STATE DEPARTMENT ANNUAL REPORT ON INTERNATIONAL RELIGIOUS FREEDOM FOR 2000

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BEFORE THE

SUBCOMMITTEE ON
INTERNATIONAL OPERATIONS AND HUMAN RIGHTS

OF THE

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THURSDAY, SEPTEMBER 7, 2000

HOUSE OF REPRESENTATIVES,
SUBCOMMITTEE ON INTERNATIONAL
OPERATIONS AND HUMAN RIGHTS,
COMMITTEE ON INTERNATIONAL RELATIONS,
Washington, DC.

The Subcommittee met, pursuant to notice, at 1:35 p.m. in room 2172, Rayburn House Office Building, Hon. Christopher H. Smith (Chairman of the Subcommittee) presiding.

Mr. SMITH. I would like to call the hearing to order. If you could please take your seats.

Good afternoon. I am very pleased to convene this hearing on the occasion of the second annual State Department Report on International Religious Freedom. I am particularly pleased that our witnesses include Robert Seiple, the Ambassador-at-Large for Religious Freedom, and Firuz Kazemzadeh, the Vice Chairman of the U.S. Commission for International Religious Freedom, as well as four private citizens who have been victims of or witnesses to religious persecution in countries around the world.

The creation of the Commission and the office of the Special Ambassador-at-Large as well as the institution of the annual religious freedom reports are among a number of measures provided by Congressman Frank Wolf's landmark legislation on international religious freedom, which was marked up by our Subcommittee in 1997 and enacted by Congress in 1998. All of these measures represent important steps toward helping millions of people around the world who are persecuted simply because they are people of faith. But the reports themselves clearly demonstrate that we need to do more.

This year's annual report, like last year's, does an admirable job of stating most of the unpleasant facts about religious persecution in countries around the world. Nevertheless I have two concerns about the reports. First, they sometimes seem to deflect attention from egregious government actions by surrounding them with exculpatory introductions or obfuscatory conclusions. Second, the best statement in the world about religious persecution is unlikely to do any good if it is not followed up by forceful or coherent policy for ending such persecution.

In general, this year's Annual Report on International Religious Freedom is clear and honest about denials of religious freedom by governments with which our own government enjoys friendly rela-

tions, such as Saudi Arabia, France, Austria, and Belgium. But somehow the statements become less clear in the reports on governments with whom we are trying to improve relations such as Communist governments of North Korea, Laos, and Vietnam. For instance, the report on Laos states that religious persecution was "largely due to the actions of a few party cadres in a few provinces," whom the central government was "apparently unable to control." similarly the report on Vietnam discusses the Vietnamese Government's policy of recognizing certain "official religions" as though it were evidence of a degree of religious tolerance, rather than part of a systematic policy to force believers into phony government-controlled religious organizations in order to facilitate the destruction of genuine religions that existed in Vietnam long before the Communist government came to power.

A careful reading of these reports suggest there was a struggle in the State Department between people who wanted to tell it like it is and those who did not want to say anything that would set back the relationship between the United States and whatever odious regime happens to be in power in the country to which they were posted. Nevertheless, on balance the annual report is thorough, honest, and strong.

My deeper concern, however, is that this report—like the annual Country Reports on Human Rights Practices—may not have any practical effect on U.S. policy. This is particularly sad because the International Religious Freedom Act provided an important mechanism for bringing about such effects. The law provides that on or before September 1 of each year, the same day the annual report is due, the President shall review the status of religious freedom in each foreign country to determine which governments have engaged in or tolerated particularly severe violations of religious freedom during the preceding 12 months. If the President makes that finding of fact about a particular country, that its government has either engaged in or tolerated violations that are particularly severe, he is bound to designate that country as a country of particular concern for religious freedom. He must then either impose diplomatic, political or economic sanctions against the government of that country or explain why he does not intend to do so.

Last year the President designated only five countries of concern, along with two de facto authorities that are not recognized by the United States as national governments. In choosing these seven regimes—Burma, China, Iran, Iraq, Sudan, Serbia, and the Taliban—the President made only the easy choices. Six of the seven are already under severe sanctions for reasons other than religious persecution. The seventh, the Government of Communist China, represented a tough choice for the Administration, but the facts were so clear that it is difficult to imagine any other outcome.

At last year's hearing, Ambassador Seiple, I urged you to take a close look at several other countries whose governments clearly engaged in religious persecution that is particularly severe, such as Vietnam, North Korea, and Saudi Arabia. Later, in July of this year, the Commission on International Religious Freedom wrote to the Department and urged that Laos, North Korea, Saudi Arabia, and Turkmenistan be added to this year's list. The Commission's

letter also made clear that a strong case could be made for the inclusion of India, Pakistan, Uzbekistan, and Vietnam.

Mr. Ambassador, in light of these recommendations and of the clear evidence in this year's report of particularly severe violations in all of these countries, I am deeply disturbed by reports that the Administration will not designate a single country of particular concern this year beyond the seven that were designated last year. I hope you can provide us with some insights into the Administration's thinking on these designations.

Mr. Ambassador, as you know, totalitarian regimes often come down harder on religious believers than on anyone else. This is because nothing threatens such regimes more than faith. As political philosophers from Thomas Jefferson to Gandhi have made clear, the strongest foundation for the absolute and indivisible nature of human rights is the belief that these rights are not bestowed by governments or international organizations, but by God. So our government needs to understand that human rights policy, and particularly our policy toward the denial of religious freedom, must be a top priority in U.S. foreign policy, not a footnote and certainly not an afterthought. We must recognize that good and evil really do exist in the world, and we must act on the consequences of that recognition.

I would like to yield to my good friend from Pennsylvania for any comments.

[The prepared statement of Representative Smith appears in the appendix.]

Mr. PITTS. Thank you, Mr. Chairman.

I will submit my entire testimony in writing for the record. I would like to make a few comments.

First of all, thank you for holding today's timely hearing on the State Department's Annual Report on International Religious Freedom. Continued reporting on this issue is vital as thousands of people around the world suffer at the hands of their governments or communities simply for the peaceful practice of their religious beliefs. In Saudi Arabia, in China, Indonesia, Sudan, Vietnam, Laos, Burma, Pakistan, India, Afghanistan, Morocco, the Maldive Islands, Egypt, countries in Central Asia, even France, individuals and groups experience harassment, sometimes physical harm, imprisonment and at times even death because of their beliefs.

Earlier this summer I travelled to Indonesia and Pakistan to meet with people who experienced persecution for their faith, and the stories that we hear are heartbreaking, and I comment on some of those in my testimony.

Regarding the report, some of the assertions in this report are controversial, such as whether or not there has been noteworthy improvement regarding religious freedom in Sudan, Laos, Vietnam, Saudi Arabia and Egypt. Government actions that initiate increased religious freedom are appreciated. However, governmental statements or actions often are not translated into reality on the ground. In Sudan, where a religious genocide is ongoing and reports continue to flood my office about the government bombing of schools and churches in the south, the report does not convey an ongoing sense of the genocide against the Christian animist population in the south. In Egypt the noteworthy improvements cited do

not appear to outweigh the tragic violence experienced against the Copts experienced in a year covered by the report.

I want to commend the State Department officials who worked to research and compile these reports. I look forward to continued improvement on access to and reporting of religious liberty violations.

I would like to add a special thank you to Ambassador Robert Seiple for his service to our Nation and to the individuals around the world as he leaves his post next week. I certainly wish you all the best in your life after government.

Thank you, Mr. Chairman.

[The prepared statement of Representative Pitts appears in the appendix.]

Mr. SMITH. Thank you very much, Mr. Pitts.

Mr. PITTS. I would like to introduce our first two very distinguished witnesses beginning with Ambassador Robert Seiple, who has served as the first U.S. Ambassador-at-Large for International Religious Freedom since May 1999. Previously he served as principal advisor to the President and Special Representative to the Secretary of State for International Religious Freedom. Before his tenure in the executive branch, Ambassador Seiple was president of World Vision, President of Eastern College and Eastern Baptist Theological Seminary, and vice president for development at Brown University.

We will next hear from Dr. Kazemzadeh—I am sorry, Doctor—who is the Vice Chairman of the United States Committee on International Religious Freedom. Until recently he also served as secretary for external affairs of the National Spiritual Assembly of the Baha'i in the United States. He is also a professor emeritus of history at Yale University, where he taught Russian history for more than 35 years.

Ambassador Seiple, you may begin.

Mr. SEIPLE. Thank you very much.

Mr. SMITH. Mr. Ambassador, if you wouldn't mind suspending, although I didn't hear the bells, there is a vote on the child enforcement amendment on the floor right now. So if you do not mind, we will suspend for a few minutes and then reconvene the hearing. I am sorry.

[Recess.]

Mr. SMITH. Let me apologize for that delay, and I would like to resume the hearing now.

Ambassador Seiple, if you could begin.

STATEMENT OF ROBERT A. SEIPLE, AMBASSADOR-AT-LARGE FOR INTERNATIONAL RELIGIOUS FREEDOM

Mr. SEIPLE. Thank you very much.

In the intervening screening time, I was able to find the button that gives us a higher voice level.

Mr. Chairman and Members of the Committee, I want to thank you for holding this hearing, and I am honored once again to appear before you.

As I prepare to depart the position of Ambassador-at-Large after 2 years of service, I want to say to you, Mr. Chairman, that the Office of International Religious Freedom has not had a better

friend. You and your staff, in particular Mr. Rees and Mr. Anderson, have done so much to make our mission a success that I would be remiss in not thanking all of you publicly. I do so not only on behalf of the International Religious Freedom Office, but also on behalf of those around the world for whom your efforts to promote religious liberty have provided redress and hope.

Mr. Chairman, I have two goals this afternoon. The first is to formally present the second Annual Report on International Religious Freedom and to inform you of the Secretary's decision with respect to the countries of particular concern under the International Religious Freedom Act. The second is to give you my sense of where things stand with respect to religious freedom worldwide.

During the course of the past 12 months, my office has monitored carefully the status of religious freedom worldwide. We have traveled to many of the countries in which religious liberty is at risk. We have had access to the large and growing volume of press and NGO reporting on religious freedom. Last, but perhaps most importantly, we have reviewed the excellent reporting from the U.S. missions abroad.

U.S. diplomatic reporting on religious freedom has always been good, but it has become better under the tenure of Secretary Albright, who made it a point of emphasis soon after her arrival in the Department. Some people being the day reading the New York Times and the Wall Street Journal. We would read reports from some of the finest minds, patriots, folks who want to serve their country, who are part of that Foreign Service occupying those posts around the world.

This year's report covers the period from July 1, 1999, through June 30, 2000. It contains 194 country chapters, an introduction and an executive summary. This year the executive summary highlights the improvements in religious freedom. We have provided an improvements section because it is prescribed by the act, but also because we think it is terrifically important that the United States encourage improvements.

I am proud to present the second Annual Report, all 1,500 pages of it, on International Religious Freedom.

Now, a word on designations under the act, something that you had brought up.

Mr. Chairman, as you know, the IRF Act has established a very high standard for this designation. In order to be designated, the government of the country must have engaged in or tolerated particularly severe violations of religious freedom. As we apply the act's criteria in deciding what action to take, we try to place them in the context of diplomacy. Is diplomacy working? Are there trends in one way or another? Is a particular action likely to help or hinder our diplomatic efforts to improve the situation? None of these is determinative, but all are important as we decide how to proceed with any given country.

With respect to the Secretary's decisions this year, let me first note that she has decided to redesignate the five countries designated last year. They are Burma, Iran, Iraq, Sudan and China. In addition, she is renewing her identification of Serbia and the Taliban of Afghanistan as particularly severe violators. Neither constitutes a country as envisioned by the act.

During the course of the year, my office reviewed the records of all other countries which we believe might approach the designation standard. After carefully reviewing these records, and I would say also taking the recommendation of the independent Commission as well, and looking at everything we had to work with, I have concluded that no other countries reached that standard. I have reviewed this matter with the Secretary, and she has approved my recommendations. Let me just add that they were my recommendations, that it was not a split between the Secretary of State or anyone else in the State Department in our office. These recommendations came from our office. And I would obviously be happy to answer any questions when we get to that part on any one of the countries that we looked at.

Let me give you a brief assessment of my office's work and a few thoughts on the status of religious freedom. I believe that we are implementing the terms of IRF Act of 1998 in an effective way, faithful to the intent of the Congress, the President and the Secretary of State. The Office of International Religious Freedom is well integrated into the Bureau of Democracy, Human Rights and Labor, thanks in great part to my friend Assistant Secretary Harold Koh.

The process of producing the annual report has itself played a major role in integrating our office and the issue into the mainstream of U.S. foreign policy. The report has become a focal point for discussion of religious freedom and has dramatically increased public awareness of our mission.

Our mandate has also caused us to reach out to American religious communities. I am very proud of our outreach program to the Muslim community. I consider this program a success, and my office intends to expand it to other American religious communities.

My ex officio membership in the U.S. Commission on International Religious Freedom has been a productive and pleasant one. The Commission brings a separate set of eyes and a sharp focus to our common task of promoting religious freedom.

With the support of Assistant Secretary Koh, my office has grown to a staff of five officers other than myself, and we are in the process of recruiting three more. Their workload is heavy and growing, and it involves some of the most invigorating work in the field of diplomacy. We are met almost daily with a new challenge, a refugee family fleeing religious persecution and needing our help, a new draft law that restricts minority religions, new arrests, deportations, or executions of religious people, and we have had some small but important victories.

Our office has had the opportunity to improve the lives and fortunes of a few families and individuals suffering for their religious beliefs. These are the things, Mr. Chairman, that give us hope and make us even more determined to persevere in the promotion of religious freedom.

But in all candor, I must tell you have that we have made a very modest beginning in attacking the root causes of religious persecution and discrimination. The problem has no simple solution. The annual report provides a measure of the problem and shines a spotlight on it. On balance it is a critical tool in our goal of promoting religious freedom, but to get at the root causes of persecution, we

must go beyond the spotlight, the designations and the sanctions. We must convince governments that religious belief is not something to be feared, but a source of social and cultural strength. We must build bridges between religions, attacking the sources of fear and distrust that feed violence.

We must encourage believers of all stripes to summon the best from their traditions. Every world religion, Mr. Chairman, has some example of the Golden Rule. For example, the monotheistic religions believe that every human being, religious or not, believer or infidel, is created in the image of the Creator. To defile another human being, to destroy a person's dignity, to live without respect for human life, these are attacks on the very nature of things and the divine source of that life.

Every religious tradition is plagued by men and women who exploit and abuse the sacred, expropriating it as a divine license for persecution and violence against others. In their hands religion becomes a mobilizing vehicle for nationalist and ethnic passions. We have seen this outrage played out on stages from Afghanistan to Serbia to Sudan. We must not view the actions of such imposters and hypocrites as representative of any true religion. Religion can be, ought to be, a source of reconciliation and hope, of unity and respect.

The authors of our Constitution knew that religious freedom touches upon the most fundamental and universal attributes of humanity, the quest for the ultimate gain and purpose that is shared by every human being. In this, we are truly one human family.

So, Mr. Chairman, I am proud to have been the first Ambassador-at-Large for International Religious Freedom. I am satisfied that our office has done its job well, not only complying with the law, but in laying the groundwork for future progress as well. When all is said and done, our work will be judged not by the denunciations we make or the sanctions we impose, but by the people we help. As far as I am concerned, that endeavor lies at the heart of what it means to believe.

Thank you for having me here today. And obviously, I will be happy to take any and all questions.

[The prepared statement of Mr. Seiple appears in the appendix.]

Mr. SMITH. Thank you very much, Mr. Ambassador. I look forward to hearing your responses to the questions.

We will be joined momentarily by a few other Members, including the Ranking Member, Cynthia McKinney.

I would like to invite Dr. Kazemzadeh, if you would, present your testimony.

STATEMENT OF FIRUZ KAZEMZADEH, VICE CHAIRMAN, U.S. COMMISSION ON INTERNATIONAL RELIGIOUS FREEDOM

Mr. KAZEMZADEH. Thank you, Mr. Chairman.

My name is Firuz Kazemzadeh. I am honored to serve as Vice Chairman of the U.S. Commission on International Religious Freedom. I wish to thank the Subcommittee for inviting a representative of the Commission to testify before you today on the Annual Report on International Religious Freedom. I ask that my complete written statement be made part of the hearing record. I also beg

your permission to leave early after the termination of this panel so I can catch a plane home to California.

Mr. SMITH. Without objection.

Mr. KAZEMZADEH. Thank you.

The Annual International Religious Freedom Report is important to keep religious freedom high on the foreign policy agenda and an important tool to promote religious freedom abroad. It is the yardstick with which to measure our progress in meeting the goals of the statute.

I would like to take a moment now to speak about Ambassador Seiple. The Commission commends the work that Ambassador Seiple and his staff have put not only into the annual religious freedom report, but also their substantial efforts throughout the year to keep religious freedom on the foreign policy agenda. Ambassador Seiple has also made a significant contribution to the work of the Commission on which he has sat as an ex officio nonworking member, and we value him very much as our colleague.

The Commission will strongly urge the next President to move quickly to fill the vacancy with a person as knowledgeable and as distinguished as Ambassador Seiple. It will also urge the new Congress to impress upon the new President the importance of doing so. As the Commission noted in its own first annual report released in May, as important as the report itself is the impact that its preparation has had on the State Department and on our embassies. This year's report generally shows more complete understanding of religious freedom issues and extensive fact-finding and verification. It reflects hard work on the ground.

In other respects as well this year's report is an improvement over last year's. And I note with pleasure that some of the recommendations the Commission made in its annual report appear to have been adopted by the Department. Each country report now has an introduction, generally identifying the most significant religious freedom problems in that country. There are separate subsections that detail relevant law. Our review of the Department's instruction table sent to the embassies earlier this year also shows that the Department incorporated many of the Commission's suggestions in what information is solicited from embassy officials.

For example, the report focuses in its dozen or so pages relating to Sudan mainly on the policies and practices of the Sudanese Government with respect to religious freedom per se, giving only a page to atrocities being committed as part of the civil war, including, for example, aerial bombing of hospitals and schools, abduction of women and children, and the burning and looting of villages. There are, moreover, significant gaps. The report fails to describe the pivotal role that oil extraction is having, especially in enhancing the ability of the Government of Sudan to continue in its criminal behavior. Similarly it does not focus on the delivery of humanitarian aid; for instance, the long-standing refusal of the Sudanese Government to allow humanitarian aid to reach some regions.

Another notable problem is that this year's report includes a section in the executive summary entitled "Improvements in International Religious Freedom," which are also reported in the individual country chapters. The Commission believes that the reporting of such "improvements" must be carefully handled in order to

avoid misrepresentations of the conditions of religious freedom. Labeling what are really positive developments, and such positive developments deserve to be noted, as "improvements" confounds positive steps with real and fundamental progress in eliminating religious persecution. The mention of such positive steps in the executive summary can overshadow an overall negative situation. The executive summary should be the place to report on fundamental lasting changes in the protection of religious freedom, as may be the case in Azerbaijan, but not particular events that may be positive. Severe persecutors can make a positive gesture without improving the overall conditions of religious freedom. On occasion they do it to deflect criticism and to misguide foreign observers.

In the case of Sudan, for instance, the positive developments highlighted in the executive summary are changes of a shallow nature, and not the type of developments that would signal a change in the regime under which religious believers suffer horribly.

Another example is Laos, where the release of religious prisoners, in itself a welcome event, is characterized in the executive summary as significant improvement. But the Laos section of the report noted that, "the government's already poor record for religious freedom deteriorated in some aspects." these contradictory messages are found in the report's discussion of Vietnam as well.

The Commission is pleased that the State Department has listed for a second year Burma, China, Iran, Iraq and Sudan as "countries of particular concern" [CPCs] as well as the Taliban regime in Afghanistan and the Government of Serbia. This year's annual report affirms that the conditions in those countries have not changed sufficiently so as to warrant a change in designation. The Commission is disappointed, however, that the Secretary of State has not named Laos, North Korea, Saudi Arabia and Turkmenistan as CPCs. On July 28, the Commission wrote to the Secretary concluding that the governments of each of these four countries have engaged in particularly severe violations of religious freedom and thus meet the statutory threshold for designation as CPCs. I have attached this letter to my written statement for inclusion in the hearing record. The Commission's conclusion was based on the information that was available to us at that time. The information contained in the 2000 annual report only affirms that these countries should be designated as CPCs.

The label "country of particular concern" is important. It brings into the spotlight the egregious violators. But the act of labeling is only one aspect of the statute. The statute requires policy responses and, again, the International Religious Freedom Report is a report on U.S. actions to promote religious freedom and not only a report on facts and circumstances.

I would like to focus for a moment on actions taken in response to the CPC designation, and then speak more broadly to U.S. policy initiatives in certain countries.

Nowhere in the report did the State Department mention the sanctions it may have imposed as a result of a country's designation as a "country of particular concern." This is consistent with State's previous practice. It has, to our knowledge, done nothing to publicize the sanctions imposed under IRFA and at times appears to go out of its way to avoid mentioning them. In the cases of

Sudan and China, the sanctions the State Department identified are inadequate and ineffective. Regarding Sudan, the Department stated last October that, "In order to satisfy the sanction requirements of IRFA, the Secretary of State also uses the voice and vote of the United States to oppose any loan or other use of funds of international financial institutions to or for Sudan pursuant to the International Financial Institutions Act." More effective actions that the Commission has recommended include closing U.S. capital markets to companies that participate in the Sudanese oil fields, and taking steps to end Sudan's ability to control foreign food aid and use it as a weapon of war. Regarding China, the Department stated that the Secretary of State restricts exports of crime control and detection instruments and equipment. It is difficult to believe that this sanction sends a strong message to Beijing on religious freedom.

I would also note that under IRFA, the President must take action (or issue a waiver of the requirement to take such action) with regard to all countries the government of which engages in or tolerates violations of religious freedom, and not only CPCs. These actions do not appear to be so recorded in the annual report.

In general, the report shows that U.S. Embassy personnel in a number of countries have been working to raise the issue of religious freedom with their foreign counterparts. Embassy personnel have also made inquiries and sought to monitor the legal proceedings of some religious detainees. Ambassador Seiple and his staff have traveled widely to reinforce the message of the importance of religious freedom to the United States.

The Commission applauds these actions. However, progress in the promotion of religious freedom also requires that steps be taken at the highest levels of interaction between the United States and foreign governments. Religious prisoners and persecution must be prominently raised in virtually every meeting between American diplomats and violator governments.

As a parenthetical point, I would like to note that in the executive summary of this year's report, actions taken by the Commission itself are listed in the section on what the U.S. Government has done with respect to a number of countries. This practice should not be continued. The Commission is not empowered by Congress to implement U.S. foreign policy, but to make policy recommendations. Congress has required the Commission to report on its activities separately from the State Department. Including Commission actions in the annual report may blur the distinction between it and the State Department in the mind of the American public, NGO's, victim communities and foreign governments.

The report shows a number of countries where the deterioration in the conditions of religious freedom have not resulted in an adjustment of U.S. policy. In the case of China the report bluntly states, and rightly so, that the Chinese Government's attitude toward religious freedom has deteriorated, and persecutions of several religious minorities has increased. The report reflects the situation in almost excruciating detail. Arrests of Falun Gong and Zhong Gong practitioners and Christians worshipping in unregistered groups have accelerated dramatically. At least eight Uigher Muslims from the Xinjiang Autonomous Region have been executed

in June and July on charges of splitting the country. The receptivity of the Chinese Government to the United States concerns about religious freedom in China also appears to have deteriorated. The Chinese Government has refused to reinstate official bilateral dialogue on human rights and religious freedom. Government officials have refused to meet with U.S. Embassy officials who intended to raise religious freedom issues with them. The Department's special coordinator for Tibet and a member of her staff were denied visas for travel to Tibet. It is distressing that the Administration and the majority of the House of Representatives is willing to overlook all of this in pursuing its campaign for permanent normal trade relations status with China.

Turkmenistan is another example of where the State Department concludes that conditions of religious freedom have worsened, yet the reported U.S. actions do not appear to reflect any change in U.S. policy. A promise by President Niyazov to the State Department to allow minority religious groups to register, thus legalizing their activity, has yet to be realized.

A third example is France where the report describes in detail some disturbing recent events that threaten the religious freedom of minority religious groups. In particular the National Assembly in June of this year passed the bill targeting the so-called sects for dissolution and establishing a new crime of mental manipulation. It is now pending in France's Senate. However, a comparison of this year's report on what the United States has done, with the last year's report on what the United States did, shows that despite worsening conditions, the United States appears to have done less.

The report also illustrates a number of instances why U.S. policy does not appear to be in line with the gravity of religious freedom problems in a particular country.

The report on the Sudan does not display any coherent or concentrated plan of the U.S. Government to deal with the situation. We have not seen evidence of the sort of concentrated and coherent policy that has any hope to succeed. Consequently in May of this year as a key part of our recommendations on Sudan, we laid out a specific 12-month plan of action for the President, urging particularly that he personally launch a vigorous campaign to inform the world of Sudan's war crimes. In addition, the Commission has raised with the State Department and the National Security Advisor the issues of delivery of humanitarian aid in the face of continued interference by the Government of Sudan and of oil extracting enhancing the ability of the Sudanese Government to prosecute the war.

The Commission has asked Mr. Berger to investigate reports that the Commission received from credible sources—Anglican and Catholic bishops in the Sudan—that U.N.-provided humanitarian aid for Sudan, including U.S. aid, is being manipulated to force religious conversions among the country's displaced and needy religious minorities. I have attached a copy of the Commission's August 14, 2000, letter to the National Security Advisor to my written statement.

