

**“ANNUAL REPORT ON INTERNATIONAL RELIGIOUS  
FREEDOM 2004” AND DESIGNATIONS OF  
COUNTRIES OF PARTICULAR CONCERN**

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

ONE HUNDRED EIGHTH CONGRESS

SECOND SESSION

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OCTOBER 6, 2004  
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**“ANNUAL REPORT ON INTERNATIONAL  
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PARTICULAR CONCERN**

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**WEDNESDAY, OCTOBER 6, 2004**

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

The Committee met, pursuant to call, at 10:04 a.m. in room 2172, Rayburn House Office Building, Hon. Christopher H. Smith (Vice-Chairman of the Committee) presiding.

Chairman SMITH OF NEW JERSEY. Good morning, everybody. Today, the Committee on International Relations will hold an oversight hearing on the congressionally mandated *International Religious Freedom Report* and on the designations of Countries of Particular Concern for 2004.

I will begin this hearing with a simple, yet powerful statement:

“Everyone has the right to freedom of thought, conscience and religion. This right includes freedom to change one’s religion or belief, and the freedom, either alone or in a community with others and in public or private, to manifest one’s religion or belief in teaching, practice, worship and observance.”

This statement, of course, is article 18 of the Universal Declaration on Human Rights, and this statement, coupled with the passion with which the United States holds this statement to be true, is the reason we are here today.

Six years ago, the International Religious Freedom Act of 1998 (IRFA) became law. The enactment of IRFA sent a powerful message around the world that the promotion of religious freedom is an integral component of United States foreign policy, and that the United States will not only monitor religious freedom around the world, but will actively advance religious freedom abroad and respond when this freedom is violated.

In addition to the promotion and protection of religious freedom and the annual report that we will discuss today, the IRFA also established the Office of International Religious Freedom and created the U.S. Commission on International Religious Freedom. The IRFA also calls on the President to take action to address severe violators of religious freedom.

Today we welcome to the Committee the principal advisor to the President of the United States and the Secretary of State on issues of religious freedom, Ambassador John Hanford. We thank him and

his staff for their devotion and tireless efforts to advance religious freedom around the world.

The quality of this year's reporting exceeds even that of previous years, and the designations of Countries of Particular Concern, or CPC countries, certainly more accurately reflect the findings in not only the *International Religious Freedom Report*, but also in the country reports on human rights practices.

We commend the Administration's additions of CPC designees Eritrea, Saudi Arabia and Vietnam to the prior list of countries, which include Burma, China, Iran, North Korea and Sudan. Our ultimate goal is to have no countries that engage in egregious violations of religious freedom, such that all people can fully exercise the right encapsulated in article 18 of the Universal Declaration on Human Rights.

By forthrightly naming the countries who are systematic violators, whether they are friend or foe, we can at a minimum begin an honest dialogue of our views of the situation and what might be done in order to fulfill the tenants of article 18.

Many of us in Congress have long called for Saudi Arabia and Vietnam to be designated as CPC countries. In Vietnam, human rights have gotten worse, not better, since the bilateral trade agreement with the United States was enacted in 2001.

Since then, the Vietnamese Government has escalated its abuses of human rights and cracked down on religious freedom through jailing of the intellectuals, writers, scientists, academics, journalists, religious leaders and even veteran communists who spoke out against corruption; forcible closing over 400 Christian churches in the Central Highlands; the attack of Montagnard protestors this past Easter weekend; the forcing of large numbers of Christians to renounce their faith; the confiscation of properties of nonconformist Christians; the detention of the leadership of the Unified Buddhist Church of Vietnam; the abduction and forcible return of dissidents who had escaped to neighboring countries; the refusal to allow victims of persecution access to United States refugee programs; and the severe curtailment of access even to the Internet and arrest of dissidents at Internet cafes.

We must not remain silent while the Government of Vietnam continues to persecute religious and political dissidents and ethnic minorities. They must be aware that their continued record of human rights abuses will hamper the development of warm and cordial United States/Vietnam relations.

I look forward to hearing not only the panelists' thoughts on these designations, but, perhaps more importantly, suggestions on how we can make a change and promote positive results.

I would also note, parenthetically, that in July the House passed a bill that I had introduced called the Human Rights in Vietnam Act. It passed overwhelmingly in the House, and again now for the third time it is pending over on the Senate side.

Beyond the new CPC designees, there are also far too many countries that continue to allow or actively create barriers to freedom. On Monday, the House passed H. Con. Res. 304, expressing a sense of Congress that the Government of the People's Republic of China should cease its egregious persecution of Falun Gong practitioners in the United States, as well as in China itself.

We have an obligation to continue to bring the light to this brutal suppression of human rights and religious freedoms being carried out by the People's Republic of China. I would point out parenthetically that I, myself, on a trip to China in the early 1990s, met with a Catholic bishop by the name of Bishop Shu of Baoding Province. This bishop has now spent 27 years in Chinese gulags, and never in my life have I met a more gentle, compassionate and kind-hearted person who had no malice whatsoever for the People's Republic of China and for its Government.

As a matter of fact, he told me in a conversation that he prays for the People's Republic of China's Government in Beijing. He has no malice, does not want to overthrow the Government; just wants to practice his faith. Bishop Shu was out only briefly. I met with him in Beijing; he is now back in prison and has spent a total of 27 years there.

I look forward to hearing action-oriented strategies from our distinguished witnesses to address the situations in countries like China, Turkmenistan, Uzbekistan, Pakistan, Sri Lanka, Laos and Cuba.

In addition to considering these issues, I would just like to note that in my capacity as Chair of the Helsinki Commission, that we have in our audience a very distinguished man, Stephan Minikes, who is the U.S. Ambassador to the OSCE, and who has been a brave and courageous fighter on behalf of human rights, just like our Ambassador John Hanford. Ambassador Minikes has brought the issue of anti-Semitism to the European countries, the 55 countries that make up the OSCE, and I just want to publicly laud him for his extraordinary efforts. They have yielded results. The conference that occurred in Vienna and then the followup conference, the big conference in Berlin, are largely attributed to his great work, and I do want to thank him for that. This rising tide of anti-Semitism is unconscionable and must be stopped. I again want to thank him for his work.

I would like to yield to my good friend and colleague and a great friend of human rights and a great friend of the religious freedom issue, Congressman Tom Lantos, the Ranking Member.

[The prepared statement of Mr. Smith follows:]

PREPARED STATEMENT OF THE HONORABLE CHRISTOPHER H. SMITH, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF NEW JERSEY AND VICE CHAIRMAN, COMMITTEE ON INTERNATIONAL RELATIONS

Today, the Committee on International Relations will hold an oversight hearing on the Congressionally mandated International Religious Freedom report and on the designations of Countries of Particular Concern for 2004.

I will begin this hearing with a simple, yet powerful statement: "Everyone has the right to freedom of thought, conscience and religion; this right includes freedom to change his religion or belief, and freedom, either alone or in community with others and in public or private, to manifest his religion or belief in teaching, practice, worship and observance." This statement, of course, is Article 18 of the Universal Declaration on Human Rights, and this statement coupled with the passion with which the United States holds this statement to be true, is the reason that we are here today.

Six years ago, the International Religious Freedom Act of 1998 (IRFA) became law. The enactment of the IRFA sent a powerful message around the world that the promotion of religious freedom is an integral component of United States foreign policy; not only would the United States monitor the status of religious freedom around the world, but we would actively advance religious freedom abroad and respond when this freedom is violated. In addition to the promotion and protection

of religious freedom and the annual report that we will discuss, the IRFA also established the Office of International Religious Freedom, created the U.S. Commission on International Religious Freedom, and calls for Presidential action to address severe violators of religious freedom.

Today, we welcome to the Committee the principal advisor to the President and the Secretary of State on issues of religious freedom, Ambassador John Hanford, and we thank him and his staff for their devotion and indefatigable efforts to advance religious freedom around the world. The quality of this year's reporting exceeds even that of previous years', and the designations of Countries of Particular Concern (CPC) certainly more accurately reflect the findings in not only the International Religious Freedom Report, but also in the Country Reports on Human Rights Practices.

We commend the Administration's additions of CPC designees Eritrea, Saudi Arabia, and Vietnam to the prior list of countries: Burma, China, Iran, North Korea, and Sudan. Our ultimate goal is to have no countries that engage in egregious violations of religious freedom, such that all people can fully exercise the rights encapsulated in Article 18 of the Universal Declaration of Human Rights. And by forthrightly naming the countries who are systematic violators, whether they are friend or foe, we can at a minimum begin an honest dialogue of our views of the situation and what must be done to fulfill the tenants of Article 18.

Many of us in Congress have long called for both Saudi Arabia and Vietnam to be designated as CPC countries. In Vietnam, human rights have gotten *worse*—not better—since the Bilateral Trade Agreement with the U.S. was enacted in 2001. Since then, the Vietnamese government has escalated its abuses of human rights and crackdown on religious freedom through jailing intellectuals, writers, scientists, academicians, journalists, religious leaders, and even veteran communists who spoke out against corruption; forcibly closing over 400 Christian churches in the Central Highlands; attacking Montagnard protesters Easter weekend; forcing large numbers of Christians to renounce their faith; confiscating the properties of non-conformist Churches; detaining the leadership of the Unified Buddhist Church of Vietnam; abducting and forcibly returning dissidents who had escaped to neighboring countries; refusing to allow victims of persecution access to US refugee programs; and severely curtailing access to the Internet and arresting dissidents at Internet cafes.

We must not remain silent while the government of Vietnam continues to persecute religious and political dissidents and ethnic minorities. They must be aware that their continued record of human rights abuses will hamper the development of warm and cordial US-Vietnam relations. I look forward to hearing not only the panelists' thoughts on the designations themselves, but perhaps more importantly, suggestions on forward movement and engagement that will realize positive results.

Beyond CPC designees, there are also far too many countries that continue to allow or actively create barriers to religious freedom. On Monday, the House passed HConRes 304, expressing the sense of Congress that the Government of the People's Republic of China should cease its persecution of Falun Gong practitioners in the United States and in China. We have an obligation to continue to bring to light the brutal suppression of human rights and religious freedoms being carried out by the People's Republic of China. From forced abortion and labor camps, to the imprisonment and sometimes even execution of brave Chinese like Bishop Shu who dare to stand up for their faith or political beliefs, Hu Jintao's regime, like that of Jiang Zemin before, is one of the worst violators of human rights in the world.

I look forward to hearing action-oriented strategies to address the situation in countries such as China, Turkmenistan, Uzbekistan, India, Pakistan, Sri Lanka, Laos and Cuba.

In addition, considering the rise of anti-Semitic violence in Europe and North America over the past two years, I am glad we will be addressing the religious freedom for Jewish people. I look forward to a discussion and concrete proposals on how to eradicate these senseless acts of hatred.

I now turn to my good friend and colleague, and true champion of religious freedom and human rights for all, Mr. Lantos.

Mr. LANTOS. Thank you very much, Mr. Chairman. Before I say a few words about today's topic, let me publicly state there is no Member of the Congress either in the House or in the Senate who has been a more consistent and articulate champion for human rights in general and religious freedom in particular than you. You deserve the profound gratitude of all of us who are concerned with this issue.



Mr. Chairman, thank you for holding this important hearing to evaluate the State Department's efforts to promote religious freedom around the globe. Promoting religious freedom has always been a worthwhile cause, but in recent years it has also become central to our country's core security interest.

No one could have anticipated this when I joined you and our colleague from Virginia, Mr. Wolf, in sponsoring the International Religious Freedom Act in 1998, which made this report mandatory. As it turned out, Mr. Chairman, our timing in enacting a legislative mandate requiring the Department of State to evaluate and to confront the problem of religious persecution could not have been more appropriate.

The terrorists, 15 of them Saudi, who viciously attacked the United States 3 years ago, were the product of societies and governments that teach, promote and enforce contempt for freedom of conscience and freedom of religion. The horrific events of 9/11 focused our Nation like never before on the issues of religious hatred and intolerance, causing a sea change in America's perception of regimes such as the one ruling Saudi Arabia that bears such a heavy responsibility for creating the swamps that breed terrorism.

Despite the sea change that has taken place in America's perception, Mr. Chairman, it has taken the Administration an incredibly long time to adjust to reality and to designate Saudi Arabia a Country of Particular Concern, as required by the law we passed in 1998.

Finally, belatedly, the Department has decided to use the mechanism provided by our Committee under the International Religious Freedom Act to call a spade a spade by adding the Saudi regime to America's official list of the world's most religiously hate-filled and intolerant nations. This designation was delayed and delayed, despite the fact that no nation in the world has persecuted the practice of religion more than Saudi Arabia except for its own brand of extremist Islam. This medieval kingdom requires all of its citizens to be Muslims and recognizes only one interpretation, the most bigoted interpretation of Islam.

The authors of this year's report do not even attempt to claim that the horrendous situation in Saudi Arabia worsened during the course of the year, necessitating the first-time designation. In fact, the report acknowledges up front that the situation of the past year is no different from that of previous years. The only thing that has changed is that the issue can no longer be swept under the rug.

Nevertheless, Mr Chairman, I am heartened that the Administration has finally taken the step of designating Saudi Arabia as a Country of Particular Concern. I remain interested, however, that the Administration continues to treat the Saudis with kid gloves.

I was especially disturbed to see that, during the Department's press conference on the report last month, Secretary Powell felt it necessary to assure the Saudi monarchy that the designation as a Country of Particular Concern would not lead to any real U.S. pressure toward reform, stating, and I quote Secretary Powell, "This is not to punish them or in any way to show displeasure."

I want to repeat the Secretary's statement because I find it so incomprehensible. This is what he said, "This is not to punish them or in any way to show displeasure." Mr. Chairman, I found myself

wondering what planet the Secretary is living on. Not in any way to show displeasure?

Fifteen of the nineteen hijackers who attacked America were Saudi citizens. The Saudi monarchy sponsors fundamentalist religious schools throughout the world that preach a syllabus anchored in hatred of the west and contempt for all non-Wahhabi religious practice. Saudi money, directly or indirectly, funds the world's major terrorist organizations, often through so-called religious charities.

The Administration must finally learn and articulate that we will never win the war on terrorism unless we confront this reality and demand that the Saudis put a halt to their sickening efforts to export hate and intolerance. The best assurance in this regard is that we demand that they end the preaching of hate and the practice of the most extreme form of religious intolerance, persecution and hate within Saudi Arabia.

Mr. Chairman, the Department's groundbreaking designation of Saudi Arabia, along with two other new designations, Vietnam and Eritrea, has taken us into uncharted territory. For the first time since the passage of the International Religious Freedom Act, countries have been designated as Countries of Particular Concern that do not already have existing U.S. sanctions on them.

Mr. Chairman, the Secretary must now take action against these countries and under the statute report back to us on the impact of those actions. In the case of Saudi Arabia, the Administration must demand that the regime, through the sponsorship of so-called religious schools that promote hate, take effective action to prevent financing of terrorist organizations, reform its laws to safeguard the freedom to worship privately and permit non-Wahhabi places of worship to function openly.

Mr. Chairman, I am pleased that you have called Ambassador John Hanford here to testify today. Ambassador Hanford deserves a great deal of credit for his efforts to move U.S. policy toward full compliance with the requirements of the International Religious Freedom Act, and I look forward to his testimony.

I am also pleased that we will hear from Preeta Bansal, who chairs the United States Commission on International Religious Freedom, which is also a product of the International Religious Freedom Act.

Finally, I look forward to hearing the testimony of our distinguished NGO experts, all of whom are leaders in America's effort to promote respectful basic human dignity.

Mr. Chairman, I believe that the history of the United States is marked by the steady and continuous closing of what I call the hypocrisy gap. When this country was created, we said all men are created equal. The people who said that were slave owners, and we were not even talking about women.

The passing of the Civil Rights Act ensured equality under our law. Similarly, I believe we are drawing ever nearer to closing the gap in our hypocritical approach toward United States relations with the Middle East. Designating Saudi Arabia as a Country of Particular Concern is one more step toward closing the hypocrisy gap.

The State Department needs to follow up on this important step by taking meaningful action. Otherwise the designation itself will only make that gap wider and more conspicuous.

Thank you, Mr. Chairman.

Chairman SMITH OF NEW JERSEY. Thank you very much, Mr. Lantos.

Chairman Leach?

[No response.]

Chairman SMITH OF NEW JERSEY. The Chair recognizes Ms. Watson.

Ms. WATSON. Thank you so much, Mr. Chairman. I want to thank Chairman Hyde and Ranking Member Lantos for holding this hearing today to review the *Annual Report on International Religious Freedom*.

The report lists a number of countries—eight to be exact—that are designated as Countries of Particular Concern. Many of the countries on the list, including North Korea, Sudan, Burma and Iran, are known to be substantial abusers of human rights and have even obtained a status of pyorrhea nation. I will be particularly interested in hearing from both the Administration and private witnesses what action, if any, can be taken to improve religious freedom in those countries.

I am also concerned by the actions of countries, in particular Belgium, France and Germany, that have been classified in the report as denouncing certain religions by affiliating them with dangerous cults or sects.

Within my district is located the University of Scientology, and I can tell you the President has been jailed in countries such as Spain and hassled in others as well. I think all of you are aware that the University of Scientology views their particular practice as a fully certified religion, and so I am going to be interested in hearing the report from our Ambassador—I want to thank you so much for coming—on what actions are we taking in these countries to ensure the religious freedoms of all groups.

I am a strong advocate that people have a right to believe the way that they determine is the right way, and I will ask our State Department to give us the best of your thinking and the report to see how we are advancing.

Thank you so much, Mr. Chairman.

Chairman SMITH OF NEW JERSEY. Thank you.

The Chair recognizes Mr. Pitts.

Mr. PITTS. Thank you, Mr. Chairman, and thank you for holding this important and timely hearing on the State Department's *Report on International Religious Freedom*.

I would like first of all to thank the State Department personnel for the hard work that went into this report. The State Department's *Annual Report on Religious Freedom*, in addition to the *Country Reports on Human Rights Practices*, is an important part of raising religious freedom concerns in order to shine light on the dark deeds committed against these peaceful religious believers.

In the environment of terrorism facing our world today, governments must find the proper balance between pursuing terrorists who seek to harm others and protecting those who peacefully prac-

tice their religious beliefs even if the state might disagree with those beliefs.

Unfortunately, as governments around the world crack down on terrorism, there are many peaceful religious believers and citizens who are arrested by officials. Now, more than ever, we must work to ensure that fundamental human rights are protected. Now is the time to help national lawyers, journalists, religious leaders and others who seek to promote democracy and freedom in their nations.

Every day I receive reports from around the world detailing the atrocities experienced by religious minorities at the hands of their Governments and/or communities. In Burma, North Korea, Colombia, Sudan, China, Nepal, Indonesia, Pakistan, India, Egypt, Vietnam, Laos, Turkmenistan, Saudi Arabia and numerous other countries, religious freedom remains under attack.

As the witnesses on panel III will share, religious freedom violations are rampant around the world. The military dictatorship of Burma is a prime example of a Government whose policies and practices blatantly violate religious freedom and other fundamental human rights.

Reports detail the widespread use of rape, forced portorage, imprisonment and even murder against those who dare to oppose the regime. The Karen and Chin ethnic minority groups have faced particularly strong repression. Reports make clear that Buddhist priests are in prison for peacefully practicing their faith, which directly impacts their rejection of the military's actions. In addition, accounts reveal that the military has attempted to force ethnic national Christians to convert to Buddhism.

Muslims in Burma also face persecution for their religious beliefs. It is critical that our Government maintain strong pressure on Burma's military dictatorship through public and private means so that the people of Burma can live in peace and so that the burgeoning drug trade of the Burmese military is stopped.

In the interest of time, I will not go into other countries. I would like to submit the rest of my statement for the record.

Mr. Chairman, again thank you for holding this important hearing. Religious freedom is one of the most fundamental human rights, and those who threaten that right or engage in violations of that right must be exposed and brought to justice.

I look forward to hearing the witnesses. Thank you.

Chairman SMITH OF NEW JERSEY. Mr. Pitts, without objection, your full statement will be made a part of the record.

The Chair recognizes Mrs. Berkley.

Ms. BERKLEY. Thank you very much, Mr. Chairman. I would like also to thank Chairman Hyde and my dear friend, Congressman Lantos, for holding this hearing and acknowledge the extraordinary work that Congressman Smith does in a most impressive and appreciated way in highlighting these issues for all of us.

I want to thank you, Ambassador, for being here to present the *Annual Report on International Religious Freedom* from the State Department. Well over a year ago I attended a briefing by the State Department behind closed doors, Members only, where a very similar report was presented.

At that time, the Saudis were named as the worst offenders when it came to religious persecution in the world. Worst offenders. Given the state of the world, that is not an easily achievable distinction, but in fact the Saudis did have that distinction. It is incomprehensible to me then and now that our State Department and our Administration continue to call the Saudis strong allies of ours.

What happens in that country is opposite everything that our Nation says it believes in. I cannot believe that if it were not for the oil that we would be treating the Saudis as they deserve to be treated rather than standing side by side with them in this pretense that they are actually our allies in this war against terrorism, particularly given the fact that it is Saudi money and Saudi people who have perpetrated the terrorism around the globe against us and many other nations.

Now, when I was a youngster, I was very involved in a number of Jewish youth organizations, and seared into my memory are the films that I saw mostly from the Anti-Defamation League of the liberation of the concentration camps after World War II. I sat there as an 11-, 12-, or 13-year-old kid who had grown up in the United States of America and who had never experienced one moment of anti-Semitism in this great Nation and watched those films with the mistaken belief that what happened then could never happen again. How wrong I was.

When we look at all of these nations and the rise of religious persecution and anti-Semitism that is once again rearing its ugly and frightening head throughout the world, let us not forget our own Nation, and let me share briefly with you what happened a year ago when my own son, Max, a college student at the University of Arizona, was here in our Nation's capital attending an APAC policy conference.

After one of the dinners, he and his friends were walking around Dupont Circle when someone went over to them and asked my son if he was Jewish. My son, also growing up in the United States and never having experienced a moment of anti-Semitism, naturally and effusively declared his Jewishness, at which time he was told that he should leave the country because Jews were not welcome here.

The reason it is so important to root out this religious persecution and anti-Semitism is because it is so terribly contagious. What is happening in Europe and Africa and the Middle East can very easily happen here.

I appreciate you bringing this report to our attention, but I am hopeful, and although I cannot be half as eloquent as Congressman Lantos, I would hope that our Secretary of State is more judicious in his comments to the Saudis because they can only interpret that as a green light to do business as usual, and business as usual in Saudi Arabia is a disgrace to every freedom loving person throughout this world.

Thank you very much.

Chairman SMITH OF NEW JERSEY. Mrs. Berkley, thank you very much.

The Chair recognizes Mr. Chabot.

[No response.]

Chairman SMITH OF NEW JERSEY. Mr. Gallego?

[No response.]

Chairman SMITH OF NEW JERSEY. The Chair recognizes Ms. Lee. Ms. LEE. Thank you, Mr. Chairman. I would just ask that my remarks be revised for the record.

Chairman SMITH OF NEW JERSEY. Without objection. Your full statement will be made part of the record.

Ms. LEE. I would only want to just commend the Chair and Mr. Lantos for holding this hearing.

I think it is very important, and I want to associate myself with the remarks of my colleague from Nevada and also want to remind this Committee that while this hearing is very important as it relates to international religious freedom, quite frankly we see an erosion here of religious freedom in our own country because the separation of church and State is becoming very blurred. I am not sure how we address this internationally at this point, given the gross violations of human rights and religious freedom in other countries, when we see unfortunately a backwards direction in our own country.

Thank you. I want to put my full statement in.

Chairman SMITH OF NEW JERSEY. Thank you. Without objection.

Ms. LEE. Thank you.

Chairman SMITH OF NEW JERSEY. The Chair recognizes Mr. Tancredo.

[No response.]

Chairman SMITH OF NEW JERSEY. Mr. Weller?

[No response.]

Chairman SMITH OF NEW JERSEY. Is there anybody else that I missed? No.

Before going to our very distinguished witnesses to lead off today's hearing, I want to thank all the Members for being here. One of the aspects of the OSCE work that I find most rewarding, and I know Tom Lantos and I have done this on many occasions, are the interparliamentary exchanges. We are constantly meeting with delegations from other nations who are coming over and meeting them in their host countries.

We are joined today, and in the spirit of that kind of dialogue, by a member of the Swedish Parliament, Mikael Oscarsson, whom I have known now since 1998. He is a board member of Sweden's Evangelical Alliance. He has been on that board. He works in the Parliament of Sweden on religious freedom issues.

While we often focus on the most egregious violators like Vietnam, China and Saudi Arabia, there is a very disturbing trend in Europe, as I think most people know and certainly Ambassador Hanford knows, where France and Austria and other countries are using the law to circumscribe religious freedom in those countries. These countries are excluding many denominations from participation in the free exercise of religion.

I just want to welcome our good friend, Mr. Oscarsson. If you would like to just say a word or two, we would welcome it.

Mr. OSCARSSON. Thank you, Congressman Smith and the International Relations Committee, for recognizing me and for your good work on religious freedom.

I am also very concerned about religious freedom, especially with the recent situation in my country that has been broadly reported. A pastor, Walter Grimm, has now been sentenced to 1 month in jail for publicly stating his personal position on homosexuality.

While there is disagreement over the topic, my hope is that we all can agree that people should be able to speak freely about their own religious convictions.

Thank you again for your work and for your concern about religious freedom.

Chairman SMITH OF NEW JERSEY. Thank you very much for joining us. You are more than welcome to be here.

I would like to now welcome our very distinguished Ambassador John V. Hanford III. Ambassador Hanford was sworn in as Ambassador-at-Large for International Religious Freedom on May 2, 2002. He serves, as I said in my opening comments, the Principal Advisor to President Bush and Secretary of State Colin Powell on issues of religious freedom worldwide.

He has traveled extensively. He has met face-to-face with foreign ministers and prime ministers all over the globe advocating and pushing very, very aggressively and substantively the issue of religious freedom, providing them with a blueprint on how they can get on the glide-path to reforming their own country from within. For that advocacy, which is priceless, I want to thank our very distinguished Ambassador.

From 1987 to 2002, Ambassador Hanford served on the staff of Senator Richard Lugar as an expert on international religious freedom. As Tom Lantos and I can attest, the IRFA bill that went to the Subcommittee on International Operations and Human Rights, was authored by Congressman Frank Wolf, who was ever vigilant in getting that bill through the House. However, once it got to the Senate it faced a very uncertain future, and it looked like it was going to be dead on arrival there.

Ambassador Hanford worked tirelessly to make sure the Senate acted on that and did great work on getting the bill itself enacted into law, so I want to thank him for that and yield to him for such time as he may consume.

**STATEMENT OF THE HONORABLE JOHN V. HANFORD III, AMBASSADOR-AT-LARGE FOR INTERNATIONAL RELIGIOUS FREEDOM, U.S. DEPARTMENT OF STATE**

Ambassador HANFORD. Thank you, Chairman Smith. I am relieved to learn that the man to your right is not a Member of the Committee because I have been scratching my head trying to remember who he was. He is a member of another parliament.

With your permission, I will give abbreviated remarks today and ask that the rest of my remarks be placed into the record.

It is an honor to be here today before the full Committee on International Relations. It has been my pleasure to work with many of you over the past several years, and I am grateful for this Committee's commitment to this noble cause, for the support you give to our efforts and for the advocacy each of you do in your own right.

As you all know, we recently released our sixth *Annual Report on International Religious Freedom*, and for the first time we made

a simultaneous announcement of those countries we are designating as Countries of Particular Concern or CPCs. Today I would like to comment on the importance of religious freedom in our foreign policy and discuss both the *International Religious Freedom Report* and CPCs.

President Carter once said, "America did not invent human rights. In a very real sense, it is the other way around. Human rights invented America." This is particularly true for the foundational human right of religious freedom, which drew so many to immigrate to these shores and which, early on, was enshrined in our founding charters.

Beginning with the arrival of the pilgrims in 1620, millions have come to this country seeking freedom to worship according to the dictates of conscience or fleeing the religious repression they suffered under an intolerant Government.

In his farewell address to the Nation, President Washington deemed the twin pillars of religion and morality to be what he called indispensable supports to the new Nation's political flourishing and insisting, in 1789, that,

"No one would be more zealous than myself to establish effectual barriers against . . . every species of religious persecution."

This deep-rooted insistence of the American people on the individual right to freedom of religion, along with the priority that many Americans continue to place on the importance of religious faith in their own lives, accounts for our widespread domestic support for promotion of religious freedom internationally. At the same time, there is a growing international understanding that freedom of religion is an inalienable right of all mankind. As President Bush often says, "Freedom is not America's gift to the world, but the Almighty's gift to mankind."

Since the passage of the International Religious Freedom Act in 1998, we have made important strides advocating religious freedom as part of our foreign policy. President Bush has worked to strengthen this commitment as a national priority, stating in his National Security Strategy that the U.S. Government will "take special efforts to promote freedom of religion and conscience and defend it from encroachment by repressive Governments."

For all of our efforts, considerable challenges remain. Too many people continue to suffer for the belief or practice of their faith. Too many Governments, despite having pledged to abide by the Universal Declaration of Human Rights, still refuse to protect this universal right. Freedom may be a reality for many, but it remains still only a dream for far too many others.

This year's report covers events and conditions in over 190 countries. Millions of people around the world live under totalitarian or authoritarian regimes where religious belief and practice are tightly controlled. Some countries have discriminatory laws or policies that disadvantage certain religions. Others are negligent in ensuring that religious minorities or adherents of unapproved religions do not suffer discrimination or persecution. Others stigmatize certain religions by wrongfully associating them with dangerous cults or sects.



Sometimes intolerance has several components, including a religious dimension. Anti-Semitism, for example, touches on both religious discrimination and ethnic discrimination, and it continues to be a problem of great concern to the U.S. Government and the international community.

This year's report shows a disturbing increase in anti-Semitism in several European countries, as well as ongoing anti-Semitism in many predominantly Muslim countries. To address this issue, in April the OSCE hosted in Berlin a conference on anti-Semitism in which Secretary Powell participated.

As a result of these conferences, the OSCE is implementing a process to monitor and report in a consistent manner on anti-Semitic incidents. These conferences were the first multilateral gatherings devoted solely to this subject and also the first to deal with anti-Semitism as a human rights issue.

Allow me to take a moment to highlight a few places where positive developments have taken place. In Afghanistan, the Constitution, ratified in January, helps secure religious freedom and equal rights for women and minorities, including Shi'ite and Sufi Muslims, all of whom had been severely restricted under the Taliban regime. Article 7 commits the Government to abide by the Universal Declaration of Human Rights and other international treaties and conventions that include robust protections for religious freedom.

In India, the new coalition Government that came into power in May pledged to respect the country's traditions of secular government and religious tolerance and to pay particular attention to the rights of religious minorities.

Prime Minister Singh has spoken out strongly against the riots in Gujarat State in 2002 that left at least 1,000 Muslims dead. The Supreme Court ruled that the Gujarat Government must reopen nearly 2,000 cases stemming from this violence. The State of Tamil Nadu announced the repeal of its anti-conversion law.

In Turkmenistan, there continue to be violations of religious freedom, though our intense diplomacy helped to secure some important progress. In March, amendments to the law on religious organizations and subsequent Presidential decrees paved the way for registration of some religious congregations and have engendered a noticeable reduction in harassment of minority congregations.

Four minority religious groups have now been registered, the first minority groups allowed to do so. The Government also repealed criminal penalties for unauthorized religious activity. Despite these improvements, my colleagues and I will continue to make clear to the Government of Turkmenistan the need for greater improvements in religious freedom.

Despite these improvements, there are far too many places where people still suffer persecution, torture, and imprisonment for their faith. As you are all well aware, besides mandating the production of the *Annual Report on International Religious Freedom*, the International Religious Freedom Act also requires us to review conditions around the world and determine which countries, if any, have committed particularly severe violations of religious freedom. These are the Governments we designate as CPCs, or Countries of Particular Concern.

The CPC designation is one of a number of tools in our arsenal, and every effort should be made to use it in such a way that offers the greatest potential to effect change. Our office works hard on many fronts, but we devote special attention to countries where there are severe violations of religious freedom.

While there have been some successes, this year Secretary Powell found it necessary to redesignate Burma, China, Iran, North Korea and Sudan and to designate for the first time Eritrea, Saudi Arabia and Vietnam.

I should also note that Iraq has been removed from the CPC list. Iraq had been designated in the past due to the Saddam Hussein regime's repression of religious belief and practice, particularly its vicious persecution of the Shi'a Muslims. Now that he has been removed from power with the passage last spring of the Transitional Administrative Law, which guarantees freedom of religion, Iraq is no longer a CPC.

While the Iraqi people are experiencing freedom of religion without governmental restrictions, we are concerned about the violence that has been directed toward the indigenous Christian and Mandaean communities, particularly since the bombing of five Christian churches on August 1. It will ultimately be up to the Iraqi people to create a society and establish a Government that protects the right to freedom of religion.

Nondiscrimination among Iraq's many ethnic and religious groups is at the heart of the Transitional Administrative Law. We continue to work very closely with the Iraqi interim Government through our Embassy in Baghdad and through our bilateral assistance programs to promote human rights and to encourage religious tolerance.

Now to cover quickly the CPC countries. In Burma, some religious leaders, including a number of Buddhist monks, are imprisoned, and some Christian clergy face arrest and the destruction of their churches. The Government has destroyed some mosques, and Muslims face considerable discrimination, including occasional state-orchestrated or tolerated violence.

In China, the Government continues to repress Tibetan Buddhists, Uighur Muslims, Catholics faithful to the Vatican, and underground Protestants. Many religious believers are imprisoned for their faith, and others continue to face detention, beatings, torture, and the destruction of places of worship. Many observers believe that in recent months China has engaged in a crackdown against some independent religious groups and also continues its repression of Falun Gong practitioners.

In Iran, religious minorities, including Sunni Muslims, Baha'is, Mandaeans, Jews and Christians, face imprisonment, harassment, intimidation and discrimination based on their religious beliefs. Baha'is are forbidden from practicing their faith, and Government authorities destroyed two Baha'i holy sites earlier this year.

In North Korea, arguably the worst in the world on religious freedom, genuine religious freedom does not exist. The regime has severely repressed unauthorized religious groups. There are unconfirmed reports of the killing of members of underground Christian churches.

Religious persons who proselytize or who have ties to overseas evangelical groups operating in China appear subject to arrest and harsh penalties. Reliable sources claim that Christians were imprisoned and tortured for reading the Bible and talking about God, and that some Christians were subjected to biological warfare experiments. The Government effectively bars outside observers from confirming these reports.

In Sudan, the Government continues to attempt to impose Shari'a law on non-Muslims in some parts of the country, and non-Muslims face discrimination and restrictions on the practice of their faith. Applications to build mosques generally are granted. However, the process for applications to build churches is much more difficult. Many non-Muslims state that they are treated as second class citizens and discriminated against in Government jobs and contracts.

In Darfur, the war between Government-supported Arab Muslim militias and African Muslims continues. This conflict is primarily an ethnic and racial one, not religion based. The United States has concluded that genocide has taken place in Darfur, and President Bush has called on the Government of Sudan to honor the cease-fire and stop the killing in Darfur.

In Eritrea, the Government in 2002 shut down all religious activity outside of four officially recognized groups. All independent religious groups have been forced to close, and over 200 Protestant Christians and Jehovah's Witnesses remain imprisoned for their faith. Some reportedly have been subjected to severe torture and pressured to renounce their faith, and many others have been detained and interrogated.

Our Ambassador and our Embassy officers have raised the cases of detentions and restrictions with senior Government officials on numerous occasions, and I have met repeatedly with senior Eritrean officials. We have vigorously pressed them to release prisoners and to reopen churches, but our efforts have not yielded positive results, and the Secretary felt it necessary to designate Eritrea as a CPC.

In Vietnam, a number of religious believers remained imprisoned, including members of the Buddhist, Catholic, Protestant, Hoa Hao, and Cao Dai faiths. Hundreds of churches and places of worship in the Central Highlands were shut down following ethnic unrest in 2001, and only a small number have been permitted to reopen.

There have been credible reports for several years that officials have continued to pressure many ethnic minority Protestants to recant their faith, usually unsuccessfully. Some have been subjected to physical abuse. One Protestant leader in the Northwest Highlands reportedly was beaten to death this last year for refusing to recant his faith. The Government is currently denying this allegation.

Vietnam has been a high priority for me almost since I walked in the door as Ambassador. The first trip I made as Ambassador-at-Large was to Vietnam, followed by another visit last year, as well as three visits by my staff. Our concerns about religious freedom have been raised by Secretary Powell and other senior Admin-

istration officials, but ultimately the Vietnamese fail to respond, and Vietnam was designated as a CPC.

In Saudi Arabia, the Government rigidly mandates religious conformity. Non-Wahhabi Sunni, Shi'a and Sufi Muslims face discrimination and sometimes severe restrictions on the practice of their faith. A number of leaders from these traditions have been arrested and imprisoned.

The Government prohibits public non-Muslim religious activities. Non-Muslim worshippers risk arrest, imprisonment, or deportation for engaging in religious activity that attracts official attention. There have been frequent instances in which mosque preachers whose salaries were paid by the Government use violent language against non-Sunni Muslims and other religions in their sermons.

While we believe that the Government of Saudi Arabia's restriction on religious charities have reduced the export of religiously intolerant ideas abroad, much more can be done. My staff and I have made multiple visits to Saudi Arabia to meet with senior Government officials and press for improvements, and our Ambassador to Saudi Arabia has raised religious freedom concerns with senior Government and religious leaders. We have called on the Government to enforce its public commitment to allow private religious practices and to respect the rights of Muslims who do not follow the Wahhabi tradition.

While we are designating these new countries because of their poor record on religious freedom, it is important to note that we have a broader relationship with each of these nations. We appreciate their cooperation on a range of important issues, and we have shared interests in many areas. We will continue working together on these and other important issues, but we will also continue to encourage these Governments to guarantee internationally recognized standards of religious freedom.

In conclusion, promoting religious freedom is a part of our Nation's role in the world in which we can all take pride. As I am sure some of you can attest from your own travels, it is an endeavor that often brings our Nation goodwill around the world.

Many religious believers overseas find it remarkable that the United States gives such attention to religious freedom, and they encourage us to persevere in our efforts. I have spent much of my professional life devoted to the ideal that religious freedom is the inalienable right of all humanity, and it is my distinct honor to serve as America's second Ambassador-at-Large for International Religious Freedom.

Again, I offer my sincere thanks to each of you for your commitment to ensuring freedom of thought, conscience, and belief in every nation and every society around the world, and I look forward to continuing to work with each of you on behalf of religious freedom.

Now I would be pleased to take any questions you may have.  
[The prepared statement of Ambassador Hanford follows:]

PREPARED STATEMENT OF THE HONORABLE JOHN V. HANFORD III, AMBASSADOR-AT-LARGE FOR INTERNATIONAL RELIGIOUS FREEDOM, U.S. DEPARTMENT OF STATE

STATUS OF INTERNATIONAL RELIGIOUS FREEDOM

Mr. Chairman and Members of the Committee: It is an honor to be here today before the full Committee on International Relations. Thank you for holding this hearing and for giving me the opportunity to discuss the recent work of the State Department on behalf of religious freedom.

It has been my pleasure to work with many of you over the past several years, and I am grateful to this committee's commitment to this noble cause, for the support you give to our efforts, and for the advocacy each of you do in your own right.

