



UNITED STATES COMMISSION ON  
**INTERNATIONAL  
RELIGIOUS  
FREEDOM**

**2019** | ANNUAL  
REPORT



# INTRODUCTION

On October 27, 2018, the International Religious Freedom Act (IRFA), which created the U.S. Commission on International Religious Freedom (USCIRF), reached its 20th anniversary. In the two decades since, a greater and more diverse number of actors across the globe are working to protect the fundamental freedom of thought, conscience, and religion as prescribed in the [Universal Declaration of Human Rights](#) and the [International Covenant on Civil and Political Rights](#). In fact, the U.S. Department of State’s 2018 [Ministerial to Advance Religious Freedom](#) became a fulcrum for change in these efforts—more foreign governments than ever before are taking action to uphold these rights in their own countries and around the world.

But the enduring story of the last 20 years is not about IRFA or USCIRF. Rather, it is the story of people who wish to live their lives as their conscience leads, who dream of raising their children so that they can make their own choice about what to believe or not believe freely and openly. Yet for some, the last 20 years have been a chronicle of a different kind, spanning a generation of cruel and unrelenting treatment because of their beliefs.

One such saga is currently unfolding in China where the government has been particularly pernicious toward religion and religious believers during the last 20 years—and increasingly so in recent years, including in 2018.

As a Tibetan, you may be forced to study Buddhism in a language that is not Tibetan, your native tongue, or detained for possessing a photo of your spiritual leader, the Dalai Lama. As a Christian, your Bible may have been rewritten by the Chinese government, your church shuttered or demolished, and your pastor imprisoned. As a Falun Gong practitioner, you may end up at a detention center where you are attacked with electric batons and forced to undergo medical and psychological experimentation. As a human rights defender who works to protect people targeted for their faith, you may be arrested, or worse, disappeared. And as a Muslim—particularly an ethnic Uighur Muslim—you may be forcibly sent to a concentration camp where you are held against your will and subjected to unspeakable acts of abuse and alleged torture, all while authorities pressure you to abandon your faith.

The cover of USCIRF’s 2019 Annual Report tells the story of abuses against Uighur Muslims in China, a tragedy that Secretary of State Michael R. Pompeo in March 2019 [called](#) “abhorrent.” Sadly, the atrocities predate both IRFA and USCIRF.

Twenty years ago—in June 1999—USCIRF selected three countries as the primary focus of the Commission’s [first-ever Annual Report](#), released in 2000: Russia, Sudan, and China. In that first report, USCIRF found that Uighur Muslims: “faced heightened repression of their religious and other human rights;” were subject to arbitrary arrests, torture, and extrajudicial executions; and were “imprisoned for their religious belief, association or practice.”



Ten years later, USCIRF’s [2010 Annual Report](#)—which covered events in 2009 and early 2010—featured on its cover a photograph of a Uighur Muslim woman facing down armed Chinese security forces, with a



defiant fist raised in protest to Chinese government repression. She was responding to authorities' disproportionate response to peaceful demonstrations in 2009 in Urumqi, the capital of the Xinjiang Uighur Autonomous Region where at least 10 million Uighur Muslims reside. The ensuing violence left an estimated 200 Uighur Muslims dead and more than 1,600 injured. Moreover, Chinese authorities carried out enforced disappearances of Uighur men and teenage boys and sentenced others to death.

Nearly 20 years later, Uighur Muslims are constantly surveilled, their phones confiscated and scanned, their skin pricked for blood samples to collect their DNA, their children prohibited from attending mosque. Even worse, the Chinese government has ripped entire families apart, detaining between 800,000 and two million adults in concentration camps and relegating some of their children to orphanages. Families cannot contact one another due to fear of government monitoring; thus, countless Uighur Muslims have no idea where their loved ones are or if they are even alive.

Although a handful of foreign governments—including the United States, Britain, and Turkey—have harshly condemned the Chinese government for these egregious abuses, China has faced few, if any, consequences. Despite years of escalating abuses, the wider international community has tragically missed the opportunity to prevent what is now happening to Uighur and other Muslims in China. Policy and practice now must focus on holding the responsible parties accountable, ceasing China's myriad abuses against all faith communities, and documenting the evidence of the atrocities that have occurred.