With regard to North Korea, the report notes that the United States does not have diplomatic relations with this country. Nevertheless the United States does have a policy with respect to North

Korea, and one that has undergone significant change in the last year, including the announcement of the lifting of certain sanctions against the country. We are not taking a position on the wisdom of those actions; however, it is apparent from the report that human rights and religious freedom have not played a role in the development of policy with respect to one of world's worst religious freedom violators.

The 2000 annual report states a sobering fact. Much of the world population lives in countries in which the right to religious freedom is restricted or prohibited. As the richest and most powerful nation on Earth, the United States can do significantly more to vindicate this right abroad. As the freest nation on Earth, it must do more.

On behalf of the U.S. Commission on International Religious Freedom, I thank you again, Mr. Chairman, for the invitation to present the Commission's perspective.

[The prepared statement of Mr. Kazemzadeh appears in the appendix.]

Mr. SMITH. Dr. Kazemzadeh, thank you very much for your testimony.

I would like to you recognize my good friend, the Ranking Democrat on the Subcommittee, Ms. McKinney.

Ms. MCKINNEY. Thank you, Mr. Chairman.

I do have a statement that I would like to submit for the record.

Mr. SMITH. Without objection, it is so ordered.

Ms. MCKINNEY. I also have an observation that I would like to put forward at this time and perhaps hear from the witnesses.

I am concerned as it appears to me, and I am not sure not to me alone, that as we go about looking at other countries in the world and basically pointing a finger on what they are doing right and what they are doing wrong, mostly what they are doing wrong, I note that Secretary Albright has called this grim reading, and we do the same thing with our annual human rights report where we basically tell friends and our foes alike that they need to do a better job in protecting human rights and in protecting religious freedoms in this particular point, but we rarely take a look at ourselves. And on the issue of human rights and on the issue of religious freedom, I do have one concern that I just wanted to put out there.

It appears to me that we have here in this country passed a law that has resulted in the imprisonment of eight people, and it appears to me to be solely because of their religion. I am talking about the secret evidence law, and the appearance that here in this country we have declared a war on Islam. And I know if it appears to me to be that way, I am sure it appears to be that way around the world. And while we point our finger at other people, I think we better take a good close look at ourselves and the way we treat our religious minorities here in the country, or else I fear that it really could come back to haunt us.

With that, Mr. Chairman, I will relinquish my time, and I look forward to the question-and-answer period.

Mr. SMITH. Thank you, Ms. McKinney.

Mr. Payne.

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

Let me say I applaud you for this very important annual hearing of the international religious freedom committee. I would like to also commend Ms. McKinney for her steadfastness as relates to human rights around the world.

I will not make an opening statement, but will wait until the questioning period, and at that time I will make a question or two. Thank you very much, Mr. Chairman.

Mr. SMITH. Thank you, Mr. Payne.

Let me begin with an observation.

Obviously passing this legislation was extremely difficult. Ambassador Seiple, you might recall the near Herculean efforts that the Subcommittee had to go through in order to get the bill passed over the various hurdles. I remember part of the objections were actually coming from the Administration, the Secretary of State and her Assistant Secretary of State John Shattuck continually told us, almost like a mantra, that this would establish a hierarchy of human rights. On October 23, 1997, Secretary of State Madeleine Albright said, "Although well-intentioned, this bill" talking about the religious freedom bill, "would create an artificial hierarchy among human rights with the right to be free from torture and murder shoved along with others into second place."

All of us objected vigorously to that very bogus characterization of what we were intending to do at the time. Just as when many of us opposed apartheid, as I think everyone did, I also believed that sanctions were a very useful remedy and I supported—despite the fact that many in my party did not—a very strong sanctions regime. That didn't mean that racism was somehow being put above other human rights. It just suggested that racism needs to be spotlighted when it is so egregious, when it is systematic, and when it is state-sponsored.

The same can be said for what we did on Jackson-Vanik when we risked superpower confrontation in order to provide a relief, a safety net, a lifeline, if you will, to Soviet Jews who were being repressed and the very few others who got out as a result of that linkage between MFN and human rights or immigration issues with regard to the former Soviet Union. There was no hierarchy of human rights established. We emphasized one. Hopefully all the others moved along. And I think it is just fair to note that there was considerable opposition.

I say this because the facts will bear this out. On page 18 of the executive summary, it is pointed out, Ambassador Seiple, that "the Ambassador," you, "has begun the task of integrating U.S. policy on religious freedom into the mainstream of U.S. foreign policy and at the same time into the structure of the Foreign Service and the Department of State." Hallelujah. That is exactly what we were trying to do with the creation of your office, and all of the like-minded aspects of the bill. It was meant to say that religious freedom is important. It doesn't trump any other freedom, but it ought to be emphasized because it has not had its rightful place at the table.

I want to thank you. Looking at your itinerary over the last year or so, you have been a very activist Ambassador. We are very grateful for the work you have done. We know that when you march into a capital and you speak to various people, including

Presidents, Prime Ministers, and dictators, that you do speak from the heart, you speak with authority, and we are grateful for that.

Having said that, just a few points with regard to the policy and where we are now.

You mentioned a moment ago about the designations of the countries being within the context of diplomacy, and I would just like to note that section 402(b)(1) of the International Religious Freedom Act of 1998 requires the President to designate each country, the government of which has engaged in or tolerated what it terms particularly severe violations of religious freedom. According to section 3 of the law, such violations include torture or other cruel treatment, prolonged detention without charge, causing the disappearance of persons by abduction or other clandestine detention or other flagrant denials of rights to life, liberty or the security of persons.

When I look at the list, and again I am glad that we do have a list, but again I think as the good doctor just mentioned a moment ago, as the Commission did in its letter, there are other countries that fit that designation. It seems to me that there was a misreading of the law when it comes to the so-called "context of diplomacy." That should be all about the response to, not the inclusion of, a country. Diplomacy should address the question "is it better to push or use this carrot or stick," but not "how do you get on the list in the first place."

So I note with regret and sadness that countries like Laos, North Korea, and Saudi Arabia, and Vietnam for example, were not included. It seems to me that the record clearly should have placed them there. And North Korea, where apparently there have actually been executions, should have been a no-brainer. Yes, we have difficulty with access to the country in question, but certainly the evidence and the reporting that has come out indicates presumptively they should have been put on the list.

So I would ask you if you would, to speak further to this issue of "context of diplomacy." And, Doctor, if you could speak to that as well. It seems to me there is a misapplication of the statute going on. I don't think it is done with bad intentions. I think you are very faithful to your principles, but it seems to me that should be the response. What is the best way to deal with Saudi Arabia? That is a different issue than going on the list, which should be a matter of what the evidence is on the ground.

Otherwise, what is the purpose of the waiver, which was very, very generous? That was a point that we worked very closely with the Administration on to make sure the waiver was as wide as it could possibly be, giving the President maximum flexibility when it comes to prescribing a certain course of action.

Ambassador.

Mr. SEIPLE. This is a very interesting comment, and I think this is a very interesting discussion to have. You were right in terms of the parts that were read relative to the mandate under the legislation.

There is also something, however, that runs throughout the legislation, inherent in the legislation, if I can use the phrase of some other people, a "do no harm clause" that we also need to take into account. In other words, if we violate the spirit of the legislation

by performing a designation or creating a sanction in our diplomacy in any way, shape or form, we violate what the act was meant to be.

So if our public presentation of a finding, for example, is going to make it much more difficult for people in that host government country to have freedom—I mean, it is easy for us here in the confines of the last remaining superpower to want to wield more stick than carrot, but we serve an awful lot of people in our primary constituency who have nothing but sticks every day, and if we are going to make it more difficult for them, do we not violate the spirit of the act which essentially says do no harm?

Now, granted, once you take that as an assumption, you get into some very subjective areas of interpretation, and, rightly or wrongly, let me give you a couple of examples of how we played this out.

There are some cases where we asked our sources whether we could reveal what is going on, whether we can go to the next step and do a designation and a sanction.

And because these are people that are on the ground that are bearing the brunt today, we feel some obligation to listen to those voices. We also look at what is applied on the diplomatic side. In Turkmenistan, for example, we have a number of things that are still in play. Are they going to reduce the number required for registration? Right now it is 500. Only Muslims and Russian Orthodox qualify. Are they going to reduce it? We have had this discussion.

We have had the discussion of the repayment compensation to the Adventist for the destruction of the church. We had a discussion on amnesty for people of conscience. We also saw in April where this president came out with a decree that essentially said we are not going to disrupt private worship. This was a huge boom for the Jehovah's Witnesses who were being harassed, for the Baha'is who were being harassed, for all the minority faiths there. So there was some reason to look at what was in play and what we were asking over a period of time to have done.

Now, again you have a subjective judgment to be made when how much is enough time before you bring down the hammer. But, another part of this legislation is the clear sense that we should be in the business of promoting religious freedom. This is one of the reasons we have that section on noteworthy achievements. My goodness let's have some integrity when somebody does something right.

We have caveats before this section. We have said that this does not mean that we can all walk away because they have done something right. In many cases, they are the worst offenders. Significant improvement sometimes comes from people who are the worst offenders. But it lacks integrity if we always use the stick and say you are doing this wrong and that wrong and we never give anybody credit for what they are doing right. It makes it much more difficult to have the conversations that are going to take place over a long period of time whether we fix this.

I think it is true, the Congressman and my good friend Firuz and the Commission and the office that I represent, we all do want the same thing. And by and large, we look at the same facts and come to the same conclusions on this point of discernment as to what happened. The real issue is what do you do with what happens?

And I would take the stand that we have taken and gone through any specific country that you would like, but we did it with our eyes open. And we did it for the constituency, the No. 1 constituency that we serve, those people who this day are suffering because of how they believe, who they believe, where they believe. And we have to stand with them. We stand with the persecuted. That is what the act says. We stand with them in terms of promoting their cause, and I think we have been faithful to that.

Mr. SMITH. Dr. Kazemzadeh.

Mr. KAZEMZADEH. On the same subject?

Mr. SMITH. Yes, please.

Mr. KAZEMZADEH. Well, as Mr. Seiple said, there are differences in what ought to be done. We are in agreement on basic facts. Evaluations will differ. If I may say parenthetically that the words of Ms. McKinney touched me very much because the strength of America's influence abroad will ultimately be commensurate with the situation at home. If we have achieved successes in other fields, it is because of our domestic strength and the same will apply to human rights and to freedom of religion. But some of the disagreements I think are legitimate. And it is not for the Commission, obviously, to resolve these. I was speaking on behalf of the Commission. This was the decision of that body. And in some instances it does not coincide with the views of the State Department.

Mr. SMITH. Let me ask you, Dr. Kazemzadeh, whether or not you agree with his analysis of this issue of the context of diplomacy in deciding which countries are put on the list and which are kept off, which was the main point of my question to Ambassador Seiple. Having worked so diligently on that legislation with Grover Joseph Rees and others, I thought it was very clear that the original designation does not have that kind of open endedness and flexibility. That has to do with what we do afterward. We tell the truth, we say exactly what the situation is on the ground, and then we decide what is the best course of action to mitigate the abuse.

So that is basically the question I wanted to ask you. Whether or not that has been adhered to, especially in light of the Commission's request that several other countries be added to the list.

Mr. KAZEMZADEH. It is a very interesting point. Just before the hearing started, Mr. Seiple and I were talking about this. The position of the Commission is the same as yours, Mr. Chairman, that facts ought to be stated; and if the facts warrant the inclusion of the country on the list of "countries of particular concern," that should be made very clear.

Now, what the U.S. Government shall do next, that I think the diplomatic lens through which you look at it should apply. Obviously the interests of the United States are varied and cannot be all decided ahead of time. The government, the Administration should have a great deal of leeway to act one way or another. But I think that on the question of designation, the Commission does not share that particular point of view.

Mr. SEIPLE. Let me give you an example of where I think we have a difference, and again we can go back and make a judgment on how the methodology should proceed. The situation in Laos. I was there twice in the last year. I don't know if there is anybody in this room who has gone to Laos twice in a year, but I went not

because it is great country, not because they have great weather, because they were in danger if they continued what they were doing, namely, forced renunciations of faith. People who would not renounce, go to jail. If people go to jail in Laos, many times it is in leg stocks. It is the worst kind of situation.

And to put the context of diplomacy over that, we could either just sit back and watch Laos disintegrate and these people stay in jail, and then come back and play our power game—namely we are the powerful and yes we have 194 countries which do not include our own but we somehow seem to be able to live with the fact that we can judge everybody else—play the power game, make sure the press are aware, and throw the book at them at the end of the year.

I felt it was much more important, given the spirit of the bill, of the act as I saw it, namely to promote and not to punish: To give them a heads up, say look, we want to work with you. We want to try to find a way out of this situation. We want to find a way that creates sustainable solutions so we don't have to revisit this. Laos is a poor country. It has very little going for it. I mean, it is almost picking on them to throw the book at them.

Can we fix it some other sustainable way that brings dignity back to the human being. We have the discussions there, we had a number of discussions with the Ambassador here. We had a number of demarchees throughout the course of the year. We finally from the start of the year when 55 to 60 Christians in this case were in jail, got that figure down to 25. In ways that, quite frankly, I didn't think were possible because there are problems even in a communist country and maybe especially in a communist country where they don't control as much as they think they control.

So we had a couple of Hitlers out there, a couple of governors who essentially were kings of their fiefdoms, and they weren't listening to the central government. We got that changed. It was late in the game. The Commission was not brought up to speed about it because it happened after the reporting period. But it came to the point where now in all of Laos we have a number of 25.

Now, let me just say that these things are not linear progressions. We take one step forward and sometimes two steps back. Hopefully some days three steps forward. In this case we did an extraordinary thing in the government getting them to work with these recalcitrants, with these difficult Governors to points where jails were open and people were let out. And people were not being forced to renounce their faith.

Now the legislation is written so that if they go back and say, "Oh, we got a by, we can do it all over again," we can throw the book at them next week. We can throw the book at them next month. We can throw the book at them next year. We don't have to wait until 1 September of every year. The bottom line—point however is if we had designated them and then tried to work the diplomatic side, the door would have been shut. The conversation would have been over. When you designate and sanction a country you change the relationship, sometimes, in my opinion, irreparably.

So if that was the original intent of the bill and somehow we are in variance against the spirit of the act, this is a point we really ought to come back and talk about some more. It is a very impor-

tant act. It is whether diplomacy will have a chance to work to the betterment of the first constituency that we were called to serve as opposed to a legal interpretation of an act.

Mr. SMITH. Because I would assume that within the context of diplomacy is if the decision was made in a way similar to a Laos we don't think it is working all that well and the situation on the ground as is pointed out the respect for religious freedom has deteriorated markedly during the last half of 1999 according to the report.

Let me ask you if you could update us on China. I was just reading some news articles a couple of days ago about the underground Catholic Bishop Joseph Su from Hebei province who was arrested as were several others. I know you raised his case. I actually met with Bishop Su when he was briefly out and celebrated mass for our small delegation and immediately got rearrested. If there is anything you can do to shed light upon the situation in China, that perhaps amplifies what is in the report since it has been released. Also, what actions are contemplated vis-a-vis China.

Mr. SEIPLE. China is an extremely tough case. I think we could have the same discussion we just had and insert China as to the question "did it do any good?" Would we have had a better chance without putting them in reports which now are mandated to come out three times a year between the Commission and the two that come out regarding democracy, human rights, and labor in the State Department? It is a good example of designation and a sanction and it has been made clear here that the sanction doesn't seem to be much of anything.

Let me tell you that the designation was everything. We undressed China in public for what it is doing. Does that make it easier for us to talk to China? Absolutely not. Was it the right thing to do? I think so because diplomacy had failed. We had no other avenues. They had taken away the ability to have a dialogue. Let me say this about sanctions, I think it is right to have sanctions in the bill. We have gotten a lot of good positive things happening because we have used the threat of sanctions. But in China, things were bad, and the integritous thing to do was to designate them: and things have gotten worse in this past year.

I could give you examples from the Falun Gong situation. Let me just give one that talks in my mind to the bankruptcy of the communist ideology. A 60-year-old woman, her daughter is called to the prison to pick up her body. Her crime, she is a meditator, she is a Falun Gong adherent. She is bleeding, dried blood from the ears, from the eyes, and from the mouth. She has got every tooth in her mouth broken. Her body is covered with bruises. We have this from a fairly credible source: Last February she was made to run up and down outside in the snow until she collapsed, a 60-year-old woman. Now how do you stand by and allow that to happen.

I mean, at this point the context for diplomacy is gone. They have to be lifted up for who they are and what they have done. And they have to be lifted up in an international way. And we have done that. I think that is the best use of this part that was so carefully and painstakingly put together through yourself and Frank Wolf and Under Secretary Eizenstat, a very creative use of flexible

sanctions for the purpose of advancing the spirit of the act, thinking about 60-year-old women who nobody thinks about, who nobody talks about, who can disappear from the face of the earth, except we got a letter.

And I wish that was the only situation that was part of the marked deterioration. A few weeks ago, they arrested 130 members of the Fauncheng church, one of the groups that were targeted in this anti-cult law. It is an underground church; there are three American citizens involved. The citizens gratefully were let out. I have to say this for China, they do a good job when there is an American citizen involved. Give them credit for that.

That doesn't take away from anything that we have said about China. We have got a bankrupt system. It is failing. They are scared to death. What they don't understand, what they can't control, what appears to have an outside influence, takes—puts the fear of whatever into them. And they call it stability, but it really is the paranoiac fear for control. And we need to worry about China in the years ahead. Soft landings, hard landings, how PNTR works, we have a bad situation there. So that is a little bit of an update on China, but it also fits into this other discussion and how we utilize as intelligent beings the spirit of the act.

Let me just say, when we go out to these places and say in 1998, when you folks were not very bipartisan in this town, you voted unanimously for this particular act. The greatest thing to come out of this act is that it raises hope, hope for these people living on the cruel edges, hope for these people who are having to bury their 60-year-old mothers, that the last remaining super power cares for them and is willing to do things for them even if it costs them money or prestige or whatever.

Hope is a future concept. In order to be credible in the future it has to be tangible in the present. These people know that we have a report that undressed China publicly. They know we have an independent commission that works on behalf of the voices. They know that people like yourself and Joseph Rees are working every day to make sure that their lives approach human dignity and that human dignity becomes a reality for more people in our lifetime. It is an amazing amount of hope. The best thing that this act has done is to make hope credible on the cruel edges of the world.

Mr. SMITH. Thank you, Mr. Ambassador. Cynthia.

Ms. MCKINNEY. Mr. Chairman, thank you. I would just also say that lobbyists who were—you were here pounding the halls of Congress advocating permanent normal trade relations with China didn't care very much about that 60-year-old woman either. And apparently no one else in the Administration did because they delinked human rights and trade.

Let's talk for just a moment about Sudan, Mr. Ambassador. I am reading in Dr. Kazemzadeh's testimony that on Sudan more effective actions that the Commission has recommended include closing U.S. capital markets to companies that participate in the Sudanese oil fields. Could you talk to me about the fact that is it that companies are raising money here in the United States for the oil exploration and that is going on in Sudan?

Mr. SEIPLE. I think you have correctly summarized what is happening. And I think as we looked in the Commission meetings in

Sudan, the most creative thing that I have seen in a long, long time was this issue of barring. How do you do it, the issue of barring international companies who come to this country for the sole reason of raising capital and will eventually go, sometimes directly go to a process in a government and a country like Sudan. And believe me we have done about everything possible to Sudan including the throwing of Tomahawk missiles at Khartoum, but we haven't gotten their attention. And there are problems throughout that country but the problem really, and there is no moral equivalency between what goes on in the north and what goes on in the south, the problem is in the government of Khartoum. After 17 years and over 2 million people killed, the issue is how do you increase the gain or the pain of prosecuting that war. Because unless you make it so painful for them to stop or so good for them to stop it is going to continue for another 17 years. That got very, very complicated when Sudan had access to resources because they are pumping $32 a barrel oil. Some of which came about because money was raised in the United States of America, people made investments.

Now, there are all kinds of issues here and frankly where this needs to be sorted out is in the Treasury Department. But let me say that I think it is a very creative idea. And it could have a tremendous boon to the human rights establishment if we could find a way to deny this from governments or companies who are working in governments that are harmful to the dignity of people. I think it should be pursued. I think it will be pursued. I am sure there will be all kinds of legal hurdles. But I would suggest it to you and this Committee to work with the Commission on that and to work with the Department of State and Treasury on that because it is a most creative idea.

Ms. McKINNEY. Dr. Kazemzadeh, you have suggested in your testimony that there were some recommendations put forward with respect to Sudan. How do you feel—what do you think the Administration ought to do with respect to your recommendations?

Mr. KAZEMZADEH. The Commission has made five specific recommendations. The first was that the United States should begin a 12-month plan to pressure the Government of Sudan to improve human rights. The recommendation says that if there is not a measurable improvement in the religious freedom in the Sudan by the end of the period, the United States should be prepared to provide non-lethal and humanitarian aid to appropriate opposition groups. This was the first proposal.

The second proposal that the U.S. Government should earmark more humanitarian aid for building public works such as roads and bridges in southern Sudan which apparently lacks a proper infrastructure for the delivery of the aid and for the well-being of the people.

The third proposal was that the United States should work toward a military no-fly zone over Sudan because, again, these bombings by air of hospitals and schools have been particularly horrible examples of repression.

The fourth proposal, the U.S. Government should prohibit any foreign corporation from seeking to obtain in capital in the U.S. market as long as it is participating in Sudanese oil field develop-

ment because there is a kind of an irony there of United States citizens in effect contributing money for repression in another country. And finally, that there should be an investigation of how far and how much of the debt the China National Petroleum Company intends to retire, how much of the debt arose from its Sudanese activities and whether U.S. underwriters knew or should have known of any such earmarking.

So these were the complete proposals of the Commission made on the Sudan issue.

Ms. MCKINNEY. And Ambassador Seiple, what is the Administration's position on those recommendations?

Mr. SEIPLE. Well, they are being discussed at the Department of Treasury as I suggested. I am not quite sure where they will come out. But again they are looking at legislation that is already in place and whether we contradict any of that in the rights of people in this country to invest and all those difficult issues. But again my encouragement to everyone would be to continue to push that. It is a most creative way to help the people that are suffering in Sudan because of who they are, where they are. It is a very important, could be a very important tool. We could get an awful lot of attention from despotic governments if they understand that this great fountain of venture capital is not at their disposal until they clean up their act. But it has to be pushed.

Ms. MCKINNEY. Mr. Chairman, I am finished.

Mr. SMITH. Sure. Mr. Payne.

Mr. PAYNE. Thank you very much Mr. Chairman. Sort of in the light of questioning that Ms. McKinney had in regard to the Sudan, I too think that this is one of the worst tragedies that has been going on for over 4 decades and have received very little attention. About 7 or 8 years ago, I took my first of a number of trips to Southern Sudan. The last one a year or so ago I went to Loka, Tombe and other places. Just last night, I met with the delegation late into the evening of people from the Norwegian Aid and we discussed the whole question of the problems with food aid. Now, we asked our government that OLS was—certainly when they have an opportunity simply to bring in food when they want to, they use food as a weapon, that we have a language put in to allow food aid to go through not OLS means. Unfortunately, even though the legislation was passed there, there was opposition from traditional food aid organizations I think such as CARE and some of the others that opposed food aid and non-lethal assistance to NGO's and perhaps even SPLA in the south.

And we have a number of problems, as you know, the question about the oil companies. That Talisman oil, as you know, we were able to get that in New Jersey. With the assistance of Congressman Smith, we pressured the Governor of New Jersey and they sold Talisman. As you know, it is tied in with the People's Republic of China and Malaysia as an oil conglomerate. And the fact that there is more oil in the south is going to simply increase Khartoum's reign of terror on the south.

Second, there has been an increase in bombing as we talked last night. They are becoming more frequent. Just disrupting. When we were in Yei we thought they were going but he watched the chickens. Because if the chickens start running, then the children run-

ning and when the children run, you know the Antelopes are coming. And they continued the bombing and continued this continuously. And I too am at wit's end to try to understand why the Administration has not put forth a stronger position against the Khartoum Government. The gum Arabic question when we tried to have sanctions against that was once again allowed to continue to move forward.

So I agree with you wholeheartedly that food is used as a weapon it is used too in religious persecutions. There is starvation still in the Nuba mountains, the question of the lack of any other organization being able to bring in food into the south of Sudan really makes this particular problem I think one of the most egregious that we see in the world. Either of you have any idea of why this continued problem continues to go along without outrage in the world? Luckily we have more and more people getting involved, primarily students who are getting involved in the whole question which has gotten some of the adults to have more concern. But can either of you give us any light on why this continued crisis catastrophe continues to go out much attention on the part of the worlds?

Mr. SEIPLE. I wish my old friend Firuz would have an answer and an antidote and a silver bullet for what has gone on for 17 years. I think we are in agreement here that this is a conflict that humbles us all. Why it continues. Why Khartoum would do this. Why discussions that go on with our special envoy, which was an additional plus to have that resource, that facilitator in the IGAD process and so on, why he can be having conversations with his interlocutors in Khartoum about unilateral or bilateral cessation of activities and those same airplanes are rolling bombs out the back. We had Max Gazeze here, Bishop Gazeze, about a week after they bombed the school. And these are—these were first graders—14 first graders who were sitting under a tree having an English lesson. And the bombs hit and 14 of the children were killed. And the diplomat out of Khartoum said it was an intentional target. This is craziness.

