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SUBCOMMITTEE ON AFRICA, GLOBAL HUMAN RIGHTS AND
INTERNATIONAL OPERATIONS

*“In Defense of Human Dignity: The 2005 International Religious
Freedom Report”*

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INTRODUCTION

Thank you, Mr. Chairman, for inviting Freedom House's Center for Religious Freedom to testify at today's hearings on the State Department's Country Report on Religious Freedom.

At the outset, I wish to express our deep appreciation for these important hearings, and for your dedication to ensuring that religious freedom concerns remain a force in U.S. foreign policy. Such oversight is vitally important both in mobilizing appropriate foreign policy tools by American policy makers, and in sending a powerful message to governments throughout the world that the American people are not indifferent to violations of religious freedom wherever they may occur.

Religious freedom is pivotal to a free society. Thomas Jefferson called it the “first freedom.” It is enshrined in the first clause of the first amendment of the U.S. Constitution. And it is first in another sense: freedom of thought, conscience and religion is the prerequisite for the exercise of all other basic human rights. In theory and practice, free expression, freedom of press and freedom of association depend on the prior guarantee of a free conscience. The historical reality is that where religious freedom is denied, so too are other basic human rights.

Religious freedom has two dimensions. It belongs to individuals and also to religious groups. It includes a person’s right to walk down the street wearing a cross, a yarmulke or a headscarf, or not to do so, and to express and live out one’s beliefs in society. It also includes the rights of groups to worship God as they wish in community, to run schools, hospitals and other institutions, to publish and possess sacred literature, and order their internal affairs.

In recent decades, the institutional dimension of religious freedom has proved crucial in opening up social space and offering essential political protection for reformers in repressive societies as diverse as Poland, Chile, the Philippines and South Africa. Today, we see a new generation of dissidents claiming their individual rights to religious freedom – including courageous Iranian and Saudi reformers who are being imprisoned and silenced for crimes of “blasphemy” when they dissent from their governments’ policies.

The fundamental nature of religious freedom found worldwide acceptance in the 1948 Universal Declaration of Human Rights. In fact, it was above all the horror of the Nazi Holocaust against the Jewish people, a religious genocide as well as an ethnic one, that stirred support for it. In its preamble, the Declaration states that "recognition of the inherent dignity and of the equal and inalienable rights of all members of the human family is the foundation of freedom, justice, and peace in the world." It is precisely this shared recognition of human dignity as the basis for religious freedom – and all human rights -- that enables practical collaboration between believers of various faiths or no faith, despite irreconcilable differences regarding the ultimate source of human dignity.

Religious freedom is as salient today as it was half a century ago.

State-sponsored religious persecution – going far beyond even pervasive discrimination and bigotry – occurs today under three types of regimes: the remaining officially atheistic communist governments, such as China, North Korea, and Vietnam; repressive Islamist states, such as Saudi Arabia, Iran and Sudan; and nationalist authoritarian states, such as Burma and Eritrea. These are the countries that have been officially designated by the U.S. State Department as “countries of particular concern” for their egregious, systematic, and continuing violations of religious freedom. In such countries only those who uphold government-approved orthodoxies – religious or secular – are tolerated. Others risk torture, imprisonment, and even death.

Despite its central importance historically, politically and socially, the issue of religious freedom has been the most neglected human right in U.S. foreign policy. Because of either lack of interest or an understanding of religion’s importance to most of the world’s people, America’s foreign policy establishment has typically failed to defend religious freedom as a principle or speak out on behalf of beleaguered believers. This is one reason why, for example, U.S. intelligence turned down a 1978 proposal to study the role of religion in Iran, calling it “mere sociology”; a year later, the Islamic revolution in Tehran caught the United States unaware.

In 1998, the U.S. Congress sought to correct this failure by passing overwhelmingly the International Religious Freedom Act or IRFA. One of its main purposes is to make the issue of religious freedom an integral part of the U.S. foreign policy agenda, in order to combat a “renewed and, in many cases, increasing assault in many countries around the world” against religious freedom. The promotion and protection of religious freedom abroad is now official U.S. policy.

Religious freedom faces hard new challenges. Recent decades have seen the rise of extreme interpretations of Islamic rule that are virulently intolerant of other traditions within Islam, as well as of non-Muslims. Many in our policy world still find religious freedom too “sensitive” to raise. But since 9/11, the link between our own security and freedom, between our national interests and our ideals, has never been clearer. Winning the War on Terror turns on the battle of ideas and at its heart is the principle of religious freedom.

The State Department Religious Freedom Report, numbering some eight hundred printed pages in length, constitutes the most detailed religious freedom compilation in the world. This year's report reflects a monumental effort on the part of the Office of Religious Freedom. They and all the American Foreign Service officers throughout the world who contributed to it deserve to be commended. We will make critical comments about the Reports, but this should not obscure the fact that they are an important contribution to the field of human rights.

CHINA

To a greater or lesser extent, China has repressed religion throughout the over fifty years of Communist Party rule. Its aim has been to make religion serve the interests of the communist state until it disappears from Chinese society. This remains the dominant view. Under the leadership of President Hu Jintao, Communist party policy regarding religion remains to “actively guide religion so that it can be adapted to socialist society.” In furtherance of this policy, the Chinese Communist Party Standing Committee instructed all government agencies in 2004 to “strengthen Marxist atheism research, propaganda and education” and to wipe out “the cultic organization of ‘Falungong’ and various pseudo-sciences and superstition and the new trend toward ‘Western hostile forces’ attempt to ‘westernize’ and ‘disintegrate’ China in the name of religion.”

Unregistered Catholic, Protestant, Tibetan Buddhist, Muslim, and various Asian religious groups, such as Falun Gong, continue to report that many of their followers endure arrests, fines, imprisonment, and severe economic discrimination, and that some of their leaders and laymen have even been tortured and killed. According to the Catholic online news service, *AsiaNews.it*, in 2004 alone the Chinese government invested over \$53 million to eliminate unregistered religious activities.

