness.

For example, the terms under which the Saudis agreed to let the United States build and operate a military airfield at Dhahran specified that the American team dispatched there to train Saudi personnel “may not include anyone whose presence is considered undesirable by the Saudi Arabia government and the United States Government will submit a list of the names and identity of the staff and employees.” In practice, that meant no Jews and no women were to be deployed, and that anyone who offended the Saudis in any way was promptly sent home.

When members of Congress protested this policy, the State Department took the position that “It is fundamental that sovereign states have the right to control the internal order of their affairs in such a manner as they deem to be in their best interests.”

The behavioral guidance given to new American employees by U.S. government agencies, the U.S. military and private American corporations was unequivocal and consistent. This is the Saudis' country and they can run it as they wish, Americans were told. If you respect their ways and behave appropriately in public, you can prosper here; if you insult the Arabs or violate their rules, you will be in trouble.

“Never ridicule the appearance, customs or religious practices of the people. There is an old culture and U.S. military personnel are guests of their government,” airmen assigned to Dhahran were advised. “The Arab is not about to discard age-old habit and custom without reason, and is in no hurry.”

In its extreme form, the willingness of American corporations to comply with Saudi customs obliged workers hired for jobs in the Kingdom to convert to Islam. This practice was even upheld by the U.S. federal court system in the case of a helicopter pilot named Wade Kern.

Kern was hired in 1978 by Dynalelectron Corporation, a defense contractor that was engaged to provide security services in Saudi Arabia, including helicopter flights over Mecca and Medina during pilgrimage season to watch for possible trouble among the *hajjis* and to spot fires that might break out. Because non-Muslims are not permitted in the holy cities, Dynalelectron required pilots assigned to this duty to convert to Islam. Kern, a Baptist, did so, but then changed his mind, whereupon the company cancelled his assignment. Dynalelectron offered him another job, but he sued in federal court in Texas, alleging religious discrimination. The court found that because of the unique circumstances of the holy cities, the conversion rule was a “bona fide occupational requirement,” not discriminatory in intent, and thus permissible under U.S. law.

For the first decade after Standard Oil geologists began to look for oil, the United States government and the State Department paid scant attention to Saudi Arabia. What bilateral business needed to be done was in effect conducted through the oil company, which of course was in Saudi Arabia to make money, not to promote individual liberty among the Arabs. Washington recognized Abdul Aziz's government and maintained nominal diplomatic relations with the kingdom, but no U.S. officials lived in the Kingdom and there was no U.S. diplomatic presence in Jeddah until the later years of World War II, when President Roosevelt and his advisers began to recognize the strategic potential of Saudi Arabia and its oil.

All that had changed by 1951, when the United States was fully engaged in the Cold War. Radical pro-Moscow Arab nationalism was not yet the threat Washington later perceived it to be, but Saudi Arabia was already regarded as a redoubt of pro-American stability in a volatile and sometimes hostile region.

In February of that year, the State Department distributed to its posts throughout the Middle East an extensive, secret document titled “Comprehensive Statement of US Policy Toward the Kingdom,” which recognized the importance of Saudi Arabia and set out a detailed plan for maintaining stability and ensuring that the country remained friendly to the United States. With that document, deference to the

social and religious customs of Saudi Arabia was enshrined as official U.S. policy—a policy that was essentially unchallenged for the next forty years.

Noting that the United States had been the target of extensive criticism from the Arabs because of its support for the partition of Palestine and the creation of Israel, the document said that “Saudi Arabia has remained firm in its friendship to the United States. It has served as our spokesman and interpreter to less friendly Arab states and has, through the prestige and conservative nature of its King, exerted a stabilizing influence on the Near East generally.” In fact, Abdul Aziz had bitterly opposed US policy in Palestine, but he refrained from an open rupture with Washington because he had economic and security interests that overrode his sentiments about Zionism.

In addition to supporting the king and providing military and technological assistance, the policy statement said, the United States should “observe the utmost respect for Saudi Arabia’s sovereignty, sanctity of the holy places, and local customs. . . . In all our efforts to carry out our policies in Saudi Arabia, we should take care to serve as guide or partner and avoid giving the impression of wishing to dominate the country.”

Rather than criticizing Saudi Arabia’s harsh laws and retributive justice, the State Department advised, Americans should recognize that the kingdom “is trying very hard to improve itself and it has done well, considering that its sustained efforts have been only a post-war development. It has also had a serious internal obstacle in the fanatical opposition to change and the growth of western influences. It behooves us, therefore, to applaud what Saudi Arabia has done and is doing, and not criticize it for what it has not yet been able to do.”

At least that document acknowledged that there was a “fanatical” element in Saudi Arabia. Most of the time, in negotiations and policy discussions, American officials and business executives avoided the topic; how the rulers of Saudi Arabia dealt with this problem was up to them, not up to anybody from the United States.

After King Faisal visited the United States in December 1964, for example, President Johnson wrote him a letter expressing satisfaction with their discussions. “It is with great interest that we in this country have been following the progress in your program of economic development and social reform for Saudi Arabia. The efforts to broaden educational opportunities for your people and better enable women to contribute to the general productiveness of the country are ones of which I am especially aware. These problems also occupy much of my time in America. Your success in preserving the fundamental guiding religious principles, while at the same time modernizing social relationships, draws our respect and admiration.” To judge from official records, Johnson—like his predecessors and successors—refrained from raising such subjects as religious intolerance, plural marriage, amputation of body parts, sequestration of women, the absence of democratic institutions or any of the other Saudi Arabian practices so unpalatable to Americans.

In 1976, Congress overrode a veto by President Ford to add a human rights policy to the International Security and Arms Export Control Act. In the annual country reports on human rights that the State Department has issued in compliance with that legislation, State has routinely criticized Saudi Arabia for its religious intolerance, disenfranchisement of women, and arbitrary justice. Yet those reports from a stepchild unit of the State Department, the Bureau of Democracy, Human Rights and Labor, had hardly any policy impact on the bilateral relationship with Riyadh.

Even Ford’s successor, Jimmy Carter, who made human rights a cornerstone of his foreign policy, praised the Saudi rulers effusively and refrained from pressing them about internal affairs. Arriving in Riyadh in January 1978, Carter said at an airport ceremony, “Seeing the generosity of this welcome, I feel that I am among my own people and know that my steps will not be hindered, because I walk the same path as Your Majesty, King Khalid, toward a common goal of even greater friendship among our people, between our two countries, and of peace for all the people of the world.”

Later that year, when King Khaled visited Washington, he was Carter’s guest at a White House luncheon. A White House statement afterward listed the topics that were discussed—mostly relating to the Camp David peace agreement between Israel and Egypt—and noted that “these discussions were carried out in an atmosphere of longstanding friendship, deep mutuality of interest, and well-tested spirit of cooperation.” Never mind that the Saudis opposed that agreement and eventually cut off aid to Egypt because of it. Nothing in the public record about Khalid’s visit indicates that Carter even raised the subject of Saudi domestic policies.

This bilateral “Don’t Ask, Don’t Tell” arrangement began to unravel with Iraq’s invasion of Kuwait in 1990. Convinced by the Americans that Saudi Arabia was next on the target list of Iraqi President Saddam Hussein, King Fahd ibn Abdul Aziz took the fateful decision to allow half a million American and other foreign

troops into his country, first to protect the Kingdom from possible invasion, then to wage the 1991 campaign to liberate Kuwait known as Operation Desert Storm.

In his memoir the U.S. Commander of that campaign, General Norman Schwarzkopf, recalled that he and U.S. diplomats spent many hours trying to minimize the impact of this mammoth inflow of foreigners upon the social, cultural and religious life of the host country. "To my consternation," Schwarzkopf wrote of the Saudi leadership, "their most pressing concern was neither the threat from Saddam nor the enormous joint military enterprise on which we were embarked. What loomed largest for them was the cultural crisis triggered by this sudden flood of Americans into their kingdom."

The Saudis' apprehension was well founded. Schwarzkopf and other American commanders went to considerable lengths to ensure that the troops' behavior did not clash with Saudi sensibilities—no alcohol, no female entertainers, no bare heads on female soldiers—but the sheer magnitude and ubiquity of the foreign presence nonetheless created a backlash. In retrospect, it can be seen that the Desert Storm deployment was the catalyst for the difficulties that have beset the bilateral relationship ever since.

It overpowered the consensus among Saudis that foreigners could be tolerated in the kingdom if they were there to improve conditions for the populace; these foreigners in uniform were in the country for reasons that had little to do with developing the infrastructure or educating the people. The deployment incited anti-government sentiment among critics who questioned why the country could not defend itself despite its massive expenditures on military equipment and training. It angered the devout, who asked why Saudi Arabia would ally itself with infidels in a war against fellow Muslims. And it inflamed Osama bin Laden, who—having participated in the successful jihad against the Soviet Union in Afghanistan—offered himself as the sword of Islam who would defend the holy soil of Arabia, only to be rebuffed by a king who joined forces with the Americans.

These passions, coupled with the Wahhabi extremism that had been permitted, even encouraged, in the country's schools and mosques for the previous decade as a counterweight to the Shi'ite revolution spreading from Iran, led to the age of terror in which the Washington-Riyadh alliance has been so sorely tested. And given these pressures on the Saudi monarchy, it was clearly not a propitious time for the United States to press the Saudis on human rights issues.

Almost simultaneously with Desert Storm, the breakup of the Soviet Union and the end of the Cold War ended the threat of global communism, resistance to which had been a strong common interest of Saudi Arabia and the United States for decades.

After Saudi Arabia followed other Middle Eastern countries in nationalizing its oil industry in the late 1970s, the threat the King might revoke the Aramco oil concession no longer hung over U.S. policy; there was no more oil concession. But by that time the imperatives of the Cold War, and of Saudi support for U.S. initiatives in diplomacy and covert action, reinforced Washington's reluctance to alienate the kingdom's rulers. Saudi financing was crucial, for example, to the successful campaign of the Afghan muhaheddin against Soviet forces in Afghanistan, and to the Reagan administration's covert support for the "contras" of Nicaragua.

Once communism imploded, the Saudis, no longer threatened by this atheistic ideology, were liberated to expand their economic and political interests into previously closed corners of the world, notably China. Thus within a year or so of the Desert Storm campaign, relations between the United States and Saudi Arabia were entering a whole new era, in which the basic oil-for-security bargain forged in the 1940s would have to be renegotiated, a process that is still going on.

Before the onset of domestic terrorism in Saudi Arabia with the 1995 bomb attack against the National Guard Training Center in Riyadh, in which five Americans died, Americans and other Westerners in the Kingdom generally lived privileged lives of safety and prosperity. Ordinary street crime was unknown, and terrorism was a phenomenon of other places, not Saudi Arabia. The tranquillity of the kingdom was part of its attraction for the hundreds of thousands of Americans who lived and worked there in the fifty years after World War II.

Other than the relative few who actually went there, however, Americans knew little about Saudi Arabia beyond the broadest generalities absorbed from the news media. Most Americans, after all, were of European stock. Their religion, literature, cuisine, music and ideas about the organization of society were traceable to Europe, not the Arabian Peninsula, and Americans had no emotional ties to the Saudi kingdom. In general, so long as the oil flowed, Saudi Arabia was not a country of great interest. The curriculum of Saudi schools was of no concern to people in Cleveland or Albuquerque.

The age of terror has changed that over the past decade. As the attacks on the USS *Cole* and the embassies in East Africa made clear that Americans were targets, Americans naturally began to examine the source of this threat, and to a great extent they did not like what they saw. And after the attacks of September 11, 2001, in New York and Washington, it was suddenly open season on Saudi Arabia in America's newspapers and books, on television and in Congress. In many forums, "Wahhabism" became a synonym for violent, xenophobic extremism.

This atmospheric shift left the State Department little choice but to declare Saudi Arabia in 2004 a "Country of Particular Concern" under the International Religious Freedom Act, which requires the U.S. government to take action against countries deemed responsible for especially severe violations of religious freedom.

In designating Saudi Arabia as a "Country of Particular Concern" on this issue, the State Department was only stating the obvious. Saudi Arabia does not have and does not advocate freedom of religion. All Saudi citizens must be Muslims, and no other faith may be practiced in public. Apostasy is punishable by death. In fact, under Saudi law, the entire purpose of the state is the protection and propagation of Islam, not the protection or liberty of the individual. Chapter 5 of Saudi Arabia's "Basic Law of Government," the de facto constitution promulgated in 1992, specifies that "the State protects Islam [and] implements the Shari'ah," or Islamic law. It specifies that "the state protects human rights in accordance with the Islamic Shari'ah"—not in accordance with the Bill of Rights.

That text dates from 1992, but the dominance of Islam as the *raison d'être* of the Saudi state has been a fact of life since Americans first started going there many decades ago, and Americans have in the past chosen to accept Saudi Arabia as it is, not as they would like it to be.

It might seem that in the changed environment since 9/11, Saudi Arabia would be a logical target of the Bush Administration's campaign to promote democracy and freedom of expression in the Middle East, but such is not the case. The administration appears to have recognized that Saudi Arabia is a unique society and a valuable economic partner that it would be counterproductive to alienate. The "Final Report of the National Commission on Terrorist Attacks in the United States," known as the "9/11 Commission Report," which "found no evidence that the Saudi government as an institution or senior Saudi officials individually funded" the al-Qaeda network, gave the Bush administration political cover to continue to treat Saudi Arabia as a valuable if troubled ally rather than as an enemy—which is the course the administration has chosen to follow.

The administration has mostly accepted the declarations by King Abdullah and other senior princes that the Saudi regime, itself the target of a domestic terror campaign inspired by followers of Bin Laden, is an ally in the "war on terrorism" and is committed to expunging extremism from its mosques and classrooms. This policy has been reflected in the repeated congressional testimony by administration officials that Saudi Arabia has been helpful on this front, even if it still has a long way to go, and in the decision by Secretary of State Rice to refrain from imposing the economic sanctions nominally required by the religious freedom finding.

When Rice went to Saudi Arabia in November 2005, it was not to scold or criticize the Saudis but to advance the bilateral "strategic dialogue" initiated by President Bush and by Abdullah, then still crown prince, when they met at the president's ranch in April of that year. Rice and her Saudi counterpart, Prince Saud al-Faisal, announced in Jeddah the creation of six "working groups" on subjects of mutual interest:

Counterterrorism; Military Affairs; Energy; Economic and Financial Affairs; Consular Affairs and Partnership; and Education Exchange and Human Development in the US and Saudi Arabia. Clearly these groups' discussions of terrorism and "human development" could include tough conversations about Saudi Arabia's domestic human rights policies, but the Bush administration has chosen not to have a public argument with the Saudis on these subjects.

That choice was stated explicitly in the joint declaration issued by Bush and Abdullah after their April 2005 meeting in Texas. "Today we renewed our personal friendship and that between our nations," the two leaders said.

The word "Wahhabism" does not appear in their text. It says that "the United States respects Saudi Arabia as the birthplace of Islam, one of the world's great religions, and as the symbolic center of the Islamic faith as custodian of Islam's two holy places in Mecca and Medina. Saudi Arabia reiterates its call on all those who teach and propagate the Islamic faith to adhere strictly to the Islamic message of peace, moderation, and tolerance and reject that which deviates from these principles."

As for democratization, "While the United States considers that nations will create institutions that reflect the history, culture, and traditions of their societies, it

does not seek to impose its own style of government on the government and people of Saudi Arabia. The United States applauds the recently held elections in the Kingdom for representatives for municipal councils—in which women were banned from voting, let alone running—and looks for even wider participation in the accordance with the Kingdom's reform program.”

In the language of diplomacy, that amounted to a promise by the United States to let the Saudis manage their internal affairs without interference, even if it is no longer possible for Americans to turn a blind eye to what the Saudis do. After all, Saudi Arabia is the United States' largest trading partner in the Middle East, a multi-billion dollar market for U.S. business and a crucial supplier of oil. Those economic considerations trump human rights and religious freedom, as they have for more than half a century. And because Saudi Arabia under Abdullah has been willing to stick its neck out on the question of making peace with Israel, even while Iranian leaders are calling for Israel's extinction, the kingdom's political value clearly outweighs the odious nature of its domestic political system. As in the past, Saudi Arabia is perceived as too valuable to alienate.

Mr. DELAHUNT. Thank you, Mr. Lippman.
Tom Malinowski.

**STATEMENT OF MR. THOMAS MALINOWSKI, ADVOCACY
DIRECTOR, HUMAN RIGHTS WATCH**

Mr. MALINOWSKI. Thank you. Thank you, Mr. Chairman, members of the committee, thanks for having me.

I will start my statement by saying that I agree with your remarks, Mr. Chairman. We have a President now who believes that promoting democratic freedoms, particularly in the Muslim world, is central to fighting terrorism. And, like you, I don't question the sincerity of that belief. I think he is a true believer in that principle. I also think he happens to be right. But given this conviction on his part, you would think that the more central a country was to the fight against terrorism, the more vigorously the administration would promote democracy there.

More often than not, the opposite has been true. The more the administration has needed another country in the short run to capture or kill individual terrorists, the less eager it has been to press that country to reform in ways that will dry up support for terrorism itself.

I don't think there can ever be perfect consistency in life unless you want to be consistently unprincipled. Doing the wrong thing all the time is easy; doing the right thing all the time is very hard. And I would rather have a foreign policy that is inconsistently right than one that is consistently wrong.

I also don't think the United States should treat every human rights violator exactly the same way. We need to do what is effective in each particular case, and that is going to vary from country to country. But while our tactics may vary from country to country, from place to place, I don't think our voice should be varying.

There is no reason why the United States can't speak honestly, clearly, and publicly about human rights to every country in the world, including its closest allies. The United States is most effective in promoting liberty in the world when people out there believe that we are rising above our own narrow self-interest, when they believe that we are defending universal ideals. If, instead, our rhetoric about democracy is seen as a weapon that we only use against our enemies, people around the world become extremely cynical about everything we do in the name of freedom.

Under such circumstances, dictators in places like Cuba and Iran can much more easily deflect United States criticism by saying that we are being selective, and dissidents in these countries also don't really trust that we are really on their side, and they have a harder time working with us. We become less credible, less effective.

So, with that in mind, let me focus on the countries, on the examples that you have put to us, briefly.

With respect to Iran, I think the administration's strong public focus on human rights is completely appropriate. By speaking loudly and clearly about human rights there, the United States can connect with the many Iranians, especially young people, who are themselves eager to live in a more open society.

Now, America's human rights message can drive a wedge between the Iranian people and their leaders. What undermines that message is the administration's saber rattling, which does the opposite; it unites the Iranian people and their leaders.

Threats of force give the Iranian regime a longer lease on life, in my view, than it might otherwise have if it couldn't use tensions with the United States to distract its people from their grave domestic problems.

Now here is something else that doesn't help in the case of Iran: The administration's constant public assertions that it is providing financial assistance to those who are struggling inside the country for democracy and human rights. In fact, no U.S. aid money is actually reaching dissidents inside the country. It couldn't. And they wouldn't accept it even if they could.

But the Iranian Government has used these public announcements to accuse dissidents falsely of taking United States money, and it has persecuted them for it. These dissidents, including Nobel Peace Prize winner Shirin Ebadi, have been begging the administration to stop making these claims, but somehow those appeals have fallen on deaf ears. It is long past time for that to stop.

Now, with respect to Uzbekistan, the story is a bit more complicated. Immediately after 9/11, I think you could say, Uzbekistan would be a good example of a double standard. We needed Uzbekistan as a launching pad for military operations in Afghanistan. They gave us a base. We gave them increased assistance. The administration muted its criticism. But that policy began to evolve. The Congress tied aid to Uzbekistan to human rights progress. The administration became more critical. Eventually it suspended aid.

And then in 2005, we had the terrible massacre of unarmed protesters by the Uzbek Security Forces in the city of Andijan. After that, the administration condemned those events very vigorously. It staged an airlift of some of the victims of those events out of the region, against very angry objections of the Government of Uzbekistan.

As a result of that the Uzbeks kicked the United States military out of the base. And to its credit, the administration didn't mute its criticism at that point in order to save its military relationship. Nevertheless, the administration didn't follow up on that by imposing sanctions on the Uzbek Government, as the European Union did immediately after the events in Andijan.

The Pentagon still had overflight and drive-through rights in Uzbekistan. They argued against any further measures that might

alienate the Uzbek leadership. And I think the rest of the administration basically lost interest in the country. We are now paying almost no attention to Uzbekistan. I would say that current policy is basically to wait for the current dictator of the country, Islam Karimov, to pass from the scene. And I think it is not a wise policy; it is not a policy at all. I think there needs to be more support for civil society inside Uzbekistan and more pressure, including targeted sanctions on its government. There is legislation in the Senate being introduced by Senators McCain and Biden that would do that, and I hope that the House would follow suit as well.

I would also say, as an aside, that there is a lesson of our experience with Uzbekistan that we might want to apply now to another military relationship we are developing with another country in the region, and that is Azerbaijan. You all have heard the proposal on the table, that the Russians have put on the table, to put a missile defense system in Azerbaijan. I have no idea what the administration is going to do there. I sure hope they have learned the lesson that betting on long-term security, on a long-term military partnership with an inherently unstable country in that part of the world, inherently unstable authoritarian country, is a very bad idea.

Now, Saudi Arabia represents a much more obvious double standard, as my friend Tom Lippman explained in much more detail than I will. For years the Saudis were basically exempt from our global human rights policies. That did change very slightly after September 11; and I would say, to be fair, that quiet United States pressure has contributed to a very modest beginning of an internal reform process in the Saudi kingdom.

One very modest example of that is that my organization, Human Rights Watch, has been able to visit Saudi Arabia in the last year, conduct interviews with Saudi citizens, even visit some penal facilities. And the administration has quietly raised human rights issues with the Saudis in the last few years. But the key word here is “quiet.” This is done behind the scenes. There isn’t public criticism. The administration has been much more reluctant to speak publicly about Saudis’ problems than it has been with any other close ally in the Middle East, including Egypt.

There is a strategic dialogue between the United States and Saudi Arabia. It has many working groups on many issues, but not on human rights. We have cited them for violations of religious freedom; most recently, human trafficking. But they haven’t been sanctioned for those violations.

Again, I agree with Tom Lippman’s analysis on why that is. I don’t agree that it is the right thing though. I mean, I do think that while we need to take care in how we speak to the Saudis about human rights, we do need to speak to them about it. The administration’s silence on human rights in Saudi Arabia doesn’t resonate well, actually, with the growing number of ordinary Saudis who want change in the kingdom; and it resonates particularly badly elsewhere in the Middle East. It makes it seem as if again we only care about human rights abuses when they happen in Iran, when they happen in countries we don’t like, but we don’t care when it happens in countries that we do like. And therefore, people conclude that we are not being sincere.

As you said, I did want to throw one other country into the mix, and that is Pakistan, because I really think that today, this week, it is probably the most egregious example of a double standard. We are right now in the middle of a remarkable and growing movement in Pakistan that has been led by the country's lawyers to try to bring about a return to democratic government in that country.

Last week President Bush was asked about this. He responded by praising General Musharraf's democracy and dismissing these protests as "posturing." Those kinds of statements, in my view, align the United States behind one man in Pakistan, against virtually every decent segment of society there, against the very people who are most likely to be friendly to the United States. And given General Musharraf's growing reliance on the Islamists in his country and his consequent refusal to crack down on the Taliban elements who are killing our troops in Afghanistan, I would say this policy is as contrary to our security interests as it is to our values.

We need a very clear statement in the next few days from the President, the State Department, and from you all about the need for a return to democratic institutions and the rule of law in Pakistan. It is not about General Musharraf or any other individual. It is about those institutions and our need to defend them.

With that, I will close. And thank you again for the opportunity to testify, Mr. Chairman. I look forward to your questions.

[The prepared statement of Mr. Malinowski follows:]

PREPARED STATEMENT OF MR. THOMAS MALINOWSKI, ADVOCACY DIRECTOR, HUMAN RIGHTS WATCH

Mr. Chairman, members of the Committee, thank you for holding this hearing and for inviting me to testify.

You've asked a question today that unfortunately has a very simple answer. Is there a human rights double standard? Yes, there is.

There has always been a tension in American foreign policy between the belief that promoting human rights is vital to advancing long term American interests around the world, and the tendency to forget that belief when short-term interests get in the way.

The Bush administration has been no exception to this rule. Ever since 9/11, President Bush has been arguing that promoting democratic freedoms, especially in the Muslim world, is key to fighting terrorism. The president appears to be sincere in this belief. I also think he is right. The only sure way to defeat radical, violent groups like al Qaeda is to promote the emergence of moderate political forces that will drown out the radicals' message and give citizens peaceful avenues for expressing themselves. But such forces can only thrive in politically open societies—unlike the terrorists, they need freedom of speech and assembly, free elections and the rule of law to survive.

Given this conviction on the part of President Bush, you'd think that the more central a country was to the fight against terrorism, the more vigorously the administration would promote democracy there. But more often than not, the opposite has been true. This has been the case, to some extent, with Uzbekistan and Saudi Arabia. It's also been true with a number of countries not on your list, such as Russia, Ethiopia, and above all today with Pakistan. The more the administration has needed another country in the short term to capture or kill individual terrorist suspects, the less eager it's been to press that country to reform in ways that will dry up support for terrorism itself.

Now, let me be clear: I don't expect pure and perfect consistency from our government on this or any other matter. In fact, I think that there is only way to be perfectly consistent in life, and that is to be consistently unprincipled. Doing the wrong thing all the time is easy. Doing the right thing all the time is a lot harder. And, I'd rather have a foreign policy that's inconsistently right than one that's consistently wrong.

What's more, I don't believe that the United States should treat every human rights violator in the world in exactly the same way. The strategies the U.S. government chooses to promote human rights should vary from country to country. They must take into account what will be most effective in each particular case, and respond to the needs and desires of those who are struggling for human rights and democracy on the ground.

That said, while American strategies may differ from country to country, America's voice should not. There is no reason why the United States can't speak honestly, clearly, and publicly about human rights to every government in the world, whether it is friend or foe. After all, engagement is not the same thing as endorsement—you can have a relationship with a country like Pakistan or Saudi Arabia without feeling you have to defend its government's policies whenever they're criticized. Yet far too often, this is something the U.S. government forgets. Too often, American diplomats assume that to defend America's choice of friends in the world, they have to defend everything those friends do—or at least be silent. Again—this should be seen as utterly unnecessary. It is also profoundly harmful to America's overall human rights message in the world.

The United States is most effective in promoting liberty and human rights when people around the world believe it is rising above narrow self interest to defend universal ideals. If, instead, the U.S. government's rhetoric about democracy is seen as a weapon it uses only against its enemies, people around the world become cynical about everything the United States does in the name of freedom. Under such circumstances, dictators in countries like Iran or Cuba can deflect U.S. criticism by arguing that it's selective. Dissidents in places like Egypt and Saudi Arabia doubt that the United States is really on their side; they suspect it is using its freedom agenda to mask other ends, and they're less willing to be associated with U.S. democracy programs.

With that in mind, let me focus on the countries that are the subject of this hearing, and add one additional case that I believe deserves urgent attention.