The U.S. government—and the international community—must swiftly and resolutely sanction Chinese officials and agencies that have perpetrated or tolerated severe religious freedom violations, including Chen Quanguo, Communist Party Secretary in the Xinjiang Uighur Autonomous Region and Politburo Member, among others. The U.S. and other governments must press the

Chinese government to immediately and unconditionally set Uighur and other Muslims free and also release prisoners of conscience like Uighur Muslims Gulmira Imin and Ilham Tohti, Tibetan Buddhists like the Panchen Lama and Tashi Wangchuk, Christians like Pastor Wang Yi and Hu Shigen, and human rights defenders like Gao Zhisheng. Also they must urge the Chinese government to cease detaining, arresting, and imprisoning believers and human rights defenders for their peaceful activities and stop interfering in the practice, instruction, and observance of their beliefs.

Unfortunately, China is only one of several countries where freedom of religion or belief remained in peril throughout 2018, as documented in USCIRF's 2019 Annual Report. Although some foreign governments have joined the fight to promote freedom of religion or belief, others brazenly suppress it. Some—like Sudan, Vietnam, and Tajikistan—do so under the guise of protecting “public order” or “national security,” frequently invoking real or perceived threats of public discontent or even terrorism to justify not just the restriction of rights, but the outright persecution of their own people. Some—like Russia, China, Eritrea, and Turkmenistan—expose their own insecurities by branding religious and ethnic minorities as “extremists,” in part because these governments believe these groups are under “foreign influence.”

In several countries where USCIRF found deteriorating religious freedom conditions it also found increased securitization and politicization of religion: for example, in countries like India, it is increasingly difficult to separate religion and politics, a tactic that is sometimes intentional by those who seek to discriminate against and restrict the rights of certain religious

communities. And the very governments perpetrating or tolerating these abuses often decry “interference in internal affairs” when they are rightfully admonished for their deplorable religious freedom and human rights records.

In 2018, both state and nonstate actors increasingly used religion as a

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tool of exclusion to isolate, marginalize, and punish the “other” through discrimination and violence. For example, blasphemy and related laws in countries like Pakistan and Saudi Arabia—and also in countries with comparatively lesser challenges such as Indonesia and Egypt—were typically enforced against individuals belonging to a minority faith, following a faith not recognized by the state, or holding no faith at all. At times, when a government or nonstate actor deems actions and expressions blasphemous or insulting to religion, it is that declaration—and not the underlying alleged defamation—that incites hatred and violence. Nationalistic and ideological sentiment underpins some of these accusations, and can motivate state and nonstate actors to manipulate religion in a way that is detrimental to other, often minority, religious and ethnic groups, such as in Burma and Iran.

As USCIRF’s 2019 Annual Report concludes, despite two decades of tireless work to bring an end to religious-based discrimination, violence, and persecution,

innumerable believers and nonbelievers across the globe continued in 2018 to experience manifold suffering due to their beliefs.

On the one hand, it is the responsibility of governments to protect and uphold freedom of religion or belief and the related freedoms of expression, assembly, association, and press. No nonstate or state actor—not the Chinese government nor any other government—has the authority to command a person’s soul and beliefs. On the other, the international community is increasingly respon-

sible for allowing the Chinese government and other governments to get away with systematic, ongoing, egregious violations of religious freedom without consequence or accountability.

Across the globe, the collective voices of those fighting for freedom of religion or belief must consistently sound the alarm against state and nonstate actors who perpetrate and tolerate such abuses. These violators must be held accountable. The impunity must end now.

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# 2019 ANNUAL REPORT OVERVIEW

Created by the [International Religious Freedom Act of 1998 \(IRFA\)](#), the [U.S. Commission on International Religious Freedom \(USCIRF\)](#) is an independent, bipartisan U.S. government advisory body, separate from the U.S. Department of State, that monitors religious freedom abroad and makes policy recommendations to the president, secretary of state, and Congress. USCIRF bases these recommendations on its statutory mandate and the standards in the [Universal Declaration of Human Rights](#) and other international documents.