Many unregistered places of worship have been shut down or bulldozed in recent years. In 2003, a 1,500 member unregistered church in Hangzhou, Zhejiang province, was demolished despite peaceful protests by over 300 congregates. A report issued by the Information Center for Human Rights and Democracy based in Hong Kong, documented 392 temples and churches destroyed or forcibly converted into “entertainment centers” by Chinese officials in 2003.

China’s stringent birth-control campaign is objectionable on religious grounds to members of Christian and Muslim groups, among others. Women, restricted in the number of children they may bear, must seek state permission before becoming pregnant in a particular year. Compliance is coerced through steep fine; job loss; demolition of housing; denials of birth certificates; educational opportunities for children; forced abortion, sterilization and infanticide. The scope of China’s coercive population control policy was revealed in 2003 in Jeishi, Guangdong Province. In order to meet provincial quotas, “family planning” officials were directed to perform 271 abortions, fit 818 women with Intrauterine Devices (IUD’s), and have 1,369 women sterilized, all in a thirty-five day span. A blind Chinese activist, Chen Guancheng, who tried to organize a protest against coerced abortions, was arrested in September and placed under house arrest in Linyi, Shandong Province.

Beijing controls the five “authorized” religions (Protestantism, Catholicism, Buddhism, Islam, and Taoism) by the State Administration for Religious Affairs (SARA, formerly the Religious Affairs Bureau) , which is controlled by the United Front Work Department, which is itself controlled by the Committee of the Communist Party. In turn, party officials by law must be atheists. SARA registers and controls all religious groups through the Three-Self Patriotic movement and the China Christian Council for

Protestants, the Catholic Patriotic Association and Bishops Conference for Catholics, and similar patriotic associations for Buddhists, Muslims, and Taoists.

The heightened crackdown stems from frustration and political insecurity as authorities realized the astonishing revival of religion throughout China, particularly through unregistered groups, is much larger than previously believed. The booming growth and potential cultural and political impact of house-church Christianity in China was documented in the 2003 book *Jesus in Beijing* and the documentary film *The Cross*.

Along with the current crackdown, China's government continues to push an aggressive public-relations campaign to convince the West that there is no religious persecution in China, that whatever incidents of repression occur are either the unauthorized acts of "overzealous cadres," a "distortion of facts," or else necessary measures against dangerous criminals, cultists, and practitioners of "abnormal activities." China's March 2005 repressive religion law was marketed to the West as a "paradigm shift" toward liberalizing religion policy. The March 2005 *Religious Affairs Provisions* provides incentives for registration such as greater property rights only for registered religious venues as well as the ability to operate orphanages, medical clinics, kindergartens, and other humanitarian initiatives. The new law further protects registered religious adherents by declaring that government officials who abuse their power in managing religious affairs are criminally liable. Those that refuse to register risk financial penalties, criminal punishment, and the wrath of government officials who are allowed to act with considerable discretion.

Registration requires that both Catholic and Protestant churches desist from speaking about the Second Coming of Christ, the gifts of the Spirit, the story of Creation in Genesis, certain sections of the Catholic Catechism, and the evils of abortion. For Catholics, registration also means severing ties to the Vatican; submitting to bishops appointed by the communist government, not the Pope; and rejecting spiritual authority of the Pope. The "Patriotic" Protestant churches have to be organized in the same undifferentiated church body, as denominations are unrecognized within the Communist party management scheme.

China has an unknown number of religious prisoners and detainees – unknown because the judicial and penal system is not transparent. One detainee is Catholic Bishop James Su Zhimin, who was arrested in Hebei in October 1997, after issuing an appeal to authorities for greater religious freedom for Roman Catholics. As of 2005, Bishop Su has been imprisoned for over 27 years. According to reports, Bishop Su's whereabouts were unknown until being seen at Hebei hospital under heavy guard in late 2003. He has not been seen since. Requests by the U.S. Commission on International Religious Freedom to meet with him were refused by Chinese officials.

Another is Cai Zhuohua, a Protestant pastor in Beijing, who was sentenced in early November to three years in prison, along with two others, for printing and distributing Bibles. His lawyer, the prominent civil rights attorney Gao Zhisheng, who defended the

religious freedom of Falun Gong members, was also punished this month by having his law firm shut down and his law license suspended.

Also on November 4, the Vatican-linked news agency Zenit reported that two Catholic priests, Fr. Wang Xhow Fa and Fr. P. Paulus Shao Gu Min, were arrested after giving an interview to an Italian newspaper.

Once supported by the government, since October 1999, Falun Gong has been officially banned by law as a “heretical cult.” The State Department reported that over 100,000 Falun Gong practitioners have been detained since 1999. Overseas practitioners allege that over 1,000 have been killed for their beliefs by Chinese government officials, and many more brutally tortured. Repression has continued since the release of a 2004 directive from Chinese Premier Wen Jiabao to “expand and deepen [the government’s] battle against cults.” Those found practicing Falun Gong are sent to “re-education through labor” camps for up to three years, without formal prosecution or trial. Others are sent directly to mental institutions and pressured to recant their beliefs. After a number of high profile public demonstrations by Falun Gong practitioners, China’s swift and severe measures have driven the spiritual movement deep underground.

Tibetan Buddhists face persecution and open devotion to the Dalai Lama is considered a threat to “public order” by the authorities. The state aims to eradicate his influence, by tightly controlling religious institutions and schools and by creating parallel structures of authority within Tibetan Buddhism, as well as through harsh measures. The activities and education of monks and nuns are closely monitored. The Communist Party demands the right to approve the designation and training of all lamas thought to be reincarnate by Tibetan Buddhists. As the U.S. Commission on International Religious Freedom learned on its recent mission to China and Tibet, monks and nuns are required to renounce the Dalai Lama as the spiritual leader of Tibetan Buddhism. When asked why, government officials answered that the Dalai Lama represented a “splittist” threat and/or is a hindrance to economic modernization. The whereabouts of the young Panchen Lama remain unknown after being seized by Chinese authorities upon receiving recognition by the Dalai Lama. Tibetan minors are generally not permitted to receive religious education, except in rare cases.