In terms of what can be done, let me first address why there is not more outrage. These are personal points of view: I think the sense of intractability works against people getting involved, understanding the situation, which is complex, understanding Africa and how things work with the neighborhood, which is complex. And then also this has been a war without heroes. I certainly do not want to create a moral equivalency between what has been allowed to happen in the south and what goes on in the north, but it has been hard to find an opposition leader to firmly get behind in all respects. In terms of the OLS everybody has questioned why we allow Khartoum to veto where the food goes. Again it is crazy.

The Government, the U.S. Government has been diverting more and more of its food into non-OLS areas. We have to have people to deliver the food on the ground. And the World Food Program [WFP] is one of the few programs that is an international organization that can do that. Very few of them can. But right now our—the money that we give to non-OLS food, if you take WFP out of it, is about the same as we give for OLS food. So there has been a switch and it is changing. Is it enough change to bring it to an

end? No. Again if it were easy, it wouldn't have gone on for 17 years. It wouldn't have killed 2 million people.

We wish there were more genuine outrage, that there were more facts presented like we are doing today, that more people would understand that what is at stake really in a global village has some impact and import to how they live, who they are.

As I said at the beginning of this, this is a conflict that humbles us. I think if we quadruple everything that we are doing we could sill sit here and say, gee, how could we do more. We would welcome the input from this Committee. We welcome the input from the Commission. We have welcomed the creativity that has come about largely through the Commission work, and we all want the same thing. It is a tough, tough nut to crack.

Mr. PAYNE. Thank you very much. We are going to continue to pressure and continue to work with the Commission. There are—we have some allies out here. This is something we have to make a No. 1 priority. We have to continue to enlighten the world. We are starting to see more and more interest on the People's Republic of China. They have got more and more people coming in, and there is a rumor that they have a goal of getting several hundred thousand people in Sudan and working the fields, and laborers are there now and technicians. So this is really going into the wrong directions.

Thank you very much.

Mr. SEIPLE. You mentioned the NGO, and I failed to comment on that. I was head of an NGO that was very much involved. In fact, we got kicked out of the north because we were told we weren't needed. We were out for 6 months and 250,000 people starved to death, and we went back in the south illegally because human dignity is more important than the sovereignty of the state. I think that is the position that most of the NGO's that are there now take. But it is very hard to ask a known governmental organization to be part of the distributing system to the opposition forces regardless of how they individually feel, very hard to take the role of one party in a conflict over another. It puts them in a very, very awkward position. It might be the right thing to do. They might ultimately do it. But we really strain the philosophical basis of who they are when we take away their impartiality.

Mr. SMITH. Thank you, Mr. Payne.

Mr. Faleomavaega.

Mr. FALEOMAVAEGA. Mr. Chairman, as always I applaud and commend your tremendous leadership as a true champion not only of human rights but religious freedom. It always is an issue that I really, really appreciate that you have taken the forefront on this, trying to bring about the better change as far as religious freedom is concerned, not only perhaps in our own country but throughout the world. I certainly want to commend both Ambassador Seiple and Mr. Kazemzadeh for very comprehensive reports that have been submitted for the Committee Members to review.

Recently there was a 60 Minutes interview between Mike Wallace and the President of the People's Republic of China. It was a very interesting dialogue between President Zemin Jiang, I believe is the pronunciation of his name. And there seems to be a quite a difference of values between Western nations, if you will, as op-

posed to those who are representing the Asian countries. And one of the things that was raised as you had suggested earlier, Mr. Ambassador, about religious freedom and how the perception is by someone representing 1.3 billion people, one out of every five persons living in this planet, he is the leader of the most populous nation of the world. The dialogue came down to the point, well, it is very easy for Western countries to look at religious freedom but in a very different way.

I wanted to ask Ambassador Seiple if there is an—and I am not defending whatever action you have taken against the 60-year-old lady that you had mentioned earlier, but I am only saying is there a difference, definite difference of values on how we from the Western aspect of philosophy and whatever you want to call it, as opposed to how people have to cope with the realities, that form of government, may it be communist or whatever other form that is taken. And I say these not in a critical way. I am just trying to understand, at least have a sense of understanding of the problems that they are having to deal with, not just in religious freedom but even just the mere existence, providing food on the table for some 1.3 billion human beings living on that part of the world.

For starters, I want to share with you I am not a historian, but it is my understanding when the People's Republic of China was founded in 1949 there were 400 million Chinese living since 1949. And our own country's population right now is about 273 million. We are now the third most populous nation in the world. But from the perspective of someone like Mr. Zemin giving this, there is a different perception about religious freedom as we would have it, even though we have a problem with religious freedom. If there is a question of high school students that could not give prayers before football games, the Supreme Court is involved in this.

I am very curious, Ambassador Seiple, if perhaps the President of the People's Republic of China gives that perception. There is a difference of perception here. I wanted to ask you if there may be some sense of truth in that observation.

Mr. SEIPLE. We certainly agree that they have 1.3 billion people. And we should not ignore that. We should be very active in China. We cannot take a closed-minded position to that. There has to be engagement with China that has integrity. I wish that Harold Koh, the head of—Assistant Secretary for Human Rights, could also answer this question. He is Asian, and he represents what we all want to represent; namely, the universality of the concept of human rights, the concept of religious freedom. I think one of the very bright things, smart things, wise things that was done when the International Religious Freedom Act of 1998 came together, is seen in the preamble. The preamble was written in the context of the international covenants, the International Declaration of Human Rights, and all of what came after 1948. Interestingly that came into being a year before the Communist Party in China.

China always talk about its culture, its systems, its history. The Communist Party is the carpetbagger in China. 50 years. That is it. The Chinese culture of course goes back millenniums. But the preamble suggests that these are covenants that are already in existence. America didn't invent this idea. Jimmy Carter used to say we didn't invent human rights; in many respects human rights in-

vents us. On the basis of the dictates of the American people, through a representative government, to put our considerable shoulder to the wheel to covenants existing internationally that countries like China had already signed—inherent in those covenants is the concept of mutual accountability. China could come and point out our problems. We should welcome that. They should hold us accountable for human rights abuses if they exist in this country, and we should feel free to do the same. We don't do this because we have invented something special and unique in America, or that it is part of our history.

You know, there is something that transcends the nation's states, something that transcends national boundaries. It is human dignity. It is the sanctity of life which we have in common with every single person on the planet.

Mr. FALEOMAVAEGA. I suppose where I am coming from, Mr. Ambassador, I don't question your statement in response, so we go after China, we undress China. I guess my concern is that are we doing the same for Saudi Arabia, where we talk about the rights of religion freedom and religious freedom in that country. And of course Saudi Arabia is a very important country as far as our foreign policy is concerned. It is not a non-democratic country. They don't elect the shahs and kings there. You are born into the royal family.

How would you address—the concern I have, are we evenly distributing the pressure? If we are doing it for China, are we doing the same for Saudi Arabia or other countries that are not necessarily democratic in substance as far as we are concerned?

Mr. SEIPLE. When we write the reports we write with the same methodology, looking for facts that we can verify and then stating those facts as they are. In terms of what you do with those facts and the methodology employed and the next step forward, there is a difference. I had a fascinating afternoon in Saudi Arabia talking about these issues not only with their government officials but with their clerics. In China, we are not allowed to have that dialogue. That was suspended in China. So you do what you can do when you can do it. If they gave us more leeway, we would take it.

Are we happy with where Saudi Arabia is today? Absolutely not. And our record on that, our chapter on Saudi Arabia points that out. Our chapter on China again, with the same kind of integrity and methodology to fact finding and truth telling is done in a similar fashion.

Mr. FALEOMAVAEGA. As much as we are doing a 365-day calendar year that celebrates Christmas, do you think something—we should also have a national day for Buddha and let's say even for Mohammed?

Mr. SEIPLE. I am not sure of the specifics because you are hitting me cold, but should we respect the Buddhist faith, should we respect the faiths that are not traditional in this country that might be new?

Mr. FALEOMAVAEGA. A national holiday the same way that we do the same for Christmas.

Mr. SEIPLE. Do we have a national day for our Christmas because of our culture or because of our religion?

Mr. FALEOMAVAEGA. Good question.

Mr. SEIPLE. I don't want to step out and say we should have a national day for something without more reflection on it. But if the question is should we have respect, mutual respect, equal respect, for other things, than what might be those that were traditionally involved in the founding of this country, our majority faiths today, absolutely. Absolutely. A country's human rights record ultimately is fashioned by how it treats the minority representation, not the majority, and we have some work to do there. We are superficial in our understanding of the Islamic faith.

Mr. FALEOMAVAEGA. Mr. Ambassador, I could not agree with you more on that. Thank you, Mr. Chairman.

Mr. SMITH. Thank you very much, Mr. Faleomavaega. Ambassador Seiple, let me ask you a few follow-up questions. In his testimony, Joseph Assad, the Middle East Research Director for the Center for Religious Freedom, Freedom House, takes your shop to task on the Egypt section. He points out in his testimony that the Egypt section of the State Department's religious freedom report is very uneven. The serious findings of violations of religious freedom against Egypt's Copts of the last year are undercut by the report's determination that so-called "noteworthy improvements" have occurred and the finding of a trend toward improvement in the government's respect for and protection of the right to religious freedom.

In fact, the improvements cited at the beginning of the Egypt section are either misrepresented, such as the restriction on church repairs, or are insignificant in contrast to the grave violations, arrests, and denials of justice experienced by the Copts over the last year. Freedom House's Center for Religious Freedom is concerned that the report may be soft pedaling the persecution of the Copts in deference to the Middle East peace process.

For example, the report describes the massacre of Christians in Al-Kosheh earlier this year as clashes and exchanges between Muslims and Christians. Since all of those who were murdered in the village were Copts, this description is comparable to describing the Ku Klux Klan lynchings as clashes and exchanges between blacks and whites. We hope that these shortcomings in the report's Egypt section do not stem from American insensitivity due to Cairo's role in the Middle East peace process. The credibility of the report hinges on their ability to state accurately and unflinchingly the status of religious freedom irrespective of other U.S. strategic and economic interests.

He then goes on to point out many of the concerns of the Coptic church and individuals, including the vulnerable young Christian women and girls who are targeted by extremist Muslim groups and pressured to convert to Islam, sometimes with the cooperation of local police. He has many other examples of the violence and discrimination against Christian Copts. How would you respond to that characterization, which is very strong?

Mr. SEIPLE. Joseph Assad is a good friend of mine. I have a great respect for his reflective thought and his methodology and his conclusions. I would take exception with a friend—that is the beauty of dialogue with friends—that the improvement section is still important. We have touched about this earlier. I find that we lose credibility as I mentioned before, when we only talk about those things that are wrong and not those things where progress has been made. I think we have to be larger than simply hitting people. We have to find ways to lift them up to a higher standard. Sometimes the mere mention of something positive is that instrument that can do that. And I hope that will be the case here.

I have never been accused of being a soft peddler in my life. I don't think we have soft peddled Egypt. I think you talk to the Egyptian Government, and you get a chance to do that from time to time. Whether or not they like the international religious freedom report and the characterizations, there is no question that this year in the terrible events at the end of December, beginning of January in Al-Kosheh, terrible from a human rights perspective, terrible from anybody who believes in the dignity of people, but I do have to say and Joseph has to say that the Egyptian Government handled this one sight better than they handled it the year before.

Why did they do it? They did it because we talked to them. We explained the problems. We explained the way they were going to be perceived by the rest of the world. If they continued to do what they did essentially after Al-Kosheh, I mainly to try to put something—shove it under the rug, forget about it, say it didn't happen. And in Al-Kosheh I, we can use that terminology, in August 1998 they did everything wrong. At least the government response to these terrible abuses, these terrible occurrences this year, was a great deal better than before and that is progress.

Again, I don't think anyone can read the entire Egypt section and feel that we have given them a buy because they are a long-term ally. We think we have told it like it is. We may have difference on how much of this is tied to societal hostilities, how much of it is tied to the lack of human rights and how much it is specifically tied to a significant degree to religious freedom issues. But that is why we have these kinds of conversations.

Mr. SMITH. Mr. Ambassador, I say this with respect too, because I do greatly respect you, I think it is important to raise these issues, even though we now have another vote on the floor of the House. But there is a very strong statement coming from the Uzbekistan researcher who will also be testifying shortly, Ms. Shields, who has worked on the ground in Tashkent. She is a researcher for Human Rights Watch. She makes the points—I would like to quote that briefly and try to get your response with regard to Uzbekistan.

While this year has seen at least two dramatic and disturbing attacks on Christian believers and several detentions of Christians for alleged missionary activity, one of which was documented in the State Department report, the problem of religious repression in Uzbekistan is first and foremost a problem of government ordered discrimination in violence against pious Muslims on a vast scale.

Since late 1997, Uzbek police and security forces have arrested thousands of pious Muslims. These arrests are illegal and discriminatory; they target people who belong to unregistered Islamic groups who practice outside state controlled mosques or who possess Islamic literature not generated by the government. Police routinely torture and threaten detainees, deny them access to medical treatment and legal counsel and often hold them incommunicado in basement cells for up to 6 months. Trials are grossly unfair as judges systematically punish independent Muslims with lengthy terms in prison for their religious beliefs and affiliations, ignoring allegations of torture and allowing coerced self-incriminating statements of evidence, often the only offered evidence, to convict.

This year's IRF report recognizes neither the anti-religious nature of this repression nor the human rights crisis it has produced. It argues that victims are engaged in activity that is primarily political and therefore that Uzbekistan cannot be said to be violating the victim's religious freedom.

This campaign of repression based on religious beliefs and practices is blatant and irrefutable, and the arrest of thousands of independent Muslims is now well-documented.

Only sophistry has allowed the Administration to avoid classifying Uzbekistan as a country of particular concern for its gross violations of religious freedom.

How do you respond to that? Again I have had hearings in the Commission on Security and Cooperation in Europe, and you are up on Uzbekistan and we have focused very much on the religious repression. I, too, find it puzzling and perhaps there is an answer.

Mr. SEIPLE. I do think there is an answer. Again, I very much respect the work of Acacia Shields. I know the size of her heart. We spent time together with a number of Muslim women during my last trip there. I have been there twice looking at these issues. First of all, there are horrendous human rights problems in Uzbekistan. I hope that nothing in the report minimizes the fact that we have huge human rights issues. What we need to be sensitive to, however, is that human rights, other human rights do not use the International Religious Freedom Act and hold it hostage and try to make it work so that this can be used against the situation over there.

We have had—this past year we have had a number of people released from prison. We have had a liberalization of the registration process. We have had a promise followed up on that there would be roundtables and conferences on the 1998 religious law, which we feel was the most harsh religious law in that part of the world or any part of the world. All those things have happened. Namely, diplomacy has had some major successes here.

Again is it linear? Do you ever go two steps forward, one step back or three steps back? You bet. This is a country that has been around for 10 years and it comes out of the Soviet system with some of the same personalities in place. But basically the difference is this: The Uzbeki Government sees the opposition parties as wanting to come in and take over violently their government. And I looked at the bombing of February 16, 1999 when their paranoia on that issue became very real. They have a point. They live in that neighborhood. There are forces that would like to turn that country inside out and turn it into a form of political Islam or Islamic extremism.

Now, that does not mean that they should throw the net so wide that they bring in innocent people, whatever the religion, and they end up in jail, they end up in those torture chambers or prisons that exist in Uzbekistan. Every conversation that we have had with our interlocutors has said what you are doing by that, it is a massive human rights violation and you are radicalizing moderate people by bringing them into the net and keeping them in prison and torturing them. Now, are they doing it because of their religion? This is a Muslim country. 85 percent of the people in the country are Muslim. Do people who are Muslim in the country worship freely? By and large yes. It is a huge human rights issue. We do not see that as a specific, to a significant degree, religious freedom issue. Regarding the religious freedom issues, we have had nothing but cooperation.

I hope some day one good cooperative effort will lead to a further cooperative effort and we get what Acacia Shields wants as well; that is, these jails be opened up, the general amnesty takes place, and this massive human rights violation is ameliorated.

Mr. SMITH. I thank you for that response. I do have additional questions. I am sure my good friend from Georgia does likewise. We would like to submit them to you.

For instance, on Burma, where there has been obviously a very bad turn for the worse, and although maybe that is political, there seem to be some religious overtones to it. In Indonesia there seems to be a rising tide of intolerance. On trips that I have taken there I have raised that very issue. I know you have as well. It seems as if there may be collusion if not outright backing of certain violence against Christians. There are serious problems in North Korea, as I mentioned earlier, Saudi Arabia, and Vietnam. I do have a number of questions that I would like to pose to you.

So again time does not permit, but we will make them a part of the record.

Mr. SEIPLE. We would love to keep the conversation going. You know I am the talking head in the office. The person who does all the heavy lifting, an incredible job and incredible person, is my deputy Tom Farr. And gratefully our staffs are working, and talking heads come and go, but the good work will continue, and I am at your disposal in the future.

Mr. SMITH. In all candor, I know Mr. Farr. I think the world of him, but you are more than a talking head. You have done a great job and we appreciate it. Even when there is a difference of opinion, I know it is coming from the heart and you know we just agree to disagree on certain countries that perhaps are not included.

But I want to thank you for your great service. The Subcommittee, I know all of us in a bipartisan way, deeply respect you and wish you well.

Mr. SEIPLE. Thank you very much.

Mr. SMITH. We do have a vote on the floor. The Subcommittee will stand in recess until that vote is concluded and then we will take on the second panel.

Thank you, Mr. Ambassador.

[Recess.]

Mr. SMITH. The Subcommittee will resume its sitting.

I would like to introduce the next panel, panel two, a very distinguished group of people, beginning with Joseph Assad, who is the research director for Sudan and the Middle East at Freedom House's Center for Religious Freedom here in Washington. An Egyptian Christian human rights activist who is fluent in Arabic, Mr. Assad travelled to Egypt this past July to investigate the January 2000 massacre of Christians in Al-Kosheh. He represented Freedom House at the United Nations Human Rights Commission in Geneva and has led fact-finding missions in numerous countries for the Center for Religious Freedom.

Next we have Acacia Shields, who is the Uzbekistan researcher for Human Rights Watch and serves as the director of that organization's field office in Tashkent. A previous employee of Amnesty International. Ms. Shields joined Human Rights Watch in 1997 as the Europe and Central Asia Division coordinator on Central Asia and the Caucasus. Ms. Shields studied Islamic law and Middle East politics at Brown University and earned her master's degree in international affairs and human rights from Columbia University.

Third we will hear from Dr. Jimmy Zou, who is a Falun Gong practitioner. During a visit to China last year to visit his parents, Dr. Zou was arrested and tortured by Chinese authorities during his 6-day detention. Currently a Federal employee in Washington, D.C., Dr. Zou earned his doctorate in mathematics from the University of Connecticut.

Finally, we will hear from Reverend Pha Her, who is the secretary of the Lao Evangelical Church, which is the headquarters of the Christian and Missionary Alliance denomination in Laos. Reverend Her traveled to the United State from Laos earlier this summer.

Mr. SMITH. Mr. Assad, if you could begin.

STATEMENT OF JOSEPH ASSAD, MIDDLE EAST RESEARCH DIRECTOR, FREEDOM HOUSE

Mr. ASSAD. On behalf of Freedom House's Center for Religious Freedom, I congratulate you, Mr. Chairman and Members of the Committee, for holding these important hearings today. Mr. Chairman, Freedom House applauds your dedicated efforts for many years for religious freedom in many countries around the world.

I am appearing here both as a representative of the Center for Religious Freedom and as a Coptic Christian born and raised in Egypt, who has witnessed firsthand the problems facing the Middle East's largest religious minority. I return to my native Egypt frequently. My last visit was in July in order to investigate the facts surrounding the Al-Kosheh massacre of last January, which was mentioned earlier in the first panel.

I have been asked to concentrate my remarks on the pivotal country of Egypt and the Coptic perspective of religious persecution in that country. The Egypt section of the State Department's Religious Freedom Report is very uneven. The serious findings of violations of religious freedom against Egypt's Coptic minority of last year are undercut by the report's determination that so-called "noteworthy improvements" have occurred and the finding of a "trend toward improvements in the government's response for and protection to the right of religious freedom."

In fact, the improvements cited at the beginning of the Egypt section are either misrepresented, such as the restriction on church repairs, or are insignificant in contrast to grave violations, arrests, and denials of justice experienced by the Copts over the past year. Freedom House's Center for Religious Freedom is concerned that the report may be soft-pedaling the persecution of Copts in deference to the Middle East peace process.

For example, despite last December's announcement by Cairo to the contrary, government officials still enforce restrictions to building and repairing churches, restrictions that do not apply to mosques. Most Copts we talked to in Egypt this summer stressed that in practice they still face the same barriers as before. None of the religious leaders could point to an example of a church which was able to conduct repairs without an official permit as required under the old law. We talked to several pastors and priests whose churches were denied permits for repairs even after the new changes in the law were made. The priest of one church we visited in upper Egypt was recently arrested after he installed a metal

grille to be used as a doormat without the government's permission. Therefore, the report's assertion that the new Presidential decree has had a positive effect in the facilitation of church repairs appears to be unwarranted.

In addition to the long-standing problems faced by the Copts, which are well known to this Committee, this past year Egypt has witnessed several severe setbacks for religious freedom, setbacks that are difficult to reconcile with the State Department's annual report's findings of noteworthy improvements. The most egregious of these occurred in the southern Egyptian village of Al-Kosheh in one of the worst massacres of Coptic Christians in recent history. The Egypt section of the report mischaracterizes what occurred in Al-Kosheh as sectarian violence and as clashes and exchanges between Muslims and Christians. Since all of the murdered in the village were Coptic Christians, this description is comparable to describing the Ku Klux Klan lynchings as exchanges between blacks and whites.

The report concludes that the government's response is improved, with the government responding quickly to restore order. These assertions contradict the accounts of eyewitnesses to the massacre, Egyptian human rights observers and the Coptic Pope's own assessment of the government's response. As a matter of fact, in an extraordinary written protest, Coptic leader Pope Shenouda charged the Egyptian Government of not doing enough to stop violence and demanded answers for why the police withdrew from the area minutes before the massacre began.

In July, as part of a Center for Religious Freedom team, I spent 3 weeks in Egypt documenting and investigating Al-Kosheh where 21 Christians were killed, dozens were injured after they were attacked by rampaging Muslims in early 2000. One Muslim was also killed in a nearby village by a stray bullet fired by another Muslim.

While in Egypt our team interviewed families of victims, dozens of eyewitnesses. They gave us firsthand descriptions of the attack. Nine of the dead Copts were killed in their own houses, which indicates that they were hunted down as were sought to escape. Three of the dead were females, one an 11-year-old girl, and four were under the age of 16, and one was 85. One man was reportedly asked to renounce his Christian faith. When he refused, his arm bearing a Christian tattoo was cutoff, and he was stabbed to death. A mob then burned his body. His mother was an eyewitness to these events.

While there was destruction of property in Al-Kosheh by both Muslims and Christians, all those murdered were Christians. The massacre in January of 2000 cannot be understood apart from the events in Al-Kosheh of 1998. The murder of two Copts in August allegedly by five Muslims was followed by the arrest, abuse and sometimes torture over the next 6 weeks of about 1,000 Copts by local Egyptian police. The government continues to deny that discrimination occurred by police nor brutality in Al-Kosheh.

Coptic Bishop Wissa was also arrested for reporting publicly on this incident. No police officer was penalized for the well-documented mass abuse and incidents of torture in Al-Kosheh of 1998. There can be little doubt that the failure of justice for Christians after the police dragnets and abuse of 1998 left the Coptic commu-

nity vulnerable to further assaults by sending a signal that the Christian community could be attacked and driven from their homes with impunity.

The Al-Kosheh massacre of 2000 is compounded by the government attempts to muzzle nongovernmental organizations and human rights defenders who reported on it. Government pressure has led to the closing of the Center for Legal Studies in Human Rights, and the Ibn Khaldoun Center for Development Studies, while the Egyptian Organization for Human Rights significantly scaled back its activities. Sociologist and prodemocracy activist Dr. Saad Eddin Ibrahim was arrested and detained earlier this summer. These NGO's are essential institutions for furthering democratization and religious tolerance from within Egyptian society.

Mr. Chairman, this is why I stated that the State Department's report soft-pedals the Egypt section because this is major, and it was not acknowledged in the report. Two days ago 21 Muslims were convicted on relatively minor charges in connection with the Al-Kosheh massacre. To date no one has been convicted or sentenced for murder or attempted murder in the massacre itself.

Until now the Government of Egypt has consistently downplayed the extent and seriousness of violence against Egypt's Christian community. It has characterized the Al-Kosheh massacre of last January as simply a random event that is unconnected with religion. It is too early to tell if the convictions announced 2 days ago are the turning point.

We are concerned that if the Government of Egypt fails to take appropriate police action and legal redress, the situation may continue to spin out of control, with escalating violence and deepening religious polarization.

Finally, I wish to comment briefly on the Sudan section, a report so shamefully weak, its inadequacies can only be explained as an attempt to cover up a U.S. policy failure of historic proportions. Nowhere in the section is conveyed a sense of the ongoing genocide being waged by the government against its southern religious and racial minorities that was condemned in House Resolution 75 of a year ago. Only on page 6 of an 8-page account in two short paragraphs is the war that has already killed 2 million from the Christian and animist homelands addressed, a war in which religion plays a major roll, according to the U.S. Commission on International Religious Freedom.

The section emphasizes noteworthy improvements and concerns itself mostly with milder bureaucratic restrictions and instances of harassment. In its search to find improvements, the State Department report leaves the impression that government bombing of civilian targets stopped in April, when, in fact, the regime's relentless bombing campaign continued throughout the summer and brought to a halt the international humanitarian lifeline the south depends on.