With respect to *Iran*, I think the administration's strong public focus on human rights is entirely appropriate. The Iranian government systematically suppresses freedom of expression. It harasses and imprisons its critics. It routinely tortures and mistreats detained dissidents. It persecutes religious minorities. By speaking loudly and clearly about human rights, the United States can connect with the many Iranians—particularly young people—who are themselves angry about the injustices committed by their government and eager to live in a more open society. Their activism offers the best hope for change inside Iran, which in turn would make possible the resolution of larger security issues between the United States and Iran.

America's human rights message resonates with ordinary Iranians; what undermines it is the administration's saber rattling—the military exercises in the Persian Gulf, and implicit threats of military force over the nuclear issue. Such threats unite the Iranian people with their leaders; they provide a pretext for greater political repression; indeed, they give the current Iranian government a longer lease on life than it might otherwise have if it couldn't use tensions with America to distract its people from domestic problems.

Something else that doesn't help: the administration's constant public assertions that it is providing assistance to those who are struggling for democracy inside Iran. Just last week, the State Department spokesman put out a fact sheet claiming that current U.S. funding “supports those inside Iran who desire basic civil liberties.” In fact, no U.S. aid money is actually reaching dissidents inside the country—and they wouldn't accept it even if they could. Most of the funding is going for broadcasting to Iran, which is obviously not being spent inside the country. But the Iranian government has used these announcements to accuse dissidents—falsely—of taking U.S. money and has persecuted them for it. These dissidents have begged the administration to stop making these claims; it is long past time for the administration to heed them.

With respect to *Uzbekistan*, the story is a bit more complicated. Uzbekistan became a close U.S. ally after 9/11, when it agreed to host U.S. forces engaged in the fight in Afghanistan in exchange for greater U.S. assistance. At first, the administration muted its criticism of this new ally's human rights record. And that record was (and remains) abysmal. Uzbekistan is an absolute dictatorship in the Soviet mold. It's government brooks no dissent. It has imprisoned thousands of people for their political and religious beliefs. It locks up dissidents in psychiatric institutions. It practices torture systematically. It's ruthless policies have focused particularly on people who practice their Muslim faith independent of state-controlled institutions, driving believers underground, and potentially increasing support for violent radicalism.

America's association with this government was thus profoundly counter-productive. The administration was using Uzbekistan as a staging ground for battles fought elsewhere, when it should have been using it as a proving ground for principles on which an effective battle against terrorism depends.

But that policy did evolve. In 2003, Congress tied aid to the Uzbek government to progress on human rights. The administration stepped up its criticism of Uzbekistan and, ultimately, aid was withheld. Then, in May of 2005, Uzbek security forces massacred hundreds of civilians who were protesting government policies in the city of Andijan, and launched a brutal crackdown on civil society throughout the country. The administration condemned the massacre, insisted on an independent international investigation, and, against furious Uzbek government objections, airlifted to safety hundreds of refugees who had fled Andijan for neighboring Kyrgyzstan. As a result of these U.S. actions, the Uzbek government expelled U.S. forces from their base in southern Uzbekistan. To its credit, the administration did not mute its concerns about human rights to keep this base.

Nevertheless, the administration did not follow up by imposing sanctions on the Uzbek government, as the European Union did in the wake of the Andijan killings. There was an internal debate on this issue within the administration. The Pentagon, which did not want to lose the limited overflight and drive-through rights the U.S. military retained in Uzbekistan, objected to any measures that might further alienate the Uzbek leadership. The result has been a policy stalemate, and diminished focus on Uzbekistan—in effect, the United States withdrew its attention when it withdrew its troops. Having done the right thing immediately after the Andijan events, the administration has done nothing since. Its strategy appears to amount to little more than waiting for Uzbekistan's ruler, Islam Karimov, to pass from the scene. A much more proactive policy is needed, one that combines support for what is left of Uzbek civil society, increasing the flow of information into the country, and targeted sanctions against the leadership. Legislation to impose sanctions has been introduced in the Senate by Senators McCain and Biden; I hope similar legislation will be considered and approved by the House.

An more obvious double standard exists in U.S. policy towards *Saudi Arabia*. For years, of course, the U.S. government simply exempted Saudi Arabia from its global democracy promotion efforts. That had changed very slightly after 9/11, and, to be fair, quiet U.S. pressure has contributed to the very modest beginnings of an internal reform process in the Saudi Kingdom. But the key word here is quiet. The administration has been far more reluctant to speak publicly about Saudi Arabia's problems than it has been even about any other close ally in the Arab world, including Egypt.

In 2005, the United States initiated a Strategic Dialogue with Saudi Arabia, which includes working groups on a number of issues, but none formally designated to deal with human rights. State Department officials have traveled to Saudi Arabia to raise human rights issues, but these discussions are held very much behind the scenes and it is unclear how much progress, if any, has been made. The State Department's office of religious freedom has worked hard on Saudi cases, and helped persuade Saudi Arabia to make a commitment to respect the right of private worship. But it has not demanded effective enforcement of this commitment and has been silent about recent breaches, including the January deportation of Ahmadi Muslims from South Asia solely because of their faith.

For the past two years, the State Department has condemned Saudi Arabia for its policies on human trafficking, placing it in the category of most serious violators, or Tier 3 under the Trafficking Victims Protection Act. But the administration has consistently waived sanctions against Saudi Arabia that are supposed to be triggered by that designation, arguing that a full waiver needs to be given to providing military sales to Saudi Arabia "to advance goals of the Global War on Terror and U.S. commercial interests."

There is a concern that speaking too loudly about issues like women's rights and religious freedom in Saudi Arabia could backfire, causing these issues to be perceived as exclusively Western attacks against a pristine Islamic culture. Care indeed needs to be taken in choosing how to speak to Saudis about human rights. But silence is not a wise alternative. Silence creates the perception not just among Saudis but among a much wider audience in the Middle East that the United States doesn't really care about human rights in the region. After all, people understandably reason, if the United States really cared it would be criticizing its allies as well as the Syrians and Iranians. The result is a loss of credibility, and effectiveness, for all U.S. efforts to promote reform in the region.

It is certainly possible for the United States to speak out in ways that resonate with the growing number of Saudi citizens who themselves are concerned about such issues as the fair application of justice in Saudi courts, the highhanded policies

of the religious police, the protected privileges of the elite, and the ability of women to manage their affairs. Indeed, by taking a principled and consistent stand on these issues in the right tone, the United States would be aligning itself with the overwhelming majority of Saudis who believe there are problems in their society that need to be publicly discussed and fixed. The administration should not keep buying the Saudi leadership's line that they cannot move faster than their people on reform. The Saudi government has, in fact, been moving slower than its people. And the United States would lose nothing by saying so.

Mr. Chairman, let me close by adding one additional country to the mix here, and that is *Pakistan*. I believe that Pakistan represents the most egregious, and harmful, example of a human rights double standard in American foreign policy today. Pakistan appears to have little place in President Bush's "freedom agenda." On the contrary, President Bush has repeatedly come to the defense of his friend President Musharraf against anyone who criticizes his continued dictatorial rule over Pakistan.

In recent weeks, a growing movement of Pakistanis, led by the country's lawyers, have been peacefully demanding a return to democratic government in the country. Last week, President Bush responded by praising Pakistani "democracy" and referring to the growing protests against General Musharraf as "posturing."

These statements appear to align the United States behind one man against virtually every decent segment of Pakistani society—against the very people in that country who are most likely to be America's friends and to support a moderate, modern course for Pakistan. This kind of approach will reinforce all of General Musharraf's bad tendencies—not just his authoritarian crackdown, but his growing estrangement from moderate, secular forces in the country, his growing political reliance on Islamists, and his consequent refusal to crack down on the Taliban elements who are killing American and NATO troops in Afghanistan. It is a classic case of muting human rights concerns to protect a security relationship. But it is in fact as contrary to U.S. security interests as it is to America's commitment to democracy. And it is killing America's image with the next generation of, hopefully, democratic Pakistani leaders.

I raise this, Mr. Chairman, because it is truly an urgent example of the problem you are focusing on today, and one that requires immediate attention. We desperately need, in the coming days, clear, public statements from both the administration and the Congress urging full respect for the rule of law and judicial independence in Pakistan, the release of political detainees, media freedom, and a swift return to civilian, democratic rule. This shouldn't be about whether the United States supports or opposes a particular leader—but it needs to be, clearly and unequivocally, about U.S. support for the institutions of democracy and law.

Thank you again for giving me the opportunity to testify. I look forward to answering any questions the committee may have.

Mr. DELAHUNT. Thank you so much, Mr. Malinowski.
Dr. Olcott.

STATEMENT OF MARTHA BRILL OLCOTT, PH.D., SENIOR ASSOCIATE, CARNEGIE ENDOWMENT FOR INTERNATIONAL PEACE

Ms. OLCOTT. Thank you very much for the opportunity to testify today, and I will make some general points and then do an abridged version of my testimony.

Four quick points: First, obviously, I don't like human rights abuses or human rights abusers. Secondly, I don't like double standards. Thirdly, I recognize that the U.S. has to protect its national security interests. But fourthly, I don't believe we can get states to alter behavior we find troubling simply by criticizing them. And I have really spent the last 20 years grappling with the question of how we get a state like Uzbekistan, in particular, to change the way it treats its citizens.

I was really struck by the chairman's remarks about the double standard. I think that in the Uzbek case, the Uzbeks firmly believe that their relationship to the United States has been—that they have been the victims of a double standard by the U.S. They really

believe that the U.S. has ignored human rights abuses of other states in the region if those states have been more strategically important to the U.S.; for example, if they have oil and gas.

And the example the Uzbeks always point to when they are criticized on the question—because they are a country of particular concern on religious rights—is what makes them angry is not that they have been labeled that way, but the Turkmen weren't and they were. So these states do look at how we treat neighboring states and their treatment.

That said, I think that the story of a Uzbek-United States relationship is a story of misunderstandings and miscues on both sides, and it is really a story in which the Uzbek people have paid the biggest price.

The question I see before us is what the United States can do to increase the prospects for Uzbekistan's development of democratic, political, and economic institutions, and do it in a way that doesn't sacrifice U.S. long, medium, or short-term security. I think that the situation in Uzbekistan is quite different from either Saudi Arabia or Iran and it is more akin to the problems we find in other post-Soviet states and those post-Soviet states in which they are still ruled by a founding Communist-era political figure. So that gives us hope. In a sense, it gives us more ability to maneuver. It is not a system that is rooted in several generations of transfers of authority within a single elite.

The miscue is—and I think this has really hampered the process of political developments in our relationship—is that Karimov really thought that he could become a friend to the United States, somewhat akin to what Pakistan was in the Cold War. And that was a goal throughout, a goal that he thought he achieved at 9/11, and then again discovered he didn't.

I am going to skip through the history to try to get to the present. I think it is important to remember that Karimov did give lip service to democratic goals during his first year after independence, and even participated in a contested, albeit neither free nor fair, election for his Presidency. So in theory it is possible for them to do different things than they have done.

The security relationship with Uzbekistan really pre-dated 9/11, and I think it is really important to note that this cooperation was not simply because of the attack on Afghanistan. In fact, the United States under President Clinton sent armed, unmanned drones looking for al-Qaeda, from Uzbekistan looking for bin Laden. So there was something to build on in the immediate aftermath of 9/11.

Then there was 9/11 and this new friendship. I think that this new friendship was really seen by the Uzbek elite, by pro-reformer elements within that elite, as something they viewed with real enthusiasm. And I think that they expected something of a double standard with regard to the enormous political commitment they made. They signed this document in March 2002, agreeing within a 5-year period to have free and fair elections, and a democratic Parliament, and a whole host of things that the elite themselves recognized was impossible. But they hoped that this would push the government toward making reforms and not become a litmus

test for future funding. They really didn't understand the process by which Congress makes decisions.

But the central focus of this elite was really to get the Karimov government to jump-start economic reform. And here again, you have a tale of frustration where the World Bank and the IMF came in and they set new targets for the Uzbeks, and the Uzbeks did not meet these benchmarks for reform. They felt that the benchmarks didn't give them enough resources. And I can talk about that if anybody is interested. And then the World Bank and IMF felt that the benchmarks themselves were fair and had to be met.

In this environment, it did not take long for the United States-Uzbek relationship to go sour and both sides to walk away unhappy. The Uzbeks really expected massive assistance in the aftermath of September 11. They expected a double standard. They expected to get the kind of money that a state like Israel or Egypt got. That is what they thought they were getting. And I think in that environment they would have swallowed what they saw as a bigger pill on the human rights reforms, you know—that they would have done something, I believe.

But other people don't. And again, we are going down—as I said in my testimony, the Robert Frost poem—"The Road Not Taken." You know, you can't talk about what didn't occur. And this is very definitely something that didn't occur. But I think that it is important to know that the military partnership was in deep trouble before Andijan and that there was a good chance we would have lost the base even at that point, even if Andijan had not occurred. In fact, in the draft of my book that was going to press at the time of Andijan, I already talked about the base possibly being lost. So I think we have to get the timing of the events right.

This said, Andijan creates this enormous hole in the relationship that doesn't go away. The fact that the Uzbek Government used excessive force to quell largely unarmed civilian demonstration remains. Whether things would have occurred differently if we had been in the middle of a multiyear retraining program for Uzbek Security Forces when these demonstrations occurred, or if the security relationship was healthy, or would the Uzbeks have allowed an international investigation?

Personally I think that they would have, had there been a healthy security relationship at that point. But Karimov felt he had nothing to lose and he was willing to lose what he lost. That is the problem of lack of reform.

Let me come to my concluding remarks. I think 2 years after Andijan, those of us who wish to promote change in Uzbekistan are stuck between a rock and a hard place. While Uzbekistan doesn't enjoy its relative isolation under the EU sanctions that were talked about, and the risk of sanctions by the United States, nonetheless the Karimov regime is much more securely rooted now than it was 2 years ago, in large part because they have consolidated their security forces.

President Karimov's term ends in December, and if recent constitutional changes in Kazakhstan are at all indicative, and I think they are, then I think Karimov will also amend his Constitution to give him the right to stay in power the rest of his life. And it will be very hard, given the relative acquiescence to the Kazakh Con-

stitution. It will be very hard to introduce any sanctions predicated on the changes in the Uzbek Constitution.

So it is impossible to predict how long Karimov will remain in power, and I believe the transition after his death could take several years to bring real reform elements to any likelihood of taking power.

Finally, I would say there is not a well-developed alternative political elite living either inside the country or outside the country. Those living outside the country are relatively few in number and almost entirely lacking in the kind of political or administrative experience necessary to transform Uzbekistan in the presence of an elite—a large elite that is largely unhappy with these people.

The majority of the Uzbek population and especially those living in rural areas are less educated today than they were 16 years ago, and less committed to secular values than the wide population was at the time of independence. The continued isolation of the Karimov regime means that in 5 to 10 years, the rural population will be even less exposed to secular ideas and more removed from the technology-based forces of globalization than they are today.

The Uzbek population, I would argue, is paying for the sanctions that we have levied against or will levy against their top leaders. If a half dozen top government officials can't go to Europe or visit their children studying there, then in their minds it is logical that all Uzbeks should have more difficulty getting to Europe or the United States to study. Fortunately, some of the restrictions against study in the U.S., which were indirectly applied, have been lessened. But those seeking independent study opportunities in the U.S. are still at a disadvantage when they return home. So who, in the end, is paying a bigger price for our limited engagement with the Uzbek Government, the top elite or the ordinary population?

One of the problems—this is my last point—with our current application of the stick and the promise of a carrot is that even in the best of times, the carrot has been far smaller and less tasty than the one that the government in Tashkent expected to receive. So its withdrawal is of less consequence than we would like, and the prospects of applying a larger stick are highly unlikely.

I am just going to stop right there. Thank you.

[The prepared statement of Ms. Olcott follows:]

PREPARED STATEMENT OF MARTHA BRILL OLCOTT, PH.D., SENIOR ASSOCIATE,
CARNEGIE ENDOWMENT FOR INTERNATIONAL PEACE

Thank you for the opportunity to testify before you today.

SOME BACKGROUND TO A SAD STORY

The story of the U.S. relationship with Uzbekistan is really quite a sad one, characterized by misunderstandings and miscues on both sides.

The real losers in this story are the Uzbek people, who still lack a government that offers strong protections of their human rights, and for the most part who have still not experienced the economic or political promise that they believed independence would bring them.

The U.S. relationship with Uzbekistan is really quite different from that of either Iran or Saudi Arabia, the other two states under discussion in today's hearings.

The U.S.-Uzbek relationship is all of 16 years in duration, and involves one Uzbek president, Islam Karimov, that nation's first and at least for now, only leader, who from the onset sought to get and then keep the attention of the U.S.

However, Karimov, a figure whose entire political consciousness dates from the years of the Cold War between the U.S. and U.S.S.R., sought to do this in a very “old-style” way, by offering the U.S. a strategic partnership that focused on shared foreign policy goals rather than on shared values in the domestic political agendas of the two countries.

Karimov seems to have thought that Uzbekistan could become a friend to the U.S. somewhat analogous to what Pakistan had been throughout much of the Cold War, with Tashkent sharing a foreign policy agenda with Washington but not feeling that this obliged the Uzbek regime to turn itself into a democratic political system.

Karimov, a communist boss-turned-president, seemingly believes that democracy is a dangerous ideology in an unstable state, and has introduced political reforms only when forced to do so.

Karimov gave lip service to democratic goals during the first year after independence, when the Uzbek leader sought popular support to legitimate his authority in the near anarchic conditions of the collapse of Soviet rule. Karimov participated in a contested (albeit not free and fair) election for the presidency, against a serious political opponent, Muhammad Salih head of the opposition Erk party, and even was sworn into office on a Qur’an as part of a pre-election promise made to Islamists in the Farghana Valley during the election campaign.

But the Civil War in Tajikistan quickly reinforced the communist-honed authoritarian tendencies of the Uzbek leader, both as a warning of what could occur in an unregulated political environment in Uzbekistan, as well as a source of “contagion” whereby elements (especially Islamic activists) from Tajikistan could aid opposition forces in Uzbekistan. And life began to bear out Karimov’s conclusions when small groups of radical Islamists (the forerunners of the Islamic Movement of Uzbekistan—IMU) went to Tajikistan to fight with their “brothers.”

The IMU set up camps in remote parts of Tajikistan. Within a year or so after the various parties to the Tajik Civil War signed an Agreement of National Reconciliation the IMU (and remaining armed Tajik Islamists were forced into Afghanistan, where they remained in al-Qaeda supported camps until after the U.S. led bombing campaign in late 2001–2002.

Their presence of these terrorist groups within striking range of Uzbekistan (for whether or not they were actually responsible for bombings in Tashkent in 1999 they were capable of having organized these attacks) made Karimov even more leery of democratic reforms. Instead the Uzbek government cracked down on religious and political groups that they deemed seditious or potentially seditious, and on individuals which they saw as part of or prey to such groups. As already detailed they did so in a way that frequently abused the human rights of those accused of these anti-state activities.

At the same time, though, it was in this very period that some key U.S. officials became convinced that they shared some important security goals with the Uzbek regime. Uzbekistan, long eager for increased security cooperation with the U.S. agreed to facilitate U.S. efforts to route out Osama bin Ladin from Afghanistan as well as some additional new forms of security cooperation..

The U.S. Department of Defense had long believed that Uzbekistan could and should play a greater role in U.S. strategic thinking in the region, as they were most eager to distance themselves from Russia, and also Uzbekistan had inherited the most sophisticated military in Central Asia.

Ironically (and with hindsight quite sadly) the Bush administration decided to stop sending unmanned drones into Afghanistan from Uzbek territory. But U.S. military engagement with Uzbekistan continued to increase, both at the end of the Clinton Administration and during the first year of George W. Bush’s administration as well (see US grants and loans to Uzbekistan, in the table attached, noting that the 2001 figures are “year corrected,” so include post-September 11 supplementary assistance).

The Uzbeks were the fastest of any of the post-Soviet states to reorient themselves to the new opportunities for security cooperation with the U.S., offering Washington basing rights in the immediate aftermath of September 11.

A NEW STRATEGIC RELATIONSHIP

The U.S. bombing campaign in Afghanistan eliminated Uzbekistan’s major security threat, and created new opportunities for cooperation with the U.S., and new opportunities for the U.S. to press the Uzbeks for much needed economic and political reforms.

The prospect of U.S. pressure for economic and political reform was something that was viewed with real enthusiasm by certain pro-reform elements within the political establishment of Uzbekistan. Moreover, it has been rumored that some of

these people pressed for the Uzbek government to make firm promises that the electoral system and parliamentary rule would have specific reforms that were targeted to be achieved within a five year period. The pro-reform elements saw these targets as goals, rather than strict benchmarks upon which further U.S.-Uzbek relations would be based, and believed that by asking for more than they believed realistically possible to be achieved, there was some hope of getting the Karimov regime to pick up the pace of political reform.

WAS THE US EVER SERIOUS ABOUT A STRATEGIC PARTNERSHIP WITH UZBEKISTAN?

But the central focus of the pro-reform elements in the Uzbek elite was to get the Karimov regime to jumpstart the process of economic reform, which was largely abandoned along with the World Bank and IMF structural reform package in 1996–1997. Their commitment to political reform was as an adjunct to economic reform, which they believed would not be sustainable without political protection offered to small and medium sized entrepreneurs. And this could not be done without opening the political system for everyone, which necessitated political and especially legal system reform.

I detail what occurred in my book “Central Asia’s Second Chance.” The World Bank and IMF did go to Uzbekistan and did offer a new economic reform package, whose benchmarks were not achieved, leaving these international financial institutions very frustrated with the Uzbek economic officials.

For their part the Uzbeks were angry at the World Bank and IMF officials, whom they believed, had never made a sufficiently attractive offer to beat back the criticisms of the “rent-seekers” who dominated the remnants of the old planned economy (and especially those tied to the sale and production of cotton) who would lose from economic reforms.

The reform package offered left the Uzbeks with a budget deficit of roughly a half billion dollars per year for a short transition period (likely no less than two or three years), which the anti-reformers were able to successfully argue posed an unacceptable social risk, with standards of living sure to drop in the short run creating a greater risk of social upheaval led largely by pro-Islamic elements, who were becoming more visible in society.

Now, I am not going to justify this Uzbek viewpoint, and personally I do not believe that religious “extremists” like Hizb’ ut-Tahrir are capable of taking power in Uzbekistan. But the “carrots” on offer were not large enough to “beat” the verbal sticks offered by the anti-reform elements in the Uzbek establishment, many of whom were from or interwoven with Uzbekistan’s internal security forces.

In this environment, it did not take long for the new U.S.-Uzbek “strategic” relationship to begin to sour, and for both sides to walk away unhappy. From the U.S. point of view the Uzbek government has misled us. They had demonstrated little inclination to engage in either economic or political reforms. They did, however, deliver the promised security cooperation, including verbal support for the launching of an attack in Iraq, and this was a real rarity among post-Soviet states.

For their part the Uzbeks were bitterly disappointed. They had thought that they were getting a strategic friendship with the U.S. akin to what had been on offer in earlier decades, and that the U.S. would support the full-blown reform of the country’s security establishment, as well as providing massive economic and political assistance. The Uzbeks were versed in U.S. foreign aid allocations, they knew that most foreign aid packages were relatively small, but that “close friends” like Egypt and Israel (and Pakistan in earlier decades) were disproportionately rewarded, and they believed that they had taken disproportionate risk (inviting the U.S. in with minimal or nonexistent consultation with Russia—depending upon which Uzbek rumors you believe).

WOULD MASSIVE ASSISTANCE HAVE CREATED A SUITABLY ATTRACTIVE ATMOSPHERE IN UZBEKISTAN FOR REFORM?

Speculation on this question is much like the Robert Frost poem on “the road not taken.” The U.S. didn’t provide massive assistance, and there wasn’t reform in Uzbekistan.

Personally, I do believe that the government of Uzbekistan would have supported major economic reforms, and more moderate political reforms than the U.S.-Uzbek agreement provided for, had there been a more attractive economic assistance package provided to the Uzbeks.

Moreover, an improved human rights environment was the “bitter-pill” that had to be swallowed, and I do believe that the Uzbeks would have swallowed that pill, had they received the kind of political assistance, and money towards the reform of the internal security and judicial systems that they had hoped to receive.

After all you can't transform those working in security services in Uzbekistan from being physical abusers (where beating people to confess is unfortunately a not infrequent occurrence, not to mention the one tragic time when a detainee was actually boiled) to an organization which respects the human rights of the accused simply by issuing a new set of instructions.

Retraining programs, which are necessary throughout the former Soviet Union are very expensive to put together and run on a mass scale. And although there were some seemingly very good pilot projects introduced by the U.S. (and some held in Turkey with U.S. support), there was never any money to extend these, even when relations between the two countries were good.

WHAT TO DO WITH "ANDIJIAN"

This takes me to the problem of Andijian in May 2005 in which the Uzbek government use of excessive force to quell the civil disturbances, in which the crowds were overwhelmingly unarmed, but in which an armed opposition had seized a prison releasing its prisoners and seized policemen and firemen as hostages, in a building just off the square where the unarmed civilians were gathered.

Would the security forces have been more competent in their response had there been a much greater level of U.S. training from 2002 through 2004? Although some specialists feel otherwise, I do not believe that it was the first choice of the Uzbek government to incur high civilian casualties (even if the low figures of 250+ civilian losses are accurate they are unacceptably high). If that had been the Uzbek preference would Karimov have flown to outside of Andijian to try and negotiate.

And if the U.S. had been in the middle of a multi-year retraining program for the Uzbek armed forces, and the horror of Andijian would nonetheless have occurred, would Tashkent have then refused to have an international enquiry launched by the U.N. or the O.S.C.E.

I cannot predict if more massive training would have prevented Andijian, but I do believe that had the U.S.-Uzbek relationship been healthier at the time of the disturbances in Andijian Karimov would have decided in favor of salvaging the relationship by having an international enquiry that met U.S. and O.S.C.E. standards.

There was a constituency within the Uzbek elite that supported Uzbek participation in some form of international enquiry, but as the Uzbek president's position hardened, they lost any room for maneuvering within the Uzbek political establishment.

WHAT TO DO NOW?

Two years after Andijian U.S. authorities are still stuck between a rock and a hard place with regard to Uzbekistan. While the Uzbek regime does not enjoy its relative isolation in Europe and the U.S., under E. U. sanctions and at risk of sanctions from the U.S with regards to having been classified a "nation of particular concern," the Karimov regime seems more securely rooted now than two years ago, in large part because of the consolidation of its security forces in favor of the State Committee on National Security (that previously competed with the Ministry of Internal Affairs).

President Karimov's term ends in December (according to some readings of the Uzbek constitution it ended in January, but there is no reading that will allow him to stay beyond December, only constitutional change will facilitate this). If the recent constitutional change in Kazakhstan is at all indicative, and I think that it will be, Karimov will also seek the amendment of his country's constitution to facilitate his remaining in power for the rest of his life. The relative acquiescence of U.S. officials to the constitutional modification in Kazakhstan suggests that there will be little opportunity to mount any sort of potentially effective diplomatic protest in the Uzbek case, without appearing wholly hypocritical. The same will be true of European authorities.

Should the expected constitutional change be introduced the U.S. and its O.S.C.E. allies in the E.U. will confront a stark choice. The continual isolation of Karimov and his regime will effectively mean the continued isolation of the Uzbek people, leaving us with a very stark choice.