The 2019 Annual Report documents religious freedom violations and progress during calendar year 2018 in 28 countries and makes independent recommendations for U.S. policy. The key findings, recommendations, and analysis for each country chapter reflected in this report—and each country’s Tier status—are based on a year’s work by USCIRF, including travel, meetings, briefings, and research, and are approved by a majority vote of Commissioners, with each Commissioner, under the statute, having the option to include a statement with his or her own individual views. In 2018 and early 2019, Commissioners and/or staff visited 10 countries to assess conditions: Bahrain (March 2018, March 2019), Bangladesh (January/February 2018), Egypt (March 2018, January 2019), Indonesia (October 2018), Iraq (March 2018), Kazakhstan (April 2018), Nigeria (May 2018, November 2018), Saudi Arabia (September 2018), Sudan (April/May 2018), and Thailand (August 2018). In the coming year, USCIRF also intends to hold hearings, pursuant to its statutory authority under IRFA.

USCIRF’s annual reports—and USCIRF’s mandate more broadly—are different from, and complementary

to, the State Department’s Annual Reports on International Religious Freedom. First, USCIRF’s annual reports have a refined focus on fewer than 30 countries, typically those that experience the most problematic religious freedom violations. The State Department’s reports cover every country in the world except the United States. Second, USCIRF’s annual reports unflinchingly describe violations of international religious freedom. Whereas the State Department must account for overall bilateral relationships in its reporting, USCIRF has the independence and objectivity to call out violations wherever and whenever they may occur. Third, USCIRF’s annual reports, unlike the State Department, analyze U.S. policy with respect to international religious freedom and make extensive policy

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recommendations, both to the Executive Branch and Congress. Fourth, USCIRF’s annual reports are timely: in its 20-year history, USCIRF has each year submitted its Annual Report to the White House, State Department, and Congress by its

statutory May 1 deadline, conveying up-to-date analysis of current country conditions from the preceding calendar year. Finally, in addition to featuring select prisoners of conscience in individual country chapters, USCIRF’s annual reports also feature prisoners in the report appendices, putting a human face to the myriad religious freedom violations perpetrated and tolerated by state and nonstate actors.

The 2019 report is divided into three sections. The first section focuses on the U.S. government’s implementation of IRFA and provides recommendations to bolster U.S. efforts to advance freedom of religion or belief<sup>1</sup> abroad.

<sup>1</sup> In this report, USCIRF uses the terms “religious freedom,” “freedom of religion,” and “freedom of religion or belief” interchangeably to refer to the broad right to freedom of thought, conscience, and religion or belief, including the right to nonbelief, protected under international human rights law.

The second section highlights 16 countries USCIRF concludes meet IRFA’s standard for “countries of particular concern,” or CPCs, for the period covered by this report, which USCIRF refers to as Tier 1 countries. IRFA requires the U.S. government to designate as a CPC any country whose government engages in or tolerates particularly severe religious freedom violations, meaning those that are systematic, ongoing, and egregious.

**In 2019, USCIRF recommends that the State Department redesignate the following 10 countries as CPCs:** Burma, China, Eritrea, Iran, North Korea, Pakistan, Saudi Arabia, Sudan, Tajikistan, and Turkmenistan. **USCIRF also finds that six other countries meet the CPC standard and should be so designated:** Central African Republic, Nigeria, Russia, Syria, Uzbekistan, and Vietnam.

The State Department most recently made [CPC designations](#) in November 2018, naming 10 countries: Burma, China, Eritrea, Iran, North Korea, Pakistan, Saudi Arabia, Sudan, Tajikistan, and Turkmenistan. At the same time, the State Department named three countries—Comoros, Russia, and Uzbekistan—to its Special Watch List, a category created by the [Frank R. Wolf International Religious Freedom Act of 2016](#) (Frank Wolf Act) for governments that engaged in or tolerated severe violations but were deemed to not meet all the criteria of the CPC test. In the State Department’s [previous designations](#), in December 2017, Pakistan had been on the Special Watch List and Uzbekistan had been designated as a CPC.

The third section of the Annual Report highlights 12 countries USCIRF categorizes as Tier 2, defined by the Commission as nations in which the violations engaged in or tolerated by the government during 2018 are serious and characterized by at least one of the elements of the “systematic, ongoing, and egregious” CPC standard.

**In 2019, USCIRF places the following 12 countries on Tier 2:** Afghanistan, Azerbaijan, Bahrain, Cuba, Egypt, India, Indonesia, Iraq, Kazakhstan, Laos, Malaysia, and Turkey.