The report fails to address the fact that the U.S. aid is manipulated by the regime to enforce its strategy of selective mass starvation. It also makes mention of the serious charge of the U.S. Commission on International Religious Freedom in an August 14 letter to the National Security Advisor that U.S. food aid is being chan-

neled to Islamic relief groups that require conversion as a precondition to receiving the aid.

Thank you, Mr. Chairman, for this opportunity to testify.

[The prepared statement of Mr. Assad appears in the appendix.]

Mr. SMITH. Mr. Assad, thank you very much for your excellent testimony.

Acacia Shields, if you would proceed.

STATEMENT OF ACACIA SHIELDS, UZBEKISTAN RESEARCHER, HUMAN RIGHTS WATCH

Ms. SHIELDS. Thank you, Mr. Chairman. I would like to express my appreciation for this opportunity to speak to the Subcommittee about the repression of religious freedom in Uzbekistan.

My remarks here will be a summary of my written statement, which I ask to be entered into the record.

Mr. SMITH. Without objection, your statement and that of all our witnesses will be made a part of the record.

Ms. SHIELDS. My name is Acacia Shields, and I am the Uzbekistan researcher for Human Rights Watch based in Tashkent. Human Rights Watch has investigated violations of civil and political rights in Central Asia since 1990, and we have had a field office in Uzbekistan since 1996.

For the last year and a half, I have been living in Uzbekistan and have investigated religious repression in the country and carefully documented hundreds of cases of religiously motivated arrests, detention and torture of believers and other forms of discrimination and harassment. I have interviewed hundreds of victims and relatives of victims of religious discrimination, and, again, I am profoundly grateful to this Subcommittee for this opportunity to bring their stories to you and to comment on the way in which this campaign of oppression is treated in this year's State Department Annual Report on International Religious Freedom.

The arrests of Muslims in Uzbekistan are discriminatory. Believers are targeted for membership in unregistered Islamic groups. Those who practice outside state-controlled mosques are also targeted for arrest. Even possession of Islamic literature is grounds for arrest. Trials are grossly unfair as judges systematically punish independent Muslims with lengthy terms in prison for their religious beliefs and affiliations and ignore compelling allegations of torture.

This year's international religious freedom report recognizes neither the antireligious nature of this repression nor the human rights crisis it has produced. It argues that victims are engaged in activity that is primarily political, and, therefore, that Uzbekistan cannot be said to be violating the victim's religious freedom.

We believe this position is misguided. We do not believe the Government of Uzbekistan has made improvements that merit credit, as the report suggests. And we do believe that the Administration should name Uzbekistan as a country of particular concern for religious freedom and adopt appropriate measures as foreseen by the International Religious Freedom Act.

The arrest and conviction of thousands of independent Muslims is now well-documented. Human Rights Watch has monitored dozens of trials and obtained officials court documents for several hun-

dred additional cases. The majority of indictments and judicial verdicts state clearly that the basis for the charges and convictions is their religious practice and beliefs, which the state then construes as evidence of antistate activity and attempt to overthrow the constitutional order. These practices include participating in unsanctioned prayer groups or conducting private religious teaching, membership in an unregistered Islamic organization, or, again, possession or distribution of literature of such an organization.

The State Department's International Religious Freedom Report also creates a false distinction between moderate Muslims, whom it defines as those who participate in government-run activities, and those who operate outside the state-run Muslim hierarchy. The Uzbeki Government, it argues, supports the former, but is intolerant of the latter. In fact, a moderate Muslim may practice within and beyond state-run Muslim structures.

Finally, the International Religious Freedom Report gives credit for Uzbekistan's progress when, in fact, none is due. Its discussion of positive improvements, for instance, cites the release of six Christians last year prior to the release of the 1999 International Religious Freedom Report. This is a move that we see as a calculated effort to avoid designation as a country of particular concern and to distract the Administration from the lack of progress in the treatment of Muslims. I would add also that it is a move for which they have already received credit last year.

The government's campaign against pious and independent Muslims took a dramatic turn from bad to worse when Tashkent, the capital, was rocked with several bomb explosions in February 1999. The government immediately blamed Islamic extremists, and security forces were given carte blanche to use any and all means to round up these so-called enemies of the state.

The arrests and convictions have continued in the year 2000 at an alarming rate. Some who are released prior to the International Religious Freedom Report last year were rearrested this year. The government's tactics in this campaign recall some of the worst moments of the Soviet era. It has created a climate of suspicion and fear in which neighbors inform on one another, mothers turn their sons over to police and local authorities organize hate rallies to denounce pious Muslims and their relatives as enemies of the state. Family members are detained and even arrested by the police. They are held hostage by authorities who state outright that until their relatives are arrested, these mothers, fathers and other loved ones will sit in jail.

Women are often detained and threatened with rape in front of their husbands or sons in order to coerce the men to make self-incriminating statements. This happened to Darmon Sultanova, who met with Ambassador Seiple during his last visit to Uzbekistan. She recalled in that meeting how police came to her home and asked who in the family studied Koran and how many times a day they prayed. The officers arrested Sultanova's sons, Uigun and Oibek Ruzmetov, on charges of Wahhabism and detained Sultanova and her husband. Police stripped the elderly woman naked and handcuffed her to a radiator in a basement cell. They brought in her sons, beaten and bloody, and threatened to rape the young men's mother if they did not confess to a range of charges including

membership in an illegal religious group and participation in several unsolved murders throughout the country. The young men signed the police statement.

Uigun and Oibek Ruzmetov recounted their ordeal at trial and declared their innocence, but the judge did not investigate the charges of police abuse, and, declaring that the young men had taken part in forbidden activities of a reactionary underground religious organization of Wahhabists, found them guilty on charges of murder, weapons possession and illegal activities and sentenced the young men to death. The Ruzmentov brothers were executed by firing squad.

I would like to share one other case with you that is illustrative of the type of wrongful arrests of pious Muslims that is being carried out by Uzbek security forces today.

Imam Abduwahid Yuldashev was deputy to an outspoken and independent-minded religious leader, Obidhon Nazarov, who has since fallen afoul of the Uzbek Government. Police arrested him on falsified charges of narcotics possession. Yuldashev was later released on appeal shortly before the publication of last year's International Religious Freedom Report. This release was lauded by State Department officials as a sign of progress. However, this is not the whole story.

On July 24 of this year, police rearrested Imam Yuldashev. This time they charged him with Wahhabism and spreading jihad ideas. This time they denied him access to a lawyer. Yuldashev is today languishing in his second month of incommunicado detention in the basement of the Ministry of Internal Affairs building in Tashkent, without access to legal representation or medical treatment. There are many others like him.

Just yesterday on September 6, 15 men charged with membership in Hizb ut-Tahrir were sentenced to prison terms ranging from 12 to 16 years.

This year's report on international religious freedom notes the efforts made by the United States to remind Uzbekistan of its obligation to respect freedom of conscience, to differentiate between terrorists and peaceful Muslim believers, but this message is not getting through. Visiting U.S. officials have raised concerns, issued demarches on specific cases and pressed for changes in the domestic laws, but the Government of Uzbekistan has only intensified its campaign. More must be done.

As you know, the International Religious Freedom Act was designed in part to ensure a clear and consistent U.S. policy on freedom of religion. While the Uzbek Government sometimes receives sharp criticism from U.S. officials, it also received an estimated $30 million in U.S. assistance in 1999. Since 1995, Uzbekistan also received $980 million in credits from the U.S. Export-Import Bank. Awarding this kind of privilege and benefit in the face of egregious violations casts doubt on the United States' commitment to religious freedom and gives abuser states such as Uzbekistan the impression that they can carry on with oppressive policies and still profit.

In conclusion, I want to emphasize that Uzbekistan is in a profound human rights crisis, at the center of which is religious persecution. The Administration should abide by its legislative obliga-

tions and designate Uzbekistan as a country of particular concern for religious freedom.

I want to thank you again for giving me the opportunity to share our findings, and I welcome any questions.

[The prepared statement of Ms. Shields appears in the appendix.]

Mr. SMITH. Thank you very much, Miss Shields, for your very compelling testimony.

I would like to now invite our third panelist Dr. Zou, a Falun Gong practitioner.

STATEMENT OF JIMMY ZOU, FALUN GONG PRACTITIONER AND FORMER DETAINEE IN CHINA

Mr. ZOU. Mr. Chairman, I want to thank you for holding this important hearing. It gives the millions of Chinese——

Mr. SMITH. Could you try to turn on the microphone—I think it may be turned off—and bring one of the microphones close.

Mr. ZOU. Mr. Chairman, I want to thank you for holding this important hearing. It gives millions of Chinese Falun Gong practitioners an opportunity to voice their suffering in their appeal to the world for their search for help. On behalf of tens of millions of Chinese Falun Gong practitioners, I would like to express my gratitude for the House resolution that you introduced last November and the law you have recently sponsored.

Please allow me to introduce myself briefly. My name is Jimmy Zou. I came from China and am now an American citizen. Currently I work as an actuary with a Federal insurance agency in Washington, DC. Falun Gong is a self-improvement of mind and body from traditional Chinese culture. I attended a free Falun Gong workshop in 1996 in Washington, D.C. Since then I have been practicing Falun Gong exercises every day. I also tried to become a better person at home and in workplace by following Falun Gong principle: Truthfulness, compassion and tolerance.

Last summer I took leave and traveled back to China. I arrived in Beijing by train from my hometown on November 30. The next day I walked by Tiananmen Square and went to see the ceremony of the changing guards of the national flag. I was with a group of some 200 tourists when a policeman approached me and asked me if I was a Falun Gong practitioner. I hesitated 1 second and then said yes. Immediately I was taken into a police car and sent to Tiananmen Square police station.

I kept demanding my rights. Nobody answered me. The police forced a body search on me first and took Mr. Li's book, Zhuan Falun, away from me. I protested and said that they had no right to rob my personal belongings for I did not commit any crime.

Because I protested for my right, a policeman said I should be punished. Then came three policemen who surrounded me. One of them took away my glasses by force and then struck my both eyes fiercely with his fists, and the other two punched my shoulders and arms and kicked my legs. In 2 minutes I felt dizzy, and my left eye swelled like a bulb.

Then three policemen forced my arms to be crossed behind my back, handcuffed me in a special way. One hand came down from above the shoulder and the other hand came up from my lower back. I cried out with pain. There were another eight Falun Gong

practitioners, all handcuffed like that, in the room. A young lady handcuffed stood on my left; an old lady, over age 60, also handcuffed like that on my right. For every 4 or 5 minutes a police shocked each person's neck, hands and kidneys with an electric cattle prod.

This special way of handcuff caused severe physical pain. It is usually only applied to criminal offenders in China. After a few minutes the pain in my arms and shoulders was unbearable. All the other eight Falun Gong practitioners have been handcuffed like that for at least a half hour. A middle-age gentleman, his both hands were swollen twice the normal size and purple color. I felt his hands must be injured.

The police also ordered us to bend down our heads close to the ground to increase the physical pain. The old lady on my side sometimes stood up to reduce the pain. I could not believe any human person could torture an old lady like that.

About 6 o'clock in the afternoon, I was sent to another detention facility in Beijing where I was detained in a room together with other Falun Gong practitioners. There were a high school teacher, college students, doctors, peasants and community engineers. More than half of them were women. Most of them were detained because of visiting official appealing bureau and trying to appeal for Falun Gong and calling on the government to correct the mistake and stop crackdown on Falun Gong.

I ask them how the government would punish them. They said that they would be sent back to their hometown and detained for at least another 15 days. If they would not sign a pledge giving up practicing Falun Gong, they might be sent to labor camps. Some practitioners kept talking to the police to explain that Falun Gong is a practice for mind and body. We are all good people. The government should not treat us like criminals.

After 6 days of detention, I was released. Later I retrieved my passport and returned to America.

I hope the Chinese Government would respect people's basic human rights and the rights guaranteed by Chinese Constitution, and thank you, Chairman for giving me this opportunity.

[The prepared statement of Mr. Zou appears in the appendix.]

Mr. SMITH. Thank you very much, Dr. Zou.

Pastor Her.

STATEMENT OF PHA HER, PASTOR, LAO EVANGELICAL CHURCH

Reverend HER. [The following statement was delivered through an interpreter.] Thank you, Mr. Chairman and Members of the Committee. Because of the language barrier, that I cannot speak English, I would ask your permission to let my interpreter read a portion of my testimony.

My name is Pastor Pha Her. I am one of the pastors of the Lao Evangelical Church in Vientiane, Laos. My responsibilities are to recruit and provide training for new pastors.

This year marks the 50 year anniversary that the Gospel has reached the Hmong-Lao in Laos. My wife and I, along with eight other ministers and elders, were invited to attend the anniversary

celebration that was held in Minneapolis, MN, on July 30 to August 4, 2000.

The Lao Communist Government does not want any religious group getting together worshipping openly because they fear that organized religious groups are perceived as resistance activity against the government. For many year the only way to conduct church services for the Christians were to get together as a small group inside individuals' homes or outside in the jungle where no authorities can see. Basically we are operating underground. We provide services for them quietly and intelligently during the day or at night.Most of the groups did not have Bible, so we have to share one Bible among the group.

The government implemented a very strict regulation against all religious group. More foreign missionaries were detained. No international development projects which were affiliated with Christians were allow to implement within the scope of helping Christians. Thus party government began to harass and arrest pastors and elders. The Lao Evangelical Church started to shift hands due to constant harassment and duress. This was all happening in contradiction to the Constitution of the Republic of Laos, which was adopted on August 14, 1991, where freedom of worship was allowed. Prime Minister Numhak Pomsavanh and President Phumivong Vichit wrote in Article 3, section 30 that any Laos citizen have the right to worship any religion.

The Lao Government accused the Christians of being enemy of the state. We were forced out of all villages in accusation of being Christians who were friends and allies of the United States and friends of Christians from foreign countries. As Christians we were accused of receiving money from other countries to bribe the Lao to convert to Christianity and for organizing resistance against the party government. All these were untrue.

The Lao Communist Government falsely accused the Christians of not worshipping, revolution, waging war against the Lao Communist Party Government and among other religious groups. It is simply not true. In fact, the Christians were forced to recant their faith or they would be imprisoned without any justification. Therefore, there is no peace for the people in Laos. We constantly worry about our safety every day.

Recently U.S. State Department's executive summary stated that Laos is among the significant improvements in religious freedom. Apparently most of the problems against religious freedom occurred among remote villages in Laos. I invite the U.S. State Department officials to travel the remote areas to observe these atrocities. The State Department had contacted the Lao Government to discuss or express the situation, but the Lao Government did nothing to improve the situation.

I personally believe that these situations are getting worse. As you will see later in my testimony, in addition, I am concerned that more Christians are being arrested and imprisoned. Most of the cases involve the Hmong ethnic, including some of the recent refugee returnees from Thailand refugee camp.

Since my youth I have served God faithfully, work with integrity, served the church righteously and taught them to obey and respect the government and its laws. Incidentally, the Lao Government has

a history of discrimination against certain ethnic groups. They have no respect of their own Constitution. They arrested and imprisoned many ethnic groups, particularly in remote villages, and especially the Hmong. The fact that Hmong have several religious beliefs does not mean any religion is bad or is against the government.

Recently the Government of Laos passed out documents saying that whoever is a religious person must recant their faith or face imprisonment and have their property or farm taken away. This year the believers were forced to recant their faith, and many were arrested. Many churches were closed and taken over by the Lao authority. From a foreigner's perspective, it may seem as if there is nothing wrong. The truth is the Christians are being greatly oppressed and being forced to imprisonment, a list of 70 names of the imprisoned Christians included in my testimony. The Lao Government arrests and imprisons Christians all over the place throughout the country. In addition, I could only account Christian imprisonment. I am sure there are many others who are not Christians, but are arrested and imprisoned for different reasons as well.

Before July 15, 2000, a total of 33 churches and service places were ordered to close and were locked so no one could get in to worship God. It could be more to close and took over by the Lao Communist Party by now. A list is attached in my testimony.

If the believers agree to recant, they could avoid imprisonment. The authority forced the believers to sign an agreement and then would report to high authority that the believers did it in their own free will to recant their faith without being forced. If anyone questioned or commented about it, the government would consider those people as opposing the government. They were arrested and were forced to comply.

After arrival in the United States, I was notified that my job as a Bible instructor of the Lao Evangelical Church had been terminated, and my name was reported to the authority of the Ministry of Interior. There is no guarantee for my safety if I return to my homeland, Laos, because I am subjected to arrest.

The last telephone conversation I had with my family was on the evening of September 3, 2000. I was informed that after my wife and I had left Laos, more churches were locked up and guarded by the Communist authority. I now face a difficult struggle in my life, especially since we have five little children behind in Laos, the ages ranging from 1½ to 13 years old.

My wife and I have determined that it would not be safe for us to return to Laos in the meantime. We miss our children very much. After my wife heard about the insecurity of our life, she cried out about our children's safety and well-being.

In conclusion, the problem of the religious persecution in Laos is a very complicated issue. The search for a permanent solution requires the participation of the superpower nations like the United States and the international community's strong commitment on the part of monitoring the Lao People's Democratic Republic Government to make sure that the people have freedom. Therefore, I strongly submit to you that it is essential for the United States, the United Nations and the international community to be actively in-

volved in the search for a permanent solution to the political problem in Laos.

Many solutions to the problem of Laos are just Band-Aids, while other solutions get bungled in red tape. The most effective way to eliminate the religious persecution in Laos is to make sure that the people in Laos have the right to worship in their own ways. To provide people in Laos with long-term security, a delegation of human rights and religious right groups can be organized to go to Laos for the purpose of gathering information on various cases happening among religious groups, including those in remote areas. This is only just a start to cracking down the oppression of Christians there. I am afraid that the Lao Communist Government can crack down on other religious groups at any time.

The economic, political, social and religion in Laos, however, is seldom able to compete for attention like other countries. This will make the resolution to human rights in Laos both urgent and compelling into the international community. Therefore, I call on the U.S. Congress, all countries, other governments and human rights organizations to look into this situation in Laos.

In addition, I would like to recommend the following points: First, release those imprisoned as described above because they are impoverished, and wives and children are suffering. Second, don't force the believers to recant their faith, and leave them alone so that they can have a place to serve their God. Third, stop the duress and the accusations against the believers. Fourth, Lao Government gives back their churches and any property that belongs to the believers. Five, give back freedom and equal rights of religion to everyone in Laos.

God bless America, and God bless the people in Laos.

[The prepared statement of Pastor Her appears in the appendix.]

Mr. SMITH. Thank you very, very much for your testimony.

I would like to ask a few opening questions if I could.

Ms. Shields, in reading your testimony and hearing you present it, I thought of Mr. Assad, who pointed out that the Middle East negotiations keep the Administration from designating Egypt as a country of particular concern. But that raises a question of why Uzbekistan? What could be the political reason for excluding it, given this reprehensible record of repression against, as you point out, pious Muslims. And the fact that Ambassador Seiple actually met with one of those who has actually been through this certainly must have brought home to him the severity of the situation. But when you put together the numbers and the systemic and pervasive nature of the repression, laid out the way you have, it seems inescapable that it ought to be on the list.

Just looking at the very clear and unambiguous language of the statute—and, again, what we do with that in terms of our remedy or attempted remedy is left to prudent people to decide what is best—but as to the actual designation, do you have any speculation as to why Uzbekistan is kept off?

Ms. SHIELDS. I would hesitate to speculate on behalf of the State Department and its motivations; however, I can say that the government seems to have loaned its language to the State Department, and the State Department for whatever reason has adopted it almost whole cloth. And I would really caution against the dan-

ger of accepting explanations and language offered by abuser states that is clearly designed to cover up the abuse as actual explanation. For instance, the improvements cited in the report give us a lot of trouble. And I would also like some explanation of why these are designated as improvements.

One of the three developments that the report points to this year was a roundtable held in Uzbekistan to discuss religious freedom. That roundtable—I attended that roundtable in which government functionaries delivered prepared speeches regarding the amount of religious freedom already available in Uzbekistan. This was a show put on for U.S. Government officials in attendance. It did not include discussion, it did not include any recommendations for change, and there were certainly no conclusions and no changes made. This is clearly not progress and should not pass as such.

Mr. SMITH. Could you speculate as to whether or not you think oil or pipelines might have anything to do with it?

Ms. SHIELDS. I think that—I would not speculate in that direction. I think that the United States has decided that Uzbekistan will be its island of stability in Central Asia and has put all of its eggs into that basket, and will continue this policy, it seems, despite the fact that Uzbekistan is going down the road of a pariah state and ignoring any and all opportunities to make improvements and join the family of democratic nations.

Mr. SMITH. Thank you.

Mr. Assad, any further comments you might want to make on Egypt? I would make one passing reference that I raised the massacre, the 1999 massacre, myself with President Mubarak when he was visiting, and not only did he go into very savvy spin control, he immediately pointed out that several of his top people, or at least one in particular, Boutros-Ghali, is a Coptic, and he immediately walked over and started telling me how I had my facts wrong and I was misinformed and that they were doing everything they can. It was just a local issue.

You seem to indicate in your testimony it is much more pervasive than that—you might want to comment on that. Egypt has been very good, I have to admit, at tamping down the issue itself. It is not going to go away, and I think many of us on both sides of the aisle are going to continue bringing it up because it seems to be a worsening situation.

The second issue that you bring up, with regard to the Sudan, is that the report fails to address the fact that U.S. aid is manipulated by the regime to enforce the regime's strategy of selective mass starvation. You also point out the serious charge of the U.S. Commission in its August 14 letter about the Islamic groups requiring conversion as a precondition to receiving food aid. Could you elaborate on these two points?

Mr. ASSAD. Mr. Chairman, for the first point about President Mubarak and the Egyptian Government's official response to the Al-Kosheh, it has been unfortunate that despite the overwhelming evidence, including photographs and documentation by Egyptian human rights organizations and Muslim observers in the area, that have documented this case, it appears that the Egyptian Government is more concerned about its image internationally and does not want the world to know that there is a problem. And for—

many of the Coptic activists, both in the United States and in Egypt, have pointed out that Egypt needs to recognize, first of all, that there is a Coptic problem and that Copts do have problems that warrant the government's attention. So it is not surprising to see officials like Minister Boutros-Ghali and the President himself denying persecution.

Often Coptic leaders in Egypt under pressure by the government would publicly deny that there is persecution. But I think it has been seen very clearly that after the massacre of 2000, that even the Coptic Pope has been very vocal, which he usually refrains from making such remarks in criticizing the government and calling for investigations.

So our hope is that the government leaders would realize that this issue, like you mention, Mr. Chairman, will not go away, and that there will be a continued interest from the international community about what happens to Egypt's Coptic community.

Mr. ASSAD. Also, a brief comment on your second question about the Commission's letter to National Security Advisor Sandy Berger. It has been reported to the Commission by two different witnesses, one called the Commission from the Sudan reporting that there are many aid organizations, particularly Muslim organizations operating sometimes out of Khartoum, that are withholding—I should mention these organizations are recipients of USAID funds—and are withholding aid from Christians and coerce them and sometimes force them to convert to Islam before that aid is delivered.

Mr. SMITH. Reverend Her, earlier you heard the Ambassador, Ambassador Seiple, speak to the situation in Laos, which is frankly contrary to your testimony in terms of improvements versus lack of improvements. Do you think that Laos ought to be considered a country of particular concern to the United States and therefore come under the possibility of being sanctioned?

Implicit in the Ambassador's statement was an assertion that in this so-called "context of diplomacy," sometimes you might actually hurt people by naming a country as one of particular concern, that the people inside of Laos would actually be more injured by designating the Laotian Government.

Reverend HER. I believe that the Laotian Government have tried for the last 25 years to solve its own problem and they still cannot. And I see like the best way issue that we need help from the international community to step in to help solve the problem.

Mr. SMITH. OK. Let me ask a question of Dr. Zou. I have almost on a daily basis gone to various Web sites to check out the latest indignity committed against Falun Gong by the Chinese Government. And it is not only the repression that is contemptible, the government's ongoing use of academics to claim that Chinese public opinion supports the crackdown on the Falun Gong could not be further from the truth. The Chinese dictatorship is what supports that. The world community doesn't support that, it vigorously opposes it.

In any other context the pretext used by the government would be laughable. But there are real victims, people who have been incarcerated, such as yourself, who have actually suffered torture, as you described that extension of the arms behind your back. What should the U.S. Government do? I mean, we—this Administration

and I say this with sadness, the majority of Republicans and a minority of Democrats concurring—have stripped away the use of sanctions, in terms of economic most favored nation status, or as it is now called normal trading relations, which in my view gave the green light to the dictatorship to do as they will to the Falun Gong or Catholics or Tibetans or anyone else in China. But that won't be the last word. There will be a number of us who continue to speak out. What should the new Administration do vis-a-vis China, the largest country, amidst this in-your-face crackdown? It seems to me that we have done so little other than speak out and express our concerns. What would be your recommendations as a living, breathing witness to the repression?

I will get those when I return. Regrettably there is another vote on the floor that is almost concluded. I do have to get to the floor for what I think is a series of votes and then our chief counsel, Mr. Rees, will ask a few questions and then close the hearing. But I look forward to seeing what your recommendations would be to us, because it seems we have squandered most of the arrows that were in our quiver, economically, to really try to persuade the Chinese to do what is right.

Mr. ZOU. Mr. Chairman, because the Falun Gong is self-improvement of mind in the body and we have no position on the—like economic sanction or social measure you can take to, you know, to pressure Chinese Government, but certainly in the hope the American Government and calling on the Chinese Government to engage a peaceful dialogue with practitioners and to stop the persecution in China and also to condemn in the China's Government and their—the crime they committed and to—and also in the—I believe the U.S. Government we will make a wise decision in like how to, you know, deal with either trade or other measures between the U.S. Government and the Chinese Government. And that is what I like to say.