As you all know, we recently released our sixth *Annual Report on International Religious Freedom* and, for the first time, we made a simultaneous announcement of those countries we are designating as "countries of particular concern," or CPCs. Together, I believe that this report and these designations represent our nation's concern for the ideal of religious freedom and our compassion for those who are deprived of it. Today, I'd like to comment on the importance of religious freedom in our foreign policy and discuss both the International Religious Freedom Report and CPCs.

President Carter once said, "America did not invent human rights. In a very real sense, it is the other way round. Human rights invented America." This is particularly true for the foundational human right of religious freedom, which drew so many to immigrate to these shores, and which, early on, was enshrined in our founding charters.

Beginning with the arrival of the Pilgrims in 1620, millions have come to this country seeking freedom to worship according to the dictates of conscience or fleeing the religious repression they suffered under an intolerant government. As our founders undertook the American experiment in self-government, they recognized the centrality of religious liberty, as evidenced by enactment of Thomas Jefferson's Virginia Statute for Religious Freedom in 1786, and the robust guarantees in the First Amendment to the U.S. Constitution. In his Farewell Address to the nation, President Washington deemed the twin pillars of religion and morality to be "indispensable supports" to the new nation's political flourishing, and insisted in 1789 that "no one would be more zealous than myself to establish effectual barriers against . . . every species of religious persecution."

This deep-rooted insistence of the American people on the individual right to freedom of religion, along with the priority that many Americans continue to place on the importance of religious faith in their own lives, accounts for our widespread domestic support for the promotion of religious freedom internationally. At the same time, there is a growing international understanding that freedom of religion is an inalienable right of all mankind. This is best evidenced by the robust affirmation of religious freedom in the Universal Declaration on Human Rights and the International Covenant for Civil and Political Rights. Religious freedom is indeed a universal right, not confined to any particular nation, culture, or faith. Not just in America, but in many nations and cultures around the world religious freedom is equally valued as precious. Indeed, many people would say that their freedom to believe and worship is their most vital and indispensable right. It is this aspiration that we seek to serve through the work of our office. As President Bush often says, "Freedom is not America's gift to the world, but the Almighty's gift to mankind."

While our own historical record is far from perfect, we continue to strive, at home and abroad, to uphold religious freedom as the sacred right that it is. The spiritual longings of the human heart have an innate dignity all their own, deserving our respect and demanding our protection.

Today, some of the greatest threats to both our national security and to international peace define and even justify their violence in religious terms. Our work, in advocating societies based on the respect for human rights, including religious freedom, offers a compelling alternative. Religious extremists cling desperately to the idea that religion demands the death of innocents and the destruction of liberty. We hold confidently to the idea that religious freedom respects the life of all and the cultivation of human dignity.

This is seen in practice as much as in principle. Nations that respect religious freedom rarely pose a security threat to their neighbors. Nations that affirm religious liberty also lay a cornerstone of democracy and the rule of law. For these reasons alone, promoting religious freedom is as much in our national interest as it is our national ideal.

Since the passage of the International Religious Freedom Act in 1998, we have made important strides advocating for religious freedom as part of our foreign pol-

icy. President Bush has worked to strengthen this commitment as a national priority, stating in his National Security Strategy that the U.S. Government will “take special efforts to promote freedom of religion and conscience and defend it from encroachment by repressive governments.”

For all of our efforts, considerable challenges remain. Too many people continue to suffer for the belief or practice of their faith. Too many governments, despite having pledged to abide by the Universal Declaration of Human Rights, still refuse to protect this universal right. Freedom may be a reality for many, but it remains still only a dream for too many others.

#### *International Religious Freedom Report*

As you can imagine, preparing this report is a daunting undertaking, and I’d like to preface my discussion of its contents by expressing my profound appreciation for the exemplary work done by the countless employees of the Department of State here and abroad who make the International Religious Freedom Report possible. I also owe a special debt of gratitude both to the hardworking staff of the Office of Country Reports and Asylum Affairs and to my own staff in the Office of International Religious Freedom whose commitment to religious freedom is an inspiration to me and to persecuted people of faith around the world.

This year’s report covers events and conditions in over 190 countries from July 1, 2003 through June 30, 2004. In our Executive Summary we survey different restrictions on religious freedom, highlight countries where religious freedom conditions have improved, and describe U.S. actions to promote international religious freedom.

Millions of people around the world live under totalitarian or authoritarian regimes where religious belief and practice are tightly controlled. Some countries have discriminatory laws or policies that disadvantage certain religions; others are negligent in ensuring that religious minorities or adherents of “unapproved” religions do not suffer discrimination or persecution. Others stigmatize certain religions by wrongfully associating them with dangerous “cults” or “sects.”

Sometimes intolerance has several components, including a religious dimension. Anti-Semitism, for example, touches on both religious discrimination and ethnic discrimination, and it continues to be a problem of great concern to the U.S. Government and to the international community. This year’s report shows a disturbing increase in anti-Semitism in several European countries, as well as ongoing anti-Semitism in many predominantly Muslim countries. To address this issue, in April the Organization for Security and Cooperation in Europe (OSCE) hosted in Berlin a second conference on anti-Semitism, in which Secretary of State Powell participated. As a result of these conferences, the OSCE is implementing a process to monitor and report in a consistent manner on anti-Semitic incidents. These conferences were the first multilateral gatherings devoted solely to this subject and also the first to deal with anti-Semitism as a human rights issue.

#### *Improvements*

Allow me to take a moment to highlight a few places where positive developments have taken place. In Afghanistan, the Constitution, ratified in January, helps secure religious freedom and equal rights for women and minorities, including Shi’ite and Sufi Muslims, all of whom had been severely restricted under the Taliban regime. Article 7 commits the Government to abide by the Universal Declaration of Human Rights and other international treaties and conventions that include robust protections for religious freedom. A curriculum and textbooks that emphasize general Islamic terms and principles continues steadily to replace the preaching of extremist views in schools. All Kabul schools and the surrounding provinces are using the new texts.

In India, the new coalition government that came to power in May pledged to respect the country’s traditions of secular government and religious tolerance and to pay particular attention to the rights of religious minorities. Prime Minister Singh has spoken out strongly against the riots in Gujarat state in 2002 that left at least 1,000 Muslims dead. The Supreme Court ruled that the Gujarat government must re-open nearly 2000 cases stemming from the 2002 violence, and it ordered the retrial in a neutral location of the Best Bakery case, in which Hindu extremists killed 14 Muslims in a mob attack. The state of Tamil Nadu announced the repeal of its anti-conversion law.

In Turkmenistan, there continue to be violations of religious freedom, though our intense diplomacy helped to secure some important progress. In March, amendments to the law on religious organizations and subsequent Presidential decrees paved the way for registration of some religious congregations and have engendered a noticeable reduction in harassment of minority congregations. Four minority reli-

religious groups have now been registered, the first minority groups ever allowed to do so. The Government also repealed criminal penalties for unauthorized religious activity. The President amnestied six members of Jehovah's Witnesses serving prison sentences for conscientious objection to military service. Despite these improvements, my colleagues and I will continue to make clear to the Government of Turkmenistan the need for greater improvements in religious freedom.

*Countries of Particular Concern*

In spite of some improvements in certain countries, regrettably, there are far too many places where people still suffer persecution, torture, and imprisonment for their faith. The worst of these we have designated "countries of particular concern." As you all are well aware, besides mandating the production of the annual report, the International Religious Freedom Act also requires us to review conditions around the world and determine which countries, if any, have committed particularly severe violations of religious freedom. These are the governments we designate as "Countries of Particular Concern," or a "CPCs" for short. By definition, a CPC is a government that has engaged in or tolerated "systematic, ongoing, egregious violations of religious freedom."

In my view, the CPC designation is one of a number of tools in our arsenal, and every effort should be made to use it in such a way that offers the greatest potential to affect change. Therefore, before designating a government as a CPC, we undertake a careful study of the status of religious freedom violations in that country. When possible, we also engage in sustained, vigorous and high level diplomacy with authorities in that country, describing to them the religious freedom violations that place them at the threshold of designation, and suggesting specific steps they can take to improve religious freedom and avoid designation. Our office is working hard on many fronts, but we devote special attention to countries where there are severe violations of religious freedom. And while there have been some successes, this year Secretary Powell found it necessary to redesignate Burma, China, Iran, North Korea, and Sudan, and to designate for the first time Eritrea, Saudi Arabia and Vietnam.

I should also note that Iraq has been removed from the CPC list. Iraq had been designated in the past due to the Saddam Hussein regime's repression of religious belief and practice, particularly his vicious persecution of Shi'a Muslims. Now that he has been removed from power, and with the passage last spring of the Transitional Administrative Law, which guarantees freedom of religion, including the right to "freedom of thought, conscience, and religious belief and practice," Iraq is no longer a CPC. While the Iraqi people are newly experiencing freedom of religion without governmental restrictions, we're concerned about the violence that has been directed toward the indigenous Christian and Mandaean communities, particularly since the nearly simultaneous bombing of five Christian churches on August 1. It will ultimately be up to the Iraqi people to create a society and establish a government that recognizes and protects the right to freedom of religion. Non-discrimination among Iraq's many ethnic and religious groups is a key value for Iraq's future; it is at the heart of the Transitional Administrative Law. We have encouraged Christians and Mandaeans to reach out to other like-minded groups to forge political coalitions to ensure they have a voice in the political and constitutional process. In addition, we are continuing to work very closely with the Iraqi Interim Government through our embassy in Baghdad and through our bilateral assistance programs to promote human rights and to encourage religious tolerance.

In Burma, the regime's high level of overall repression includes severe violations of religious freedom. Some religious leaders, including a number of Buddhist monks, are imprisoned, and some Christian clergy face arrest and the destruction of their churches. The Government has destroyed some mosques, and Muslims face considerable discrimination, including occasional state-orchestrated or tolerated violence.

In China, the government continues to repress Tibetan Buddhists, Uighur Muslims, Catholics faithful to the Vatican, and underground Protestants. Many religious believers are imprisoned for their faith, and others continue to face detention, beatings, torture, and the destruction of places of worship. Many observers believe that in recent months China has engaged in a crackdown against some independent religious groups, and also continues its repression of Falun Gong practitioners.

In Iran, religious minorities—including Sunni Muslims, Baha'is, Mandaeans, Jews, and Christians—face imprisonment, harassment, intimidation, and discrimination based on their religious beliefs. Baha'is are forbidden from practicing their faith, and government authorities destroyed two Baha'i holy sites earlier this year. Christians continue to face severe restrictions.

In North Korea, genuine religious freedom does not exist, and particularly severe violations of religious freedom continue. The regime has severely repressed unau-

thorized religious groups in recent years; there are unconfirmed reports of the killing of members of underground Christian churches. In addition, religious persons who proselytize or who have ties to overseas evangelical groups operating in China appear subject to arrest and harsh penalties, according to several unconfirmed reports. Reliable sources claim that Christians were imprisoned and tortured for reading the Bible and talking about God and that some Christians were subjected to biological warfare experiments. The Government effectively bars outside observers from confirming these reports.

In Sudan, the Government continues to attempt to impose "Shari'a" law on non-Muslims in some parts of the country, and non-Muslims face discrimination and restrictions on the practice of their faith. Applications to build mosques generally are granted; however, the process for applications to build churches is more difficult. Claiming that local restrictions prohibit building places of worship in residential neighbourhoods, the Guidance and Endowment Minister has so effectively closed the door to the issuance of building permits to most non-Muslim religious groups that it appears that the last permit was issued in 1975. Many non-Muslims state they are treated as second-class citizens and discriminated against in government jobs and contracts. In the three Darfur states, a war between government-supported Arab Muslim militias and African Muslims continues. This conflict is primarily a ethnic and racial one, and not a religion-based conflict, but it is important that the United States Government has concluded that genocide has taken place in Darfur, and President Bush has called on the government of Sudan to honor the cease-fire and to stop the killing in Darfur.

In Eritrea, the government in 2002 shut down all religious activity outside of four officially recognized groups. All independent religious groups have been forced to close, and over 200 Protestant Christians and Jehovah's Witnesses remain imprisoned for their faith. Some reportedly have been subjected to severe torture and pressured to renounce their faith, and many others have been detained and interrogated. Our Ambassador and other Embassy officers have raised the cases of detentions and restrictions on sanctioned religious groups with government officials in the President's Office, the Ministry of Foreign Affairs, the Ministry of Justice and the leaders of the sole legal party, the People's Front for Democracy and Justice. I have met with senior Eritrean officials, as have our ambassador, the Assistant Secretary for African Affairs, and other State Department officers, and we have all vigorously pressed them to release religious prisoners, and permit closed churches to re-open. Unfortunately, our considerable efforts did not yield positive results, and Secretary Powell found it necessary to designate the Government of Eritrea a CPC.

In Vietnam, a number of religious believers remain imprisoned, including members of the Buddhist, Catholic, Protestant, Hoa Hao, and Cao Dai faiths. Hundreds of churches and places of worship in the Central Highlands were shut down following ethnic unrest in 2001, and only a small number have been permitted to re-open. There have been credible reports for several years that officials have continued to pressure many ethnic minority Protestants to recant their faith, usually unsuccessfully. Some have been subjected to physical abuse. According to credible reports, the police arbitrarily detained and sometimes beat religious believers, particularly in the mountainous ethnic minority areas. One Protestant leader in the Northwest Highlands reportedly was beaten to death in 2003 for refusing to recant his faith. The Government specifically denied the allegation. Vietnam has been a high priority for me almost since I walked in the door. The first trip I made as Ambassador at Large was to Vietnam, followed by another visit last year, as well as three visits by my staff. I have met with numerous Government officials, both here and in Vietnam. In addition, the US Government's concerns about religious freedom have been raised by Secretary Powell and other senior Administration officials. Ultimately, the Vietnamese failed to respond to our diplomatic efforts, and Secretary Powell found it necessary to designate them a CPC.

In Saudi Arabia, the Government rigidly mandates religious conformity. Non-Wahhabi Sunni, Shi'a, and Sufi Muslims face discrimination and sometimes severe restrictions on the practice of their faith. A number of leaders from these traditions have been arrested and imprisoned. The Government prohibits public non-Muslim religious activities. Non-Muslim worshippers risk arrest, imprisonment, or deportation for engaging in religious activity that attracts official attention. There have been frequent instances in which mosque preachers, whose salaries were paid by the government, used violent language against non-Sunni Muslims and other religions in their sermons. While we believe that the Government of Saudi Arabia's restrictions on religious charities have reduced the export of religiously intolerant ideas abroad, much more can be done. My staff and I have made multiple visits to Saudi Arabia to meet with senior government officials and press for improvements, and our Ambassador to Saudi Arabia has raised religious freedom concerns with a wide



range of senior Government and religious leaders. We have called on the Government to enforce its public commitment to allow private religious practice and to respect the rights of Muslims who do not follow the state-sanctioned Wahhabi tradition of Islam.

While we are designating three new countries because of their poor record on religious freedom, it is important to note we have a broader relationship with each of these nations. We appreciate their cooperation on a range of important issues, and we have shared interests in many areas—including counter-terrorism, energy, trade, and regional stability. We will continue working together on these and other important issues, but we will also continue to encourage these governments to guarantee internationally recognized standards of religious freedom.

#### *Conclusion*

In conclusion, promoting religious freedom is a part of our nation's role in the world in which we can all take pride. As I'm sure some of you can attest from your own travels, it is an endeavor that often brings us good will across the globe. Many religious believers overseas regularly thank our diplomats for the priority that our government devotes to their plight. They find it remarkable that the United States gives such attention to religious freedom, and they encourage us to persevere in our efforts.

I have spent most of my professional life devoted to the ideal that religious freedom is the inalienable right of all humanity, and it has been my distinct honor to serve as America's second Ambassador at Large for International Religious Freedom.

Again, I offer my sincere thanks to each of you for your commitment to insuring freedom of thought, conscience, and religion for every individual, in every nation and society around the world. I look forward to continuing to work with you on behalf of religious freedom, and I'd be pleased to take any questions you may have.

Chairman SMITH OF NEW JERSEY. Ambassador Hanford, thank you very much for that very comprehensive statement and again for the hard work of diplomacy that you personally and your staff engage in. It is making a difference.

I would just note parenthetically at the outset that when we wrote this law, you were very helpful over on the Senate side, even when there was opposition from the State Department.

Assistant Secretary of State John Shattuck testified against it and claimed that it would set up a hierarchy of human rights whereby religious freedom somehow would trump other human rights initiatives. I and others, with a bipartisan spirit, thankfully, opposed that wrong and misguided perspective. Madeleine Albright likewise was against it for the same reason, that it set up a hierarchy of human rights.

We argued the point, and thankfully, it was successful. Eventually President Clinton did sign it. When we fought against apartheid in South Africa, it was seen as value added. We said that the egregious problems associated with that kind of racism required very real, sustained, and effective policy sanctions.

We said the same thing with Jackson Vanik. In that time, we risked superpower confrontation because we were trying to provide a safety valve, a release, a way out, an underground railroad, if you will, for Soviet Jewry, and Jackson Vanik was an important part of our human rights.

Like Jackson Vanik, this IRFA legislation did not detract one iota from anything else we were doing in human rights. It only adds to a more consistent approach, and I am glad to see, especially having read your report, that the misguided view that this was a hierarchy of human rights and we would somehow hurt the more serious aspects of state craft and diplomacy has been shown to be a very false assumption on their part.

Again, I want to thank you for your great work. That is why it was such a heavy lift, as you know. There was official opposition to this legislation, which gradually got turned around and eventually became support.

Let me ask a couple of just very brief questions. You mentioned the People's Republic of China. I do not think it could be stated too strongly just how barbaric is the use of torture, which is commonplace against religious and political prisoners. If somebody is a believer, you know, the estimates are now in excess of 300 Falun Gong who have been tortured to death, including quick cremation to ensure that the body, which is riddled with the evidence of torture, does not become something that is exposed.

What can we say to the Chinese Government, which is currying favor all over the world and trying to say that somehow they have religious freedom when the Catholics, as you pointed out, the Uighurs, and all of the others, including the Buddhists, are so grossly mistreated?

Secondly, what perhaps can we do with our own business community to enlighten them about these issues? I remember meeting with the Beijing Chamber of Commerce on one trip to China, a human rights trip. I met with several very committed businessmen and women who said religious freedom flourishes here. I told them they had bought the party line hook, line and sinker. They were referring to the officially-recognized church. Step across that line and practice as part of the underground church or as a Falun Gong, and the full weight of the Government comes against you.

In Vietnam, you might want to touch, if you would, on the new law that goes into effect in November, which is as draconian as any law that I have read. They are, as you pointed out in your testimony, cracking down harshly and with great cruelty upon religious believers of various faiths. This law now will further institutionalize that repression.

On the issue of anti-Semitism, which so many of us care so deeply about, our Helsinki Commission takes a back seat, as does this Committee, to no one on promoting that issue through these inter-parliamentary efforts. Mark Levin, who will be testifying later, makes a very valid point about the Arab media.

We had a meeting on anti-Semitism in the Helsinki Commission last June 15. Nathan Sharansky testified, who is a longstanding political dissident from Russia, a giant, and a hero in the dissident movement and now in the Government of Israel. He brought a tape of an Arab television show that shows the blood libel of a young Christian boy named Josef in this fictitious, grotesque story that was told. The boy had his throat cut, and then it was used to make matzah for the Jews.

If that is not the most despicable incitement. You could have heard a pin drop in our hearing room when Sharansky showed this. As he pointed out, this is commonplace in the Arab world. It goes uncontested. These grotesque myths and caricatures of Jews lead and breed a certain hatred.

In his statement, Ali Al-Ahmed from The Saudi Institute, who will be testifying later, points out that Saudi Arabia's lack of religious freedom is a major factor in the breeding of terrorism, extre-

mism, and religious xenophobia. It is not a coincidence that Saudi Arabia is now the leading exporter of terrorists.

Again, can you address this idea that if it is unchecked, whether it be in the classroom or in the media, anti-Semitism and hatred takes hold?

Just parenthetically, Mr. Lantos and I offered an amendment to the International Relations Committee, the State Department bill, last year on the whole issue of UNRWA, the U.N. Works and Relief Agency, and the fact that biased textbooks are being given out to children. We are the largest donor to UNRWA, \$2.5 billion and counting, so we should have some pull. These textbooks are filled, replete, with anti-Semitic, anti-Israel incitement. When Hamas has its impact as it does on these textbooks and the teaching of children, it is no wonder there is terrorism.

Remember that famous Rodgers and Hammerstein song, "You Have To Be Taught," in the musical *South Pacific*? You have to be taught hatred. We wonder why suicide bombers engage themselves at age 12 in Israel against Israeli targets. When you watch that kind of thing and when you open up their textbooks and it is filled with that hatred, it seems to me that teaching just incites hatred, and it leads to terrible acts of violence.

Mr. Ambassador?

Ambassador HANFORD. Thank you, Mr. Smith. Concerning China and the problem of torture of some religious believers there, these are the sorts of cases that give you trouble sleeping at night. I know they do you. They do me as well. They make you wonder if you worked a few hours longer could you get someone out of jail.

We have raised these and even been very graphic in our descriptions of what we know and believe to be the case of what is going on. I think, for example, of one group of Christians that you are well aware of, the South China Church, where for some reason the Government, they occasionally will decide to target a particular denomination or group or movement.

The Falun Gong, which is not entirely a religion, but has spiritual overtones, they have gone after them. The South China Church, more recently the Little Flock Movement, are other groups that they have targeted and gone after. The treatment, what is done, is just unthinkable.

In the case of the South China Church, they wanted to execute the pastor, Pastor Gong, and so they were willing to go to any lengths to do this. They arrested lots of his parishioners. They tortured many of his parishioners, including women. Their modus operandi was to get women to falsely accuse him of having raped them, so that they could execute him.

There were some women who refused even under horrendous torture. I know Nicholas Kristof wrote an editorial in the *New York Times* about one of these women whom he interviewed. I got that article translated into Chinese, and on my second trip to China, we held a formal human rights dialogue with the Chinese Government with judicial officials of the region of the country being adjudicated. I passed this out, and we discussed the case.

Four women were tortured into the false accusation. The Government would resort to things like hauling in family members, children, and torturing them in the room next door to try to get a

mother to falsely accuse this man of rape. As soon as those women got out, they courageously came forward and said he did not rape me. I was tortured into this false accusation. Of course, they were thrown right back into the prisons.

These are the kind of cases that we raise, that we raise in detail, that we let the Chinese know are happening and that we continue to press on. In this particular case, we are glad that at least the death penalty was reduced to a lesser penalty, which is very rare in China to happen, but there is much more work that remains to be done.

In China, unfortunately, while this is not the norm in religious cases, it still happens with too much frequency. As you mentioned, it happens to Uighur Muslims. It happens to some Buddhists. The Government would sometimes like to blame local officials. As you know, many governments use that excuse, but when I have traveled there and brought this case to their attention and I go back 6 months later and they have still not done anything about it, they cannot blame local officials any longer.

Your second question was about Vietnam. The new law is one that we are very disappointed in. I have been talking with Vietnamese officials for a long time about this new law. It has been in the offing for a very, very long time. It was just released on June 18. It will be flushed out in more detail. I think it is about November 15 when the implementation regs come out.

I have made it very clear to the Vietnamese even in a meeting since we have designated them as CPC that this is an opportunity for them to move forward and establish a greater degree of religious freedom in Vietnam than has been known there in a long, long time.

The law is positive in the sense that it does state that citizens have the right to believe or not to believe. This, believe it or not, is a positive because there has heretofore not been something at the level of a law which grants this degree of religious freedom.

It also makes illegal the abuse of freedom of religion to undermine the country's peace, independence, and unity. Of course, our fear is that this sort of language will wind up being abused, so we are going to work with them over the coming weeks in the hope that the implementation regs will wind up being liberal.

We have suggested to them as a starting place that they outlaw forced renunciations. These have occurred by at least the tens of thousands in the Northwest Highlands and the Central Highlands, and I have asked them ever since I have been Ambassador to issue a public statement from the central Government that they have a policy against these. It is very telling. They have never been willing to do this. All they are willing to do is say well, this is not the policy of our Government.

If it is not, make an announcement. Make it official. Here is an opportunity for them, even though their new law, it disappoints us to say, does not make this clear. Perhaps they can put in the implementation regs that this is the case. Then there will be a basis upon which to discipline the officials in various areas of the country that continue to do this. We continue to get stories of forced renunciations of faith.

Then your question about the problem in Saudi Arabia and elsewhere of denigration of other faiths in the media. This is a very, very serious problem throughout the Middle East and other parts of the world, and one that I take great pains to raise because often you can sit and argue with foreign officials until you are blue in the face, but this is a case where you can quickly put down on the table in black and white something which their Government is sponsoring, be it on the Government-sponsored television or Government-owned newspapers, and so this is something that I am determined, as long as I am Ambassador, to raise.

We are seeing some improvements. I think the spotlight is being shined on this horrible problem in many countries. Even in Saudi Arabia we are seeing improvements. I met with the Minister of Education when I was there, along with other officials, and they are claiming that they have now revised over half of their textbooks to take out the sort of horribly defamatory comments that were in there about non-Muslims and also about non-Wahhabi Muslims.

We are still trying to follow up and verify to what extent this has happened. I have gotten mixed reports. I met with someone from Saudi Arabia just a week or so ago, who says that there is still bad material in the revised ones, including some very negative comments about non-Wahhabi Muslims. We will be vigilant on this.

I also was given just in the last week something from a Saudi publication which was talking about Barbie dolls being a Jewish ploy and their clothing and all of this reflecting Jewish values. It was just being used as an excuse to again tear down a non-Muslim religion.

We are encouraged that at least they are becoming aware of this problem. Another encouraging sign that we need to see more follow-up is that the Saudis are beginning to pull back their Offices of Islamic Affairs, which they place in Embassies around the world.

It is interesting. There is no government in the world that is better at recognizing religious freedom in other countries because they will then establish Islamic centers, bring in preachers under diplomatic visas, and have them preaching their Wahhabi views in that country. Some of these preachers have been extremely intolerant and hateful toward other religions and other Muslims other than Wahhabis.

Our Government has sent some of these people packing because it is obvious that they are not diplomats. The Saudis have finally realized what an embarrassment this is, and they have pledged that they are going to shut down the Islamic offices in all of their Embassies, and so we will watch and see if this happens.

Chairman SMITH OF NEW JERSEY. Thank you very much.

Ms. Berkley?

Ms. BERKLEY. Thank you, Congressman, and thank you, Ambassador, very much for your report and your testimony. I think I can sleep better at night now knowing that you are not sleeping so well at night.

I have four areas that I would like to get your response on. One is the Baha'i faith in Iran, one is on the Saudis, the Darfur region in the Sudan, and a general question on anti-Semitism.

You touched on this briefly, but the Baha'i community in Iran faces near constant persecution, executions, imprisonments, confiscation of property, and an inability to practice their faith in Iran.

Congress has been considering H. Con. 319, which is a resolution that condemns this persecution, for quite a while. On June 24, it passed unanimously out of this Committee. It carries 29 co-sponsors, including myself, Mr. Lantos, Ms. Ros-Lehtinen, Mr. Smith.

Can you tell me the State Department's position or opinion on this resolution? Have you one? Should you have one?

Ambassador HANFORD. Okay. I am sorry. You have asked about Iran and about anti-Semitism. What was the—

Ms. BERKLEY. I have questions on each one.

Ambassador HANFORD. Okay.

Ms. BERKLEY. Did you want me to ask all four?

Ambassador HANFORD. Why don't we go through each one of them, if that is all right.

Ms. BERKLEY. Okay. Yes, that would be good.

Ambassador HANFORD. The first one, let us talk about the Baha'is in Iran. That is a particular problem there. Of course, Iran is one of our CPC countries and has been for a number of years.

The Constitution says that the investigation of an individual's beliefs is forbidden, and no one may be molested for holding a particular belief. This situation definitely is not upheld concerning Baha'is, because their beliefs and their communities are highly monitored.

Now, there were three Baha'is released from prison this year, two upon the completion of their sentences, but one remains in state custody, so the Baha'is receive the worst sort of treatment in Iran.

The Government has a policy, which it reiterated in September 2001 when the Ministry of Justice issued a report, and their policy is the eventual elimination of Baha'is as a community. They are also banned from higher education in Iraq, so that is how serious it is there.

Ms. BERKLEY. Would it be helpful to you if Congress passes this resolution?

Ambassador HANFORD. I will have to take a look at it. I am afraid I do not have as current a sense of it as I should have.

Ms. BERKLEY. Could I ask you to get back to us?

Ambassador HANFORD. Sure.

Ms. BERKLEY. Perhaps that will tell us to move forward on this.

The second issue is anti-Semitism. As you may know, this Committee passed legislation last week that would amend the International Religious Freedom Act to require that the reports, where appropriate, include comprehensive coverage of anti-Semitism.

Currently the Department is not legally required to cover anti-Semitism in its reports, and there have been suggestions that the State Department is considering dropping the reporting because anti-Semitism is seen as being anti-ethnic rather than anti-religious.

Is there any truth to these suggestions? Is there any truth to this?

Ambassador HANFORD. No. Our report has always covered anti-Semitism. It is true that often it is more of an anti-ethnic issue than an anti-religious practice issue.

There are cases, of course, where synagogues are bombed, in which case you would have a clear religious persecution issue, or where people who are gathered for Jewish worship are interrupted.

We cover the general problem in our report, and the Human Rights Report, of course, should cover the entire problem in every facet.

Ms. BERKLEY. So you will continue doing this even if Smith-Voinovich is not passed by the Congress?

Ambassador HANFORD. That is right. We have done it up until this year.

Ms. BERKLEY. Two very quick ones. Regarding the Sudan and the Darfur region, is this ethnic cleansing? Religious persecution? Racial prejudice? I mean, what is the impetus for this, and what is it that this Congress can do to help more than we are?

Ambassador HANFORD. Both President Bush and Secretary Powell have come forward and called this genocide. It is not an issue of religious persecution because it is Muslim on Muslim violence, and so it appears to be much more an ethnic and racial issue.

Our Government has been very strenuously involved in this, as you know, and we are pressing for the Government of Sudan to take this much more seriously. A great deal of attention is being devoted to this, but it is not really a religious persecution issue per se.

We work a lot in Sudan on the civil war between the north and the south because there are heavy elements of religious freedom related issues involved in that.

Ms. BERKLEY. Okay. My last question is regarding the Saudis, and much has been said about them. Do you think it is in any way helpful for the Secretary of State, and I do not mean to put you on the spot, but to make comments to the Saudis easing their minds that you may be being placed on this list, but you have obviously worked very hard and dedicated your entire life to this issue.

To have the Secretary of State kind of wink at the Saudis and say no problem here. It is business as usual. We are just going to submit this to Congress. They are going to look at it. We are going to have a hearing, but you are okay.

Ambassador HANFORD. Well, I need to go see that quote in its context because I know from my discussions with Secretary Powell and our appearances together on this, that he is not sugar-coating this issue at all when it comes to religious freedom violations in Saudi Arabia. This is something he has discussed with top leadership himself.

There are other issues of strategic importance, other issues of cooperation. The Saudis have awakened to the whole problem of terrorism, particularly now that it struck them within their own borders. They are important partners in that battle. In fact, some of the same forces that threaten us are the very same ones that threaten them from the inside.

I think Secretary Powell's concern is to send the message that we will continue to cooperate where we should cooperate, but that the

time has come to say that the problem of religious freedom in Saudi Arabia is so severe that it must be called what it is.

We have been very clear to point out that it is the treatment of other Muslims in Saudi Arabia that perhaps as much as anything places them on that list. Actually, it is Muslims that wind up most often in prison because of the religious persecution problems in Saudi.

Ms. BERKLEY. I would submit to you that most of the world's problems right now in our fight against terrorism were caused by the Saudis, so it is awfully nice at this late date that they realize that we have the same problem since they were the perpetrators of this problem and the exporters of it.

We will provide for you the statement that was made by the Secretary of State which is, "This is not to punish them," meaning the Saudis, "or in any way to show displeasure." We will get you the context in which that statement made.

In any context, it seems unforgivable to me to let the Saudis off the hook this way. It is shameful, and I would appreciate if you spoke to the Secretary of State, but also commented back to us on what we can do to ensure that that type of statement does not happen again.

I thank you again for your hard work on behalf of our country.

Ambassador HANFORD. I think Secretary Powell is trying to clarify that we are speaking truth to a situation that deserves the truth be spoken to it.

When he uses the word punish, I think he means we are not going to be shutting down relations or ceasing to cooperate in areas where we should be cooperating.

Chairman SMITH OF NEW JERSEY. Mr. Tancredo?

Mr. TANCREDO. Thank you, Mr. Chairman.

Mr. Ambassador, I just have one question, and really it revolves around your ability to look at areas of the world that are perhaps not so definitively designated as a country, but have problems nonetheless, that are governmentally constructed, problems with religious persecution. That is to say I am thinking specifically now of republics let us say in Russia.

I recently returned from Beslan, which is in North Ossetia, where I witnessed what I can only tell you is the most horrible thing I have seen for a long, long time, and it certainly brought back a lot of ugly thoughts about what happened even in my own district in Columbine where a school was attacked by terrorists. In this case, the terrorists were motivated by both political and religious ideology. The terrorists were from Ingossetia and of course Chechnya.

As I understand it, what started out in 1991 as a civil war is now a war for secession. It has turned into now as much a sort of religious movement as it is a political movement. That is to say that radical Islam is present. It has essentially taken over the Government.

Are you constrained by whatever is in the act so that you cannot focus on something like this because it is not a separate country? It is a republic inside of a country. It seems to me that here we are looking at a governmentally imposed religious persecution, and



it just is not sanctioned by the national Government, but it is certainly happening.

What, if anything, could we do about that in terms of in your area of responsibility?

Ambassador HANFORD. We have spent a lot of time working on religious freedom issues in Russia. In fact, I have spent a lot of time this summer focused on that. When I worked up here on the Hill, that also was a time where I worked for many months first trying to stop a bad law on religion in 1993 in Russia—

Mr. TANCREDO. I recall.

Ambassador HANFORD [continuing]. And then with many Members here trying to stop a bad law in 1997, which we failed to stop. Now we are living with the consequences of that.

For the most part, Russia has not implemented the law in a severe way, but there are exceptions, and there are cases in which particular denominations are suffering some serious restrictions.

In the case of the situation in Chechnya, our Government is trying in a very careful and sensitive way to work with the Government to encourage them to address the criminal activity and the wrongful activity without coming down in such a way that it will radicalize the entire populous there.

Because of the sensitivity and the difficulties in that region, this is not a region that I have traveled to and worked on religious freedom per se.

Mr. TANCREDO. I assure you it is a region in which religion will play a role in the kind of conflicts that we have witnessed. They have played a role in that. They will continue to play a role in the conflicts we are going to witness there, unfortunately, and it will be governmentally approved. It will be governmentally-sponsored religious persecution. It is just that it is a different level of government.

That is why I was wondering whether you had any responsibility and whether you look at this and say yes, we can actually identify. Could we put them on the list, the Government of Chechnya?

Ambassador HANFORD. We have not yet, no.

Mr. TANCREDO. I would just encourage you to think about this because, frankly, if we are going to be constrained by the fact that it is a republic inside of a—

Ambassador HANFORD. Right.

Mr. TANCREDO [continuing]. Country, we are going to have some very serious problems here. I do not know that we can forestall them anyway, even with whatever action you can take.

It seems to me to ignore them, to say that it makes it appear as if they do not exist, is also wrong for us. We should at least identify the problem, whether or not we have the ability to actually solve it.

Thank you, Mr. Chairman.

Chairman SMITH OF NEW JERSEY. Thank you very much, Mr. Tancredo.

Mr. Faleomavaega?

Mr. FALEOMAVAEGA. Thank you, Mr. Chairman. I certainly want to welcome also Ambassador Hanford before our Committee.

I read through your statement, Ambassador Hanford. The fact is you quoted our first President, George Washington, commenting

about religious freedom. My belief at the time is that African-Americans were not even recognized as full-fledged human beings, and we were then supposedly a Christian Nation.

As a Christian Nation, I believe that we believe that judge not that he be judged, or before pointing fingers at others, make sure our own house is in order. There is no double standard. Hypocrisy is not a good word to apply to ourselves, as well as to others.

I wonder if our own Government has documented our own history of religious intolerance and persecution among our own citizens. Historical discrimination I think is well known against Jews and Catholics. I think the discrimination against Mormons has its own story to tell about religious intolerance and persecution against that group that had its own religious beliefs.

The unwritten rule that a Catholic can never become the President since he supposedly raises the question of his allegiance whether to the Pope in Rome or to the American people, and I believe President John Kennedy destroyed that longstanding myth.

It is tradition also in our own country that you had to be a WASP—a WASP meaning a white, Anglo-Saxon Protestant—to enter the elite schools and to hold a prominent position on Wall Street. Only in recent years were our own Native Americans finally allowed to practice their own religious beliefs.

My point is, Mr. Ambassador, we need to show or to share with the world our own struggles in making religious freedom not 100 percent there, but as a process. We are not perfect, but we are still working at it.

My problem is that when the Lieutenant General of our own Government, who heads the Intelligence Division at the Department of Defense, makes public statements to the effect that my Christian God is greater and stronger than yours, it sends a very different message to non-Christians.

The implications are very obvious. It sounds like a rallying cry for the second crusades against those barbaric Muslims versus the Christian infidels. Sadly to say, it is my understanding that this General has not yet been reprimanded or disciplined by his superiors.

My point, Mr. Ambassador, is if you are entitled to your own religious beliefs, that is no problem, but if you are making statements in an official capacity, then I believe it is not only resentful for the Muslim community but any Muslim for that matter. I just am a little concerned that as much as I appreciate the report that has been made about religious persecution in other countries, I just want to make sure we are on the right track ourselves before we do this.

I notice in your statement that discrimination legislation is being imported against Israel; Can you explain that? There seems to be discrimination legislation. Is there a problem here with Israel, religious intolerance or persecution? I am just reading from what you have here on this.

I thought this was the only democracy we have there in the Middle East, democracy, religious tolerance.

Ambassador HANFORD. Well, let me first agree with you on the importance of making it clear to other governments that we are not perfect. This is a point that I raise continually and which is appreciated. I have actually had a foreign diplomat say to me, I read the

introduction to your last year's annual report, and in it you say you are not perfect. I appreciate that.

I put it in this year's annual report, and I put it in my remarks to you today. I am not sure if it got edited out for the sake of brevity, but it is an important concession that we need to make.

A lot of these governments are early in their time of establishing rule of law and are not as far along as we are now. We struggled a great deal in our early period in trying to define what freedom of religion meant. Nevertheless, I have leaders say why do you care so much about religious freedom?

At the same time, I am not ashamed to explain to them our history and how so many have fled to our shores and continue to flee to our shores, including Muslims. So many Muslims come here and say they have greater religious freedom in America than they did in their Muslim country.

Your point is well taken. I usually segue from that point with foreign leaders to say we do not expect perfection from you. My job is not to get churches and temples and mosques established on every corner. It is to get people out of jail, out of torture chambers, and to get freedom for people to follow the dictates of their own heart, whether they believe in religion or not.

Concerning Israel, there are of course unique problems there because of terrorism and the conflict that is going on there that puts the Government of Israel under unique pressures. There is some discrimination against mainly Arab Christians and Muslims in housing, education, and employment, and also because of state-sanctioned Orthodox Jewish control over personal status laws such as marriage and divorce and burial. This can discriminate against Jews who have other interpretations of those practices.