USCIRF’s 2019 Annual Report covers a select group of countries, but during the year, USCIRF monitored and had concerns about religious freedom conditions globally, including in countries not included in this report. The fact that other countries are not included in this report does not mean religious freedom issues do not exist in those countries or that concerns discussed in previous USCIRF annual reports have improved. Information on religious freedom conditions in all foreign countries may be found in the State Department’s annual [International Religious Freedom reports](#). USCIRF also issues publications throughout the year on a variety of countries and topics, which can be found at [www.uscifr.gov](http://www.uscifr.gov).

As USCIRF’s annual reports have long recognized, nonstate actors are among the most egregious violators of religious freedom. The Frank Wolf Act requires the U.S. government to identify nonstate actors engaging in particularly severe violations of religious freedom and designate them as “entities of particular concern,” or EPCs. The law defines nonstate actor as “a nonsovereign entity that exercises significant political power and territorial control; is outside the control of a sovereign government; and often employs violence in pursuit of its objectives.”

In 2019, USCIRF recommends five organizations for designation as EPCs based on their violations during 2018. USCIRF also continues to report, in various country chapters, on particularly severe violations of religious freedom perpetrated by nonstate actors that do not meet the Frank Wolf Act’s definition because, for example, they do not exercise significant political power and territorial control.

**In 2019, USCIRF recommends that the State Department designate the following five organizations as EPCs:** the Islamic State of Iraq and Syria (ISIS), the Taliban in Afghanistan, al-Shabaab in Somalia, Houthis in Yemen, and Hay’at Tahrir al-Sham (HTS) in Syria.

There were two sets of EPC designations in 2018. On March 5, 2018, the State Department [designated](#) eight nonstate actors as EPCs for particularly severe

religious freedom violations: “al-Nusra Front, al-Qa’ida in the Arabian Peninsula, al-Qa’ida, al-Shabab, Boko Haram, ISIS, ISIS-Khorasan, and the Taliban.” On November 28, 2018, the State Department [designated](#) nine entities as EPCs: the eight designated in March and the Houthis. Although USCIRF’s assessment of the

statutory requirement that EPCs “exercise significant political power and territorial control” differs from the State Department’s, the Commission is similarly concerned by these entities’ particularly severe religious freedom violations as defined by the December 2016 amendments to IRFA.

USCIRF 2019		
<p><b>CPC Recommendations (Tier 1):</b></p> <p>Burma*</p> <p>Central African Republic</p> <p>China*</p> <p>Eritrea*</p> <p>Iran*</p> <p>Nigeria</p> <p>North Korea*</p> <p>Pakistan*</p> <p>Russia**</p> <p>Saudi Arabia*</p> <p>Sudan*</p> <p>Syria</p> <p>Tajikistan*</p> <p>Turkmenistan*</p> <p>Uzbekistan**</p> <p>Vietnam</p> <p><small>* Designated as CPCs by the State Department on November 28, 2018</small></p> <p><small>** Designated as Special Watch List by the State Department on November 28, 2018</small></p>	<p><b>Tier 2 Countries:</b></p> <p>Afghanistan</p> <p>Azerbaijan</p> <p>Bahrain</p> <p>Cuba</p> <p>Egypt</p> <p>India</p> <p>Indonesia</p> <p>Iraq</p> <p>Kazakhstan</p> <p>Laos</p> <p>Malaysia</p> <p>Turkey</p>	<p><b>EPC Recommendations:</b></p> <p>The Islamic State of Iraq and Syria (ISIS)*</p> <p>The Taliban in Afghanistan*</p> <p>Al-Shabaab in Somalia*</p> <p>Houthis*</p> <p>Hay’at Tahrir al-Sham (HTS)</p> <p><small>* Designated as EPCs by the State Department on November 28, 2018</small></p>



# IMPLEMENTATION OF THE INTERNATIONAL RELIGIOUS FREEDOM ACT

## KEY FINDINGS

In 2018, the administration of Donald J. Trump took action on the commitments to prioritize religious freedom it made in 2017. Samuel D. Brownback, who as a U.S. Senator was a sponsor of the [International Religious Freedom Act of 1998](#) (IRFA), assumed the position of Ambassador-at-Large for International Religious Freedom in February and energetically implemented his mandate. In July, the U.S. Department of State hosted the first-ever [Ministerial to Advance Religious Freedom](#), bringing together hundreds of government officials, international organization representatives, religious leaders, civil society actors, and victims of religious persecution. Key outcomes included a declaration and plan of action, new programs to respond to persecution and promote religious freedom abroad, and a commitment to hold a second ministerial in 2019.