As with the other religions, the Chinese government tightly controls and represses Uighur Muslims’ religious activities. The government restricts the building of mosques, the training and appointment of religious leaders, edits orthodox versions of the Koran and the content of sermons and fatwas. Mosques that resist the Communist Party’s ideological control are often closed or destroyed. In order to ensure political loyalty toward the Chinese Communist Party, all local imams are forced to attend yearly political “re-education” seminars. Novel and offensive doctrines such as the introduction of female imams have been imposed on the Uighur Islamic community by the Chinese government.

The prohibition against religious education of minors remains particularly rigid among Uighurs, despite the March 2005 assurance from China's Foreign Minister that religious education of minors is tolerated in China.

CUBA

In Cuba, human rights, including those pertaining to religion, continue to be repressed. The Castro regime denies the proclaimed constitutional right of its citizens to freedom of religion. This is the case especially towards those churches and denominations that choose to remain independent of the State-sponsored Cuban Council of Churches.

This repression has continued since the period covered by the Report. The Catholic Church has made repeated public complaints against the Cuban government's inaction in opening up the sphere of religious freedom to the level advocated by Pope John Paul II during his visit in 1998. In early September 2005, after the Cuban ambassador to the Vatican accused the Catholic hierarchy of serving the interests of the US and the exile community in Miami, Cardinal Jaime Ortega publicly rejected his remarks as "truly outrageous" and "insulting." A few days earlier that month, the government had arbitrarily denied permission in several areas of Cuba to publicly celebrate the feast of Our Lady of Charity of El Cobre, the patron saint of Cuba, on the grounds that they were "not convenient," and, in other cases, arguing that "there was no tradition" of processions in the effected locations. In March and September 2005, the Church of Pinar del Rio reported burglaries that it suspected were instigated by the Cuban authorities. In October 2005, the Bishop of Holguín province denounced in an open letter to the government repeated attacks against a deacon in his province, who suffered two "Actos de Repudio" (acts of repudiation) and other acts of intimidation by thugs and officials. The deacon is active in the Varela Project, an initiative seeking political and social change in Cuba.

In a distressing sign of increased religious control, sweeping new regulations restricting religious meetings in private homes went into effect in October 2005. Protestant house church leaders reportedly fear that these could severely curtail their ability to meet for worship. Services that have not been authorized are banned, while those organizing approved services must submit the names of and signed approval from owners of the house churches, days and times when services are to be held and the number of worshippers. The full name and place of residence of the pastor and details on his theological education must also be given. In addition, no more than one church of any one denomination can exist within two kilometers (1.25 miles) of each other. Foreigners cannot attend house churches in mountainous areas, and they are required to obtain specific permission to attend churches elsewhere. Violations will lead to the church being closed and both the leader and the foreigner being fined \$1,000.

EGYPT

Egypt is home to the indigenous Coptic Christian community, the largest non-Muslim group in the Middle East, as well as small Jewish, Bahai and other religious communities.

The religious freedom of Egypt's some 10 million strong Coptic Christian community, while generally able to practice its religion, is threatened in varying degrees by terrorism from extreme Islamic groups, by the abusive practices of local police and security forces, and by discriminatory and restrictive Egyptian Government policies.

Material vilifying Jews and Bahá'ís appears regularly in the state-controlled and semi-official media. Human rights groups also cite persistent, virulent anti-Semitism in the education system, which the Egyptian government has not adequately addressed. Though the government maintains control over all media, it allowed the airing of a virulently anti-Semitic series based on the forged “Protocols of the Elders of Zion” on a private television channel in recent years.

In Egypt, ID cards require a statement of religious affiliation. Moreover, the system allows only for one of the three recognized religions of Egypt — Islam, Christianity, or Judaism — to be entered. All members of the Egyptian Bahá'ís community face the prospect of being left wholly without proper ID Cards by the year's end — a situation in which they would essentially be denied all rights of citizenship, and, indeed, would be unable to withdraw money from the bank, to get medical treatment at public hospitals, or to purchase food from state stores.

The Egypt Report gives an extensive review of the problems faced by Coptic Christians in building or repairing churches, but is weak on other problems faced by Copts. It states there were “reports of forced conversions of Coptic women and girls to Islam by Muslim men” but that “reports of such cases are disputed.” Reports of such cases are usually disputed and, no doubt, some are false. However, there are credible reports of kidnapping and forced conversion. On March 23, 2004, the Coptic Pope, Shenouda III, publicly condemned the kidnapping and forced conversion of Christian girls, particularly highlighting their abduction from supermarkets. It is very unusual for the Pope to speak out publicly on this type of issue (he has previously been under house arrest for remarks critical of the government), so this may indicate that it is escalating. This underscores the need for a transparent, independent investigation into reports of various instances of religious persecution.

The Report often uses excessively mild language. For example, it states that there are “occasional reports that police harass Christians who had converted from Islam.” “Harassment” is much too weak a word here to describe the fact that such converts have been arrested, imprisoned, interrogated and tortured, and that in November 2003, one such convert died in police custody. Converts also fear attack and even murder by Muslim radicals. The Report states: “In contrast to previous years, there were no reports of authors facing trial or charges related to writings or statements considered heretical during the reporting period.” This is correct but fails to emphasize that writers face even greater pressure from extremist violence outside the government. For example, on July 13, 2005, a well known Muslim Egyptian writer, Sayyid al-Qimni, received a message from extremists saying that unless he renounced his views he would be killed. On July 16, he announced that he was recanting his past work and would forgo future writing assignments. Because of his more liberal Islamic views and his criticism of Islamic

theology, he has been called an “apostate” (one who has forsaken Islam) by those of more conservative views. In his statement, he referred to the fate of a previous Egyptian writer in a similar situation, Farag Fouda, who was shot and killed in 1992, and believed that the same future would await him unless he renounced his beliefs.