The security barrier is raising some issues, and attempts are being made to sort these out where certain Christians and Muslims are finding themselves divided from places of worship or from holy sites. These are the kinds of problems, unfortunately, that are going on right now given the tensions, given the terrorism, but we continue to try to work with the Government of Israel to make as much progress as we can.

There have been visa problems with some denominations. Catholics in particular have had these. We have seen quite a bit of improvement now where Catholic clergy are being increasingly allowed to enter and to minister to their people of faith.

Mr. FALCOMA. I have just returned from Kazakhstan recently, and one of the amazing things that I want to share with you, Mr. Ambassador, is that a very prominent Jewish citizen of Kazakhstan personally gave me a tour of a synagogue that he had built to honor his mother.

Now, here is a country with about 60 or 70 percent Muslims. The fact that you can build synagogues, which is a tremendous amount of religious tolerance, in my opinion, of a country that is about 60 or 70 percent Muslims shows that it is possible. It can be done.

I just wanted to share that with you. I appreciate your comments on my questions.

Thank you, Mr. Chairman. My time is up.

Ambassador HANFORD. We have cited Kazakhstan for its high level of religious tolerance. I have a staff member on the way there right now in fact.

Mr. FALEOMAVAEGA. Thank you, Mr. Chairman. Thank you, Mr. Ambassador.

Chairman SMITH OF NEW JERSEY. Mr. Rohrabacher?

Mr. ROHRABACHER. Thank you very much. First, a little bit of politics to get out of the way. General Boykin was reprimanded by his superiors.

General Boykin, so my colleague will understand, made statements in private to a religious organization, and even when you are a General of the United States military you have a right to attend religious services and make your religious statements, but even with that he apologized for those statements, and he was reprimanded for that. Unfortunately, being a political year, we have certain things that are brought up.

Mr. FALEOMAVAEGA. Will the gentleman yield?

Mr. ROHRABACHER. Right after I finish. Right after I finish.

I think that that incident was blown way out of proportion, although we do have to be concerned to make sure that our military leaders are not religious zealots that will try to impose their will by using their power in the military.

I would be very happy to yield.

Mr. FALEOMAVAEGA. I thank the gentleman for yielding, and I am very glad for the record that the American public better understands the General's comments were made in that context.

I also appreciate the fact that given his very important position in our Government, we have to be very careful of those statements.

Thank you. I thank the gentleman.

Mr. ROHRABACHER. With that said, this is an election year, and things get brought up.

First of all, let me congratulate you and the Administration for having the courage to include China and Vietnam on your list. After all, there are many business interests in the United States that would like us to ignore the persecution of religious freedom in those countries because they want to make a profit off of exploiting the cheap labor in those countries.

I would commend this Administration for not buckling into the pressure and leaving China off the list. I think that only the light of day will make sure that these people who are suffering are somewhat protected in those countries.

I would like to ask you to put a couple things in perspective for me and for us. We are engaged in a war. Worldwide there is a war. Radical Islam has declared war on tolerance, western style tolerance of other people's faiths, et cetera. I mean, that is basically what we have. We have Muslims being murdered by these radical Muslims.

I think the more moderate Muslims who want to have tolerance toward other religions, they are our greatest allies in this war. We should be reaching out to the Muslims throughout the world.

In Saudi Arabia, I would agree with the characterization of what happened in the past with the leadership. Hopefully the leaders now have learned their lesson and are now fighting a desperate battle to make up for the mistakes that they made in the past. If

they do indeed and have indeed recognized that and are now fighting this battle, we should be helping them, but we should also be insisting on seeing the progress toward recognition of freedom of religion in Saudi Arabia.

I would like to ask you about Eritrea. Your report suggests that there are some major problems in Eritrea, but yet I have talked to the Ambassador recently from Eritrea who suggests that some of the things that you are saying about Eritrea are based on old information and that indeed Eritrea has a tradition of Christianity and Islam living together in harmony or at least in coexistence.

Is that indeed based on old information? Also, in talking about Eritrea, as we would talk about Pakistan, for example, we have the Government of Pakistan, the Government of Eritrea, who are obviously willing to help us and have reached out to the United States in this war that we have with radical Islam, with a totalitarian force in the world.

By the way, if it was radical Christianity or radical Judaism or radical Buddhism, it would be precisely the same. It is not a stain on Islam that there are radical elements within its society which has so much blood on their hands because in the history of Christianity there have been times when we had much blood on our hands, but the moderate elements—I believe—in the Christian world prevailed.

Where do we balance this off where you have a Government like in Pakistan or Eritrea who is willing to work with us, but perhaps has flaws in their situation in terms of religious freedom?

Ambassador HANFORD. I have also met with the Ambassador from Eritrea, Ambassador Girma, many times, had meals with him, and many discussions about the problems there.

They have issued a statement in response to our designation as a CPC in which they say it is no secret that the CIA and its operatives have long been engaged in fabricating defamatory statements in a bid to embark on other agendas. They see this in a very negative light, I am afraid, and an inaccurate light.

We have been crystal clear for months and months and months, and I have had two staff go and investigate things personally. The fact of the matter is that starting in May 2002, President Isaias established a very draconian decree that essentially banned all but four faiths in that country.

This wound up criminalizing the faith of thousands and thousands of Eritreans, and denominations, ones that are very common here in the United States, have seen their churches boarded up. These are denominations that have existed for decades, long before the current Government has existed.

As I have said to Ambassador Girma, you would be locking up my wife. She is a Baptist. You would be locking me up. I am a Presbyterian. Most Americans for whatever faith would find themselves outside of the law.

Over 400 Protestants have been arrested. Many of them have been brutalized. We now know with authority that over 200 are still being held, perhaps many more than that.

Mr. ROHRABACHER. Do we have a list of the names of those religious prisoners?

Ambassador HANFORD. We have a pretty good list of that.

Mr. ROHRABACHER. Okay. The Ambassador is suggesting that he has not received lists. I would suggest that we officially, and if you could send that list to me. That should be an official protest.

Those religious prisoners, no matter how much the Eritrean Government wants to be friends with the United States Government in this war, they should release those religious prisoners.

The word should get to their Government that we want to be friends with Eritrea just like we want to be friends with Pakistan. The Pakistani Government is in the middle now of fighting. They are on the front line of the war, yet there are some problems in Pakistan, are there not?

Ambassador HANFORD. Yes. The problem of lists with Ambassador Girma and other top Eritrean officials we have met with is that they refuse to accept the fact that there is a single religious prisoner anywhere in the country, even though we know through other sources that they are very well aware of this and are trying to suppress this.

We have not felt that handing over lists of names that they already have and know very well is going to help. In fact, our fear is that it will bring greater harm upon the family members of those people. This is not a decision that I often make in this work. It is a normal thing to hand over prisoner lists and to ask for accountability.

Some of these prisoners are kept in metal shipping containers in the desert. Others are tortured in horrible ways. There is pressure for a number of them to recant their faith. These are just standard religious beliefs.

They like to point to the fact that they have a terrorism problem and that they are concerned about Muslim extremists, but then they like to feel that there are extremists of other religions too, and that justifies their locking up people that they want to point the finger at.

Mr. ROHRABACHER. As I say, although I personally am happy that there is a Government in that place in Africa who would like to be our friend and reach out to the United States, I hope that their Government does get the message that we care about these issues, just like as we are saying in China if the Chinese really want to be our friends and want to head in a more democratic direction we will applaud that, but just for the sake of business or for the short-term sake of a little bit of leverage during this war on terror, or war against radical Islam would be more accurately expressed, that we should not give up that.

One note, Mr. Chairman, if you would indulge me this. Earlier I mentioned that Christianity had eras of when we had a bloody history when we were suppressing other people. There is no doubt. I believe that more moderate elements within the Christian community prevailed over the centuries.

Let us not forget that there in the Muslim communities people can still remember just a few short years ago where in the Balkans we had people who were in the name of Christianity murdering Bosnians who were Muslims, and so the war today, although it is with radical Islam that has declared war on us and declared war on people for tolerance, et cetera, this really is a situation where if anyone would be radical, any faith would try to have that same

tactic using violence and suppression against other faiths, it is that tactic that is the enemy. It is not the way one worships God.

We should keep that in mind as we move forward because again we are not going to win this war unless the vast majority of Muslims in the world who are moderates are on our side, and they are our natural allies.

Chairman SMITH OF NEW JERSEY. Would my friend yield very briefly?

Mr. ROHRABACHER. Certainly.

Chairman SMITH OF NEW JERSEY. I would just want to add that although this is not a religious freedom prisoner, Chairman Royce had raised before with the Eritrean Ambassador to the United States, the case of a woman by the name of Yassa Johannes. She left to go back to Eritrea with the promise that she would be permitted to have safe passage into her country. When she got there, she was arrested.

I raised the issue. Chairman Royce, the Chairman of the Africa Subcommittee, also protested very vigorously. I raised it with the Eritrean Ambassador to the U.N. Convention on Human Rights in Geneva twice, who assured me they were looking into it, and it probably would have a good outcome. She is still being held.

When we get this CIA nonsense or other kinds of it, it is pure, unmitigated nonsense. Here is a case where a woman was given assurance before she left and, bingo, she has been rounded up. She is a mother. Her children now are in a situation that obviously they are separated from mom, and she is being held in a prison.

Mr. ROHRABACHER. Right.

Chairman SMITH OF NEW JERSEY. Just like the religious prisoners, this is unconscionable.

Mr. ROHRABACHER. I think that that is a very good admonition for the Eritrean Government to take a look at this. These are things they can do. This is within their capability. I would hope they would become a great ally of the United States. These things need to be corrected.

One other note. When I mentioned the Christians, being the Serbians at that time, coming in and killing the Muslims in Bosnia, let us also note so that the world takes note of this. The United States committed our forces to stop that.

Ambassador HANFORD. That is right.

Mr. ROHRABACHER. That was our last major conflict prior to this particular one that we are in before 9/11. We were there putting our military and our lives on the line trying to stop that dastardly act.

Well, it should not be forgotten that the act happened and that all the terrorists in the world are not Muslims. At the same time, let us note that America was willing to step forward in that case.

Ambassador HANFORD. That is an important message that I seek to make. Also, we make the point very often that our work on behalf of religious freedom is even-handed, and we seek to defend people of faith regardless of their faith, and in many countries we are helping Muslims.

When we have to bear bad news to a country like Saudi Arabia, we want to emphasize that even in the case of Wahhabis, who in

some cases are tortured in Uzbekistan, we are intervening on their behalf.

In other nations like China with the Uighur Muslims and Egypt and elsewhere where some Muslims are in for very inhumane treatment, we are there sticking up for their rights. We also stand up for the rights of Muslims to wear the head scarves or the garb that they feel reflects their religious beliefs. Hopefully this is a message that is not lost in the Muslim world.

Mr. ROHRABACHER. Thank you very much.

Ambassador HANFORD. Thank you.

Chairman SMITH OF NEW JERSEY. Ms. Watson?

Ms. WATSON. Thank you so much, Chairman Smith.

I want to associate my comments with Representative Faleomavaega because I am right now looking at a letter that was sent to my office for a briefing by Catholics.

We have been attacked because of our faith and because we serve in policymaking bodies because my religion, and I am a Roman Catholic, believe that certain things you support. Certain things you do not.

What is really frightening to me is that there is the beginning of a merging for right-wing religious beliefs in the politics of this country, and no one in the listening audience should miss that. We have a lot to do in our country.

As we go, and I do not think the State Department ought to, and I do not think you believe this; that we have imposed a war on radical Islam. I would hope that if that is the thought out there, we correct it real quick because I do not believe going into Iraq was going in to declare war on radical Islam.

Ambassador HANFORD. No.

Ms. WATSON. I hope that is corrected. It was said here. This goes down on the record, so I would hope the State Department would correct that. I do not for 1 minute believe that we invaded a sovereign nation called Iraq because we were going after radical Islam, so I need you to comment on that in just a minute.

I am going to get my thoughts out, and then I am going to have to go. I have been a consistent Member of this Committee. I have sat here for a couple of hours, so I have a lot of things I want to say. You can just answer them, and we can talk afterwards.

I am really concerned about what is going on around the globe and our position as we relate to it. As I mentioned to you personally, I am a Roman Catholic. I practice my faith. I think everyone has a right in this world to practice their faith as long as it does not harm other groups.

I have been watching some of the other countries, for instance, Germany, perhaps Belgium and France. Government officials are actually engaged in the surveillance of persons who allegedly belong to so-called sects and cults. I am just wondering if you could respond when I finish as to how do they determine what is a sect, what is a cult, what they feel is criminal, and what they feel is the practice of legitimate religion.

If they are doing this, and I just appreciate all the work you are doing in bringing your annual report to us, but Burma, China, Iran, North Korea, Sudan, Eritrea, as we have been talking about,



Saudi Arabia and Vietnam. They have been designated as Countries of Particular Concern.

If so, what actively are we doing, and you might have to repeat again what you have said. I also want you to kind of explain to us why Iraq was not included in this year's report, and then if you can end up, and it was raised by Congresswoman Berkley, is anti-Semitism considered to be an ethnic persecution or a religious persecution?

I hear people in my own community talk about the Jews. You do not know if they are looking at ethnicity, as I understand those who believe in the Jewish faith can come from any kind of ethnic group, or is it an attack on their religious beliefs.

If you can combine all of that, I would appreciate it. I am going to have to leave in just a few minutes, and so if you want to continue we will do that maybe in writing, a letter or something.

Ambassador HANFORD. Very good.

Ms. WATSON. Thank you.

Ambassador HANFORD. Well, you are absolutely right that the war we are carrying on right now, as President Bush has made very clear himself over and over again, is not a war on Islam and not a war on fundamentalist Islam.

I mentioned how our office advocates on behalf of persecuted Muslims all over the world. There was a group in the State Department just a few days ago from Saudi Arabia saying, "Why are you meddling in our internal affairs?" We said you know, when we go to China and we raise the plight of Uighur Muslims in China, do you know what the Chinese Government tell us? Why are you meddling in our internal affairs?

We feel that we should intervene on behalf of Uighur Muslims who are tortured or where people under 18 are not even allowed to enter a mosque. They understood that, and they respected that. Our war is against terrorism per se and against abuse of religious beliefs and a hijacking of religious beliefs used in a way to harm innocent people.

In terms of what we encounter on the whole issue of sects and cults that you mentioned, this has been a growing problem in Europe in particular. Certain countries have established committees to evaluate and even draw up lists which rank religion, some as accepted and some as questionable sects and cults.

Some have been discriminated against unfortunately, and this is an issue that we are raising with our friends in Europe. I just had a meeting with most of the EU countries, and this was an issue that we discussed.

The question of why Iraq is not included in our report. Iraq has been included in the past under Saddam Hussein, but during the entire reporting period that our report this year covers, which is basically from the 1st of July 2003 until the end of July 2004, during virtually all of that period the country was not under Saddam Hussein per se and resulted in being under the CPA and under eventual Iraqi control.

We have a policy in our Government of not reporting on our own country in our annual report. We leave that to other nations and welcome their comments and their reports and their evaluations of our religious freedom situation. While we were in Iraq, we felt that

we would not report on Iraq. Now, this coming year, now that Iraq is clearly in Iraqi hands, Iraq will again be reported on.

The question about anti-Semitism and whether it is ethnic or religious. I am sure it depends from person to person and in what context they are speaking. We generally refer in our report to problems that are clearly of a religious nature.

If a synagogue is bombed, as I said earlier, that is a matter of religious persecution. If Jews are prohibited or run into problems in being able to worship for some reason or another, that is a problem. If a group of Jews meeting are interrupted, that is a problem.

While we cover the problem of anti-Semitism with some breadth, our major concern is where that problem has a heavy religious component to it.

Ms. WATSON. Let me conclude. The international religious freedom. There is a commission?

Ambassador HANFORD. That is correct.

Ms. WATSON. All right. Is the commission composed of just Americans, or is it a commission out of the United Nations? Where do the discussions reside? What organization beyond this commission? Describe the commission.

Ambassador HANFORD. Well, first let me say in my office we feel a responsibility and in fact the State Department as a whole feels a responsibility to draw on sources all over the world. Our most valuable sources are indigenous religious believers of various religions in country.

Ms. WATSON. Okay. Who sits on the commission?

Ambassador HANFORD. The commission is composed of nine independent commissioners. They are American citizens. None of them can work for the U.S. Government, and they are chosen by both houses of Congress and by the Administration. There is quite a mixture.

Ms. WATSON. Okay. That answers my question.

Ambassador HANFORD. You will have the chance to hear from the distinguished Chairwoman of that commission in a few minutes.

Ms. WATSON. I wish I could stay. Where in the United Nations do we get to this kind of discussion? What committee would it be?

Ambassador HANFORD. The U.N. Commission on Human Rights covers this. There also is a special position, a U.N. rapporteur on religious freedom. There has just been a new person selected, a Pakistani woman, who travels the world, investigates these problems, and writes them up and brings them to the attention of the U.N., as well as to all nations of the world.

Ms. WATSON. Okay. My final question is do we have an annual summit through the U.N. or whatever organization where we could really take a serious, in-depth look at religious freedom around the world so we do not carry the weight by ourselves?

Ambassador HANFORD. Yes. The OSCE does this on the countries that it is involved in, and there are various meetings under the OSCE and occasionally under the U.N. that focus on this.

Ms. WATSON. Could we propose to the U.N. that we do an annual summit under the auspices of the U.N. and include all nations?

Ambassador HANFORD. You know, our new Ambassador to the U.N., former Senator Danforth, is thinking along similar lines as you and believes that bringing together leaders of various religions

to discuss problems that they have a particular understanding of would be very helpful for our world.

Ms. WATSON. I think we need to go in that direction because if we are talking about a continuing war on terrorism, and we tend to want to think about radical Islam as a base, we better understand how other people think.

I do not see enough of our delving into the ideology, the mindset that drives this persecution of other groups that think differently, and so I think it bears deeper investigation, thought, and analysis than we can do.

We are going around picking up various instances where we see the violation of religious freedom, but I think we need to go deeper into this because, as I see, we are in conflict. As I understand, Islam is one of the largest religions on the globe. We better start getting to the point where we are doing a little deeper understanding; not that I think you have to do it, Ambassador, but I would like you to—

Ambassador HANFORD. I am always learning.

Ms. WATSON [continuing]. Suggest, and maybe we can have a meeting where we can talk about how we introduce this notion to the U.N.

Thank you very much for your service. Thank you very much for the report. We appreciate it.

Ambassador HANFORD. Thank you.

Ms. WATSON. Thank you, Mr. Chairman.

Chairman SMITH OF NEW JERSEY. Thank you.

I want to thank Ambassador Hanford for your great work. It is greatly appreciated by this Committee and by the Congress. We do appreciate it and look forward to working with you going forward.

Ambassador HANFORD. Thank you, Mr. Smith.

Chairman SMITH OF NEW JERSEY. Thank you.

I would like to now introduce our second panel made up of one person who speaks on behalf of the U.S. Commission on International Religious Freedom, and that is Preeta Bansal.

She is a distinguished constitutional lawyer whose career has spanned Government service, private law practice, and academia. Ms. Bansal is currently Of Counsel at the firm of Skadden Arps Flom. Prior to private practice, she served as the Solicitor General of the State of New York from 1999 through 2001.

Ms. Bansal also served as a law clerk to Justice John Paul Stevens of the United States Supreme Court and has authored and co-authored pieces published in the *Harvard Law Review*, *Yale Law Journal*, and *The Villanova Law Review*, among other publications.

Thank you so much for being here. Your full statement will be made part of the record. Please proceed as you would wish.

**STATEMENT OF PREETA BANSAL, CHAIR, U.S. COMMISSION ON INTERNATIONAL RELIGIOUS FREEDOM**

Ms. BANSAL. Thank you so much, Mr. Chair. Thank you for the opportunity to testify here today at this very important hearing. With your permission, I hope my full statement will be in the record.

Six years after the passage of the International Religious Freedom Act, it has become abundantly clear that promoting freedom

of thought, conscience, religion and belief and related human rights abroad is vital to U.S. foreign policy and to our strategic, as well as our humanitarian, concerns. It is no longer possible to simply put religious freedom in the basket of humanitarian do-goodism. After 9/11, it is abundantly clear that commitment to this principle is important to our strategic interests.

Mr. Chairman, I testify here today about the State Department's annual report at a time when the Secretary of State has designated three new countries as CPCs—Eritrea, Vietnam and Saudi Arabia. I would like to talk a bit about the next steps that come after that designation.

I would also like to touch briefly on the situation in Iraq, on which there was not a country report, as well as on Afghanistan, which we believe was a bit too positive in the State Department's assessment, and I would also like to just discuss very, very shortly our work with the OSCE in combating anti-Semitism and xenophobia.

First of all, the designation of severe religious freedom violators as CPCs continues to be the most significant human rights decision for any U.S. Administration. Nevertheless, the designation of a country as CPC is really just a first step. It is not an end point, but just the beginning.

We support the designation of three new countries. We welcome them in fact. For Saudi Arabia, the Commission has been advocating the inclusion of Saudi Arabia as a Country of Particular Concern for 5 years now, and we have taken active measures and steps and advocacy efforts on behalf of getting Saudi Arabia named a CPC, so we very much welcome the designation of Saudi Arabia.

Nevertheless, we would like to call attention to the fact that in addition to CPC designation, the International Religious Freedom Act stipulates that the U.S. Government must respond to these designations with responsive actions to address violations by CPC countries.

As Mr. Lantos noted this morning, we are really in an unprecedented situation because up until now all of the countries that have been designated as CPCs have been subject to preexisting sanctions. And so while we do not believe it was in the spirit of the International Religious Freedom Act, nevertheless the State Department has relied upon those preexisting sanctions and not taken further actions with regard to the previously named CPCs.

Now with the addition of these three new CPCs, there are no preexisting sanctions. So there needs to be some followup. We are in new territory. We are in uncharted terrain. It is important now, more than ever, for the International Religious Freedom Act and the CPC process to be given its full weight.

Let me just briefly outline what the act envisions with regard to next steps. There are three things the Secretary of State is supposed to do within 90 days, which is roughly mid-December. He is supposed to consult with the Countries of Particular Concern, so there is a period of consultation. He is supposed to take certain statutorily enumerated responsive actions or say that the countries are subject to waiver. Finally, he is supposed to report on and evaluate the effectiveness of the responsive actions to Congress. All three steps are necessary to be taken within 90 days.

With regard to the second critical step, which is taking responsive actions or enacting a waiver, the International Religious Freedom Act specifies the types of responsive actions that are supposed to follow CPC designation. These include the withdrawal, the limitation or suspension of development assistance, limitations on loan guarantees or credit provided by such institutions as the Export-Import Bank, the Overseas Private Investment Corporation or the Trade and Development Agency, and other economic sanctions from international financial institutions.

Now, it is important to note—and I am going to talk just briefly about Saudi Arabia—in the case of Saudi Arabia, the efficacy of many of these outlined statutory steps is somewhat tenuous because it is not clear that Saudi Arabia receives many of these forms of assistance and the extent to which it receives that. So for the United States to take effective action against Saudi Arabia there is going to need to be in the next 90 days a really creative period of thinking.

The Commission is in the process of engaging in that ourselves, and we will shortly be issuing recommendations about what next steps we think should follow in terms of CPC designation. We look forward to working with the Committee and with Ambassador Hanford and his office after issuing those recommendations.

Let me also say that in the meantime, before the 90 days elapses, there are certain steps that the United States can take right away with regard to Saudi Arabia. We think in particular that it can encourage the Saudi Arabian Government to safeguard the freedom of worship privately.

It can permit clergy to enter the country and perform private religious services, and it can encourage the Saudis to permit non-Wahhabi places of worship to function openly in special compounds or in unadorned buildings. These represent the barest minimum steps that we think should be done to improve the appalling religious freedom situation in Saudi Arabia.

With respect to Saudi Arabia and the State Department's report on it, I would also just comment briefly that in the State Department's annual report, there is a section on it that says Positive Developments in Saudi Arabia. We think this is a little bit too positive and does not take into account seriously the extent to which the Saudi Government has been responsible for the propagation of religious hate and intolerance throughout the world.

The Saudi funding for extremist religious ideology affects at least 30 other countries, and the Commission has worked actively in the past year to try and get Congress to authorize some kind of study about the extent to which the Saudi Government funds this exportation of hate and intolerance.

There is a GAO study that is underway that looks at United States' actions with respect to that, and we are going to be working hopefully with you shortly in trying to supplement that and get a real study of Saudi exportation out there.

Briefly, on the other CPCs, we welcome Vietnam. We welcome Eritrea. I am not going to go into great detail on those in my oral comments. The written testimony is in the record.

I just would like to add, though, that we really believe that Turkmenistan should have been named a CPC. The State Depart-

ment's own reports have consistently concluded that religious freedom conditions continue to deteriorate in Turkmenistan, which is a highly repressive country, whose leader is currently imposing a state religion based on his own personality cult and his own spiritual writings.

Though they have announced in recent months a few positive legislative changes, we think that these are really small, judiciously timed measures around the CPC designation process. We think that the State Department should have named Turkmenistan a CPC, we continue to believe that, and we are going to continue to push on that front.

I would also note that the annual report this year did not have a country report for Iraq. The absence of this country report should not in any way be construed, we believe, as an indication that religious freedom does not continue to occupy a very important and key element to the development of stable and democratic Iraq.

In fact, heightened awareness of the need for religious freedom within Iraq is critical in the coming months as the Iraqi people embark upon the historic task of crafting a permanent Constitution.

The U.S. Government cannot lose sight of the vital need to ensure that the fundamental right of freedom, thought, conscience, religion or belief is enshrined in the permanent Constitution of Iraq. The Transitional Administrative Law was positive in many respects in this regard, and we think it is absolutely imperative that we continue to keep up the pressure so that protection of the right of religion and belief stays in the permanent Constitution.

As an illustration of the importance of the Constitution, I want to talk very briefly about Afghanistan. The country report that the State Department has for Afghanistan notes the positive developments in terms of the constitutional development of Afghanistan and the protection for freedom of religion and belief that is in that country's Constitution.

Respectfully, we believe that the Afghan Constitution was a very important missed opportunity, and it is sorely lacking in the kind of protection that we hope finds its way into the Iraqi Constitution. First of all, the Afghan Constitution has no specific provision protecting the right of freedom of thought, conscience, religion or belief.

More significantly, it provides that all of the individual rights provisions that are in the Constitution can be trumped by ordinary legislation, including the right to life, so it says that every Afghan person shall have the right to life except as limited by law, so you really do not have constitutional protection for these basic rights at all.

Then what is more is that the legislation that is passed within Afghanistan is judged according to its adherence to the religion of Islam, and the Supreme Court is charged with interpreting whether or not legislation conforms to Islam, so you basically have a situation which the Commission has described as raising the specter of a judicial theocracy.

Our concern about this is really not theoretical. We met last year with Chief Justice Shanwari at the Afghan Supreme Court, and he told us that he agreed with all of the individual rights provisions of the Universal Declaration except for three. We asked him which

three. He said the right of conscience, gender equality, and freedom of expression.

The concern about the Afghan Constitution, which did not find its way into the State Department's report, we think is something that the United States should take seriously, and it should take it seriously in terms of ensuring that the same situation does not arise with respect to the Iraqi Constitution.

Let me say that the concern in countries like Afghanistan and Iraq is not just about protecting the rights of religious minorities. It is about the right of Muslims, as well as non-Muslims. It is the right of individual dissent and debate within the Islamic tradition so that alternative voices can emerge from a state-imposed orthodoxy.

Finally, just very briefly, I would like to mention the work that the Commission has done in terms of anti-Semitism and the OSCE. There is an important need to recognize that in addition to the focus on religious freedom in the Middle East and other parts of the world, we have serious problems within Europe and a region of the OSCE.

Specifically, there is a need to recognize the growing acts and resurgence of anti-Semitism in the region. There is also a need separately to ensure that with the rise of Muslim populations within Europe, that adequate protections for religious freedom rights of Muslim minorities continue.

The OSCE has had a number of meetings in the past year about xenophobia and anti-Semitism, as you know, and the Commission has been very active in monitoring that and being active participants in that and pushing that forward. We look forward to continuing that work.

Let me just conclude my oral testimony by thanking you again for this opportunity to participate in this hearing. I have described our work in a couple of regions, in a couple of countries, in the interest of time, but we make every effort to approach the religious freedom even-handedly and not to elevate the concerns of one religious community above another.

In fact we just released our policy focus on Nigeria, a copy of which is attached to my written testimony. Nigeria is a country where religious freedom continues to be under threat. We have made several policy recommendations to address that, and we look forward to continuing to work with you and your staff in addressing those issues.

[The prepared statement of Ms. Bansal follows:]

PREPARED STATEMENT OF PREETA BANSAL, CHAIR, U.S. COMMISSION ON  
INTERNATIONAL RELIGIOUS FREEDOM

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

Six years after the passage of the International Religious Freedom Act of 1998, or IRFA, it has become abundantly clear that promoting freedom of thought, conscience and religion and related human rights abroad is vital to U.S. foreign policy and to our strategic, as well as humanitarian, interests. When observed, freedom of religion or belief is one of the linchpins of stable, democratic, productive societies in which the rule of law and human rights are accorded value. When denied, generations of hatred and societal instability may be sown—and, as has been demonstrated all too often, such hatred and instability spill over national borders. The

promotion of religious freedom throughout the world is therefore an essential tool in the war against the extremist and violent religious ideologies that currently threaten us. The State Department's *Annual Report on International Religious Freedom* provides Congress and the public an opportunity to assess not only the state of religious freedom around the world but also what the U.S. government is doing to promote this key U.S. foreign policy objective.

Mr. Chairman, I am here to testify on the State Department's *Annual Report on International Religious Freedom 2004* and the designation of "countries of particular concern," or CPCs, at a time when the Secretary of State has recently named three new CPCs: Eritrea, Vietnam, and Saudi Arabia. The Commission has long called for these new designations, particularly that of Saudi Arabia, and we welcome this decision, as it represents an important step forward in demonstrating the U.S. government's commitment to the promotion of freedom of thought, conscience, religion and belief as part of its overall foreign policy. At the same time, IRFA is very clear that more is required of the U.S. government than just naming these three countries as CPCs. Important obligations, in the form of consequent actions, flow from the CPC designation, and my testimony will address precisely what those obligations are. In the interest of time, I will focus particularly on the new designation of Saudi Arabia, a country on which the Commission has focused considerable attention since the Commission began its work six years ago.

In addition to the new CPCs and the next steps as required by IRFA, my testimony will touch on the situation in Iraq, where the U.S. government has a special obligation to ensure that freedom of religion or belief for every Iraqi is guaranteed. As we are required to do by statute, I will comment about the Annual Report, in relation to the country reports and the U.S. refugee program. Finally, I would like to take advantage of this opportunity to discuss the Commission's work with regard to the Organization for Security and Cooperation in Europe (OSCE), which covers a vital region including all of Europe, the former Soviet Union, Canada and the United States. The need to promote religious freedom for the growing Muslim minority populations in OSCE countries, together with the need to recognize and to combat growing anti-Semitism in the region, cannot be understated.

THREE NEW COUNTRIES OF PARTICULAR CONCERN: DESIGNATION IS ONLY A BEGINNING—THE NEED FOR RESPONSIVE ACTION TO ADDRESS RELIGIOUS FREEDOM VIOLATIONS

The designation of severe religious freedom violators as CPCs continues to be one of the most significant human rights decisions for any U.S. Administration. The five countries named as CPCs in the past and re-named last month by the Secretary of State, Burma, China, Iran, North Korea, and Sudan, are all subject to pre-existing sanctions, and the U.S. government has thus not taken any additional actions as a result of their designation. With the recent designation of Saudi Arabia, Vietnam, and Eritrea, however, we now find ourselves in an unprecedented situation. This year, for the first time since the passage of IRFA, the State Department must do more than rely on pre-existing sanctions to meet IRFA's requirements.

Though we support the new designation of these three countries, the Commission would like to call attention to the fact that CPC designation is not an end point, but only the beginning of focused diplomatic activity to promote freedom of religion or belief. In addition to CPC designation, IRFA stipulates that the U.S. government respond with action to address violations in CPC countries. Until this year, for every country named a CPC, the only official action taken by any U.S. administration has been to invoke already existing sanctions rather than to take any additional action pursuant to IRFA. While the reliance on pre-existing sanctions may technically have been correct under the statute, it was unacceptable as a matter of policy and not in keeping with the spirit of IRFA. Moreover, the State Department has not once to date submitted to the Congress the required evaluation of the effectiveness of prior actions against CPCs. This past disregard of IRFA requirements represents a serious failure in U.S. foreign policy that the Commission hopes will not be continued.

According to IRFA, now that CPC designations have been made, the Secretary of State must do three things within 90 days of the time of designation, which would be some time in mid-December: first, consult with the foreign government in question and others; second, either take an action from one of several specified in IRFA (or a commensurate action), or conclude a binding agreement, or waive taking an action altogether; and third, report to Congress on the action taken, which should include an evaluation of the impact of that action.<sup>1</sup> Thus the outlined scheme con-

<sup>1</sup>See IRFA sections 402(b), 403, and 404.



sists of consultation, responsive action, and then reporting and evaluation to Congress.

With regard to the second critical step—responding substantively to the CPC designation by action, binding agreement, or waiver of action—IRFA provides some flexibility. It outlines several actions available to the U.S. government in response to CPC designation. These include: the withdrawal, limitation, or suspension of development assistance; limitations on loan guarantees or credit provided by such institutions as the Export-Import Bank, the Overseas Private Investment Corporation, or the Trade and Development Agency; the withdrawal, limitation, or suspension of security assistance; a vote against loans from international financial institutions; a prohibition on U.S. financial institutions from loans or credits totaling more than \$10,000,000; and a prohibition on U.S. government contracts with the country in question.<sup>2</sup>

IRFA also specifies that in lieu of one of the above actions, the U.S. government can negotiate a binding agreement with the foreign government to cease, or take substantial steps to address and phase out, the act, policy, or practice constituting religious freedom violations.<sup>3</sup> As an alternative, the Secretary of State may waive the application of any of the actions specified in IRFA, but only if: (1) the foreign government has ceased the violations; (2) the waiver would further the purposes of the IRFA; or (3) an important national interest of the U.S. requires such a waiver. It is important to note that any waiver must be reported to Congress, along with a detailed justification.<sup>4</sup>

As noted, the State Department has yet to take any of these formal steps with regard to previously designated CPCs, and the Commission has been concerned about this underutilization and disregard of the statutorily prescribed process. For all of the CPC-designated countries, new as well as past CPCs, the Commission looks forward to working with the State Department as it formulates statutorily required responses to religious freedom violations. In the coming weeks, the Commission intends to provide recommendations on steps that can be taken with regard to the newly-designated CPCs, in particular.

#### *Saudi Propagation of Religious Intolerance and Hate*

The Commission's long-standing recommendation of CPC designation for Saudi Arabia was based in part on the Saudi government's violations of religious freedom within its own borders, where, as the State Department itself has been noting for several years, religious freedom simply "does not exist." The Saudi government forcefully bans all forms of public religious expression other than that of the government's interpretation of one school of Sunni Islam so that ultimately, all individuals, Muslims and non-Muslims alike, are denied freedom of conscience and belief in Saudi Arabia. This impedes the development of alternative voices within the Islamic tradition, as well as debate within and dissent from prevailing state-imposed orthodoxy.

The ongoing and egregious violations of religious freedom by the Saudi government include: torture and cruel and degrading treatment or punishment imposed by both 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 wide jurisdiction of the religious police (*mutawaa*), whose powers are vaguely defined and exercised in ways that violate the religious freedom of others.

The Commission welcomes the fact that during last month's press conference announcing the release of the *Annual Report on International Religious Freedom*, the Ambassador-at-Large for International Religious Freedom, for the first time, raised the Commission's other serious concern about Saudi Arabia: credible reports that the Saudi government and members of the royal family, directly and indirectly, fund the global propagation of an exclusivist religious ideology, Wahhabism, which allegedly promotes hatred, intolerance, and other abuses of human rights, including violent acts, against non-Muslims and disfavored Muslims. The lack of religious freedom inside Saudi Arabia, together with the Saudi government's alleged funding and global propagation of a particular, radically intolerant interpretation of Islam, impedes the development of voices of toleration and debate within the Islamic tradition in Saudi Arabia and elsewhere.

The U.S. government should be highly concerned about the allegations that Saudi Arabia, by funding propagation of an exclusivist religious ideology, is engaging in activities that have a detrimental effect on the protection of freedom of religion or

<sup>2</sup> IRFA section 405(a)(9)–(15).

<sup>3</sup> IRFA sections 402(c), 405(c).

<sup>4</sup> IRFA section 407.

belief in at least 30 foreign countries, as well as in the United States. Because of its concerns, the Commission last year recommended that the U.S. government formally examine whether, how, and to what extent the Saudis are funding extremist activities, and urged Congress to fund such a study and make public its findings. In April of this year, Congress took up the Commission's recommendation, and several Members of Congress wrote to the Government Accountability Office (GAO) requesting that the GAO seek information from the relevant agencies and consult with outside experts, including the Commission, on the promotion of religious extremism to determine what the U.S. government is doing to identify sources of Saudi funding for institutions that advocate violence and intolerance, and what the U.S. government is doing to counter that influence. The Commission looks forward to working with the GAO in carrying out this important study.

The Commission plans soon to issue recommended responses pursuant to the IRFA statute to follow up on the CPC designation of Saudi Arabia. We note, however, that there are several small steps the U.S. government can take immediately. For example, the U.S. government should urge Saudi Arabia to safeguard the freedom to worship privately; permit clergy to enter the country and perform private religious services; and permit non-Wahhabi places of worship to function openly in special compounds or in unadorned buildings. These represent the barest minimum that could be done to improve the appalling religious freedom situation in Saudi Arabia.

#### *Other CPCs*

The Commission welcomed the designation of Vietnam, a country recommended for CPC status by the Commission since 2001. Religious freedom conditions have deteriorated in Vietnam, including for ethnic Montagnard and Hmong Christians, the leaders of the United Buddhist Church of Vietnam, and "house church" Protestants, all of whom face arrests, detentions, discrimination and, in some areas, forced renunciations of faith. In view of its active repression of religious freedom in the past and for the government of Vietnam's failure to respond to the international community's repeated requests to address ongoing violations of the right to freedom of thought, conscience, and religion or belief, Vietnam unmistakably warranted a CPC designation.

The State Department's acceptance of the Commission's recommendation of CPC designation for Eritrea is also commendable. The government of Eritrea in the past two years has embarked on a campaign against various religious groups, including through the closure of all houses of worship not belonging to officially recognized religious denominations, the arrest of participants at prayer meetings and other gatherings, and the imprisonment of armed forces members found in possession of certain religious literature.

The Commission would like to note for the record that it remains troubled that Turkmenistan has not been given the CPC designation it so clearly merits. The State Department's own reports have consistently concluded that religious freedom conditions continue to deteriorate in Turkmenistan, a highly repressive country whose leader is currently imposing a state religion based on his own personality cult. Though the Turkmen government recently announced a few positive legislative changes, those small, judiciously timed measures will do little or nothing substantially to change the country's highly restrictive religious freedom conditions. Clearly, Turkmenistan deserves to be named a CPC. The Commission also found that the governments of India<sup>5</sup> and Pakistan have engaged in or tolerated particularly severe violations of religious freedom, and recommended that they be designated as CPCs.