It is impossible to predict how long Karimov will remain in power, as it seems more likely to depend upon his health and the Uzbek medical care establishment than upon his popularity with the Uzbek people. Moreover, given the strong position of the Uzbek security establishment (and its more classic bureaucratic organization) the transitional period in Turkmenistan is likely to be even more orchestrated, and possibly even more opaque than that in Turkmenistan, and could well last several years before there is any real likelihood of pro-reform elements receiving any auton-

omy of decision-making (and it is not pre-ordained that they will achieve this even then).

While the political arena in Uzbekistan is more complex than in Turkmenistan, and political power is more dispersed, there is not a well-developed alternative political elite living inside the country, and those outside the country with political ambitions are relatively few in number and almost all are entirely lacking in political or administrative experience.

The majority of the Uzbek population and especially those living in rural areas are less well educated today than they were 16 years ago, and they are less committed to secular values than their age-cohorts were at the time of independence. The continued isolation of the Karimov regime means that in the next five to ten years the rural population will be even less exposed to secular ideas, and more removed from the technology-based forces of globalization. The Uzbek population is paying for the sanctions that have been levied against their top leaders.

If a half dozen top government officials can't go to Europe, or visit their children studying there, then in their minds at least, it is logical that all Uzbeks should have more difficulty getting to Europe (or the U.S.) to study. Fortunately some of the study restrictions against study in the U.S. (which were indirectly applied, such as banning the administration of the Toefl test) have been lessened, but those seeking independent study opportunities in the U.S. are still at a disadvantage when they return home.

So, who in the end is paying a bigger price for our limited engagement with the Uzbek government, the top elite or the ordinary population?

One of the big problems with our current application of the "stick" and promise of the carrot is that even in the best of times the "carrot" was far smaller and less tasty than the government in Tashkent expected to be on offer. So its withdrawal is of less consequence than we would like, and the prospects for applying a larger stick are highly unlikely.

There are no realistic alternatives to the Karimov government, either within the country or beyond its borders, and no guarantees that the group that will come after him will be more to our liking.

While U.S. leaders may want to pretend that Uzbekistan does not really exist, that is not really an option for Tashkent's Central Asian neighbors, as Turkmenistan, Tajikistan, Kazakhstan and Kyrgyzstan all border on Uzbekistan (as does Afghanistan), and in many cases transit across Uzbekistan is the most geographically friendly way to open ports.

We may try to isolate Uzbekistan, but neither Russia nor China will make the same choice, further diminishing the range of our options.

APPENDIX ONE

Uzbekistan in millions, historical \$US

Program Name	1996	1997	1998	1998	2000	2001	2002	2003	2004	2005
I. Total Economic Assistance	11.0	10.3	13.8	37.2	31.7	215.4	203.0	157.8	49.1	44.3
II. Total Military Assistance	0.3	1.3	2.0	2.2	2.3	3.1	37.9	9.7	0.5	0.0
III. Total Economic & Military Assistance	11.3	11.6	15.8	39.4	34.0	218.5	240.9	167.5	49.6	44.3

Program Name	1996	1997	1998	1998	2000	2001	2002	2003	2004	2005
I. Total Economic Assistance	11.0	10.3	13.8	37.2	31.7	215.4	203.0	157.8	49.1	44.3
<i>A. USAID and Predecessor, Total</i>	9.8	3.1	11.9	24.4	19.9	179.3	174.2	128.7	35.1	33.8
1) Economic Support Fund/Security Support Assistance	0.0	0.0	0.0	0.0	0.3	1.3	2.1	2.2	0.4	0.1
2) Development Assistance	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
3) Child Survival & Health	0.0	0.0	0.0	0.0	0.0	1.0	0.0	0.0	0.0	1.1
4) Other USAID Assistance	9.8	3.1	11.9	24.4	19.6	177.0	172.1	126.4	34.6	32.7
<i>B. Department of Agriculture, Total</i>	0.0	0.0	0.0	10.0	10.0	30.0	20.0	15.5	2.1	0.0
1) Food Aid, Total	0.0	0.0	0.0	10.0	10.0	30.0	20.0	15.5	2.1	0.0
a. Title I	0.0	0.0	0.0	10.0	10.0	30.0	20.0	0.0	0.0	0.0
b. Title II	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
c. Title III	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
d. Section 416(b)/ Commodity Credit Corporation Food for Progress	0.0	0.0	0.0	0.0	0.0	0.0	0.0	15.5	2.1	0.0
e. Food For Education	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
2) Other USDA Assistance	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
<i>C. State Department, Total</i>	0.1	0.0	0.0	0.0	0.1	0.4	4.4	2.1	1.3	4.8
1) Global HIV/AIDS Initiative	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
2) Narcotics Control	0.1	0.0	0.0	0.0	0.0	0.0	0.0	0.0	1.1	0.0
3) Migration and Refugee Assistance	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
4) Nonproliferation, Anti-Terrorism, Demining & Related	0.0	0.0	0.0	0.0	0.0	0.3	4.3	1.9	0.0	4.7
5) Other State Assistance	0.0	0.0	0.0	0.0	0.1	0.1	0.1	0.1	0.2	0.0
<i>D. Other Economic Assistance, Total</i>	1.1	7.2	1.9	2.8	1.7	5.7	4.5	11.7	10.6	5.6
1) Millennium Challenge Corporation	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
2) Peace Corps	1.1	1.3	1.3	1.8	1.7	1.8	0.8	1.9	2.1	1.1
3) Department of Defense Security Assistance	0.0	5.8	0.0	0.0	0.0	2.9	0.2	6.7	1.5	0.0
4) Other Active Grant Programs	0.0	0.0	0.6	1.0	0.0	1.0	3.5	3.1	7.0	4.5
5) Inactive Programs	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
II. Total Military Assistance	0.3	1.3	2.0	2.2	2.3	3.1	37.9	9.7	0.5	0.0
III. Total Economic & Military Assistance	11.3	11.6	15.8	39.4	34.0	218.5	240.9	167.5	49.6	44.3
IV. Total Non-Concessional U.S. Loans	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	2.1	0.0
A. Export-Import Bank Loans	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
B. OPIC & Other Non-Concessional U.S. Loans	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	2.1	0.0

Source: US Overseas Loans & Grants [Greenbook]

Mr. DELAHUNT. Thank you, Dr. Olcott.
Dr. Hamzawy.

**STATEMENT OF AMR HAMZAWY, PH.D., SENIOR ASSOCIATE,
CARNEGIE ENDOWMENT FOR INTERNATIONAL PEACE**

Mr. HAMZAWY. Thank you, Chairman. Thank you very much for inviting me to testify today.

Allow me to start by making two general points before turning to Saudi Arabia and human rights conditions in Saudi Arabia.

My first general point is with regard to the distinction between rhetoric and policies on the ground. And I do believe the double standards with regard to human rights conditions in the Middle East cannot be simply addressed by getting the administration to get out consistent rhetoric. This is not an issue of rhetoric. And I must confess that in our part of the world, American rhetoric, official rhetoric from the U.S., has been discredited, especially in the last year.

So regardless of whether we have a consistency of rhetoric or not, it is not what really matters today. What really matters today is action. What really matters today are policy measures that the U.S. conducts in the region, that the U.S. puts forward in the region. And as long as we have this dichotomy between America-friendly regimes and America's perceived enemies, both of them abuse human rights. We have systematic abusers of human rights in countries such as Saudi Arabia, Egypt, Jordan, Morocco. All these four countries are allies of the United States.

We have systematic abusers of human rights in Iran and other countries which are perceived to be enemies of the United States. In both patterns we have abusers, systematic abusers. And I stress "systematic." These are not sporadic. These are systematic abusers of human rights. And conditions with regard to political participation and potential for democratization are really depressing.

We just need to look at yesterday, the sequence of violence which took place in three Arab capitals: In Baghdad, in Beirut, and moving to Gaza in Palestine. So conditions are similar. We are faced with autocratic or semi-autocratic regimes. Some of them are America-friendly, some are not. And as long as the distinction in attacking these human rights abusers is based on whether they are friendly or not, the U.S. unfortunately will get nowhere.

Second point is, I do believe that even in the case of Saudi Arabia, an ally which is very crucial for the United States role in the Middle East as of now, especially against the background of what is happening in Iraq—and this is the big elephant in the room when we speak of Saudi Arabia today. It is less about oil and it is less about regional conditions in general. It is more about Iraq and the security needs of the United States and Iraq.

Even considering Iraq and the Iraqi turmoil, there are chances for the United States to press the Saudi ruling elite with regard to human rights abuses and with regard to violations of citizens' civil and political rights.

Let me now turn to basically summarizing the two major points of my testimony which I submitted earlier to the committee.

Saudi Arabia. Again, I agree with my friend Tom Lippman. Saudi Arabia has witnessed a degree of political dynamism in recent years. Since 2002, the Government of Saudi Arabia has pursued different reform policies. Most relevant measures have been the reform of the appointed quasi-legislative council, the so-called

Shura Council, by expanding slightly its competences, the holding of partial municipal elections. I have to note here that women were excluded as voters and as candidates from the municipal elections that took place in 2005.

And finally, the legalization, for the first time in Saudi history, of a few civil society actors as well as what Mr. Malinowski mentioned: Allowing human rights organizations, Western human rights organizations, to partially operate in Saudi Arabia. So these are significant measures when we look at Saudi reality and the fact that Saudi Arabia has been lacking any sense of political pluralism, any sense of dynamism in its public space over the last years. Yet these measures have not in any substantial way changed or altered the authoritarian nature of Saudi politics.

The Royal Family al-Saud and its allied Wahhabi religious establishment remain in control, retains its position in society, and they have retained their ability to block reforms, bring them to a standstill, and even to reverse them in the case of changing conditions. Human rights abuses, human rights violations, have not decreased. Religious intolerance continues, regardless whether we look at the educational system or whether we look at the treatment of significant minorities in the Saudi society, primarily the Shi'a minority of the eastern provinces.

The United States faces a set of difficult challenges in pushing for freedom and human rights in Saudi Arabia. One has to confess that the United States lacks in the Saudi case the economic or military aid that can be conditioned to the implementation of reform measures or to improvement in the realm of human rights.

On the contrary, the American economy depends to a great extent on Saudi oil, which has grown even more important in recent years. Promoting democracy, freedom, human rights, in Saudi Arabia is therefore inherently difficult, especially when we see the regional picture, the wider regional picture over the last 3 years.

The United States pressed Saudi Arabia to an extent after 9/11 with regard to political reform, with regard to human rights abuses and violations. But with the developments in Iraq, with the Iraqi turmoil, and especially keeping in mind substantial worries that the United States does have, the possibility of a total destabilization in the gulf, the administration has minimized reference to human rights conditions of Saudi Arabia and has, in fact, minimized its rhetoric on issues pertaining to human rights or democratization.

A quick comparison between statements that the administration put out in 2003, 2004, with 2006, and 2007 makes the case. This is becoming less and less of an issue for the administration even in terms of rhetoric, keeping in mind what I said that it is not really about it, it is about policy actions.

Now, taking all of these conditions into consideration, I do believe that there are at least two entry points for the United States to press the Saudi Royal Family, to press the Saudi Government, with regard to democracy and human rights conditions.

The first point is at the government level. And Mr. Malinowski mentioned the strategic dialogue which was initiated in 2005 between Saudi Arabia and—Saudi Arabia and the United States, and so far issues pertaining to human rights have been excluded from

this strategic dialogue. And one entry point which can be pushed forward and where the United States can really make a good case for simply integrating the issue, just discussing the issue in a more systematic manner, not pressing Saudis in a quiet fashion, not pressing Saudis sporadically, depending on regional conditions and whether they need them and what kind of security needs the United States might be looking for from the Saudis in any specific moment of time, but integrating in a systematic structural manner issues pertaining to human rights conditions, religious tolerance, status of women in society, political participation of Saudi citizens.

And these are not issues that are invented in the U.S., and here I disagree with my friend, Tom Lippman. These are not issues that are simply invented in Washington, DC, or Western capitals. We have home-grown Saudi voices, home-grown opposition movements in Saudi Arabia. They are not organized. They do not have constituencies, but these are authoritarian conditions that do exist. But we have voices coming up in Saudi Arabia and asking for improvement in the realm of human rights, asking for better participation in politics, and asking for better treatment of Sunni and Shi'a, of minority and majority, in Saudi Arabia. So we have an entry point at the government to government level.

We have a second entry point at the nongovernmental level, where the United States should intensify contacts with some of the civil society actors in Saudi Arabia.

I mentioned earlier that one of the minimum reform measures that were taken in the last years has been the expansion—the establishment of Saudi civil society organizations. Many of them are controlled by the government directly, or if not, they are monitored by the government. But at least there are a few or there are a few organizations that are coming up. And there is a need to identify contacts to them. This will necessitate joint efforts by the administration as well as American foundations operating in the fields of democracy promotion and human rights.

The Saudi Government needs to be pressured to lessen authoritarian regulations with regard to the international cooperation between Saudi civil society actors and American democracy promotion and civil society and human rights organizations. Without these two entry points, any talk, any rhetoric, even imagining, dreaming of the rhetoric, might become consistent.

In the coming years this will not add or change the picture of lost credibility of the U.S. because of the persistence of closing an eye, if not the two eyes, with regard to allies and focusing on human rights violations that are, in fact—sometimes in so-called U.S. enemies—less in terms of scale and less in terms of their impacts as compared to some of America's best allies in the region. Thank you very much.

[The prepared statement of Mr. Hamzawy follows:]

PREPARED STATEMENT OF AMR HAMZAWY, PH.D., SENIOR ASSOCIATE, CARNEGIE
ENDOWMENT FOR INTERNATIONAL PEACE

PROMOTING DEMOCRACY AND HUMAN RIGHTS IN THE MIDDLE EAST: THE CASE OF SAUDI
ARABIA

Instability, violence, and radicalism dominate Middle Eastern politics of today. In Iraq, Lebanon, and Palestine a combination of the continued failure of state institutions, the rise of radical forces, and foreign interventions have brought these soci-

eties to the brink of civil war. In contrast, domestic conditions in Saudi Arabia seem stable. Radical Islamist violence has been going back in the past few years, the economy has recovered from the stagnation of the 1990s, and King Abdullah is considered to be one of the most popular kings the country has ever had. Yet, Saudi Arabia remains a clear case of authoritarian stability and therefore represents a serious challenge to the declared objective of the United States to promote democratic transition and human rights in the Middle East.

Saudi Political Dynamism in Recent Years

Recent years has witnessed a degree of political dynamism in Saudi Arabia. Since 2002, the government has pursued different reform policies. Most relevant measures have been the reform of the consultative Shura Council, the holding of municipal elections, the legalization of civil society actors, the implementation of educational reform plans, and the institutionalization of the national dialogue conferences. Although these measures appear less significant when compared to political developments in other Arab countries such as Morocco and Yemen, they constitute elements of a meaningful opening in Saudi authoritarian politics.

In the 1970s and 1980s, Saudi Arabia represented a clear case of authoritarian consolidation. The royal family, Al Saud, used high oil revenues to boost its control and expand existing networks of patrimonial allegiance across the country. The state apparatus swelled and with it the role of the security forces and the Wahhabi religious establishment grew dominant. The authoritarian grip over society was tightened. A degree of pluralism rooted in the tribal structures of the Saudi society and in the benevolent rule of the first kings was replaced by an emerging repressive state and an intolerant fundamentalist Wahhabi ideology.

However, this political scene began to change slightly in the 1990s. The Gulf War 1991 impacted negatively on the Saudi economy and diminished to an extent the religious legitimacy of the royal family due to the presence of American troops. Rising unemployment and poverty rates led liberal intellectuals and religious scholars alike to demand substantial political and economic reforms. Most significantly, a Memorandum of Advice was addressed to late King Fahd in 1991, in which almost fifty signatories called on him to create legislative councils, enact anticorruption measures, and promote an equal distribution of the country's resources among citizens. After harsh reactions by the security forces against the signatories, the king announced in 1992 the establishment of an appointed national consultative council, the Shura Council, and detailed a plan to appoint municipal councils in all provinces of the kingdom. However, neither the Shura Council nor the municipal councils were endowed with legislative or oversight powers. In the second half of the 1990s, other minor reform measures, primarily administrative, were implemented to quiet down growing popular dissatisfaction.

The authoritarian grip of the royal family did not loosen. Indeed, by the end of the last decade the government, faced with the rise of violent jihadist groups, resorted to outright repressive instruments and systematic human rights abuses in dealing with dissenting views in general and leaned heavily on the religious establishment to generate legitimacy among the population. The terrorist attacks of September 11, 2001 exposed the Saudi society to the catastrophic outcomes of its authoritarian lethargy. Of course, the most immediate impact of the 9/11 attacks was to subject the royal family to increasing international pressures to introduce significant reforms aimed at combating terrorism and extremism. But, domestic calls for reform were also suddenly better heard. In recent years, these two factors—international and domestic reform demands—have injected new elements of dynamism and opening into Saudi Arabia's political reality.

Reform Measures

The *Shura Council* has undergone two meaningful transformations. First, the council's competences have been expanded. In December 2003, King Fahd announced that the council would be empowered to play a more active role. Yet, it was only in 2005 that several amendments were enacted. Most significantly, article 17 of the council's regulatory provisions was changed to allow the council to raise its decisions directly to the king, instead of the cabinet, ensuring in this way an improved degree of responsiveness on the side of the executive. Also, article 23 was amended to give council members more autonomy in proposing, discussing, and enacting new internal regulations. But, the popular expectations—specifically among liberal reformists—that the amendments might provide for partial elections of the council's members and endow it with some oversight powers, did not materialize. Second, the council's role has grown more politicized due to the diversification of its membership and agenda. In addition, since 2003, the president of the council—while making it clear that full membership for women is not on the council's agenda—

has frequently extended invitations to female scholars and activists to attend open sessions and to consult members on social issues relevant to women.

In 2005, and in direct response to domestic reform demands, the Saudi government decided to hold *partial elections* for the country's 178 municipal councils. The elections took place in three stages over the period of three months, from February to April 2005 and were highly contested. In Riyadh, for example, 646 candidates competed over 7 municipal seats. The voter turnout ranged between 25 and 35 percent of eligible voters. Moderate Islamists, both in Sunni as well as in Shiite dominated provinces, emerged as winners in most races. Women were excluded as voters and candidates. In spite of all their limitations, the municipal elections have served two important purposes with regard to the process of political opening in Saudi Arabia. First, they have set a precedent for opening up existing consultative bodies for pluralist contestation. Second, the elections have garnered great attention among the Saudi population and in so far helped to better place reform debates in the public space.

Over the past two years, the Saudi government has approved the establishment of two human rights organizations, institutionalized professional syndicates, and permitted the participation of women as voters and candidates in board elections of some of them. This has indicated a greater readiness on the part of the government to expand *civil society* and create modern mechanism for interest representation in society. The legalization of different non-governmental organizations has created new spaces for citizens' participation. The government's measures in this regard—modest in absolute terms but bold when compared to steps taken in other areas—have also highlighted the fact that the reform process in Saudi Arabia is bound to be uneven. Women acquired the right to vote and candidate for syndicates' board elections, only to be completely excluded from the municipal elections.

In June 2003, the government announced an initiative to host *national dialogue conferences* to discuss needed reforms and promote freedom of expression. A series of meetings was subsequently launched and invitations were extended to male and female university professors, intellectuals, and activists. Representatives of the Shiite minority and liberal reformists participated in the meetings alongside Wahhabi clerics and government officials.

The Role of the United States

Reforms implemented by the Saudi government over the past years have revitalized existing consultative councils and introduced the mechanism of elections at the municipal level. New spaces for citizens' participation in civil society have emerged and the margin of freedom in the public space has expanded significantly.

However, this opening in Saudi politics has not altered the authoritarian nature of the political system fundamentally. The royal family and the Wahabi religious establishment have sustained their domineering positions in society. Their ability to block reforms, bring them to a standstill, even to reverse them in case of changing conditions has not diminished substantially. In the absence of competing power centers, the reform process has remained inherently vulnerable and limited. In spite of the expansion of the Shura Council's competences, it has not acquired real legislative or oversight power to hold the royal family accountable. Government promises to ensure the independence of the judiciary and provide for a better respect of human rights have not materialized in more than a series of minimal administrative reforms. Although two human rights organizations were legalized, human rights violations and discriminatory treatment of specific groups of the population as well as religious intolerance have not decreased.

Within these limits and given the unchanged concentration of power in the hands of the royal family and the religious establishment, the United States faces a set of difficult challenges in promoting freedom and human rights in Saudi Arabia. The US lacks in the Saudi case the leverage of economic or military aid that can be conditioned to the implementation of further reform measures. On the contrary, the American economy depends to a great extent on Saudi oil, which has grown even more important in recent years. Promoting reform in a country like Saudi Arabia is also inherently difficult. Domestic dynamics generate but very few possibilities for a significant American role.

American pressure since 9/11 has had an impact in pushing for reforms in Saudi Arabia, but it has rather been wavering. Shocked by the high level participation of Saudi citizens in the attacks, the Bush Administration has pressed the royal family to combat terrorism and extremism. Beside cooperation in the global War on Terror, the administration has also pushed for educational reform and political opening. Prior to the invasion of Iraq, specifically in 2002 and 2003, the administration sustained an unprecedented strong rhetoric with regard to Saudi reform. Faced with the danger of losing its strategic alliance with the US and amid growing domestic

demands for change, the royal family was more inclined to implement reform measures.

However, the emergence of the Iraqi turmoil has pushed the pendulum of US-Saudi relations in the opposite direction. Over the past three years, the Bush Administration has softened its stance vis-à-vis Saudi Arabia and kept a low profile on Saudi domestic issues. The royal family, on its side, has resorted to scare tactics arguing that uncalculated reforms would undermine its authority and eventually lead to a jihadist take-over, tactics that are used by many authoritarian rulers in the Middle East.

The United States, worried about the possibility of total destabilization in the Gulf region, has abated its pressure for reform. American security needs in Iraq and with regard to the rising regional influence of the Islamic Republic of Iran as well as dramatic increases in oil prices have also contributed to this change. Today's bilateral relations demonstrate growing areas of convergence. The rift, which 9/11 created between the US and Saudi governments, has largely been repaired.

In its search for entry points to promote freedom and human rights in Saudi Arabia, the US is also constrained by domestic realities. While the current political opening is important, it is by no means the beginning of a Saudi democratization process. This is not a country that can be expected to legalize political parties or organize truly competitive elections in the near future. By the same token, the emergence of a powerful legislative authority or an independent judiciary is unlikely. Reforming the authoritarian polity in Saudi Arabia is bound to follow a slow path. It is an uneven process, which entails the gradual expansion of political representation and the creation of new spaces where citizens enjoy part of their civil and political freedoms. Ambivalence towards certain issues such as the mélange of religion and politics as well as the role of women in public life are integral parts of introducing reforms in a country like Saudi Arabia just as potential setbacks.

The US needs to think of reform in Saudi Arabia in a different way than in other Arab countries. It lacks leverage and is strategically constrained in its possible actions due to regional developments. Saudi domestic realities also demand great cautiousness on the American side in identifying policy preferences with regard to promoting reform.

Given these conditions, the US has two realistic entry points: First, at the government-to-government level, especially in the context of the Strategic Dialogue between the United States and Saudi Arabia that was initiated in 2005, the administration should focus on taking up the cause of Saudi groups advocating democracy, human rights, and religious tolerance. Specifically, with regard to consultative councils and civil society actors, the administration should push for more elections and for easing legal restrictions respectively. Pressing the Saudi government on these levels is likely to garner popular support due to the fact that domestic platforms have articulated similar demands.

Second, at the non-governmental level, the US should intensify its contacts with civil society actors in Saudi Arabia. This will necessitate joint efforts by the administration as well as American foundations operating in the fields of democracy promotion and human rights. The Saudi government can be pressured to lessen its authoritarian regulations with regard to the international cooperation of domestic non-governmental organizations. American foundations have long ignored Saudi Arabia. Although the current opening has induced some of these foundations to reach out to domestic counterparts, the scope of cooperation needs to be expanded. Including Saudi non-governmental organizations and professional syndicates in ongoing regional programs as well as devising country-specific measures can help developing their capacities and embolden their reform platforms by exposing them to the international democracy promotion agenda.

Mr. DELAHUNT. Well, thank you.

And your presentations were outstanding. And I look forward to having a conversation that—

I know your presentations have provoked a number of questions that will be posed. Before I turn—I just wanted to ask one question before I recognize the ranking member, and then turn to Mr. Payne from New Jersey, who has also joined us.

I have a sense that the term “democracy promotion” has an implication or an understanding, particularly in the Middle East and in Central Asia, and elsewhere that raises concerns, is oftentimes misinterpreted as meaning the United States is prepared to impose

a form of government. If we reconfigured, if you will—I don't want to call it a debate, but the conversation, away from democracy promotion to respect for human rights, universally declared human rights—we have a number of international conventions dealing with human rights, the various states, many of whom from our perspective, according to Department of State country reports, do not comply with—would it be able to be received in some countries in a different way than it is currently received?

And I don't know if I am being clear, but words do have nuances. And you know, we appropriate money for democracy promotion in various countries that we select. Now I don't think we select—I don't think we appropriate dollars for democracy promotion in Saudi Arabia, but we certainly do in Iran. And therefore, I think it provides the Iranian regime an opportunity to point out that democracy promotion is simply a disguise for an American effort toward regime change as opposed to the promotion of American values. Well, American values, at least we here believe them to be tantamount to human rights as enumerated in the Helsinki Accords and various international treaties.

Would we be better off as a Congress to substitute or to examine the language that we use in terms of how we present these issues to the rest of the world?

Mr. MALINOWSKI. Yes.

Mr. DELAHUNT. I like it when I get that kind of an answer.

Mr. MALINOWSKI. To me the distinction doesn't matter. I mean, democracy promotion is American language. It is the way we talk about these things. We talk about liberty. We talk about freedom. These are the words that resonate to us. They don't resonate as well internationally. It is just an objective fact.

Mr. DELAHUNT. I think as you pointed out in your testimony, Mr. Malinowski, I mean, we have—I have had visits from Iranians who have pled, really, “Do not appropriate money, we will not take it. It does not aid our cause. In fact, it denigrates our efforts because it provides a rationale for the regime to crack down harder.” And it isn't just from Iranians, it is from other nations.

Mr. MALINOWSKI. There are two separate questions there. One is the language that you use. I think you are right. We are more effective—and we all want to be effective here. It is not just about sounding good. We are more effective internationally if we appeal to universal principles that everybody feels are their own rather than principles that sound like they are just made in the U.S.A.

So absolutely, the human rights rhetoric just works better than the democracy rhetoric, even though to me the difference is meaningless.

In terms of the money issue, you have to listen to the people on the ground who are fighting for the values that we care about. There are many dissidents around the world, civil society groups, opposition political parties, that welcome financial support from the United States and we ought to be providing it.

There are many other places where that is absolutely not true, and Iran is one of those cases.

Now most of the money the United States is appropriating is actually going to broadcasting inside Iran, and most Iranian dissidents I speak to are very much in favor of that. They welcome

that. What they don't want is for us to be saying that we are sending money inside Iran to help them fight their battle. Number one, we are not doing it. We are saying we are doing it. We are not actually doing it, and two, by saying we are doing it we are placing a target on their backs.