It also omits some highly significant cases. For example, in early 2005, Gaseer Mohamed Mahmoud, who converted to Christianity from Islam in 2003, was tortured by police, who, among other things, pulled out his toenails, and, on January 10, 2005, with the assistance of state security police, was forcibly confined to Cairo’s El-Khanka mental hospital after his adoptive parents discovered his conversion. He was kept in solitary confinement, put in a water filled room, beaten, whipped, and told that he would be confined until he renounced his new faith. After international publicity he was released on June 9, but was forced into hiding. On April 6, 2005, Baha al-Aqqad, another recent convert to Christianity from Islam, was arrested on the grounds that he had “defamed Islam” and held in Doqqi prison. After 45 days he was transferred to Tora prison in Cairo, typically a prison for political prisoners.

Reports that we receive from Egypt indicate that Copts have felt under increasing religious pressure. Since the State Department Report was compiled, this tension has exploded. On October 13, 2005, a news report in the newspaper *Al-Midan* claimed that a newly discovered CD of a play performed in St. George’s Church in Alexandria two years ago showed that the play “insulted Islam.” Subsequently, a mob of at least 5,000 people surrounded the church. There have been riots, with four people dead and ninety injured, including a nun who was stabbed. Seven other churches in Alexandria have been attacked, and one church in Cairo was also surrounded by a mob. Seven Coptic businesses in Alexandria were attacked. Extremist websites have published death threats against Coptic Pope Shenouda and against priests in Alexandria. Coptic houses in Alexandria were marked by unknown people with a cross as a sign that they are owned by Christians and it is generally believed that this was to identify them for possible subsequent attack. The Egyptian government needs to answer questions about who instigated the violence; whether it organized or spontaneous; whether the perpetrators of the violence are being identified and brought to justice; and what Egyptian authorities are doing to prevent such incidents in the future.

The utter failure of Egypt to bring the guilty to justice in the murder case of over 20 Copts in January 2000 in the town of Al-Kosheh can only be understood as a sign that Copts in Egypt can be attacked and even killed with impunity. It is now incumbent on Egypt prove that this is not so.

Brave leaders who are committed to individual civil and political freedoms exist within Egyptian society. Saad Eddin Ibrahim and Ayman Nour are two, but they are harassed and punished through imprisonment and intimidation. Mubarak’s destructive policies are leading to the radicalization of its society.

INDIA

This month, the All India Catholic Union reported that 200 episodes of anti-Christian violence have occurred so far in 2005. The 2005 Report's Executive Summary highlights India's "state neglect... of abuses against religious groups" while praising the country for "significant improvements in the promotion of religious freedom." While the Federal Government has been more responsive to the plight of minorities and there has been an increase in judicial action against persecutors and steps taken to redress the atrocities in Gujarat, we are concerned about the continued presence and growth of extremist Hindu organizations that use violence against religious minorities.

In particular, the "Sangh Parivar" is an unregistered international network of organizations that raises money in the United States and Europe to advance a radical Hindu agenda involving the eradication of all minority religions. The 1976 Foreign Contribution Regulation Act, mentioned in every State Department Religious Freedom report, requires monitoring and registration of all foreign-funded organizations and has been used by the state against Christian and Muslim organizations. Yet reports indicate that the Sangh Parivar has eluded FCRA requirements and continues to facilitate the transfer of tax-deductible US dollars from extremist Hindu organizations in the United States to violent activists in India.

Allowing the Sangh Parivar to continue its activities while pursuing action against individual perpetrators of atrocities against religious minorities undermines the beneficial attempts by the United States and India to work for greater respect for religious freedom in India. The Sangh Parivar is the movement most responsible for atrocities in India, including the Gujarat riots. The United States and India should formally investigate the funds and activities of the Sangh Parivar and the organizations under its umbrella, including the Rashtriya Swayamsevak Sangh (RSS) and the Vishva Hindu Parishad (VHP).

IRAN

The Report's discussion of Iran is detailed and insightful. It is especially thorough in analyzing the treatment of the various non-Muslim minorities, the Christians, Jews, Zoroastrians and Bahá'ís, as well as the Sunni and Sufi Muslim communities. It also correctly discusses in the context of religious freedom the Shiite regime's harsh treatment of dissidents for the "crime of thinking," as one Iranian Shiite dissident called it, and the denial of equal treatment under the law to women, as well as minorities.

Since the Report was compiled, Iran's President has threatened Israel with eradication. This is shocking but hardly a new position for Iran. The Report should include in its reporting an analysis of the official speech and educational materials and other publications of the regime to determine the extent and nature of official expressions of religious hatred and extremism. A regime in which the law allows the spilling of Bahai blood with impunity and where Christian and Jewish grocery shop owners are required to post their religion on their store fronts is certain to include systemic bigotry in its

curriculum and official propaganda. The 9/11 Commission makes clear that the indoctrination in religious hostility and enmity toward the other is a key challenge in defeating Islamic terror. It should be examined in this Report.

Rule by the clerical elite in Iran has also undermined democratic institutions, including the legislature and the media. The Report should examine how the Guardian Council and sharia courts, comprised of men who claim to know Divine Will, directly conflict with democratic processes and contradict the democratic principle that power resides in the people. As neighboring Iraq establishes its new order and grapples with the role of Islam in government, it is crucially important for the United States to understand the problems posed to democracy itself by sharia rule in Iran.