Mr. REES. I will just ask one question that Congressman Smith would have asked if he had been able to remain and then we will close the hearing. For all the witnesses, you heard the Ambassador's testimony to the effect that putting a country on a list of countries of particular concern, even if you could technically justify it with the facts—the definition is they are either engaging in or tolerating particularly severe denials of religious freedom—but if you put them on the list, they are going to stop talking to you, and they might get worse. If you leave them off the list, maybe you can make some other improvement. So his argument is that you may be hurting the people that you are trying to help by following the literal terms of the statute and putting them on the list if they have committed particularly severe forms of persecution or denial of religious freedom.

Now, three of you live or work in countries that are not on the list, that are not listed as countries of particular concern—Egypt, Uzbekistan, and Laos. Dr. Zou, your situation was in a country that we did put on the list. What is your reaction to that argument in the context of the country that you know about? Would continuing to talk quietly to them be more effective or would publicly identifying them as a particular severe violator of religious freedom be more effective?

Mr. ZOU. My personal opinion, it may not be right, is the fact that you put the country who committed those crimes on the list itself is not because simply state the fact those in the crime you are committed does not like—for example, you mention that because of this some government would, you know, hurt their people more, but even they are doing that that is not because what you are doing, you know, in the state or give all the facts and put those facts out. That is because they simply do not want to change and correct their mistakes.

My opinion is you put out those facts and let more people know because people all have their conscience no matter their government or individuals and they will do whatever they can to help those people. If you hide, you know, those facts, that is not going to change the situation either. So my personal thought is speak of is better way.

Mr. REES. Pastor Her.

Reverend HER. Mr. Chairman, I agree with the Ambassador, the illustration that we should peacefully negotiate or talk to the government, the government. However, I believe that the communist government, they like to be thought peaceful but they doing harm behind it. And if the Ambassador want to pursue his way, I would like to request that he should monitoring very closely with the Laotian Government because the—usually the Laotian Government, they will talk to the foreign diplomat in a nice way, but when they turn around behind them, what they do to the people is an opposite way. So I would like the U.S. Government to monitor very closely on the issue.

Mr. REES. Thank you.

Mr. Assad.

Mr. ASSAD. Thank you, Mr. Chairman. And I would like to, just thinking of Ambassador Seiple's remarks on China when he declared that China was decided to put China as a country of particular concern, after the failure of all private diplomatic initiatives, that were taken in this regard. But it is important to remember that while the diplomatic efforts are taking place people continue to suffer in these countries. In respect to Egypt I again reiterate the fact that persecution still exists in Egypt, but I think that the State Department report needs to report the facts and make its designations irrespective of any strategic or economic interest that we might have in some countries. And in many cases we have seen in Egypt the Copts church has been raising the concerns with the Egyptian Government. We have complaints that date back to 1972. But yet the same complaints are being raised today.

So I think that in these cases, that publicly and honestly reporting on the activities of these countries, that might be the best hope that these minorities have.

Mr. REES. Ms. Shields.

Ms. SHIELDS. Ambassador Seiple pointed out that designation should sometimes be held up when diplomatic initiatives are in play. I would question the use of that. The law, as has already been pointed out, gives a lot of flexibility for diplomatic initiatives, even after a country has been designated a country of particular concern. But thinking about Uzbekistan, I can see where diplomacy has not worked. The issue of religious freedom has been raised

there in talks that have not yielded results at the highest level. Secretary Albright visited Uzbekistan and spoke about religious freedom with President Karimov. She emphasized the importance of distinguishing between peaceful Muslim believers and terrorists, those who use violence to achieve their ends. There has only been a downward slide since.

I would also say that last year when we saw the first release of the religious freedom report, Uzbekistan feared that it would make the list. And for the first time, we saw releases of religious prisoners, including six Christians, for which they have been given ample credit, and some Muslim believers. Now, many of the Muslim believers have been rearrested in the subsequent crackdown, but we see what effect even the fear of being named a country of particular concern can have. And I would say that to designate Uzbekistan as a country of particular concern would only do a service to the people of Uzbekistan, and finally telling the truth and calling it like it is.

Mr. REES. Thank you. Pursuant to the previous order of the Chairman, this hearing is adjourned.

[Whereupon, at 5:10 p.m., the Subcommittee was adjourned.]

A P P E N D I X

SEPTEMBER 7, 2000

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September 7, 2000

Statement of Representative Christopher H. Smith
Chairman, Subcommittee on International Operations and Human Rights

I am proud to convene this hearing on the occasion of the second annual State Department Report on International Religious Freedom. I am particularly pleased that our witnesses include Robert Seiple, the Ambassador at Large for Religious Freedom, and Firuz Kazemzadeh, the Vice Chairman of the U.S. Commission for International Religious Freedom — as well as four private citizens who have been victims of or witnesses to religious persecution in countries around the world.

The creation of the Commission and the office of the Special Ambassador, as well as the institution of the annual Religious Freedom Reports, were among a number of measures provided by Congressman Frank Wolf's landmark legislation on international religious freedom, which was marked up by this Subcommittee in 1997 and enacted by Congress in 1998. All these measures represent important steps toward helping millions of people around the world who are persecuted simply because they are people of faith. But the Reports themselves clearly demonstrate that we need to do more.

This year's Annual Report, like last year's, does an admirable job of stating most of the unpleasant facts about religious persecution in countries around the world. Nevertheless, I have two concerns about the reports. First, they sometimes seem to deflect attention from egregious government actions by surrounding them with exculpatory introductions or obfuscatory conclusions. Second, the best statement in the world about religious persecution is unlikely to do any good if it is not followed up by a forceful and coherent policy for ending such persecution.

In general, this year's Annual Report on International Religious Freedom is clear and honest about denials of religious freedom by governments with which our own government enjoys friendly relations, such as Saudi Arabia, France, Austria, and Belgium. But somehow the statements become less clear in the reports on governments with whom we are trying to improve relations, such as the Communist governments of North Korea, Laos, and Viet Nam.

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For instance, the report on Laos states that religious persecution was "largely due to the actions of a few party cadres in a few provinces," whom the central government was "apparently unable to control." Similarly, the report on Viet Nam discusses the Vietnamese government's policy of recognizing certain "official" religions as though it were evidence of a degree of religious tolerance — rather than part of a systematic policy to force believers into phony government-controlled religious organizations in order to facilitate the destruction of genuine religions that existed in Viet Nam long before the Communist government came to power. A careful reading of these reports suggests that there was a struggle within the State Department between people who wanted to tell it like it is and those who did not want to say anything that would "set back the relationship" between the U.S. and whatever odious regime happens to be in power in the country to which they are posted. Nevertheless, on balance the Annual Report is thorough, honest, and strong.

My deeper concern, however, is that this report — like the annual Country Reports on Human Rights Practices — may not have any practical effect on U.S. policy. This is particularly sad because the International Religious Freedom Act provided an important mechanism for bringing about such effects. The law provides that on or before September 1 of each year — the same day the annual report is due — the President shall review the status of religious freedom in each foreign country to determine which governments have "engaged in or tolerated particularly severe violations of religious freedom" during the preceding 12 months. If the President makes that finding of fact about a particular country — that its government has either engaged in or tolerated violations that are "particularly severe" — he is bound by law to designate that country as a "country of particular concern for religious freedom." He must then either impose diplomatic, political, or economic sanction against the government of the country or explain why he does not intend to do so.

Last year the President designated only five countries of concern, along with two de facto authorities that are not recognized by the United States as national governments. In choosing these seven regimes — Burma, China, Iran, Iraq, Sudan, Serbia, and the Taliban — the President made only the easy choices. Six of the seven are already under severe sanctions for reasons other than religious persecution. The seventh, the government of Communist China, represented a tough choice for the Administration, but the facts were so clear that it is difficult to imagine any other outcome. At last year's hearing, Ambassador Seiple, I urged you to take a close look at several other countries whose governments clearly engage in religious persecution that is "particularly severe," such as Vietnam, North Korea, and Saudi Arabia. Later, in July of this year, the Commission on International Religious Freedom wrote to the Department to urge that Laos, North Korea, Saudi Arabia, and Turkmenistan be added to this year's list. The Commission's letter also made clear that a strong case could be made for the inclusion of India, Pakistan, Uzbekistan, and Viet Nam. Mr. Ambassador, in light of these recommendations and of the clear evidence in this year's Report of "particularly severe" violations in all these countries, I am deeply disturbed by reports that the Administration will not designate a single country of particular concern this year, beyond the

seven that were designated last year. I hope you can provide us with some insights into the Administration's thinking on these designations.

Mr. Ambassador, as you know, totalitarian regimes often come down harder on religious believers than on anyone else. This is because nothing threatens such regimes more than faith. As political philosophers from Thomas Jefferson to Mohandas Gandhi have made clear, the strongest foundation for the absolute and indivisible nature of human rights is the belief that these rights are not bestowed by governments or international organizations, but by God. So our government needs to understand that human rights policy -- and particularly our policy toward the denial of religious freedom -- must be a top priority in U.S. foreign policy, not a footnote or an afterthought. We must recognize that good and evil really exist in the world, and then we must act on the consequences of that recognition.

I look forward to the testimony of our distinguished witnesses.

JOSEPH R. PITTS
16TH DISTRICT, PENNSYLVANIA

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Statement for the Subcommittee on International Operations and Human Rights Hearing on the State Department Annual Report on International Religious Freedom

Mr. Chairman, thank you for holding today's timely hearing on the State Department's Annual Report on International Religious Freedom. Continual reporting on this issue is vital as thousands of people around the world suffer at the hands of their governments or communities simply for the peaceful practice of their religious beliefs. In Saudi Arabia, China, Indonesia, Sudan, Vietnam, Laos, Burma, Pakistan, India, Egypt, Afghanistan, Morocco, The Maldive Islands, countries in Central Asia, and even France, individuals and groups experience harassment, physical harm, imprisonment, and at times, even death, because of their beliefs.

Earlier this summer, I traveled to Indonesia and Pakistan to meet with people who have experienced persecution for their faith. The stories are heartbreaking. In Indonesia, I met with two men in the hospital – one man had his arm practically cut off by the propeller of a speedboat that purposely ran over him. The second man was a pastor from Ambon who was shot in the neck when his church was attacked and destroyed. As you may know, extremists in Indonesia have declared "jihad," or holy war, against the Christians and other religious minorities in the Spice Islands. People of different religious faiths lived in harmony in the Spice Islands until outside provocateurs brought militant beliefs and weapons to the area. The Indonesian government has made statements that the jihad fighters must leave Ambon and surrounding areas, but nothing practical has been done to stop the mass violence and killing. In fact, the leader of the People's Consultative Assembly, Dr. Amien Rais, made public statements supporting the jihad fighters. This is tragic. Reports of continued rampant corruption and discrimination fuel the fire of the battles for control over the military and other aspects of the government. President Wahid has taken important steps, but more must be done to stop the religious violence, including allowing international humanitarian aid agencies into the Spice Islands.

In Pakistan, I met with a number of people who described the difficulties they face belonging to a minority religious faith. Christians, Ahmadis, Hindus and other religious groups face harassment by extremist Islamic leaders. Reports reveal that accusations of blasphemy, punishable by death under Section 295 C of the Pakistani Penal Code, are rife, particularly by the majority against the minority in business and property disputes. I met personally with a nine-year-old girl who was gang-raped at age seven. When her father tried to protect her from the young men raping her, he was imprisoned for the rape. Three Muslim men were ready to testify of the father's innocence but were pressured by religious leaders not to testify on behalf of a minority, a Christian. I cannot imagine the trauma of this little girl and her family, horrifying abuse with the accusers not brought to justice, because of her minority status as a Christian and a female.

In China, as has been duly noted in the report, persecution against religious believers has increased. House Church Christians, Catholics loyal to the Pope, Falun Gong practitioners, Uyghurs Muslims, and others have experienced the wrath of the Chinese security forces and the Religious Affairs Bureau. Over the years, a number of Chinese state documents have come to light describing insidious

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plans by security officials to "infiltrate" and undermine religious gatherings. I commend the Chinese government for the recent release of Pastor Xu Yongze. However, I am deeply disturbed by Pastor Xu's description of his imprisonment – he was handcuffed with both hands behind his back and suspended in mid-air while he was beaten. On time he had his arms handcuffed to gate and when the gates were opened, "he was stretched off the ground in a gruesome crucifix position."

In Turkmenistan, individuals are severely restricted in practicing their faith. On August 4, 1999, Mr. Shageldy Atakov, an ethnic Turkmen was sentenced to four years in prison four years in prison camp plus a $12,000 fine (equivalent to 25 years' salary for the average Turkmen citizen) for alleged embezzlement of a car. Reliable reports suggest that the case against Mr. Atakov was fabricated because local religious leaders were angry with him about his conversion to Christianity and his outspokenness in discussing his new faith. By imprisoning Mr. Atakov on charges not related to his faith, authorities in Turkmenistan are using tactics of the former Soviet Union. In 1987, there were over 250 pastors in Soviet Gulags that authorities claimed were all legitimate prisoners who were imprisoned for criminal activity that had nothing to do with their religious beliefs. By 1990, the Soviet authorities acknowledged all of these pastors to be victims of political repression and subsequently released and apologized to them for the persecution they endured for their faith. Unfortunately, the arrest and subsequent imprisonment of Mr. Atakov are not isolated events, but are a result of a KNB (secret police) policy which has been in effect in Turkmenistan since 1997. Since June of 1997, the secret police have detained, interrogated, and physically assaulted a number of Christians. In addition, these officials have raided churches, interrupted worship services, searched homes and confiscated over 6,729 pieces of Christian literature. In each instance, the KNB warned citizens that the Christian faith, in particular, is forbidden in Turkmenistan.

Some of the assertions in this report are controversial, such as whether or not there has been "noteworthy" improvement regarding religious freedom in Sudan, Laos, Vietnam, Saudi Arabia, and Egypt. Government actions that initiate increased religious freedom are appreciated, however governmental statements or action often are not translated into reality on the ground. In Sudan, where a religious genocide is ongoing and reports continue to flood my office about the government bombing schools and churches in the South, the report does not convey a sense of the ongoing genocide against the Christian and Animist populations in the South. In Egypt, the "noteworthy" improvements cited do not appear to outweigh the tragic violence against Copts experienced in the year covered by the report.

I commend the State Department officials who worked to research and compile these reports and look forward to continued improvement on access to and reporting of religious liberty violations. I would like to add a special thank you to Ambassador Robert Seiple for his service to our nation and individuals around the world as he leaves his post next week.

TESTIMONY OF

THE HONORABLE ROBERT A. SEIPLE

AMBASSADOR-AT-LARGE

FOR INTERNATIONAL RELIGIOUS FREEDOM

BEFORE THE

SUBCOMMITTEE ON INTERNATIONAL OPERATIONS AND HUMAN RIGHTS

OF THE

HOUSE INTERNATIONAL RELATIONS COMMITTEE

OF THE

UNITED STATES CONGRESS

SEPTEMBER 7, 2000

Mr. Chairman and members of the Committee, I want to thank you for holding this hearing. I am honored once again to appear before you to present the Department of State's second Annual Report on International Religious Freedom.

As I prepare to depart the position of Ambassador at Large after two years of service, I want to say to you, Mr. Chairman, that the Office of International Religious Freedom has not had a better friend. You and your staff – in particular Mr. Rees and Mr. Anderson – have done so much to make our mission a success that I would be remiss in not thanking you publicly. I do so not only on behalf of the International Religious Freedom Office, but also on behalf of those around the world for whom your efforts to promote religious liberty have provided redress, and hope.

Mr. Chairman, I have two goals this afternoon. The first is formally to present the second Annual Report on International Religious Freedom, and to inform you of the Secretary's decision with respect to countries of particular concern under the International Religious Freedom Act. The second is to give you a brief retrospective of the past two years, and my sense of where things stand with respect to religious freedom worldwide.

The Annual Report on International Religious Freedom

During the course of the past twelve months, my office has monitored carefully the status of religious freedom worldwide. We have traveled to many of the countries in which religious liberty is at risk, and I have testified before Congress on the problems faced by religious minorities in Russia, China and Western Europe. We have talked to dozens of government officials, religious leaders, human rights groups and NGOs, as well as believers from many religious traditions, both here and abroad. We have had access to the large and growing volume of press and NGO reporting on religious

freedom. Last, but perhaps most importantly, we have reviewed the excellent reporting from U.S. missions abroad.

U.S. diplomatic reporting on religious freedom has always been good, but it has become better under the tenure of Secretary Albright, who made it a point of emphasis soon after her arrival in the Department. We have some of the best minds in the business out there, Mr. Chairman, and their cables on religious freedom are the morning fare of my office. Some people read the *New York Times* or the *Wall St. Journal*. We read the reports of Embassy Moscow, Embassy Cairo, Embassy Tashkent, or the other bright minds of the Foreign Service posted throughout the world.

These men and women report on religious freedom issues throughout the year, and it is they who do the initial drafts of the country chapters for the Annual Report. These drafts are then compiled and edited, in close consultation with my staff and the country desks, by the Office of Country Reports and Asylum Affairs in the Bureau of Democracy, Human Rights and Labor.

This year's report covers the period from July 1, 1999 through June 30, 2000. It contains 194 country chapters, an Introduction and an Executive Summary. The Introduction contains a brief account of the Act, and how the issue of religious freedom reached such prominence in U.S. policy. It also discusses the contribution that religious freedom makes to democratic governance, and vice versa.

The Executive Summary details various categories of abuses of religious freedom and U.S. efforts to deal with those abuses. It also contains a section that highlights certain improvements in religious freedom. We have provided an improvements section because it is prescribed by the Act, but also because we think it is terrifically important that the United States encourage improvements. Some will criticize this section because it appears to praise countries that have horrific human rights records in areas other than religious freedom, or because incremental improvements in the treatment of certain religions are not replicated in others. I recognize this problem, but nonetheless believe that we must use the report to acknowledge positive changes whenever we can.

Finally, the annexes to the Report provide texts of relevant international instruments, and a variety of information on U.S. religious freedom policy and practice.

I am proud to present the second Annual Report on International Religious Freedom.

Countries of Particular Concern

Now a word on designations under the Act. As we sifted through the enormous amount of information at our disposal, we began to identify countries that needed closer examination in order to determine whether they should be designated as "countries of particular concern." Mr. Chairman, as you know, the IRF Act has established a very high standard for this designation, which entails consideration of economic sanctions and

requires some action by the United States government. In order to be designated, the government of a country must have engaged in or tolerated "particularly severe violations" of religious freedom. Such violations are defined as "systematic, ongoing, egregious violations of religious freedom accompanied by flagrant denials of the right to life, liberty and security of persons, such as torture, enforced and arbitrary disappearances, or arbitrary prolonged detention."

As we apply these criteria in deciding what action to take, we try to place them in the context of diplomacy. Is diplomacy working? Are there trends in one direction or another? Is a particular action likely to help, or to hinder, our diplomatic efforts to improve the situation? None of these is determinative, but all are important as we decide how to proceed with any given country.

With respect to the Secretary's decisions this year, let me first note that she has decided to redesignate the five countries designated last year. They are Burma, China, Iran, Iraq, and Sudan. In addition, she is renewing her identification of Serbia and the Taliban of Afghanistan as "particularly severe violators." Neither constitutes a "country" as envisioned by the Act.

During the course of the year, my office reviewed the records of all other countries which we believed might approach the designation standard. After carefully reviewing these records, I have concluded that no other countries reach that standard. I have reviewed this matter with the Secretary, and she has approved my recommendation. I will be happy to answer any questions you have on this subject.

The Status of Religious Freedom

Let me now give you a brief assessment of my office's work, and a few thoughts on the status of religious freedom.

I believe that we are implementing the terms of the IRF Act of 1998 in an effective way, faithful to the intent of the Congress, the President and the Secretary of State. As you know, the Act gave my office the mission of promoting religious freedom abroad. Carrying out that mission has required us to integrate the office into the work of the Department; to monitor religious persecution and discrimination on a daily basis; to meet with NGOs, human rights groups and religious groups here and abroad; and to advocate freedom of religion and conscience with foreign governments.

The Office of International Religious Freedom is well integrated into the Bureau of Democracy, Human Rights and Labor -- thanks in great part to my friend, Assistant Secretary Harold Hongju Koh -- and into the Department as a whole. Within our bureau, I want to note in particular the contributions of the Office of Country Reports and Asylum Affairs and the Office of Bilateral Affairs. We work closely with our colleagues in the regional bureaus, both to address problems and to develop policy. We communicate frequently with our embassies and consulates abroad. When we travel -- and we have visited 26 countries, some of them more than once -- we meet with U.S.

Ambassadors and mission staff to discuss our policy and to hear their recommendations and their concerns.

The process of producing the Annual Report has itself played a major role in integrating our office, and the issue, into the mainstream of U.S. foreign policy. The Report has become a focal point for discussion of religious freedom –in conferences and journals for example – and has dramatically increased public awareness of our mission. The Report also requires our embassies abroad to monitor religious freedom year-round. It encourages their development of sources of information among local communities of religious believers, NGOs, human rights groups and government officials. And it taps the impressive analytical skills of our officers, causing them to delve more completely into religious beliefs and customs that may be alien to them.

Our mandate has also caused us to reach out to American religious communities. I am very proud of our outreach program to the Muslim community. For a year and a half, we have met periodically with American Muslim leaders to brief them on our efforts and to hear their concerns. I consider this program a real success, and my office intends to expand it to other American religious communities.

In conjunction with the Department's Bureau of Intelligence and Research, we are sponsoring a series of conferences on religious freedom and foreign policy, including segments that focus on the teachings of particular religious traditions. We have found a tremendous interest in this subject, and intend to continue and expand our conferences. We also attend conferences as participants as frequently as we can, contributing to the international dialogue on religious freedom.

My *ex officio* membership in the U.S. Commission on International Religious Freedom has been a productive one. The Commission brings a separate set of eyes and a sharp focus to our common task of promoting religious freedom. It has been a pleasure to work with the Commissioners. I should also note that the working relationship between the Commission's staff and my own is an excellent one that continues to prove fruitful.

With the support of Assistant Secretary Koh, my office has grown to a staff of five officers (other than myself), and we are in the process of recruiting three more. Our existing staff comes from the foreign and civil services; one is a military chaplain. Their workload is heavy and growing, and it involves some of the most daunting, invigorating work in the field of diplomacy. We are met almost daily with a new challenge -- a refugee family fleeing religious persecution and needing our help; a new draft law that restricts minority religions; new arrests, deportations or executions of religious people.

And we have had some small, but invigorating victories. I am proud to tell you that our office has had the opportunity to improve the lives and fortunes of a few families and individuals suffering for their religious beliefs. These are the things, Mr. Chairman, that give us hope, and make us even more determined to persevere in the promotion of religious freedom .

But in all candor, I must also tell you that we have made only a very modest beginning in attacking the root causes of religious persecution and discrimination. The problem has no simple solution. The Annual Report provides a measure of the problem, and shines a spotlight on it. Evidence in the Report provides a starting point for diplomacy – a basis for discussion. On balance, it is a critical tool and an important step in our goal of promoting freedom of religion and conscience.

It is, however, a step that must be followed with others. To get at the root causes of persecution, we must go beyond the spotlight, the designations and the sanctions. We must convince governments that religious belief is not something to be feared, but can be a source of social and cultural strength. And we must build bridges between and among religions, attacking the sources of fear and distrust that feed violence. We must encourage believers of all stripes to summon the best in their traditions.

Every world religion, Mr. Chairman, has some version of the Golden Rule. For example, the monotheistic religions believe that every human being – religious or not, believer or infidel – is created in the image of the Creator. To defile another human being, to destroy a person's dignity, to live without respect for human life – these are attacks on the very nature of things, and on the divine source of that life.

Every religious tradition is plagued by men and women who exploit and abuse the sacred, expropriating it as a divine license for persecution and violence against others. In their hands religion becomes a mobilizing vehicle for nationalist or ethnic passions. We have seen this outrage played out on stages from Afghanistan to Serbia to Sudan.

But we must not view the actions of such impostors and hypocrites as representative of any true religion. Religion can be – ought to be – a source of reconciliation and hope, of unity and respect. The authors of our Constitution, and of the 1948 Universal Declaration of Human Rights, understood that protecting freedom of religion and conscience provided no warrant for hatred. Rather, they knew that religious freedom protects an individual's right to pursue his or her quest for ultimate meaning and purpose, a quest that is shared by so many. In this, we are truly one human family.

And so, Mr. Chairman, I am proud to have been the first Ambassador at Large for International Religious Freedom. I am satisfied that our office has done its job well, not only complying with the law, but in laying the groundwork for future progress as well. When all is said and done, our work will be judged not by the denunciations we make or the sanctions we impose, but by the people we help. And, as far as I am concerned, that endeavor lies at the heart of what it means to believe.

Thank you for having me here today. I'll be happy to take your questions.

Drafted: DRL/IRF:TFarr
Cleared: G:DSmith - ok

UNITED STATES COMMISSION ON
INTERNATIONAL RELIGIOUS FREEDOM

Testimony on the State Department 2000 Annual Report on International Religious Freedom

Presented by Firuz Kazemzadeh, Vice-Chairman
U.S. Commission on International Religious Freedom

House International Relations Committee
Subcommittee on International Operations and Human Rights

September 7, 2000

Introduction

Thank you and good afternoon, Mr. Chairman and members of the Subcommittee. My name is Firuz Kazemzadeh and I am honored to serve as Vice-Chairman of the U.S. Commission on International Religious Freedom. I wish to thank the Subcommittee for inviting a representative of the Commission to testify before you today on the Annual Report on International Religious Freedom. I ask that my complete written statement be made part of the hearing record.