Mr. DELAHUNT. Dr. Olcott.

Ms. OLCOTT. I would like to say a few things.

I think the move to a more value neutral vocabulary not tied to American values is really critical. I think we do best when we are talking about universal values than when we are talking about international conventions that the country has assigned. We stand very strongly.

I disagree with Mr. Malinowski on the funding. I think we have to decouple these conversations. When we tie human rights to giving a particular group legal registration in the country, we are tying our hands. I think we have to separate our consideration of those questions.

It is a question of what increases our ability to get these changes. And I am not convinced that always—that making the litmus test, the registration of NGOs that we have labeled should be registered, is the appropriate litmus test. I think we have the potential for decoupling the two things. Especially when we go in a case like Uzbekistan and we will give funding to groups that are human rights groups that also are directly tied to notions of regime change. And we won't give money to government groups that also claim that they are trying to do various forms of legal reform.

We add to the burden at each level of conditionality that we put in, and we have to find ways that at least begin discussion with regimes that we don't like that they are willing to engage on, and then it is easier to take the next step, I think, of conditionality with things that we want them to change.

Uzbekistan is a strange case because most U.S. NGOs can't get in, but NDI is still able to operate there.

I think we really have to be very willing to learn how to be more savvy in playing with some of these really difficult cases to reform where they don't have to take our money, and that is the problem.

Mr. DELAHUNT. Dr. Hamzawy.

Mr. HAMZAWY. Yes. I disagree to an extent with regard to the language issue. We tend to ignore that there have been, and to a very considerable degree, a development in the region in the Middle East throughout the 1990s, especially in the last years, where concepts like democracy, human rights, have become part of local debates and discussions. Democracy and human rights, you will find them, the two concepts, on every single political platform, be it government-based or opposition-based. So we are not in a way imposing democracy and human rights on them. So the language is used.

And at a different level, it is very hard to find any free concepts. So these concepts, all of them are loaded, are value-loaded. The question is whether we can respond in a systematic and in an intelligent way, as my colleague said, to homegrown rhetoric.

The second issue is the fine line between submitting to the logic of authoritarian autocratic regimes when they play the game of national sovereignty with no intervention, no interference, do not

fund them. The fine line between submitting to this logic and creating spaces where the United States can still reach out to democracy advocates, civil society actors, human rights organizations in a country like Morocco, Egypt, Uzbekistan or Saudi Arabia without discrediting them. Sometimes I feel that we submit too fast and in a systematic way to the logic of authoritarian, autocratic regimes when we wave the flag of national sovereignty and tell the U.S. do not—it is none of your business.

Mr. DELAHUNT. My point is in terms of the rhetoric, and maybe I am making a false distinction here, although there seems to be some disagreement when I speak about democracy promotion as opposed to human rights.

I think Dr. Olcott summed it up better than I did when there is a certain universality regarding human rights. There are, you know, conventions. There are international treaties with concomitant obligations that regimes, both those who respect and those who denigrate human rights, have signed on to.

You know, we talk about sovereignty and democracy, we believe in democracy and human rights. And I think, I am guessing, and that is why I am seeking input from you, I am guessing that democracy is identified with the United States and the United States' low standing at this moment in time all over the world, that in terms of how we market and package what we want to achieve in terms of our goals, which are democracy and human rights, reliance on the term "human rights," "civil liberties," "political freedoms," is a better course as we engage in conversation and diplomacy.

Mr. HAMZAWY. You need a case-by-case approach, and I will address myself just to the Arab world, and there are two patterns. Let me compare Egypt to Saudi Arabia very quickly.

Egypt, I would say, in terms of packaging, promoting civil liberties, political freedoms, it is acceptable to use the term "democracy." It is not identified 100 percent with the United States. Egypt has a different look at this.

Now Saudi Arabia is a different case. But in Saudi Arabia we run the risk when you use "democracy," when you use human rights, because there have been extensive debates on religious reservations with regard to international conventions and treaties and human rights, and Mr. Malinowski and Tom Lippman will know them. Saudi Arabia, as a conservative social fabric, has had intensive debates on whether human rights, in a universal sense, apply to the Saudi society that is based on Islam.

So Iran goes into a very same risk using democracy and human rights. And here is what I meant by making a distinction between submitting to the government's logic, to the official logic, and trying to listen to homegrown voices, Saudi liberals, Saudi moderates, Islamists, non-violent Islamists, who have been advocating democracy and human rights in a universal sense. Using the rhetoric would make it easier for the U.S. or any power interested in promoting democracy to make the case.

Mr. LIPPMAN. It seems to me, as I listen to your questions, that you seem to be advocating a process similar to the Helsinki process that we use with the Soviet Union, saying this is what you signed.

Mr. DELAHUNT. Right.

Mr. LIPPMAN. So really with all of these countries, except Saudi Arabia, or many of them, there is language in U.N. agreements, the language of their own Constitutions is available to say this is what we believe in and this is what we would like you to uphold.

I think in this part of the world, in the Middle East now, it is complicated by the fact that in many ways we don't hold the moral high ground, what you might call the anecdotal impact of incidents like Abu Ghraib of the violence in Iraq, which seems to have followed the establishment of a democratic system that we promoted. It seems to me that it undermines whatever rhetorical position we might otherwise effectively take. It is not a capricious moment for us to pursue that line, unfortunately.

Mr. DELAHUNT. Mr. Rohrabacher.

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

Sometimes I feel we can't win. Years ago, I remember I was—I reached out to the moderate Muslim community here in the United States and gave speech after speech and talked about democracy and the importance of the United States promoting democracy in the Muslim world, and I received really a positive response. I mean, it was overwhelmingly positive.

That was before we started making moves to try to promote democracy in the Muslim world, and as soon as the United States started promoting democracy in the Muslim world, especially in terms of Saddam Hussein in Iraq, all of a sudden those people who were applauding the concept of democracy in a Muslim world began to turn in a very negative way toward the United States and being involved in the Middle East.

You know, there was—first of all, we tried an economic embargo against Saddam Hussein. Now it is understandable—those people say we should never have invaded Iraq and never used force like this. Well, we tried an embargo, and those people who generally are saying we should never have invaded opposed the embargo as well. It was the embargo that eventually brought on, by the way, the Oil-for-Food scandal that this committee investigated.

So we had the embargo and also we heard with the embargo that there was of course millions of people who were languishing in squalor and not having enough food and not having the medicines, the tens of thousands of children that were dying. Of course, that was laid on our doorstep, not the doorstep of Saddam Hussein who we had provided enough revenue through Oil-for-Food to pay for all of those things. But instead, he of course used the money for other things. He stole it, and then he used it for military purposes.

But the United States, by and large, by the very same people who had said they were for democracy in the Muslim world, did not side with the United States in that. Chose instead to become the nitpickers of the United States.

And that, of course, when we used military intervention in order to bring democracy to Iraq, of course then that was even way beyond that. That was not even conceivable.

I do not know what people in the Muslim world believe, how they believe that we will have a liberalization and a democratization of these countries now, whether they are pro-American and authoritarians or whether they are anti-American regimes. How do these people expect there is going to be a democratization? Is this going

to be democracy and human rights are going to be left under their pillow by the tooth fairy, and they will just wake up and it will be given to them as a present without any cost? No, there is a cost. And maybe we should just give up and just say that this is not our strategy because the people there aren't going to back us when we may have an attempt to actually get something done.

And, of course, if we use the words about human rights, as the chairman has amply pointed out, we use the words about human rights and don't do anything, our actions, which you have suggested actions aren't taking place, then we are viewed as hypocrites. So maybe we should just shut up and let the world go.

I disagree with that. I am with Human Rights Watch here, and the fact is we need to be strong advocates of human rights around the world.

And let me note, for our witness, I couldn't agree with you more about your analysis of what is going on in Pakistan and what has gone on in Pakistan. The fact is that the army, which is telling us they are the only alternative to radical Islam, the army is allied with radical Islam in Pakistan. They always have been. Those of us who have been active on that issue understand that it is the secular elements, they are the pro-democratic elements, that have been the enemy of Islam and the army that has been the ally of Islam in Pakistan.

So if we want to base our policy on what is going to help radical Islam, it is let us not support a military dictatorship in Pakistan.

Mr. Lippman, I found your remarks a little bit disturbing because of some of the words you were using about our standards. I don't think democracy and human rights are our standards. I think it is a universal standard. Using the word that they will decide, who is "they"? We are talking about a dictatorship or an authoritarian country like Saudi Arabia. Who is "they"? "They" isn't the people. "They" is an elite group of people in the Royal Family and perhaps some others who they have cut some deals within the Wahhabi movement there and their cronies.

And then the end, where it said that, you know, they are going to be ones to make the decisions, and the fact is I don't know in your remarks if you just assumed that what the Saudi Government, it says it doesn't wish to be anything else. "It." What is "it"? I mean, all the people of Saudi Arabia don't wish to be anything else? How do you know? Do we have an open discussion so we can determine if that is it? It represents the will of the people? If people are not going to have any type of open discussion in a pre-election, people willing to talk back and forth, how do you know it isn't the wish of the people to have something else?

Maybe you could go to that.

Mr. LIPPMAN. First, I would also suggest that you hear from Dr. Hamzawy on this subject, whose knowledge is greater than mine, but I think you will see that I don't necessarily accept the premise that there is some great gap between the leadership of the country and the masses of the people. Saudi Arabia is not North Korea. By and large, in my experience there, which goes back now 30 years, if our standard is that we wish a government to function with the consent of the governed, I believe Saudi Arabia—the government system in Saudi Arabia generally meets that standard.

There is a constant frisson, you might say, of dissent, of desire to do things better, of distress about corruption. But if you read most of the manifestoes that have come out within the limited range of freedom that people have in Saudi Arabia to express themselves, by and large they seek reform and change within the present system, not replacement of the present system.

Saudi Arabia is a deeply conservative society which, as far as I can tell, is largely content to function according to the rules of Islam and Islamic law.

Mr. ROHRABACHER. That is as far as you can tell.

Ms. OLCOTT. As far as one can tell, that is correct.

Mr. ROHRABACHER. I will agree with you that when you talk about consent of the governed, which is what we are really talking about here, it doesn't necessarily have to take exactly this shape. We are not trying to superimpose our exact type of democracy on people when we talk about human rights and democracy. And consent of the governed is important.

Would you like to comment on that?

Mr. HAMZAWY. Yes. I agree with what you said. We really do not know and how could we know. I mean, this is a society where we do not have—we have a minimal degree of beginning political pluralism. As I said, a few civil society organizations. We hear individual voices, but we have no access to proper constituencies in Saudi Arabia and the ways of autocratic regimes. We are left to either believe or disbelieve in the logic and rhetoric of governing.

Mr. ROHRABACHER. And that is precisely correct. If you are talking about hypocrisy, what is hypocrisy about people—except people when they leave their country are deeply involved in all sorts of incredibly anti-religious, or not anti-religious but things that Muslims would consider to be sinful, but then they go back home and they put their robes on and act in a totally different way and act very piously. And we know that many people from Saudi Arabia and the Saudi Arabian leadership do exactly that as they go to Las Vegas and lose millions of dollars at the roulette wheel and things like that.

Mr. LIPPMAN. I understand. I hold no beef for the Saudi Arabian way of life. I wouldn't want to live that way myself, and I wouldn't want my family to live that way.

But the other side about the point you just raised about how the Saudis live differently when they go home is they all do go home. You may recall a period when there was—southern California had tens, maybe hundreds of thousands of dissident Iranians, people who had come to this country to study. The Saudis were always very proud of the fact that when the Iranian students, they were so unhappy with their country, when they came here, they stayed. And Saudi Arabian students, when they came here and when they finished their education, they went home.

Mr. ROHRABACHER. What happens is that happens when the government doesn't confiscate someone's wealth, and the people who are over here are the sons and daughters of the elite. I think that is one of the explanations of that.

Let me note for the record that I had a resolution that I put forward in 19—excuse me—2003. Unfortunately, Mr. Lantos and I were the only ones who supported this, and it was condemning the

lack of human rights in Saudi Arabia. I will just submit this for the record. I think many of the things that we pointed out are still true of Saudi Arabia today.

[The information referred to follows:]

HCON 244 IH

108th CONGRESS

1st Session

H. CON. RES. 244

Expressing the sense of the Congress regarding the Government of Saudi Arabia's lack of protection of internationally recognized human rights and the absence of religious freedom in Saudi Arabia.

IN THE HOUSE OF REPRESENTATIVES

July 15, 2003

Mr. ROHRBACHER (for himself and Mr. LANTOS) submitted the following concurrent resolution; which was referred to the Committee on International Relations

CONCURRENT RESOLUTION

Expressing the sense of the Congress regarding the Government of Saudi Arabia's lack of protection of internationally recognized human rights and the absence of religious freedom in Saudi Arabia.

Whereas the Department of State has concluded that human rights conditions remain poor in the Kingdom of Saudi Arabia and that religious freedom does not exist in that country;

Whereas the Commission on International Religious Freedom concurs that religious freedom does not exist in Saudi Arabia and has concluded that the Government of Saudi Arabia forcefully limits the public practice or expression of religion to the Wahhabi interpretation of Islam;

Whereas security forces of the Government of Saudi Arabia continue to abuse and torture detainees and prisoners, including those individuals held on account of their religious beliefs or practices;

Whereas the way religious law is interpreted and enforced in Saudi Arabia affects every aspect of the lives of Saudi and foreign women and results in serious violations of their human rights;

Whereas the Government of Saudi Arabia severely limits the freedom of movement of women and discriminates against women in education, employment, access to

healthcare, marriage, and inheritance, among other things;

Whereas the Government of Saudi Arabia does not allow for freedom of association and strictly limits freedom of expression and freedom of the press;

Whereas the Saudi religious police, otherwise known as the 'Mutawaa', arbitrarily raid private homes and exercise broadly defined, vague powers, including the ability to use physical force and detain individuals without due process;

Whereas the Mutawaa intimidate, harass, abuse, and detain citizens and foreigners of both sexes;

Whereas the Government of Saudi Arabia severely restricts non-Wahhabi places of worship and denies non-Wahhabi clerics entry into the country;

Whereas, although the Government of Saudi Arabia has publicly affirmed that all Saudi residents have the liberty to worship in private, for several years and as recently as May 2003, Shi'a clerics have been arrested, imprisoned, and tortured for expressing their religious views and some foreign workers have been arrested, detained, tortured, and deported for worshipping in private;

Whereas offensive and discriminatory language has been found in Saudi Government-sponsored school textbooks, sermons in mosques, and articles and commentary in the media about Jews, Christians, and other non-Muslims;

Whereas the Government of Saudi Arabia, which enjoys access to the United States media, refuses to allow the transmission of Radio Sawa, which promotes values of democracy, tolerance, and respect for human rights in Saudi Arabia; and

Whereas the Government of Saudi Arabia has made public statements pledging political, economic, and educational reforms and the improved treatment of foreign residents, yet no discernible improvements are evident: Now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That Congress--

(1) calls on the Government Saudi Arabia--

(A) to uphold its international commitments by respecting and protecting the human rights of citizens and foreigners of both sexes in Saudi Arabia;

(B) to ratify and fully comply with international human rights instruments and cooperate with United Nations human rights mechanisms, and, in particular, to sign, ratify, and implement the International Covenant on Civil and Political Rights;

(C) to implement immediately promised judicial, political, economic, and educational reforms;

(D) to permit the establishment of independent nongovernmental organizations to advance human rights and to promote tolerance, and to take action to create an independent human rights commission for the same purposes;

(E) to safeguard the freedom of non-Muslims, and of those Muslims who do not follow the Wahhabi interpretation of Islam, to worship in private;

(F) to permit non-Wahhabi places of worship, such as churches, to function openly in special compounds or zones for foreigners or in unadorned buildings designated for this purpose; and

(G) to permit the broadcasting of Radio Sawa throughout the country; and

(2) urges the United States Government--

(A) in both public and private fora, to raise concerns at the highest levels with the Government of Saudi Arabia regarding its ongoing and repeated human rights violations;

(B) to designate Saudi Arabia a 'country of particular concern' under the International Religious Freedom Act of 1998 for its systematic, ongoing, and egregious violations of religious freedom;

(C) to encourage the Government of Saudi Arabia to implement expeditiously its publicly stated plans for judicial, political, economic, and educational reform;

(D) to develop and expand specific initiatives and programs in Saudi Arabia to advance human rights, including religious freedom, the rights of women, and the rule of law, through, for example, the Department of State's Middle East Partnership Initiative (MEPI), Middle East Democracy Fund (MEDF), and Human Rights and Democracy Fund (HRDF), and through international broadcasting, and other public diplomacy programs; and

(E) to report publicly to Congress on its efforts to raise concerns regarding human rights, including religious freedom, with the Government of Saudi Arabia, including the results of those efforts.

END

Mr. ROHRBACHER. Look, we have a country in Saudi Arabia. I saw no problem during World War II for us to ally with Joe Stalin in order to defeat Adolf Hitler. No problem with that.

I don't find any problem, also, with making short-term adjustments with relationships with less-than-free societies in order to defeat radical Islam, if indeed in the long run it will lead us to where we want to go. The end of World War II, the defeat of Nazism, and then we had a total compromise in eliminating the possibility of approaching the move in the future. As long as we are doing that.

Now what we have to realize today is that Saudi Arabia, during this time period, they have been financing the war against us. So here we are closing a blind eye to the human rights abuses in Saudi Arabia while at the same time they have been building these mosques in which anti-American and anti-Western sentiment is being stirred up so they can create a whole generation of people, especially in Pakistan, who hate us and join this anti-Western war against our way of life. That made no sense.

In terms of Uzbekistan, I have got—you know, I know Mr. Karimov, and I was deeply involved with that region of the world prior to 9/11 and I had a personal discussion with Mr. Karimov and told him the best thing he could possibly do for himself and the country would be to declare that he would not be a candidate in the next election and declare free and open elections, and he would be known as the father of his country and everything else would be forgiven and he would go down in history as a hero. Unfortunately, he didn't follow that advice. He was upset about maybe the fact that he believed that we were getting short—he was getting shortchanged from what he did expect for his support of us during the war in Afghanistan. That could be an explanation.

Mr. Chairman, that does underscore your points that the war in Iraq, by going into Iraq, perhaps we didn't have the resources to fulfill the expectations of those people like Mr. Karimov who helped us defeat the Taliban and al-Qaeda in Afghanistan.

And so would you like to comment on that?

Ms. OLCOTT. I am very interested in your comment about President Karimov because I, too, share your view that he should step down now and he should have stepped down before, but I don't think he is capable, unfortunately, of making that decision and that is really bad for the Uzbek people especially.

I agree with what you said about the war in Iraq needing the resources. I think the whole question to me, a reconstruction project in Afghanistan could only have succeeded if it was a strong regional project and that would have created the kind of economic incentives. It didn't require for a country like Uzbekistan to see they were getting something out of the relationship. It didn't require the kind of double standard that would make human rights activists mad. It did require a regional approach to rebuilding Afghanistan, which we really haven't done. All of the problems we are having in Afghanistan are really part and parcel of not having diverted enough resources, human or material, to that problem.

But, no, I think that if we had done that we would have created enough economic incentives for the kind of political reforms that the Uzbeks have to do because in my mind that is the line that works best, at least in Central Asia, that if you have economic reforms you generate a part of the elite that becomes defenders of the political reforms because they need economic transparency, they need legal transparency.

Mr. ROHRABACHER. This type of evolution, I hope that we can have evolutions like that. I haven't seen much of it happen around the world. Usually there is some sort of a coup or a death and some general allies with somebody who then decides it is going to be democratic, but there has been some sort of upheaval in the establishment rather than an evolution.

Ms. OLCOTT. I think Kazakhstan is the test case if we get this. I mean there are a lot of hopes that they will find that kind of evolution, but it is in no way preordained. But I think where you have deeply rooted beliefs it is very hard unless they see it as their economic benefit.

Mr. ROHRABACHER. Let me finish my end of this, and I will make sure that you get a chance to comment from Human Rights Watch. Look, when we talk about hypocrisy and double standards, I accept that there are some types of hypocrisy and double standards in any type of historic situation. You have to make decisions that you believe get you beyond a crisis. If your buildings are being blown up and thousands of people are being slaughtered, you make certain decisions to get you beyond that point.

However, with that said, I think the United States—it behooves the United States to have a long-term commitment to human rights and not ever to even create a short-term commitment that will prevent us from maintaining that long-term goal.

With that said, when people talk about the United States being hypocrites, I am sorry. I don't accept somebody being upset about Abu Ghraib, where there was mistreatment of some prisoners and then we immediately came in and of course tried to correct it by arresting those people who were not doing what was right, those soldiers that were not doing what was right, by those same people who criticized us for that while they turned the blind eye or even condone the mass bombings of civilians that are going on in Iraq today.

You know, don't tell me about hypocrisy when people are turning a blind eye to the slaughter of innocent civilians that is going on in Iraq and oh, yes, we turned people off because we mistreated people at Abu Ghraib. I am sorry, I am not going to apologize for that. Once we learned there was something wrong, we tried to correct it. Those people who were attacking the United States for that sort of thing, they need to sit back and see if they are being honest with themselves and honest with the world.

So with that, our human rights friend wants to probably comment on something like that.

Mr. MALINOWSKI. I wanted to—let me try to introduce some healthy disagreement here on a couple of different points.

First, on this question of resources, I totally agree on Afghanistan. We should have pumped much, much more both economically and militarily in every possible way. And I think as a general rule, that is right.

But with respect to Uzbekistan, I couldn't disagree more. I think the notion that if we had paid Karimov more, if we had pumped \$1 billion in there and treated him like Pakistan, that he would have seen the light or felt that he needed to do more for the United States, I think it profoundly misunderstands the nature of that regime. I think that kind of largess in that situation, in fact, increases the determination of rulers to cling to power because they get to—

Mr. ROHRABACHER. That misinterprets the strategies that will work. That never works with a dictator. Smother him with money, hug him and he is going to become—

Mr. MALINOWSKI. I mentioned Pakistan for a reason. It clearly has had an opposite affect in Pakistan. It entrenched the military in a position of authority. They use the largess to take control of the economic life of the country, and in fact that kind of largess diminishes the likelihood of real market-based economic reforms which will empower the middle class that will lead to the political change that will have the positive impact that my friend, I think, suggested.

You know, and the notion that if we had done that they wouldn't have machine-gunned a crowd of innocent people in Andijan, I think is just wrong. I think, you know, the very same thing would have happened, and we would have been faced with the same choice.

In terms of your comment, Mr. Rohrabacher, I totally agree there is no comparison between anything the United States has done and the mass murder of innocent people in Iraq every single day by these bombers.

At the same time we are held, and rightly so, to a far higher standard. You know, when Saddam Hussein was torturing people in his prisons, nobody around the world was saying, "Well gosh, Saddam's doing it, so that makes it legitimate." When the President of the United States, and forget about Abu Ghraib, but when he defends the use of secret detention, when he says waterboarding is okay, that has a profoundly negative impact on all of our work around the world. When the chief defender of human rights in the world begins to make those kinds of excuses and equivocations, the whole framework begins to fall apart. So I think that is the distinction.

Mr. DELAHUNT. Thank you, Mr. Malinowski, and

I concur with your—we do claim a certain moral authority, and we ought to be the standard. We ought to be the benchmark, and we ought not ever to allow an erosion in terms of those standards because, what I believe is that America inspires because of those standards.

They don't hate us because of our values. They believe us. Rather, they are disappointed because there is a perception that we haven't met our own standards. And I would submit that is the basis for why we see the perception of the rest of the world, and not just Europeans, and not just Latin Americans, and not just people in the Middle East but people here in this country, and a growing number that are concerned about that.

With that, let me yield to the gentleman from New Jersey, Mr. Payne.

Mr. PAYNE. Thank you very much.

And I, too, concur with the chairman and the gentleman, the witness, who said that we are held to a different standard. I think that our ranking member has a lot of passion, and he has really worked through the administrations going through the Cold War and he has a distinguished record.

However, I definitely disagree that we cannot wallow down into the depths of dictators and bloodthirsty leaders and say that because they do it, we can do it. If we ever start to equate ourselves to these people around the world, we are in serious trouble. I mean very serious trouble.

As a matter of fact, even growing up as a kid, all I heard about was December the 7th, the day that will go down in infamy, the secret attack of the bombing of Pearl Harbor by the Japanese forces, the Imperial Forces of Japan. And even though we did have a little inkling that there was some aggression being built up, and then for us to say we have got to do a preemptive strike on Iraq, you know, some people around the world are equating what is the difference between that day that went down in infamy and the day that we had a preemptive strike in Iraq because someone said there are weapons of mass destruction, biological weapons. Just made up. The reasons kept changing. Finally, it came down to regime change.

If you start going in bombing countries and destroying them because you want to change a President, you know, where is the world going?

So I do think that as we fight this so-called war on terror, we have to be very careful how, you know, in Dante's *Inferno* there was seven levels to purgatory. I don't know if we are supposed to get down to the lowest level to equate ourselves to our enemies.

But let me just ask. You know, was it Mr. Malinowski, I hope I am saying it almost right, about Iran, human rights activists there said, you know, please let us do this alone. Our concern about being identified with the U.S. You know, in Venezuela we got all involved in the election and I think even in—might have been Peru, another Latin American country where the United States cozied up to a particular party, and that was actually used to help defeat the ones that we thought we were helping.

So what do you think about the administration has actually asked for \$75 million for Iran to help opposition activists. Now they have said thanks, but no thanks, please. Let us do it ourselves.

Do you think that the administration should certainly listen to what the Iranians are saying, or do you think they should continue to try to help with this funding?

Mr. MALINOWSKI. They are not listening very well, and here is what Iranian dissidents say to us and I think what they have said to the administration. They want the United States to be speaking out on human rights in their country. They want us to be raising these issues with the Iranian Government. In fact, they don't want the United States to cut a deal on the nuclear issue, among other things, which gives Iran a lot of aid without raising the human rights issue as part of it.

I think most of them are absolutely fine and, in fact, supportive of spending money on things like broadcasting into Iran which increases the flow of information. They also want us to be spending money on exchanges and on anything that increases contact between the two societies, because the more people-to-people contact we have, you know, and things like academic exchanges and other things that are nonpolitical, the easier it is for them to find space to do political activism.

Mr. DELAHUNT. Will the gentleman yield for a moment?

If you can expand for just a moment.

I don't think many Americans, and certainly not most Members of Congress, are aware that there are exchanges that are in exist-

ence between Iranians and the United States at this moment in time.

Mr. MALINOWSKI. At this moment it is pretty much frozen because the Iranian Government has been arresting, as you know, Americans who have been involved in some of these very below-the-radar screen—

Mr. DELAHUNT. Do we have Iranians studying in the United States or participating in any exchanges?

Mr. MALINOWSKI. There have been—I am not sure if they are Iranian students. This is all very much below the radar screen.

Mr. DELAHUNT. We will keep it below the radar screen.

Mr. MALINOWSKI. They also, frankly, want dialogue between the United States Government and the Iranian Government, and one reason they want this is because, you know, the position of the Iranian Government, the Ahmadinejad regime, is if you talk to the Americans, you are a traitor. But if every Iranian sees on television the Iranian Government talking to the Americans, it will be far more difficult for the Iranian Government to enforce that point of view with respect to these citizen-to-citizen dialogues, which they think are so important.