In November, the State Department made the first new addition since 2016 to its list of “countries of particular concern,” or CPCs, under IRFA for particularly severe violations of religious freedom: Pakistan, which USCIRF had recommended for CPC designation since 2002. It also named three countries to its “Special Watch List” for severe violations, including Uzbekistan, which had been on the State Department’s CPC list since 2006, and Russia, which USCIRF had recommended for CPC designation since 2017. The State Department also made two sets of designations during the year of “entities of particular concern,”

or EPCs, citing nine nonstate groups for particularly severe violations. The State Department and U.S. Department of the Treasury actively used the Global Magnitsky Human Rights Accountability Act and a related executive order to impose targeted sanctions for corruption or human rights abuses, but only a few of these sanctions related to religious freedom violations.

During the year, the U.S. Agency for International Development (USAID) placed a new emphasis on humanitarian aid for religious groups targeted for persecution or genocide and programs to promote religious freedom, tolerance, and pluralism. The State Department worked to develop an online training course on international religious freedom for all foreign service officers, as required by the [Frank R. Wolf International Religious Freedom Act of 2016](#) (Frank Wolf Act). U.S. refugee resettlement decreased in 2018 and a special program for Iranian religious minorities stopped accepting new applicants; instead, the Trump administration focused on humanitarian assistance

for those displaced abroad and programs to help enable their return home. Longstanding flaws in the U.S. government’s processing of asylum-seekers at ports of entry and the border remained unaddressed. Throughout 2018, the Trump administration continued to prioritize

the case of Dr. Andrew Brunson, an American pastor unjustly imprisoned in Turkey. After sustained high-level pressure, Pastor Brunson was released in October and allowed to return to the United States.

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## RECOMMENDATIONS TO THE ADMINISTRATION

- Appoint a Special Adviser to the President on International Religious Freedom within the National Security Council (NSC) staff, as outlined by IRFA;
- Develop a government-wide strategy for promoting religious freedom abroad;
- Prepare action plans for specific countries; and
- Establish an interagency working group to oversee implementation;
- Increase the use of targeted sanctions against specific officials, agencies, and military units for severe religious freedom violations, including visa denials under section 604(a) of IRFA ([section 212\(a\)\(2\)\(G\) of the Immigration and Nationality Act](#)) and visa denials and asset freezes under the [Global Magnitsky Human Rights Accountability Act](#) and [Executive Order 13818](#);
- Ensure that the State Department and USAID sponsor programs to assist countries in developing school textbooks, curricula, and teacher training materials that accurately portray religious groups; promote tolerance, pluralism, and respect for the human rights—including religious freedom—of all individuals; and do not contain language urging hatred, discrimination, or violence; and
- Allocate funding through the State Department’s Antiterrorism Assistance Program and relevant U.S. Department of Defense programs to train and equip local officials and communities to protect places of worship and other holy sites, especially in countries where such sites face a high risk of attack.

## RECOMMENDATIONS TO CONGRESS

- Hold annual oversight hearings on the implementation of IRFA and the Frank Wolf Act, as well as hearings on religious freedom issues, and raise religious freedom and cases of religious prisoners of conscience in country-specific hearings and ambassadorial confirmation hearings;
- Examine, during delegation trips abroad, conditions for persons of all faiths and beliefs or none, including by meeting with religious communities, religious freedom advocates, and prisoners held for their religion or belief or their religious freedom advocacy; and
- Participate in the [Tom Lantos Human Rights Commission’s Defending Freedoms Project](#), through which Members of Congress advocate on behalf of prisoners of conscience abroad, and the [International Panel of Parliamentarians for Freedom of Religion or Belief](#), an informal, global network of legislators working to counter persecution and promote religious freedom.