I also want to thank the Committee for holding this hearing, because it is through holding hearings like this - two of my fellow Commissioners and I appeared this morning before the Senate Foreign Relations Committee - that the issue of international religious freedom can become an integral part of this nation's foreign policy agenda. And that, after all, is one of the guiding purposes and principles behind the International Religious Freedom Act, the statutory basis for the State Department's Annual International Religious Freedom Report.

Importance of the Annual International Religious Freedom Report

The Annual International Religious Freedom Report is important to keep religious freedom high on the foreign policy agenda and an important tool to promote religious freedom abroad. It brings to light the facts on the ground, and -- perhaps just as significant -- it describes what the U.S. government is doing to promote religious freedom around the world. The International Religious Freedom Report is not only a report to the world, but also a report to the Members of Congress. The Commission urges Congress to take special note of what the Report says about U.S. policy towards violators of religious freedom and activities designed to promote the protection of religious freedom. In the International Religious Freedom Act, Congress stated that it was the policy of the United States to oppose violations of religious freedom engaged in or tolerated by governments of foreign countries and to promote religious freedom, through, among other things, specific mandated actions targeting violators. In other words, the law requires that U.S. foreign policy take into account the nature and severity of religious freedom violations, and be adjusted accordingly. This report is the yardstick with which to measure our progress in meeting the goals of the statute.

Rabbi David Saperstein, *Chair* ▫ Dean Michael K. Young, *Vice Chair* ▫ Hon. Elliott Abrams ▫ Laila Al-Marayati, M.D.
~~Hon. John R. Bolton~~ ▫ ~~Firuz Kazemzadeh~~ ▫ Archbishop Theodore E. ~~McCarrick~~ ▫ ~~Nina Shea~~
Justice Charles Z. Smith ▫ Ambassador Robert A. Seiple, *Ex-Officio* ▫ Steven T. McFarland, *Executive Director*

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be adjusted accordingly. This report is the yardstick with which to measure our progress in meeting the goals of the statute.

I would like to take a moment to speak about Ambassador Seiple. The Commission commends the hard work that Ambassador Seiple and his staff have put into only into the Annual International Religious Freedom Reports, but also their substantial efforts throughout the year to keep religious freedom on the foreign policy agenda. Ambassador Seiple has also made a significant contribution to the work of the Commission, on which he has sat as an *ex-officio* nonvoting member, and we value him as a colleague. The Commission regrets his departure. The Ambassador-at-Large for International Religious Freedom is a very important part of U.S. policy initiatives to promote religious freedom abroad – the State Department 2000 Annual Report calls his office "the fulcrum of the effort to promote religious freedom." A prolonged vacancy in this crucial position threatens U.S. progress in promoting religious freedom. The Commission will strongly urge the next president to move quickly to fill the vacancy with a person as knowledgeable and distinguished as Ambassador Seiple. It will also urge the new Congress to impress upon the new president the importance of doing so.

Reporting on the Facts and Circumstances of Religious Freedom

A few words on the Annual Report's reporting of the facts and circumstances of religious freedom.

Although we have not had the time to review Tuesday's thousand-page report in its entirety, it is apparent that the Department has done a highly commendable job of telling the tragic story of religious freedom around the globe. As the Commission noted in its own first annual report released in May, as important as the report itself is the impact that its preparation has had on the State Department and our embassies. This year's report generally shows more complete understanding of religious freedom issues and extensive fact-finding and verification. It reflects hard work on the ground.

In other respects as well this year's report is an improvement over last year, and I note with pleasure that some of the recommendations that the Commission made in its annual report appear to have been adopted by the Department. Each country report now has an introduction generally identifying the most significant religious-freedom problems in that country. There is a separate sub-section detailing relevant law. Our review of the Department's instruction cable sent to the embassies earlier this year also shows that the Department incorporated many of the Commission's suggestions in what information it solicited from embassy officials.

However, problems remain. In some of the reports, the main thrust of what is happening and why is lost in detail and through omissions of important context.

For example, the Report focuses, in its dozen or so pages relating to Sudan, mainly on the policies and practices of the Sudanese government with respect to religious freedom *per se,* giving only a page to atrocities being committed as part of the civil war, including for example, aerial bombing of hospitals and schools, abduction of women and children, and the burning and

looting of villages. There are, moreover, significant gaps. For example, the Report fails to describe the pivotal role that oil extraction is having – especially in enhancing the ability of the government of Sudan to continue in its criminal behavior. Similarly, it does not focus on the delivery of humanitarian aid -- for instance, the long-standing refusal of the Sudanese government to allow humanitarian aid to reach some regions. In short, the Report fails to give the behavior of the government of Sudan the attention it deserves.

Another notable problem is that this year's report includes a section in the executive summary entitled "Improvements in International Religious Freedom," which are also reported in the individual country chapters. The Commission believes that the reporting of such "improvements" must be carefully handled in order to avoid misrepresentation of the conditions of religious freedom. Labeling what are really positive developments -- and such positive developments deserve to be noted -- as "improvements" confounds positive steps with real and fundamental progress in eliminating religious persecution. The mention of such positive steps in the executive summary can overshadow an overall negative situation. The executive summary should be the place to report on fundamental, lasting change in the protection of religious freedom, as may be the case in Azerbaijan, but not particular events that may be positive. Severe persecutors can make a positive gesture without improving the overall conditions of religious freedom. On occasion they do it to deflect criticism and mislead foreign observers.

In the case of Sudan, for instance, the positive developments highlighted in the executive summary are changes of a shallow nature, and not the type of developments that would signal a change in the regime under which religious believers suffer horribly. Another example is Laos, where the release of religious prisoners – a welcome event – is characterized in the executive summary as "significant improvement." But the Laos section noted that "the government's already poor record for religious freedom deteriorated in some aspects." These contradictory messages are found in the report's discussion of Vietnam as well.

Countries of Particular Concern

The Commission is pleased that the State Department has listed for a second year Burma, China, Iran, Iraq, and Sudan as 'countries of particular concern,' (CPCs) as well as the Taliban regime in Afghanistan and the government of Serbia – which, while not recognized states, also remain 'particularly severe violators of religious freedom.' This year's Annual Report affirms that the conditions in those countries have not changed sufficiently so as to warrant a change in designation.

The Commission is very disappointed, however, that the Secretary has not named Laos, North Korea, Saudi Arabia, and Turkmenistan as CPCs. On July 28, 2000 the Commission wrote to the Secretary concluding that the governments of each of these four countries have engaged in particularly severe violations of religious freedom and thus meet the statutory threshold for designation as CPCs.[1] I have attached this letter to my written statement for inclusion in the hearing record. The Commission's conclusion was based on the information that was available to us at that time. The information contained in the 2000 Annual Report only affirms that these countries should be designated as CPCs.

In Laos, during the last 12 months, increasing numbers of Protestants, Baha'is and Catholics have been subjected to detention, arrest and harassment, and over 50 persons have been reportedly imprisoned for the peaceful practice of their faith.
In North Korea, notwithstanding the difficulty of obtaining reliable information on conditions in the country, it is apparent that religious freedom is non-existent. As this year's report states: "Genuine religious freedom does not exist." The government has imprisoned religious believers and apparently suppresses all organized religious activity except that which serves the interests of the state. Not identifying this repressive government as a CPC effectively rewards it for suffocating free speech, press and travel so thoroughly that information on religious persecution is limited.

In Saudi Arabia, the government brazenly denies religious freedom and vigorously enforces its prohibition against all forms of public religious expression other than that of Wahhabi Muslims. Numerous Christians and Shi'a Muslims continue to be detained, imprisoned and deported. As both the Department's 1999 and 2000 Annual Reports bluntly summarize: "Freedom of religion does not exist." How then can Saudi Arabia not be deemed a country of particular concern?

In Turkmenistan, where the ruling regime is reminiscent of Stalin's, only the official Soviet-era Sunni Muslim Board and the Russian Orthodox Church are recognized by the state as legal religious communities. Members of unregistered communities -- including Baha'is, Christians, Hare Krishnas, and independent Muslims -- have been reportedly detained, imprisoned, deported, harassed, fined, and have had their services disrupted, congregations dispersed, religious literature confiscated, and places of worship destroyed. This year's report notes a decline in the Turkmenistan government's overall respect for religious freedom, and notes "severe restrictions" on minority religious groups.

In addition to the four countries that the Commission recommended be named as CPCs, the Commission advised the Secretary of State that another four governments are close to earning the CPC label. India[2], Pakistan, Uzbekistan, and Vietnam are among those countries that have attracted the Commission's particular scrutiny, and they deserve the Department's as well. Its own report bears this out.

Reporting on U.S. Actions to Promote Religious Freedom

The label of CPC is important; it brings into the spotlight the egregious violators. But the act of labeling is only one aspect of the statute. IRFA requires policy responses and, again, the International Religious Freedom Report is a report on U.S. actions to promote religious freedom and not only a report on facts and circumstances.

I would like to focus for a moment on actions taken in response to CPC designation, and then speak more broadly to U.S. policy initiatives in certain countries that are of concern to the Commission.

U.S. Actions in Response to CPC Designation

Nowhere in the report did the State Department mention the sanctions it may have imposed as a result of a country's designation as a "country of particular concern." This is consistent with State's previous practice: it has, to our knowledge, done nothing to publicize the sanctions imposed under IRFA and at times appears to go out of its way to avoid mentioning them.
In the cases of Sudan and China, the sanctions the Department of State identified are inadequate and ineffective. Regarding Sudan, the Department stated last October that "in order to satisfy the sanction requirements of the IRFA, the Secretary of State also uses the voice and vote of the United States to oppose any loan or other use of funds of international financial institutions to or for Sudan pursuant to the International Financial Institutions Act." More-effective actions that the Commission has recommend include closing U.S. capital markets to companies that participate in the Sudanese oil fields (the revenue from which helps to fund the Sudanese government's war effort) and taking steps to end Sudan's ability to control foreign food aid and use it as a weapon of war. Regarding China, the Department stated that the Secretary of State "restricts exports of crime control and detection instruments and equipment." It is difficult to believe that this sanction sends a strong message to Beijing on religious freedom.

I would also note that under IRFA, the President must take action (or issue a waiver of the requirement to take such action) with regard to all countries the government of which engages in or tolerates violations of religious freedom, and not only CPCs. These actions do not appear to be so recorded in the Annual Report.

U.S. Actions Taken to Promote Religious Freedom

In general, the report shows that U.S. embassy personnel in a number of countries have been working to raise the issue of religious freedom with their foreign counterparts. Embassy personnel have also made inquiries and sought to monitor the legal proceedings of some religious detainees. Ambassador Seiple and his staff have traveled widely to reinforce the message of the importance of religious freedom to the United States.

The Commission applauds these actions. However, progress in the promotion of religious freedom also requires that steps be taken at the highest levels of interaction between the U.S. and foreign governments. Religious prisoners and persecution must be prominently raised in virtually every meeting between American diplomats and violator governments.

As a parenthetical point, I would like to note that in the executive summary of this year's report, actions taken by the Commission itself are listed in the section on what the U.S. government has done with respect to a number of countries. This practice should not be continued. The Commission is not empowered by Congress to implement U.S. foreign policy, but to make policy recommendations. Congress has required the Commission to report on its activities separately from the State Department. Including Commission actions in the Annual Report may blur the distinction between it and the State Department - - in the minds of the American public, NGOs, victim communities and foreign governments.

The report shows a number of countries where a deterioration in the conditions of religious freedom have not resulted in an adjustment in U.S. policy toward those countries.

In the case of China, the report bluntly states, and rightly so, that the Chinese government's attitude toward religious freedom has deteriorated and persecution of several religious minorities has increased. The report reflects this situation in almost excruciating detail. Arrests of Falun Gong and Zhong Gong practitioners and Christians worshiping in unregistered groups have accelerated dramatically since June of last year. At least eight Uigher Muslims from the Xinjiang Autonomous Region were executed in June and July on charges of "splitting the country." The receptivity of the Chinese government to U.S. concerns about religious freedom in China also appears to have deteriorated. The Chinese government has refused to reinstate official bilateral dialogue on human rights and religious freedom. Government officials have refused to meet with U.S. embassy officials who intended to raise religious freedom issues with them. The Department's Special Coordinator for Tibet and a member of her staff were denied visas for travel to Tibet. It is distressing that the Administration and a majority of the House of Representatives is willing to overlook all of this in pursuing its campaign for Permanent Normal Trade Relations status for China.

Turkmenistan is another example of where the State Department concludes that conditions of religious freedom have worsened, and yet the reported U.S. actions do not appear to reflect any change in U.S. policy. A promise by President Niyazov to the State Department to allow minority religious groups to register, thus legalizing their activities, has yet to be realized.

A third example is France, where the report describes in detail some disturbing recent events that threaten the protection of religious freedom of minority religious groups in that country. In particular, the National Assembly in June of this year passed a bill targeting so-called "sects" for dissolution and establishing a new crime of "mental manipulation." It is now pending in France's Senate. However, a comparison of this year's report on what the U.S. has done, in comparison to last year's report on what the U.S. did, shows that despite worsening conditions, the U.S. appears to have done less. This deserves an explanation.

The report also illustrates a number of instances where U.S. policy does not appear to be in line with the gravity of religious freedom problems in a particular country.

The Report on Sudan does not display any coherent, concentrated plan on the part of the U.S. government for dealing with the atrocities being committed there. When the Commission studied that situation over the past year, we were struck by the huge disparity between the scale of atrocities being committed by the government of Sudan and the response of the President and the Secretary of State. Yes, event-by-event, the Administration has expressed outrage and disapproval. But we have not seen evidence of the sort of concentrated and coherent policy that would have any hope of success. Consequently, in May of this year, as a key part of our recommendations on Sudan, we laid out a specific 12-month plan of action for the President – urging particularly that he personally launch "a vigorous campaign … to inform the world of Sudan's war crimes, crimes against humanity, and genocidal activities." In addition, the Commission has raised with the State Department and the National Security Advisor the issues

received from credible sources - - Anglican and Catholic bishops in Sudan - - that UN-provided humanitarian aid for Sudan, including U.S. aid, is being manipulated to force religious conversions among the country's displaced and needy religious minorities. I have attached a copy of the Commission's August 14, 2000 letter to the National Security Advisor to my written statement for inclusion in the hearing record.

With regard to North Korea, the report notes that the U.S. does not have diplomatic relations with that country. Nevertheless, the U.S. does have a policy with respect to North Korea, and one that has undergone significant change in the last year, including the announcement of the lifting of certain sanctions against the country. We are not taking a position on the wisdom of those actions. However, it is apparent from the report that human rights and religious freedom have not played a role in the development of policy with respect to one of the world's worst religious freedom violators.

With respect to Iran, again a country with which the U.S. has no diplomatic relations and where there have been significant developments in U.S. policy during the last year, it is reported that U.S. officials have raised religious freedom issues and problems facing religious minorities in international forums and in public statements at the highest levels. However, the United States can and should make clear to Iran that respect for human rights and religious freedom is among the necessary elements for improved ties between our two countries.

Conclusion

The 2000 Annual Report states a sobering fact: "Much of the world's population lives in countries in which the right to religious freedom is restricted or prohibited." As the richest and most powerful nation on earth, the United States can do significantly more to vindicate this right abroad. As the freest nation on earth, it *must* do more.

On behalf of the U.S. Commission on International Religious Freedom, thank you again, Mr. Chairman, for the invitation to present the Commission's perspective.

UNITED STATES COMMISSION ON
INTERNATIONAL RELIGIOUS FREEDOM

July 28, 2000

The Honorable Madeleine K. Albright
Secretary of State
U.S. Department of State
2201 C Street, N.W.
Washington, DC 20520

Re: Recommendations for Presidential Designation of Severe Violators of Religious Freedom

Dear Madam Secretary:

In its first year of operations, the U.S. Commission On International Religious Freedom has investigated violations of religious freedom engaged in or tolerated by governments of a number of countries, using information from victims, religious groups and other private organizations, the United States government, and others. Although it continues to be denied access to embassy cable traffic, the Commission has carefully reviewed the Department's Annual Report on International Religious Freedom -- 1999 and its Country Reports on Human Rights Practices -- 1999.

Based on this information, the Commission concludes that the governments of Laos, North Korea, Saudi Arabia, and Turkmenistan have engaged in particularly severe violations of religious freedom, and therefore recommends that the President designate these four countries as "countries of particular concern" ("CPCs"), for purposes of Section 402(b) of the International Religious Freedom Act of 1998 ("IRFA") [22 U.S.C. § 6442(b)].[1]

In Laos, during the last 12 months, increasing numbers of Protestants, Baha'is and Catholics have been subjected to detention, arrest and harassment, and over 50 persons have been reportedly imprisoned for the peaceful practice of their faith.

In North Korea, notwithstanding the difficulty of obtaining reliable information on conditions in the country, it is apparent that religious freedom is non-existent. The government has imprisoned religious believers and suppresses all organized religious activity except that which serves the interests of the state. Not to identify this repressive government as a CPC would effectively reward it for suffocating free speech, press and travel so thoroughly that information on religious persecution is limited.

Rabbi David Saperstein, *Chair* ▪ Dean Michael K. Young, *Vice Chair* ▪ Hon. Elliott Abrams ▪ Laila Al-Marayati, M.D.
Hon. John R. Bolton ▪ Firuz Kazemzadeh ▪ Archbishop Theodore E. McCarrick ▪ Nina Shea
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In Saudi Arabia, the government brazenly denies religious freedom and vigorously enforces its prohibition against all forms of public religious expression other than that of Wahabi Muslims. Numerous Christians and Shi'a Muslims continue to be detained, imprisoned and deported. As the Department's 1999 Annual Report bluntly summarized: "Freedom of religion does not exist."

In Turkmenistan, where the ruling regime is reminiscent of Stalin's, only the official Soviet-era Sunni Muslim Board and the Russian Orthodox Church are recognized by the state as legal religious communities. Members of unregistered communities -- including Baha'is, Christians, Hare Krishnas, and Muslims operating independently of the Sunni Muslim Board -- have been reportedly detained, imprisoned, deported, harassed, fined, and have had their services disrupted, congregations dispersed, religious literature confiscated, and places of worship destroyed.

The Commission further concludes that all of the seven governments or entities named by the President last October as CPCs -- Burma, China, Iran, Iraq, Serbia, Sudan, and the Taliban in Afghanistan -- continue to engage in particularly severe violations of religious freedom, and therefore should continue to be designated as CPCs.

The Commission also notes grave violations of religious freedom engaged in or tolerated by the governments of India, Pakistan, Uzbekistan, and Vietnam. The actions of the governments of these countries may not meet the statutory threshold necessary for designation as CPCs. Nevertheless, the Commission notes that under IRFA, the President must take action (or issue a waiver of the requirement to take such action) with regard to all countries the government of which engages in or tolerates violations of religious freedom (and not only CPCs) [Sec. 401(b)(1), 22 U.S.C. 6441(b)(1)]. Because of the seriousness of the violations in these four countries, the Commission urges the Department to closely monitor religious freedom in these countries during the upcoming year, and to respond vigorously to further violations there (including CPC designation later in the year, if appropriate).

In India, the central government appears unable (and possibly unwilling) to control growing violence by self-proclaimed Hindu nationalists targeting religious minorities, particularly Muslims and Christians. Priests and missionaries have been murdered, nuns assaulted, churches bombed, and converts intimidated in scores of violent incidents over the past year.

In Pakistan, large numbers of Sunni Muslims, Ahmadis and Christians have been harassed, detained, and imprisoned on account of their religion under laws that prohibit blasphemy and essentially criminalize adherence to the Ahmadi faith. In April of this year, the military government abandoned its expressed intent to soften the blasphemy laws.

In Uzbekistan, scores of Muslims worshipping independently of the state-controlled Muslim organization have been detained on account of their religious piety. Several religious

leaders -- including Muslims, Jehovah's Witnesses and Evangelical Christians -- have apparently disappeared under mysterious circumstances, died from mistreatment in custody, or have received long prison terms.

In Vietnam, the law provides for the extensive regulation of religious organizations by the state, and leaders and members of the banned Unified Buddhist Church of Vietnam, the Hoa Hao sect of Buddhism, the Cao Dai religion, as well as Protestants and Catholics have been detained without charge, imprisoned, heavily fined, harassed, or subject to government surveillance.

The Commission is also deeply concerned about the violence between members of different religious communities in Indonesia and Nigeria.

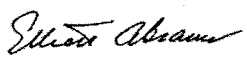
In Indonesia, current communal violence in the Malukus region has reportedly claimed the lives of 4,000 Christians and Muslims since January 1999, and there is evidence that the Indonesian government is not controlling its armed forces, resulting in murder, forced mass resettlement, and torture.

In Nigeria, disputes surrounding the actual and proposed enactment of elements of Islamic law into the criminal codes of many states in the northern part of the country have sparked a cycle of violence between Muslims and Christians in many parts of the country.

The Commission recommends that the United States urge the Indonesian and Nigerian governments to do all they can to prevent further violence and bring the perpetrators of such violence to justice.

Thank you, Madam Secretary, for considering the Commission's recommendations.

Respectfully yours,



Elliott Abrams
Chairman

cc: The Hon. Robert Seiple
Commissioners

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[1] Commissioner John Bolton voted "no" on the vote to include Saudi Arabia, and Commissioner Laila Al-Marayati abstained.

Commissioner Michael Young, joined by Commissioner Nina Shea, states: "Because I am convinced that the government of India tolerates particularly severe violations of religious freedom, I dissent from the Commission majority's decision not to recommend that the President designate India a 'country of particular concern' under section 402 of the International Religious Freedom Act (22 U.S.C. 6442(b)).

Reliable reports from the media as well as religious and secular human rights groups in India portray a marked and lethal increase in violence against religious minorities in the past year. Christian converts, missionaries and clerics have suffered over forty violent assaults in the past year, including murder, rape, and church bombings. Officials are slow to investigate and even slower to prosecute when the alleged perpetrators are Hindu and the victim is not. This violence is fomented, if not commissioned, by strident Hindu nationalist organizations from which the Vajpayee Government refuses to distance itself; indeed, its complacence has implicitly sent a message that federal authorities will do little to stop attacks on non-Hindus or interfere with state laws that intimidate Christian evangelism (e.g., among Dalits).

IRFA dictates that the President '*shall* designate each country the government of which has engaged in *or tolerated* [severe violations] as a country of particular concern for religious freedom.' Unfortunately, this certainly describes India during the past year, and thus it should be so designated. Accordingly, I dissent from the Commission's failure to request such a designation for India."

UNITED STATES COMMISSION ON
INTERNATIONAL RELIGIOUS FREEDOM

August 14, 2000

Mr. Samuel R. Berger
National Security Advisor
The White House
Washington, DC 20520

Dear Mr. Berger:

As you know from your meeting with members of our Commission, the situation in Sudan has been a central preoccupation of ours over the last year. Recent reports have greatly increased our concern. Last week various newspapers reported that the UN had suspended relief flights into southern Sudan as a result of bombings conducted by the government of Sudan. Last month we received reports from church leaders in Sudan alleging that needed food aid is still not reaching the so-called "no-go" regions and that the government has been using food aid to force religious conversions. I am writing to (1) express our alarm over these reports, (2) learn more about the relevant facts and current U.S. policy, and (3) follow up on our May 1, 2000 recommendation that the Administration strengthen the Sudan Sanctions Regulations.

We respectfully request that you respond to this letter before the end of August, prior to the return of the Congress. Our sense of urgency about Sudan is high. Not only have we received these reports regarding the suspension of relief flights, starvation and disease in the "no-go" regions, and forced conversions, but the government of Sudan apparently is continuing to engage in the bombing of civilian populations and aid centers and to consolidate its ability to do so through the development of the oil fields in southern Sudan. The overall situation seems only to be worsening.

First and foremost, we would like to know your assessment of, and the Administration's plans for responding to, the UN suspension of relief flights. How soon is the UN likely to resume flights? What are the prospects for an increase in human suffering in the meantime? What is the Administration doing or planning to do to assure that civilians in southern Sudan will receive the humanitarian aid they need?

We have detailed below our concerns about the "no-go" regions, forced conversions, and sanctions.

Rabbi David Saperstein, *Chair* ▫ Dean Michael K. Young, *Vice Chair* ▫ Hon. Elliott Abrams ▫ Laila Al-Marayati, M.D.
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A. Food Aid

1. Availability in Non-OLS Areas of Sudan

The government of Sudan has long barred the UN's Operation Lifeline Sudan (OLS) from providing humanitarian aid in some areas of the country. Over the past several months, representatives of the Administration have given assurances that U.S. aid to such areas would be increasing. But church leaders on the ground in the Nuba Mountains and other "no-go" zones report that their people are again dying from starvation and disease and that U.S. humanitarian aid is not being delivered to them.