IRAQ

Iraq's Christians and other non-Muslim minorities are being driven out of their ancestral homeland by a devastating wave of persecution and targeted discrimination and intimidation by both Islamic extremists and Kurdish militants.

Tens of thousands of Iraq's nearly one million ChaldoAssyrians, as the indigenous cultural and linguistic ethnic group of Christians is called, have fled into exile over the past two years. The State Department's Religion Reports state that up to a quarter of a million have left their homes for security in other parts of the country. Their leaders fear that, like the Iraqi Jews — who accounted for a third of Iraq's population until facing relentless persecution in the middle of the last century — they may leave en masse. Though many Iraqis, particularly moderates, suffer violence, the ChaldoAssyrians, along with the smaller non-Muslim minorities of Sabeen Mandeans and Yizidis, may be as a group all but eradicated from Iraq. Their exodus began in earnest in August 2004 after the start of a terrorist bombing campaign against their churches. With additional church bombings around Christmas time last year, and a series of targeted kidnappings, beheadings, and assassinations throughout the year, hundreds more Christian families escaped in fear to Jordan and Syria.

They also worry that they are experiencing an ethnic-cleansing campaign by Kurds, with whom they live in close physical proximity in the north. Some Christian and non-Muslim villages, along with the villages of the Shabaks, a separate ethnic Muslim offshoot, have been denied essential infrastructure projects and have been deprived of American reconstruction aid by Kurdish leaders and poorly administered U.S. programs that favor the Kurds. The aim of the Kurdish leaders appears to be to annex these ancestral villages of non-Kurdish peoples.

Though Iraq's Grand Ayatollah Sistani has denounced the attacks against the Christians, the persecution has not abated, as the State Department Report amply details. The ChaldoAssyrians, along with the Mandeans, Yizidis, and Shabaks, have endured much throughout the last century in Iraq, including brutal Arabization and Islamization campaigns. But this current period may see their last stand as cohesive communities.

Should the ChaldoAssyrian community disappear from Iraq, it would mean the end of their Aramaic language (spoken by Jesus), and their customs, rites, and culture. A unique part of Christian patrimony would disappear along with this first-century church. The United States would have presided over the destruction of one of the world's oldest Christian communities. Its reverberations would be keenly felt beyond Iraq's borders. If the democratic project of Iraq ends in dismal failure for the ChaldoAssyrians, the future will be bleak for all the historic churches of the Middle East.

Further loss of ChaldoAssyrian influence in Iraq would also have dire implications for Iraq itself and for American foreign policy. The ChaldoAssyrians are a disproportionately skilled and educated group, and they also possess that increasingly scarce trait in the Middle East: the virtue of toleration. They are a natural political bloc for building a democracy with minority protections and individual rights. Their presence bolsters Muslim moderates who claim religious pluralism as a rationale for staving off governance by Islamic sharia law.

It is in the direct political interest of the United States to keep the ChaldoAssyrians, the Mandaeans, the Yizidis and the Shabaks in Iraq.

Though Iraq's new Constitution represents a milestone toward the creation of the Arab world's only electoral democracy, those of us who work to defend religious freedom internationally are deeply troubled by it. We are concerned that it may be the first step in creating what is called an "illiberal democracy," or even in undermining democracy altogether. We fear the powerful role given to Islam in the constitution — a role that is likely to negate the positive language on religious freedom and other individual human rights.

The new constitution fails to guarantee the fundamental human rights and freedoms contained in the United Nations Universal Declaration of Human Rights and that are consistent with America's core values and President Bush's articulated foreign policy goals.

Instead, it sets forth two competing and diametrically opposed visions of society: one based on individual rights and principles of equality, and the other grounded in a sharia (Islamic law) regime of group rights, in which rights are conditioned on a person's membership in a discriminatory hierarchy of groups (male or female, Muslim or non-Muslim, etc.), and where the basic rights of all individuals are subordinated to the group. The provisions of the bill of rights are subject to ambiguities and contradictions contained elsewhere in the constitution. For example, the carefully crafted provisions asserting rights to religious freedom and equality before the law are placed in doubt by the repugnancy clause of Article 2, which states that "no law that contradicts the established provisions of Islam may be established" (in contrast, Article 2's vague language that no law may contradict "the principles of democracy" and the "rights and freedoms stipulated in this constitution" is self-referential: it simply says that unconstitutional laws are unconstitutional).

The constitution leaves open the crucial question of how to reconcile these conflicting political ideologies — one based on individual freedoms and rights and the equality of all, and the other based on ensuring that society conforms to religious interpretations that discriminate according to gender and religion or belief.

Under Article 89, the Supreme Court will have the important role of “interpreting the provisions of the constitution,” and ultimately settling this defining question. Hence, it is additional cause for great concern that, under Article 89, the supreme court is to include a yet to be determined number of “experts in Islamic jurisprudence,” as well as of judges who are “law experts.”

In specifically requiring the supreme court to include sharia experts who need not have an education in civil law, the new constitution follows a supreme-court model found only in Iran, Saudi Arabia, and Afghanistan. The first official act of the Afghan supreme court was to press blasphemy charges against the only female member of President Karzai’s cabinet after she criticized sharia rule. Since then, it has ruled to ban all cinema and female vocalists. Sharia judges in Iran rig elections, and in Saudi Arabia have ruled that democracy itself is “unIslamic.” Clearly much more is at stake than even the rights of Iraq’s non-Muslim minorities and women.

Article 5 of the new Iraq constitution claims that “The law is sovereign. The people are the source of authorities and its legitimacy.” But under Article 89, “experts in Islamic jurisprudence” — that is, those men of the religious elite who claim to know Divine Will — may well be the ones who determine the direction of the state.

The new constitution is deceptive in asserting that its human rights provisions are “guarantees” — since the actual status of basic rights is left to future decisions by sharia judges, who may decide that they conflict with their version of Islam and thus are null and void.