#### *2003 Designations Omitted*

Before leaving the subject of CPCs, the Commission would like to register concern about the delay in naming CPCs in the past two years. The fact that designations for 2002 were not made until March 2003 means that there were effectively no CPC designations at all for the 2003 cycle. CPC designations—and subsequent actions—are vital to advance U.S. protection against severe violations of religious freedom. Promoting religious freedom as outlined in IRFA and ensuring global respect for freedom of thought, conscience, and religion or belief and related human rights will further the U.S. government's campaign against terrorism and its goal of promoting

<sup>5</sup>Commissioners Bansal, Gaer, and Young dissent from the Commission's recommendation that India be designated a country of particular concern (CPC). Their views with respect to India are reflected in a separate opinion, attached to a letter sent to Secretary of State Colin L. Powell on February 4, 2004 and available on the Commission's Website ([www.uscirf.gov](http://www.uscirf.gov)). Commissioner Chaput also joins this separate opinion, and would place India on the Commission's Watch List rather than recommend that it be designated a CPC.

democratic reform. The need to adhere to IRFA procedures therefore remains of critical importance.

#### IRAQ: RELIGIOUS FREEDOM REMAINS CRITICAL

The Commission notes that Iraq is no longer on the U.S. government's list of CPCs. In addition, the 2004 *Annual Report on International Religious Freedom* contains no country report on Iraq. The absence of a report should not in any way be construed as an indication that religious freedom is not essential to the development of a stable and democratic Iraq. In fact, heightened awareness of the freedom of religion or belief is critical in the coming months, as the Iraqi people embark upon the historic task of crafting a permanent constitution.

The U.S. government cannot lose sight of the vital need to ensure that the fundamental right to freedom of thought, conscience, religion or belief is guaranteed in Iraq's permanent constitution. Understanding the shortcomings of the recently adopted Afghan constitution illustrates this important policy objective with respect to Iraq. In Afghanistan, another country in which the United States has substantial influence due to extraordinary circumstances, the Constitution adopted last January does not contain explicit protections for the right to freedom of thought, conscience, and religion or belief that would extend to every individual. More significantly, all of its individual rights provisions—including the right to life—can be trumped by ordinary legislation. Such law, in turn, is valid only if it conforms to the sacred religion of Islam, and the Afghan Supreme Court is empowered with evaluating the validity of legislation according to Islam. And so reconstructed Afghanistan faces the real spectre of a constitutionalized judicial theocracy in which individual rights are easily trumped. The new Constitution does not fully protect Afghans, including individual Muslims, who want to debate the role of religion in law and society, or to question interpretations of religious or other precepts without fear of retribution.

Let me give you an anecdote from the Commission's 2003 visit to Afghanistan to demonstrate that our concern on this matter is not theoretical or fanciful. The head of Afghanistan's Supreme Court is a man who has shown little regard for those who disagree with his hard-line interpretation of Islam. He told those of us visiting Afghanistan that yes, he supports international human rights standards, with the exception of three: freedom of expression, freedom of religion, and gender equality. Although we are in the halls of Congress and not the Ford Theatre, I think it is fair to say, "Other than that, Mrs. Lincoln, how was the play?" It is the Afghan Supreme Court—headed by this man—that has been given the authority to interpret the suitability of all legislation.

With no guarantee of the individual right to religious freedom and a judicial system instructed to enforce Islamic principles and Islamic law, the new Afghan constitution does not fully protect individual Afghan citizens against, for example, unjust accusations of religious "crimes" such as apostasy and blasphemy. There are also fewer protections for Afghans to debate the role and content of religion in law and society, to advocate the rights of women and members of religious minorities, and to question interpretations of Islamic precepts without fear of retribution. This could permit a harsh, unfair, or even abusive interpretation of religious orthodoxy to be officially imposed, violating numerous rights by stifling dissent, which is permissible within the Islamic tradition.

It is critical that what happened in Afghanistan not be repeated in Iraq. In the early stages of the drafting of Iraq's interim constitution, the Transitional Administrative Law (TAL), the sections on fundamental freedoms and human rights did not include guarantees of the right to freedom of religion or belief for every Iraqi. In response, as it had done in the case of Afghanistan, the Commission developed for senior U.S. policymakers a series of specific recommendations that would ensure in the TAL guarantees to the right to freedom of religion or belief for every Iraqi. The Commission met or corresponded with senior U.S. officials in the Coalition Provisional Authority, the State Department, and the National Security Council to discuss the specific concerns and recommendations regarding the TAL. The Commission wrote to then-Administrator L. Paul Bremer of the CPA expressing its concern about early drafts of the interim constitution, and the Commission also advised on the content of House Resolution 545, introduced by Representatives Dana Rohrabacher and Carolyn Maloney, expressing the sense of the House that the TAL should ensure that every Iraqi be guaranteed the right to freedom of thought, conscience, and religion.

An important breakthrough then occurred, when the Coalition Provisional Authority (CPA) and the Iraqi Governing Council included the right to freedom of thought, conscience, and religious belief and practice for every Iraqi in the March 8, 2004 public release of the Transitional Administrative Law, or TAL. This precursor to the

country's eventual permanent constitution is an historic step for Iraq and each Iraqi. It is also potentially a model for the entire region and its significance should not be lost in the midst of the present difficulties in Iraq. The United States must take active steps to ensure that the protections for religious freedom enshrined in the TAL make their way into the permanent Iraqi constitution.

*The Importance of a High-Level Human Rights Official*

Given the unique conditions prevailing in Iraq, the Commission strongly recommends that the U.S. government create a high-level position within Embassy Baghdad to advance human rights, including the right to freedom of thought, conscience, and religion or belief, as a key U.S. policy objective. This senior human rights official should have the requisite experience and rank, report directly to the Ambassador and be supported by a unit of advisers based out of the embassy and its constituent posts.

In view of the unfolding situation in Iraq, the United States has an historic opportunity to infuse the Iraqi national recovery and political reconstruction process with the effective promotion and advocacy of international human rights standards. A future Iraq that respects human rights, including freedom of thought, conscience, and religion or belief, is more likely to be at peace within its own borders and with its neighbors. At the same time, the effective promotion of human rights in Iraq cannot be undertaken in the usual manner by relegating these issues to junior embassy staffers or overburdened ambassadors, since the combination of a number of unprecedented factors at play in Iraq demands an unprecedented high-level response from the United States.

Designating a high-level official demonstrates support for Iraqi efforts to make human rights a high-priority issue and consolidates and advances the U.S. role thus far. As noted above, the TAL commendably contains a bill of rights guaranteeing to each individual Iraqi a wide range of human rights protections, including freedom of thought, conscience, and religion. Given the massive level of U.S. financial assistance appropriated for the reconstruction and relief effort in Iraq, we must not let human rights get lost in the profusion of programs, contracts, and other related efforts. U.S. goals in the region cannot move forward without institutionalizing human rights protections, and such protections can better be ensured by positioning a high-level envoy with appropriate resources on the ground during the transition period in Iraq.

THE ANNUAL REPORT ON INTERNATIONAL RELIGIOUS FREEDOM

The *Annual Report on International Religious Freedom* is a highly significant part of the process of promoting religious freedom throughout the world. The 2004 Annual Report is, characteristically, a significant accomplishment that continues to demonstrate the substantial efforts of the foreign-service officers in our embassies around the world, as well as the Ambassador-at-Large for International Religious Freedom and his staff at the State Department's Office on International Religious Freedom.

*Individual Country Reports*

Many of the individual country reports in the 2004 Annual Report continue to be lengthy and revealing. However, the Commission remains concerned about a number of informational inaccuracies in several important reports. Let me provide a few examples.

The country report on Saudi Arabia gives the impression that the religious freedom situation is improving there, despite the fact that the essential characteristic—the absence of religious freedom—remains unchanged. Although the country has for the first time been named a CPC, the report on Saudi Arabia for the first time contains a section describing purported “Improvements and Positive Developments in Respect for Religious Freedom,” which perhaps too enthusiastically champions as positive developments actions that did little to alter the actual situation. What is more, the report continues to omit any mention of reports of the Saudi export of an intolerant and hate-filled religious ideology in a number of countries throughout the world.

The report on Afghanistan does not address the “fatal flaw” in the country's new Constitution that was described earlier in my testimony. Though mention is made of the fact that followers of religions other than Islam are free to exercise their faith, the report does not address the fact that individual Muslims are not granted unambiguous protections for the right to freedom of thought, conscience, and religion. Nor does the report explicitly address the profound threat to religious freedom that exists in the form of the new Constitution's repugnancy clause that states that “no law can be contrary to the beliefs and provisions of Islam,” and the fact that

the Supreme Court is empowered to make this determination. Given that the Supreme Court is currently headed by a man who told this Commission last year that he does not fully accept freedom of religion, these clauses in the Constitution represent grave threats indeed to religious freedom in Afghanistan.

This year's country report on Sudan drops the previous year's treatment of the issue of abduction of women and children and the taking of slaves, a practice that was sometimes accompanied by forced conversion to Islam. It would have been useful for the report to have included an update on both of these issues, noting, for example, whether any progress had occurred, due to the lessening of north-south armed conflict, on the return to their ancestral home-areas of persons who had been displaced or enslaved.

The country report on Turkmenistan concludes that "the status of government respect for religious freedom, from a legislative perspective and in practice, improved during the period covered by this report." While it is true that four minority religious communities have been registered (Adventist, Baha'i, Baptist, and Hare Krishna) under eased registration requirements, there are also reliable reports that even members of these newly registered religious communities have continued to suffer harassment at the hands of the police. Six Jehovah's Witnesses imprisoned as conscientious objectors to military service were released, but two more were jailed. In addition, the country's former chief mufti was given a 22-year term of imprisonment, after a closed trial, during this period of reporting. Given Turkmen President Saparmurat Niyazov's ever-growing repressive cult of personality and its imposition on the religious life of the country via enforced pressure to praise and promote his so-called spiritual writings, including in mosques and churches, it is difficult to believe that the status of religious freedom in Turkmenistan has genuinely improved.

The report on China was more forceful than last year's report on the matter of the persecution of Uighur Muslims in Xinjiang. In addition, the section on Tibet was more detailed than in previous years and in some areas contained stronger, more explicit language about developments in that region. For example, the report had better coverage this year of conditions for Tibetans in Sichuan and other regions outside of the Tibet Autonomous Region.

However, the report makes no mention of new laws dealing with "illegal religious activity" passed in various areas, including in the city of Qingdao and in counties in Hunan and Jiangsu. The passage of these laws in the fall of last year was followed by a spate of church closings and the destruction of church buildings in areas where these laws came into effect. The report also inaccurately describes Zhejiang as a province where unregistered religious activity faces less pressure than in other places. In fact, in 2003, approximately 10 underground churches in Zhejiang were destroyed. Some of this activity is noted at other places in the report, but the language in the report makes it seem as if the situation in Zhejiang has largely improved, and that is not the case.

Although the China country report mentions the forced postponement of the Commission's visits to China (though the reason for the postponements was not given), it does not mention the postponement of a planned visit by the UN Special Rapporteur on Torture in June 2004, a visit that was postponed by Chinese officials who claimed they did not have time to prepare the locations, including labor camps, where visits were requested.

Finally, the report on North Korea now states more clearly that repression "has increased" in North Korea, that churches in Pyongyang are "controlled by the state," and that refusal to conform to expected rituals and practices of the worship of Kim Jong Il "may result in severe punishment." In other sections of the report, however, unnecessarily hesitant language is employed. Documentation from the reports of a number of NGOs and from numerous refugee testimonies provides ample evidence that North Korean refugees who admit contact with Christian groups in China are subject to immediate detention, torture, and sometimes execution. Yet, the State Department's report continues to use tentative language, stating, for example, that "harsher" treatment "appears" to occur. The collective weight of these NGO reports and refugee testimony offers enough evidence for the Department to remove the qualifying statements from their report language.

#### *Absence of Reporting on U.S. Policies*

The overall quality of the Annual Report is an indication that the U.S. government is taking seriously the issue of religious freedom. At the same time, the Annual Report is meant to be a report on U.S. policies and activities to promote those policies, and not only a report on conditions. However, it is not apparent from the information presented in the Annual Report that the State Department has con-

ducted its activities in a coordinated way to implement particular policies and to achieve specific goals.

Ambassador Hanford has visited several countries of concern to the Commission and other senior Administration officials have raised religious freedom problems with foreign governments. Their efforts should be fully reported so that the Congress and the public can better determine if all of the tools Congress made available under IRFA to advance the protection of religious freedom abroad are being used. From the information presented in the 2004 Annual Report, the Commission is concerned that this is not the case. We encourage that the Congress consider requiring the State Department to report on policies, aid and other programs with respect to each country, as part of its annual reports.

*Religious Persecution and the U.S. Refugee Program*

Congress intended the *Annual Report on International Religious Freedom* to serve as an important resource for officials hearing the claims of those persons seeking asylum or refugee status in this country. The United States has a long tradition of welcoming those fleeing religious persecution. The flow of refugees and religious persecution are inextricably linked, and this is acknowledged throughout Title VI of IRFA.

Noting the Annual Report's role as a resource for immigration adjudicators, the Commission has previously testified about its concern that Appendix E of the 2003 Report, the "Overview of U.S. Refugee Policy," contained misleading and incomplete information, particularly about East Asia. The Commission welcomed changes to the 2004 Annual Report that resulted in significant improvements in this section. However, the Commission remains concerned that, as in last year's report, the 2004 Overview of U.S. Refugee Policy section contains little indication of the serious problem of intra-religious persecution, but instead focuses almost exclusively on the persecution of religious minorities by a majority religious community. Moreover, there is no mention of significant refugee-source countries such as Eritrea and Afghanistan, where serious religious freedom problems persist; indeed, Eritrea was designated a CPC this year. Saudi Arabia, a newly-designated CPC, and Pakistan, which the Commission has recommended be designated a CPC, are cited in the refugee section for their mistreatment of religious minorities, but the section does not indicate how the U.S. Refugee Program has been responsive to this mistreatment.

The report's refugee section describes in some detail how the U.S. Refugee Program is responding to the needs of religious minorities who have fled Iran. However, the document contains only generic descriptions of how the United States assists other refugee groups that are fleeing religious persecution. The Commission hopes that future reports will describe in greater detail how the Refugee Program is responding to the needs of specific groups of refugees who have fled severe violations of religious freedom.

The Commission would like to reiterate its recommendation that several steps be taken to improve the institutional linkages between religious persecution and access to the U.S. Refugee Program. These include: (1) better training of refugee and consular officers in the field on refugee and asylum adjudications and human rights, particularly religious freedom, as required by sections 602 and 603 of IRFA;<sup>6</sup> (2) a systematic effort to improve access to resettlement for those who have fled CPCs and other countries where there are severe violations of religious freedom; and (3) the implementation of the operational requirements imposed on the refugee program by IRFA.<sup>7</sup>

The State Department and the Department of Homeland Security have yet to implement fully some of IRFA's key statutory provisions concerning the refugee program. The Commission has recommended that the State Department carefully con-

<sup>6</sup>Of the programs put in place in response to IRFA's training requirements, the Asylum Corps has distinguished itself with its enthusiastic compliance. The Commission urges the other refugee and asylum decision-making entities—the Consular Service, the Executive Office for Immigration Review, and the nascent Refugee Corps—to comply with IRFA requirements by emulating the Asylum Corps' basic training and continuing education programs. The Commission is ready to support and participate in such training efforts. The importance of training adjudicators, judges, and consular officers, who have the authority to refer refugees to the Department of Homeland Security for an interview, cannot be over-emphasized in ensuring protection for those who are fleeing religious persecution.

<sup>7</sup>Section 602 of IRFA contains broad requirements for the Refugee Admissions program, including: (1) guidelines for addressing hostile biases in personnel retained at refugee processing posts; (2) guidelines to ensure uniform procedures for establishing agreements with overseas processing entities and personnel; and (3) uniform procedures for such entities and personnel responsible for preparing refugee case files for refugee adjudications. There is no mention of any of these requirements by the State Department in the relevant Appendix of the 2004 *Annual Report on International Religious Freedom*.

sider each CPC designation made by the Commission and determine how the U.S. refugee program could strategically reinforce U.S. policy to promote religious freedom, and to protect those who seek to exercise this fundamental human right. The Department has invited the Commission to participate in the recently revitalized regional working groups on refugee admissions. The Commission welcomes this invitation, which will provide one appropriate framework to improve access to the U.S. Refugee Program for those who have fled religious persecution.

PROMOTING FREEDOM OF RELIGION OR BELIEF IN THE ORGANIZATION FOR SECURITY AND COOPERATION IN EUROPE (OSCE): COMBATING DISCRIMINATION, INTOLERANCE AND XENOPHOBIA INCLUDING ANTI-SEMITISM

Before concluding my testimony, I would like to mention the Commission's activities with regard to the Organization for Security and Cooperation in Europe (OSCE). For several years, the Commission has participated in U.S. delegations to OSCE, which includes all of Europe and the former Soviet Union as well as the United States and Canada. The Commission has made recommendations relating to the work of the OSCE in both the general area of freedom of protecting the right to religion or belief and also specifically on combating discrimination, intolerance and xenophobia, including anti-Semitism, in OSCE member states. Commission participation increased in the last year, as the OSCE held special meetings devoted to both religious intolerance and anti-Semitism.

There is an important need to recognize and to address the resurgence of anti-Semitism and anti-Semitic acts of violence throughout the OSCE region. Separately, in light of the declining birth rates in Europe along with the in-migration of mainly Muslim minorities into Europe, government respect for freedom of religion is important for members of Muslim minorities who will, in a few decades, represent major portions of the populations of such countries as France, Belgium, the Netherlands and England.

The 55 member states of the OSCE have agreed to extensive and forward-looking standards in protecting freedom of religion or belief and combating discrimination, xenophobia, and intolerance, including anti-Semitism. These issues comprise part of what is called in the OSCE the "Human Dimension." Working with representatives from the State Department's Office on International Religious Freedom and the U.S. Commission on Security and Cooperation in Europe (the "Helsinki Commission"), the Commission has ensured that U.S. statements at these meetings noted violations of the right to freedom of religion and belief in Turkmenistan, Uzbekistan, Georgia, Belarus, Russia, and Azerbaijan, as well as "burdensome registration requirements that hinder, instead of facilitate, religious freedom." The Commission has issued general recommendations to the OSCE regarding burdensome registration requirements that apply to varying degrees throughout the OSCE region.

In the course of its work on religious freedom issues with the OSCE, the Commission has recommended the creation of two new positions in the OSCE to be appointed by the Chairman-in-Office: a Special Representative on Discrimination and Xenophobia, and a Special Representative on Anti-Semitism. These officials would provide continuing high-level attention to these issues, including meeting periodically with the leadership of relevant countries. The Commission has also advocated concrete action by the OSCE and OSCE participating states to engage in a regular public review of compliance with OSCE commitments on freedom of religion or belief, and on racial and religious discrimination, including anti-Semitism, including by facilitating an active role by nongovernmental organizations (NGOs) as part of that process.

CONCLUSION

I have described our work in only a few regions and countries. Our work, though, has a global scope. We make every attempt to approach our work and the principle of religious freedom evenhandedly, and do not elevate the concerns of any one religious community above another. In fact, we just released a Policy Focus on Nigeria, a copy of which is attached to this testimony for the record. Nigeria is a country where religious freedom continues to be under threat, and we make several policy recommendations to encourage the Nigerian government to take steps to deal effectively with religious tension and conflict. We look forward to working with you and your staffs on implementing those recommendations.

Thank you again for holding this important hearing and inviting the Commission to testify. I am happy to answer any questions that you may have regarding my oral or written statements.

Chairman SMITH OF NEW JERSEY. Thank you very much for your testimony. My understanding is you have to leave at 1:00—

Ms. BANSAL. Yes.

Chairman SMITH OF NEW JERSEY [continuing]. For the airport.

Ms. BANSAL. Yes, that is right.

Chairman SMITH OF NEW JERSEY. We were going to bring the other panelists, but in the interest of knowing that you do have to depart, I would like to ask you just a couple of questions.

Ms. BANSAL. Okay.

Chairman SMITH OF NEW JERSEY. I know you do have to leave. Mr. Faleomavaega may have a few questions as well.

Thank you for underscoring the “what-is-next aspect.” All of us are looking forward to that next shoe dropping. It is one thing to make the designations speak truth to power, but then there needs to be a follow-up.

Ms. BANSAL. Right.

Chairman SMITH OF NEW JERSEY. There is a new set of circumstances now: Countries like Vietnam, Eritrea and Saudi Arabia have not been put into a sanctions regime before. The hope is that they will do something very, very quickly to not be sanctioned, but my sense is, especially in the case of Vietnam, that is not likely.

Let me just also say that in the case of countries like China, I think there is much more we can be doing with the sanctions regime than is prescribed in the law and than we have done, so hopefully there will be a more robust effort to get that country to stop its despicable behavior.

I was in Geneva, as I mentioned earlier, at the Human Rights Conference when they met for about a month, and I was there for several days. I met with 23 delegations and as before, saw how jointly but disingenuously the Chinese Government was able to peel away votes and to corral votes in favor of a no action on the human rights abuses occurring there, at the core of which is the religious persecution by China and, of course, torture, forced abortion, and all the other problems are very well known.

Perhaps you might want to speak to what can we do with regard to that? It seems to me that the U.N. Human Rights Convention in Geneva really is an impotent and rather weak institution when rogue nations and those with horrific human rights records can sit on the committee and run interference as they do so effectively, regrettably.

The other issue I just wanted to raise, is to thank you for your admonishment to the State Department on Turkmenistan. I chair the Helsinki Commission, as you know, and we have repeatedly raised concerns with Turkmenistan on religious freedom. They did make what appear to be some superficial changes on registration, but still Seven Day Adventists cannot meet to worship. There is still a very real problem there.

Hopefully, as you pointed out, a CPC designation can be made at any time. As with human trafficking, there is almost a watch list mentality that just because you avert being so designated, you are free and clear for the year. However, these decisions can be overturned and reversed if there is no real progress.

Finally, one issue because you did bring up Iraq. I have been doing more and more reading, and one of our witnesses today, Paul



Marshall from the Freedom House, will point out the very, very tragic situation of the Chaldo Assyrians, the native Christians from Iraq, who have been targeted for religious violence.

As he points out, over the past 18 months more than 80 Christians have been killed at the hands of Muslims, terrorists and extremists, 20 of which murders occurred last month. There has been a mass exodus of Christians from Iraq, and he makes five recommendations on how we might mitigate some of that pain and tangibly assist them. If you could speak to that issue?

Ms. BANSAL. Yes. Let me address China first. As you know, the Commission has tried to travel to China and to pursue a visit on religious freedom issues. Twice that visit was gutted because of unacceptable conditions that the Chinese Government imposed upon our visit. China had averted censure, human rights censure, in part because it agreed to allow the Commission to visit, as well as the U.N. None of those trips actually happened.

One of the things the Commission is doing next month is we are holding a high level roundtable to reassess the human rights dialogue with respect to China and bringing together people that really thought that engaging China on human rights issues might be successful.

I think we really need to start asking questions about what is next. It is not enough to have these superficial promises that never get met, so that is something that the Commission is thinking about actively—about how to push issues forward with China.

It is a little difficult when they just disengage and refuse, as you know, to even speak, but we are hopeful that we can come up with some creative recommendations.

Chairman SMITH OF NEW JERSEY. On that issue if you could—

Ms. BANSAL. Yes?

Chairman SMITH OF NEW JERSEY. When the Chinese Government in Beijing wanted to host the Olympics in 2000, I think it was, I was in China in the early 1990s and met with Wai Jing Xiang when he was briefly out of prison before he got rearrested and then was sent to the United States. They thought that by releasing a political dissident, they could garner favor with the world.

While China does have the Olympics coming their way now, you might want to speak about what we might do in terms of that opportunity. I would have wished the venue would have been somewhere else until there was more progress, but since it is going to happen it seems to me that some light and scrutiny will be brought to bear or could be brought to bear.

Ms. BANSAL. Yes. That is certainly one possibility. One of the things the Commission has also been trying to get going for some time is the State Department annual reports, while they are very, very useful in terms of highlighting the conditions on the ground, what they do not do as effectively and which was envisioned by IRFA was to have a description of U.S. policies with regard to the countries and the levers of policy influence that we could possibly have.

One of the things that I think would be enormously helpful in figuring out the next steps with regard to China is to get the lay of the land in terms of what are the aid programs out there? What are the different dialogues going on? I think it would enable more

participation by Congress, as well as our Commission, in the process of formulating effective responses.

With regard to Turkmenistan, yes, we think that the changes, the legislation that was passed, was superficial, and it was timed to coincide with the CPC process. We are actually visiting Uzbekistan starting next week, and, if possible, given the internal travel schedules, we are going to try and do a little side trip to Turkmenistan if that works out, but it is something we are going to continue to press actively.

As far as Iraq, I think that was the third part of your question. Yes. We were heartened when at least the Iraqi interim Government denounced the violence against the church bombings that occurred recently in Iraq. Nevertheless, there are reports that over 40,000 Christians are fleeing Iraq, and that a number of Muslim clerics have been assassinated.

One of the things the Commission really believes is important is that there be a high level human rights official placed within the Embassy in Iraq. We are building up the Embassy to be quite an impressive group of people within an impressive structure, and we think that somebody possibly with ambassadorial rank needs to be assigned to human rights to interact with religious communities, human rights groups, civil society, and to elevate the human rights concerns within Iraq.

That is one of the things we are pursuing, and we also think that continuing to foster the rule of law, as well as the constitutional issues, are going to be very, very important in this reconstruction.

Chairman SMITH OF NEW JERSEY. If I could just ask your comments on Vietnam?

Ms. BANSAL. Yes.

Chairman SMITH OF NEW JERSEY. I routinely go to their Web site, particularly their Web site here for the Embassy, and it is borderline sophomoric the way they have handled this, claiming that religious freedom is flourishing.

I even had an alleged—maybe he is real—veteran, because I chair the Veterans Affairs Committee, from my State write an open letter that is on their Web site that claims that Ho Chi Minh provided constitutional protections. Every day, if any of you want to go and check it out, this absurdity is available. It is not even professional in its effort at coverup.

Vietnam, it seems to me, is moving decidedly in the wrong direction. When I spoke last week on the Floor, a little over a week ago, on the Human Rights in Vietnam Act, which I offered, the very speech I gave would have gotten me 10 to 15 years in prison if I were making that in Ho Chi Minh City or in Hanoi.

Just like Father Ly, the Catholic priest got a 15-year sentence, and now in an act of benevolence, it has been reduced to 10 years, for sending your Commission—

Ms. BANSAL. Our Commission.

Chairman SMITH OF NEW JERSEY. Your Commission a very, very, I think, honest portrayal of religious freedom or the lack of it in Vietnam.

I would hope that the Vietnamese Government would realize that nobody is buying this big lie. I mean, it just does not fly. I just wonder how you feel about it, especially in light of this new law

that will further tighten and restrict and put more people outside that line of demarcation of law breaker.

Ms. BANSAL. Absolutely. We supported, as you know, your Vietnam Human Rights Act. The problems in Vietnam do not appear to us to be mitigating at all. In fact, they seem to be going in the opposite direction. We have been very concerned about that.

We have a number of recommendations in our annual report that we included. Among those are that, we think, there should be an expansion of and creation of exchange programs and the over-coming of the jamming of Radio Free Asia broadcasts. That is one thing that can be done to move forward.

Ultimately we have to engage somehow and negotiate with the Government of Vietnam to halt the arrests, the detentions, the imprisonment and the surveillance of religious adherents. Whether or not this can be done and how this can be done, we know that Ambassador Hanford has been very, very diligent in pursuing this. Nevertheless, we think that Vietnam's needs continue to be of great concern.

Chairman SMITH OF NEW JERSEY. Mr. Faleomavaega?

Mr. FALEOMAVAEGA. Thank you. I want to thank shall I say Professor Bansal for a very eloquent statement and certainly appreciate your expertise and understanding of the issues concerning religious freedom.

You had mentioned specifically the case of Saudi Arabia and your honest assessment, and I assume that the Commission feels the same way, that the State Department has been very lenient, if I am correct in describing our reaction and the actions that we have taken against Saudi Arabia.

I do not know if perhaps you might help me on this, but do you not think that there comes a time, also you can talk about religious freedom all you want, the relevance, and how valid the points that are taken about persecution and intolerance and all of this, but do you think there is a greater national policy on our Government, why the reluctance of the State Department, is because of the oil policy that we have, the strategic importance of Saudi Arabia as a country and as a region?

You can talk all about religious freedom and persecution, but the bottom line, as a nondemocratic Government ruled by the al-Saud family, with all due respect to whatever they have done or tried, but you are talking about a culture that is very closely associated with the religion that is not exactly what we describe in our own country as being pluralism and to that effect.

I wanted to ask you. Am I wrong in this assessment that this is a reluctance and the reason why the State Department has not been forthcoming and really putting more pressure on Saudi Arabia?

Ms. BANSAL. Certainly Saudi Arabia raises a host of strategic issues, but one of the things I think we have learned in recent years is that religious freedom is not just some pocket little nice-sounding issue about human rights. I mean, it is at the essence in many ways of the war on terror.

Certainly the Saudi Government's propagation of a particular brand of Islam Wahhabism has propagated terrorism throughout the world. It is an ideology that promotes hate, violence, and ter-

ror. Saudi financing of Wahhabism appears in more than 30 countries around the world. It is state-imposed and state done.

It is not something that is just a nice little issue of human rights within another country's borders. This is important to our strategic interests, and it is something we just cannot continue to ignore.

Mr. FALEOMAVAEGA. You mentioned importance to our strategic interest. What do you mean by that?

Ms. BANSAL. I mean in terms of the war on terror.

Mr. FALEOMAVAEGA. That our oil policy is more important than religious freedom?

Ms. BANSAL. I think our security and our war on terror.

Mr. FALEOMAVAEGA. You mentioned also in your statement that you do not agree with the idea of the Commission listing India as a Country of Particular Concern in the same categorization.

I have been to India several times, and I am very impressed with the fact that many Americans do not realize there are more Muslims living in India than there are in Pakistan. Can you share with the Committee your reasons why you feel that India should not be listed as CPC?

Ms. BANSAL. Well, actually India was one of the recommended countries for CPC status by the Commission. There was a dissent on that as well. It was a divided vote. I suppose you are asking me in my capacity as one of the dissenters as to why I did not believe that to be the case.

I think there is no disagreement. There was no disagreement within the Commission that India's record on religious freedom has deteriorated violently and rapidly in the past decade. There is no debate that in the aftermath of the Gujarat riots, the Government of India did not do all that it could or should have in terms of protecting the religious minority. The same with respect to attacks on Christian minorities throughout the country.

The prior Government in India was very much associated with a national Hindu ideology that went against the nation's tradition of tolerance and secularism, so there was a rapid deterioration over the past decade. The only disagreement within the Commission came as to whether or not India should be classified among that group, the classification really of whether it goes with that group of the world's worst perpetrators.

India is a democracy. It has many, many people of faith that have coexisted with the protection of the law at least formally for many decades, so it was a question of categorization, but there was no issue among the Commissioners that India has not done what it can and should do.

The new Government has made some promising statements. We will see, hopefully soon, if their actions meet their words.

Mr. FALEOMAVAEGA. I have one more question, Mr. Chairman.

Chairman SMITH OF NEW JERSEY. All right.

Mr. FALEOMAVAEGA. I know you have a plane to catch, Professor Bansal.

You mentioned also specifically, and you were very specific about the concerns about Afghanistan and its pending election, as well as the Constitution not being very specific in guaranteeing religious freedom.

I remember the acting President of Afghanistan—

Chairman SMITH OF NEW JERSEY. Would my friend yield very briefly?

Mr. FALEOMAVAEGA. Sure.

Chairman SMITH OF NEW JERSEY. I will have to leave to vote in 1 second, but just continue right on. We will stand in brief recess.

I apologize to panel III. We will come right back, and we look forward to your testimony.

Thank you so much for your testimony. Thank you.

Mr. FALEOMAVAEGA. I will tell you what, Mr. Chairman. I will withhold the question because I know the professor has to go back.

Chairman SMITH OF NEW JERSEY. No, no. Please take it. Take it.

Mr. FALEOMAVAEGA. Just a basic observation I want to share with Professor Bansal. Basically the President of Afghanistan says hey, you know, do not be so hard on us about becoming a democracy overnight. We have to deal with the warlords. We have issues and problems and the same situation that our own country has taken 200 some years to talk about religious freedom, to talk about religious intolerance.

I think sometimes we tend to be a little too quick in making judgments of these other countries, overnight democracy so to speak, and expect them to come up to par with where we are.

I leave this caution because I hear this all the time. When China first became as an independent country in 1949, there were 400 million Chinese that the Government had to worry about feeding. Now it is 1.3 billion. I mean, the questions are not just religious concerns, but economic and social. These all play into not just one particular issue as we are discussing today.

I just wanted to share that concern with you about Afghanistan, that it is not as simple. We can say it in all the legalese terms you want, but the reality of this poor President of Afghanistan and the people that have to deal with it are entirely different realities as to what we are dealing with here.

Ms. BANSAL. And I appreciate that concern.

Mr. FALEOMAVAEGA. Yes.

Ms. BANSAL. I do think, though, that religion is not just again a side issue in Afghanistan. It is something that permeates every other issue. The control of religion often controls the manner in which economic development occurs. It affects the rights of women. It affects the rights of political dissent. It is not just a side issue, but it is something that permeates that society.

I think in terms of the constitutional issues we are concerned about, one can just say the Constitution is a piece of paper, and there are really serious concerns faced in that country. That is certainly true, but the one thing the history of our country has shown us is that the Constitution is an important aspirational document, and even if you cannot at a given moment in time fulfill all of its aspirations, the words that are enshrined in it provide a powerful vehicle for groups for generations to come in terms of creating the society that they want to create.

To close that process off and validate a piece of paper that does not recognize those rights in the future we think is an important error, frankly, on the part of the United States.

Mr. FALEOMAVEGA. Professor, I could not agree with you more, but just with that line of caution, as I would say, reality versus theory are two different things.

I wish you a safe return to New York, and thank you so much for being here.

Ms. BANSAL. Thank you.

Mr. FALEOMAVEGA. Thank you.

[Recess.]

Chairman SMITH OF NEW JERSEY. The Committee will come to order. I want to thank our panelists for their patience. I apologize for the vote, or votes I should say, and the delay.

I would like to introduce our panelists, beginning with Mr. Paul Marshall, who is Senior Fellow for the Center of Religious Freedom at Freedom House in Washington. He has testified many times before the Congress and has lectured at the U.S. State Department, the Helsinki Commission, and the Chinese Academy of Social Sciences. Mr. Marshall is the author and editor of 19 books and booklets.

Next we will hear from Timothy Shah, who is a Senior Fellow in Religion and International Affairs for the Pew Forum on Religion & Public Life. He has served as Research Director for an international study of evangelical Protestantism and democracy in the global south and is currently co-editing a four volume series on this subject to be published next year.

Mr. Shah also serves as Co-Director of the Religion and Global Politics Research Project organized by Harvard Academy for International and Area Studies and is writing a book on the political impact of religious nationalism in South Asia.

We will then hear from Mr. Mark Levin, who is the Executor Director of the National Conference on Soviet Jewry. Mr. Levin has served twice as a public member of the U.S. delegation to meetings of the Organization for Security Cooperation in Europe. He has clearly played an instrumental role in the creation of the Congressional Coalition for Soviet Jews and has represented the NCSJ at Democratic and Republican National Conventions since 1980.

I would just note parenthetically my first human rights trip abroad in 1982, in January, was with Mark to Moscow and Leningrad. It was an eye-opening trip for me. I was not yet on the Helsinki Commission, and I know that the NCSJ was very helpful in helping that to happen as well, but it was great being his friend, and I learned much from that about the plight of Soviet Jews.

We met with Sharansky's mother, I remember so well. We were in the apartment of Dr. Alexander Lerner, who gave us just very riveting information about what was happening to Sharansky at that point as he was close to death.

Our final witness is Mr. Ali Al-Ahmed, Executive Director of The Saudi Institute. Mr. Al-Ahmed is a Saudi scholar and expert on Saudi political affairs, including terrorism, Islamic movements, Wahhabi, Islam and Saudi political history.

He has authored numerous reports on Saudi Arabia regarding religious freedom, torture, press freedom, and religious curriculums and is a frequent consultant to major world media.

We again thank you for being here, and on behalf of the Committee we welcome you.

Let me begin, if we could then, with Mr. Marshall and then proceed to each of our witnesses.

**STATEMENT OF PAUL MARSHALL, SENIOR FELLOW, CENTER FOR RELIGIOUS FREEDOM, FREEDOM HOUSE**

Mr. MARSHALL. Thank you, Mr. Chairman, for inviting us today. We appreciate these important hearings and your dedication to ensuring that religious freedom remains a major force in U.S. foreign policy.

We also commend Ambassador Hanford and the Foreign Service Officers who compiled the report. I do make some critical remarks of it, but it is a most important contribution to human rights.

One common criticism of the report is that it at times soft-pedals and skews its findings on U.S. allies. The Court of Appeals for the Second Circuit said this as an official finding. I share this concern, but I believe the tendency for such skewing has been diminishing, as is shown now, for example, in the designation of Saudi Arabia as a Country of Particular Concern.

What I will do is comment on and give some updated information on the newly designated CPCs and also on Iraq. I have provided a separate, more lengthy and detailed written statement with comments on these and also on China and Egypt.

We welcome the designation of Vietnam as a CPC and note that since the period covered by the State Department report, which ends about the end of June, the Government has continued its anti-Christian persecution, particularly among the Hmong and the Montagnards.

The Government's June 18 ordinance, which was discussed earlier, regarding religious beliefs and religious organizations, is due to come into effect on November 15. It does say that it guarantees the right of freedom of religious beliefs, but then it also contains 39 highly restrictive articles that almost totally undercut this guarantee.

As you well know, Mr. Chairman, in August this House with your leadership, your leadership and others, passed the Vietnam Human Rights Act. Currently the Voice of Vietnam, the Government's official broadcaster, is urging the U.S. Senate to block passage of this act. We recommend that the Senate should ignore Hanoi's entreaties.

Not least, this would be one nonpartisan way to honor Swift-boat veterans and other veterans of all U.S. political parties by the fact that we would continue to press for the freedoms for which they fought.

We also welcome the addition of Saudi Arabia as a CPC. I will comment on one matter which the report does not cover, which is that the Saudi Government is responsible for proliferating worldwide an extreme interpretation of Islam that fosters hatred and that could lead to violence against Jews, Christians, and other religious believers, including moderate Muslims. Currently our center is documenting and preparing a report on such materials distributed in American mosques, some of which bear official Saudi Government stamps.

We also welcome the addition of Eritrea as a CPC. Congressman Rohrabacher mentioned that the Ambassador had said to him that

the State Department report was based on outdated information. We do not believe that is true, and indeed, since the report was compiled, pastors, soldiers, women, children, and the elderly who fall outside the four recognized historic faith groups in that country continue to be jailed and frequently abused for worshipping, for reading the Bible or praying together.

Regarding Iraq, for understandable reasons, the report does not address this, but I would like to raise one particular concern. It is certainly true that Iraqis of all religions and indeed of no religion have been attacked by terrorists in that country, but now the largest religious minority in the country—its ancient Christian minority—is being specifically targeted for its faith, so I would like to make some comments on that.