This apparent discrepancy between stated policy and actual practice may be explained by the following finding in the State Department's *Interagency Review of U.S. Civilian Humanitarian & Transition Programs* (January 2000), Annex 3, p. 4-5:

> **4) Lines of authority and accountability within the U.S. for some key humanitarian issues related to Sudan remain unclear. Some examples include:**
>
> a) The reform and revitalization of OLS
>
> OLS's inability to effectively address issues related to access to vulnerable groups has been cause for concern. Lack of access was identified by USAID as a contributing factor to the 1988 [sic] famine. While a U.S. Action Plan called for aggressive efforts at UN/OLS reform, it was unclear to those interviewed for this Case Study how to make this happen. Should the State Department or USAID be in the lead? Is it a UN reform question or a regional, Sudan-specific one? What Agency and what level of staff in that Agency have the authority to engage other donors, the UN and the Sudanese government and rebel movements on this question?[1]

The authors of the *Interagency Review* in their next sentence reached the disturbing conclusion that:

> No steps have been taken on this important issue, even as access issues again loom as a cause for concern in southern Sudan.[2]

At hearings on the United Nations and Africa before the Senate Foreign Relations Committee on July 12, 2000, more than six months after the *Interagency Review* was issued, United Nations Ambassador Richard Holbrooke acknowledged that he has "never worked on Sudan at all in the UN

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[1] The start of this passage may be found at <http://www.gwu.edu/~nsarchiv/NSAEBB/NSEBB30/05-04.htm>

[2] Ibid.

context." After no less than four Senators raised the issue of the United Nations policy allowing the government of Sudan to veto the delivery of OLS food aid, he then agreed to communicate this concern to the United Nations Secretary General.

In identifying religion as a major factor in the conflict raging in Sudan, the Commission stated in its May 1,2000 report that the Sudan government is committing atrocities at "genocidal" levels. A principal weapon of the Sudan government has been mass, selective starvation. As a result of Khartoum's banning of delivery flights of international food aid to designated "no-go" areas, hundreds of thousands of Sudanese civilians have already died of hunger and related illnesses. These deaths could have been averted since U.S. aid was available for Sudan. Senator Bill Frist, who has made several fact-finding visits to Sudan, stated at the Senate hearings on July 12 that he "conclude(s) the United Nations has not even put up a struggle to the restrictive terms that have been used to allow these so-called no-go zones."

We respectfully ask for an update on the efforts of the United States to assure that humanitarian aid reaches the "no-go" areas, including efforts to resolve the coordination issues highlighted by the *Interagency Review*. We request your personal engagement to assure appropriate and timely distribution of U.S. humanitarian aid within Sudan, especially to the Nuba Mountains, Blue Nile region and other "no go" areas where thousands of lives are at risk.

2. Forced Conversions

The Commission has received reports from credible sources that UN-provided humanitarian aid for Sudan, including U.S. aid, is being manipulated to force religious conversions among the country's displaced and needy religious minorities.

In mid-July, Sudan's Anglican Bishop Peter Munde of Yambio diocese in southern Sudan and Catholic Bishop Macram Gassis of El Obeid diocese in the Nuba Mountains and northern Bahr al Ghazal reported separately to the Commission that, under the influence of the government of Sudan some relief groups distribute UN aid with the precondition that those receiving the aid convert to Islam. Such coercive practices would directly violate fundamental principles of religious freedom.

Bishop Munde attested in a written statement to the Commission as follows:

> One of the tactics of the NIF government is to force conversion by withholding food for those who will not convert to Islam. My wife, nine children, and I were denied food for four days because we are Christians. I have witnessed people dying from hunger in towns where food is plentiful, especially in Juba town in the south of Sudan. In Juba I have seen food brought in, but after offloading, the food disappears. It is sold at a higher price to people other than those for whom it is intended, or it is withheld from those who will not convert to Islam.

According to the two church leaders, a conversion-to-eat policy is routinely enforced in the government-controlled camps outside Khartoum where two million Christian and animist refugees are wholly dependent on international aid. Although we do not know how many people are being affected, both bishops reported that such coerced conversions are "longstanding practices," "common," and "well-known" throughout government-controlled areas in Sudan. They said they have received many reports of such practices from their priests and parishioners who had escaped from the camps. "If you want to eat, you must convert," reported Bishop Gassis about the relief practices in areas of his diocese of El Obeid.

The bishops identified "IARA" (Islamic African Relief Agency) and "Dawa Islamiya" as NGOs that engage in such coercive practices.

We are deeply disturbed by these reports. We respectfully request that you take urgent action to investigate and put a stop to any use of U.S. humanitarian aid for coercing religious conversion, whether the aid is delivered through the UN or NGOs outside the OLS system, and that you inform us by the end of August of the steps you have taken or plan to take. For your information, we have also brought these reports to the attention of USAID.

B. <u>Strengthening the Sudanese Sanctions Regulations</u>

In our May 1 Report, the Commission made recommendations to the President about the ongoing and severe violations of religious freedom in Sudan. We were especially concerned that the accelerating development of the oil fields in Sudan is increasing the ability of the government of Sudan to wage what has become a genocidal war. We urged the President, among other things, to strengthen the economic sanctions against Sudan so as to further restrict the ability of companies that are helping to develop those oil fields from raising capital on the U.S. market. We respectfully request that you provide us with a response to that recommendation.

The Commission's recommendations appear in the *Report of the United States Commission on International Religious Freedom, May 1, 2000*, a copy of which is enclosed. The relevant recommendations are Recommendations 1.8 and 1.9, which provide as follows:

> 1.8 The United States should prohibit any foreign-organized corporation from obtaining capital in the U.S. markets as long as it is engaged in the development of the oil and gas fields in Sudan, including exploration, extraction, piping or refining.
>
> 1.9 In view of the linkage between oil and gas revenues and the human rights violations of the government of Sudan, the United States should mandate that any foreign-organized corporation engaged in the development of the oil and gas fields in Sudan must:

(a) in the event it intends to make an IPO in the United States, disclose fully whether or not it intends to use the proceeds of the IPO for development of those oil and gas fields before it may proceed with the IPO; and

(b) in the event it is engaged in revenue-generating activities in the United States, submit periodically for public review reports on the nature, extent and duration of its involvement in developing those oil and gas fields and its revenue-generating activities in the United States.

A. Conclusion

Because of the urgency and severity of the situation in Sudan, we ask that you respond to this letter by the end of August. I or our Vice-Chairman, Dr. Firuz Kazemzadeh (909-481-7597), would be pleased to respond to any questions you or your staff may have. Thank you for your time and attention.

Sincerely yours,

Elliott Abrams
Chairman

Enclosure
cc: The Honorable Madeleine K. Albright, Secretary of State
The Honorable Thomas Pickering, Undersecretary of State for Political Affairs
The Honorable Susan Rice, Assistant Secretary for African Affairs
The Honorable Robert Seiple, Ambassador at Large for International Religious Freedom
Mr. Richard McCall, USAID

Testimony on the US State Department Annual Report on International Religious Freedom for 2000

Presented by Joseph Assad, Middle East Research Director, Center for Religious Freedom, Freedom House

Before the
House Committee On International Relations
Subcommittee on International Operations and Human Rights

September 7, 2000

On behalf of Freedom House's Center for Religious Freedom, I congratulate you, Mr. Chairman and Members of the Committee, for holding these important hearings today.

Mr. Chairman, Freedom House applauds your dedicated efforts over many years for religious freedom throughout the world. Priority attention by Congress to religious persecution, which is escalating in many countries, is essential to the formation of appropriate U.S. foreign policies.

Both the release of the Annual Report on International Religious Freedom as mandated by Congress, and the hearings could not have been better timed, coming as they do on the eve of the U.N. Millennium Summit. The world's leaders will be sent a clear signal of the great value the United States places on the right to religious freedom.

I am appearing here both as the representative of the Center for Religious Freedom and as a Coptic Christian born and raised in Egypt, who has witnessed firsthand the problems facing the Middle East's largest religious minority. I return to my native Egypt frequently. My last visit was in July, in order to investigate the facts surrounding the Al-Kosheh massacre of last January.

I have been asked to concentrate my remarks on the situation in Egypt. Egypt is a pivotal country. It is the cultural and intellectual center of the Arab Middle East and it is the home of the region's largest community of Christians—a community larger than all other Christian communities in the region combined.

The Egypt section of the State Department's Religious Freedom Report is very uneven. The serious findings of violations of religious freedom against Egypt's Copts of the last year are undercut by the Report's determination that so-called "noteworthy" improvements have occurred and the finding of a "trend towards improvements in the Government's respect for and protection to the right to religious freedom." In fact, the improvements cited at the beginning of the Egypt section are either misrepresented—such as the restrictions on church repairs—or are insignificant in contrast to the grave violations, arrests and denials of justice experienced by the Copts over the past year. Freedom House's Center for Religious Freedom is concerned that the Report may be soft-

pedaling the persecution of the Copts in deference to the Middle East peace process.

For example, the Report describes the massacre of Christians in Al-Kosheh early this year as "clashes" and "exchanges" between Muslims and Christians. Since all those who were murdered in the village were Copts, this description is comparable to describing the Ku Klux Klan lynchings as "clashes" and "exchanges" between blacks and whites. We hope that these shortcomings in the Report's Egypt section do not stem from American sensitivity due to Cairo's role in the Middle East peace process. The credibility of the Reports hinges on their ability to state accurately and unflinchingly the status of religious freedom irrespective of other U.S. strategic and economic interests. The Egypt section falls short on this score.

The majority of Egypt's 66 million people are Sunni Muslims. There are about 5,000 Shiite Muslims, small numbers of other Islamic groups, Baha'i, and a Jewish community now numbering only several hundred. Apart from Muslims, Egypt's largest religious group is Christians, usually referred to generically as "Copts." Egypt's Christians number between 6 and 10 million, the largest Christian community in the Middle East, of whom over 90% are Coptic Orthodox (often referred to specifically as "Copts"), but also including Greek Orthodox, Catholics, Protestants, and others.

The Copts, while usually having some freedom of worship, are threatened in varying degrees by terrorism from extreme Islamic groups, by the abusive practices of local police and security forces, and by discriminatory and restrictive Egyptian Government policies.

They are severely underrepresented in government, diplomatic, and academic positions. The government has given media access to Islamic preachers who have engaged in hate speech against Copts, while denying Copts the chance to reply. This has contributed to an environment that can encourage terrorist violence. Despite last December's announcement by Cairo to the contrary, government officials still enforce restrictions on building and repairing churches, restrictions that do not apply to mosques. The requirements for building and repairing churches or church-owned buildings are cumbersome and frequently arbitrary. Most Copts we talked to in Egypt this summer stressed that in practice they still face the same barriers as before. None of the religious leaders could point to an example of a church which was able to conduct repairs without an official permit as required under the old law. We talked with several pastors and priests whose churches were denied permits for repair even after the new changes in the law. The priest of one church we visited in Upper Egypt was recently arrested after he installed a metal grill to be used as doormat without the Governor's permission. Therefore, the report's assertion that the new presidential decree has had a positive effect in "facilitating church repairs," appears to be unwarranted.

Egypt has several educational systems. One is the state-funded *Al-Azhar* school system, which is oriented toward inculcating Islam in its pupils. Apart from this is the regular state school system. Christians and Muslims have their own separate and required religious instruction classes, although Christians often find it practically difficult to

conduct their classes. In history, language and literature classes, Coptic elements have been almost entirely absent. We understand that the government has prepared an improved curriculum but has yet to implement it.

While neither the Constitution nor the Civil and penal codes prohibit Christians from speaking about their religion or evangelizing, some Christians have been arrested for publicly sharing their faith on charges of violating article 98(f) of the penal code, which prohibits citizens from ridiculing or insulting "heavenly religions" or inciting sectarian strife.

Another prominent concern of the Copts is that vulnerable young Christian women and girls are targeted by some extremist Muslim groups and are pressured to convert to Islam, sometimes with the cooperation of local police. Pastors who have worked with such girls have been threatened and assaulted by extremists. Pastor "Youssef," an Assemblies of God pastor in Upper Egypt, saw his eleven-years-old daughter killed in 1996 in a deliberate automobile accident which he attributes to his efforts in bringing back to Christianity girls who have been forced to convert to Islam.

Mr. Chairman, distinguished members of the Committee, in addition to the long-standing problems faced by the Copts, this past year Egypt has witnessed several severe setbacks for religious freedom—setbacks that are difficult to reconcile with the State Department's Annual Report's findings of "noteworthy improvements." The most egregious of these occurred in the southern Egyptian village of Al-Kosheh in one of the worst massacres of Coptic Christians in Egypt's recent history.

The Egypt section of the Report mischaracterizes what occurred in Al-Kosheh as "sectarian" violence. The Report concludes that the government's response to it "improved," with the government "responding quickly to restore order." These assertions contradict the accounts of eyewitnesses to the massacre, Egyptian human rights observers, and the Coptic Pope's own assessment of the Government's response. In an extraordinary written protest, Coptic leader Pope Shenouda III charged the Egyptian government of not doing enough to stop the violence, and demanded answers for why the police withdrew from the area minutes before the massacre began. The Pope usually refrains from public comments about the difficulties the Christian community faces, and indeed is restricted under Egyptian law from criticizing the government. The fact that he spoke out on this issue indicates the seriousness of the Copts' concern.

In July, as part of a Center for Religious Freedom team, I spent three weeks in Egypt documenting and investigating Al-Kosheh, where 21 Christians were killed and dozens were injured after they were attacked by rampaging Muslims in early 2000. (One Muslim was also killed in a nearby village by a stray bullet fired by another Muslim). While in Egypt, our team interviewed the families of victims and dozens of eyewitnesses. They gave us a firsthand description of the attack. Nine of the dead Copts were killed in their own houses, which indicates they were hunted down as they sought to escape. Three of the dead were females (one an eleven-year-old girl), and four were under the age of

sixteen, and one was 85. One man was reportedly asked to renounce his Christian faith. When he refused, his arm bearing a Christian tattoo was cut-off and he was stabbed to death. A mob then burned his body. His mother was an eyewitness to these events.

While there was destruction of property in Al-Kosheh by both Muslims and Christians, all those murdered were Christians.

The massacre in January 2000 cannot be understood apart from events in Al Kosheh in 1998. The murder of two Copts in August 1998, allegedly by five Muslims, was followed by the arrest, abuse and sometimes torture over the next six weeks of about 1000 Copts (the Center has a partial list of their names) by local Egyptian police. Many reliable observers believe that the arrests were intended to portray the murders as *within* a religion and so as to avoid further sectarian violence. The government continues to deny that discriminatory police brutality occurred in Al-Kosheh in 1998, and has arrested clergy, including local Coptic Bishop Wissa, and members of the human rights groups who have reported publicly on it. No police officer has been penalized for the well-documented mass abuses and incidents of torture in Al-Kosheh in 1998. The only conviction in connection with the 1998 Al Kosheh abuses was that of a Christian for the original double murder in August 1998.

There can be little doubt that the failure of justice for Christians after the police dragnet and abuse in 1998 left the Coptic community vulnerable to further assaults by possibly sending a signal that the Christian community could be attacked and driven from their homes with impunity. In other words, the 1998 Al-Kosheh events set the stage for the massacre of January 2000.

This Al-Kosheh massacre of January 2000 is compounded by government attempts to muzzle non-governmental organizations and human rights defenders who reported on it. Government pressure has led to the closing of the Center for Legal Studies in Human Rights, the Ibn Khaldoun Center for Development Studies, while the Egyptian Organization for Human Rights has significantly scaled back its activities. One of the most flagrant examples of the crackdown against NGOs was the arrest and detention of sociologist and pro-democracy activist Dr. Saad Eddin Ibrahim earlier this summer. During a meeting that the Center's team conducted with Dr. Ibrahim in his jail cell in Cairo in July, he attributed his arrest in part to his writings in defense of the Copts in Al-Kosheh. These are essential institutions for furthering democratization and religious tolerance from within Egyptian society.

The first conviction in the January 2000 Al-Kosheh massacre was of a Coptic Christian, Surial Gayed Isshak. He was sentenced to three years with hard labor for "publicly insulting Islam" on December 31, 1999. According to the Cairo-based Al-Kalema Center for Human Rights, "the decision which was issued by the criminal court in Sohag, is considered to be severe and the first of its kind in Egypt." Two days ago, according to Egypt's leading newspaper *Al-Ahram*, 21 Muslims in Dar Al-Salaam were convicted on relatively minor charges in connection to the January 2000 massacre in Al-Kosheh.

Seventeen of them were given sentences of from six months to two years. While four were sentenced in absentia to10 years, which means that they have either been released, or were never arrested. To date, no one has been convicted or sentenced for murder or attempted murder in the massacre itself.

Until now, the government of Egypt has consistently downplayed the extent and seriousness of violence against Egypt's Christian community. It has characterized the Al-Kosheh massacre of last January as simply a random event that is unconnected with religion. It is too early to tell if the convictions announced two days ago are the turning point. We are concerned that if the government of Egypt fails to take appropriate police action and legal redress, the situation may continue to spin out of control, with escalating violence and deepening religious polarization.

While Al-Kosheh was the most drastic example, it was not the only example of violence against Coptic Christians during the period covered by this Report. In August and September 1999, there were three separate attacks on Coptic orthodox clergy. On September 2, Father Aghnatious Al Mohariky was shot and killed by two Muslim brothers in a field belonging to a monastery in Al-Kosiya. Another priest was also shot and killed in the nearby city of Asyut, and, in Al-Mahalla, Father Istaphanous Sobhi was seriously injured after being repeatedly stabbed in his chest and stomach shortly after conducting a mass at his church. Egyptian courts sentenced the assailants in the first case to seven years in prison, and the assailant in the second case was sentenced to three years, considerably light sentences for murder. A Christian was named as the assailant in the third case, but when the injured priest disputed the police account, the government named a Muslim and determined him to be mentally unstable and unable stand trial.

The Report recognizes the increase in public discussion of Coptic themes in Egyptian media as a "noteworthy" improvement. In fact, many of these discussions have been aimed at intimidating Christians who dare to complain about their persecution. For example, Coptic Bishop Wissa has been called an "extremist" for his role in defending his flock, Egypt's leading human rights defenders were accused of damaging national unity for reporting religious persecution and Congressman Frank Wolf and Senator Sam Brownback, as well as various Freedom House personnel incorrectly called "Jews," apparently as a derogatory, by government-owned media for their roles in addressing religious oppression in the Middle East.

In light of these developments, which are major blows not only to religious freedom but also to human rights in general, it is inconceivable that an accurate portrayal of human rights in Egypt could focus on "noteworthy improvements" and give such a positive assessment. We hope that it is not the case that political objectives are not trumping concerns for religious freedom.

Finally, I wish to comment briefly on the Sudan section – a report so shamefully weak, its inadequacies can only be explained as an attempt to cover up an U.S. policy failure of historic proportions. Nowhere in the section is there conveyed a sense of the ongoing

genocide being waged by the government against its southern religious and racial minorities that was condemned in House Resolution 75 of a year ago. Only on page 6 of an 8-page account, in two short paragraphs, is the war that has already killed 2 million from the Christian and animist homelands addressed – a war in which religion plays a "major role," according to the U.S. Commission on International Religious Freedom. The section emphasizes "noteworthy improvements," such as that "women were seen more commonly without head coverings and wearing trousers," and concerns itself mostly with milder, bureaucratic restrictions and inequities and instances of harassment. In its search to find "improvements," the State Department report leaves the impression, by quoting from Khartoum itself, that government bombing of civilian targets stopped in April, when in fact the regime's relentless bombing campaign continued throughout the summer and brought a halt the international humanitarian lifeline the south depends on as recently as last month. The report fails to address the fact that U.S. aid is manipulated by the regime to enforce its strategy of selective, mass starvation. It also omits mention of the serious charge of the U.S. Commission on International Religious Freedom, in an August 14 letter to National Security Adviser Samuel Berger, that U.S. food aid is being channeled to Islamic relief groups that require conversion as a precondition to receiving the aid.

Testimony of Acacia Shields

Uzbekistan Researcher, Human Rights Watch

Europe and Central Asia Division

Before the House Committee on International Relations

Subcommittee on International Operations and Human Rights

Hearing on "The State Department Annual Report on International Religious Freedom for 2000 September 7, 2000"

I would like to express my appreciation for this opportunity to speak before the Subcommittee about the repression of religious freedom in Uzbekistan.

My name is Acacia Shields and I am the Uzbekistan researcher for Human Rights Watch, based in Tashkent. Human Rights Watch has investigated violations of civil and political rights in Central Asia since 1990, and we have had a field office in Uzbekistan since 1996. For the last year and a half, I have headed that field office. I have spent these last 18 months investigating religious repression in Uzbekistan and carefully documenting hundreds of cases of religiously motivated arrests, detention and torture of believers, and other forms of discrimination and harassment. I have interviewed hundreds of victims and relatives of victims of religious discrimination, and again am profoundly grateful to the subcommittee for this opportunity to bring their stories to you, and to comment on the way in which this campaign of repression is treated in this year's State Department Annual Report on International Religious Freedom for 2000.

The IRF Report

While this year has seen at least two dramatic and disturbing attacks on Christian believers and several detentions of Christians for alleged missionary activity, one of which was documented in the State Department's report, the problem of religious repression in Uzbekistan is first and foremost a problem of government-ordered discrimination and violence against pious Muslims on a vast scale.

Since late 1997, Uzbek police and security forces have arrested thousands of pious Muslims. These arrests are illegal and discriminatory: they target people who belong to unregistered Islamic groups, who practice outside state-controlled mosques, or who possess Islamic literature not generated by the government. Police routinely torture and threaten detainees, deny them access to medical treatment and legal counsel, and often hold them incommunicado in basement cells for up to six months. Trials are grossly unfair, as judges systematically punish independent Muslims with lengthy terms in prison for their religious beliefs and affiliations, ignoring allegations of torture, and

allowing coerced self-incriminating statements as evidence, often the only offered evidence, to. convict.

This year's IRF report recognizes neither the anti-religious nature of this repression, nor the human rights crisis it has produced. It argues that victims are engaged in activity that is primarily political, and therefore that Uzbekistan cannot be said to be violating the victim's religious freedom. We believe this position is misguided. We do not believe the government of Uzbekistan has made improvements that merit credit, as the report suggests. We are calling for the President to classify Uzbekistan as a country of particular concern for religious freedom and adopt appropriate measures, as foreseen by the International Religious Freedom Act.

This campaign of repression based on religious beliefs and practices is blatant and irrefutable. Government statements articulating the state's intolerance for certain Islamic practices and beliefs are clear and a matter of public record. Policies restricting and forbidding certain religious practices and activities are encoded in law. A 1998 law on Freedom of Conscience banned all religious activity not registered with the state. The law also outlawed proselytizing and religious dress in public.

The arrest and conviction of thousands of independent Muslims is now well-documented. In addition to having conducted hundreds of victim and witness interviews, Human Rights Watch has monitored dozens of trials and obtained official court documents for several hundred additional cases. The majority of indictments and judicial verdicts state clearly that the basis for the charges and convictions is their religious practice and beliefs, which the state construes as evidence of anti-state activity and attempt to overthrow the constitutional order. These practices include participating in unsanctioned prayer groups, or conducting private religious teaching; membership in an unregistered Islamic organization, or possession or distribution of literature of such an organization alone is grounds for lengthy prison sentences. Some pious Muslims have been convicted on charges of anti-constitutional activity for agreeing with the beliefs expressed by banned Islamic groups, even if they were not members and did not possess the group's literature. That such convictions constitute violations of the right to freedom of conscience is beyond question.

Only sophistry has allowed the Administration to avoid classifying Uzbekistan as a country of particular concern for its gross violations of religious freedom. The IRF report would have us accept the Uzbek government's own characterizations of those it arrests and tortures. Uzbekistan "does not consider repression of these groups to be a matter of religious freedom, but instead to be directed against those who oppose the political order." Therefore, according to the Administration, this repression, while it deeply violates human rights, cannot be called anti-religious. But let us not forget authoritarian governments everywhere—including those countries which the U.S. has deemed "of particular concern"—are threatened by the commitment to truth and justice which independent religious movements display. In China and Iraq, the fact that the governments perceive oppressed religious groups as a political threat has not led the U.S. to dismiss the anti-religious nature of their repression.

The State Department's International Religious Freedom report also creates a false distinction. between "moderate" Muslims, whom it defines as those who participate in government-run religious activities, and those who "operate outside the state-run Muslim hierarchy." The Uzbek government, it argues, supports the former but is intolerant of the latter. In fact, a "moderate" Muslim may practice within and beyond state-run Muslim structures. The term "moderate is also misleading, especially if it is taken to mean "non-violent." The overwhelming majority of pious Muslims convicted for illegal religious activity or supposed anti-state activity committed no act of violence and faced no such charges. It is their religious affiliation or belief that brands them "enemies of the state," not any purported violent acts. Members of Hizb ut-Tahrir have stated repeatedly and categorically in interviews with me, in courtroom testimony, and in written documents, that they oppose the use of violence and consider the timing of the establishment of a Caliphate to depend on the will of their God.

Finally, the International Religious Freedom report gives credit for Uzbekistan's progress, when in fact none is due. Its discussion of positive improvements, for instance, cites the release of six Christians last year, prior to the release of the 1999 International Religious Freedom report, a move that we see as a calculated effort to avoid designation as a country of particular concern and to distract the administration from the lack of progress in the treatment of Muslims.

Religious Repression against Independent Muslims in Uzbekistan

The government's campaign against pious and independent Muslims, those who practice outside of state-sanctioned Islam and Islamic institutions, began, in its current form, in late 1997. Following the murders of several police officers in Namangan, in the Ferghana Valley area, the government launched a massive crackdown on overtly pious Muslims. Police and security forces took men with beards directly off the streets, forced some to shave and arrested others on fabricated charges of possession of narcotics or several bullets. Followers of well-known independent religious leaders who criticized government policies or failed to praise the government during their religious services were rounded up, arrested, and convicted on trumped-up charges.