The eleventh-hour agreement reached after the Sunnis threatened to vote “no” in the constitutional referendum will facilitate amendments to the constitution. The administration should use its considerable leverage — leverage that was effectively used to secure a federal form of government for the Kurds and concessions for the Sunnis — to require civil-law education for all the judges who serve on the supreme court, and require other such amendments to ensure that religious freedom and other fundamental human rights are finally guaranteed in the country’s founding document. The U.S. must also ensure that American aid is not discriminatorily applied according to ethnic and religious identities and that it not be used to further ethnic cleansing in either the north or the south of the country.

NORTH KOREA

As the State Department’s Religion Report records, though reliable information is difficult to obtain, all evidence shows that North Korea continues to be one of the most religiously repressive regimes on earth. For example, the Report states, “There is

evidence of the execution of approximately 60-70 individuals in late 2004 and early 2005. Unconfirmed reports allege that the reasons for execution included, in a few cases, contact with missionaries and other foreigners while in China.”

Later today, the U.S. Commission on International Religious Freedom will release a first-of-its-kind study on the conditions of freedom of religion and belief in North Korea. To carry out this study, David Hawk, author of the acclaimed “Gulag Study” on North Korea, interviewed dozens of North Korean escapees currently residing in South Korea. The interviews have yielded the following information: All of the North Koreans interviewed say that there is no freedom of thought, conscience or belief in North Korea. All report, in fact, that it is absolutely prohibited. They have been taught from youth that “religion is an opiate.” The subjects described an official state ideology known as “Kim-Il-Sungism,” which is taught in school, promulgated on television, and indoctrinated through special Revolutionary Thought Study Halls with mandatory weekly attendance. None had ever seen churches in North Korea. Most did not know of the churches in Pyongyang.

The North Korean Human Rights Act, approved by Congress last year, provides for increased funding of pro-democracy groups and human rights organizations that actively aid North Korean refugees. It also streamlines the process through which North Koreans can seek refuge in the United States. Resources have also been earmarked for radio stations that transmit freedom-oriented broadcasts into North Korea, hopefully bypassing government censors. The U.S. Administration should make full use of these powers. So far, in the six-party talks concerning North Korea's nuclear program, South Korea, China, Japan, Russia, as well as the United States have resisted adding other topics, especially human rights in North Korea to the agenda. Given the urgency of the North's nuclear threat and potential for proliferation, this reluctance is understandable, but it is a grave mistake. A wide range of religious groups and other human rights organizations in the U.S. are combining to call for a Helsinki-style regional security pact that would include monitoring humanitarian aid, resettlement of refugees, family reunification, and religious freedom. The U.S. should also push China to honor its obligations under the 1951 Refugee Convention and its 1967 Protocol, including giving temporary asylum for refugees, providing the U.N. High Commissioner for Refugees unrestricted access to North Koreans in China, ensuring that refugees are not forcibly returned, and allowing greater access by international humanitarian organizations.

The U.S. now has a new Special Envoy to North Korea, Jay Lefkowitz. This is an important development that will signal the administration's intensified attention to human rights concerns in North Korea. We eagerly await a report on his efforts.

PAKISTAN

The Religious Freedom Report reports the oppression of the country's religious minorities—Hindus, Christians, Parsis, Sikhs, Buddhists, Parsis, Ahmadis, Ismailis, Zikris and Bahá'ís – especially under the country's blasphemy laws. This repression is ongoing.

On November 12, 2005, in Basti Asyia, Sangla Hill village, in the Province of Punjab, a Muslim mob burned and ransacked churches, Christian homes and schools, and destroyed Bibles, Christian books and crosses after Yousaf Masih, an illiterate janitor, who is a Christian, was charged with blasphemy for burning discarded documents that allegedly included copies of the Koran.

However, we are concerned that, apart from brief allusions to the problems faced by liberal Muslims, the Report does not adequately consider the effects of restrictions on religious freedom on the Muslim population as a whole. Individual Muslims as well as minority groups suffer from these grave restrictions. As the Report notes, between 1986 and 2004, 634 people were accused of blasphemy: 309 Muslims, 236 Ahmadis, 81 Christians, and 8 Hindus.

In Pakistan, where the political and legal order is closely tied to a prescribed religious orthodoxy, political debate and dissent is necessarily closely tied to religious debate and dissent. Hence, without religious freedom, including religious speech, then there can be no effective political freedom. However, freedom of speech is constitutionally limited by "reasonable restrictions imposed by law in the interest of the glory of Islam." Similarly, blasphemy laws provide the death penalty for "defiling Islam or its prophets," and 10 years in prison for "insulting the religious feelings of any citizen." Criticism of the blasphemy laws and the constitutional provisions concerning Islam can itself be considered blasphemy. Since these provisions are so broadly and vaguely worded, they can be used to repress any call for political and religious reform. If political dissent and debate may be treated as crimes against God, then genuine democratic and religious reform is closed off. The problem is compounded in the Northwest Territory where hardline sharia is being adopted at the provincial level.

While the Government enacted a law in January 2005 that requires senior police officials to investigate any blasphemy charges before a complaint is filed, the laws themselves remain as a form of state-sponsored repression against its own people. Hence we are concerned that the U.S. Government has not designated Pakistan as a Country of Particular Concern, as was recommended by the U.S. Commission on International Religious Freedom. It should do so until the blasphemy laws are repealed and those accused of blasphemy are released from prison.

SAUDI ARABIA

As the Religious Freedom Report states, there is no religious freedom in Saudi Arabia and everyone there, Muslim or not, must obey the rules of the extreme sharia of the kingdom's established religion, the Wahhabi interpretation of Islam. The Saudi state indoctrinates its nationals from an early age in the Wahhabi ideology of zero tolerance for the "other." Government textbooks and publications teach that it is a religious obligation for Muslims to hate Christians and Jews and warn against imitating, befriending, or helping them in any way, or taking part in their festivities and celebrations. The state teaches a Nazi-like hatred for Jews, treats the forged Protocols of the Elders of Zion as

historical fact, and avows that the Muslim's duty is to eliminate the state of Israel.