In the last 18 months, as you mentioned earlier, more than 80 have been killed. On August 1, five churches were bombed. In September, a Chaldean Christian was beheaded, the third recent beheading of members of that community. In the face of this, some tens of thousands of Chaldo-Assyrians have fled over the last 2 months in a pattern tragically reminiscent of the 1948 synagogue bombings that led to the flight of virtually the entire Iraqi Jewish community.

The exodus of this community would diminish Iraq's prospects of a tolerant and democratic society. Without a sizeable non-Muslim minority, moderate Muslims may be more afraid to raise their voices. Their fate is currently watched closely throughout the Middle East. If this community is forced to leave, there will be little hope for other minority groups in the region.

We therefore recommend: One, establishing a safe haven for the Christian groups, particularly including traditional villages near Mosul. Secondly, providing expedited support to rebuild destroyed facilities. Thirdly, allocating funds for the resettlement of those now living in a legal limbo in Jordan, Syria, Lebanon, and elsewhere in the Middle East.

Fourthly, facilitating the ability of those forced to flee by Saddam Hussein's regime or in recent months to register to vote if they are eligible. Fifthly, to provide political support against ethnic cleansing of Chaldo-Assyrians, particularly if this happens because they resist official demands to register either as Kurds or as Arabs.

If they were now to be treated as they have by the great powers in the past as an inconvenient minority, to be sacrificed for the greater good of mollifying Arab or Kurd or Muslim sentiments, the United States might preside over the demise of one of Iraq's—indeed, one of the world's—most ancient people. This would also undercut our goal of helping create a tolerant democratic Government in Iraq.

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

[The prepared statement of Mr. Marshall follows:]



PREPARED STATEMENT OF PAUL MARSHALL, SENIOR FELLOW, CENTER FOR RELIGIOUS  
FREEDOM, FREEDOM HOUSE

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.

The State Department Report 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.

One criticism of the Report is that it at times soft pedals criticism of U.S. allies or of countries in sensitive situations. Indeed, on February 18 of this year, the U.S. Court of Appeals for the Second Circuit found that the State Department reports were "sometimes skewed toward the governing administration's foreign policy goals and concerns." I share this criticism but believe that such skewing is diminishing. One way this shows is in the designation of Saudi Arabia as a country of particular concern. Another is in its more critical view of the situation of Coptic Christians in Egypt. However, we are concerned that Turkmenistan has not been designated a "country of particular concern" under the International Religious Freedom Act.

Perhaps the most frequently cited problem with the Reports is that their findings do not always correspond to American policy action. While there are various underlying explanations, part of the problem is attributable to the Reports themselves. Many of the Reports contain an overwhelming and unselective compilation of facts and information without reaching definitive conclusions, or conveying a sense of priority. Fundamental human rights problems are obscured in a welter of detail. Severe violators may be hidden in an avalanche of information. For example, the report on Germany is as long as the report on Sudan, and longer than the one on Eritrea. There is a need to give real focus and priority designation in a report of this magnitude and type. Prioritizing who are the worst violators, and, within each country report section, which are the most fundamental human rights problems, is important to ensuring that appropriate focus and concerted attention is given by the U.S. State Department, Congress and, as well as non-governmental human rights groups.

The 1998 International Religious Freedom Act's requirement that the Administration not only to produce an annual report, but also to designate egregious religious persecutors as "countries of particular concern" goes some way to filling this gap.

Such a designation also triggers under the Act a Presidential announcement within 90 days of what policies the Administration will adopt to improve religious freedom in the countries in question. The shortcoming of this mechanism is that the designation has not led to any additional sanctions.

I will comment on several countries, beginning with those newly designated as countries of particular concern.

VIETNAM

Freedom House's Center for Religious Freedom welcomes the designation of Vietnam as a "country of particular concern" and the extensive country report, and, based on our extensive reporting on religious freedom in Vietnam this year, will provide an update from the period covered by the State Department. This year, Vietnam's authorities have continued to engage a wave of anti-Christian persecution in the Hmong and Montagnard areas and is currently engaged in a massive crackdown on two overlapping bodies, its ethnic minorities and its religious believers.

Proclaiming a new era of openness, on June 18, the national assembly's standing committee passed an "ordinance regarding religious beliefs and religious organizations," due to come into effect on November 15. The authorities say the ordinance will guarantee "citizens' freedom of belief and religion," and Article 1 does affirm, "The government guarantees the right of freedom of religious beliefs and of having a religion for its citizens. Nobody is permitted to violate this freedom." However, this is followed by 40 articles that undercut this guarantee.

Article 8.2 reads, “It is forbidden to abuse the right to freedom of religious belief and religion to undermine peace, independence and national unity . . . to disseminate information against the State’s prevailing laws and policies; to sow division among the people . . . to spread superstitious practices and to commit any other acts which breach the law.” To identify such “superstitious practices,” this officially atheist government has, like China’s, set itself up as the interpreter of right theology and has labeled Vang Chu’s evangelical church and the Degar Protestant church as “heretical.”

In August, the Vietnamese Evangelical Fellowship, an association of unregistered house churches, asked that the ordinance be withdrawn and three Vietnamese Catholic priests and human-rights activists, Fathers Chan Tin, Nguyen Huu Giai, and Phan Van Loi, at considerable personal risk, released a critique:

“In these 41 articles, there are 39 articles that have as their content requirements of “getting permission” or “getting approval.” Thus, the kind of freedom of religion in this Ordinance is “freedom, but must ask permission,” or “freedom, but must register.” The phrases “but must ask permission,” or “but must register” have changed the word “freedom” which goes before them into a meaningless and empty word. In order for everybody to easily understand this kind of freedom, let’s look at a simple illustration. An owner of a house commanded all his servants, saying, “In principle I grant you the freedom to do anything at all you want to do. I only have one requirement. Whatever you want to do, you must let me know ahead of time, or get my permission first. Then if I give permission, you can do it.” Then that owner went around and proudly boasted to other owners, “In my household, all the servants are free to do whatever they want. I permit them to do so.” . . . In reading the Ordinance, we perceive it to be a tool of the State to oppress people of faith. . . . Therefore, we wholeheartedly agree with Cardinal Pham Minh Man when he publicly said, “It would be best if this Ordinance were not issued.”

In Vietnam, such public criticism takes great courage. Father Tin is 84 years old and has already spent years in “village arrest,” a form of internal exile. Fathers Giai and Loi are colleagues of one of Vietnam’s best-known religious prisoners of conscience, Father Thadeus Nguyen Van Ly. After a two-hour closed trial in 2001, Ly was given a 15-year sentence for “undermining national unity” for the “crime” of giving testimony to the U.S. Commission on International Religious Freedom about religious repression in Vietnam.

Ly is not alone. Mennonite pastor and human-rights activist Nguyen Hong Quang was arrested on June 8 for “inciting others to interfere with officers doing their official duty” after protesting illegal land confiscation by corrupt officials. Five colleagues—Elder Nguyen Hieu Nghia, Evangelist Nguyen Thanh Nhan, Evangelist Pham Ngoc Thach, Evangelist Nguyen Van Phuong, and Le Thi Hong Lien, were also imprisoned. If Quang is charged, as he may be, with “possessing and distributing materials harmful to the State,” he could face a 20-year sentence.

Another significant recent development was the release of a document titled “The Deep Distress of the Ethnic Minorities in Vietnam.” This statement, written by an indigenous Vietnamese church worker and a foreign missionary, declares: “There is no ideology left in Vietnamese communism. Vietnam’s poorest people see in their political masters only greed, avarice and the ruthless abuse of power to maintain their supremacy. . . . In the last decade many thousands of Hmong and Dao Christian believers have been fined, beaten, and hundreds have been imprisoned.” The authors list names of believers currently in prison, some charged with “illegal gathering and disturbing public order” after meeting to worship in a private home. They also detail cases such as that of “Vang Seo Giao of . . . Ha Giang Province, who had been a member of the Communist Party and became a faithful Christian. Mr. Giao was beaten to death in 2003 because he would not recant his faith. His body was tossed into a river and official reports said he drowned while crossing the river intoxicated.” In a similar incident, “Mua Bua Senh of . . . Lai Chau Province . . . was beaten to death by officials for refusing to give up his Christian faith.”

The Vietnam Committee on Human Rights reports that Vietnam’s majority religion, Buddhism, remains a major target of religious persecution. As discussed in the Report, almost exactly one year ago, Unified Buddhist Church of Vietnam Patriarch Thich Huyen Quang (87) and his Deputy, Nobel Peace prize nominee Venerable Thich Quang Do (76), along with other clergy were arrested and were subjected to intensive interrogations—Thich Quang Do had to be briefly hospitalized as a result—and placed under house arrest without trial on charges of “possessing state secrets.” Both monks continue to be detained *incommunicado*, respectively at the Nguyen Thieu Monastery (Binh Dinh) and the Thanh Minh Zen Monastery (Ho Chi

Minh City). They have both spent over 23 years in detention for their peaceful advocacy of religious freedom, democracy and human rights.

Repression against the indigenous Cao Dai sect continues. On 14 September 2004, twelve Cao Dai followers were arrested in Phnom Penh as they attempted to hand over a petition to the Vietnamese delegation attending a meeting of the Asean Inter-Parliamentary Organization, protesting harassment and repression of Cao Dai followers. Two other members of this group were arrested by Vietnamese Security forces while attempting to cross the border.

Religious persecution is only one part of the government's pattern of repression. Vietnam is on Freedom House's "Worst of the Worst" list, which includes the world's 15 most repressive societies. It is also a recipient of U.S. non-humanitarian financial assistance, and its trade agreement with America must be reviewed annually. In August, by a vote of 323-45, the House of Representatives, led by congressman Chris Smith and others, passed the Vietnam Human Rights Act, which blocks any increases in non-humanitarian aid to Vietnam, and which is now referred to the Senate Foreign Relations Committee. Three years ago the Senate quashed a similar House initiative, and the Voice of Vietnam, the government's official broadcaster, has urged it to do so again. The Senate should ignore Hanoi's entreaties and speedily support the Act. This would be one non-partisan way to honor Swift-boat and other veterans, of all U.S. political parties—by continuing to press for the freedoms for which they fought.

#### SAUDI ARABIA

We welcome the addition of Saudi Arabia to the list of "countries of particular concern." At home it has continued to repress all religion, both Muslim and non-Muslim, that does not conform to the dominant Salafi or Wahhabi version. Restrictive blasphemy laws affect both Muslims and non-Muslims, and the governments routinely foment division and sectarian hatred, in addition to routinely violating universal rights of free speech, worship, and association. Earlier this year, the *Wall Street Journal* reported that "the Saudi government has let fundamentalist clergy and developers destroy the famed old mosque of Abu Bakr and tombs of close relatives of Muhammad in Medina. It has turned the sites of Muhammad's great battles of Uhud and Badr into a parking lot and an area of empty tarmac. Saudi lawyers say Wahhabi religious authorities have issued many edicts over the centuries endorsing the destruction of historical places to discourage polytheism. "It is not permitted to glorify buildings," said one such ruling in 1994." The Saudi Institute also provides many examples of the systematic repression of Muslims, especially Shiites, in that country.

One matter that the State Department Report does not cover is that, for decades, the government of Saudi Arabia has been responsible for the proliferation worldwide of an extreme interpretation of Islam that fosters an ideology of hatred that can lead to violence against Christians, Jews and other religious believers, including moderate Muslims. We have received expressions of concern about this from Muslims and others throughout the world. Saudi efforts in this regard have begun to radicalize Muslim communities far beyond the Arabian Peninsula, including in Nigeria, the Balkans, Indonesia, and Central Asia. At the request of and in cooperation with moderate American Muslims, Freedom House's Center for Religious Freedom has been translating and documenting such materials from Saudi Arabia, some bearing an official government stamp, that have been distributed in American mosques. The Center is preparing a report on these materials.

#### ERITREA

We also welcome the addition of Eritrea to the list of countries of particular concern and will provide some more updated information on events there. On May 23, Haile Naizgi, chairman of the Full Gospel Church, one of Eritrea's largest Pentecostal denominations, and Dr. Kifle Gebremeskel, chairman of the Eritrean Evangelical Alliance, were arrested at their homes in the capital, Asmara. During the arrests, police officials reportedly confiscated the keys to the pastors' offices and verbally threatened the men's wives. Four days later, Pastor Tesfatsion Hagos of the Rema Evangelical Church in Asmara was arrested while visiting Massawa. Hagos' fellow church members confirmed to Amnesty International that they have been unable to learn their pastor's whereabouts since his arrest. Hagos is married with three children. Another detainee is Singer Helen Berhane, 29, who recently released an album of Christian music popular among youth. *Compass Direct* reported that she was incarcerated on May 13 in a shipping container at the Mai Serwa military camp. A member of the Rema Church, Berhane has reportedly refused demands that she sign a paper recanting her faith in Christ and agreeing to stop singing and

participating in Christian activities. Her detention followed the March arrest of evangelical singer Yonas Haile.

The arrests of these well-known evangelical Christians come in the wake of specific threats issued to local evangelical leaders in mid April. During a meeting called by the government's Department of Religious Affairs, pastors of banned Christian churches were reportedly ordered to "not inform anyone outside Eritrea of your problems." They were also forbidden to invite Christian speakers from abroad to Eritrea without first obtaining government permission. The pastors present at the meeting rejected these demands, vowing, in fact, to inform the outside world of the threats made against them and to continue until their constitutional rights to freedom of worship are restored. Several evangelicals who were released have shown evidence of severe physical mistreatment.

Two years ago, President Issayas Afewerki's government closed down all 12 of Eritrea's independent evangelical churches, forbidding their congregations to worship even in private homes. Since then, pastors, soldiers, women, children, and the elderly all have been jailed after being caught worshipping, reading the Bible, or praying together. The state recognizes only four "historic" faith groups: Christian Orthodox, Roman Catholic, Evangelical Lutheran and Islam.

#### EGYPT

The Report this year is stronger in its criticism in Egypt than those in previous years. Rather than speaking, as before, of improvements in religious freedom per se, it now says "*In some areas*, there were improvements in the Government's respect for religious freedom; however, there continued to be abuses and restrictions during the period covered by this report." This suggests that the Department no longer believes that the overall situation is improving.

In addressing the reported incidents of widespread torture of up to 1000 Copts in the village of El-Kosheh in 1998, it notes that a government investigation has "made little progress and has appeared effectively closed since 2001." In addressing the massacre of 21 Copts in the same village in 2000, it notes this year's verdict by the Court of Cassation, Egypt's highest court, acquitting 94 of the 96 suspects "left public prosecutors and human rights activists with no further legal options." It also now notes that there are "credible reports of government harassment, especially by the police, or lack of cooperation with Christian families" who attempt to regain custody of daughters who have been abducted or gone off with Muslim men, and that there are "similar reports in these cases of the failure of the authorities to uphold the law, which states that a marriage of a girl under the age of 16 is prohibited, and between the ages of 16 and 21 is illegal without the approval and presence of her guardian"

The Egypt report still suffers from defects. The examples it gives of improvement are symbolic acts such as meetings between religious leaders, religious dialog, and changes in school curriculum and the media. While these steps are welcome, they do not sufficiently acknowledge that, while Copts may suffer discrimination from the Egyptian government, they face persecution principally from threats and attacks by Islamic radicals, from which the Government cannot or will not defend them. Symbolic acts and meetings do not alter this situation. It also stresses the creation in January of a National Human Rights Commission to which prominent Copts have been appointed. While the State Department sees this as an important development, we believe it is too early to say whether this is a substantive change. The Center for Religious Freedom believe that the Commission may be an attempt to exert state control over human rights matters, since the government continues to restrict independent human rights groups.

One other item it mentions is an administrative court's verdict "allowing a Christian woman, who had converted to Islam and later converted back to Christianity, to recover her original (Christian) name and identity." If this happens in other cases, it could signal a change in this aspect of Egyptian government practice. However, there is no indication as yet that this will function as a precedent, and during the same period covered by the report, other such converts have been denied this relief and have been imprisoned and abused.

The Egypt report often plays down and minimizes serious acts of persecution. For example, it still says 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, as the report alludes to elsewhere, such converts have been arrested, imprisoned, interrogated and abused (in November 2003, one such convert died in police custody). Converts also fear attack and even murder by Muslim radicals. It also fails to address the fact that, the one case above notwithstanding, in Egypt it is still virtually impossible to change one's identity document from Islam

to Christianity. Another example of such language is its reference to “sectarian tensions, possibly violent, that continued to exist in the country.” “Sectarian tensions” is a misleading phrase since religiously based violence between Muslims and Christians is usually only in one direction. It is persecution of Christians by Muslim extremists rather than ‘sectarian tension.’ I personally visited Al-Kosheh in 2000 and discovered that what was described as “sectarian tension” was in fact a massacre of Christians. Another example is its reference to “sectarian tension” in Gerza and that some Muslims “reportedly objected violently” to Christian plans to convert a meeting site in the town into a church. This is a misleading description of events on November 7, 2003, when a Muslim mob attacked a number of Christians in Gerza, in which homes, crops and businesses were destroyed and several people were injured.

#### CHINA

The China report is thorough, and I will simply like to add information on more recent developments. Recent developments in China point to increasing crackdowns on Chinese Buddhists, Catholics, Christians and practitioners of Falun Gong. On August 11, as reported in the New York Times, Chinese authorities arrested Yu Tianjian, a prominent Chinese Buddhist who also maintains residency in the United States. Yu recently renovated a Buddhist temple in the Chinese province of Inner Mongolia. At his arrest, Yu told associates that he had been charged with “promoting superstition.” Chinese officials confiscated valuable religious objects from the temple, cut off the temple’s utilities, and forcibly evacuated 70 monks from the premises.

Repression of Chinese Christians also appears to continue unabated. According to the Pennsylvania-based China Aid Association (CAA), five Christians in China’s Xinjiang autonomous region, arrested on July 12 after attending a church retreat, now face long prison terms. Luo Bing Yin, an underground leader of the five-million-strong Ying Shang church group in Anhui province, is currently in police detention. He has not been granted a court hearing and charges against him are unknown. Police raided the business of Luo’s family, confiscating computers thought to contain information about Chinese Christians.

The CAA has also reported that on August 6 three other house-church members were sentenced to prison for one to three years in Hangzhou city, Zhejiang province. They were charged with providing information on religious repression to overseas publications. On the same day, more than 100 Christians on retreat in Henan province were arrested in a police raid. The Cardinal Kung Foundation, a Connecticut-based advocacy group, has posted secret documents demonstrating the Chinese government’s campaign against the Catholic Church at: <http://www.cardinalkungfoundation.org>. The Falun Dafa Information Center reports increasing government assaults against the 100-million-member Falun Gong meditation and exercise movement. In June and July, 48 Falun Gong members were reported tortured and beaten to death while in custody for refusing to renounce their beliefs. Torture techniques reportedly included brandings with hot irons, electric shock, and pepper oil applied to the mouth and genitals. One Falun Gong member, 32-year-old Zhu Xia, released on April 2 from custody in Xinjin county, Sichuan province, survived multiple rapes and torture, but has not recovered physically or emotionally and can no longer care for herself.

#### IRAQ

For understandable reasons the Report does not deal with Iraq, but I believe that it is vital to address the situation of the religious minorities there. Of course, many Iraqis irrespective of religion have been attacked and threatened by terrorists and everyone’s security needs to be assured. However, the especially vulnerable Christian minority has been targeted for their faith.

Consequently, we are particularly concerned about the current situation of the ChaldoAssyrian community in Iraq. The Iraqi government and the media report that a mass exodus of ChaldoAssyrians, the native Christians from Iraq, is now underway due to targeted religious violence against them. Beheadings, kidnappings, and assassinations have been documented in recent months, including in September when six ChaldoAssyrian workers were murdered in Baghdad for “collaborating” with the United States. According to reports of the Catholic relief group, Aid to the Church in Need, over the past 18 months, more than 80 Christians have been killed at the hands of Muslim terrorists and extremists, 20 of which murders occurred last month. In September in Mosul, terrorists kidnapped and beheaded a 30-year-old Chaldean Christian, a manager of a small gift shop—the third recent beheading of members of this community. In the last month, Christian homes in the small village

of Bakhdeda between Kirkuk and Mosul suffered two mortar attacks that killed and injured children sleeping in their beds. On August 1, Islamic extremists bombed five churches in Mosul and Baghdad during Sunday worship services.

In the face of such savagery, according to Iraqi government records, 40,000 ChaldoAssyrians have fled over the past two months, especially in the immediate aftermath of the August church bombings. This pattern is reminiscent of the bombing of synagogues in 1948 that eventually led to the flight of virtually the entire Iraqi Jewish community.

An estimated 800,000 ChaldoAssyrian remain in Iraq and constitute the country's largest non-Muslim minority. They form one of the nation's most moderate and educated communities. The "ethnic-cleansing" in Iraq of its Christians would diminish the country's prospects of developing as a tolerant, pluralistic and democratic society. Without a sizeable non-Muslim minority, moderate Muslims may encounter far greater intimidation in raising their voices against the imposition of the strict Islamic law favored by some prominent Islamic parties and clerics.

We urge congress to ensure that the following specific measures are taken on behalf of the ChaldoAssyrians of Iraq:

1. Establish as a safe haven for them, the administrative unit included in the Transitional Administrative Law (Article 53D). This safe haven should include the chiefly traditional community villages located near Mosul, in the Nineveh Plains.
2. Provide the ChaldoAssyrians in Iraq with direct and expedited support from the Congressionally-authorized funds for Iraq's development in order that they may rebuild their destroyed villages, roads, schools, and clinics as well as undertake start-up economic development projects. The community has been shut out of funding due to discriminatory practices that favor Muslim and Kurd groups, as well as due to general bureaucratic delays.
3. Allocate funds for the resettlement of Christian refugees. Many educated and professional young people of the ChaldoAssyrian community, in particular, have fled the country over the past year and are now living in legal limbo in Jordan, Syria, Lebanon, Greece and elsewhere in the Middle East.
4. Facilitate the ability of those forced to flee by the Hussein regime, or exiled in recent months, to register to vote if they are eligible.
5. Provide across the board political support against the active and passive ethnic cleansing to which they are being subjected throughout Iraq because they are Christians and because they resist complying with official demands to register with state and local governments as Kurds or Arabs.

The next few months will be critical ones as the Iraqi people undertake a census, elections and constitution writing. If the ChaldoAssyrians are now treated, as they often have by the great powers of the past, as one more inconvenient minority in the Middle East who must be sacrificed to the greater good of mollifying Arab, Kurd and Muslim sentiment, the United States will have presided over the demise of one of Iraq's, indeed the world's, most ancient religious groups and peoples. We will also have undercut our goal of reconstructing a more tolerant, democratic government in Iraq.

#### CLOSING

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

Chairman SMITH OF NEW JERSEY. Mr. Marshall, thank you so very much for your testimony and the great work of your organization.

Mr. Shah?

#### **STATEMENT OF TIMOTHY SHAH, SENIOR FELLOW IN RELIGION AND INTERNATIONAL AFFAIRS, PEW FORUM ON RELIGION & PUBLIC LIFE**

Mr. SHAH. Thank you, Chairman Smith. Thank you, Chairman Smith and other Honorable Members of the House Committee on International Relations.

It is indeed a tremendous honor to have the opportunity to discuss issues of great foreign policy significance before this distin-

guished Committee. I should say at the outset that I appear before you to discuss the crucial issue of religious freedom not as an advocate or as a partisan. As a Senior Fellow in Religion and International Affairs at the Pew Forum on Religion & Public Life, I come to this issue primarily as an analyst and I trust an impartial observer. At the same time, the views I will be expressing are my own and not necessarily those of the Pew Forum.

In seeking to steer clear of policy advocacy, however, I trust I will not rob what I have to say of policy relevance, for I will comment on important matters of fact that underpin questions of policy and that suggest how and why religion and religious freedom are crucial subjects for the formulation of U.S. foreign policy.

Above all, I seek to underscore the strategic and growing importance in international affairs of religion in general and religious freedom in particular. The evidence suggests that religion is too important to ignore and too important to be left to the specialists and experts, whether inside or outside Government.

For too many foreign policy makers and analysts, religion remains the elephant in the room. They know that it is there and that it is an increasing factor in our public life, both global and domestic, and yet most of our policy and intellectual elites carry on as if the elephant really is not there.

Among the few who do acknowledge its existence, there are mainly two groups, it seems to me. One group insists that the elephant will quietly stay in the corner and cannot possibly upset the furniture. The other group orders the elephant to leave the room.

The best information we have about religion and global public life is that religion is not going to get up and leave the room. Religion it seems is here to stay as an influential, indeed central, factor in global public life whether we like it or not.

The best information we have also says that in general and in most places, religion is not going to stay quietly in the corner of the room. Religious ideas and groups in most places are not going to confine themselves to private sphere or a special and neatly defined religious sphere.

Religion may not necessarily be the most important factor, but the data we have from a wide variety of sources suggest that religion is a very important factor in shaping public life around the world. The data also suggests that the public importance of religion is not decreasing or remaining static, but is increasing in almost every part of the world.

It seems to me because of this fact no country can function effectively in the world if it remains fundamentally ignorant of or oblivious to the elephant in the room. No country can safely ignore or pretend to ignore the increasing importance of religion in global public life.

Totally apart from the merits or demerits of the general U.S. policy of promoting international religious freedom, I think one can say objectively that the *International Religious Freedom Report* takes the measure of the elephant in the room as comprehensively as any single document I am aware of with all of its faults.

In other words, it provides a truly breathtaking amount of information not only about international religious freedom, but also about religion's important role in shaping international public life.

Anyone who seeks to understand how religion is shaping our world today, both for good and ill, cannot afford to ignore this massive and massively informative report.

In order to underpin my larger observation about the crucial importance of religion in global public life and about the strategic importance of religious freedom, please allow me to make two supporting observations.

First, a wide variety of data indeed strongly supports the conclusion that religion is an increasing factor in shaping the public life of nations throughout the world. As co-director of a Harvard based research project on religion in global politics, we commissioned a study of a wide range of data on this issue. When this report was completed in 2003, it concluded, "There is ample evidence of the argument for a global resurgence of religion can largely be sustained."

Every part of the world, with the exception of western Europe, shows signs of both increased religiosity among individuals and the increased presence of religion in the public life of nations. I want to underscore this point. It is precisely because of religion's increased influence across the world that states that oppose religion seek to repress or regulate it.

Second, research I have been involved in suggests that religious freedom is not a freedom that stays quietly in the corner. It is instead a freedom that is fungible. That is, it is a freedom that is readily translatable into other and wider forms of freedom.

In other words, research shows that religious freedom can be the thin end of the wedge of the broader liberalization and democratization of societies. Conversely, research also suggests that the absence of religious freedom is almost always accompanied by broader systemic political repression, as well as political instability and insecurity.

Religious freedom by its nature and by definition means that religious groups and organizations enjoy at least some freedom from control by the state. There is a great deal of evidence, including evidence from the "third wave of democratization" during which some 30 countries became democratic between 1974 and 1991 that suggests this freedom is of particular strategic importance.

The reason is that when religious groups have at least some freedom from state control simply to be themselves, they are free to do a number of things that can form a crucial basis for wider societal and political freedom.

For example, the more religious groups are independent from state control, the more they can serve as a powerful counterweight to the state, the more they can criticize, limit, and check the power of the state, and the more they can be free to advocate and press for democracy, as many religious groups have done around the world in the last three decades and before. They can thus move society in a liberal direction by fostering the doctrine and the reality of limited government.

Second, the more religious groups are independent of the state, the more they can serve as a highly effective mediating institution that focus the concerns and criticisms of the people they represent into a powerful and coherent message that has the backing of reli-



gious authority. That is, they can serve as the voice of the people when the people might otherwise be voiceless.

Third, the more religious groups are independent of the state, the more they can freely compete with each other for influence in society and thus the more they can generate a robust and lively religious diversity. It is a virtual law of sociology that religious uniformity can be maintained only through coercion exercised either by the state or by non-state religious authorities.

Conversely, it is a virtual law of sociology that in the absence of coercion, a diversity of religious groups comes into existence to reflect the actual diversity of human opinions and preferences concerning religion. As this diversity becomes more robust and lively as a consequence of some degree of freedom, this diversity in turn helps deepen the freedom of political society in at least two ways. Diversity makes it less likely that any one religious group can dominate the state, and diversity makes it less likely that the state can dominate religion.

This point about religious diversity I think relates closely to what Dr. Marshall has just said about Iraq. A society that becomes less religiously diverse is a society that is going to have much more difficulty with freedom in general. It is also important to recognize that with increased religious diversity, an increase that only freedom can bring, religious groups are more likely to develop through frequent mutual interaction and understanding a peaceableness and mutual tolerance.

Again, this underscores what Dr. Marshall said about Iraq. The less diversity there is, the less likely we will have a tolerant and peaceable society.

Thank you, Mr. Chairman.

[The prepared statement of Mr. Shah follows:]

PREPARED STATEMENT OF TIMOTHY SHAH, SENIOR FELLOW IN RELIGION AND INTERNATIONAL AFFAIRS, PEW FORUM ON RELIGION & PUBLIC LIFE

Chairman Smith and other Honorable members of the House Committee on International Relations:

It is a tremendous honor to have the opportunity to discuss issues of great significance before this distinguished committee—a committee whose work is so crucial for America's foreign policy and national security.

The issue before us is international religious freedom and the occasion for our discussion of this issue is of course the 2004 International Religious Freedom Report, released by the Bureau of Democracy, Human Rights and Labor of the United States Department of State on September 15, 2004 and prepared principally by the Office of International Religious Freedom in the course of the preceding year. As you well know, the preparation of this report is mandated by Congress through the 1998 International Religious Freedom Act.

I should say at the outset that I appear before you to discuss the crucial issue of religious freedom and this report on it not as an advocate or as a partisan. As a Senior Fellow in Religion and International Affairs with the Pew Forum on Religion & Public Life, and as co-director of a research project on Religion in Global Politics conducted by the Harvard Academy for International and Area Studies, I come to this issue primarily as an analyst and—I trust—an impartial observer. The mission of the organization I chiefly represent, the Pew Forum on Religion & Public Life, is to serve as a conduit and clearinghouse of reliable and timely information about the interaction between religion and public life in the United States as well as in the international arena. To accomplish this mission, we at the Pew Forum steer clear of any policy advocacy. Today I will endeavor to make my testimony consistent with the nonpartisan, nonsectarian, and informational mission of the Pew Forum. At the same time, I must also say that the views I will be expressing in the course of this testimony are my own and not necessarily those of the Pew Forum.

In seeking to steer clear of policy advocacy, however, I trust I will not rob what I have to say of policy relevance. I will not advocate specific policies toward particular countries, not only because this would be inconsistent with the Pew Forum's mission but also because such policies are based on highly complex judgments involving questions of fact as well as strategy that are well beyond my competence. At the same time, I can comment on empirical matters or matters of fact that underpin questions of policy and that suggest how and why religion and religious freedom are crucial subjects for the formulation of policy.

In the main, however, my observations today have one simple aim that I trust will have some bearing on the conduct of US foreign policy concerning religious freedom and particularly the work of this distinguished Committee. That aim is this: to underscore the strategic and growing importance in international affairs of religion in general and religious freedom in particular. The evidence suggests that religion is too important to ignore, and too important to be left to the specialists and experts, whether inside or outside government.

For too many foreign policy makers and analysts, religion remains the elephant in the room: they know that it is there and that it is an increasing factor in our public life, both global and domestic. (The current election season notwithstanding, my use of the "elephant" metaphor here is of course strictly nonpartisan.) And yet most of our policy and intellectual elites carry on as if the elephant really isn't there. Among the few who do acknowledge the existence of the elephant there are mainly two groups. One group insists that the elephant will quietly stay in the corner and can't possibly upset the furniture. The other group orders the elephant to leave the room.

The best information we have about religion and global public life is that religion is not going to get up and leave the room, either in this country or in other countries. Religion, it seems, is here to stay as an influential factor in global public life, whether we like it or not. The best information we have also says that, in general and in most places, religion is not going to stay quietly in the corner of the room. Religious ideas and groups in most places are not going to confine themselves to a private sphere or a special and neatly defined religious sphere. Religion may not necessarily be the most important factor shaping public life in this country or in that country or in the world in general. But the data we have from a wide variety of sources suggest that religion is a very important factor in shaping public life around the world. And the data also suggest that the importance of the religion factor in public life is not decreasing or remaining static but is increasing in almost every part of the world.

As I have already indicated, I will not expressly comment on the merits of any particular policy, including the general policy of promoting international religious freedom. I can say, however, that no country can function effectively in the world if it remains fundamentally ignorant of or oblivious to the elephant in the room. No country can safely ignore or pretend to ignore the increasing importance of religion in global public life. And totally apart from the merits or demerits of the general US policy of promoting international religious freedom mandated by the International Religious Freedom Act, one can say objectively that the International Religious Freedom Report takes the measure of the elephant in the room as comprehensively as any single document I am aware of. In other words, it provides a truly breathtaking amount of information not only about international religious freedom but about religion's important role in shaping international public life. This is not to say that I or probably any independent observer has verified every single observation of the report as one-hundred percent accurate. Indeed, verification of the report would require an effort virtually as extensive as production of the report. But there is no question that the report aims at an objective, matter-of-fact description not only of the state of international religious freedom but also of the basic relationship between religion and public life in every single country of the world (with a few exceptions). Anyone who seeks to understand how religion is shaping our world today, both for good and for ill, cannot afford to ignore this massive—and massively informative—report.

Indeed, please let me underscore the value of the report to analysts and observers. To the credit of the report and those who compiled it, it reflects a great effort to carefully separate the presentation of basic facts from the presentation of US policy prescriptions. In other words, even for those who do not agree with US policy on this or that country, the report has the potential to be a tremendous resource.

In order to underpin my larger observation about the crucial and growing importance of religion in global public life, and about the strategic importance of religious freedom, please allow me to make two supporting observations: First, a wide variety of data indeed strongly support the conclusion that religion is an increasing factor in shaping the public life of nations throughout the world. Second, research I have

been involved in suggests that religious freedom is not a freedom that stays quietly in the corner but is instead a freedom that is “fungible”—that is, a freedom that is readily translatable into other and wider forms of freedom.

First, a wide variety of data indeed strongly support the conclusion that religion is an increasing factor in shaping the public life of nations throughout the world.

As I mentioned, I serve as co-director for a research project on Religion in Global Politics under the auspices of the Harvard Academy for International and Area Studies. One of the most basic and central questions we first wanted to address in this project was whether religion was in fact experiencing a global resurgence. Most scholars and analysts ignored this phenomenon, as I mentioned earlier. In fact, one survey of the literature in political science found, for instance, that between 1980 and 1999 only “six or so” articles on the role of religion in international affairs (out of a total of about 1600 articles) appeared in the four leading international relations journals. However, some scholars did notice that religions have begun to recover their traditional role in public affairs and even to displace secular ideologies as the most important impetus of peoples’ political engagement. They wrote books with titles such as *The Revenge of God*, *The Desecularization of the World*, *Questioning the Secular State*, and *Transnational Religions and Fading States*. The problem with these works was that many of their claims rested on only a few cases or examples. In our project, we wanted to know whether there was a truly global resurgence of religion and an increase in its public role.

We therefore commissioned a study of a wide range of data. When the report was completed in mid-2003, it concluded that there is in fact a global resurgence of religion and an increase in its public significance. It concluded that “there is ample evidence that the argument of a “global resurgence of religion” can largely be sustained.” Every part of the world—with the exception of Western Europe—shows signs of both increased religiosity among individuals and the increased presence of religion in the public life of nations.

Second, research I have been involved in suggests that religious freedom is not a freedom that stays quietly in the corner but is instead a freedom that is “fungible”—that is, a freedom that is readily translatable into other and wider forms of freedom. In other words, research shows that religious freedom can be the thin end of the wedge of the broader liberalization and democratization of societies. Conversely, research also suggests that the absence of religious freedom is almost always accompanied by broader systemic political repression as well as political instability and insecurity.

Religious freedom by its nature and by definition means that religious groups and organizations enjoy at least some freedom from control by the state. When the state also enjoys at least some freedom from the control of any particular religious group or organizations, then these two freedoms together constitute a crucial basis for liberal democracy: what political scientist Alfred Stepan has called “the twin tolerations.”

But there is a great deal of evidence—including evidence from the “third wave of democratization” during which some 30 countries became democratic between 1974 and 1991—that suggests that religious freedom is of particular strategic importance. The reason is that when religious groups have at least some freedom from state control to simply be themselves, they are free to do a number of things that can form a crucial basis for wider societal and political freedom.

For example, the more religious groups are independent from state control, the more they can serve as a powerful counterweight to the state—the more they can criticize, limit, and check the power of the state. And the more they can be free to advocate and press for democracy, as many religious groups have done around the world in the last three decades and before. They can thus move society in a liberal direction by fostering the doctrine and reality of limited government.

Second, the more religious groups are independent of the state, the more they can serve as highly effective mediating institutions that focus the concerns and criticisms of the people they represent into a coherent and powerful message that has the backing of religious authority. They can serve as the voice of the people when they might otherwise be voiceless. They can thus serve a representative and hence democratic function by forcing the state to be more accountable to the will of the people.

Third, the more religious groups are independent of the state, the more they can freely compete with each other for influence in society and thus the more they can generate a robust and lively religious diversity. It is a virtual law of sociology that religious uniformity can be maintained only through coercion, exercised either by the state or by non-state religious authorities. Conversely, it is a virtual law of sociology that in the absence of coercion a diversity of religious groups comes into existence to reflect the actual diversity of human opinions and preferences concerning

religion. As this diversity becomes more robust and lively as a consequence of some degree of freedom, this diversity in turn helps deepen the freedom of political society in at least two ways: it makes it less likely that any one religious group can be sufficiently dominant to control the state, and it makes it less likely that the state can dominate religion. Furthermore, with an increase in religious diversity that only freedom can bring, religious groups are more likely to develop through frequent interaction and coexistence a peaceableness and mutual tolerance.

Conversely, as Ambassador Hanford noted when the International Religious Freedom Report was released on September 15, research shows that the curtailment of religious freedom is usually accompanied by wider political repression and/or brings serious long-term political and security problems. Groups and states that repress religious freedom are more likely to pose a threat to their own countries' security as well as our country's security.

It is relevant here to note the often overlooked conclusion of the 9/11 Commission Report concerning the nature of the terrorist threat we face. According to the Report, our enemy is not the generic evil of "terrorism" but the specific threat of "*Islamist terrorism*" [emphasis in the original], a threat that includes not only al Qaeda but "a radical ideological movement" in the Islamic world. This movement, the Report forthrightly states, is "motivated by religion and does not distinguish politics from religion, thus distorting both" (see pages 362-363 of the Report).

Evidently, we have many compelling reasons to better understand how religion and religious freedom are crucially strategic issues for US foreign policy. A better understanding of the various ways in which religious movements and ideologies relate to politics and public life all over the world is clearly an urgent priority. The 2004 International Religious Freedom Report is an important step forward in meeting this priority.

Thank you, Chairman Smith and the other distinguished members of the Committee.

Chairman SMITH OF NEW JERSEY. Mr. Shah, thank you very much and for the important research that you are doing. It is very, very helpful. I will have some questions for you a little bit later on.  
Mr. Levin?

**STATEMENT OF MARK B. LEVIN, EXECUTIVE DIRECTOR,  
NATIONAL CONFERENCE ON SOVIET JEWRY**

Mr. LEVIN. Thank you, Mr. Chairman. I am honored to appear before the Committee today to discuss the Department of State's new *International Religious Freedom Report*. I ask that my full written statement be entered into the record.