So they want all of that. The one thing that they don't want is for the United States to be saying that we are sending money inside Iran to help the dissidents, to help political activists, to support human rights and democracy because that puts a target on their back.

The truth is, we are not sending it in and yet we say we are.

The State Department put out a fact sheet a week or 10 days ago in which it describes how we are spending this money, and there is a line in there, some of this money supports people inside Iran who are fighting for democracy and human rights. And what they mean by that is well, the broadcasting does that indirectly and they run some seminars outside Iran that Iranians go to. So indirectly it does that. And they are trying to exaggerate the impact of these programs by saying we are helping these people inside.

But the effect that has on Iranians inside is very, very negative, and they have been begging the administration to stop advertising that, to stop saying we are sending money inside.

So I think when you all consider the money and the appropriation, I am not saying you shouldn't be appropriating money for things like broadcasting. I think you should be. But I think you should be absolutely clear in what you say and urge the administration to be clear that this is not meant to be pumping money inside Iran to be helping these groups because it isn't and because that hurts them.

Mr. PAYNE. Just in the same questioning, there was some recent arrests, as you know, what was her name?—Haleh Esfandiari worked for the Wilson Center in Washington. The program was being subsidized by government funds. Do you know how this particular case is proceeding and the prospects of the arrest, and do you think that the government did that as sort of a reaction against this sort of funding that they hear is happening?

Mr. MALINOWSKI. I don't think they did it because of the funding. They are doing it because they are threatened by these contacts.

They are threatened by these exchanges. They are threatened by the notion of civil society.

The funding gives them a pretext. The funding gives them a sort of a nationalistic pretext to crack down on these groups, which resonates with some Iranians, with parts of Ahmadinejad's base.

So it is not that they would be a kinder, gentler government if we stopped saying these things. They wouldn't be, of course. But this is giving them a pretext that they wouldn't otherwise have.

And again, the bottom line is the very dissidents who we want to be supporting are asking us please don't do this. I think that should be enough. And, you know, there are precedents for this.

One story I remember back in the 1980s, Congress appropriated funding to help the Solidarity labor union in Poland. It was a great gesture. Everybody wanted to help Solidarity in that particular time. Money was appropriated. Solidarity said "Oh, actually, no, we can't—we don't want to take this because the Communist government in Poland will label us as a puppet of the United States if we take this money."

And so the Reagan administration said, "Okay, very well. What do you want us to use it for?" And Solidarity said, "Well, we have a medical crisis in Poland. We need ambulances. Use that money to pay for ambulances for our national health service." Which they did, and Solidarity got credit for what was turned into humanitarian assistance.

That is a good example of a government that was listening to people on the ground who were fighting for these goals, and I don't quite understand why it has been hard to break through with the current administration on this issue.

Mr. PAYNE. Just continuing on Iran before my time expires.

It is interesting to note that many younger people—there is a pretty pro-United States thread that runs through many Iranian younger people. I mean our, you know, the styles, the music, it just is not an anti-American sentiment. And I wonder if there is some way, you know, which is positive—as a matter of fact, my alma mater, Seton Hall University, actually invited the former President of Iran 3 or 4 years ago to come and speak at the university, and of course it caught all kinds of devilment from people by doing this, but I think these are the kinds of things that you mention that we should be doing more of.

I just wonder what do you think about the recent statement by the—I guess it is the Independent from Connecticut, Senator Lieberman, who has the bright idea: Let us just go bomb Iran. Do you think that is a good diplomatic tool to help us win over our people?

Mr. MALINOWSKI. As I suggested, in my testimony, if our goal is to unite the Iranian people with their leadership, I think that is a good way of doing that.

Mr. DELAHUNT. Mr. Payne, will you yield? Mr. Meeks has an appointment. I am going to yield right back to you. But I want to give him an opportunity because he is a man with a very frenetic, busy schedule.

With that, let me yield to Mr. Meeks of New York, co-chair of the Caribbean Caucus.

Mr. MEEKS. I come at this, you know, in listening and I heard what our ranking member, who I respect a great deal, had to say. But we talked about democracy, and I can't help to think as I travel, democracy could mean anything to anybody. It is just the word "democracy." What are you talking about, democracy? And what kind of democracy and democracy for who? Because you can have a country that is, you know, a so-called democracy but yet the people within the country or a fragment of that really don't see democracy. And so it takes a lot for the people from within to come together to try to make a difference to do something.

And I think that for me, I am my country's biggest critic. I think I should be. That is part of my responsibility. I would hope that others would be their country's biggest critic. But I think when people look at us, they look at certain things.

There was a recent report that came out, a group of economists, from the people who publish the *Economist* magazine, along with a number of U.S. universities and President Carter, the Dalai Lama, Archbishop Desmond Tutu, and Harry Fulbright. They came up with this program to try to determine, you know, who is the most peace-accomplished nation, et cetera. And they did it with 121 countries, 121 countries. Where did the United States fall? I will tell you. In there it talked about human rights, prison population, violence, access to weapons, military expenditure. And the United States, out of 121, ranked 96. 96.

And that is what happens when we go out and we start talking to people and trying to tell people what to do without putting or placing the highest standard on ourselves. That is why those of us in this government, if we want others to respect what we say, we have got to hold our Government to a higher standard, if we want folks to listen to us and appreciate us, especially the grassroot folks.

Because I talk to poor people and you talk to folks over there, they say, well, you know, conditions of a lot of folks in the United States is not right, and I think about our history. Democracy was, I guess, supposed to have been here for over, you know, 200 years, 250 years. But it sure wasn't that way for people of African descent in the United States of America. Surely it was not that way in a so-called democracy.

So people get to question whether you are talking about just telling you to do what we tell you to do because we are telling you to do it and try to throw it down somebody's throats, or working with people so that they can in fact accomplish what they want to accomplish.

I think that is exactly what you are talking about when you say give them ambulances as opposed—because we listened to the people there. Too often we don't want to listen to anybody. We tell you how to do it. If you don't do it the way we tell you how to do it, then you are not with us. That is what, you know, people feel. It is starting to happen now, not only with individuals in the Middle East. It is starting to happen with some of our allies. It is starting to happen with some of the Europeans. They are starting to get upset about how we pushed this thing called democracy as opposed to working with people, as opposed to trying to understand.

I mean, I am concerned. This guy, for example, in Iran, Ahmadinejad, he is a bad guy. One of my questions, I will just throw that out real quick, but the way we are talking about we want them to have democracy, you know, I was looking at, you know, some time ago, you know, when he got elected, he was supposed to have been just a figurehead, his government was in trouble recently, not too long ago, because you look at the municipal elections, his party was losing large elections. But we put the ships in and different things start to happen and Lieberman said what he had to say, and then all of a sudden we see he is getting stronger.

So my question, maybe I am not saying it right, but do you believe, in Iran, that Mahmoud Ahmadinejad is gaining power at the expense of the moderates simply because we are not listening and we are saying, "Do as I tell you to do or it ain't gonna happen."?

I will throw that question out there.

Mr. HAMZAWY. Yes. Ahmadinejad has gained over the last 2 years at least from the administration's rhetoric on Iran and from exactly the attitude which you just described, pushing them, prescribing to Iranians what they should do, and Ahmadinejad and his propaganda machinery, and I use this term in a very conscious way, have done an excellent job in using and playing a nationalistic card and portraying Ahmadinejad and his policies as the only way to defend Iranian national interests and Iranian sovereignty against systematic interventions. And here the manual was used, 75 million which were assigned to so-called democracy promotion programs, were used to discredit homegrown opposition movements.

But this issue raises a substantial question with regard to democracy promotion and whether the U.S. is really willing—given the different security interests—is really willing to listen to what homegrown opposition movements, democratic movements put forward, or whether the U.S. has an interest in ignoring them and in a way keeping its contacts and keeping its alliance with friendly regimes or keeping its attitude with regard to pressing or undermining America's perceived enemies.

So the real bottom line is whether the U.S. is willing to promote democracy to homegrown opposition movements and to take risks and tradeoffs because democracy promotion will not come without tradeoffs. Promoting democracy in a country like Saudi Arabia means there are tradeoffs which are bound to happen. And the U.S. is better to compromise it as a priority. It was a perception of a hierarchy of priority, what it can give up on and what it cannot give up on.

And finally this third issue, and here I am coming back to your remarks, Mr. Rohrabacher, on regime change and democracy promotion. I agree with what you said, and until now, this is the case, if you listen to constituencies not in Iran but in many Middle Eastern countries, people are for democratization and for democratic change and even for a measure of American help, for a measure of American assistance to promote democracy.

But they are definitely against regime change used as a carrier to promote democracy because this is basically in a way, in a very

explicit way, you are ignoring, you are ignoring homegrown domestic sentiment.

Mr. MEEKS. The people don't want to be puppets. I have got to go. People don't want to be puppets. They don't want to be perceived as if they don't know anything and, "We have got to do it the way that you tell us to do it, and that is it." Because what is happening is they have pride also, and their culture is different, and oftentimes when we move in certain places we don't consider what those people's culture is or value their culture at all. It is our culture that we are talking about, and we want to impose our culture on other individuals who want democracy, and they can get it in their way, not in our way.

I am sorry. I cut you off.

Mr. HAMZAWY. And imposing democracy, especially as it was practiced in terms of justifying the occupation or the invasion of Iraq and removing Saddam Hussein from power, has only resulted in discrediting the rhetoric, not only the Americans, but the rhetoric, and the democracy promotion agenda across the region.

So what I am saying is we do have constituencies in many countries asking for measured American assistance in improving human rights conditions, in promoting democracy, but the condition really is to listen to homegrown opposition movements and to take them seriously, not by imposing on them a set of benchmarks or impressions devised and in fact identified here in the U.S. but by listening to them.

This is my final point. This society is not static. We have trouble. We have crisis. We have autocratic rulers. But they are dynamic, and they have a voice that we can listen to. Many of them come to the U.S. We just need to listen carefully to what they put forward. We just need to listen carefully to what Saudi Arabians put forward. We need to listen carefully to what Egyptians and Moroccans and Yemenis put forward.

But at the end of the day, their experience has been that this administration, previous administrations, have kept their strategic alliance with autocratic regimes just based on national security issues and interests of the U.S. which undermine the rhetoric.

Mr. MEEKS. Thank you so much, Mr. Chair. I yield back to Mr. Payne.

Mr. DELAHUNT. Mr. Payne.

Mr. PAYNE. I will certainly just conclude.

Just about, you know, our great ally, Saudi Arabia. There recently have been some supposedly moves on the Government of Saudi Arabia. The King funded a human rights society, nongovernmental organization to investigate human rights violations.

Do you really think that this society has any independence? I don't know whether the rights of women that are totally abused—can women drive yet in Saudi Arabia? No. They let them vote, right? Are they voting now? Can they vote?

Mr. HAMZAWY. No.

Mr. PAYNE. How about they have to walk a half or foot or two behind the men?

Mr. DELAHUNT. The ranking member just said they can't drive to the polls.

Mr. HAMZAWY. It is a depressing picture.

Let me tackle first your question on the Human Rights Council which was established.

Yes. This organization is not independent, is not autonomous. It is controlled and managed by the government. In fact, if you look at the board of directors of the organizations, these are figures that are really close to the Saudi Royal Family and the Saudi ruling establishment. Yet it is a step institutionalizing even when it is government controlled, even when it is managed and contained by the government, institutionalizing, realizing an organization. This was not the case in Saudi Arabia until 2004, 2005. Saudi Arabia was an undemocratic society where we did not have any barriers between rulers and so-called citizens. The layer of civil society organizations, nongovernmental organizations did not exist.

So even if it is government and it is government controlled, institutionalizing nongovernmental organizations is a step forward.

But human rights abuses have continued systematically with no change. Human rights workers which go to Saudi Arabia document human rights abuses. There is a growing active scene of growing activists, of human rights. But in no way has this impacted positively on to the government attitude. So abuses continue systematically.

Finally, on women, yes, we do not have—they cannot drive and they are not registered voters or candidates in elections. They were, however, which is significant, they were allowed to vote and to run as candidates in syndicates which, once again, shows the importance of the civil society arena in a country like Saudi Arabia. Saudi Arabia institutionalized the professional syndicate, once again controlled by the government, but they did that—allowing these syndicates, chambers of commerce, professional syndicates, they did allow women to vote and to run as candidates, which was a step forward in the way it did create the meaning of women participating in public affairs. And it is not a significant step. It is a slight, positive step ahead which needs to be noted but will have wider impact on the society.

It remains a society which is extremely driven by conservative ideology, by conservative, religious-based ideology which has the official establishment and this ideology assigns no role to women in public life so far.

Mr. PAYNE. I think that we made a mistake. You know, USAID never got really involved in education, you know, building of schools or funding education in countries around—especially in Africa where the Saudis are sending in funds for the Wahhabi teachings and schools. And so as a result, you know, we have seen sort of a quiet radicalizing of countries where Islam—in Africa Islam was never a serious difference between people. I mean, in families, some are Muslim, some are Christians. It didn't even matter. It wasn't even discussed.

Now with the radicalism coming in, you see in Nigeria, of course Sudan is a prime example of the whole power of religion and Shari'a and that is what the Sudan civil war was all about. And so I think that we sort of allowed the Saudis to kind of push their ideology around in developing countries that were just anxious to get some assistance in education, but the bad part went with it where we could have been doing that rather than spending so

much money propping up, you know, the Mobutus and the military dictators where we spent hundreds of times more money on weaponry and those kind of things, and the radical Islamists were spending, you know, just a miniscule amount compared to what we were spending but getting their whole point across.

So I yield back, Mr. Chair.

Mr. DELAHUNT. Well, thank you, Mr. Payne.

Would you agree with the statement that when there is a choice or in framing American public policy while human rights is a component in terms of the formulation of policy, it really has historically been at the low rung of the ladder? If there is a conflicting imperative, mostly—usually on national security concerns, it is always the national security concern that will trump the human rights concerns. I think it was your testimony, Mr. Malinowski, where you pointed out that Saudi Arabia has been condemned by the State Department for its policies on human trafficking. It is labeled a Tier 3 country. But the administration waived the designation so as not to impose any of the sanctions pursuant to the legislation, particularly as it relates to military sales to Saudi Arabia, because the waiver would be to advance goals of the global war on terror and United States commercial interests, re: The oil.

If you agree with that statement, then my question would be, how do we respond to—we find ourselves, Members of Congress, others, in a real conundrum when we confront those nations that have comparable—in some cases better—human rights records, but whom we castigate day, after day, after day from Washington, from daises such as this, about violation of press freedoms or lack of respect for labor organizations. Because when we examine on the record in terms of absolutes without putting it in context, if you just talk about torture and religious freedom and all of those human rights that we have been discussing today, I mean, Saudi Arabia doesn't come out very well. I mean, I have been to Havana. I have seen women drive cars in Cuba.

Mr. ROHRABACHER. Old cars.

Mr. DELAHUNT. Old cars, but still cars. In fact, I have attended, you know, mass in Cuba. I have had multiple conversations with Cardinal Ortega, who is the Primate, the Roman Catholic Primate of Cuba. I have met with the Jewish community in Havana. So when I go to an event and they say, "Please, give me a break, you are in bed with the Saudis, and you have the arrogance to condemn the human rights record of the Castro government," which I do. In fact, many of the dissidents that were arrested and incarcerated, the so-called 75, in April 2003, some of them were close, personal friends of mine. But how do we work out the conundrum? How do we say we are not hypocrites? How do we do that? Give me some guidance.

Mr. LIPPMAN. Can I try a bite of that?

Mr. DELAHUNT. Sure.

Mr. LIPPMAN. I think my colleagues would agree there is a difference between tactical maneuvering that has to go on here and standing for what we believe in and believing in what we stand for and letting everybody know, we mentioned earlier, that we are held to a higher standard. We should want to be held to a higher standard. We should ask to be held to a higher standard, and we should

let the world know that we have our faults. We are going to make mistakes. Some people are going to feel that we didn't serve their interests or their particular cause the way we should have, but consistency of principle and consistency, I would say, of principled rhetoric is not unachievable. I think part of the problem is that—particularly the way the government is organized—the State Department and the Defense Department are compartmentalized. The Africa deaths and the Middle East deaths and the China people and all that. And you see this and because it sometimes results in almost policy paralysis. I believe that a consistent adherence to the principle and to the ideals of human freedom, individual liberty, personal security that we believe in is not inconsistent with tactical maneuvering to do what we have to do in a messy world.

Mr. DELAHUNT. Dr. Hamzawy.

Mr. HAMZAWY. Once again, I agree with what Tom said. But in reality, the potential for consistency in the rhetoric is minimal. And we just need to look at the last few years to discover many spaces of inconsistency. What Congress can do I would say at two levels: One, Congress ought to be consistent about its own rhetoric with regard to ideals of human rights. Congress does not face the same restraints which the administration faces when looking at Saudi Arabia. Maybe to a lesser extent.

And secondly, and here is the more policy-oriented part of it, Congress has the obligation to guide the administration even while it is in bed with the Saudis, as to where are the spaces, where are the spaces where the Saudis can be pressed without leaving the bed. And there are spaces where the Saudis can be pressed. There are spaces where the Saudis can be systematically pressed. And the U.S. has the leverage to do so if it is interested.

Mr. DELAHUNT. Doctor, I appreciate that. And let me—and I am going to go right down the line here. But I am going to ask—I thought—I think it was your recommendation that we incorporate—or maybe it was Mr. Malinowski's, or someone else, but into the—

Mr. HAMZAWY. Strategic dialogue.

Mr. DELAHUNT. Within the strategic dialogue between the United States and Saudi Arabia that we encouraged the administration, maybe through a sense of Congress resolution, to incorporate a discussion of human rights. Does that make sense?

Mr. HAMZAWY. It does.

Mr. DELAHUNT. I mean, I hear you. You are what I would describe as a pragmatist and an incrementalist, particularly when faced with certain realities. Does that make sense?

Mr. HAMZAWY. It would make great sense to institutionalize the discussion with the Saudis.

Mr. DELAHUNT. I will ask my good friend from California, the noted surfer, if he will do that. Dr. Olcott.

Ms. OLCOTT. I would like to make two short points. I think that both Mr. Meeks and Mr. Payne made important comments. I think that the double standard is going to be that the oil states have double standards. I think we would get people to take our rhetoric more seriously, as we talked about before, by introducing vocabulary of universal goals or things they have signed, but also by having more humility about our own experience and our imperfections.

It is clear we should be moving forward more humbly than we sometimes appear to be. That is the first point.

I think Mr. Payne's point was also really critical. I think we have to become more sensitive not just to the human rights abuses of today but the potential abuses. His point about not having spent money on education in Africa was really critical. We are not spending on education in post-Soviet states too. The Uzbeks are not letting in Saudi money, but education is declining in all these places. In places where we are not engaging because of current human rights abuses we have to protect ourselves better against the risk that we are helping to create future human rights abuses because of the low level of international engagement more generally. And so we run the risk of undereducated women all over the place, and with it the decline of secularism. These are all future abuses that we have to be more sensitive to and aware of as we move forward.

Thank you.

Mr. DELAHUNT. Mr. Malinowski.

Mr. MALINOWSKI. Thanks. A note about Saudi Arabia and then a point on your question on how to balance interests. You mentioned on the Saudi case that the government is now cited officially for violations of religious freedom and the trafficking thing, and that reminded me that for many years the State Department didn't designate Saudi Arabia a major violator of religious freedom even though it clearly was. And it didn't because the wisest experts on Saudi Arabia at the State Department said persuasively, apparently, that if we did that it would blow up the relationship with Saudi Arabia. Well, eventually the State Department did it, and the sky didn't fall. There is still a close relationship between the United States and Saudi Arabia.

Of course, there is a way to speak honestly even to governments as sensitive as the Saudis about—

Mr. DELAHUNT. With respect.

Mr. MALINOWSKI. With respect, of course.

Mr. DELAHUNT. With cultural respect.

Mr. MALINOWSKI. Of course you can speak about these things, and I think if we did just what you just suggested and urged that these issues be part of the formal strategic dialogue, that would be welcomed by the vast majority of Saudis, who also believe that these problems exist and that they should be openly discussed, and I think they would welcome it.

On the whole issue of, you know, do other interests always take precedence, I think if you look at it historically we do always end up doing the right thing after we exhaust all other options. And back in the 1980s we—my organization was thought of as being somewhat naive and unrealistic for suggesting that the United States should not continue to pursue a completely uncritical relationship with another very important power in the Middle East, and that was Saddam Hussein's Iraq. And you know, well, call us naive. We thought that was probably a bad idea for U.S. interests, that that government was probably not a good partner and friend. And you know, come the invasion of Kuwait, everybody came to agree with us.

On Pakistan, setting aside the moral issues and focusing on core United States national interests, what is the core interest right

now? It is Afghanistan; it is the fight against the Taliban and al-Qaeda. Why is the Government of Pakistan not being particularly helpful in that? Well, it is actually fairly simple to explain. The military leader of Pakistan cannot depend on the support of the majority of people in that country who want a more moderate secular course for that country's future. Therefore, he has to depend on the minority in that country that is more inclined to support groups like the Taliban, and therefore feels he cannot afford to crack down on them. You know, set aside our wonderful idealistic goals about liberty and freedom for everybody. There is a linkage between the core national interest and our promotion of human rights.

And so I think my answer to that question when I talk to folks at the State Department and elsewhere is not to separate these things out but to see the linkages.

Mr. DELAHUNT. Well, let me go to my friend from California. Dana? We try to wear out our panel.

Mr. ROHRABACHER. Closing statements?

Mr. DELAHUNT. No. We are just starting actually.

Mr. LIPPMAN. The working groups and the so-called strategic dialogue were created. They grew out of the same meeting at the Crawford ranch between Bush and Abdullah where the statement came out that essentially gave the Saudis a free pass, in my opinion. The subject of human rights was so conspicuous by the absence from the list of topics to be addressed that it called attention to the fact that we weren't even addressing it, and even in a most respectful way. And I would say that I agree completely with Tom Malinowski that it is possible to discuss many of these issues now in a helpful, respectful, creative way because the Saudis do it themselves. And you go to Saudi Arabia today, issues of public interest along these lines—the rights of gay people, for example, are ventilated in open forums and in the media in ways that they never were before. You may not like the tenor of the discussion, but it is on the table. And if they could have it on their own table, I don't see why we can't discuss it with them.

Half the people, more than half the people coming out of Saudi Arabia's universities as graduates now are women, new dynamic coming up through the society as they seek to protect and advance some of their own interests. It is a static society, as I said in my opening remarks, and they are not totally resistant to any suggestion that we might have some helpful ideas.

Mr. DELAHUNT. No. I really do appreciate the testimony. Because I think you are correct. And I wonder—I don't know, but I would speculate that—this subcommittee has never had until today a hearing that would review the issues that we have reviewed specifically, looking at the three countries. Mr. Malinowski added Pakistan, and appropriately so. And I think it is important. I think there is a reluctance on the part of—well, “let's just, you know, not talk about it.” And I think we are making a mistake not doing that. And it does not have to implicate strident rhetoric that is confrontational in nature and, like Mr. Meeks said, my friend from New York, in-your-face because that is not going to accomplish it. We keep pointing our finger in your face, in someone else's face, it is going to get bitten off.

So I would suggest a very pragmatic approach, get it all out, acknowledge that there is a problem or that we have a serious disagreement. I mean, I applauded the administration for shifting gears and sitting down with representatives of Iran and Syria. Got to talk to everybody. I am an attorney by profession and it is all about—I would equate it with a discovery proceeding. It is like, I would rather watch C-SPAN than a variety of cable shows because you have got to hear it yourself. Everybody has an opinion and, you know, opinions tend to be selective. We examine those facts that we look to to support and buttress our own argument or our own advocacy. So getting it all out.

What I find frustrating is here we are speaking about Saudi Arabia. But I guarantee, you come to any hearing in this room, you are not going to hear a lot about Saudi Arabia. You will hear a lot about Iran and Cuba and North Korea and not that, you know, that they have records that don't deserve substantial criticism. But I know when I travel and I go overseas and I hear, "Hey, you know, we know it is all just politics and posturing." I mean, here we have our own President. I think it was you, Mr. Malinowski, in the discussion on Pakistan. What is occurring here today in Pakistan is outrageous. And yet President Bush describes what I believe the democratic forces—and maybe I am wrong but I am open to listening—the democratic forces there in terms that undermine them. They are posturing. What do we gain? I mean, I really wonder sometimes whether we, you know, should—whether all the bills and the sense of Congress resolutions that we pass, if in aggregate they tend to hurt our foreign policy goals and our ambitions as opposed to assist. I applaud the goals, but I wonder sometimes whether we have developed such an extraordinary talent in doing it the wrong way that we should take a hiatus for a decade in terms of putting anything on paper.

Mr. Rohrabacher?

Mr. ROHRABACHER. Thank you very much, and I appreciate it again. I think that you have chosen a number of very provocative subjects for our hearings. It is important to open up discussion like this that will stimulate discussion throughout the world, actually. People who read what goes on here or are watching on C-SPAN, et cetera.

Just a few closing thoughts on my part, and that is, number one, I do have a very strong record on human rights. And in fact, as I say, back in 2003 I had a piece of legislation talking specifically about Saudi Arabia and how we should be including that in our dialogue. I would be happy to present that as a present for you today and for your consideration. We might use it as the basis of insisting that that be part of the diplomatic discussion between our countries, which I of course would support, which is the idea that you presented, which I think is a very fine idea.

Let me note this, I do not believe that it is compromising my human commitment to human rights or moral principles that we kill murderers. Take a murderer and you execute him. I know that Human Rights Watch may mirror Amnesty International. Whether you equate the murderer in killing him while you have him in custody to the murder, act of murder, which the murderer committed. I see that totally different, and I have no apologies for that. People

can think that I have a double standard and am being hypocritical. Those who believe that know, you get some guy who has slaughtered some young children someplace; I will pull the lever myself and get rid of him. And I am not a murderer. I am someone who society has elected to make these types of decisions and the people of our country made that. I don't believe that that moral standard is something that should be equated with the moral standards of the murderer himself.

Similarly, I do not believe, for example, that it is hypocritical for those of us who believe in democracy and oppose the use by tyrants of torture and oppose the use of force by tyrants to maintain their power. I don't consider it hypocritical for those of us who believe in democracy and are trying to defend democracy to compel a terrorist, who would impose a dictatorship on the world and the rest of us, to disclose information that might save 10,000 lives of those who have been targeted by that terrorist in his attempt to terrorize democratic peoples into submission to religious dictatorship. No, I don't consider that to be moral equivalency at all. And I don't consider it to be—and if some people try to uplift that and try to create that and say ah, that is a double standard and that is just making people angry, if the people of the world can't see that, so be it.

The United States of America has every race, every religion, every ethnic group here. We are here as an example of what happens. We will have to make our decisions on what is the moral standards for humankind and taking a terrorist that is going to slaughter 10,000 people or 100,000 people or try to create a poison in the food system of a country that would result in millions of people dying, trying to compel that terrorist to talk, taking him off the streets—we have taken 200 of them off the street and are holding them somewhere—that is not equivalent of us being willing to kill millions of people to terrorize the world into some form of dictatorship.