The substantial number of Christians and other non-Muslims among the quarter of the kingdom's population who are foreign workers suffer greatly from the denial of religious freedom. The State Report provides many examples. An Indian Christian pastor who served the Indian expatriate community for a quarter of century in Saudi Arabia was one of those arrested, threatened, abused and humiliated this year for worshiping as a Christian; he was expelled from the country a few weeks ago.

But Christians, Hindus and non-Muslims are not the only ones to suffer: Saudi Arabia's nationals, by law Muslim, find that a broad range of their freedoms are limited because of the state's monopoly on religious expression.

For example, Muslims who follow the Sufi and Shiite traditions are viewed as heretical dissidents and viciously condemned and discriminated against by the state. Regarding those who convert out of Islam, the Saudi Ministry of Islamic affairs explicitly asserts in publications Freedom House has acquired that they "should be killed." Muslims who object to even particular tenets of Wahhabism, such as advocates of greater religious tolerance, also are viewed as the "other" and condemned as "infidels." Under Saudi law, such "blasphemers" and "apostates" from Islam can be sentenced to death.

Political reformers, too, are crushed on religious grounds. Until being released earlier this year, three Saudi professors had languished for over a year in prison after proposing that the country adopt a written constitution. Among other charges, their terminology was denounced as un-Islamic or "Western." State publications condemn democracy itself as un-Islamic. As made explicit in the Saudi state documents we collected here, they instill contempt for America because the United States is ruled by "infidel" legislated law, rather than Wahhabi-style Islamic law.

A direct consequence of there being no religious freedom is that every Saudi woman is forced by the state to conform to Wahhabi religious edicts restricting dress, transportation, movement, due-process rights, and the ability to participate in civic life. Earlier this year, Freedom House's Center for Religious Freedom released a report based on a year-long study of the radically intolerant Wahhabi ideology contained in documents spread, published, or otherwise generated by the government of Saudi Arabia and found in the United States. Extremist Wahhabism is Saudi Arabia's state religion; it is also the Saudi government's aim to propagate it and have it replace traditional and moderate interpretations of Islam worldwide, including within the United States.

In one example, a publication for the "Immigrant Muslim" bearing the words "Greetings from the Cultural Department" of the Embassy of Saudi Arabia in Washington, D.C., gave detailed instructions on how to "hate" the Christian and Jew: Never greet them first. Never congratulate the infidel on his holiday. Never imitate the infidel. Do not become a naturalized citizen of the United States. Do not wear a graduation gown because this imitates the infidel. The opening fatwa of another a book distributed by the embassy that was published by the Saudi Air Force responds to a question about a Muslim preacher in

a European mosque who taught that it is not right to condemn Jews and Christians as infidels. The Saudi state cleric's reply emphatically rebukes the Muslim cleric: "He who casts doubts about their infidelity leaves no doubt about his."

Within worldwide Sunni Islam, followers of Saudi Arabia's extremist Wahhabi ideology remain a distinct minority. This is evident from the millions of Muslims who have chosen to make America their home and are upstanding, law-abiding citizens and neighbors. It was just such concerned Muslims who first brought these publications to the attention of Freedom House.

The Saudi state's propagation of Wahhabi extremism is more than hate speech; it is a totalitarian ideology of religious hatred that can incite to violence.

The State Religion Report should address the issue of how the Saudi state's enforcement of one extreme interpretation of Islam impacts religious freedom for Sunni Muslims in greater detail. The individual dimension of religious freedom should be given emphasis in State's analysis. The content of Saudi textbooks should be routinely reviewed for anti-Semitism and religious hatred in the Religious Freedom Report.

Disturbingly, the State Religious Report on Saudi Arabia, in its brief summary of the country, puts forth routine declarations that the Saudis have "made some efforts to improve the climate of tolerance," and that they have "removed some disparaging references to other religious traditions from educational materials," as well as assertions that the Saudi government has "continued a campaign to foster greater moderation and tolerance of religious diversity," and "stated publicly that its policy is to allow non-Muslims to worship privately." These assertions are so far off mark they should be omitted from the summary altogether or unequivocally refuted for what they are -- Saudi state disinformation.

For these reasons, we believe that the Report on Saudi Arabia is possibly the weakest in the State Department's compilation, employing spin rather than letting the facts speak for themselves. It is all the more distressing because the expansion of civil and political freedoms in the kingdom hinges on religious freedom. Furthermore, since the 9/11 terrorist attacks — and the discovery that two thirds of the hijackers were Saudis — Saudi state ideology has become a matter of U.S. national security.

SRI LANKA

The Government of Sri Lanka has for years faced intense pressure from militant Buddhists demanding a solution to the "problem" of a perceived growth in minority religions in this overwhelmingly Buddhist country. These militants are reported to have perpetrated over 200 attacks against religious minorities, largely Christians, over the past two years, yet the Government of Sri Lanka has failed to prevent the violence or to prosecute the perpetrators. Even faith-based relief efforts, such as those by World Vision, have been targeted with violent attacks.