Chairman SMITH OF NEW JERSEY. Without objection. It will be, and that of all of our distinguished witnesses.

Mr. LEVIN. Mr. Chairman, your role and that of your colleagues on this Committee, particularly Representative Lantos, and on the U.S. Helsinki Commission has helped shape U.S. policy in the struggle for international religious freedom and particularly in setting benchmarks in the fight against political and popular anti-Semitism.

I also want to recognize the dedicated work of Ambassador Hanford and the State Department, but, Mr. Chairman, on a more personal note, it is hard to believe that it has been 22½ years since our trip to the then Soviet Union. Together I think we can say that over the last two decades there has been much accomplished in that part of the world, as well as the rest of the world.

I count it as a privilege and an honor to have worked with you over these last two decades, as important to count you as one of my friends that I know that I can always count on when we confront difficult issues. It is truly an honor to be here today.

The NCSJ, as you know, is an umbrella of nearly 50 national organizations and over 300 local community federations and commu-

nity councils. We coordinate and represent the organized American Jewish community on advocacy relating to the former Soviet Union.

In the 5 years since the International Religious Freedom Act, I can tell you that it is succeeding by a variety of measures. First of all, the in-depth data and analysis are an important supplement to the annual Human Rights Report. The Religious Freedom Reports enhance opportunities for consultation among U.S. officials, local activists, foreign Governments and advocacy and monitoring groups here and overseas. Just yesterday, NCSJ and other NGOs joined the regular State Department congressional roundtable with Ambassador Hanford and his colleagues.

Just a few of the highlights of the past year gives a sense of the new era for Jewish life ushered in by the fall of the Soviet Union 15 years ago. NCSJ attended the dedication of a new synagogue in Baku, Azerbaijan, the first to be built in Baku in nearly a century.

Kazakhstan, as you heard, hosted two major international conferences on interfaith tolerance and just last month opened the first synagogue in its new capital in Astana.

In Lviv, Ukraine, where the Jewish population was decimated during the Holocaust, NCSJ participated in the dedication of the new Jewish community center.

In Tula, Russia, we work closely with the local Jewish community and American Jewish supporters to facilitate the building of a new Jewish community house, following on our successful U.S. Government funded Domestic Violence Awareness project.

In Minsk, Belarus, the second of two new community facilities is about to officially open.

Having briefly recounted some of the success stories, I also want to highlight just a few areas of specific concern in the largest Jewish population centers of Belarus, Russia, and Ukraine, and then briefly touch on the Middle East.

The Religious Freedom Report accurately reflects the ongoing violations of religious freedom in Belarus where the regime's reliance on religious legitimacy has driven a series of concessions to the Russian Orthodox Church, which continues to distribute virulently anti-Semitic literature. The construction of sports stadiums over an historic Jewish cemetery in Grodno continues, despite the efforts of this Committee and the Department of State, although some progress has been made in limiting further desecration.

The complex status of religious freedom in the Russian Federation involves a range of factors which I cover in my written statement. The Government supports Jewish religious and cultural activities. President Putin and other Russian officials have spoken out against anti-Semitism, though actions against perpetrators have lagged somewhat.

As anti-Semitic attacks have become less frequent in the last couple of years, they also have become more violent. In Ukraine, where the Government actively promotes the Jewish revival, and popular anti-Semitism is on the decline, restitution of communal property continues to stall. The most troubling development, however, involves MAUP, a top policy institute training the next generation of Ukraine's elite.

With significant funding from Arab and Muslim states, MAUP has fomented and lent popular sanctions to rabid anti-Israel and anti-Semitic propaganda. This is simply unacceptable and flies in the face of so much important and constructive work.

As my brief review underscores, state-sponsored anti-Semitism is clearly a thing of the past in the former Soviet Union. Sadly, as you know, one cannot say the same for the Middle East. My written statement includes an appendix, an Anti-Defamation League report on anti-Semitism in the Arab media demonstrating how the Arab world is re-exporting Nazi style anti-Semitic stereotypes back to Europe, reaching a primarily Muslim audience in Europe, as well as millions of readers and viewers around the Middle East.

With the ADL and the American Jewish Committee, there is much data that is available and should be incorporated into the work of our Government. I know, Mr. Chairman, you are well aware of both organization's efforts in this area.

Before moving on to my broader discussion of strategies to combat anti-Semitism, allow me to briefly review the standards for coverage in the annual report. Deeper analysis of overall trends and improved coordination with other U.S. Government and NGO sources would be useful. If the OSCE and the EU improve their reporting on religious freedom, the State Department will be in a better position to draw on such resources as well.

The June 2003 and April 2004 OSCE Conferences on anti-Semitism made history not only as the first such international meetings on the subject; they also generated a set of commitments by 55 Governments to report and combat anti-Semitism in a coordinated and proactive way. A parallel set of commitments have been issued on combating racism and xenophobia.

I commend you, Mr. Chairman and Representative Lantos and this Full Committee, for approving companion legislation to the bill passed earlier this year by the Senate to ensure the first ever country-by-country global assessment of anti-Semitism in Government responses. While OSCE Governments move unevenly toward implementing data collection, at least the U.S. Government can provide OSCE and the world with an initial consistent assessment of incidents and responses.

I urge you to ensure that this important legislation clears the House and Senate before the end of this Congress. Nations must understand that the train is moving with or without them, and that others will report on their performance if they are unwilling or unable do so themselves.

This has been a single accomplishment of other U.S. reports on human rights, religious freedom, human trafficking and international terrorism. It would do no less for the fight against anti-Semitism. Anti-Semitism remains a significant endemic problem throughout the successor states and across Europe. Much of the support for this coordinated process has come from formerly communist nations, including successor states which see fighting anti-Semitism as part of their transition from the Soviet shadow.

Mr. Chairman, I will stop here and would be pleased to answer any questions, but again I just want to reiterate our support for the efforts of this Committee and the Helsinki Commission in the fight

for religious freedom not only in our particular region, but around the world.

Thank you.

[The prepared statement of Mr. Levin follows:]

PREPARED STATEMENT OF MARK B. LEVIN, EXECUTIVE DIRECTOR, NATIONAL  
CONFERENCE ON SOVIET JEWRY

Mr. Chairman, I am honored to appear before the Committee today to respond to the Department of State's new International Religious Freedom Report. I intend to review specific aspects of the Report relating geographically to the former Soviet Union and functionally to the global threat of anti-Semitism. Your role, and that of your colleagues on this Committee—particularly Representatives Smith, Lantos, and Wexler—and on the U.S. Helsinki Commission, has truly been instrumental in guiding U.S. policy and ultimately in framing international cooperation in the struggle for religious freedom and particularly in securing a place at the table for the fight against political and popular anti-Semitism. I must also recognize the dedicated work of Ambassador Hanford, whose Office of International Religious Freedom is a partner to NCSJ and so many non-governmental organizations and activists, in the United States and abroad. Our work is immeasurably advanced by his good offices, just as I hope we have informed his efforts as well.

NCSJ is an umbrella of nearly 50 national organizations and over 300 local community federations and community councils across the United States. We coordinate and represent the organized American Jewish community on advocacy relating to the former Soviet Union, and our membership includes the American Jewish Committee, American Jewish Congress, Anti-Defamation League, B'nai B'rith International, Conference of Presidents of Major American Jewish Organizations, Hebrew Immigrant Aid Society, Jewish Council for Public Affairs, United Jewish Communities, and many other well-known agencies devoted to promoting tolerance and combating prejudice and anti-Semitism around the world.

Mr. Chairman, five years since passage of the International Religious Freedom Act (IRFA), which established the annual reporting as well as other institutional initiatives, I can tell you that it is succeeding by a variety of measures. First of all, obviously, the in-depth data and analysis are an important supplement to the religious freedom coverage in the wide-ranging annual Human Rights Reports. And as with the Human Rights Reports, they provide an enhanced framework and mandate for the important discussions in Washington and overseas, with U.S. officials, local activists, foreign governments, and advocacy and monitoring organizations in the United States. In terms of timing and visibility, governments with poor or worsening records must now contend with two official U.S. documents being issued during each year, reinforcing the importance of religious freedom to the bilateral agenda.

The goal of the International Religious Freedom Reports is not simply to report on religious freedom, but to advance religious freedom. No report can be an end in itself. It must be used as a tool.

Although the reporting by itself certainly advances the cause, the full potential of such a mandate can only be realized with a substantive foreign affairs budget—foreign assistance to promote progress materially in specific countries, and funding for proper training and staffing of U.S. Foreign Service Officers and for indigenous activists who do so much of the monitoring and reporting. In current discussions of what America needs to prosecute a war on terrorism, much of the focus has been on expanding our human intelligence capabilities, and I would argue that the same approach be taken to the promotion of human rights and religious freedom.

As we have seen with first human rights, and more recently with religious freedom, U.S. Government reporting is a key factor in elevating these issues as priorities in our own foreign policy and on our bilateral agenda with each country. Religious freedom and human rights are related but distinct issues. No less significantly, anti-Semitism cannot be characterized simply as a human rights or a religious freedom issue—even though it is properly covered in both the human rights and religious freedom reports issued by the State Department.

Anti-Semitism falls into each of those categories, while also being unique among other phenomena. It is a pandemic, crossing borders and pervading cyberspace, and filling volumes of United Nations proceedings. Its roots are religious and political. Its manifestations include benign discrimination, international terrorism, and state-sponsored media. Its perpetrators include governments and politicians, religious leaders, and popular movements. Its targets are devout followers of the faith, assimilated descendants of Jewish forbears, and even non-Jews. The very term anti-

Semitism has occasionally been cynically twisted to apply to all Semitic peoples, even though the label was first introduced to promote hatred of Jews and has always been understood in that way; unlike human rights and religious freedom, the very violations against Jews are often either denied recognition or perversely hailed as advances in human dignity. Some of its most effective support comes not only from government sponsorship or restrictions, but also from government neglect for the rights of Jewish citizens. It lies at the heart of the formative tragedy of the 20th century, which marked the culmination but not the end of two millennia of European persecution of one faith. Jews are attacked and demonized as a religious minority, a nationality, a race, an ethnicity, a socio-economic class. Jews are demonized, and the State of Israel—the first true refuge for Jews from around the world—is proclaimed an affront to civilization and likened to the Nazi menace from whose ashes it sprang.

Mr. Chairman, NCSJ and our partner agencies are concerned with the range of religious freedom issues—as supporters of human dignity and freedom, and as experts who understand that anti-Semitism may be the oldest form of religious persecution but that the rights of Jews cannot be entirely guaranteed without ensuring the rights of others. Last July, nine member states of the Commonwealth of Independent States issued a declaration purporting to cite “such fundamental Helsinki principles as non-interference in internal affairs and respect for the sovereignty of States.” As every member of this Committee knows, the phrase “non-interference in internal affairs” is a throwback to the Soviet era and is a direct rebuff to the Helsinki process, which established the principle that monitoring human rights is an international concern and hardly considered an affront to national sovereignty. While most of these countries have taken steps to combat anti-Semitism, such a refutation of Helsinki cannot bode well for any minority or any advocate for human rights and religious freedom.

Correspondingly, anti-Semitism and the status of a country’s Jewish community are good indications of the overall health of a society and of the possibilities for pluralism and progress. Unfortunately, we are at a unique moment in post-War history, when anti-Semitism is a prominent and popular ideology, and it must be addressed in as direct and forthright manner as possible. Before making specific recommendations, I want to highlight key points on each of the post-Soviet successor states covered in the new Report, including the Baltic nations, and to point out areas where reporting could be more precise or comprehensive.

#### ARMENIA

The report for Armenia describes restrictions on minority faiths as well as the special status of the Armenian Apostolic Church. Beyond the information in the State Department reports, we have also received information concerning popular anti-Semitism, including vandalism, to which the authorities usually respond appropriately. In addition, there are occasional stories or statements in the media connecting the Armenian Jewish community to anti-Armenian elements. The presence of outside extremist Arab and Iranian groups is a source of concern to the Jewish community.

#### AZERBAIJAN

Despite the generally secular orientation of Azerbaijan, the State Department reports on popular prejudice against Muslim converts to other faiths and hostility toward Christian missionary groups. As the report rightly notes, the Government of Azerbaijan has continued to promote interfaith understanding. In general, the history of Jews in Azerbaijan is one of tolerance and acceptance. In March 2003, NCSJ attended the dedication of a newly built synagogue in Baku Azerbaijan, the first to be built in Baku in nearly a century. It was also significant for the participation of government representatives from Azerbaijan, the United States, Israel, Germany, Russia, Ukraine, Poland, and China. Numerous Jewish organizations exist in Baku and in Kuba, home to an entirely Jewish town.

#### BELARUS

The Religious Freedom report accurately reflects the ongoing violations of religious freedom in Belarus, intimately related to the Lukashenko regime’s general assault on human rights and democratic forces. At the same time, the regime’s reliance on religion-based legitimacy has motivated a series of concessions to the primacy of the Russian Orthodox Church. Minority faiths work closely together in trying to secure rights, but the new religion law makes official what were previously unstated restrictions on the registration and operation of non-Orthodox religious faiths. The Orthodox Church and the National Academy of Sciences have continued



to sell and distribute virulently anti-Semitic literature. The official Belarusian Orthodox prayer calendar, printed in Minsk, continues to mark May 20 as the anniversary of the 1690 death of Gavriil Belostoksky, a young child who is alleged to have been murdered by Jews near Grodno. Except for a few exceptions, the restitution of communal property remains a distant hope for Jews and other minority faiths. The expansion and construction of sports stadiums over a historic Jewish cemetery in Grodno continues, despite the efforts of this Committee and the Department of State, although some progress has been made in limiting further desecration. The government's closure of the International Humanities Institute was compounded by statements by the Orthodox Metropolitan, who had earlier called for closing the Institute's Judaica department. These are only selected examples, which are well covered in the report, and which have been given high priority by successive U.S. ambassadors to Belarus and by their staff at the U.S. Embassy in Minsk.

## ESTONIA

The Report indicates that, as a new member of NATO and the European Union, Estonia generally respects religious freedom and cooperates with other nations in this regard. Anti-Semitic vandals are brought to justice, and the government has established January 27 as the official Holocaust Remembrance Day, though not without some popular opposition. The government is also instituting sensitivity and tolerance training for teachers and law enforcement officials. Estonia is an observer to the Task Force for International Cooperation on Holocaust Education, Remembrance, and Research, with the U.S. Government also funding specific projects in this context.

## GEORGIA

In Georgia, following a historic regime change that promises increased pluralism and democracy, religious freedom continues to be generally secure. Building on millennia of acceptance by Georgian society, Georgia's Jewish community enjoys full participation in Georgia's national life. In August 2003, NCSJ participated in the dedication of the new Jewish community center in Tbilisi which centralizes the Jewish organizations previously housed in overcrowded and substandard facilities. The United Jewish Federation of Pittsburgh played a key role in the building of the center through the generous support of the Posner Family Foundation.

## KAZAKHSTAN

According to the Report, Kazakhstan has emerged as the leader in the former Soviet Union in encouraging religious tolerance and respect for the rights of religious minorities. I agree with this assessment. A series of two international conferences in Kazakhstan during the past year have attracted heads of state and other officials, and religious and ethnic leaders from across Europe, Asia, and the Middle East—prominent and credible representatives of Judaism and diverse streams of Christianity and Islam. With the involvement of the Euro-Asian Jewish Congress, these public events have generated publicity as well as joint declarations against terrorism and religious extremism, and in support of tolerance and inter-ethnic understanding and cooperation. Just last month, President Nazarbayev and chief rabbis from Israel and Kazakhstan dedicated the first synagogue in Astana, the new capital of Kazakhstan, on land provided by the government.

## KYRGYZ REPUBLIC

As the Report mentions, Kyrgyz authorities do monitor the activities of some Islamic groups, but there are few notable restrictions on religious groups. The Jewish community continues to enjoy full rights.

## LATVIA

As with Estonia, Latvia and Lithuania meet the religious freedom standards for membership in the European Union and NATO. While the mostly Russian-speaking Jewish community has experienced some difficulties with citizenship status, this relates to language requirements affecting a large portion of Latvia's non-native population and not directed at Jews specifically. In Latvia, independent religious organizations have difficulty registering on their own, and this has included at least one independent Jewish congregation. Property restitution has progressed significantly. The Latvian government was very helpful in generating support for the new focus on anti-Semitism in the OSCE region. Efforts continue to promote Holocaust awareness and education, despite ongoing commemorations of pro-Nazi World War II veterans. In Latvia and Lithuania in particular, many Jews were prominent in the Bal-

tic struggle for freedom from the Soviet bloc and restoration of democratic institutions beginning in the 1980s, and their involvement in public life continues.

## LITHUANIA

Lithuania's Jewish community continues to enjoy full rights, and the government has mostly refrained from involvement in a running dispute between rival groups within the Jewish community. When a series of anti-Semitic newspaper articles appeared last year, the government responded resolutely and effectively, in public and through legal channels, and was responsive to outreach from Jewish organizations. Restitution of properties and religious artifacts has been generally successful, and the historic Jewish quarter in Vilnius is being restored, mostly through private funding. As the Report notes, the recent impeachment of Lithuania's President gave fuel to some extremist and anti-Semitic appeals.

## MOLDOVA

The Jewish renaissance continues in Moldova, despite severe economic hardship, and efforts continue unsuccessfully to secure the return of a small number of Jewish communal properties. Unfortunately, the State Department's Report seems to imply—incorrectly—that there are no outstanding Jewish community claims for restitution, stating that “there were no pending restitution cases for the Jewish community.” We have a list of six properties for which the community continues to seek restitution or return, and this has been on file with the Department, with the U.S. Embassy in Chisinau and with the Government of Moldova for the past few years. According to the Report, the break-away province of Transnistria claims to be investigating a series of cemetery desecrations and an arson attack on a synagogue.

## RUSSIAN FEDERATION

The complex status of religious freedom in the Russian Federation involves a range of factors, including Kremlin efforts to control independent institutions, the central role of the Orthodox Church, basic xenophobia and issues related to Chechnya and the Caucasus, the controversial 1997 Religion Law, public accusations of outside influence, and the progressively restrictive environment for all elements of civil society. While the Jewish community has been variously affected by each of these factors, the government in many cases supports Jewish religious and cultural activities. President Putin and other Russian officials have spoken out against anti-Semitism, though actual investigations and prosecutions of those perpetrating violence have lagged somewhat. Russia has also been previously supportive of OSCE efforts to combat anti-Semitism.

The Report appropriately covers the ongoing revival of Jewish life as one measure of religious freedom in Russia. While the Report chronicles many individual incidents of anti-Semitism and harassment of minority faiths, as well as Russian and U.S. efforts to promote tolerance, other State Department documents are helpful in providing an overall context and flavor of the systemic and cultural challenges to religious and political pluralism in the Russian Federation. At the same time, anti-Semitic attacks have become less frequent and more violent. Although many of the extremist voices of the 1990s have declined in their popular appeal, including Vladimir Zhirinovsky and Russian National Unity, anti-Semitism continues to attract a vocal minority of the Russian public and the new Duma has an increased proportion of nationalist or extremist members. A number of local government officials appear to be involved in supporting extremist groups that appeal to anti-Semitism.

Beyond direct intervention by the Russian government, non-governmental initiatives are breaking new ground and establishing models and inroads for future work on religious freedom and inter-ethnic understanding. In Tula, NCSJ has worked closely with the Jewish community, the Pittsburgh Jewish community, and the American Jewish Joint Distribution Committee (JDC) to facilitate the building of a Jewish community house. Dedicated in July 2004, the center brings all services and agencies including a synagogue under one roof, accommodating both the Orthodox and Progressive movements. The Jewish community of Tula has a close relationship with city officials, enhanced by their participation in a domestic violence awareness project sponsored by NCSJ, Jewish Women International, Project Keshet, and the Russian Jewish Congress. Funded by the U.S. State Department in 2001–2002, the project helped strengthen the relationship between the Jewish community, Tula police, and local and regional officials.

The “Climate of Trust” program, an ambitious “citizen-level” program of the Bay Area Council for Jewish Rescue and Renewal, promotes ethnic and religious tolerance through U.S.-Russian exchanges among law enforcement and local officials, community leaders, activists, and educators. Regional Tolerance Centers have been

established in three of Russia's seven Federal Districts. UCSJ: Union of Councils for Jews in the Former Soviet Union has launched a project to train monitors and collect data on discriminatory practices, establish hotlines and legal clinics, and institute curricula for the justice system and schools.

The Russian Jewish Congress and Euro-Asian Jewish Congress maintain monitoring networks and are developing new programs to combat anti-Semitism. Ongoing outreach to religious and political movements is helping to build bridges. Earlier this year, according to the Federation of Jewish Communities of Russia (FEOR), the Tambov Regional Administration held a roundtable discussion on extremism and tolerance, with the Governor, and numerous other regional and local officials as well as representatives of ethnic communities and the mass media.

In February 2004, U.S. Ambassador Alexander Vershbow joined the Chief Rabbi of Bryansk and the head of the Bryansk Regional Administration for a Jewish community-sponsored conference on xenophobia that included local representatives of the Armenian community and human rights activists.

In May 2004, the American Jewish Committee honored Tatiana Sapunova, the extraordinary Russian heroine who was injured two years ago when she tried to remove a booby-trapped anti-Semitic sign outside Moscow. Although the perpetrators have not been found, Russian leaders did speak out strongly at the time, and President Vladimir Putin has awarded Ms. Sapunova a medal for her bravery.

These are a few selected examples of the kind of work being undertaken in Russia to advance the principles which motivated the International Religious Freedom Act. Though not all the examples are included in the International Religious Freedom Report, all have been advanced by its existence.

#### TAJKISTAN

Given Tajikistan's almost exclusively Muslim population, inter-group tensions are not significantly noted in the Report. NCSJ has worked closely with Tajik officials and the U.S. Embassy in Dushanbe to facilitate the relocation of the synagogue where the city plan calls for demolition of an entire neighborhood; Ambassador Richard Hoagland has provided a great deal of assistance and support in this effort.

#### TURKMENISTAN

The status of government respect for religious freedom, from a legislative perspective and in practice, improved during the period covered by this report.

As the Report indicates, Turkmenistan has no effective mechanism to protect religious minorities from persecution by non-governmental groups. Official entities and courts are operate in a way that discriminates against religious faiths other than Sunni Islam and Russian Orthodoxy. There does appear to be improvement in the difficulties facing minority faiths over the past year.

Turkmenistan, however, presents a useful example of the differences between State Department reporting and analysis by other governmental or non-governmental entities. According to the U.S. Commission for International Religious Freedom, also established under the International Religious Freedom Act, "Turkmenistan is among the most repressive states in the world today and engages in particularly severe, ongoing violations of freedom of thought, conscience, religion, or belief." According to the Commission, Turkmenistan's November 2003 religion law sets criminal penalties for those engaging in "illegal religious activity."

Under President Niyazov, the state-controlled Islamic infrastructure has an effective monopoly on religious activity. Members of minority faiths, excepting the small Jewish community, "have been arrested, detained, imprisoned and reportedly tortured, deported, harassed, and fined." The U.S. Commission reports that the United Nations Commission on Human Rights "passed resolutions in 2003 and 2004 condemning Turkmenistan for repression of religious and political rights, including through torture."

#### UKRAINE

In Lviv, NCSJ participated in the dedication ceremony of the new Jewish community center in July 2004. Lviv, once the third-largest Jewish community in Poland with a population of 150,000 in 1939, the Jews suffered ghetto-ization, massacres and death camps under Nazi occupation. Today's Jewish population of 6,000–8,000 are once again actively participating in Jewish life. The new center provides welfare services to the elderly, Jewish educational and cultural programming, and Hillel. The Patriarch of the Ukrainian Greek Catholic Church, His Beatitude Lubomyr Husar, is also based in Lviv and cooperates closely with Ukrainian Chief Rabbi Yakov Bleich in promoting tolerance and minority rights. Efforts to resolve cemetery and preservation issues in the Lviv region continue, with support from the Patriarch

and the U.S. Commission for the Preservation of America's Heritage Abroad. Yet restitution of communal property remains essentially stagnant, despite repeated assurances from Ukrainian officials; the U.S. reporting on this issue has tended to understate the lack of progress and its deleterious impact on Jewish communal life. Access to state archival resources, particularly in Uzzhorod, which contain records of countless Holocaust victims and survivors, has yet to be secured.

The most troubling development concerning anti-Semitism in Ukraine has yet to be fully appreciated, either within the Jewish community or in diplomatic reporting. A primary source of anti-Semitic agitation in Ukraine is the Inter-Regional Academy for Management, known by its Ukrainian acronym MAUP. This academic institution, which is privately managed, trains thousands of students, many of them government officials, in public administration, finance and human resources. The degrees it grants are highly valued in the Ukraine. Besides its main campus in Kyiv, it maintains regional campuses in other major Ukrainian cities.

The Academy publishes two major publications, "Personnel" and "Personnel Plus," which are read by a select, yet influential, audience. The Academy is presently training much of the next generation of government and business leaders in the Ukraine. About three years ago, the Academy began to receive serious financial support from Arab and Muslim states, notably Iran and Libya, as well as Palestinian sources. The financial support which the Academy receives from Arab sources has left its mark. In the course of the past few years the Academy, through its publications and the public pronouncements of its President, Dr. Georgiy Schokin, has fomented rabid anti-Israel and anti-Semitic propaganda. Here is an example written by Dr. Schokin in "Personnel" earlier this year:

"Anti-Semitism is an artificial invention of Jewish racists [Zionists] for frightening their race and gathering them in the Zionist State of Israel, as well as using the 'bugaboo' of anti-Semitism in a struggle against everyone who opposes the racist doctrine of 'choseness', in particular the Jews. . . . We warn about a real danger of Judeo-Nazism [or Jewish-Fascism], which pretends to power over all Jews and through them to power over the world."

MAUP plays a critical role in conferring credibility and legitimacy on extremist views and transforming them into mainstream beliefs. "Personnel" has published anti-Semitic writings by David Duke, and the journal's former editor is now a correspondent for Ukraine's Channel Five evening news. On April 4, 2002, the Presidium of the Academy passed a formal resolution calling upon the governments of the world to initiate, in the United Nations General Assembly, a process to revoke the section of Resolution 181 of November 29, 1947, which brought about the creation of the State of Israel. This resolution was signed by the President of the Academy and is on its Web site.

Mr. Chairman, such anti-Semitic propaganda being spewed by MAUP is unacceptable. While the Academy is technically a private institution, it is the beneficiary of a close relationship with the government. In his international travels, Dr. Schokin has been accompanied by the resident Ukrainian ambassador to official meetings. The Ukrainian government must use its considerable influence to end the Academy's distribution of blatant anti-Semitic and anti-Israel hatred. My colleagues and I made these same points to Ukraine's foreign minister during his visit to the United States last month. While the State Department's report does make note of specific anti-Semitic articles in "Personnel" and related publications, it omits the central role played by MAUP in developing and disseminating such diatribes with the imprimatur of Ukraine's political establishment.

#### UZBEKISTAN

In Uzbekistan, somewhat ironically, ethnic Russians, Jews and foreigners have more religious freedom than many indigenous Muslims. The government has responded to a very real threat from Islamic extremist organizations, and Americans and the U.S. Government have urged the Uzbek authorities to respond with greater precision to dangerous individuals rather than outlawing a range of religious activities. Hizb ut-Tahrir, which seeks the overthrow of the secular regime in Uzbekistan and elsewhere, circulates anti-Semitic leaflets of outside origin. As with Turkmenistan, the U.S. Commission on International Religious Freedom paints a starker image of the situation in Uzbekistan, concluding that it "has a highly restrictive law on religion that severely limits the ability of religious groups to function."

#### MIDDLE EAST

Mr. Chairman, representing an umbrella organization, I would like to highlight an issue of concern to one of our member agencies that this Committee has ad-

dressed many times and on which coverage in the religious freedom report has been lacking in some areas. This is the issue of the mass export of incitement to religious hatred against Jews emanating from the Arab and Muslim world. This phenomenon is pervasive and sows religious hatred well beyond the borders of the Middle East.

The Arab media have been relentless in solidifying a culture of hatred around the Jewish religion for years, but the examples I have provided in an appendix show this taken to a new level. Throughout the Arab world, instead of responding with disgust and condemnation, leaders and even their emissaries in Washington rigorously defend these ugly pictures as legitimate manifestations of political commentary or—without a hint of irony—freedom of the press.

For many years, anti-Semitism in the Arab world was seen as a marginal issue. Manifestations of Jew hatred were attributed to the ongoing resentments stemming from the hostilities between Israel and the Arabs rather than to any deep-seated prejudice. Now the proliferation of this incitement and the wave of anti-Jewish hate crimes in Europe and elsewhere force us to take another look at the connection between anti-Semitism, efforts to dehumanize Jews, and violence against Jews and even Americans. In fact, as the Anti-Defamation League (ADL) has documented, expressions of ugly anti-Semitism and conspiracy theories about Jewish control of the Democratic and Republican parties—or of the U.S. Government—have appeared in the Muslim and Arab press as part of its coverage of our own U.S. elections.

This is an issue on which this Committee and the Administration have been vocal, but it should be highlighted as a threat to religious freedom in the Middle East and worldwide. For example, while the International Religious Freedom Report's section on the United Arab Emirates (UAE) noted, "There were no anti-Semitic or religiously intolerant articles or statements in the English- and Arabic-language electronic and print media," ADL has a whole section on its Web site ([www.adl.org](http://www.adl.org)) documenting incitement in the UAE media.

I am submitting as an appendix to my testimony examples of religious incitement in largely state-controlled Arab media compiled by ADL, including in the UAE. ADL, which monitors and exposes anti-Semitism in the Muslim and Arab media through such monthly publications on its Web site, is just one of the resources which American embassies and the Department of State could consult to ensure that future reporting accurately reflects these trends.

#### STRATEGIES FOR REPORTING

Mr. Chairman, before moving on to my broader discussion of strategies to combat anti-Semitism in the successor states and worldwide, it would be useful to consider ways of streamlining and upgrading the standards for coverage in the annual International Religious Freedom Report. Deeper analysis of overall trends would be useful. Coordination with such government bodies as the U.S. Commission, with Congress and with non-governmental agencies could be improved so that official State Department reporting better reflects information which may not be directly available to U.S. personnel overseas; the Commission's report is issued in May, which should allow adequate time to review or incorporate substantive data and analysis. As OSCE and European Union mechanisms improve their assessments of religious freedom and anti-Semitism, the State Department will be in a better position to draw on such resources as well, where relevant and appropriate. As Ambassador Hanford has emphasized on many occasions, U.S. leadership in support of religious freedom depends on enlisting allies among other nations and international institutions; as this process succeeds, we are in a better position to highlight and utilize such partners.

#### ANTI-SEMITISM

The kinds of anti-Semitic incidents I have briefly described above, while piling in comparison to some of the events in Western Europe, reflect a deep current running through post-Soviet society, and we are working with governmental and non-governmental partners on the ground. During the past two years, in no small part as the result of Senate and Congressional initiative, the United States Government and the collective European leadership have launched an effort to address and combat anti-Semitism on an unprecedented scale and level of coordination.

The June 2003 and April 2004 OSCE conferences on anti-Semitism made history not only as the first such international meetings on the subject, they also generated a set of commitments by 55 governments to report and combat anti-Semitism in a coordinated, proactive way. A parallel set of commitments has been issued for combating racism and xenophobia. I should mention two new Web pages in addition to the official OSCE Web site: the NCSJ-sponsored [Berlin2004.org](http://Berlin2004.org), providing back-

ground, links and updates, and the American Jewish Committee's [ngoforumberlin.org](http://ngoforumberlin.org).

In addition to being a Public Member of the U.S. delegation to the first conference in Vienna and a Public Advisor to the second conference in Berlin, I will travel to Warsaw next week as a Public Member of the U.S. delegation to the OSCE's annual Human Dimension Implementation Meeting, where we will push individual governments and the OSCE as an institution to follow through on these commitments, also known as the Berlin Declaration. In addition, in Warsaw we will push for governments to support next year's anti-Semitism conference in Spain, to approve appointment of a new OSCE representative on anti-Semitism, and to supply the necessary funding for the OSCE staff to collect and disseminate country-by-country reports on anti-Semitism and actions to combat it and promote tolerance.

In this context, I commend this Committee for passing companion legislation to the bill passed earlier this year by the Senate, to ensure the first-ever country-by-country global assessment of anti-Semitism and government responses. While OSCE member governments move unevenly toward implementing data collection, at least the United States Government can provide OSCE and the world with an initial consistent assessment of incidents and response. We look forward to working with Congress on additional measures to follow, and would also welcome broad-based discussion leading to comprehensive legislation that covers important new ideas on combating anti-Semitism internationally.

Mr. Chairman, such a report would be a major step forward in identifying sources and antidotes to anti-Semitism worldwide. Just as no report is an end in itself, I would say the same of legislation. For this reason, I was pleased that Senator Voinovich wrote to Secretary of State Powell on September 28, following up on efforts for the State Department to issue a global report on anti-Semitism by the original deadline of November 15—without waiting for a Congressional mandate, which I understand may not be finalized before the end of this session.

Whether produced by the State Department's own initiative or as the result of a new law, the Voinovich-Smith-Lantos strategy for a separate anti-Semitism report will have a significant impact. By focusing on anti-Semitism as a separate phenomenon, the report need not fit incidents or developments into a disciplinary framework of either human rights or religious freedom. Relating to anti-Semitism as a cross-border problem, such a report can measure consistently which countries are contributing to the problem and which are contributing to the solution, domestically as well as in such international fora as the United Nations and the Organization for Security and Cooperation in Europe (OSCE). Additionally, while the OSCE waits for many of its member states to meet their obligations to supply data on anti-Semitism and efforts to combat it in their own countries, a U.S. global review provides an initial read-out of such data worldwide.

Nations must understand that the train is moving, with or without them, and that others will report on their performance if they are unwilling or unable to do so themselves. This has been a signal accomplishment of other U.S. reports on human rights, religious freedom, human trafficking, and international terrorism. It would do no less for the fight against anti-Semitism.

To be sure, anti-Semitism remains a significant, endemic problem throughout the successor states and across Europe. Much of the support for advancing this coordinated process has come from formerly communist nations, including successor states, who see fighting anti-Semitism as indispensable to their transition from the Soviet shadow. Building on last year's Vienna conference, the first-ever such international forum on anti-Semitism, Berlin produced measurable commitments by the 55 OSCE member states and demonstrated actionable programs for governments to support and implement.

Thirty years ago, when NCSJ and our partner agencies worked with Members of Congress to push for a new kind of multilateral organization, we could only dream of the dramatic changes that would occur in conjunction with the Helsinki Process. Yet we also did not foresee the resurgence of "Classic" Anti-Semitism and the rise of a New Anti-Semitism. During the past two years, working together, we have taken the OSCE and again forged a new mechanism—this time one devoted to coordinating the international fight against anti-Semitism.

Even as the OSCE process continues to evolve and show results, other multilateral efforts are underway in the Europe/Eurasia region that merit mention.

The Interparliamentary Conference on Human Rights and Religious Freedom, organized in Brussels by the Institute on Religion and Public Policy, has brought delegates from over two dozen countries, including Belarus, Estonia, Kazakhstan, Russia, Tajikistan, Ukraine and Uzbekistan, as well as the Middle East and Asia. NCSJ had the opportunity at the July 2004 conference to address the session on responses to anti-Semitism.

Beyond the diplomatic level and the regular reports, the United States Government can have a significant impact by funding model programs and transmitting American lessons where useful. Particularly where local funding is unavailable, due to dire economic conditions, such U.S.-funded programs carry additional cache among local officials and the public. Even where such programs do not address anti-Semitism directly, they can generate new channels for outreach to law enforcement, local officials, ethnic minorities, media, educators, and society at large. Addressing anti-Semitism is much easier to achieve where relationships already exist among relevant interest groups, and as civil society sinks deeper and wider roots.

To follow up on the successful and high-profile Berlin Conference, OSCE member states can pursue a range of steps, including the following:

- Establish a special OSCE representative on anti-Semitism, with a minimal budget, who can serve as a public advocate to generate momentum and political support for the OSCE data-collection and coordination efforts.
- Use next April's anti-Semitism conference in Spain to follow up on commitments by the OSCE and its member states, and to share best practices and reporting standards among experts and officials from governments and non-governmental organizations.
- Use general OSCE meetings—this month's Human Dimension meeting, the Sofia Ministerial in December, the Parliamentary Assembly next July in the United States—to oversee and encourage the progress of the Office for Democratic Institutions and Human Rights (ODIHR) and member states. On an ongoing basis, governments and the OSCE must maintain the momentum for ODIHR to fulfill its mandate.
- Reinforce the impact of Berlin by ensuring adequate funding for ODIHR to collect data, whether through the OSCE budget or individual state contributions, and possibly by seconding experts from key governments. Organize consultations toward common standards for reporting and classifying hate crimes, and work toward a universal definition of anti-Semitism.
- Respond to ODIHR's request for data collection and sharing of best practices. The United States and other governments already engaged in these activities should offer to share expertise with those still developing such capabilities.
- Respond to Spain's proposal, introduced at the Berlin Conference, to host a conference in 2005. Establish as early as possible what purpose such a meeting could serve, and what level and format would best advance the process at this next stage. If such a conference is to take place, an early announcement provides a target date for individual countries and the OSCE to implement their commitments and responsibilities from Maastricht and Berlin.
- Devote part of the 2004 Sofia Ministerial to a public forum on anti-Semitism. While many ministers may not be able to attend a stand-alone conference, nearly all foreign ministers participate in the annual Ministerial Council. It also attracts the greatest media attention, given the variety of issues discussed.

Mr. Chairman, we are faced with a daunting task and an urgent mission, but also with a tremendous opportunity. Obviously due to the upsurge in anti-Semitism, but also due to U.S. leadership, we have a window of opportunity—we have Europe's attention. We cannot afford to squander time or political resources.

We are redoubling efforts to promote follow-up by OSCE member governments and ODIHR to expedite cooperation in data-collection and best practices. European governments should not misread efforts toward a special OSCE representative as a sanction to delay implementing the Maastricht and Berlin Declarations—fighting anti-Semitism at home, upgrading data-collection, and cooperating with the emerging ODIHR mechanism. We must continue moving forward with what has been agreed, even as we consider new initiatives to reinforce this process.

As the European Union cements its expansion eastward, it is worth noting that anti-Semitism is now being addressed at this founding moment of the new Europe. Through the OSCE, we are sending the message that not just speeches, but actions will be necessary if Europe is to become a true community of all. Unlike our friends to the East, many Western European governments and societies have not had to address their anti-Semitic past. Those that have done so have generally avoided noticing their anti-Semitic present. They are beginning to realize that their future stability cannot be guaranteed without confronting anti-Semitism and, yes, Islamophobia.

While the United Nations system continues to actively foment anti-Semitism and anti-Zionism, it has yet to pass a single stand-alone resolution condemning anti-

Semitism. Efforts are underway by a few European governments to this end, but meanwhile our best hopes lie with the OSCE and European Union, representing those nations where the bulk of Diaspora Jewry—the primary target of anti-Semitism—resides. Reaching those societies such as the Middle East, which promote a hatred that restricts the growth of their own civil society and infects Europe through the media and internet, is a more daunting task, even with full American effort. Further enhancing the reporting standards of the United States Government will be one more step in that direction. We must not say we did less than we could.