Now, maybe that is the moral decision we all have to struggle with. I don't have any struggle with that. And if the people of the world want to judge me differently or judge the United States differently, they can. But I don't believe that down deep people—and if they do, if they can't understand the significant difference between those two elements, well then so be it. We will just try to do our very best, those of us who believe in trying to take a practical approach. But that does not excuse—walking away from practicalism does not excuse walking away from your standards.

Just like we were talking about Uzbekistan. I couldn't agree with you more. Simply providing more money for Uzbekistan, or some of these other dictatorships, whether it is in Africa or elsewhere, is not going to convince the ruling elite of those countries to become more democratic. In fact, it is what I call a "Hug a Nazi, Make a Liberal" theory. I don't think it has ever worked. You don't try to embrace these people or try to give them money and buy them off. You just have to stand up for principle. It doesn't mean that every time there is someone who does not meet our standards that we have to invade them. All right? We don't have to invade Saudi Arabia like we did with Saddam Hussein. Okay? We don't have to do that. To be non-hypocritical, we can indeed use force against Sad-

dam Hussein while choosing to use persuasion with the Saudis. However, we should be using persuasion with the Saudis. That would be hypocritical if we backed away from making a principal stand as compared to just saying, "Oh, you can't use force here unless you are willing to use it everywhere."

So with that, I think we have had a very provocative discussion here today, Mr. Chairman, and we have brought up some specific information about what is going on in the world, and I really enjoyed all of your opinions and learned a lot today. So thank you very much.

Mr. DELAHUNT. Thank you, Mr. Rohrabacher, and I am glad for your declaration of non-invasion of Saudi Arabia. I am sure that that will calm those in Riyadh and Jedda will feel safe and secure tonight that we won't be.

Any closing?

Mr. ROHRABACHER. Not in Cuba.

Mr. DELAHUNT. Not in Cuba, right. They are easy, they don't have any oil.

Mr. ROHRABACHER. Not yet.

Mr. DELAHUNT. Let me just ask Dr. Olcott one final question. You reference Kazakhstan and the fact that there appears to be silence about the constitutional amendment that we would create a President for life potential. Do you wish to comment on that? Does that have anything to do with oil?

Ms. OLCOTT. By the silence? I am sure the silence does have to do with oil.

Mr. DELAHUNT. I know that is speculation.

Ms. OLCOTT. No, no. I have spent a lot of time trying to think this issue through. I think that there were some good things in the reform. I mean, I think people were a little stunned that this provision came up, making him President for life, because there had been a draft that had been leaked 2 months before of what the constitutional amendments were going to be, and there were some modifications to them. But this thing was not part of it and there were no leaks about it. So I think part of the silence was that he just kind of caught everybody by surprise. And yes, I think that Kazakhstan is viewed as a critical strategic partner of the United States, and that is one reason why this didn't become a huge point of controversy. He is not up for election now, and what he has gained is the ability to run again if he wishes in 2012.

So it is a confusing thing to wrap your head around. The Kazakh opposition has been very outspoken about it. Is it a double standard? Well, I think Karimov was betting on the fact that he will get to do the same thing, and that is part of why I think this occurred. It frees a lot of other people to do the same thing. But it wasn't the most important thing. That reform was very imperfect but it did democratize. So I think that the State Department's statement was wishy-washy, but they were driven to a wishy-washy statement by the fact that they got a bunch of the things they wanted but not as much as they wanted, and then they had this thing thrown in that they had no anticipation was coming.

Mr. DELAHUNT. Mr. Malinowski?

Mr. MALINOWSKI. One thing that my experience in government taught me is that oftentimes things happen for a reason. Often-

times things happen because people just mess up and there is no good reason. And actually, my friends at the State Department tell me this was actually the latter case, that the reason they made a wishy-washy statement was because the spokesman blew it, he didn't have guidance that day, and they were all kind of embarrassed by what was not said.

The problem sometimes—you know, the problem that happens when the State Department makes a mistake is they don't rush out to correct it unless people ask them to repeatedly. Media or the Congress. My sense is if you are concerned about this, and I hope you are, that you do ask the State Department to clarify its position. My guess is you might get a slightly less wishy-washy answer and that would be very helpful.

Mr. DELAHUNT. Any final, any final? Anyone want to say anything? Anybody in the audience? Thank you so much. We will adjourn.

[Whereupon, at 4:30 p.m., the subcommittee was adjourned.]

A P P E N D I X

MATERIAL SUBMITTED FOR THE HEARING RECORD

STATEMENT FOR THE RECORD BY THE UNITED STATES COMMISSION ON INTERNATIONAL RELIGIOUS FREEDOM

IRAN

The government of Iran engages in systematic, ongoing, and egregious violations of religious freedom, including prolonged detention, torture, and executions based primarily or entirely upon the religion of the accused. Over the past year, the Iranian government's poor religious freedom record deteriorated, especially for religious minorities and in particular for Baha'is, Sufi Muslims, and Evangelical Christians, including intensified harassment, detention, arrests, and imprisonment. Heightened anti-Semitism and Holocaust denial rhetoric and activities by senior government officials have increased fear among Iran's Jewish community. Since the 1979 Iranian revolution, significant numbers from religious minority communities have fled Iran for fear of persecution. Dissident Muslims also continue to be subject to abuse. Since 1999, the State Department has designated Iran as a "country of particular concern," or CPC. The Commission continues to recommend that Iran remain a CPC.

The Constitution of the Islamic Republic of Iran proclaims Islam, specifically the doctrine of the Twelver (Shi'a) Jaafari School, to be the official religion of the country. It stipulates that all laws and regulations, including the Constitution itself, be based on Islamic criteria. The head of state, Ayatollah Ali Khamenei, is the Supreme Leader of the Islamic Revolution and has direct control over the armed forces, the internal security forces, and the judiciary. The Council of Guardians, half of whose members are appointed by the Supreme Leader, reviews all legislation passed by the *Majlis* (parliament) for adherence to Islamic and constitutional principles. The Constitution grants the Council of Guardians the power to screen and disqualify candidates for elective offices based on a vague and arbitrary set of requirements, including candidates' ideological and religious beliefs.

In recent years, hundreds of prominent Muslim activists and dissidents from among the Shi'a majority advocating political reform have been sentenced to lengthy prison terms by the Revolutionary Court, on charges of seeking to overthrow the Islamic system in Iran; others have been arrested and detained for alleged blasphemy and criticizing the nature of the Islamic regime. Reformists and journalists are regularly tried under current press laws and the Penal Code on charges of "insulting Islam," criticizing the Islamic Republic, and publishing materials that deviate from Islamic standards. Prominent Iranian investigative journalist Akbar Ganji was released from prison in March 2006 after serving a six-year prison sentence on reportedly spurious charges of "harming national security" and "spreading propaganda" against the Islamic Republic. Ganji was arrested and convicted as a result of attending a human rights conference in 2000 in Germany, where he publicly expressed views critical of the Iranian regime. Following a visit to Iran, the UN Special Rapporteur on the Right to Freedom of Opinion and Expression concluded in early 2004 that such charges brought by Iranian courts "lack any objective criteria" and are open to "subjective and arbitrary interpretation by judges implementing them."

A number of senior Shi'a religious leaders who have opposed various religious and/or political tenets and practices of the Iranian government have also been targets of state repression, including house arrest, detention without charge, trial without due process, torture, and other forms of ill treatment. In October 2006, a senior Shi'a cleric, Ayatollah Mohammad Kazemini Boroujerdi, who opposes religious rule in Iran, and a number of his followers were arrested and detained after clashes with riot police. Iranian officials charged him with "sacrilege" for having claimed to be a representative of the hidden Imam, a venerated figure in Shi'a Islam. Boroujerdi

has denied these charges. While the current status of Boroujerdi and his followers is unknown, it appears that he and several of his followers remain in detention.

Muslim minorities continue to face repression. Some Iranian Sunni leaders have reported widespread abuses and restrictions on their religious practice, including detentions and torture of Sunni clerics, as well as bans on Sunni teachings in public schools and Sunni religious literature, even in predominantly Sunni areas. Sufi and Sunni Muslim leaders are regularly intimidated and harassed by intelligence and security services and report widespread official discrimination. The Sunni community still has not been able to build a mosque in Tehran. In February 2006, Iranian authorities closed and destroyed a Sufi house of worship in the northwestern city of Qom and arrested approximately 1,200 Sufis who took to the streets in protest. Most were released within hours or days, although dozens reportedly suffered serious injuries. More than 170 Sufis were detained and reportedly tortured in order to extract confessions that would be broadcast on national television. Those who were released were forced to sign agreements saying they would not attend Sufi religious activities in Qom and would make themselves known to intelligence offices. Some were forced to sign documents renouncing their beliefs. In May, a court sentenced more than 50 Sufis to jail on various charges in connection with the February incident. According to the State Department, the defendants and their two lawyers were sentenced to a year in prison, fines, and 74 lashes. In addition, there were reports in the past year that the government is considering banning Sufism outright.

The constitution of Iran formally recognizes Christians, Jews, and Zoroastrians as protected religious minorities who may worship freely and have autonomy over their own matters of personal status (e.g. marriage, divorce, and inheritance). Nevertheless, the primacy of Islam and Islamic laws and institutions adversely affects the rights and status of non-Muslims. Members of these groups are subject to legal and other forms of discrimination, particularly in education, government jobs and services, and the armed services. Non-Muslims may not engage in public religious expression and persuasion among Muslims; some also face restrictions on publishing religious material in Persian.

Since August 2005, the Iranian government has intensified its campaign against non-Muslim religious minorities. A consistent stream of virulent and inflammatory statements by political and religious leaders and an increase in harassment and imprisonment of, and physical attacks against, these groups indicate a renewal of the kind of oppression seen in previous years. Ayatollah Ahmad Jannati, head of the Guardian Council, has publicly attacked non-Muslims and referred to them as “sinful animals” and “corrupt.” In November 2005, after publicly criticizing Ayatollah Jannati’s remarks, the lone Zoroastrian member of the Iranian parliament was charged with the “dissemination of false information, slander and insult” by Iranian authorities, though as of this writing, the case has not gone to trial. In March 2006, the UN Special Rapporteur for Freedom of Religion or Belief confirmed that religious freedom conditions are worsening for all religious minorities in Iran, particularly Baha’is.

The Baha’i community has long been subject to particularly severe religious freedom violations in Iran. Baha’is, who number approximately 300,000–350,000, are viewed as “heretics” by Iranian authorities, and may face repression on the grounds of apostasy. Since 1979, Iranian government authorities have killed more than 200 Baha’i leaders in Iran, and more than 10,000 have been dismissed from government and university jobs. Baha’is may not establish places of worship, schools, or any independent religious associations in Iran. In addition, Baha’is are barred from the military and denied government jobs and pensions as well as the right to inherit property, and their marriages and divorces are not recognized. Baha’i cemeteries, holy places, and community properties are often seized and many important religious sites have been destroyed.

In recent years, Baha’is in Iran have faced increasingly harsh treatment. Baha’i property has been confiscated or destroyed and dozens of Baha’is have been harassed, interrogated, detained, imprisoned, or physically attacked. In 2005, the personal property of several Baha’is in Yazd was confiscated and destroyed and a Baha’i cemetery in Yazd was razed. In the past several years, a series of articles in the government-controlled newspaper *Kayhan*, whose managing editor is appointed by Supreme Leader Ayatollah Khamenei, have vilified and demonized the Baha’i faith and its community in Iran. In March 2006, the UN Special Rapporteur on Freedom of Religion or Belief exposed a confidential October 2005 letter from the Iranian Chairman of the Command Headquarters of the Armed Forces to several Iranian government agencies directing these entities to collect information on all members of the Baha’i community in Iran and to monitor their activities. In the past, waves of repression against Baha’is began with government orders to collect

such information, and the new directives have created a renewed sense of insecurity and fear among Baha'i adherents.

In the past two years, dozens of Baha'is have been arrested, detained, interrogated, and subsequently released after, in some cases, weeks or months in detention. Charges typically ranged from "causing anxiety in the minds of the public and of officials" to "spreading propaganda against the regime." In December 2005, Zabihullah Mahrami, a Baha'i who had been jailed for more than 10 years on charges of apostasy, died in prison under mysterious circumstances. In May 2006, 54 Baha'is, mostly young women in their teens and 20s, were arrested in Shiraz while teaching underprivileged children non-religious subjects such as math and science. Throughout the fall of 2006, several other Baha'is were arrested and released pending trial. In none of these cases were any formal charges ever filed. More than 120 Baha'is have been arbitrarily arrested since early 2005. Dozens are awaiting trial, while others have been sentenced to prison terms ranging from 90 days to one year. All of those convicted are in the process of appealing the verdicts. As of this writing, there are more than 60 Baha'is awaiting trial on account of their religious beliefs.

In the past, members of the Baha'i religion have not been allowed to attend university. Significantly, in the fall of 2006, for the first time in decades, nearly 200 Baha'i students were admitted to a number of universities and colleges in Iran, although more than 90 of those admitted have since been expelled after university officials learned that they were Baha'is. Furthermore, during the past year, young Baha'i schoolchildren in primary and high schools increasingly have been pressured to convert to Islam, and in some cases, expelled on account of their religion. In December 2006, the UN General Assembly adopted a resolution condemning the Iranian government's poor human rights record, including its continued human rights abuses targeting religious minorities and its escalation and increasing frequency of violations against members of the Baha'i faith.

Christians in Iran continue to be subject to harassment, arrests, close surveillance, and imprisonment; many are reported to have fled the country. Over the past few years, there have been several incidents of Iranian authorities raiding church services, detaining worshippers and church leaders, and harassing and threatening church members. As a result of one of these raids, an Evangelical pastor, Hamid Pourmand, was imprisoned in September 2004 and sentenced in February 2005 to three years in prison by a military court. In November 2005, he was acquitted by an Islamic court of charges of apostasy but was ordered to serve the balance of his original three year sentence. In July 2006, without explanation, Pourmand was released from prison but was reportedly warned by authorities that if he attended any church services, his release orders would be revoked. It is a common practice, particularly in cases involving offenses based on religious belief, for Iranian authorities to release prisoners but to leave the charges against them or their convictions in place in order to threaten them with re-imprisonment at any time in the future.

In May 2006, a Muslim convert to Christianity, Ali Kaboli, was taken into custody in Gorgan after several years of police surveillance and threatened with prosecution if he did not leave the country. He was interrogated, held incommunicado, and released after a month. No charges have been filed against him. According to the State Department, a Christian couple who had been arrested in September 2006 for leading a house church in Mashhad was released after almost two weeks in detention. Formal charges have still not been pressed against the couple, but authorities have indicated that the couple's arrest and detention were in connection with their Christian beliefs and activities. In December 2006, at least eight house church leaders were arrested in a sweep by authorities in four different cities. The church leaders were charged with evangelization and "acts against the national security of the Islamic Republic." All but one was released either within days or weeks of the original arrests; as of this writing, Behrouz Sadegh-Khandjani is the only one from among that group who remains in police custody in Tehran. Iranian President Mahmoud Ahmadinejad reportedly has called for an end to the development of Christianity in Iran. During the past few years, representatives of the Sabian Mandaean Association reported that even the small, unrecognized Mandaean religious community, numbering between five and ten thousand is facing intensifying harassment and repression by authorities.

Official policies promoting anti-Semitism are on the rise in Iran, though members of the Jewish community have usually been singled out on the basis of "ties to Israel," whether real or perceived. President Ahmadinejad and other top political and clerical leaders have made public remarks in the past year denying the existence of the Holocaust and stating that Israel should be "wiped off the map." Anti-Semitic tracts have also increased in the government-controlled media, including editorial cartoons depicting demonic and stereotypical images of Jews along with

Jewish symbols. In the fall of 2006, and in response to the Danish cartoon controversy, a prominent newspaper, *Hamshahri*, cosponsored a cartoon contest in which the paper solicited submissions from around the world attacking Jews and the Holocaust. Iran's official Cultural Ministry awarded the contest's first prize of \$12,000. In past years, several government-controlled newspapers celebrated the anniversary of the anti-Semitic publication, the *Protocols of the Elders of Zion*. In February 2006, the leader of Iran's Jewish community, Haroun Yashayaei, sent an unprecedented public letter to President Ahmadinejad expressing serious concern about the President's repeated Holocaust denial statements and the extent to which these statements have intensified fears among Iran's 30,000-member Jewish community. Official government discrimination against Jews continues to be pervasive. According to the State Department, despite minimal restriction on Jewish religious practice, education of Jewish children has become increasingly difficult in recent years, and distribution of Hebrew religious texts is strongly discouraged. In December 2006, President Ahmadinejad hosted a Holocaust denial conference in Tehran. In response, UN Secretary-General Kofi Annan denounced the conference, and the UN Security Council issued a Presidential Statement condemning statements made by President Ahmadinejad denying the Holocaust.

The government's monopoly on and enforcement of the official interpretation of Islam negatively affect the human rights of women in Iran, including their right to freedoms of movement, association, thought, conscience, and religion, and freedom from coercion in matters of religion or belief. The Iranian justice system does not grant women the same legal status as men; for example, testimony by a man is equivalent to the testimony of two women. Provisions of both the Civil and Penal Codes, in particular those sections dealing with family and property law, discriminate against women. In early April, Iranian authorities arrested five women's rights activists for their involvement in collecting signatures for a project aimed at ending discrimination against women in the application of Islamic law in Iran. Some of the activists' demands included: 1) that women's testimony in court carry the same weight as that of men; 2) equality of inheritance rights between men and women; 3) eliminating polygamy; and 4) the equality of compensation payments between women and men in the event of wrongful death. Two were released after one day and the other three were released on bail after nearly two weeks in detention.

Throughout the past year, Commission staff met with members of non-governmental organizations representing various religious communities in Iran, as well as human rights groups and other Iran experts and policymakers. In February 2006, the Commission issued a statement documenting recent religious freedom abuses by Iranian authorities and expressing concern about the worsening treatment of religious minorities in Iran. In June, Commission Vice Chair Nina Shea testified before the House International Relations Subcommittee on Africa, Global Human Rights and International Operations at a hearing titled "The Plight of Religious Minorities: Can Religious Pluralism Survive?" Commissioner Shea's testimony focused on religious freedom conditions in five countries—Egypt, Iran, Iraq, Pakistan, and Saudi Arabia—and presented recommendations for U.S. policy.

In August, the Commission called on the National Cathedral to ensure that former Iranian President Mohammad Khatami would be questioned about his record on human rights and religious freedom during any presentation he made at the Cathedral in September. The Commission wrote a letter to Reverend Canon John Peterson of the National Cathedral's Center for Global Justice and Reconciliation pointing out the irony of inviting Mr. Khatami to speak on the role of the Abrahamic faiths in the peace process when, in his own country, Mr. Khatami presided as President during a time when religious minorities—including Jews, Christians, Sunni and Sufi Muslims, Baha'is, dissident Shia Muslims, and others—faced systematic harassment, discrimination, imprisonment, torture, and even execution based on their religious beliefs. In September, Commission Chair Felice D. Gaer and Vice Chair Nina Shea published an opinion-editorial in the *Washington Post* citing a "troubling irony" in inviting President Khatami to speak at the National Cathedral on the role the Abrahamic faiths can play in shaping peace in the world. The opinion-editorial stated that Khatami held office as president from 1997 to 2005 while religious minorities—including Jews, Christians, Sunni and Sufi Muslims, Baha'is, dissident Shiite Muslims, and Zoroastrians—faced systematic harassment, discrimination, imprisonment, torture, and even execution because of their religious beliefs. Also during his term, Iranian officials persecuted reformers, students, labor activists, and journalists for "insulting Islam" and publishing materials deemed to deviate from Islamic standards.

In addition to recommending that Iran continue to be designated a CPC, the Commission recommends that the U.S. government should:

- at the highest levels, vigorously speak out publicly about the deteriorating conditions for freedom of thought, conscience, and religion or belief in Iran, including drawing attention to the need to hold authorities accountable in specific cases where severe violations have occurred, such as:
 - extremely poor treatment of the Baha'i community;
 - increasing problems facing Christians, Sufi Muslims, and dissident Muslims; and
 - state-sponsored virulent anti-Semitism and Holocaust denial activities;
- work within its current overall policy framework to ensure that violations of freedom of religion and belief, and related human rights, are included in any multilateral or bilateral discussions with the Iranian government;
- ensure that funding budgeted to promote democracy and human rights in Iran includes support for effective initiatives advancing freedom of religion or belief, as well as ways to promote rule of law programs that specifically seek to protect religious minorities in Iran;
- increase funding for U.S. public diplomacy entities, such as Voice of America and Radio Farda, and expand and develop new programming solely focusing on the situation of human rights—including the freedom of thought, conscience, and religion or belief—in Iran;
- continue to support a UN General Assembly resolution condemning severe violations of human rights, including freedom of religion or belief, in Iran, and calling for officials responsible for such violations to be held to account;
- call on the UN Human Rights Council to monitor carefully and demand compliance with the implementation of recommendations of the representatives of those special mechanisms that have already visited Iran, particularly those of the UN Special Rapporteur on Freedom of Religion or Belief (1995), the Working Group on Arbitrary Detention (2003), and the Special Rapporteur on Freedom of Opinion and Expression (2003); and
- encourage the UN Human Rights Council to continue to use its procedures to maintain oversight of conditions for freedom of religion or belief in Iran, including, as Iran has issued a standing invitation, continued visits and reporting by the Special Rapporteur on Freedom of Religion or Belief, and other relevant special rapporteurs and working groups.

SAUDI ARABIA

The government of Saudi Arabia engages in systematic, ongoing, and egregious violations of the right to freedom of religion or belief. Since its inception, the Commission has recommended that Saudi Arabia be designated a “country of particular concern,” or CPC. In September 2004, the State Department for the first time followed the Commission’s recommendation and designated Saudi Arabia a CPC. In September 2005, Secretary of State Condoleezza Rice approved a temporary 180-day waiver of further action, as a consequence of CPC designation, to allow for continued diplomatic discussions between the U.S. and Saudi governments and “to further the purposes of the International Religious Freedom Act.” In July 2006, the Secretary decided to leave in place the waiver “to further the purposes of the Act” by announcing that these bilateral discussions with Saudi Arabia had enabled the United States to identify and confirm a number of policies that the Saudi government “is pursuing and will continue to pursue for the purpose of promoting greater freedom for religious practice and increased tolerance for religious groups.” Despite this potentially positive development, the Commission has studied the situation and again determines that freedom of religion does not exist in Saudi Arabia and that the country should continue to be designated a CPC.

The Saudi government continues to engage in an array of severe violations of human rights as part of its repression of freedom of thought, conscience, and religion or belief. Abuses include: torture and cruel and degrading treatment or punishment imposed by judicial and administrative authorities; prolonged detention without charges and often incommunicado; and blatant denials of the right to liberty and security of the person, including coercive measures aimed at women and the broad jurisdiction of the *mutawaa* (religious police), whose powers are vaguely defined and exercised in ways that violate the religious freedom of others.

The government of Saudi Arabia persists in enforcing vigorously its ban on all forms of public religious expression other than the government’s interpretation and enforcement of the Hanbali school of Sunni Islam. This policy has violated the rights of the large communities of non-Muslims and Muslims from a variety of doctrinal schools of Islam who reside in Saudi Arabia, including Shi’as, who make up 10–15 percent of the population. The government tightly controls even the restricted reli-

gious activity it does permit—through limits on the building of mosques, the appointment of imams, the regulation of sermons and public celebrations, and the content of religious education in public schools—and suppresses the religious views of Saudi and non-Saudi Muslims who do not conform to official positions.

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 in numerous areas, particularly in government employment. In past years, prominent Shi'a clerics and religious scholars were arrested and detained without charges for their religious views; some were reportedly beaten or otherwise ill-treated. Reports indicate that some of these Shi'a clerics have been released, but the current status of a number of others remains unknown. Between 2002–2004, several imams, both Sunni and Shi'a, who spoke out in opposition to government policies or against the official government interpretation of Islam, were harassed, arrested, and detained. Some members of the Shi'a community remained unjustly imprisoned though there were no known arrests of Shi'a religious leaders on account of religion in the past year. On a positive note, in February 2006, thousands of members of the Shi'a community in Qatif, in the Eastern Province, made their largest public appearance in observance of Ashura without government interference. However, authorities continue to disallow observance in other areas of the Eastern Province, such as Al-Ahsa and Dammam.

Spurious charges of “sorcery” and “witchcraft” continue to be used by the Saudi authorities against non-conforming Muslims. Several individuals remain in prison on these charges. Human rights advocates report that Ismailis, a Shi'a sect numbering some 700,000 inside Saudi Arabia, continue to suffer severe discrimination and abuse by Saudi authorities. In 2000, in the Najran region, after the *mutawaa* raided an Ismaili mosque for practicing “sorcery,” approximately 100 Ismailis, including clerics, were arrested. Many were released after serving reduced sentences, but dozens remain in prison. In late October 2006, Saudi state media reported that any remaining Ismaili religious prisoners held in Najran as a result of the 2000 riots would be pardoned and released. Despite these reports, only 10 Ismailis were released and at least 18 other religious prisoners still remain in jail; some of those that remain in prison are reportedly subject to flogging.

In late December 2006, approximately 49 foreign guest workers, all members of the Ahmadi Muslim religious movement, were arrested by the *mutawaa* at a place of worship in Jeddah. In January and February, nine more Ahmadis were arrested. In January, Saudi authorities began deporting several of the Ahmadi prisoners, mostly Indian and Pakistani nationals, and international human rights groups called on the Saudi government to halt expulsions of foreign workers on account of their religious beliefs and affiliations. Despite this call, by early April, all 58 of the Ahmadis who had been arrested were deported. None of those deported are known to have been charged with any criminal offenses. In addition, two other Ahmadi religious leaders, who were not in Saudi Arabia during the initial arrests of 49 in December, have not returned to the country for fear of arrest and prosecution by Saudi authorities.

Over the past few years, members of the Sufi community have been harassed, arrested, and detained because of their non-conforming religious views, although there have been no new reports of such incidents in the past year. In September 2003, the *mutawaa* arrested 16 foreign workers for allegedly practicing Sufism; their status remains unknown. In June 2005, Saudi authorities shut down a weekly gathering held by a Sufi leader who adheres to the Shafi'i school of Islamic jurisprudence.

Criminal charges of apostasy, blasphemy, and criticizing the nature of the regime are used by the Saudi government to suppress discussion and debate and silence dissidents. Promoters of political and human rights reforms, as well as those seeking to debate the appropriate role of religion in relation to the state, its laws, and society are typically the target of such charges. For example, in April 2007, an Egyptian Muslim guest worker reportedly was sentenced to death in the town of Arar in northern Saudi Arabia for allegedly desecrating the Koran and renouncing Islam. Media reports indicated that a court found the man guilty of no longer being a Muslim for “violating the boundaries set by God.” Hadi Al-Mutaif, an Ismaili man, was originally sentenced to death in 1994 for a remark deemed blasphemous that he made as a teenager. In 1999, his death sentence was commuted to life in prison. In late 2006, Saudi state media reported that Ismaili religious prisoners held in Najran would be pardoned and released. However, Al-Mutaif continues to serve a life sentence on blasphemy charges. In April 2006, a Saudi journalist was arrested and detained by Saudi authorities for almost two weeks for “denigrating Islamic beliefs” and criticizing the Saudi government's strict interpretations of Islam. In November 2005, a Saudi high school teacher, accused for discussing topics such as the

Bible, Judaism, and the causes of terrorism, was tried on charges of blasphemy and insulting Islam and sentenced to three years in prison and 750 lashes. Although he was pardoned by King Abdullah in December 2005, he nevertheless lost his job and suffered other repercussions.