The situation took a dramatic turn from bad to worse when Tashkent, the capital, was rocked by several bomb explosions in February 1999. The government immediately blamed "Islamic extremists" and security forces were given carte blanche to use any and all means to round up these so-called enemies of the state. Again, police planted narcotics and, increasingly, banned religious literature, on independent Muslims to justify the initial arrest. Brutal police interrogations routinely centered solely on detainees' religious beliefs and affiliations and courts ultimately convicted the men on this basis. The arrests and convictions have continued in the year 2000 at an alarming rate.

Contrary to the contention in this year's International Religious Freedom report that the majority of detainees were subsequently released, our investigations have found that very few alleged releases of Muslims could be confirmed. Several of those well-known pious Muslims whose releases were confirmed have, unfortunately, been rearrested this year. One of them, Imam Abduwahid Yuldashev, is described below.

The government's tactics in this campaign recalls some of the worst moments of the Soviet-era: It has created a climate of suspicion and fear, in which neighbors inform on one another, mothers turn their sons over to police, and local authorities organize "hate rallies," in which police, government leaders and neighbors publicly denounce pious Muslims and their relatives as "enemies of the state."

Family members are detained and even arrested by police. They are held hostage by authorities, who state outright that until their relatives are arrested, these mothers, fathers and other loved ones will sit in jail. In at least one case, the father of several overtly pious young men who were sought by police was arrested and jailed on false charges as punishment for his sons' beliefs. This father, Azim Khodjaev, was tortured to death in jail and his body was returned to his family last year. This year, two of his sons were arrested: one was sentenced to death and another is awaiting trial.

Women are often detained and threatened with rape in front of their husbands or sons in order to coerce the men to make self-incriminating statements. This happened to Darmon Sultanova, who met with Ambassador Seiple during his last visit to Uzbekistan. She recalled in that meeting how police came to her home and asked who in the family studied Koran and how many times a day they prayed. The officers arrested Sultanova's sons, Uigun and Oibek Ruzmetov on charges of "Wahhabism" and detained Sultanova and her husband. Police stripped the elderly woman naked and handcuffed her to a radiator in a basement cell. They brought in her sons, beaten and bloody, and threatened to rape the young men's mother if they did not confess to a range of charges, including membership in an illegal religious group and participation in several unsolved murders throughout the country. The young men signed the police statements. Uigun and Oibek Ruzmetov's mother was then released, only to be held under armed house arrest for the next 40 days. One officer threatened, "You are a Wahhabi and so is your daughter and we will shoot you all. None of you will be left alive." Their 65-year-old father, Sarvar Ruzmetov, who was also severely beaten by police, was convicted without legal counsel on spurious charges of narcotics possession and is still in prison today. Uigun and Oibek Ruzmetov recounted their ordeal at trial and declared their innocence, but the judge did not investigate the charges of police abuse, and, declaring that the young men had taken part in "forbidden activities of a reactionary underground religious organization of 'Wahhabists,'" found them guilty on charges of murder, weapons possession and illegal religious activities and sentenced the young men to death. Darmon Sultanova received official documentation that the execution of her two sons by firing squad has been carried out. Another defendant on trial with the Ruzmetov brothers, Shoknazar Yakubov, was reported this year to have died from police torture in prison. He was 25 years old.

The Case of Imam Yuldashev

I would like to share one other case with you that is illustrative of the type of wrongful arrest of pious Muslims being carried out by Uzbek security forces today.

Imam Abduwahid Yuldashev was deputy to an outspoken and independent-minded religious leader, Obidhon Nazarov, who has since fallen afoul of the Uzbek government. Nazarov is believed to have fled the country, but his two brothers and two other relatives have been imprisoned in his place. Estimated hundreds of his former students and young men who attended his mosque have also been sent to jail. Yuldashev, was also the leader of an official, registered mosque. In February 1999, police called him out of the mosque one day after prayers, put him in handcuffs, and planted narcotics in his pocket. At trial, Yuldashev denied the drugs charges and described how police beat him brutally in detention. His attorney, who was allowed to meet with him only once during his detention, was witness to the bruises and other signs of physical mistreatment dealt out to him by police and also spoke of this in court. The court ignored the charges of physical abuse and sentenced the imam to four and a half years in prison. Yuldashev was, however, released on appeal shortly before the publication of last year's International Religious Freedom report. This release was lauded by State Department officials as a sign of progress.

However, this is not the whole story. After authorities released Yuldashev, they still required him to report every week to his local police station to sign a document regarding not the alleged narcotics charges, but his religious beliefs, stating: "I, Abduwahid Yuldashev, am not a member of any religious sect and do not approve of these sects." Most worrying, Imam Yuldashev has met the same fate as many others who were released in anticipation of the publication of the Religious Freedom report last year, he has been re-arrested. This time, authorities, who arrested him on July 24, have charged him with "Wahhabism" and "spreading jihad ideas." This time, they have denied him access to a lawyer. After he was forced to reject his family attorney, his relatives hired a new one. This lawyer saw him for several minutes and reported that Yuldashev was covered with bruises and welts. In the presence of this lawyer, guards beat the imam with a nightstick and demanded that he reject legal counsel. Yuldashev is today languishing in his second month of incommunicado detention in the basement of the Ministry of Internal Affairs building in Tashkent, without access to legal representation or medical treatment.

Another former imam, Abdurakhim Abdurakhmanov, was also re-arrested this year and sentenced to 17 years in prison on charges of anti-state activities.

There are many others like him. Just yesterday, on September 6, 15 men charged with membership in Hizb ut-Tahrir were sentenced to prison terms ranging from 12 to 16 years. They were charged also with possession of banned religious literature, including a leaflet ironically titled, "Uzbekistan's authorities are against Muslim beliefs." I received letters from the men while they were in detention, letters in which they describe how police sodomized them with bottles and nightsticks, raped them, and beat them in the kidneys, on the bottoms of their feet, and on their heads with truncheons and metal bars to the point where some lost consciousness; all this in order to force them to give testimony against each other and admit to the supposed crime of membership in an unregistered religious group. These men stood up and made these same allegations at trial, but the court ignored them. We cannot.

U.S. Policy

This year's State Department report on international religious freedom notes the efforts made by the U.S. to remind Uzbekistan of its obligation to respect freedom of conscience, to differentiate between terrorists and peaceful Muslim believers. But this message is not getting through. Visiting U.S. officials have raised concerns, issued demarches on specific cases, and pressed for changes in the domestic laws. But the government of Uzbekistan has only intensified its campaign against observant and independent Muslims and the condition of religious freedom has only deteriorated.

More must be done. As you know, the International Religious Freedom Act was designed in part to ensure a clear and consistent U.S. policy on freedom of religion. Unfortunately, this is not the case with respect to Uzbekistan. While the Uzbek government sometimes receives sharp criticism from US officials, it also received estimated $30 million in U.S. assistance in 1999. Since 1995, Uzbekistan also received nine-hundred and eighty million dollars in credits from the US Export-Import Bank. Awarding this kind of privilege and benefit in the face of egregious violations of religious freedom turns legitimate human rights concerns into victims of 'wink and nod' politics. It casts doubt on the United State's commitment to religious freedom and gives abuser states such as Uzbekistan the impression that they can carry on with repressive policies and still profit.

Conclusion

Uzbekistan is in a profound human rights crisis, at the center of which is religious persecution. The administration should abide by its legislative obligations, and designate Uzbekistan as a country of particular concern for religious freedom. And the measures specified under the International Religious Freedom Act, including denial of Export-Import Bank and OPIC credits and imposition of sanctions, should be implemented.

EXPERIENCE OF GOING BACK TO CHINA

Please allow me introduce myself briefly. My name is Jimmy Zou. I graduated from the University of Connecticut with a Ph.D. in Mathematics in 1990. Currently, I work as an actuary with a Federal Insurance Agency in Washington DC. Falun Gong is a self-improvement of mind and body from traditional Chinese culture. I attended a free Falun Gong workshop in 1996. Since then I have been practicing Falun Gong exercises everyday. I also tried to become a better person at home and work place by following Falun Gong's principle: Truthfulness, Compassion and Tolerance.

Last November, I took a leave and traveled back to China. I arrived in Beijing by train from my hometown on November 30. The next day, I walked by Tiananmen square, and went to see the ceremony of changing guards for national flag. I was with a group of some 200 tourists when a policeman approached me and asked me if I was a Falun Gong practitioner. I hesitated one second, then said yes.

Then I was taken into a police car, and sent to Tiananmen Square Police Station. I kept demanding my rights. Nobody answered me. The police forced a body search on me and took Mr. Li's book Zhuan Falun away from me. I protested and said that they had no right to rob my personal belongings for I did not commit any crime. Because I protested for my right, a policeman said I should be punished. There came three policemen who surrounded me, one of them took away my glasses by force, struck my both eyes fiercely with his fist, and the other two punched my shoulder and arms and kicked my legs. In two minutes, I felt dizzy and my left eye swelled like a ball. Then three policemen forced my arms to be crossed behind my back, handcuffed me in a special way. One hand came down from above the shoulder and the other came up from the lower back. I cried out with pain. There were another eight Falun Gong practitioners, all handcuffed like that in the room. A young lady handcuffed stood on my left and an old lady over the age of 60 also handcuffed like that on my right. For every four to five minutes, police shocked each person's neck, hands and kidneys with an electric cattle prod.

The special way of handcuff caused severe physical pain, it is usually applied only to criminal offenders in China. After a few minutes, the pain on my arms and shoulder was unbearable. All the other 8 Falun Gong practitioners have been handcuffed like this for at least half hour. A middle-aged gentleman, his both hands were swollen with twice of normal size and purple color. I felt his hands must be injured. The police also ordered us to bent down our head close to the ground to increase the physical pain, the old lady on my side sometime stood up to reduce the pain. I could not believe any human person could torture an old lady like that.

About six o'clock in the afternoon, I was sent to another detention facility in Beijing where I was detained in a room together with other thirty Falun Gong practitioners. There were a high school teacher, college students, doctors, peasants and computer engineers. More than half of them are women. Most of them were detained because of visiting the official appealing bureau and trying to appeal for Falun Gong, and calling on the Government to correct the mistake and stop the crackdown on Falun Gong . I asked them how the government would punish them. They said they would be sent back to their hometown, detained for at least another 15 days. If they would not sign the pledge giving up practicing Falun Gong, they might be sent to labor camps. Some practitioners kept talking to the police to explain that Falun Gong is a practice for mind and body , we are all good people, and the government should not treat us like criminals.

After six days of detention, I was released. Later I retrieved my passport and returned to America. I hope the Chinese Government would respect people's back human rights and the rights guaranteed by Chinese Constitution.

TESTIMONY

From

REVEREND PHA HER

On the subject of

THE STATE DEPARTMENT ANNUAL REPORT ON INTERNATIONAL RELIGIOUS FREEDOM FOR 2000

Before

COMMITTEE ON INTERNATIONAL RELATIONS

SUBCOMMITTEE ON INTERNATIONAL OPERATIONAL AND HUMAN RIGHTS

September 7, 2000

Thank you Mr. Chairman and members of the Subcommittee on International Operations and Human Rights for giving me the opportunity to testify on my own in front of you on the subject of the U.S. State Department Annual Report on International Religious Freedom for 2000 concerning Laos. I also would like to take this opportunity to thank the United Hmong Foundation, Inc. for sponsoring my wife and I to come to Washington, D.C. Without their

support, we would not be here.

My name is Reverend Pha Her. I am the Secretary of the Lao Evangelical Church in Vientiane, Laos. The Lao Evangelical Church is the headquarter of the Christian and Missionary Alliance denomination in Laos. This year marks the 50th year anniversary that the Gospel has reached the Hmong-Lao in Laos. My wife and I, along with eight other ministers and elders, were invited to the United States to attend an anniversary celebration that was held in Minneapolis, Minnesota on July 30th to August 4th, 2000.

It has been approximately 50 years since the American missionaries came to Laos. They were able to convert few Laotian, including ethnic Hmong and Khmuu, to become Christians. Today, over hundreds of thousands throughout the country of Laos have converted to Christianity, and the number is growing every day. After the Vietnam War in 1975, the Lao Communist Party has constantly been cracking down on religious groups, hence worshiping has been very difficult.

The Lao Communist Government does not want any religious groups getting together worshiping openly because they fear that organized religious groups are perceived as resistance activities against the government. For many years, the only way to conduct church services for the Christians were to get together as a small group inside individual homes or outside in the jungle where no authorities can see. Basically, we are operating underground. We provided services for them quietly and intelligently during the day or at night. Most of the groups did not have Bibles, so we had to share one Bible among the groups.

For the last 10 years ago, after the Laos Constitution was established and implemented, the situation was a little more flexible towards allowing there to be religious activities. We were able to worship God more freely. We were able to contact outsiders. As a result, more Bibles were distributed to the believers. I was able to complete my ministry education in Thailand and then return to Laos to serve God and the community.

Not long after that, the situation had changed for the worst. The Government implemented a very restrict regulation against all religious groups. More foreign missionaries were detained. No international development projects, which were affiliated with Christians, were allowed to implement within the scope of helping Christians. Thus, Party Government began to harass and arrest pastors and elders. The Lao Evangelical Church leadership started to shift hands due to constant harassment and duress. This was all happening in contradiction to the Constitution of the Republic of Laos, which was adopted on 8-14-91, where freedom of worship was allowed. Prime Minister Numhak Pomsavanh and President Phumivong Vichit wrote in Article 3, Section 30 that any Lao Citizens have the right to worship any religions.

Based on the recent news, many religious believers, specifically Christians, have been arrested and imprisoned. Some of them even died in jail. It became very hard for me, as a pastor, to help the believers when authorities allegedly ordered to recant all faith without any reasons or justifications.

The Lao Government accused the Christians of being "Enemies of the State". We were forced out of all villages in accusation of being Christians who were friends and allies of the United States and friends of Christians from foreign countries. As Christians, we were

accused of receiving money from other countries to bride the Lao to convert to Christianity and for organizing resistance against the party government. All these were untrue.

The Lao Communist Government falsely accused the Christians of not worshiping according to the law. The word "Christian" is perceived by the Lao government as provoking revolutions waging wars against the Lao Party Government and among other religious groups. It is simply not true.

According to recent reports, the Christians were forced to recant their faith or they wold be imprisoned without any justification. Therefore, there is no peace for the people in Laos. We constantly worry about our safety every day.

Recently U.S. State Department's Executive Summary stated that " Laos is among the significant improvements in religious freedom." Apparently, most of the problems against religious freedom occurred among remote villages in Laos. I invite the U.S. State Department officials to travel the remote areas to observe these atrocities. The State Department had contacted the Lao Government to discuss or express the situation, but the Lao Government did nothing to improve the situation. I personally believe that these situations are getting worse, as you will see later in my testimony. In addition, I am concerned that more Christians are being arrested and imprisoned. Most of the cases involve the Hmong ethnic, including some of the recent refugee returnees from Thailand refugee camps. This has been a major concern among the Hmong Americans.

Since my youth, I have served God faithfully, work with integrity, served the church righteously, and taught them to obey and respect the government and its laws. Incidentally, the Lao Government has a history of discrimination against certain ethnic groups. They have no respect of their own constitutions. They arrested and imprisoned many ethnic groups, particularly in remote villages, and especially the Hmong. The fact that Hmong have several religious beliefs does not mean any religion is bad or is against the government.

Recently the government of Laos passed out documents saying that whoever is a religious person must recant their faith or face imprisonment and have their property or farms

taken away.

Five months ago, this year, the believers were forced to recant their faith, and many were arrested. Many churches were closed or taken over by the Lao authority. From a foreigner's perspective, it may seem as if there is nothing wrong. The truth is, the Christians are being greatly oppressed and being forced to imprisonment.

Below is the list of over 70 names of the imprisoned Christians. I have had the privilege to travel extensively, visiting them during my tenure as Secretary of Lao Evangelical Church. They are:

Din Deng Village, Mouang Sam Phan, Phong Saly Province

December 31, 1999, five believers were arrested

1. Mr. Xong Phia Xiong
2. Mr. Chue Xiong
3. Mr. Wang Ger Vang,

4. Mr. Chong Lor Vang
5. Mr. Sao Lor Vang

Pa Hin village, Mouang Sam Neua, Houa Phan Province

October 22, 1999, six believers were arrested

1. Mr. Chong Lor
2. Mr. Vang Pao Yang
3. Mr. Cher Vang
4. Mr. Vang Yang
5. Mr. Pao Ze Yang
6. Mr. Khoua Neng Yang

Mouang Siengnum, Luang prabang Province

1999 to present, three Pastors are in jail for five years. Presently, these three pastors have serious illnesses, swelling, and their wives and children all worried. The rest are still in jail but

in stable condition. They are:

1. Pastor Bonmee
2. Pastor On Chan (Peter)
3. Pastor Sisamouth
4. Mr. Seng Fa, elder
5. Pastor Rang Phen - died during imprisonment

4. Mr. Khansen, elder of the church.
5. Mr. Khanphuan, elder
6. Mr. Phongsavan, elder
7. Mr. Khasai, elder
8. Mr. Kha Phong, Village chief, and a Christian
9. Pastor Levi
10. Mr. Sompong, elder
11. Mr. Somphen, pastor
12. Mr. Pa Van, elder
13. Mr. Phong Phang, elder
14. Mr. Khaaxen, elder
15. Mr. Boua Lup, elder

Savannakhet Province

Six lowland Lao were arrested and imprisoned, but I could not get their names. Below are Christians from the Boun ethnic.

16. Mr. Ta Muai
17. Mr. Pa Tu
18. Mr. Dang
19. Mr. Achang
20. Mr. Lavoua
21. Mr. Nya
22. Mr. Xakoua
23. Mr. Khaxee
24. Mr. Koon Noi
25. Mr. Ad Der
26. Mr. Koua
27. Mr. Bouag Thai
28. Mr. Bouag Tong
29. Mr. A Learn
30. Mr. A Mot

Luang Nam Tha province.

Christian believers from the Khmuu ethnic.

31. Mr. Bonethin
32. Mr. Pheth
33. Mr. Sikham
34. Mr. Khouane
35. Mr. Chone
36. Mr. Doua Cang
37. Mr. Thak

Udomxay Provice.

Khmuu ethnic.

38. Mr. Van
39. Mr. Cheng

Champasack and Uttapeu Provinces.

Lowland Lao

40. Pastor Sagnone
41. Mr. Vilakone, elder
42. Mr. Keo, elder
43. Mr. Sin, elder

44. Mr. Kham Muan
45. Mr. Khamseup
46. Mr. Savath
47. Mr. Hamone
48. Mr. Neuag

Sayabouri Province

The following Christian believers were arrested on May 9, 2000

49. Rev. Savath Heunlith
50. Pastor Thongla
51. Pastor Thongsouth
52. Three other individuals I don't know their names.
53. No name
54. No Name.

Thabok Village, Bolikhansay Province

55. Pastor Ah Lon, Imprisoned for three years.

Vientiane Province

July, 2000 at Kilometer 52, three people arrested just before we left Laos.

56. Pastor Ker Yang, Imprisoned. No further detail information where about.
57. No name released
58. No name released

District of Vientiane Perfect

June 16, 2000 at Thakohai village, Mouang Pakgnum

59. Mr. Nao Xa Vang, 37 years old
60. Mr. Chang Xiong, 34 years old

Below are Churches that were taken over or were ordered to close by the Lao government authority without any given reason.

Luang Prabang Province, 12 churches were closed or taken over.

Savannakhet Province, 9 churches were closed.

Phongsaly Province, 1 room for worship, but ordered to close.

Hua Phanh Province. 2 churches were locked and closed and taken over by authority.

Vietiene Province. 5 churches ordered to close

Sayabouri Province. 1 church ordered to close

Vientiane Perfect. 5 places of worship were ordered to disperse or else surrender to the Lao.

Most recent actions against Christians

Since June 2000, the government has used law enforcement to oppress the believers in Vientiane Province and Vientiane Perfect.

- June 8, 2000, forced the believers in Thakoua Hai, to recant their faith.
- June 16, 2000, used authority to arrest Nor Xang Vang, 37 years old, and Chang Xiong 34 years old, imprisoned in Khu Ta Dang jail.
- June 27, 2000. Again, forced everyone to recant his or her faith, if not, then were arrested immediately.
- July 10 & 20, 2000. Authority came to force the church in 52-kilometer recant their faith and arrested two elders.
- July 15-20, 2000. Authority forced the believers in the Souksala, who were repatriates from Thailand refugee camp, to recant their faith. They took over the church, which is now being used as an office.
- July 23-24, 2000. The authority oppressed believers in Phongnya II, the same way as above.
- July 23-25, 2000. The authority stated that they would coerce with arm soldiers along with law enforcement to oppress believers at Phu Kho Quo, and would use force if necessary. They had locked the door to the church.

If the believers agreed to recant, they could avoid imprisonment. The authorities forced the believers to sign an agreement and then would report to high authority that the believers did it in their own free will to recant their faith, without being forced. If anyone questioned or commented about it, the government would consider those people as opposing the government. They were arrested and were forced to comply.

After arrival in the United States, I was notified that my job as Secretary of Lao

Evangelical Church had been terminated and my name was reported to the authority of the Ministry of Interior. There is no guarantee for my safety if I returned to my homeland, Laos, because I am subjected to arrest. The last telephone conversation I had with my family was on the evening of September 3rd 2000. I was informed that after my wife and I left Laos, more Churches were locked up and guarded by the Communist authority. Therefore, no one could get in to worship God. I was also informed that numerous Churches throughout

the country were being taken over by the Government.

For all these reasons, I face a very difficult struggle in my life, especially since we have five little children behind in Laos. Their ages range from one and a half to thirteen years old.

My wife and I have determined that it will not be safe for us to return to Laos in the meantime. Therefore, we have no choice but to seek political asylum here in the United States. Human rights violations must be fully compliant. Laos must allow international communities and the United Nations to look into the current situation.

We miss our children very much. After my wife heard about the insecurity of our lives, she cried about our children's safety and well being. Once the government finds out that those children are ours, their lives will be in danger. So, we would like to ask the U.S. Government for the protection of our children and immediate families. We also ask the U.S. Government to help bring our children here to unite with us. Once the country has restored freedom of religion and democracy, we will go back.

In conclusion, the problem of the religious persecution in Laos is a very complicated issue. The search for a permanent solution requires the participation of the super power nations like the United States and the international communities' strong commitments on the part of monitoring the Lao People's Democratic Republic government to make sure that the people have freedom. Therefore, I strongly submit to you that it is essential for the United States, the United Nations, and the International Communities to be actively involved in the search for a permanent

solution to the political problems in Laos.

Many solutions to the problems of Laos are just band-aids, while other solutions get bungled in red tape. The most effective way to eliminate religious persecution in Laos is to make sure that the people in Laos have the right to worship in their own ways. To providing people in Laos with long-term security, a delegation of Human Rights and Religious rights groups can be organized to go to Laos for the purpose of gathering information on various cases happening among religious groups, including those in the remote areas. This is only just a start to cracking down the oppression of Christians there. I am afraid that the Lao Communist Government can crack down other religion groups at any time.

I propose that assembling a delegation, which will bring together factual information from Laos, is critical to the success of this initiative. Diverse representation in the delegation will also minimize the misinterpretation or misrepresentation of information collected and disseminated. The delegation can observe programs first-hand, question authority, and talk to religious believers.

The economic, political, social and religion in Laos, however, is seldom able to compete for attention like other countries. This will make the resolution to human rights in Laos both urgent and compelling into the international communities.

Therefore, I call on U.S. Congress, all countries, other governments and human rights organizations to look into this situation in Laos. In addition, I would like to recommend the following points:

1. Release those imprisoned as described above because they are impoverished, and wives and children are suffering.
2. Don't force the believers to recant their faith and leave them alone so that they have a place to serve their God.
3. Stop the duress and the accusations against the believers.
4. Lao government gives back their churches and any property belonging to the believers.
5. Give back freedom and equal rights of religion to everyone in Laos.

God bless America and God bless the people in Laos.

Recant Document translated from Lao to English

The Lao People's Democratic Republic

Peace, Independence, Republic, Unity, Prosperity

Name_____

Age_____Address _____

City_____State/Province_____

Occupation: _____

From my understanding, in the Communist Party's policy, the enemy uses religion to overthrow the Government of the country. That is illegal according to LDPR's constitution.

I was wrong in the past and believe that certain groups of people bribed me into joining their religious organizations and that they are not in accordance to the constitution.

According to what has been informed, I see that I have been guilty of the law. Hence, from this time forth, I promise and swear (oath) to the government and the country that I resign from the religious organization here and will become a good citizen. And I will strengthen the status quo of the government.

If you should still see me participate this religion again, the authority shall punish me according the law.

Location _____

Signed _____Date_____Month_____Year____

Witness _____ Signature _____

9/7/00

Recant Document (Translated from Lao into English)

The Lao People's Democratic Republic

Peace, Independence, Republic, Unity, Prosperity

Resignation Form to Recant Religion from foreign countries.

That Enemy uses to falsify the country in the past.

Educational document of release of former military services, those who have proclaimed the Gospel, and who have joined religious group not according to the law, on _____ month _____ year _____.

I _____, with my family, in _____ (town) _____City_____ Province _____, have adopted a foreign religion that Americans use to divide our unity and build a force against the local government.

Up to this point, I see clearly an enemy's attempt to lie. I feel sorry for what I have done, seeing clearly the importance and value of the party of the government. Hence, my family and I _____ (numbers of family) have recanted my foreign religion completely. From this day forth, my family and I promise that we:

- Will not believe any religion again and will not join any assembly of foreign religious group
- Will work hard with the country to build peace and stability of the country and will help with the party and government to restore the country
- Shall be punished by the local government according to law if we still keep our foreign religion.

Location _____

Date _____

Authority/Witness _____ Signature _____

(Seal)