Thank you very much for this opportunity.

Chairman SMITH OF NEW JERSEY. Mr. Levin, thank you so very much for your testimony.

Mr. Al-Ahmed, if you would please proceed?

**STATEMENT OF ALI AL-AHMED, DIRECTOR, THE SAUDI  
INSTITUTE**

Mr. AL-AHMED. Thank you, Mr. Chairman, for inviting me to speak before you. Let me first express my thanks to the work done by the United States State Department and the U.S. Commission on International Religious Freedom for their efforts on the issue of religious freedom worldwide as they seem to be the only people doing this around the world.

The United States' commitment to religious freedom and other freedoms around the world, regardless of their faith, ethnic and geographical background, is a great testament to the founders of this Nation. As a Saudi and a Muslim whose brother is in prison because of my speaking here in America, I must say thank you, America, for giving your treasures and efforts to protect the freedom of others. This is the least I can do.

In Saudi Arabia there is no religious freedom, indeed as the State Department report says. It is to everybody, to its citizens and foreign expatriates, to Muslims and non-Muslims alike, even to Wahhabi citizens. The word freedom is what is missing in Saudi Arabia.

The Saudi Government practices a rigid control on the interpretation of Islam in education, media, in mosques, and every public sphere. The Government TV and radio, for example, forbids non-Wahhabi clerics or scholars from their broadcasts.

The books of non-Wahhabi scholars and those of Christians, Jews, and other religions are banned. Philosophy books actually are banned. Philosophy itself is banned by the Saudi Government. The Government control over the religion and understanding Islam is the core cause of extremism in the country. The faith of Islam has been used by the Government as a political tool to oppress reforms and control society.

Saudi Arabia is a glaring example of religious apartheid. Only Wahhabi Muslims are allowed in many Government positions such as judges, Government clerks, religious teachers, religious textbooks and so on. The Saudi Arabian Government communized Islam through its monopoly of both religious thoughts and practices.

After September 11, Saudi Arabia supported the extremist elements of Saudi society by giving them more TV stations and giving them a 20 percent pay raise. The only Government employees who received a raise in 20 years are the religious police of Saudi Arabia, the religious police in Saudi Government.



These are the same people who put out this brochure in schools and mosques saying that Barbie is a Jewish doll. As we know, Jews do not look like Barbie. If you are in America, you would know that.

I would like to request submission of this poster into the record because I did not do that earlier.

Chairman SMITH OF NEW JERSEY. Without objection. It will be part of the record.

[The material referred to was unavailable for printing.]

Mr. AL-AHMED. Thank you. The justice system in Saudi Arabia is an example of that apartheid. It is like South Africa. Only Wahhabi Muslims can be judges. Shi'a or Sunni Muslims who are not Wahhabis cannot be judges. This makes it very hard for non-Wahhabi defendants.

We have many cases of examples of non-Wahhabi defendants who have been sentenced to death even because they are not Wahhabi. The judge deems them as heretics and infidels. That will come later in my points talking about the policy options.

We at The Saudi Institute were the first to call for a review of Saudi Government textbooks because they promoted religious extremism and hatred. Three years after the terrorism act of September 11, the Saudi textbooks have yet to be revised. Yes, some passages have been removed and some words have been modified, but the meanings and the ideas of those textbooks remain the same.

This past August we authored a report which we submitted into the record about the first grade textbook taught to Saudi children both in Saudi Arabia and in Saudi schools here in Washington, DC. Those children are taught that both Judaism and Christianity are false religions. These are the textbooks here in my hand.

Fourth graders are also taught and asked if you can love Jews and Christians, and the answer the textbook provides is no, you cannot, even if they are your parents. These are Government textbooks saying this.

We believe the Saudi Government must be held responsible and accountable for its official publications. The time has come to end religious hatred between all religions. Our world is getting smaller and smaller. The need for peace and mutual understanding and harmony between religions grows larger.

The impact of religious freedom abroad. Saudi Arabia's lack of religious freedom is a major factor in the breeding of terrorism, extremism, and religious xenophobia. It is not a coincidence that Saudi Arabia is now the leading exporter of terrorists. Not only 15 of the 19 hijackers were Saudi, but also the majority of those in Guantanamo Bay and the suicide bombers in Iraq are also Saudi.

Religious freedom in Saudi Arabia must not just focus on the freedoms of Muslim minorities and non-Muslim communities, but also on the religious freedom of the majority who have been forced to follow the state-sanctioned understanding of Islam. It is that state-sanctioned Islam and sponsored version of Islam that resulted in the growth of extremists and terrorists.

It is important to the United States security and the world security that religious freedom abound in Saudi Arabia and religious plurality is strong.

On the recommendations, I would like to say that the U.S. policy options are basically four. First, make your position public. Ask the State Department to make their position public.

Secondly, the World Trade Organization, which the Saudi Government is trying to join. The United States can use that tool because most things in Saudi Arabia are not consistent with the World Trade Organization requirements.

The third option is an important option. It is the path of reciprocity. The Saudi Government sent millions of dollars here and clerics and books, and the United States has the right to do the same. If they sent clerics here, you can send human rights advocates.

The fourth and last option is the United Nation Human Rights Commission where the United States so far did not even criticize Saudi Arabia for any of its human rights record.

Thank you very much for having me.

[The prepared statement of Mr. Al-Ahmed follows:]

PREPARED STATEMENT OF ALI AL-AHMED, DIRECTOR, THE SAUDI INSTITUTE

The honorable members of the United States congress; ladies and gentlemen:

Thank you for inviting me to speak before you.

Let me first express my thanks for the work done by the US State Department office of Religious Freedom, and the US commission on International Religious Freedom for their efforts on the issue of religious freedom world wide. They seem to be the only people in the world who are doing this. The United States commitment to the protection of religious freedoms of people around the world, regardless of their faiths, ethnic, and geographical background is a great testament to the founders of this great nation. As a Saudi who's brother is in prison because of my speaking out here in America, I must say "thank you America for giving your treasure and effort to protect the freedoms of others."

OPENER

Saudi Arabia doesn't allow religious freedom to any of its citizens, to foreign expatriates, to Muslims, even to those who are Wahhabis. The word "freedom" is what is missing. The Saudi government practices a rigid form of control on the interpretation of Islam in education, media, even in the mosques! Government TV and radio also forbids non-Wahhabi religious leaders or scholars from their broadcasts.

The books of non-Wahhabi scholars and those of Christians, Jews and others are banned. All philosophy books are also banned. Philosophy, in fact, is banned by the Saudi Government..

The government control over the religion and understanding of Islam is the core cause of extremism in the country. The faith of Islam has been used by the government as a political tool to oppress reformers, critics, and opponents.

Religious Apartheid: Saudi Arabia is glaring example of religious apartheid. The religious institutions extending from government clerics, judges, religious curriculums, and to all religious instructions in media are restricted to the Wahhabi understanding of Islam, adhered to by less than 40% of the population.

The Saudi government communized Islam through its monopoly of both religious thoughts and practice. Wahhabi Islam is imposed and enforced on all Saudis regardless of their religious orientations.

The Wahhabi sect doesn't tolerate other religious or ideological beliefs, Muslim or not. Religious symbols by Muslims, Christians, Jewish and other believers are all banned.

The Saudi government continues to support religious extremists and suppress those who are calling for tolerance. Examples are many: Shaikh Hassan Al-Maliki, who is a Sunni Hanbali Muslim calling for religious moderation has been fired from his job at the ministry of education, and his passport was seized. He remains under virtual house arrest for over two years now. Another, is Professor Mohamed Al-Hasan of King Saud University, who graduated from Washington State University in 1995. Professor Al-Hasan has been removed from his job, banned from travel, and interrogated by Saudi security for weeks for simply complaining three years ago about the religious hatred his 12 year-old daughter had endured in her school at the hands of religious extremists. All of his children were expelled from that school.

He is still waiting to be allowed to leave the country to join his Fulbright program in the US, to which he was accepted.

**Justice system:** The justice system in Saudi Arabia is primitive and corrupt. Mirroring the white apartheid of former South Africa, Saudi Arabia forbids non-Wahhabis from government position relating to religion. Only Wahhabi Muslims can be appointed judges. There are no Maliki, Shafey or Shia judges in the country. This has proven especially hard on non-Sunni citizens who have to face judges deeming them as heretics.

The country depends on Sharia law as interpreted by the Wahhabi denomination of the Hanbali Sunni Islam. All other understandings of Islam both Sunni and Shia are excluded, although they collectively make the majority of the country's population

**Text Books:** We at the Saudi Institute were the first to call for a review of Saudi religious textbooks because they promoted extremism and religious hatred. Three years after the terrorism of September the 11th, Saudi textbooks have yet to be revised. Yes, some passages have been removed, and some words were modified, but the meaning and the ideas remain the same. This past August we authored a report on the first-grade religious textbook taught to all Saudi children both in Saudi Arabia and in Saudi schools here in Washington DC. The government text taught six year-olds that both Judaism and Christianity are false religions.

A fourth-grade textbook asks the children if you can love Jews and Christians, and the answer that the text offers is no, you cannot. Again, this is the official government text book saying this.

We believe that the Saudi government must be held accountable for its official publications. The time has come to end religious hatred between all religions. Our world is getting smaller and smaller, and the need for peace, mutual understanding and harmony grows larger.

#### THE IMPACT OF RELIGIOUS FREEDOM ABROAD

Saudi Arabia's lack of religious freedom is a major factor in the breeding of terrorism, extremism, and religious xenophobia. It is not a coincidence that Saudi Arabia is now the leading exporter of terrorists.

We all know that 15 out of the 19 September 11 hijackers were Saudis, but many Americans do not realize that the majority of those held in Guantanamo Bay are also Saudis, and that the majority of the suicide bombers in Iraq that killed thousands, including US Soldiers, and Iraqi police and civilians are Saudis.

Religious freedom in Saudi Arabia must not just focus on the freedoms of Muslim minorities and non Muslim communities, but also on the religious freedoms of the majority who have been forced to follow state sanctioned understanding of Islam. It is the state sanctioned and sponsored version of Islam that resulted in the growth of extremists and terrorist.

It is important to US and World security that religious freedom and plurality is strong in the region. Religious plurality is one important weapon against the culture of terrorism.

Breaking the cycle of religious oppression in Saudi Arabia will lead to the liberation of women, empowerment of open-minded reformers who now sit in prison facing secret and primitive trials, and an end to religious hatred against the United States, Christians and Jews in Saudi schools.

Saudi Arabia is now a center for extremist ideologies that are spreading across the region and the world. Supporting religious freedom for all and promoting a pluralistic religious environment in Saudi Arabia will be a key step in the war against terrorism and in stemming the rise of extremism and anti-Americanism in the region as whole. Saudi Arabia can be turned into a center of tolerance instead of hatred and terror. It should be the home of the likes of Mahatma Ghandi, and Lincoln instead of those the likes of Usama Bin Laden, Saad Al-Buraid, and Saleh Al-Fawzan.

#### EMBASSY OF RELIGIOUS HATRED

The Saudi embassy in Washington DC is a living example of religious discrimination and hatred. In its 50 year history, there has not been a single non-Sunni Muslim diplomat in the embassy because the Saudi foreign ministry bans Shia from diplomatic positions. Also, over the past two decades, the embassy has been involved in distributing millions of books in the United States that disparage the religions practiced by the overwhelming majority of Americans.

**CPC:** Saudi Arabia deserved to have been listed as a Country of Particular Concern in this year's annual report on religious freedom. This designation was set up in January of 1998, but was only given to Saudi Arabia this year. It has been sug-

gested that the delay was prompted by political consideration. We hope this won't be a factor in upcoming years. Religious freedom is too important to be subjected to the "winds of politics" which have weakened the credibility of the US in the Muslim world. Separating human rights and religious freedom from politics, is good politics for the long run.

#### US POLICY OPTIONS

The United State government has an array of options that it can exercise to support religious freedom to all Saudis. Most of the options are fairly simple steps

We believe that the State Department is unwittingly undermining human rights in Saudi Arabia by under representing and minimizing abuses. The US government has extended silence on the human rights and religious freedom record of Saudi Arabia. This has led to the worsening of that situation. There is a need to make the US position on that record public. "Public" is the key word here.

The WTO: The US government may use Saudi efforts to join the World Trade Organization (WTO) as a tool to further freedom and democracy in Saudi Arabia. Lack of religious freedom and an apartheid justice system violate the tenants of WTO. Just imagine a US company owned by a Christian, a Jew or a Shia Muslim with a case before a Wahhabi judge. That judge is most likely to rule against those companies because the owners are openly seen as heretics and polytheists in the mind of that judge. This has happened many times to Saudi citizens who are secular or Shia.

The Path of Reciprocity: The Saudi government sent and continues to send many delegations to the United States, many of them with religious missions. They have sent to the United States hundreds of religious leaders over the past 30 years. They have built hundreds of mosques and similar institutions, and distributed millions of printed materials promoting Wahhabi Islam. Some of these visitors have been sponsored by the US government using US Tax dollars.

The US can and should use the rationale of reciprocity to spread the values of democracy, religious and personal freedom, and the rule of law through American delegations to Saudi Arabia. While Saudi delegations roam the US freely, American women, religious, civil and human rights organizations are barred from traveling to Saudi Arabia to meet and speak with the people of Saudi Arabia. This inequity needs to be corrected.

American centers for freedom, human rights, and democracy can be established in Saudi Arabia aiming to expose the Saudi population to modern values. Cars and Hollywood movies are not the only things that America can export to the region.

Saudi Arabia and the its neighbors lack centers for the study of the modern world, democracy and freedom, let alone centers to study Christianity and Judaism, two native religions in the region.

The UN Human Rights Commission: is another area where the US can both persuade and pressure the Saudi government to abandon its religious oppression. Saudi Arabia has never been sanctioned by the US government. The UNHRC is an excellent venue for such persuasion and pressure.

Dear members of congress I thank you for allowing me to speak before you.

Chairman SMITH OF NEW JERSEY. Mr. Al-Ahmed, thank you so very much for your testimony, for your bravery. We wish your brother well, believe me.

Mr. AL-AHMED. Thank you.

Chairman SMITH OF NEW JERSEY. I do want to, before going to questions, recognize that Congressman Frank Wolf, Chairman of the Commerce, Justice and State Appropriations Subcommittee, is here with us.

Congressman Wolf, as I think most of you know, is the prime sponsor of the Religious Freedom Act, which was signed into law a little over 5 years ago, and has been a tenacious battler on behalf of religious freedom throughout the world. We are just privileged to have him here at the hearing. Mr. Wolf, thank you.

Just to begin some of the questioning, Mr. Al-Ahmed, let me just ask you. First of all, your testimony is outstanding, including some of the points—there are so many of them here—and the idea of the path of reciprocity that you speak of.

The Saudi Government and certainly those who want to open mosques here find that it is pretty much of an open access. The ability to begin a church or a mosque or a synagogue very often is just a proforma process. The Government does not intervene to say you cannot. It is a matter of getting the right building permits, and it is just a proforma process.

It would suggest, as I think you are suggesting, that they understand religious freedom when it is in another country, but not when it is in their own environment. If you could touch on what we could do?

You mentioned the U.N. Human Rights meeting in Geneva, and I think that is an excellent idea. I think the CPC designation, and what we now do in follow-up to that designation, provides us an important pivot point to say "not anymore."

This is not U.S. values we are flaunting. It is universally recognized values. The Universal Declaration on Human Rights makes it very clear this is for the whole world. It is not just for the United States or Saudi Arabians who happen to be in the United States. It is for Saudi Arabia itself.

Your point on the books. Ambassador Hanford mentioned in his testimony earlier that there was some modification there, but you seem to suggest it is superficial. This is highlighted by the point that you make about a fourth grade teacher asking the children if you could love Jews and Christians and the text says no, you cannot—that is intolerant. I am sure it is much worse than that as you go up in the grades, so you might want to touch on that as well.

I would ask Mr. Marshall and Mr. Shah to touch on the issue of Vietnam. I thank you, Mr. Shah, for your observations, and I would love to see more of the research that you pointed out which shows that religious freedom can be the thin end of the wedge of broader liberalization and democratization of society.

I wish we had that research when we were writing this bill and were trying to get it through the Congress because, as I pointed out in my earlier comments, this was opposed by the Clinton Administration. Right where you sit, members of that Administration sat and opposed this legislation. It was not an easy lift.

That kind of information I think would be helpful, and the more we get of it, the better, because there are still people within the State Department who see human rights in general, and religious freedom in particular, as impediments to the well-oiled machinery of state craft and diplomacy, which I find appalling.

I visit Embassies all over the world and find out where is the human rights officer. It is usually some lower echeloned person who has a portfolio of human rights, while everybody else is talking trade, trade, trade.

Let me also just say to Mr. Marshall, if you would comment further on the Orwellian double speak of this new law coming out of Vietnam. I, too, have looked at it, and you went into some great depth in your written testimony about how, while surface appeal suggests that religious freedom is guaranteed to all, as you point out in article A-2, and perhaps you might want to expand on it, it is forbidden to abuse the right to freedom of religious belief and religion to undermine peace, independence, and national unity, to disseminate information against the state's prevailing laws and

policies, to sow division among people and to spread superstitious practices and to commit any other acts which breach the law.

That sounds like the most catch-all doctrine, whereby anybody who circumvents what the communist party wants, emanating out of Ho Chi Minh City or Hanoi, will be told you have broken the law, and you go to jail. This is a very, very dangerous law if it is not aggressively fought against.

Finally, Mr. Levin, let me just say that your testimony was very, very comprehensive, as were the others, but you might want to touch on, if you would, what needs to be done in Europe. In the Middle East, as you pointed out, anti-Semitism was for a long time marginalized in the Arab world, and I think that is a good point. It was overlooked somehow as a given, as if it is okay.

It is almost like a racist view to suggest that Muslims cannot have tolerant beliefs. I believe they can, and I believe they do, but certainly not the more radical extreme, which we have seen manifesting itself in many places.

If you could also touch, if you would, on where do we go from here within the OSCE. Cordova? Is that something that needs to be done in a follow-up to the Berlin conference? Do you see any movement that would suggest progress in Europe? Certainly the Berlin conference was progress in and of itself. What follows needs to be comprehensive.

Finally on your admonition that we pass the Global Anti-Semitism Review Act, as you know it has passed out of this Committee. I offered the amendment to pretty much expand it with Mr. Lantos, and we hope it will be on the Floor today or tomorrow. We are pushing very hard for that so that it can get over to the Senate for final approval.

Mr. Al-Ahmed?

Mr. AL-AHMED. Thank you so much, Mr. Chairman. On the path of reciprocity, I think the United States Government has the right under international law to request equal treatment to put citizens and organizations in Saudi Arabia.

American Christians and Muslims alike and Jews—I do not know if there are many Jewish Americans in Saudi Arabia—have the right to practice the religious freedom that Saudis practice here.

Also, organization-wise the Saudi Government here has built so many organizations and financed the construction of many mosques. Even officially, last year the college here, the Saudi College, had about 15 to 18 Saudi diplomats running it until they were expelled after our report on their links to extremists in America.

I think the United States has the right to do that. I know, for example, now Al Jira Television and Soa Radio, which are U.S. Government funded organizations, are not having the freedom to work in Saudi Arabia.

I think an important point is in general they lack centers to study America and the West, let alone studying Christianity or Judaism. Saudi Arabia and the population there are forbidden from understanding the United States. This is one thing that we would like to tell you as a person from Saudi Arabia that it is the Government that is misinforming its population about the United States and the West and Judaism and Christianity and so on.

I think it is important that delegations from this country, including religious leaders, go to Saudi Arabia, as the Saudis have sent many religious clerics and delegations to this country. Go there on a public visit, a highly public visit, to show the people of Saudi Arabia that Christians and Jews are people too, and they have hands and legs, and they can talk, and they can smile.

These things are forbidden in Saudi Arabia. We must really do what they call face time with people in Saudi Arabia. They come here. They speak to your students. They meet with your State Department officials, but you do not go there. They do not allow religious leaders from here from different religions.

I suggest, and this is a project that I have been advocating for a while, to send a religious delegation from different religions to Saudi Arabia to meet with their religious leaders and speak to university students, to be on television, to speak to Saudis directly.

On the issue of textbooks, the textbooks really have not changed. The authors are the same. They remain the same, the same ideas. They took some pages out. Yes, they did, but the ideas are the same.

I will give you an example. The main author of the curriculum is Dennis Shakshal Elvosan, who was one of the senior clerics in Saudi Arabia and a favorite Government cleric. For example, one of his positions is that slavery shall continue until the day of judgment. It is not forbidden. Slavery is part of jihad, as he puts it.

Another one is he thinks that allowing women to vote as we allow is insane. Women and the insane are equal—this is published in the Saudi newspaper. It is not something he hides. He also has other ideas about other religions, of course, that he deemed horrific and so on.

I think I wanted to say that Saudi Arabia really can be and now is a center. It is a special country because millions of Muslims go toward that country looking for inspiration, for understanding Islam. I come across when I meet somebody from India or from another foreign country. They think I am an authority on Islam because I come from that country. That is how Saudi was able to spread the state's version of Islam very easily, because Saudi Arabia is drawn to Islam.

If we really work toward converting Saudi Arabia into a center of tolerance, a center of understanding, it is an important step in the war on terrorism. If you look at Vietnam, they do not export ideas. Saudi Arabia exports ideas and has the money to do it. I really think this is important. It should be a center.

Today we have three leaders of the Saudi reform movement who are jailed because they wanted reform. They wanted tolerance. Those on the other side, those who called for enslaving Jewish women, for example, Checkslaven and Blake, are royal advisors—on Saudi television.

These things must change before we can make any progress in the war on terrorism. Saudi Arabia, as I said, is still a very dangerous place breeding terrorists and extremists. That has not changed, unfortunately. I heard some statement that something has changed after September 11. The appearance maybe has changed, but the reality has not.

Mr. MARSHALL. Thank you, Mr. Chairman. Just a couple of comments on Vietnam, particularly the new religion ordinance.

That ordinance, of which you quoted some restrictive sections—I will make an additional comment on that. It has been opposed by Cardinal Man in Vietnam, also by the Vietnamese Evangelical Fellowship, which usually does not take political stands. Perhaps most remarkably, three Vietnamese Catholic priests and human rights activists, Fathers Tin, Giai and Loi, in August released an extensive critique of it.

The ordinance itself, plus this critique plus other documents, I could provide them to you. They are also available on our Web site. If I could just quote from the priests' review of the ordinance:

“In the 41 articles of this ordinance there are 39 that have as their content requirements of ‘getting permission’ or ‘getting approval.’ Thus, the kind of freedom of religion in the ordinance is freedom, but must ask permission, or freedom, but must register. These phrases asking permission and register have changed the word freedom into a meaningless and empty word.

“Let us take a simple illustration. The owner of a house tells all his servants I give you freedom to do anything you want at all. I only have one requirement. Whatever you want to do, you must tell me ahead of time and get my permission. If I give my permission, you can do it. Then that owner went around and proudly boasted in my household all the servants are free to do whatever they want.”

I am not sure if those priests will remain out of prison. They have been in prison before, and I think they are aware that could be their fate for saying this. These things continue.

I will also mention the patriarch of the Unified Buddhist Church of Vietnam and his deputy, for a year now both are held in detention and incommunicado.

If I may add something, since the question of Saudi Arabia came up. Freedom House's Center for Religious Freedom was approached several months ago by some American Muslims concerned about material which is being distributed in their mosque which tends to be Wahhabi, and many of which have Saudi Government stamps in them.

We have been getting those translated and are preparing a report on those materials. The problems we are talking about, which Ali Al-Ahmed has talked about in Saudi textbooks, are showing up in America too, almost word-for-word, some of the things he mentioned.

Mr. SHAH. Thank you, Congressman Smith, for your interest in our research. I certainly would like to make this available to you in more complete form as it is completed.

One of the interesting things is that if you look at countries that have become democratic, the dozens of countries that have become democratic, say since the early 1970s, in a way all these countries give us a chance to do a kind of controlled experiment and ask well, what do the countries that have become democratic have in common?



One of the striking things is that even where these countries were not democratic, what helped them to become democratic more quickly and to have more consolidated democracies was the existence of at least semi-independent religious groups. In other words, even if there was de facto some reasonable level of religious freedom, even where other freedoms were officially squelched, it is precisely those countries that have been most effective in becoming democratic.

One example is Poland. Poland, of course, was under Soviet Communist rule since World War II, but it struggled to carve out a sort of de facto semi-autonomy for itself, starting way back in the 1950s, and so it was able to be a platform for a sort of powerful and, as we well know, civil society and democratization movement starting in the 1970s.

This is sort of replicated across the world. Again, even where freedom is not officially respected, if there is even some de facto autonomy for religious groups and institutions, those groups can play an effective role in limiting the state and bringing about democratization. It does not always work, but it works to a remarkable degree, and it works across religions as well.

In Muslim countries where religious institutions are more independent, as in Indonesia where there is a longer history of independence and autonomy for Islamic organizations as independent civil society organizations, it is in those countries where we see the greatest progress for democracy.

I think the evidence is clear that if we promote religious freedom in the long run that is going to get us more of other kinds of freedom. As I said, religious freedom is fungible. It gets translated almost automatically, even if you do not do anything else, into other kinds of freedom.

Mr. LEVIN. Mr. Chairman, to answer your question I will break it into two parts. First I will address Europe and then the OSCE.

As you know, and I think Mr. Wolf also has been a part of this discussion, it is hard to believe that just 2 or 3 years ago we were seeing greater strides made in the fight against anti-Semitism in eastern Europe and the former Soviet Union and almost a reluctance on the part of some of our longest standing allies to recognize that they had a problem, a new problem in their own countries.

I believe if not for the OSCE process, the addressing of anti-Semitism in western Europe, let alone throughout Europe, would not have taken place. In my prepared statement we have outlined eight steps. I will just summarize some of them very quickly on how we can further utilize the OSCE process.

First and foremost, there is a proposal right now to establish a special OSCE representative on anti-Semitism. There is concern among some of our European friends that this would cause problems. We urge that the position of special representative be appointed as quickly as possible.

We also support the Spanish Government's offer to host a third conference on anti-Semitism next year in Cordova. I think it can focus on best practices. It can bring in experts, but it is necessary to have this meeting to review what has taken place over the last year.

We also have the opportunity to use the ministerial meeting coming up in Sofia. If it is possible, I would like to propose that this Committee and the Helsinki Commission support the idea of a public forum on anti-Semitism during the ministerial meeting in December.

We also need to support the ODIHR's efforts in monitoring and analyzing anti-Semitic data that they are now collecting. We have to ensure that they are provided with adequate funding and staffing to undertake this important effort. We need to urge our European friends to be more responsive to ODIHR's requests for data on anti-Semitic incidents in their countries.

We believe that the OSCE can be a model for other parts of the world—maybe in the Middle East, maybe in other areas as well—in addressing anti-Semitism, but also religious freedom in general in the Middle East. I think it would be important if the U.S. called upon some of our more moderate friends in that region, some of the more moderate Islamic republics, to show that religions can coexist in their countries and are not a threat to the majority.

We also believe that it is important that the State Department continue to promote special programs throughout Europe not just dealing with anti-Semitism, but also law enforcement, trafficking, other concerns that bring public diplomacy to the forefront.

Programs such as the ones I described earlier help strengthen the bonds between different peoples in various countries so that they can learn to co-exist with one another.

Chairman SMITH OF NEW JERSEY. Chairman Wolf?

Mr. WOLF. Thank you very much, Chris, and I appreciate this opportunity. I would have been here earlier, but I had an event in my district with regard to gangs in northern Virginia. Otherwise, I would have been here at the outset.

Let me thank you for your testimony. As I was listening, I made a couple notes not really in order, and I just want to ask one question at the end.

One, the Chairman is right. The Clinton Administration did oppose this. I see some of those people still now beginning to rear their heads in different political venues, and I get very, very worried about it. I can remember the statement that was given, the speech that was given by the Secretary of State at Catholic University, where they pretty much trashed this bill.

I think the question when asked is how can we improve it. It is still a problem. We would have had a tougher bill if it had been up to Chris and some others. This was weakened at the end. We were forced to face this on the very last day. Quite frankly, had we not taken it on that last day, I am not so sure that Congress would have ever passed the bill, but it should have been a tougher, tougher bill.

We need to do better. We are going to put in legislation next year with Congressman Lantos and Senator McCain and Senator Lieberman to dramatically change all of this. Ambassadors should be proactive. I mean, you should not be an Ambassador in a country where persecution is taken on, and you are not speaking out. You ought not be there.

The American Ambassador in China should go to Tianenman Square and do exercises with the Falun Gong. Mark Palmer has

a great book out that you ought to read. Ambassadors should be active. Quite frankly, if they are not, they ought not be the Ambassadors.

As Ronald Reagan said, the words in the Declaration of Independence were a charter, if you will, for the entire world. We hold these truths to be self-evident. For Ambassadors, you just kind of sit over there. The days of the Reagan Administration when Ambassadors used to be advocates, when if you went to Moscow they would go into the homes of the dissidents and go to their apartments and meet with them, invite them over to the Embassy.

What dissident ever gets invited to an Embassy now? What dissident ever gets invited to the Chinese Embassy? Ask the State Department. I think the Powell administration, the Powell department, has done a good job. John Hanford has done good, President Bush, but what Embassy invites its dissidents to come to the Embassy? Zero. It is almost zero. We are going to put in legislation having standards.

Also, this bill should have had sanctions. Now, the sanctions ought not necessarily be against countries. The sanctions will be against individuals. Charles Taylor was a thug in Liberia. The fact that we had travel bans on him and things like that really helped bring Charles Taylor down.

From the old days, I have actually changed my position somewhat. In the old days you would give sanctions against countries, and you persecute and you hurt all the people in the country that are really not part of it. We should put sanctions on individuals on the Government, travel bans. Do not come here. Let them not go if they need an operation. Go to France or go to Germany, go to places like that. Travel bans.

I see somebody out there smiling, and I do not know if you are smiling with me or against me, but travel bans. Charles Taylor's family could not come here, and so we are going to do some of those sanctions.

Also, there needs to be more work done by you. There is less interest in this issue in Congress today than there has ever been since I have served here in both parties. You know the people. Every time a bill comes up it is like baseball from the shortstop. It is Hyde to Lantos to Smith, to Smith to Hyde to Lantos. Once in a while we get a new name in there.

Mr. Hyde, Mr. Lantos, and Mr. Smith took care of the ball, and Mr. Tancredo, God bless him, on this thing on Sudan, but there is less interest in the issue of human rights and religious freedom in the Congress today in both political parties than there has ever been since I have been here, and that is 24 years.

Sudan. Genocide in Darfur. Genocide. Kofi Anan stood by with the Clinton Administration when they were doing the genocide in Rwanda, and Clinton then goes to Rwanda and beats on a drum and never leaves the airport to apologize. If you read Samantha Powers' book, they did nothing. They did nothing.

Now they are not doing very much, the U.N. Why? Why is Sudan on the Human Rights Commission? My God, I cannot understand that. I could not explain that to a high school class. Why does Kofi Anan not take some action to boot them off, to give some respectability to them, and yet you have Sudan on that conference.

Vietnam. Chris Smith has passed a bill twice. It is stopped over in the Senate. I think Senator Kerry had a hold on it. I do not know who has a hold on it now. You just talked about Vietnam. Where is the interest? Why is there a hold over in the Senate? How many times did that pass? Twice. By what votes?

Chairman SMITH OF NEW JERSEY. 360 to a handful and 410 to one, and the third time I put it into the State Department bill, so three times, and we know for a fact Senator Kerry had a hold on it the first time and probably has a hold on it now.

Mr. WOLF. Why does someone not ask Senator Kerry when he hears about this persecution in Vietnam, why does he not act? The fact is I heard him the other night on the debate where he mentioned Darfur. The Bush Administration has done more in Darfur than anybody else has done. Kerry has a hold on it. Somebody should call him, if you are in the press. Why is there a hold on that Vietnam bill with what is taking place?

When we come to the aid of the most vulnerable, we basically come to the aid of everybody, and so the question I have is how we are going to put this legislation in. Mr. Lantos, who is a hero on this issue, Mr. Lieberman the same way, McCain.

We are going to have a bill that is going to change a lot of policy with regard to the State Department on all these issues with regard to requiring them to act and basically making sure in every Embassy there is a human rights—I mean, you go to Egypt. You look at the Khartoum and the Egyptian press. How many times does the American Embassy speak out on that issue? It is just a proforma thing.

I did not know that I was going to speak that way, but I would just say, what do you think we need to do to improve this legislation, and to improve the situation? If there was one thing, and maybe it is the bill that we are going to put in next year. What do you think should be done?

Lastly, I offer and challenge the four of you and anybody else who is listening. This is diminishing here. We had a meeting for the Religious Freedom Commission, and I think they have done a good job, and I commend John Hanford, and I commend the new executive director. I think they have really struggled. I wish the State Department had brought them a little bit more into what they are doing.

We had a meet and greet when the new Congress came, and we invited all the Members of the House to come and meet with some of the members of the Commission. Chris Smith came. Tom Lantos came. Your organizations need to generate interest because the flame is not getting higher. It is actually becoming smaller and smaller and smaller. The difference of the flames being snuffed out totally is not very, very much. I think it is a challenge for all of you to go back and do everything you can to organize and make sure.

Lastly, I think all of you ought to be together. There should be a coalition. The Vietnamese should be meeting with the North Koreans. People in North Korea should be meeting with those who are concerned about anti-Semitism. Those concerned about anti-Semitism should be meeting with people that care about Darfur. Those who care about Darfur should be meeting with those who

care about the Armenian genocide. There ought to be a coalition, and it ought to be like the Three Musketeers. All for one, and one for all.

You ought to give each other an opportunity that we will take your number one issue and then you take our number one issue, and we will work together, whereby human rights and religious freedom can become a powerful interest in this Congress and in this country again, as it used to be during the days of Jimmy Carter and during the days of Ronald Reagan.

I think what I was going to ask you is what can we do to strengthen this and see that we can both establish that, but also change the law to require the State Department to do certain things, that there is basically a test that they know when they go out to be an Ambassador this is what they have to do.

Mr. MARSHALL. Thank you very much, Congressman Wolf. In terms of particular recommendations of the report itself, not too much. There were two problems with it. One is it can skew its findings. Not in my oral statement, but in my written one, I did an analysis of how Egypt is reported on and the type of language used. I am not sure whether that can be addressed legislatively, but diminishing that is a problem.

A larger problem with the actual reporting itself is there is a wealth of material in there, and it is given in order, but it tends to be lumped in there. You can read through it and really you do not quickly get a sense of what is going on in a particular country if you did not know about it before.

The information does not give you a sense of priority, a sense of urgency, about which countries are getting worse, which countries are getting better, what are the key problems. Just to give an example, the report on Germany is longer than the one on Sudan, and it is longer than the one on Eritrea because information is easier.

In terms of the structure of the report itself, in terms of its priorities, in terms of picking up issues, I think major changes could be made there. As you yourself have pointed out, the key problems are not so much in the report itself, which by and large is very good, but how does one follow up on this.

Again, I think the key question for this would be not so much what might happen with the Office of Religious Freedom in the State Department, but how the rest of the State Department relates to it. It cannot order Ambassadors around. They have their own turf.

One of the major things it needs to concentrate on is the function of the Embassies, what the Ambassadors do. In my own experience in some places I have found I have known more than the Embassy about the situation, and also in particular countries many religious leaders have not spoken to the American Embassy and would be nervous about doing so because they do not trust it.

I am not saying they are right in not trusting it, but they are just nervous. If we say something, will it get back to our own Government? How does that happen? I think there are steps which can be taken with respect to the Embassies themselves.

Mr. SHAH. Congressman Wolf, thanks very much for your forceful comments because it is clear that the flame has died down, as you have said.

In my experience, talking with various people in the State Department on various countries and issues, one thing that is striking to me is how isolated concern for religious freedom is within the structure of the State Department.

I have talked with country desk officers who were essentially unaware of the basic provisions of IRFA. It seems to me that there is clearly a problem there that the issue and sort of the stewardship of the issue are very isolated.

Now, it has been only a few years. Perhaps one has to make allowances for that, but I am sure you have thought much more about this than anybody. What would be the institutional changes that would have to be made within states to ensure that people are more aware of what IRFA, for example, demands? It does seem clear as well that real progress perhaps cannot be made unless the issue is institutionalized or concern for the issue is institutionalized across the board.

My understanding—yours is much better than mine—is that IRFA does require that there be some person within the White House who has some special concern for religious freedom, who has that as a brief, and yet it is clear that that has not necessarily always happened. It seems that progress is not likely to happen unless in every branch of government, there is some institution or some person who is specifically required to make progress on this issue.

I do not know whether the current legislation you are talking about makes those sorts of changes, but it does seem that there is an amazing lack of education amongst key policymakers of the basics of what is in fact our international religious freedom policy.

Mr. LEVIN. Mr. Wolf, let me first start by saying that we look forward to working with you and Congressman Smith and Congressman Lantos, as well as Senators McCain and Lieberman, on a new bill. As we worked with many of you on the original bill, we are prepared to lend our expertise and support in drafting this new piece of legislation. I know that my colleagues from the other American Jewish organizations will also look forward to participating in this process.

My experience over the last few years might be different than my colleagues' at the table in dealing with desk officers and others in the State Department, as well as the Embassies in most of the former Soviet Union. Fortunately, when we are dealing with the issue of anti-Semitism, religious freedom and human rights issues, we have had an open door. We have had the opportunity to work with many knowledgeable individuals, particularly at the ambassadorial level.

We are fortunate today to have a number of Ambassadors who cut their teeth in dealing with the human rights issues under the Soviet regime. I know, in several cases, particular governments have complained to Washington about the overly activist Ambassadors representing the United States in their countries. I take that as a real step forward.

On a recent trip to that region, I heard directly from one Foreign Minister in particular that his Government was upset at the pronouncements being made by this one Ambassador. When I had the opportunity to meet our Ambassador later that day, I said that we had just met with the Foreign Minister, and he paid you a huge compliment in that you were willing to speak out and challenge his Government on its human rights practices.

I hope that what is being done in the region of the former Soviet Union can be translated into practice and action by other Ambassadors in the rest of the world.

We have tried. NCSJ has tried to be a resource for other human rights groups representing other individuals, as well as groups. In particular, I had the opportunity to sit down with members of the Falun Gong several years ago to try to help them develop a blueprint on how to address their concerns with China. They came to us because they saw the success that our community enjoyed not only in Washington, but around the world, and in particular in the former Soviet Union.

It was a privilege to sit down with them and I think we have seen several steps that they have taken at least to bring more awareness to the problem. It certainly has not helped the situation inside, but it has brought a lot more attention to the issue.

I would say the same thing regarding Sudan. There has been a broadbased coalition created in this country of religious, ethnic, and human rights organizations coming together and speaking out. Again, we are waiting for real progress to take place inside Sudan, but voices have been raised. I think from my own experience, this is the first step, to be able to speak out.

We are trying very hard every day to keep the issue of human rights in the forefront. I agree with you that it does not have the same type of attention that it once did, but with the help of individuals like yourself and Congressman Smith and Congressman Lantos and others, at least that flicker of light is still there.

I do believe that there are committed individuals inside our Government who are trying to focus attention on these issues. We just need to figure out a way to provide them better resources and more support for them so that they can continue to fight their way through the bureaucratic maze that unfortunately continues to exist.