Restrictions on public religious practice, for both Saudis and non-Saudis, are officially enforced in large part by the *mutawaa*, and fall under the direction of the Ministry of Interior. The *mutawaa* conduct raids on worship services, including in private homes. They have also harassed, detained, whipped, beaten, and otherwise meted out extrajudicial punishments to individuals deemed to have strayed from “appropriate” dress and/or behavior, including any outward displays of religiosity, such as wearing Muslim religious symbols not sanctioned by the government. In recent years, the Saudi government has stated publicly that it has fired and/or disciplined members of the *mutawaa* for abuses of power, although reports of abuse persist.

Although the government has publicly taken the position—reiterated again in 2006—that it permits non-Muslims to worship in private, the guidelines as to what constitutes “private” worship are vague. Surveillance by the *mutawaa* and Saudi security services of private non-Muslim religious activity continues. Many persons worshipping privately continue to be harassed, arrested, imprisoned, and then tortured and deported. They are generally forced to go to great lengths to conceal religious activity from the authorities. Foreign migrant workers without diplomatic standing, and with little or no access to private religious services conducted at diplomatic facilities, face great difficulties. Moreover, the Saudi government does not allow clergy to enter the country for the purpose of performing private religious services for foreigners legally residing in Saudi Arabia.

There is a continuing pattern of punishment and abuse of non-Muslim foreigners for private religious practice in Saudi Arabia. According to the State Department, there was a decrease in both long and short-term detentions and arrests and deportations of non-Muslims in the past year. However, there were also reports that the *mutawaa* continued to target non-Muslim religious leaders and groups for harassment, arrest, and deportation in an effort to deter these groups from conducting private religious services. In March 2005, a Hindu temple constructed near Riyadh was destroyed by the *mutawaa*, and three guest workers worshipping at the site were subsequently deported. Also in March 2005, the *mutawaa* arrested an Indian Christian and confiscated religious materials in his possession; he was released in July 2005 after four months of detention. In April 2005, the *mutawaa* raided a Filipino Christian private service in Riyadh and confiscated religious materials such as Bibles and Christian symbols. Also in April 2005, at least 40 Pakistani, three Ethiopian, and two Eritrean Christians were arrested in Riyadh during a raid on separate private religious services. All of the Pakistani Christians were released within days and all five of the African Christians were released after a month in detention.

In May 2005, at least eight Indian Protestant leaders were arrested, interrogated, and subsequently released for reportedly being on a list, obtained by the *mutawaa*, of Christian leaders in the country. Six were deported or left the country on their own accord and the status of the other two is unknown. In April 2006, an Indian Roman Catholic priest, who was visiting Saudi Arabia, was deported after being detained for four days in Riyadh for conducting a private religious service. Also in April 2006, the *mutawaa* reportedly arrested a female Shi’a student in Riyadh, allegedly for proselytizing to other students. She was released several days later. In June, four East African Christians were arrested in Jeddah while leading a private worship ceremony. All were deported the following month. In October, the *mutawaa* raided a private religious service in Tabuk, detained a Christian Filipino religious leader, and confiscated Bibles and other religious materials.

The government’s monopoly on the interpretation of Islam and other violations of freedom of religion adversely affect the human rights of women in Saudi Arabia, including freedom of speech, movement, association, and religion, freedom from coercion, access to education, and full equality before the law. For example, women must adhere to a strict dress code when appearing in public and can only be admitted to a hospital for medical treatment with the consent of a male relative. Women need to receive written permission from a male relative to travel inside or outside the country and are not permitted to drive motor vehicles. Religiously based directives limit women’s right to choose employment by prohibiting them from studying for certain professions such as engineering, journalism, and architecture. In addition, the Saudi justice system, in which courts apply Islamic law to the cases before them, does not grant women legal status equal to men’s. For example, testimony by a man is equivalent to the testimony of two women; daughters receive half the inheritance that their brothers receive; and women have to demonstrate legally specified grounds for divorce, while men may divorce without giving cause.

In March 2006, the Saudi Embassy in Washington published a report summarizing efforts by the Saudi government to revise the state curriculum and a number of school textbooks to exclude language promoting religious intolerance. Nevertheless, non-governmental organizations from outside Saudi Arabia continue to report the presence of highly intolerant and discriminatory language, particularly against Jews, Christians, and Shi'a Muslims, in these educational materials published by the Saudi Ministry of Education.¹ Furthermore, in the past year, there were frequent reports, including by the State Department, of virulently anti-Semitic and anti-Christian sentiments expressed in the official media and in sermons delivered by clerics who are under the authority of the Ministry of Islamic Affairs.

In March 2004, the Saudi government approved the formation of a National Human Rights Association, the country's first purportedly independent human rights body, but, as of this writing, there is no indication that this entity is publicly reporting on or investigating religious freedom concerns. It is comprised of 40 members and chaired by a member of the Consultative Council, a 150-member advisory body appointed by then-King Fahd. In September 2005, the Council of Ministers, chaired by King Abdullah, approved the establishment of a government-appointed, 25-member Human Rights Commission. The following month, King Abdullah appointed, with the rank of minister, Turki bin Khaled al-Sudairi, a former state minister and Cabinet member, as chairman of the Commission. The Human Rights Commission is mandated to "protect human rights and create awareness about them . . . in keeping with the provisions of Islamic law." It is not yet possible to determine if either human rights body will prove to be a positive mechanism for addressing human rights concerns in Saudi Arabia.

In recent years, senior Saudi government officials, including the Crown Prince and the Grand Mufti, made statements with the reported aim of improving the climate of tolerance toward other religions; both also continued publicly to call for moderation. In a public interview in 2005, King Abdullah reiterated that non-Muslims are free to practice their faith privately but that public worship by non-Muslims is not permitted. He also said that to allow any non-Muslim places of worship to be built in Saudi Arabia "would be like asking the Vatican to build a mosque inside of it."

In July 2006, the State Department announced that ongoing bilateral discussions with Saudi Arabia had enabled the United States to identify and confirm a number of policies that the Saudi government "is pursuing and will continue to pursue for the purpose of promoting greater freedom for religious practice and increased tolerance for religious groups." This announcement followed extensive discussions between the U.S. and Saudi governments as a result of CPC designation. Among the measures that were confirmed by Saudi Arabia as state policies are:

Halt the Dissemination of Intolerant Literature and Extremist Ideology in Saudi Arabia and around the World

- Revise and update textbooks to remove remaining intolerant references that disparage Muslims or non-Muslims or that promote hatred toward other religions or religious groups, a process the Saudi government expects to complete in one to two years.
- Prohibit the use of government channels or government funds to publish or promote textbooks, literature, or other materials that advocate intolerance and sanction hatred of religions or religious groups.
- Ensure Saudi embassies and consulates abroad review and destroy any material given to them by charities or other entities that promote intolerance or hatred.

Protect the Right to Private Worship and the Right to Possess Personal Religious Materials

- Guarantee and protect the right to private worship for all, including non-Muslims who gather in homes for religious practice.
- Address grievances when this right is violated.
- Ensure that customs inspectors at borders do not confiscate personal religious materials.

¹Center for Religious Freedom and Institute for Gulf Affairs, *Saudi Arabia's Curriculum of Intolerance*, Freedom House, 2006, (http://www.hudson.org/files/publications/CRF_SaudiReport_2006.pdf).

Curb Harassment of Religious Practice

- Ensure that members of the Commission to Promote Virtue and Prevent Vice (also known as the *mutawaa*) do not detain or conduct investigations of suspects, implement punishment, violate the sanctity of private homes, conduct surveillance, or confiscate private religious materials.
- Require all members of the *mutawaa* to wear identification badges with their pictures and names.

Empower the Human Rights Commission

- Bring the Kingdom's rules and regulations into compliance with human rights standards.

The Commission welcomed the announcement and stated that 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 State Department reports that during the past year, the Saudi government took limited measures to remove from educational curricula what it deemed to be disparaging references to other religious traditions. In 2006, the Saudi government reportedly put into place policies to limit harassment of religious practice and curb violations by the *mutawaa*. According to the State Department, reports of harassment of non-Muslims and non-Sunni Muslims by the *mutawaa* continue, but there were fewer reports in 2006 than in previous years. The sixth National Dialogue, held in late November 2006, resulted in many prominent Saudi educators and scholars calling for reforms of religious education materials and curricula.

In addition to the Saudi government's violations of religious freedom within its own borders, evidence has mounted that funding originating in Saudi Arabia has been used to finance globally religious schools and other activities that support religious intolerance, and, in some cases, violence toward non-Muslims and disfavored Muslims. For example, the Saudi government operates a network in over a dozen world capitals, including one outside of Washington, DC, of Islamic academies, chaired by the local Saudi ambassador, reportedly using the same religious curriculum as the public educational system in Saudi Arabia. The Saudi government itself has been implicated in promoting and exporting views associated with certain Islamic militant and extremist organizations in several parts of the world, and a number of reports have identified members of extremist and militant groups that have been trained as clerics in Saudi Arabia. These reports point to a role for the Saudi government in propagating worldwide an ideology that is incompatible with universal norms of the right to freedom of religion or belief.

The Saudi government funds mosques, university chairs, Islamic study centers, and religious schools (*madrassas*) all over the world. During Afghanistan's war against the former Soviet Union, Saudi-funded *madrassas* were established in Pakistan that were reportedly less focused on education than on promoting an extremist agenda glorifying violence. These *madrassas* provided ideological training for some of those who went on to fight in Kashmir, Chechnya, and Afghanistan. The peaceful expression and propagation of religious beliefs, including Islam, is a human right. However, there is legitimate concern when a government may be propagating an ideology that promotes hatred and violence against both Muslims and non-Muslims.

The religious extremism reportedly preached by some Saudi clerics and the violence incited and perpetrated by certain state-supported radicals continues to warrant further investigation by the U.S. government. The Commission has urged the U.S. government to address publicly concerns that have arisen from the propagation of religious hatred and intolerance from Saudi Arabia. The Commission has published reports and held public hearings over the past several years regarding this issue, and issued a number of recommendations for U.S. policy. The Commission welcomed the public statements made in the past year by Ambassador Hanford raising concerns about the role of the Saudi government in the promotion of religious intolerance and extremist ideology.

Throughout the past year, the Commission has spoken out numerous times about religious freedom concerns in Saudi Arabia. In June 2006, Commission Vice Chair Nina Shea testified on behalf of the Commission before the House International Relations Subcommittee on Africa, Global Human Rights and International Operations at a hearing entitled "The Plight of Religious Minorities: Can Religious Pluralism Survive?" Commissioner Shea's testimony focused on religious freedom conditions in five countries—Egypt, Iran, Iraq, Pakistan and Saudi Arabia—as well as recommendations for U.S. policy. In September, the Commission publicly expressed concern that the State Department had removed longstanding and widely quoted language, "freedom of religion does not exist," from its 2006 *Report on International*

Religious Freedom on Saudi Arabia, despite the fact that the report states that “there generally was no change in the status of religious freedom during the reporting period.” In October, the Commission held a briefing on the current status of human rights and reform in Saudi Arabia with Ibrahim al-Mugaiteeb, President of *Human Rights First Society*, a human rights organization in Saudi Arabia that, despite repeated attempts to gain official recognition, has never been granted a license to function by the Saudi government. Mr. al-Mugaiteeb operates in the Kingdom at his own risk. In November, the Commission issued a statement and wrote to U.S. Ambassador to Saudi Arabia James Oberwetter about misleading claims by Saudi authorities regarding the purported release of religious prisoners in the southwestern region of Najran. In April 2007, Commissioners Gaer and Shea met with the newly appointed U.S. Ambassador to Saudi Arabia, Ford M. Fraker, to discuss persistent religious freedom concerns.

Throughout 2006, the Commission continued to meet with representatives of a variety of human rights and other non-governmental organizations, academics, and other experts on Saudi Arabia.

In light of the July 2006 confirmation of Saudi government policies on religious practice and tolerance, the Commission recommends that the U.S. government should:

- urge the Saudi government to identify specific benchmarks and timetables for implementation of those benchmarks;
- create a formal mechanism to monitor implementation of the July 2006 confirmation of policies as part of every Ministerial Meeting of the United States-Saudi Arabia Strategic Dialogue, co-chaired by Secretary of State Rice and Foreign Minister of Saudi Arabia Prince Saud al-Faisal;
- ensure that U.S. representatives to the relevant Working Group of the Strategic Dialogue, after each session, or at least every six months, report its findings to Congress; the policies that can be monitored with clear-cut criteria for progress include:
 - analyzing the content of Saudi textbooks at the beginning of every new school year (September);
 - retraining teachers and principals in schools to ensure that tolerance is promoted;
 - revising teacher manuals to include promotion of tolerance;
 - retraining and reassigning imams who espouse intolerance;
 - ensuring that customs inspectors at borders do not confiscate religious materials;
 - ensuring that Saudi embassies and consulates abroad destroy any material given to them that promote intolerance and hatred;
 - ensuring that members of the *mutawaa* do not operate outside of agreed-upon parameters;
 - ensuring that all *mutawaa* wear identification badges;
 - holding accountable any member of the *mutawaa* who commits an act of torture; and
 - monitoring sermons in mosques regularly; and
- communicate and share information with other concerned governments about the confirmed policies of the July 2006 announcement, particularly those policies related to Saudi exportation of hate literature and extremist ideology.

With regard to religious freedom conditions in Saudi Arabia, the Commission reiterates its recommendations that the U.S. government should:

- press for immediate improvements in respect for religious freedom, including:
 - establishing genuine safeguards for the freedom to worship privately;
 - entrusting law enforcement to professionals in law enforcement agencies subject to judicial review and dissolving the *mutawaa*;
 - permitting non-conforming Muslim and non-Muslim places of worship in specially designated areas and allowing clergy to enter the country to carry out such worship services;
 - reviewing cases and releasing those who have been detained or imprisoned on account of their religious belief or practices;
 - permitting independent non-governmental organizations to advance human rights;
 - ending state prosecution of individuals charged with apostasy, blasphemy, sorcery, and criticism of the government;
 - ceasing state-sponsored messages of hatred, intolerance, or incitement to violence against Muslims and members of non-Muslim religious groups

- in the educational curricula and textbooks, as well as in government-controlled mosques and media;
- inviting the UN Special Rapporteur on Freedom of Religion or Belief to conduct a fact-finding mission; and
- ratifying international human rights instruments, including the International Covenant on Civil and Political Rights, and cooperating with UN human rights mechanisms; and
- use its leverage to encourage implementation of numerous Saudi government statements to ensure that the Saudi government carries out political, educational, and judicial reforms in the Kingdom by:
 - raising concerns about human rights, including religious freedom, both publicly and privately in the U.S. anti-terrorism dialogue with the Saudi government;
 - expanding human rights assistance, public diplomacy, and other programs and initiatives—such as the Middle East Partnership Initiative—to include more components specifically for Saudi Arabia;
 - continue to seek proposals from private entities to conduct religious freedom programs in Saudi Arabia; and
 - increase the number of International Visitor and other exchange programs to include educators, religious leaders, journalists, and other members of civil society.

With regard to the exportation of religious intolerance from Saudi Arabia, the Commission has recommended that the U.S. government should:

- continue efforts, along with those of the Congress, to monitor Saudi state promises to end its sponsorship of government officials and programs, individual members of the royal family, and Saudi-funded individuals or institutions that directly or indirectly propagate globally, including in the United States, an ideology that explicitly promotes hate, intolerance, human rights violations, and, in some cases, violence, toward members of other religious groups, both Muslim and non-Muslim;
- request the Saudi government to provide an accounting of what kinds of Saudi support have been and continue to be provided to which religious schools, mosques, centers of learning, and other religious organizations globally, including in the United States;
- request the Saudi government to stop funding religious activities abroad until it knows the content of the teachings and is satisfied that such activities do not promote hatred, intolerance, or other human rights violations;
- request the Saudi government to monitor, regulate, and report publicly about the activities of Saudi charitable organizations based outside Saudi Arabia in countries throughout the world; and
- request the Saudi government to: a) cease granting diplomatic status to Islamic clerics and educators teaching outside Saudi Arabia; and b) close down any Islamic affairs sections in Saudi embassies throughout the world that have been responsible for propagating intolerance.

The Commission urges the U.S. Congress to hold biannual hearings at which the State Department reports on what issues have been raised with the Saudi government regarding violations of religious freedom and what actions have been taken by the United States in light of the Saudi government's response.

UZBEKISTAN

Since Uzbekistan gained independence in 1991, fundamental human rights, including freedom of religion or belief, have been under assault. A restrictive law on religion severely limits the ability of religious communities to function in Uzbekistan, facilitating the Uzbek government's exercise of a high degree of control over religious communities and the approved manner in which the Islamic religion is practiced. The Uzbek government has continued to arrest Muslim individuals and harshly repress the activities of groups and mosques that do not conform to government-prescribed practices or that the government claims are associated with extremist political programs. This policy has resulted in the imprisonment of thousands of persons in recent years, many of whom are denied the right to due process, and there are credible reports that many of those arrested continue to be tortured or beaten in detention. Though security threats do exist in Uzbekistan, including from members of *Hizb ut-Tahrir* and other groups that claim a religious linkage, these threats do not excuse or justify the scope and harshness of the government's ill treatment of religious believers. The Commission recommends to the Secretary

of State that Uzbekistan continue to be designated a “country of particular concern,” or CPC. The Commission’s CPC recommendation for Uzbekistan should not in any way be construed as an exculpatory defense of *Hizb ut-Tahrir*, an extremist and highly intolerant organization that promotes hatred of the West, moderate Muslims, Jews, and others. In 2006, the State Department followed the Commission’s recommendation and for the first time designated Uzbekistan a CPC.

Despite the constitutional separation of religion and state, the Uzbek government strictly regulates Islamic institutions and practice through the officially sanctioned Muslim Spiritual Board (the Muftiate). In 1998, the Uzbek government closed down approximately 3,000 of the 5,000 mosques that were open at that time. In the Ferghana Valley, viewed as the country’s most actively religious region, the state has confiscated a number of mosques and used them as warehouses or for other state purposes. Uzbek human rights defenders reported that as of late 2006, the Uzbek government had introduced various administrative and other obstacles to daily prayer practice in the Ferghana valley. For example, in the Andijon region, the regional head of administration introduced other restrictions on Islamic practice, such as a ban on the five daily public calls to prayer from mosques and on preaching by mullahs at weddings. Despite the presence of a Shi’a minority in the country, there is no training for Shi’a religious leaders, nor does the government recognize foreign Shi’a religious education.

The state fully controls the training, appointments, and dismissals of Muslim leaders through the official Muftiate. There are 10 state-controlled *madrassas* (including two for women), which provide secondary education in Uzbekistan. In addition, the official Islamic Institute and Islamic University in Tashkent provide higher educational instruction. The State Department reported in 2006 that regional leaders in Uzbekistan have been instructed that children should not attend mosque; in the city of Bukhara, police have reportedly prevented children from doing so. The state also closes or confiscates privately-funded religious schools for its own purposes. For example, in Margilan and Andijon the government in 2004 and 2005 confiscated two religious schools, or *madrassas*, reportedly built with community funds. The state-controlled Muslim Board publishes some books and periodicals, as does the independent former Chief Mufti Muhamad Sadyk Muhamad Yusuf.

Over the past decade and particularly since 1999, the Uzbek government has arrested and imprisoned, with sentences of up to 20 years, thousands of Muslims who reject the state’s control over religious practice or who the government claims are associated with extremist groups. As of 2005, according to a State Department estimate, there were at least 5,500 such persons, including individuals sent to psychiatric hospitals. According to Uzbek human rights activists, in the past year, the number of arrests and detentions linked to religious convictions has risen sharply in the Uzbek capital Tashkent and its surrounding region. These Uzbek sources also estimate that during the first half of 2006, an estimated 150 Muslims were arrested and sentenced on charges related to their religious beliefs. Most of those arrested have no political connections, Uzbek human rights activists claim, and their only “crime” is that of performing their daily prayers and learning about Islam. According to the State Department’s 2006 *Country Reports on Human Rights Practices*, “authorities made little distinction between actual [*Hizb ut-Tahrir*] members and those with marginal affiliation with the group, such as persons who had attended Koranic study sessions with the group.” Human rights organizations report that many of those in detention were arrested on false drug charges or for possession of literature of a banned organization. Once arrested, they often are denied access to a lawyer or are held incommunicado for weeks or months. Many of those imprisoned or detained for charges related to religion are treated particularly harshly; prisoners who pray or observe Muslim religious festivals are by many accounts subjected to further harassment, beatings, and other torture, in efforts to force them to renounce their religious or political views.

The use of torture continues to be widespread in Uzbekistan, despite promises from the government to halt the practice. The UN Special Rapporteur on Torture, in his February 2003 report on Uzbekistan, concluded that “torture or similar ill-treatment is systematic” and that the “pervasive and persistent nature of torture throughout the investigative process cannot be denied.” Even after the publication of the Rapporteur’s report, reliance on the use of torture in detention did not significantly decrease. According to the State Department’s 2006 human rights report, “police, prison officials, and the [security services] allegedly used suffocation, electric shock, deprivation of food and water, and sexual abuse, with beating the most commonly reported method of abuse [and] torture.” Convictions in the cases described above are based almost entirely on confessions, which, according to the State Department and many human rights organizations, are frequently gained through the use of torture.

The government of Uzbekistan does face threats to its security from certain extremist or terrorist groups that claim religious links, including the Islamic Movement of Uzbekistan, which has used violence but whose membership reportedly declined after U.S. military action in Afghanistan in late 2001 killed its leaders. Uzbekistan continues to be subject to violent attacks; there were several incidents in 2004, although the motivation of those involved is difficult to determine. In the city of Andijon in May 2005, there were daily peaceful protests in support of 23 businessmen on trial for alleged ties to Islamic extremism. A small group reportedly seized weapons from a police garrison, stormed the prison holding the businessmen, released the defendants, and attacked other sites in the city. In connection with these events, on May 13, after several thousand mostly unarmed civilians gathered on the central square, Uzbek armed forces fired indiscriminately and without warning into the crowd. Estimated fatalities range from an official total of 187 to over 700 according to the Organization for Security and Cooperation in Europe (OSCE); some reports of non-governmental organizations (NGOs) say as many as 1,000 men, women, and children were killed. The Uzbek government has rejected repeated calls from the United States, the European Union, the OSCE, and the UN High Commissioner for Human Rights for an independent international investigation into these events.

In the aftermath of Andijon, Uzbek authorities jailed hundreds of local residents, human rights activists, and journalists on suspicion of involvement in the events. One Uzbek human rights NGO compiled a list of arrestees totaling 363 persons, in addition to those already convicted by the end of 2005, including dozens of people who had spoken to the press or reported on the events. Relatives of human rights defenders have also been targeted in attempts to pressure activists to stop speaking out about human rights violations; those related to human rights activists have reportedly been threatened, dismissed from their jobs, beaten, and sometimes arrested, prosecuted, and imprisoned on fabricated criminal charges. In January 2006, one arrestee, human rights activist Saidjahon Zaynabitdinov, with whom a Commission delegation met in October 2004, was convicted of extremist activity and other offenses and sentenced to seven years in prison. He had reportedly shown journalists bullet casings used by the Uzbek authorities against the Andijon demonstrators. The State Department reported that in several cases, the Uzbek government has pressured other countries forcibly to return Uzbek refugees who were under the protection of the Office of the UN High Commissioner for Refugees (UNHCR).

Hizb ut-Tahrir, banned in most Muslim countries, purports not to engage in violence but is intolerant of other religions and has in some circumstances sanctioned violence. The group calls for a worldwide caliphate to replace existing governments and the imposition of an extremist interpretation of Islamic law. Although it does not specify the methods it would use to attain those goals, it does, according to the State Department, reserve the “possibility that its own members might resort to violence.” In addition, the State Department reports that *Hizb ut-Tahrir* material includes “strong anti-Semitic and anti-Western rhetoric.” Alleged members of *Hizb ut-Tahrir* comprise many of the thousands in prison; in most cases, however, Uzbek authorities have failed to present evidence to the court that these persons have committed violence. Many of those arrested and imprisoned are not affiliated with *Hizb ut-Tahrir* but are wrongfully accused of membership or association, sometimes due to alleged—or planted—possession of the group’s literature at the time of arrest.

After the May 2005 Andijon events, the number of court cases against independent Muslims in Uzbekistan reportedly increased considerably. While before May 2005, the authorities often accused arrested Muslims of being members of *Hizb ut-Tahrir*, since that time, arrested Muslims are usually accused—frequently without evidence—of being “Wahhabis” or members of another banned Islamist group, *Akromiya*, which played an important role in the Andijon events. “Wahhabi” is a term that usually refers to followers of a highly restrictive interpretation of Sunni Islam practiced in Saudi Arabia. In Uzbekistan, however, “Wahhabi” is a catchphrase used to refer to a range of Muslim individuals and groups, such as genuine extremists, those that oppose the Karimov regime, and those who practice Islam independently of government strictures. For the Uzbek authorities, all these groups and individuals are equally suspect and subject to government repression. The Uzbek criminal code distinguishes between “illegal” groups, which are not properly registered, and “prohibited” groups, such as *Hizb ut-Tahrir*, *Tabligh*, a Muslim missionary movement which originated in South Asia in 1920, and *Akromiya*, a group based on the 1992 writings of an imprisoned Uzbek mathematics teacher, Akram Yuldashev, which, according to human rights defenders in Uzbekistan, espouses charitable work and a return to Islamic moral principles. According to the State Department’s 2006 Human Rights Report, the Uzbek government has pressured and prosecuted members of *Akromiya* (also known as *Akromiylar*) since 1997, claiming

that the group is a branch of *Hizb ut-Tahrir*, and that it attempted, together with the Islamic Movement of Uzbekistan, to overthrow the government through an armed rebellion in May 2005 in Andijon. The charges against the 23 local businessmen on trial in Andijon in May 2005 included alleged membership in *Akromiya*.

Some 20 policemen searched a house in Tashkent in June 2006, confiscating a copy of the Koran, the hadiths (sayings attributed to the prophet Muhammad), religious books, and tape recordings of the exiled mullah Obid kori Nazarov and his pupil Hairullah Hamidov, the Uzbek "Human Rights Initiative Group" reported. The items were seized as material evidence against two men who were arrested and accused of "Wahhabism," although reportedly they merely sought independent religious education. Human rights sources indicate that Nazarov, who had been forced to flee the country after the authorities branded him a "Wahhabi" leader, was not promoting extremism, but simply operating outside of government strictures. The State Department reported that in September 2006, Ruhitdin Fakhruddinov, a former imam of a Tashkent mosque, was sentenced in a closed trial to 17 years in prison. During his trial, which involved clear violations of due process, the independent imam was accused of being an extremist and charged with involvement in a 1999 car bombing in Tashkent, although no evidence was presented to the court of involvement in violent acts. Fakhruddinov was delivered in 2005 to the Uzbek authorities from his place of asylum in Kazakhstan, allegedly with the assistance of the Kazakh authorities.