Intended or not, the Government's toleration of violence against religious minorities has encouraged radical Buddhists to propose religious discriminatory laws. On May 6, 2005, the nationalist JHU party introduced an anti-conversion bill into Parliament which would punish religious minorities with up to seven years in prison for the crime of "attempted conversion." This bill is currently pending in Parliamentary committee. On June 27, 2005, the government of Sri Lanka also unveiled its official version of an anti-conversion law, which may be introduced into Parliament at any time. On October 4, 2005, the JHU attempted to reintroduce a discredited constitutional amendment to establish Buddhism as the state religion and revoke citizens' freedom to attempt to "convert a Buddhist into other forms of worship or spread other forms of worship among the Buddhists." Such proposals have increased tensions and have prompted significant public protests from a broad array of religious groups. On October 26, 2005, the Sri Lankan Catholic Bishops' Conference, in a statement on the upcoming presidential election, said that "In the last few years there has been a growing tendency of religious extremism and intolerance infecting and contaminating our society to its detriment. . . .The basic rights and freedoms in relation to our religious practice have come under great threat from proposed draconian legislation in the form of an anti-conversion bill."

The U.S. State Department has shown increased concern about these developments. It must continue to press Sri Lanka, one of the first recipients of Millennium Challenge Account development funds, to respect religious freedom.

VIETNAM

Vietnam again has rightly been designated as one of the world's most egregious violators of religious freedom. However, I disagree with Secretary of State Condoleezza Rice's assessment that religious freedom in Vietnam has improved in the past year, and that, if it *continues*, State should remove Vietnam from its list of Countries of Particular Concern.

Vietnam's Communist government originally set out to eradicate religion. After the collapse of its patron, the Soviet Union, in 1991, and wanting to attract Western trade and capital, the regime eased religious repression while continuing control over religious activity. Now it tends to imprison, torture, and harass only those believers who are outside the international spotlight such as the Hmong and other ethnic Christians from remote villages, as well as those of the Cao Dai and Hao Hao religions that have few proponents in the West. Better connected and/or hierarchical religions, such as Catholicism, urban Protestantism, and Buddhism suffer more sophisticated and hidden methods. These include prohibitions on printing and distribution religious literature; confiscating and controlling places of worship; refusing to grant independent churches with official legal standing; restricting seminaries, religious schools and other institutions from propagating religious teachings; and restricting faith-based charities.

In May, the U.S. Ambassador-at-Large for International Religious Freedom announced an agreement that Vietnam would release twelve prisoners of conscience, fully implement Vietnam's November 15 legislation on religious freedom and its February 4 "Special Instruction Concerning Protestantism," and ensure that local authorities "strictly

and completely adhere to the new legislation,” especially with respect to the practice of forcing prisoners to recant their faith.

However, Vietnam’s repression of tribal Christians has continued since the agreement; leaders of the Unified Buddhist Church of Vietnam (UBCV) continue to be harassed and detained, and there is no legal framework for the UBCV, the Hoa Hao, Cao Dai, and others to register with the government and operate independently with leaders of their own choosing. There are an estimated 100 religious prisoners in jail or under some form of house arrest for religious activity and hundreds of churches, home worship centers, and meeting places remain closed.

One has seen the brutal and ongoing suppression of ethnic Montagnards who marched for land rights and religious freedom in April of 2004, the jailing of Pham Song Hong and others for posting articles critical of the government on the Internet, the silencing and jailing of journalists for exposing corruption, and the mass arrests of Buddhist monks from the Unified Buddhist Church of Vietnam (UBCV), despite promises by Prime Minister Khai that pressure on the group would cease. UBCV monk Thich Thien Minh, released in February after sixteen years in prison, did not see many improvements in human rights and religious freedom. He said, “I have exchanged my small prison for a bigger one.”

The Center recently obtained and released a secret document issued on February 25, 2005 by a local Vietnamese communist party branch revealing the continuation of an official policy (also previously released by Freedom House) of forcing Hmong Christians to give up their faith and of “eradicating” Christian meeting places. The document, from the Muong Nhe District Party Office (Task force 184, No. 30-KH/184, in Dien Bien Province), describes a comprehensive campaign by local Party and government officials, in partnership with the police and military, that was scheduled to have been waged from March 2 through June 30, 2005. The document calls for “mobilizing the masses to fight and resist religion and religious belief, and eradicate places complicating public security,” that is to say, churches. Cadres will “get the people to give up their religion and return to their traditional beliefs and customs.... and inspect the areas not yet infiltrated with the Vang Chu [the Hmong term for God] religion so it does not “infect other places.” Village leaders would be required to “to develop regulations and pledge forms” to be signed by those pressured to give up their faith. The document gives no consideration to the fact that Hmong Christians are identified with the legally-recognized Evangelical Church of Vietnam (North), and that the church had issued certificates of acceptances to 981, mostly Hmong, ethnic minority congregations as of September 30, 2005.

Last month, the Center received new reports showing that Vietnamese officials are continuing a campaign of violent repression against ethnic Hmong Christians. According to these reports, security forces cracked down on Protestants in the Chi Ca Commune, Xin Man District of the Ha Giang Province in late August and early September. In an attempt to get them to renounce their faith, officials reportedly imprisoned seven local Christians and tortured them with electric batons and beatings so vicious that two

suffered broken bones. Following the Center's public protest about this incident, Vietnam's Foreign Ministry denied the report.

On November 10, the Center released photographs appearing to confirm the torture. The men in the photographs have been identified to the Center by sources in Vietnam as Vang Seo Dung and Ly Van Dung, the two victims who were reported to be most severely injured in the raids. The physical trauma shown in the photos is consistent with our previous report that several Hmong Christians were severely beaten with electric batons by border patrol police and local defense forces, resulting in a broken rib in one case and a fractured sternum in another, as well as other injuries.

The Report emphasizes that a recent reform measure is the 2004 "Ordinance on Religion & Belief." The example of apartheid South Africa shows that the rule of law may not result in improved rights and freedoms without a fundamental ideological acceptance of freedom by the state. In short, the Ordinance is being touted by the State Department as an advance, but without the political will to respect religious freedom, the state is more likely to employ it as yet another tool of repression against religious believers, especially those, like the Hmong, outside the international spotlight.

In conclusion, Mr. Chairman, we would like to thank you holding these important hearing and for this opportunity to appear before you.