Mr. AL-AHMED. I just have a short idea about the fact that, for example, the Annual Human Rights Report and the Religious Freedom Report is not translated into Arabic and not distributed to the media. Many people in the region do not realize that the United States is spending its money going out to bat for them, speaking about them, about their rights and why they cannot worship.

In the conversation I had with Ambassador Hanford recently, he pointed out, like he did today, that the report covers the persecution of Wahhabis in Uzbekistan. That would be shocking to many people in Saudi Arabia who espouse this understanding.

I think requiring or encouraging the Embassies to translate these documents into the local language and distribute them to the local media and even offer a press release or a press conference, or a workshop on these issues. In Saudi Arabia, for example, there

has not been a single Embassy function that talks about Martin Luther King or Abraham Lincoln.

Allow me to speak just about the recent visit I had to the National Archive, which I stood in awe at Abraham Lincoln. I know American history very well—I studied it in college in Minnesota—but when I saw the words of Abraham Lincoln written in his own hand saying that by freeing the slaves we protect the freedom of the free, that kind of idea is not reflected to the people of Saudi Arabia.

It was 146 years ago that America paid in its own blood, mostly white men, by the way, who died to end slavery. While we have slavery in the Muslim world, either direct or covert slavery, these are the kind of ideas the people of the region need to hear so they understand the real America.

I know America sends a lot of cars and computers and movies and Bay Watch and so on, but they do not get a lot of Jefferson and Lincoln and such matters. Really those people are hungry, and they need it so they can understand you better, those workshops, those delegations that are public and direct.

Many go and meet with officials who give them a story, who give them a dance, but they do not go and meet. I really dream of the day when maybe the chaplain of the House would go to Saudi Arabia and meet with the Saudi mufti. That is going to be huge, huge—two different religious leaders—I am sure the Saudi mufti would resist it as much as he can, but if we can work for it and persuade the Saudi Government or pressure them in allowing American religious leaders to go to Saudi Arabia, as the United States has allowed Saudi Government and religious leaders to come here. To go there and meet publicly on TV, live TV, with Saudi muftis and have conversations, this would go so much to dispel so many myths and disinformation.

Another thing is we have done this short study on the curriculum. We hope to do a larger one. We are waiting for funding to do the whole curriculum and other publications. There is not only hatred. I cannot really understand when people hate other religious. I do. I mean, I have seen it.

I am talking about pure disinformation. An example is when you read about the Catholic priests and then the fact that this is what the Saudi Government pays to do. We have these books that Catholic priests go to widows and take them, take their money and force their daughters to have sex to raise money for the Catholic church.

Or, the Rotary Club is actually a Jewish organization, and there is a Star of David in the sign of the Rotary Club where you connect the dots. It is a Star of David. The colors of the Rotary Club are gold and blue. That is the colors of the Jews, which happens to be, by the way, the colors of the European Union.

That kind of xenophobia is what they teach. This is the only version of information available, by the way, so what do you expect of a student. Recently some Saudi writers wrote about their children who were 5 and 6 years old coming from school and saying these things because they learned them from the schools.

Really we have to stop them here and say listen, this is not right. You know it is not right. Just feed your people correct information. The U.S. Ambassador—thank you, Congressman—works sup-



porting it. I think they should be more strongly, more involved in the community where they live because they are your Ambassadors. They reflect America—they have not seen America in Saudi Arabia at least, which I spoke about Lincoln and Jefferson and so on—through the Embassy.

Even the comment of Secretary Powell. I had so many emails and phone calls angry at what he said, saying look, the report is saying one thing and he is saying something else.

Public policy, the policy of the United States, still yet in some areas of the Middle East has not been understood because it is the Government and media. The media in the Middle East is strong, but mostly by the Governments and their supporters. They turn U.S. policy and position to see that it is against the people of the region. That is important.

Today there is not a single spokesperson. I go on Arabic TV a lot, and I do not see an American spokesperson who speaks in Arabic who explains America. You do not have one. You need many speakers in Arabic who reflect the official U.S. policy.

Again, I think really America is doing something it does not have to do, writing about the freedom of others. I really have discussed this with my people, my friends back home, some who are critical of the U.S. policy. I say well, what do you want? These people paid to send their employees to your country to ask you are your rights protected. Nobody is doing that. You are. I really commend you and commend the United States for doing this for the people of the region.

Just in closing, now we have the trial, the secret trial of these three reformers, Dr. Abilal Hamid, who is a religious reformer; Dr. El'Fala, who is a secular reformer; and the poet, Ali Domani. These people have been put on trial in a very primitive manner, and the U.S. has not done enough to protect them, to give them their right for freedom. They only spoke for freedom and democracy. They want really what America stands for. I think they really need the support of the United States Congress and the Administration.

Other people, like some of my friends, Sheik Has El'Manti, who is a religious reformer, he criticized his faith. What did they do? They fired him. They put him under house arrest, and they banned him from writing and traveling and so on.

There is a U.S. graduate, Dr. Mohammed El Hasan, whose children were expelled because he complained about religious hatred taught in school. They got expelled from school, from kindergarten also. He has a Fulbright scholarship, but he cannot travel. He cannot work. He received a Fulbright scholarship, but the Government of Saudi Arabia prevents him from leaving the country to join us. Maybe if he comes, he will be courageous enough to come and speak before you.

Mr. WOLF. I want to thank you all. One of the things we are going to do in the bill is require all the human rights reports and religious freedom reports be printed in the language of the nation, so wherever it is people can go on line and see it and read it because if it is in English and you do not—

Secondly, I would like to ask the four of you if you would, if you could call and get in touch with my office, Samantha in my office, who has the bill. We were going to put it in this week, but the deci-

sion was to wait until we come into next year, so if you would get a copy of the bill and maybe go through it. It is not in stone, so we could make some changes or do some things.

Lastly, I appreciate the testimony of all of you, and I particularly appreciate Chris' leadership on this issue. With that, thanks much. Thanks for inviting me.

Chairman SMITH OF NEW JERSEY. Thank you much, Chairman Wolf.

Mr. Tancredo?

Mr. TANCREDO. Mr. Chairman, I must say first of all that although there are many times all of us wonder whether or not we have entered the right occupation because things get pretty hairy from time to time, I must say that just being here and being able to be in the presence of people like you, Mr. Chairman and Mr. Wolf, who have done so much to advance the cause of human freedom throughout the world is worth all of the trials and tribulations that one must go through to get here because you really and truly are people who have made a difference. There are relatively few of them, and I am privileged to know you and call you both friends.

I so worry about what Chairman Wolf says in terms of the willingness of the world to change their view, to shift their view away from the unpleasantness of religious and ethnic intimidation and persecution and how quickly the ardor fades in involvement in this and to pressure it.

I mentioned earlier in the first panel that I just returned from Beslan from the caucuses. In fact, Renee, the staff person up there, she was on the trip. You know, the things we saw, if anybody thinks that it is certainly not things that are printed, things that are stated in mosques, things that are distributed by the Government. There are ramifications to these things. There are actions that occur as a result of this hatred that generate in little ways all over the place.

You can see it. The face of evil presents itself all too frequently in the world. It certainly did in Beslan September 1, 2 and 3 when 600 people—now we believe up to 600 people—were slaughtered, most of them children, many of them shot in their mother's arms while their mothers were trying to protect them, many of them shot in their extremities, their arms, because their mother was laying over them or somebody was trying to protect them and that was the part that was sticking out. That was the part that was shot.

Children trying to run away from the school when the bombs started and being shot from upstairs by snipers. Children being kept without food or water for 3 days so that today when you go to visit this particular site there are hundreds—maybe thousands—of little water bottles all over left by people as a memorial to the kids who were left without that water.

All over this kind of thing happens. Evil does manifest itself. Look how quickly we, even in this world, have turned away from thinking about this incident. It happened. It is now a month ago. What is the next story we can go to? What is the next issue?

We do not want to dwell on this kind of stuff. It is hard for the human mind to dwell on this kind of stuff. It is certainly for mine because you are repelled by it. You do not want to believe this can

happen. It can, and it happens because of the kind of hatred that is fostered by the things that we have talked about here today, by the Government, by the philosophies, by the ideologies of these radical people.

I just want to commend you all to your task and to help keep the world focused on these issues and show, to the best extent possible, the greatest extent possible for me anyway. I will certainly do what I can to keep that torch burning.

I think it is also important not just to have Ambassadors who are willing to be critical of what goes on in a country where these practices are prevalent, but it is important for Ambassadors and for us to talk about where we see good things happening.

I must admit I am very, very pleased and I am heartened by a little tiny country like Qatar that has done so much in the area of both human rights and political freedom, and nobody talks about it. It is amazing. Here is a country, an Arab country that has actually sent letters to the Vatican saying would you please come and build a church in my country and provided land for a non-denominational church to be built. This is something that the whole world should laud and applaud.

I think our Ambassadors and all of us, even in reports, we should talk about where we see these things happening. It can happen in the Arab world. You can exist. We know the Ottoman Empire existed for a long time in great harmony where both Jews and Christians and Muslims existed together in harmony for hundreds of years, so it can happen. It is not something that is out of our reach, it seems like.

I guess perhaps the question I have directly, Mr. Al-Ahmed, is I find it so difficult to understand what is the thinking in Saudi Arabia about the end game here? If in fact Wahhabiism is able to prevail all over the Arab world and other places and its purest form is able to prevail in Saudi Arabia, where does the ruling family think they would be under that area? Where do they think they would be in a Taliban world? How would they be able to exist in the lap of luxury which they now enjoy?

How can they possibly push a philosophy which the end result would certainly be their extermination? It is a very peculiar thing, and I just wonder if you could help me figure that out.

Mr. AL-AHMED. I think the ruling family—Wahhabiism honestly is the best thing that happened to the ruling family. If I may quickly give you a brief history?

This is the third Saudi State. The first one was started with an alliance between the founder of the ruling al-Saud and Muhammad Ibn Abd al-Wahhib, the founder of Wahhabi Islam. That allowed the ruler of a small town to conquer the region and invade other areas and amass huge amounts of wealth that they collected from loot and stealing and killing Muslims, by the way. Muslims. Sunni Muslims. That was ended in 1860 by the Ottoman invasion because they started attacking pilgrims and so on and the demise of the first Saudi State because it was engaged in terrorism.

I am reading a book now by one of the Wahhabi historians about what they did to other Muslims. For example, Riyadh was an area where they invaded almost every month. They killed and they

drove the people of Riyadh out of the city. Riyadh was abandoned totally because of the Wahhabi attacks.

The second Saudi State was reconstituted under the same idea. The third Saudi State, which we are in, basically was done in the same way using religious ideology to conquer and kill. In 1925, for example, a massacre of 3,000 Sunni Muslims in Piaf, outside Mecca, took place. They believe this ideology allows them, especially now.

I think they are to a certain point correct when they see that they had express influence to many Muslims even in America, followers of Wahhabi Islam. They do not necessarily support the al-Saud, but they support the idea of Wahhabis, which al-Saud controls.

It is not Wahhabis that are the problem. The problem is the al-Saud, because they are the ones who hired and paid for Wahhabiism, and that actually took place 30 or 40 years ago. In my opinion, if Wahhabiism was not funded, it would melt into the Saudi population, a different understanding of Islam, and it would moderate. It is the state funding and the huge amounts of money that allow it to be extremist.

If you look, Iran is another example where the state became involved in religion. It started having political aims and used it as a tool as it uses its army and police and security.

A separation or decrease in funding or control over religion in Saudi Arabia will go so much to help stem that ideology becoming that beast. The ruling family sees this as a beast. They do, but it is a beast that is not attacking them. As long as they attack others it is okay. So far they have managed.

Even with the terrorist attacks in Saudi Arabia, none of them targeted the ruling family. Vice versa. The Saudi Government benefitted from the terrorism attacks in Saudi Arabia very, very well. They have made \$60 billion extra because the oil prices have gone up. They got the U.S. Congress and the U.S. Administration to stop criticizing them and instead applauding them because now they are victims of terrorism, and it gave them a blanket to oppress those reformers and those who want to break the cycle.

They have spent so much money here to convince everybody that they are victims and that they are trying to do the right thing, but they need time. I tell you, in 3 years—I can revise the Saudi religious textbooks in 1 week by myself. They are a Government. They have not done that in 3 years.

It is, I think, in my mind, and of course I am a biased person when I say that, but I try to be as objective as possible. This is an important issue. Saudi Arabia must be held accountable for this. It is enough. We should teach the brothers that they should be loved and should be—not only them, but Hindus and everybody. That is important.

The Saudi education and curriculum is doing the opposite. What I have quoted is just a slice. There is so much about other things. Saudi Arabia must do a positive. I do not think the United States should accept that Saudis do the minimum. They have been doing the minimum. They should be proactive in promoting harmony and against terrorism against everybody, no exceptions, zero tolerance for any. So far, that has not happened.

It is, in my mind, for the U.S. and the world interest to have this kind of ideology not spread. It is now spreading and continues to spread. Organizations like GUAMI, for example, that has supported Hamas, still operate in the U.S. and 65 other countries. We have evidence of that, which has been shared by us with the State Department.

The U.S. Embassy is doing the same. They said they closed the Religious Affairs Department. They still have it up and running. I think maybe there should be some kind of a unit between U.S. Government and the Saudi Government precisely for this matter.

Mr. WOLF. Thank you, Mr. Chairman.

Mr. LEVIN. Congressman, if I could just make a brief response?

I am an advocate. I am an activist—I have been for almost 25 years now—on behalf of religious freedom for Jews living in the now former Soviet Union, but over this period I tried not to turn a blind eye to what was happening in other parts of the world, let alone in that region.

There have been many times when I felt great despair. Congressman Smith and I, on our first visit to the Soviet Union, were harassed by the KGB. We were denied entry into homes. We were basically thrown out of the country for trying to meet with people who only wanted to be able to express their Jewish identity. There were great moments of despair.

I do not want to leave today on a note of despair and something less than hopefulness for what can happen when people of conscience stand up and speak out, work together to try to overcome some of the great ills that we confront in the world today, because we have accomplished so much over the last several decades.

Who would have imagined that there would be the breakup of the Soviet Union and what good things would lead from this implosion? Now, of course, there have been a number of tragic events that have taken place over the last 15 years, but we cannot give up particularly in the United States, particularly in the U.S. Congress.

I have always said that the backbone of support for human rights in this country comes from the United States Congress, and I firmly believe that. Congressional support pushed various Presidential Administrations to take the lead in gaining the freedom of many different groups around the world. Without this support it would not have happened.

I have been asked many times why do I stay. One reason I stay is because we are able to accomplish so much with support from Members of Congress, from our own Government, from other religious communities. What happened in Russia last month should never have happened. There is no excuse for that type of event.

In order to prevent that from happening again, it requires ongoing activism on the part of all of us. I am proud. Every day I am proud to stand up and say that I am an American. In this country we do have our problems, but we can address them in ways that many people around the world cannot. We need to reassert our voice in a much louder and a more consistent way because without that voice, the alternative is despair.

I remain the eternal optimist. I know with people like you and Congressman Smith and others there is reason to be optimistic.

Mr. TANCREDO. It is good of you to draw my recollection back to other events. My wife and I used to smuggle things in to Jewish refuseniks in the old Soviet Union because my wife taught Russian, and we used to take students over there.

Trip after trip, we met with people here, brought stuff in. We used to have to meet with them in clandestine places. We had to be careful about how we got there. We had to be careful that their identity not become known to the authorities. We had to meet them in subways and in parks and things like that to give them some things that would tide them over for a while.

Recently we were in Russia and met with several of these people in the open in a totally different environment and in a new world for them. You are right. Things can happen, and things do happen mostly because individuals do care.

Thank you for what you do, and thank you for caring to the extent that you do. Thank you, Mr. Chairman.

Chairman SMITH OF NEW JERSEY. Mr. Tancredo, thank you very much for your remarks and all of you for your excellent testimony.

I do have just a couple of final questions. I know you have been very generous with your time, but you have to know we do take your testimonies. We pull them apart. We have a list of six action items over here. I have a few extras. We will follow up.

For example, Mr. Al-Ahmed, you made the point about the need for finances to continue your study. I want to follow up with you on that to see if there is anything we might be able to do to be helpful, because that kind of research is critical in understanding the why of it. Why do these people, young people especially, emerge with such bitterness and hatred and grotesque misunderstandings of Catholics, Christians, Jews and other people.

The same could be said about any other group, but if it is actually in the textbook and being taught it is no wonder. The exceptions have to be people like yourself and others who perhaps go through that system or others and finally see that we were not given the truth.

Let me just say I also think, and this is the reason for optimism. Mr. Wolf, my good friend and colleague, pointed out that there are fewer and fewer people. They are a lot of people who just want to brush aside the human rights issue, but we really have always had that.

One of the lessons learned from the community, the Jewish communities who rallied so well that led to Jackson Vanic and thankfully a safety valve for Soviet Jews, was that model could be replicated by other emigrate communities and other nationalities.

We see it has happened increasingly with the Vietnamese. They have rallied. They are now working more effectively and many, many other groups. You know, a place like Congress does listen when people come forward—the Falun Gong are probably one of the most visible smaller groups of people who are raising an issue, but they are all over. They are making their point, and I do think it will yield considerable fruit and at least hold back some of the barbarity on the part of the Chinese Government.

You know, we have also erected over the last 10 years or so, 15 years, a number of layers of institutionalized human rights protections that cannot be brushed aside. The Trafficking Victims Protec-

tion Act and the Religious Freedom Act have further institutionalized the effort. Yes, we have to be lightning rods and keep expanding, but I do think the point on the Ambassadors could not be more well taken, because there are still a number of people who do not get it.

On Saudi Arabia, I do believe that the CPC designation ends hopefully forever this idea that quiet human rights diplomacy will somehow yield fruit. It has not done so in the past. The priest that married my wife and I, Marie, 27 years ago was the head chaplain in Saudi Arabia for the United States Army during Desert Shield and Desert Storm. He could not even celebrate the mass in an American enclave where our military were housed without calling it something else, like a civic event or something other than a church event. He could not do it. He had to cover up the cross on his uniform lest that offend someone.

I mean, that kind of more radical and extremist view of not allowing or being tolerant is against every norm of human rights concern, and I do thank you so much for your testimony.

Let me also just throw out an idea. We should follow it up. Maybe UNESCO might lend itself, now that we have rejoined it. We have paid dues in excess of \$70 million. Louise Oliver, our Ambassador, is a dynamo and a very effective diplomat. Maybe that would be an area to start to engage on with Saudi Arabia in getting those textbooks right. I just throw that out.

I do have a very specific question to Mr. Marshall because you raised an interesting, but very troubling question about the Chaldo Assyrian minority in Iraq. Here is a country, where if we can have some influence, by darn we better have real influence in making sure this minority is not—as you pointed out, they are not getting funds through discriminatory practices that favor Muslim and Kurd groups.

You have five recommendations, and another is to allocate funds for the resettlement of Christian refugees. I personally want to follow up on these, and I am sure other Members of the Committee will as well, to see what we can do to try to help that emigrant community as well and also your other points as well.

You might want to touch on that. Anybody else who wants to touch on it, please do, but that specifically.

Mr. MARSHALL. Okay. I will get to that, but first, a couple of comments if I may.

Just going back to Saudi financing and propagation, I have met the same thing in Nigeria, Indonesia, and many places around the world, as I am sure you have. Conversations earlier this year with Abdurrahman Wahid, former President of Indonesia and in this context, perhaps more importantly, the former leader of Nahdatul Ulama, which is the world's largest Muslim organization, some 40 or 50 million members.

He was complaining about Saudi and similar influences in the country. He also added that these people, in his own view, are very ignorant. They don't know much about Islam. He has studied in major Islamic universities and also in Europe and Canada. He said the problem is all the literature, the books, the videos, the tapes and everything else being translated into Indonesian.

He added, "I do wish somebody would take some of our stuff and translate it into Arabic." I am not sure this is something the U.S. Government should get involved in—maybe it should—but certainly private U.S. foundations might want to look at other means of reversing this flow of what sort of Islam is pushed where.

Second comment, I just want to mention this because it has not come up, the question of North Korea, one of the most repressive regimes in the world, just to welcome the fact that the Senate has also passed a version of the North Korean Human Rights Act, and it looks like there will be agreement on a final bill very soon. This is most welcome.

In terms of the Chaldo Assyrians, something striking has happened in the United States in the last 2 months, which includes the Chaldo Assyrians and many other Middle Eastern minority groups, Muslim and non-Muslim. These groups have often been fragmented, and that has always been a political problem of getting people together or getting people on a common platform.

I think the shocks of the last 2 months have changed a lot of that, so the five points I mentioned are the commonly agreed points amongst most of the American-Iraqi Christian groups and other groups from Iraq and elsewhere as well, so I think there is a good possibility of getting a lot of support for this, and I would love to follow it up.

Chairman SMITH OF NEW JERSEY. Again I want to thank all of you for your testimony. The good news is the North Korean bill is on its way to the White House. We concurred with the Senate amendment just the other night late, so it was missed. Thank you for your work on that.

Chairman Leach was the prime sponsor of that, and it is an excellent piece of legislation. It was not an oversight, believe me. All of us are concerned about North Korea, but I am glad you brought it up even this late in the hearing.

There are other countries like Sri Lanka with their laws that both you and I know have been very active in promoting anti-conversion laws. You might want to comment on that or submit it for the record, but I do want to thank you for the extraordinary work that you do. You are really the winter soldiers, the Valley Forge soldiers of human rights. When it is out of the limelight, you are there doing the hard work day in and day out.

Believe me, we will pull apart even more what you have presented. Some of it will find its way into Mr. Wolf's bill. Other measures will be accomplished administratively or in other pieces of legislation. It is a blueprint for action, and we are deeply, deeply grateful for that.

If you want to add anything? Yes?

Mr. AL-AHMED. This actually just kind of came to my head when Paul spoke. I really think it is time. We can call for this. I think Freedom House should have an office in Riyadh. It is the right of America. The United States Government can push for it.

Saudi has, like I said, dozens of directly funded offices and organizations here, so I really hope to see Freedom House and other human rights organizations and other democracy promoting organizations, American ones, in Saudi Arabia working and operating to transmit America to the people of Saudi Arabia.



I hope that finds its way to one of your bills.  
Chairman SMITH OF NEW JERSEY. Thank you so much, gentlemen.  
The hearing is adjourned.  
[Whereupon, at 3:12 p.m. the Committee was adjourned.]



## A P P E N D I X

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### MATERIAL SUBMITTED FOR THE HEARING RECORD

PREPARED STATEMENT OF THE HONORABLE JOSEPH R. PITTS, A REPRESENTATIVE IN  
CONGRESS FROM THE COMMONWEALTH OF PENNSYLVANIA

Mr. Chairman, thank you for holding this important and timely hearing on the State Department Report on International Religious Freedom. I would like to thank all State Department personnel for the hard work that went into this Report. The State Department's Annual Report on Religious Freedom, in addition to the Country Reports on Human Rights, is an important part of raising religious freedom concerns so that light shines on the dark deeds committed against these peaceful religious believers.

In the environment of terrorism facing our world today, governments must find the proper balance between pursuing terrorists who seek to harm others and protecting those who peacefully practice their religious beliefs, even if the state might disagree with those beliefs. Unfortunately, as governments crack down on terrorism, there are many peaceful religious believers and citizens who are arrested by officials. Now, more than ever, we must work to ensure that fundamental human rights are protected. Now is the time to help national lawyers, journalists, religious leaders, and others who seek to promote democracy and freedom in their nations.

Every day I receive reports from around the world detailing the atrocities experienced by religious minorities at the hands of their governments and/or communities. In Burma, North Korea, Colombia, Sudan, China, Nepal, Indonesia, Pakistan, India, Egypt, Vietnam, Laos, Turkmenistan, Saudi Arabia, and numerous other countries, religious freedom remains under attack. As the witnesses on Panel III will share, religious freedom violations are rampant around the world.

The military dictatorship of Burma is a prime example of a government whose policies and practices blatantly violate religious freedom and other fundamental human rights. Reports detail the widespread use of rape, forced portage, imprisonment and even murder against those who dare to oppose the regime. The Karen and Chin ethnic groups have faced particularly strong repression. Reports make clear that Buddhist priests are in prison for peacefully practicing their faith, which directly impacts their rejection of the military's actions. In addition, accounts reveal that the military has attempted to force ethnic Christians to convert to Buddhism. Muslims in Burma also face persecution for their religious beliefs. It is critical that our government maintain strong pressure on Burma's military dictatorship through public and private means so that the people of Burma can live in peace and so that the burgeoning drug trade of the Burmese military is stopped.

As highlighted in previous hearings held by the International Relations Committee and other Committees, the Saudi government is responsible for innumerable human rights abuses of its citizens, including religious freedom violations. Any person who practices a religion other than Sunni Islam is persecuted by the state. Shi'a Muslims, Christians, and other religious believers are severely punished for the practice of their religious beliefs. The Saudi Institute documented a case of a young Shi'a man who security officials arrested and then imprisoned from 1996 to 1999 for possession of a tape recording machine. During that time Kamil Abbas Al-Ahmed was hung from his wrists, tortured in other ways and imprisoned incommunicado. In September of 2001, this young man was re-arrested. In September of 2002, reports detail that Saudi officials said the man was being held because of his brother's actions at the Saudi Institute, here in the US, which reports on human rights abuses in Saudi Arabia. This is only one of many cases of horrifying abuse in that nation—only a few years ago, two Christians beheaded at the hands of government officials.

In Sri Lanka, concerns remain about proposed legislation that would outlaw proselytism and would force anyone who changes their religion to report that change to the government. In one report in which an individual dared to go to the police after an attack on a house church, the police responded, "You are a Christian. You have no right to speak—this is a Buddhist country."

In Pakistan, Christians, non-Sunni Muslims, and others continue to be victimized by the registration against them of false charges of blasphemy. Individuals innocent of blasphemy, such as the very ill senior citizen Ranjah Masih, languish in prison even today. I commend President Musharraf for his recent announcement calling for a modification of the blasphemy laws to prevent victimization of religious minorities. The police and others who allow the registration of the myriad frivolous cases of blasphemy must be held to account, as should be those who make the false charges. I would also like to commend officials of a provincial high court in southern Pakistan for issuing arrest warrants for two Karachi policemen, Deputy Superintendent of Police Qasim Ghori and Inspector Tasarrud Mumtaz Mehmood, for brutality against several lawyers and for abducting their Christian client from the Sindh High Court premises. The police deliberately ignored the court's orders to release Christian prisoner Robin Piranditta, who was severely physically and psychologically tortured while in illegal police detention.

In India, the persecution of non-Hindus by extremist Hindus continues. Those individuals who committed the terrible murders and violations in Gujarat still have not been brought to justice. Those individuals who continue to attack nuns, priests, pastors and parishioners in various regions of India still have not been brought to justice. Earlier this year, a pastor and eight Christian women were forcibly dragged from their homes and "tonsured," or forced to have their heads shaved as a mark of their allegiance to Hinduism. In addition, several state governments have pursued blatantly discriminatory policies that seek to prevent a person from changing or choosing his or her religion and practicing that faith. Many of those extremists who previously indirectly or directly supported religious discrimination and persecution were removed from power in the most recent elections. I look forward to the strong leadership of Prime Minister Singh and his government in protecting religious freedom for all peoples in India and prosecuting the criminals who engage in persecution.

In Chiapas, Mexico there have been a number of religious freedom violations. Over recent years, a number of families in tribal villages have forced to flee from their homes. Local villagers who practice evangelical or protestant Christianity have experienced severe persecution by local leaders (caciques) who have verbally and physically attacked, and led attacks on, evangelical Christians because they no longer take part in the drunken parties in the town or desire to contribute to the production of the local alcoholic drink. At one point in the past, reports suggest thousands of people were forced to flee their homes. In addition, in December 1997, Zapatista rebels massacred 45 Tzotzil Indians, 39 of them women and children, in the village of Acteal. Tragically, the authorities, instead of arresting all those responsible for the deaths, arrested 90 villagers, four of whom were actually involved in the massacres and were Zapatista rebels). Accounts reveal that over eighty village men, most of whom are evangelical Christians, languish in prison falsely accused of the murders while the real criminals remain at large. I commend the Mexican government for committing to review these cases this fall. In addition to reviewing the cases and releasing innocent prisoners, the government, particularly the leadership in Chiapas, needs to ensure that the actual murders are brought to justice.

And, in Colombia, religious leaders and parishioners often face threats of extortion, kidnapping or death from guerilla groups, paramilitaries, and at times even the government because they refuse to take sides in the conflict. I have personally met with pastors from a diverse range of denominations whose lives are threatened. I urge the government to protect the rights of pastors and priests as they engage in their peaceful work of communal reconciliation.

Mr. Chairman, thank you again for holding this important hearing. Religious freedom is one of the most fundamental human rights and those who threaten that right or who engage in violations of that right must be exposed and brought to justice.

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PREPARED STATEMENT OF THE HONORABLE DAN BURTON, A REPRESENTATIVE IN  
CONGRESS FROM THE STATE OF INDIANA

Mr. Chairman, The annual Report on International Religious Freedom is one of the most important instruments we have at our disposal to shine light where there

is darkness; to expose discrimination, persecution, and inhumanity on the basis of belief, faith, and religious practice. As in years past, the report is comprehensive and serves as a clear reminder that there is a failure to protect religious freedoms in many parts of the world.

This administration has not merely continued the tradition (established in 1998) of issuing an annual assessment of the state of religious freedom around the globe. I support the president's strategy of placing new conditionality on foreign assistance on the basis of protection of civil liberties, political and religious freedom and human rights. This is an integral part of the Millennium Challenge Account (MCA) eligibility requirements. When he unveiled the MCA approach to development assistance, President Bush demonstrated moral leadership to reward deserving countries that govern justly and invest in their people.

There are brutal regimes that neither govern justly nor invest in their people. They should be put on notice.

Mr. Chairman, The designation of *Saudi Arabia* as a "Country of Particular Concern" this year is long overdue. I have spoken out on many occasions about the problems in Saudi Arabia and it is high time we put the Saudis on notice. I recognize we have added a witness from the Saudi Institute today and I am interested to hear his testimony.

The United States must send a new message to the Saudis: So long as the Saudis institute and enforce policies that degrade human rights, freedom and democracy and/or spread violence in the Middle East and elsewhere, there will be sanctions. The Saudis should have seen this surge in terrorist-fueled violence coming long ago. The Saudi government *has not taken meaningful action* to combat Islamic Jihadists and the Wahhabist brand of Islam that breeds intolerance and incites violence. Saudi domestic and foreign policies have created a climate that has contributed to terrorist acts by Islamic radicals. Both the Saudi government's support for Wahhabism and their complacency towards Wahhabism and the anti-Americanism these jihadists breed runs counter to the stated goal of the Saudi government to fight against the terrorist phenomenon.

There is also ample evidence showing Saudi officials have a hand in the flow of money to terrorist organizations (support to Palestinian Mujahideen fighters from 1998–2003 reached \$4 Billion) and Saudi Royal Family members have rewarded families of terrorists and suicide bombers, including perpetrators of the 9/11 attacks (15 of the 19 attackers were Saudi).

In Saudi Arabia, public displays of religiosity are forbidden except for Muslims who follow the Wahhabi interpretation of Sunni Islam. *Public worship by non-Muslims is banned and places of worship other than mosques are forbidden.* Foreigners suspected of proselytizing to Muslims have been arrested, sentenced to prison terms, and deported. Women must be decked in full Muslim garb and are often subject to harassment and abuse by religious police. The kingdom's Shi'a minority suffers discrimination.

*China.* While China's economy is exploding, the heavy-handed and centralized control and restriction of religious practice leaves little room for respect for diversity of faith nor tolerance. The Chinese government's crackdown on the Falun Gong and other unauthorized religious groups continues. Falun Gong followers have held peaceful demonstrations against the crackdown, but Beijing resorts to violent tactics and sends followers to reeducation camps, psychiatric facilities, and prison. The Constitution of the PRC is not being upheld in so far as Beijing has failed to uphold freedom of speech, assembly, association, and religious belief. We are all too aware of the plight of political dissidents, advocates of human rights reform, pro-democracy activists, and religious worshippers.

#### *Global Rise in Anti-Semitism*

As tensions heighten in the Middle East, violence against Jews is on the rise in Western Europe. Across Europe, a wave of attacks has targeted synagogues, Jewish cemeteries, cultural centers and shops owned by Jews. Synagogues have been vandalized throughout France, Belgium, the UK, and Germany, including one in Marseille that was burned to the ground and two in Belgium that were firebombed. This is a worrisome trend and I have joined my colleagues in condemning these acts and urging our own government to monitor report on, and combat this trend. I am pleased that Secretary of State Powell participated in the Organization for Security and Cooperation in Europe (OSCE) conference on anti-Semitism earlier this year. Together with my colleagues I will be watching the OSCE process of monitoring and reporting on anti-Semitic incidents.

*Shari'a Law*—I believe there is a correlation between the enforcement of Islamic Shari'a law in parts of the Middle East, Africa, and Asia and human rights violations. In places like Nigeria, that have added criminal law to the jurisdiction of

Shari'a courts, have seen human rights violations spike, and sentences amounting to cruel and, in some cases, inhuman punishment. Amputations and floggings are a regular occurrence in many places where Shari'a Law is enforced. There is also a lack of respect for due process in trials in Shari'a courts and intimidation and torture of suspects to extract confessions is common.

*Sudan:* We are all appalled by the genocide taking place in Sudan. Peacekeepers from the African Union need logistic support from the United States and the international community. The UN Security Council must hold Kharoum accountable to its people. We should expect nothing less from a member of the UN Human Rights Commission. Human suffering continues unabated in Sudan at the hands of the government in Khartoum, aerial bombardment, attacks on villages and refugees and IDPs by Khartoum's proxies in the form of Janjaweed militia. Religious intolerance throughout Sudan's Islamist government and judicial system is systematically denying people of other faiths their fundamental human rights. Strict interpretations of Islamic law are being used as the basis for outrageous sentences including death by stoning and amputations.

*Myanmar/Burma and Laos.* The Government in Myanmar continues to severely restrict religious freedom. The Government has clamped down on all religious activity and restricts efforts by Buddhist clergy to promote human rights and political freedom. Minority religions are prohibited from constructing new places of worship. There is widespread intolerance of both Christians and Muslims. Across the border in *Laos*, things are not much better. Violence against the Hmong population continues. In an effort to raise awareness about their plight and the loathsome state of religious freedom in that country I introduced legislation in the House last year regarding the urgent need for freedom, human rights, and religious liberty in the Lao People's Democratic Republic. I am pleased Resolution 402 passed the house unanimously earlier this year.

One problem with the 2004 report is the designation of *Eritrea*. There is a wide variance between the countries designated as Countries of Particular Concern. Listing Eritrea, a country that your own report praises for excellent interfaith relations between Muslims and Christians, which each make up some 50% of the population, right alongside nations enforcing Shar'ia law and iron-fist Communist dictatorships seems to be a stretch.

On July 13, 2004 the State Department praised Eritrea as a solid partner with the US in the fight against terrorism and as one of the first nations to sign on as part of the "Coalition of the Willing". I am aware there is a dispute over the status of several hundred people on religious grounds and I urge the State Department to report on their investigation into this matter.

State suppression of religion must stop. The Report on International Religious Freedom and the designation of "Countries of Particular Concern" are an important part of the diplomatic effort to improve the circumstances under which people of faith practice their god-given right to assemble and worship. Thank you.

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RESPONSES FROM THE HONORABLE JOHN V. HANFORD III, AMBASSADOR-AT-LARGE FOR INTERNATIONAL RELIGIOUS FREEDOM, U.S. DEPARTMENT OF STATE, TO QUESTIONS SUBMITTED FOR THE RECORD BY THE HONORABLE JOSEPH R. PITTS, A REPRESENTATIVE IN CONGRESS FROM THE COMMONWEALTH OF PENNSYLVANIA

*Question:*

*In the briefing to accompany the 2004 Report, Amb. Hanford, you stated that if Vietnam had taken certain quantifiable steps, it would have avoided being designated as a "country of particular concern." What steps were specified to the Vietnamese government?*

*Response:*

Since November 2002, senior United States officials have repeatedly cautioned Vietnamese officials of the possibility that Vietnam might be named a Country of Particular Concern (CPC). We have consistently presented Vietnam with a list of specific actions necessary to avoid designation, including:

- Releasing a significant number of religious prisoners and detainees,
- Issuing a nation-wide decree banning forced renunciations of faith,
- Ending the physical abuse of religious believers, and holding accountable local officials who violate this policy, and
- Allowing the re-opening and registration of the hundreds of churches closed in the Central Highlands.

While our calls have led to some improvements, these fall short of what was deemed necessary to avoid CPC designation. We recognize the important progress and cooperation that Vietnam has shown in enhancing economic and commercial relations, achieving the fullest possible accounting for those listed as POW/MIA, countering the threat of terrorism and illicit narcotics, expanding military-to-military ties, and combating HIV/AIDS and other infectious diseases. We remain committed to strengthening our bilateral relationship overall, but it will not reach its full potential until Vietnam improves its record on human rights and religious freedom. We will continue to press the Government of Vietnam to adhere to internationally accepted human rights standards and norms.

*Question:*

*What types of sanctions are being contemplated against Vietnam?*

*Response:*

This is an important question that we currently have under serious consideration. At present, we continue to encourage the Government of Vietnam to take concrete steps—now—to improve religious freedom in Vietnam, and thus create conditions whereby sanctions can possibly be avoided. We will be very carefully monitoring developments during the review period, 90 to 180 days after designation, looking for the best approach to encourage the Government of Vietnam to adhere to internationally accepted human rights standards and norms.

*Question:*

*How do you assess the impact of U.S. pressure on the Vietnamese government's behavior in the Central and Northwestern Highlands? How do you assess congressional attempts, such as H.R. 1587 (the Vietnam Human Rights Act) to link increases in non-humanitarian aid to Vietnam's progress in religious and human rights?*

*Response:*

In informing the Vietnamese Government of its designation as a Country of Particular Concern for severe violations of religious freedom, we have stressed that respecting international standards for religious freedom and protecting the rights of the Vietnamese people to practice their faith are in the best interests of Vietnam. Making improvements in these areas will improve Vietnam's image internationally.

Since the April 10–11 protests, access to the Central Highlands has been difficult, although our Embassy and Consulate General personnel have been allowed to travel there. Other international observers have also participated in government-sponsored trips to the region. The Embassy and Consulate General additionally have excellent contacts in the region, who are able to keep them abreast of developments. We remain very concerned about the situation for religious believers there.

We believe that Vietnamese leaders and officials increasingly understand the importance that the United States attaches to freedom of religion and respect for human rights. It is difficult, however, to quantify what impact our interventions may have had on the specific situations in the Central and Northwest Highlands. As a result of local interpretations of national law, oversight of recognized religions and harassment or repression of non-recognized religions have been particularly stringent in the Central and Northwest Highlands. Churches report that the Government of Vietnam has allowed the re-opening and registration of some churches in the Central Highlands. GVN officials also have indicated to us that they are planning to allow training courses for unlicensed preachers affiliated with the SECV in several provinces, are considered applications to open new SECV congregations, and have recently provided land to two congregations to construct new churches. They are also encouraging groups of worshippers with too few members to create an official congregation nonetheless to register their places of worship.

The response we have had from the Government of Vietnam about the proposed Vietnam Human Rights Act indicates that the Government of Vietnam understands clearly Congressional concerns in this important area. We will continue to press the Vietnamese Government, using all the tools at our disposal, for concrete actions to improve the situation for people of faith in Vietnam.