The Law on Freedom of Conscience and Religious Organizations passed in May 1998 severely restricts the exercise of religious freedom. Through regulations that are often arbitrarily applied, the law imposes onerous hurdles for the registration of religious groups, such as stipulating that a group must have a list of at least 100 members who are Uzbek citizens and a legal address; criminalizes unregistered religious activity; bans the production and distribution of unofficial religious publications; prohibits minors from participating in religious organizations; prohibits private teaching of religious principles; and forbids the wearing of religious clothing in public by anyone other than clerics. Only six entities meet the law's requirement that religious groups must have a registered central administrative body so as to train religious personnel. The law also limits religious instruction to officially sanctioned religious schools and state-approved instructors, does not permit private instruction, and levies fines for violations. In December 2005, the government modified the country's criminal and administrative codes to introduce much heavier fines for repeated violations of rules on religious meetings, processions, and other religious ceremonies, as well as for violations of the law on religious organizations. As a result, police monitoring of places of worship has intensified. While the government has not intervened significantly in Christian training and appointments, it prohibits the Jewish community from establishing a rabbinate or yeshiva to train rabbis.

According to the State Department, seven evangelical groups repeatedly have been denied registration in 2006. All Protestant churches in the autonomous region of Karakalpakistan lost their registration appeals by September 2005, and Karakalpakistan authorities also continued to exert pressure on the Hare Krishna community. As of late 2006, the Uzbek government was threatening to close the country's last registered Jehovah's Witnesses community. Sometimes the state-run media engages in harassment of religious minorities. Two prime-time Uzbek-language programs, broadcast on national state TV in late 2006, claimed that Protestants and Jehovah's Witnesses turned people into "zombies." Protestant leaders have reported fears that these programs were part of a campaign to prepare the Uzbek population for further repression of minority religious communities.

In past years, Christian leaders have reportedly been detained in psychiatric hospitals, severely beaten, and/or sentenced to labor camps. Some Christian communities continue to have their churches raided, services interrupted, Bibles confiscated, and the names of adherents recorded by Uzbek officials. In late 2006, the Uzbek authorities stepped up their campaign against the leaders of several unregistered Protestant communities. In Karakalpakistan, two Pentecostal Christians have been charged for their religious activity and if convicted, each faces five years of imprisonment. In March 2007, a court in Andijon sentenced local Protestant pastor Dmitry Shestakov to four years internal exile for "illegal" religious activity; he was arrested in January 2007 and had faced a possible total of 20 years of imprisonment. Government harassment of Shestakov dates back almost a decade, increasing in May 2006, reportedly because some ethnic Uzbeks had converted to Christianity.

It has become more difficult to secure permission to publish religious literature in the past year, the Forum 18 News Service reports. Permission is still required from the state Committee for Religious Affairs and the state-controlled Muslim Spiritual Board (Muftiate), but reportedly, a secret instruction was issued in 2006 lim-

iting publications to less than 1,000 copies of any single religious book. Amendments to the criminal and administrative codes, which came into force in June 2006, instituted new penalties for the “illegal” production, storage, import, and distribution of religious literature, with penalties of up to three years’ imprisonment for repeat offenders. Reportedly, the Chairman of the state Committee for Religious Affairs has said that the import of foreign literature for Muslims had practically ceased. Fines for violations of these codes can be up to 100–200 times the minimum monthly wage or “corrective labor” of up to three years.

The Russian Orthodox Church publishes a newspaper and a journal (both in Russian) and maintains a website. The Catholic Church in Tashkent maintains an internet news agency. Various Christian churches have set up a Bible Society in Tashkent, which produces limited supplies of Christian books, but the Religious Affairs Committee must approve each edition. Other religious minorities are almost entirely banned from producing religious literature in Uzbekistan, especially in the Uzbek language. The Jehovah’s Witnesses note that they cannot print or import their religious literature in Uzbek; the Religious Affairs Committee limits imports of Russian-language literature to registered congregations, making imports to the many unregistered Jehovah’s Witnesses communities prohibited.

For many years, the Uzbek government has allowed only about 20 percent of the country’s quota of pilgrims to make the religious *hajj* to Mecca. Since May 2005, the Uzbek government has intensified its efforts to isolate the people of Uzbekistan. It has cracked down on both domestic and foreign-based NGOs in order to minimize Western influence; after many audits targeting a number of international, human rights oriented NGOs, almost three-fourths of these organizations were closed during 2006, the State Department reported. Other elements of this campaign include: the detention and deportation in 2005 of a Forum 18 reporter and the demand, in March 2006, that the UNHCR close its office within one month. In April 2007, the Uzbek government granted a three-month extension of the work accreditation for the Tashkent office director of Human Rights Watch.

In October 2004, the Commission traveled to Uzbekistan and met with senior officials of the Foreign, Internal Affairs, and Justice Ministries, the Presidential Administration, the Committee on Religious Affairs, and the Parliamentary Ombudsman’s office. The delegation also met with the Muslim, Jewish, and Christian communities, as well as other religious groups, Uzbek human rights activists and lawyers, alleged victims of repression and their families, Western NGOs active in Uzbekistan, and U.S. Embassy personnel. In November 2006, the Commission issued a press statement welcoming the designation of Uzbekistan as a Country of Particular Concern.

Commission staff continue to take part in meetings with delegations of Uzbek religious leaders, human rights groups and academics from Uzbekistan, and U.S.-based experts and activists concerned with Uzbekistan. In January 2007, the Commission co-sponsored an event entitled “Religious Freedom and State Policy in Central Asia,” together with the Center for Strategic and International Studies (CSIS), to discuss religious freedom conditions in Uzbekistan, Turkmenistan and other Central Asian states. In July 2005, the Commission held a public briefing on “U.S. Strategic Dilemmas in Uzbekistan and Turkmenistan,” also with CSIS. At a June 2005 Carnegie Endowment roundtable on Andijon, the Commission released its Policy Focus report, which includes numerous policy recommendations. In May 2005, then-Commission Chair Michael Cromartie testified on Uzbekistan at a hearing of the U.S. Commission on Security and Cooperation in Europe.

Language reflecting a Commission recommendation on Uzbekistan was included in the Consolidated Appropriations Act of 2005. The Congress conditioned funds to Uzbekistan on its “making substantial and continuing progress in meeting its commitments under the ‘Declaration of Strategic Partnership and Cooperation Framework Between the Republic of Uzbekistan and the United States of America,’” such as respect for human rights, including religious freedom. The Commission’s recommendation to re-open the Voice of America’s (VOA) Uzbek Service was adopted in June 2005, but the U.S. Board for Broadcasting Governors and the President’s Budget request for fiscal year 2008 have again proposed the closure of the VOA’s Uzbek Service.

1. The U.S. government should ensure that it speaks in a unified voice in its relations with the Uzbek government. To that end, the U.S. government should:

- ensure that U.S. statements and actions are coordinated across agencies to ensure that U.S. concerns about human rights conditions in Uzbekistan are reflected in all dealings with the Uzbek government;
- following the European Union’s October 2005 decision, reduce aid and arms sales to Uzbekistan and ban visits by high-level Uzbek officials in response

to the Uzbek government's refusal to allow an independent investigation into the violence in Andijon in May 2005;

- ensure that U.S. assistance to the Uzbek government, with the exception of assistance to improve humanitarian conditions and advance human rights, be made contingent upon establishing and implementing a specific timetable for the government to take concrete steps to improve conditions of freedom of religion or belief and observe international human rights standards, steps which should include:
 - ending reliance on convictions based solely on confessions, a practice that often is linked to ill-treatment of prisoners, and implementing the recommendations of the UN Committee Against Torture (June 2002) and the UN Special Rapporteur on Torture (February 2003);
 - establishing a mechanism to review the cases of persons previously detained under suspicion of or charged with religious, political, or security offenses, including Criminal Code Articles 159 (criminalizing “anti-state activity”) and 216 (criminalizing membership in a “forbidden religious organization”); releasing those who have been imprisoned solely because of their religious beliefs or practices as well as any others who have been unjustly detained or sentenced; and making public a list of specific and detailed information about individuals who are currently detained under these articles or imprisoned following conviction;
 - implementing the recommendations of the Organization for Security and Cooperation in Europe (OSCE) Panel of Experts on Religion or Belief to revise the 1998 law on Freedom of Conscience and Religious Organizations and bring it into accordance with international standards;
 - registering religious groups that have sought to comply with the legal requirements; and
 - ensuring that every prisoner has access to his or her family, human rights monitors, adequate medical care, and a lawyer, as specified in international human rights instruments, and allowing prisoners to practice their religion while in detention to the fullest extent compatible with the specific nature of their detention;
- ensure that U.S. security and other forms of assistance are scrutinized to make certain that this assistance does not go to Uzbek government agencies, such as certain branches of the Interior and Justice Ministries, which have been responsible for particularly severe violations of religious freedom as defined by the International Religious Freedom Act of 1998 (IRFA); and
- use appropriate avenues of public diplomacy to explain to the people of Uzbekistan why religious freedom is an important element of U.S. foreign policy, as well as specific concerns about violations of religious freedom in their country.

II. The U.S. government should encourage greater international scrutiny of Uzbekistan's human rights record. To that end, the U.S. government should:

- work with other governments to urge the UN Human Rights Council to reverse its recent decision to end human rights scrutiny of Uzbekistan under confidential resolution 1503 and to address this situation in a public country resolution at the Council;
- encourage scrutiny of Uzbek human rights concerns in appropriate international fora such as the OSCE and other multilateral venues and facilitate the participation of Uzbek human rights defenders in multilateral human rights mechanisms; and
- urge the Uzbek government to agree to a visit by UN Special Rapporteurs on Freedom of Religion or Belief and the Independence of the Judiciary and provide the full and necessary conditions for such a visit.

III. The U.S. government should support Uzbek human rights defenders and religious freedom initiatives. To that end, the U.S. government should:

- respond publicly and privately to the recent expulsions of U.S. non-governmental organizations and the numerous new restrictions placed on their activities; unless these restrictions are rescinded, the U.S. government should make clear that there will be serious consequences in the U.S.-Uzbek bilateral relationship, including a ban on high-level meetings;
- continue the careful monitoring of the status of individuals who are arrested for alleged religious, political, and security offenses and continue efforts to improve the situation of Uzbek human rights defenders, including by pressing for the registration of human rights groups and religious communities;

- support efforts to counteract the Uzbek government’s blockade on information into the country by increasing radio, Internet, and other broadcasting of objective news and information on issues relevant to Uzbekistan, including education, human rights, freedom of religion, and religious tolerance;
- reinstate funding for the Voice of America (VOA) Uzbek Language Service to the fiscal year 2007 level of \$600,000 so as to meet the Broadcasting Board of Governors’ stated goal of outreach to the Muslim world; reinstatement of the VOA Uzbek Service would reach the news-deprived population of Uzbekistan, in addition to the large Uzbek diaspora in Afghanistan and other neighboring countries;
- increase foreign travel opportunities for civil society activists, religious leaders, and others concerned with religious freedom to permit them to take part in relevant international conferences;
- continue to attempt to overcome the objections of the Uzbek government in order to develop assistance programs for Uzbekistan designed to encourage the creation of institutions of civil society that protect human rights and promote religious freedom, programs that could include training in human rights, the rule of law, and crime investigation for police and other law enforcement officials; since such programs have been attempted in the past with little effect, they should be carefully structured to accomplish, and carefully monitored and conditioned upon fulfillment of these specific goals:
 - expanding legal assistance programs for Uzbek relatives of detainees, which have sometimes led to the release of detainees;
 - expanding “train-the-trainer” legal assistance programs for representatives of religious communities to act as legal advisers in the registration process;
 - specifying freedom of religion as a grants category and area of activity in the Democracy and Conflict Mitigation program of the U.S. Agency for International Development and the Democracy Commission Small Grants program administered by the U.S. Embassy; and
 - encouraging national and local public roundtables between Uzbek officials and representatives of Uzbek civil society on freedom of religion; and
- increase opportunities in its exchange programs for Uzbek human rights advocates and religious figures, and more specifically:
 - expand exchange programs for Uzbek religious leaders to include representatives from all religious communities;
 - expand exchange programs for Uzbek human rights defenders, including participation in relevant international conferences and opportunities to interact with Uzbek officials; and
 - ensure that the U.S. Embassy vigorously protests cases when an Uzbek participant in an exchange program encounters difficulties with the Uzbek authorities upon return to Uzbekistan, and if such difficulties continue, inform the Uzbek authorities that there will be negative consequences in other areas of U.S.-Uzbek bilateral relations, including a ban on high-level meetings.

STATEMENT SUBMITTED FOR THE RECORD BY MR. JOSEPH K. GRIEBOSKI, FOUNDER
AND PRESIDENT, INSTITUTE ON RELIGION AND PUBLIC POLICY

Mr. Chairman:

An ambivalent United States foreign policy staunchly condemns violations of human rights and religious freedom around the world, but in practice turns a blind eye towards violations which take place in allied countries or those who are strategically important in whatever vital interest the United States seems to have at some particular moment in time. The U.S. continues to provide significant political and military support to governments who are guilty of human rights and religious freedom violations. Such support contravenes Congressional intent of the unanimously passed International Religious Freedom Act of 1998, which established the incorporation of religious freedom into the overall foreign policy of the United States.

While much can be stated on the subject of this hearing, I will compare the balance of the United States’ response in cases of Saudi Arabia and Uzbekistan to the current situation regarding human rights and, particularly, religious freedom violations occurring in these two countries in the recent years. The United States currently engages in formal relations with both Saudi Arabia and Uzbekistan and thus

has the ability to facilitate change through direct influence, negotiations, and punishments.

The same cannot be said regarding the United States' relationship with Iran. With the first formal meeting between the U.S. and Iranian representatives in decades taking place only this spring, the United States efforts to exhort religious freedom protection all too often falls on deaf ears and thus must take a path different than that which I will explicate regarding Saudi Arabia and Uzbekistan.

SAUDI ARABIA

In 2004, the U.S. Secretary of State identified Saudi Arabia as a "Country of Particular Concern for Severe Violations of Religious Freedom" under the International Religious Freedom Act for its ruthless attacks on religious freedom. Although reports indicate that Saudi Arabia is beginning to adopt a new rhetoric in dealing with the importance of religious tolerance, the actual situation on the ground has not improved. The international community has tracked the numerous pledges of the government to improve aspects of its policies toward religion. Unfortunately, there is little proof of implementation.

The Saudi government maintains its ban on all forms of public religious expression that do not fall in line with the Hanbali School of Sunni Islam. The government maintains and enforces a strict interpretation of Islam, and any Muslims questioning or deviating from this interpretation face harsh treatment, including torture and imprisonment without charges. Women face perhaps the harshest treatment under the state's interpretation of Islam, prohibiting women from traveling, choosing their place of employment without male consent, or driving, among other horrid conditions they face.

Proselytization by non-Sunni Muslims is illegal and the promotion of non-Salafi Sunni Islam is restricted. The public practice of religion by non-Muslims continues to be banned, and although the government recognizes the right of non-Muslims to privately worship, this right is not enforced or protected. Non-Muslims as well as Muslims who do not follow the state sanctioned form of Islam are victims of a range of injustices including harassment by religious police, restrictions on the practice of faith, restrictions on the building of religious institutions and community centers, political and economic discrimination, limited employment opportunities, and little representation in government institutions. The Saudi religious police, Mutaween, have broad and arbitrary discretionary powers of surveillance and entry to property, detention and interrogation of suspects, and summary judgment and execution of punishment for perceived violations of Sharia. While nominally tasked with disciplining Muslims, the religious police invest themselves with the authority to harass and persecute non-Muslim dhimmi, "guest workers," and kafir or infidels into converting to Islam. Evidence demonstrates that the Mutaween have even gone so far as to destroy Islamic symbols, holy places, and other items, considering their usage to be idolatry and a violation of Sharia.

Non-Salafi Muslims visiting Saudi for completion of the Hajj find themselves discriminated, persecuted, and even tortured for their way of practicing Islam.

These violations occur with frequency, despite published pledges to the contrary. The 2003 Riyadh Declaration on Human Rights in Peace and War pledges protection of universal human rights with articulations such as:

Respecting human life and dignity is the basic source to respect and activate and implement human rights and duties . . . Mankind himself is honored by God without discrimination regardless of his gender, color, race or religion (Article1, 3).

Under the provisions of Shari'a law as practiced in the country, judges may discount the testimony of non-Muslims, non-observant Muslims, or individuals who do not adhere to the official interpretation of Islam. Legal sources report that testimony by Shi'a Muslims is often ignored in legal courts or is deemed to have less weight than testimony provided by Sunni Muslims. In calculating accidental death or injury compensation, the Saudis embrace an interpretation of Islamic law that more greatly discriminates against Hindus, who are seen as polytheists under traditional Islamic law, than it does against Christians and Jews, who are classified as "People of the Book." According to the country's Hanbali Shari'a interpretation, once fault is determined by a court, a Muslim male receives 100 percent of the amount of compensation determined, a male Jew or Christian receives 50 percent, and all others (including Hindus and Sikhs) receive 1/16 of the amount a male Muslim may receive.

Contrary to a report published by the Saudi Embassy in Washington in 2006, the promotion of religious intolerance remains prevalent in school textbooks, particu-

larly against Jews, Christians and Shi'a Muslims. In addition, the government has been active in funding *madrassas*, or religious schools overseas, fostering extremism on the basis of fundamentalist teachings in countries like Pakistan, Afghanistan, and Serbia's province of Kosovo.

In July 2006, the U.S. State Department's Office for International Religious Freedom, headed by Ambassador-at-Large John Hanford, announced that ongoing bilateral discussions between the U.S. and Saudi Arabia were eliciting promising developments within the Muslim state in regards to religious freedom and agreements were signed to such effect. According to Ambassador Hanford, the Saudis agreed to undertake many initiatives to improve the state of religious freedom, including removal of extremist, discriminatory or intolerant literature from school curricula. Unfortunately, not only has the Saudi Government not implemented any such changes, but they also claim that no agreements with Ambassador Hanford were made.

Assurances were made by the Saudi government for greater protection of the right to private worship and curbing police harassment of religious minorities; the State Department reports that the harassment of non-Muslims and non-Sunni Muslims declined in 2006. However, religious persecution continues to be a serious and ongoing problem in Saudi Arabia.

Despite these plentiful broken promises and unmet assurances from the Kingdom of Saudi Arabia, the United States continues to give Saudi Arabia the benefit of the doubt and ignores the Saudi religious freedom track record in favor of other ventures. Knowing full well the documented history of the Saudi government through reports, testimony and recommendations from international NGOs and the United States Government's own Commission on International Religious Freedom, the United States and Saudi Arabia entered into an agreement "to strengthen commercial and investment relations." Moreover the United States is the largest foreign investor in Saudi Arabia, with over 300 joint ventures between companies currently estimated.

In July 2006 Secretary of State Condoleezza Rice issued a waiver of sanctions against Saudi Arabia, in spite of the her own redesignation of Saudi Arabia as a Country of Particular Concern. This waiver has given the Saudi government a green light to continue their heinous violations of human rights and religious freedom, providing Saudi Arabia an immunity to any mechanisms for punishment set forth in the International Religious Freedom Act. In effect the United States government is implicitly endorsing Saudi Arabia's egregious actions and confirming that religious freedom is indeed not a main concern of the United States Government's foreign policy initiative. Furthermore, the waiver sends a clear signal to the international community that human rights and religious freedom are secondary to financial interests, that America's commitment to fundamental rights and values goes only as far as its present vital interests. Such imbalance in our foreign policy only adds to the already disreputable condition of our global reputation.

UZBEKISTAN

The Uzbek Constitution endorses freedom of religion and separation of church and state. In practice the Government does restrict religious rights for minority faiths, mainly through registration mechanisms and legal fines. The government generally recognizes the religious rights of "mainstream" Muslim, Jewish, and Christian religious groups. However, anti-proselytizing laws exist and are enforced and there are restrictions on dissemination of religious literature and offering private religious instruction.

Individual members of various religious faiths generally maintain amicable relations, although ethnic Uzbeks who convert to Christianity often face harassment at the local level from neighbors, family, employers, etc and thus, are subject to social and cultural prejudice, but not to persecution or discrimination by the State. In 2006 the U.S. State Department reported intensification of the Uzbek government's campaign against Christians. According to the State Department, seven evangelical groups were repeatedly denied registration. Two Pentecostal Christians were charged for their religious activity and face five years in prison if convicted. By comparison, Christians in fellow Country of Particular Concern (CPC) Saudi Arabia face death for their religious beliefs, let alone denial of registration with the state. The disparity in punishment for Christians in Saudi Arabia and Uzbekistan and the United States' official reaction to each further demonstrates a severely flawed religious freedom foreign policy.

Although Uzbekistan is listed as a "state[s], which cause a particular concern in the sphere of observance of religious freedoms," according to a public poll by the "Izhtimoiy Firk" agency ("Public Opinion"), only 3.9% of the Uzbek population feels that their religious rights are being violated—which involves, primarily, denying

state registration and legal fines. Conversely, the government of Saudi Arabia is a gross human rights violator, exempted from the US sanctions

The Government of Uzbekistan has been accused of particularly harsh reprisals against Islamic groups suspected of extremist activities, which has raised concern among human rights organizations. The Uzbek government was criticized and blamed by some groups for the handling and outcome of the prison riot and ensuing public demonstration in Andijan in May 2005. The Government of Uzbekistan was accused of concealing facts and barring international teams of investigators from access to the location where the demonstration in Andijan took place in May of 2005. Eventually, in December 2006 and April 2007 a team of EU experts visited Uzbekistan to examine court records, interview witnesses and travel to Andijan to meet with the local population to discuss the tragic events of May 2005.

The Uzbek government has taken an active role in regulating Islam as practiced by Muslims in Uzbekistan. The government promotes an indigenous, moderate form of the religion through control of the Muslim Board of Uzbekistan (the Muftiate), which oversees the country's religious hierarchy, published Islamic literature, content of religious sermons, etc. In further efforts to curb extremism, the government has embraced a firm policy for registering religious organizations, although the membership threshold for registration is relatively low in comparison even to many Western European states.

According to the 1998 Law on Freedom of Conscience and Religious Organization, all registering religious groups and congregations must present a list of at least 100 citizen members to the Ministry of Justice (MOJ) in order to legally register. This provision, however, has granted the government considerable power in banning minority religious groups. Muslims who seek to worship outside the system of state-sponsored mosques, as well as a variety of Christian confessions and Protestant groups with ethnic Uzbek members are often discriminated against by this law. And yet, NO non-Muslim religious organization in Saudi Arabia can build a worship place and members of minority religions, particularly, Christians feel on regular basis fear for their lives while Saudi Arabia is virtually immune from any punitive measures by the U.S. for its human rights record.

On the other hand, in 2005 the U.S. embassy expanded its cross-cultural and educational programs with Uzbekistan, such as the University of Washington partnership program for Cultural and Comparative Religious Studies, the program on Cultural and Religious Pluralism in Uzbekistan and the United States, and a Community Connection group exploring Islam in a Religiously Diverse United States. Such engagement is a positive sign of the level of dialogue between the U.S. and Uzbekistan over shared issues of concern regarding human rights and religious freedom and the assessment of which yielded highly positive responses at the conference in Tashkent last September. By comparison, the government of Saudi Arabia refuses to merely acknowledge its grave violations of human rights and religious freedom against minority religions, which has no bearing on its strategic relationship with the United States of America.

The Uzbek government justifies its harsh treatment of members of the Muslim community as the security measures posed by certain terrorist groups that claim religious affiliation, such as the Islamic Movement of Uzbekistan. According to the U.S. State Department's *2006 Country Reports on Human Rights Practices*, "authorities make little distinction between actual members of [extremist groups] and those with marginal affiliation with the group, such as persons who had attended Koranic study sessions with the group." One might interpret it as natural for the government to make little if any distinction between established members of an extremist group and potential recruits who are attending the sessions where "brainwashing" takes place, aka "Koranic study sessions" although the relationship between the two can be considered marginal. The U.S., first and foremost, would take note of such groups and their attending audiences if such meetings were taking place in the United States.

Aside from Muslims and Christians, Jews also continued to face persecution in 2006. The Jewish community is prevented from establishing a rabbinate to train rabbis. Other acts of violence committed against members of the Jewish community have been written off by the government as singular acts of anti-Semitism. However, any such singular act represents a societal atmosphere allowing for such acts to take place, as does the relaxed attitude of the government toward even individual acts of anti-Semitism.

CONCLUSION

The main quandary presently is the level of response to these respective abuses by the U.S. government. The Kingdom of Saudi Arabia is widely regarded as the

pinnacle of religious repression and has not followed through on promises of change. The Government of Uzbekistan, while a proven violator of its citizen's fundamental rights, has not to this point reached the pervasive abuses of Saudi Arabia and has exhibited interest in improvement through programs initiated. Nevertheless, the United States has granted Saudi Arabia a waiver from sanctions designed to force repressive governments to modify policy and practice.

The United States Government must form a consistent foreign policy addressing human rights and religious freedom. There exists within the American foreign policy-making elite a mistaken belief that the United States cannot speak frankly with its friends on such issues, fearing that doing so will harm the relationship. In all truth, U.S. prestige and influence will grow as we continue to raise with consistent follow up the human rights and religious freedom conditions in all states.

Without a consistent foreign policy on human rights and religious freedom, the credibility and effectiveness of the International Religious Freedom Act and the CPC designation becomes null.

In order to create a stronger and consistent protection and promotion of religious freedom in U.S. foreign policy, I propose the following amendments to the International Religious Freedom Act:

Section 102(b)(1) of the International Religious Freedom Act of 1998 (Public Law 105-292) is amended by adding at the end the following:

“(G) Classification of religious freedom.—A classification of religious freedom in each foreign country to one of five tiers with—

- (i) the ‘tier 1’ classification consisting of foreign countries with a record of religious freedom ;
- (ii) the ‘tier 2’ classification consisting of foreign countries with a record of discriminatory legislation or policies prejudicial to certain religions, including denouncing certain religions by identifying them as dangerous “Cults” or “Sects”;
- (iii) the ‘tier 3’ classification consisting of foreign countries with a record of government abuse against religious groups and failure to discourage or prevent societal discrimination against religious groups;
- (iv) the ‘tier 4’ classification consisting of foreign countries with a record of state hostility toward religions that threaten or limit the ability of practitioners to safely manifest their religion or freely act or associate as a religious group;
- (v) the ‘tier 5’ classification consisting of foreign countries which systematically suppress or control religious belief or practice through totalitarian or authoritarian policies and actions.

U.S. foreign aid must be tied directly to a government's human rights and religious freedom record. Non-humanitarian aid must be withheld from any and all countries that are guilty of violations of religious freedom on a proportional level according to the seriousness of their religious freedom violations. It is illogical to continue giving military aid and full trading rights and benefits to governments that condone or even promote religious discrimination, persecution, torture and murder. The United States Government must not be afraid to stand for the principles upon which this nation was founded. If we do not, we will soon lose more than our credibility.