## LEGAL PROVISIONS

IRFA, as amended by the Frank Wolf Act, seeks to make religious freedom a higher priority in U.S. foreign policy through a range of mechanisms and tools:

### Government Institutions

Inside the U.S. executive branch, IRFA created the position of Ambassador-at-Large (an appointee nominated by the president and confirmed by the Senate) to head a State Department office focused on religious freedom abroad: [the IRF Office](#). The law also urges the appointment of a special adviser dedicated to the issue on the White House NSC staff, although no administration since the law’s enactment has done so. The Frank Wolf Act reiterates this position’s importance. IRFA also created [USCIRF](#), an independent legislative branch agency mandated to independently assess and to accurately and unflinchingly describe threats to religious freedom

around the world, evaluate U.S. policy, and make policy recommendations to the president, secretary of state, and Congress.

### Monitoring and Reporting

IRFA mandates that the State Department prepare an annual report on religious freedom conditions in each foreign country ([the IRF Report](#)), in addition to the department’s annual human rights report. It also requires that USCIRF issue its own [annual report](#) setting forth its findings and providing independent policy recommendations, including whether or not efforts by the United States to advance religious freedom abroad are timely, appropriate to the circumstances, prudent, and effective. IRFA further requires the State Department to maintain country-by-country lists of prisoners and issues of concern for use by executive and legislative branch officials, and the Frank Wolf Act now requires

that USCIRF, to the extent practicable, make available online lists of prisoners and other victims of governments or nonstate actors the Commission recommends for CPC or EPC designation.

## Consequences for Violators

IRFA requires the president—who has [delegated](#) this power to the secretary of state—to designate CPCs annually and take action designed to encourage improvements in those countries. CPCs are defined as countries whose governments either engage in or tolerate “particularly severe” violations of religious freedom. A menu of possible actions is available, including negotiating a bilateral agreement, imposing sanctions, taking “commensurate action,” or issuing a waiver. The Frank Wolf Act amends this provision to add a “Special Watch List” category, in which the State Department is to place countries it deems to have engaged in or tolerated severe violations of religious freedom. The term “severe violations” is not defined. No specific actions are required or delineated for Special Watch List countries.

The Frank Wolf Act also creates a new presidential designation of EPCs for nonstate actors engaging in particularly severe religious freedom violations. The law defines nonstate actor as “a nonsovereign entity that exercises significant political power and territorial control; is outside the control of a sovereign government; and often employs violence in pursuit of its objectives.” The president [delegated](#) the power to make EPC designations to the secretary of state on January 26, 2018.

IRFA also makes inadmissible to the United States foreign government officials who are responsible for or directly carried out particularly severe religious freedom violations. The Frank Wolf Act now requires the State Department to establish, maintain, and submit to Congress every 180 days “designated persons lists” of foreign individuals denied visas or subject to financial sanctions or other measures for particularly severe violations of religious freedom.

IRFA defines “particularly severe” violations of religious freedom as “systematic, ongoing, egregious violations of religious freedom, including violations such as—(A) torture or cruel, inhuman, or degrading treatment or punishment; (B) prolonged detention without charges; (C) causing the disappearance of persons by the abduction or clandestine detention of those persons; or (D) other flagrant denial of the right to life, liberty, or the security of persons.”

Laws other than IRFA also provide tools to sanction individual religious freedom abusers. Some of these apply to specific countries, such as the Comprehensive Iran Sanctions and Divestment Act (CISADA, [P.L.111-195](#)) and the Countering America’s Adversaries Through Sanctions Act (CAATSA, [P.L. 115-44](#)). More broadly, the 2016 [Global Magnitsky Human Rights Accountability Act](#) allows the president, who has [delegated](#) these authorities to the secretaries of treasury and state, to deny U.S. visas to and freeze the U.S.-based assets of any foreigner responsible for “extrajudicial killings, torture, or other gross viola-

tions of internationally protected human rights” against someone seeking to expose illegal government activity or to exercise or defend internationally protected rights. [Executive Order 13818](#), issued in December 2017 to

implement and build on the Global Magnitsky Act, authorizes visa bans and asset freezes against foreign persons involved in “serious human rights abuse,” providing an even more expansive basis for targeted sanctions.

## International Standards

Under IRFA, USCIRF’s and the State Department’s reports and determinations are based on international legal standards: the law defines violations of religious freedom as “violations of the internationally recognized right to freedom of religion and religious belief and practice” as articulated in the [Universal Declaration of Human Rights](#), the [International Covenant on Civil and Political Rights](#), and other international instruments and regional agreements.

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## Programs and Training

IRFA includes religious freedom as an element of U.S. foreign assistance, cultural exchange, and international broadcasting programs. It also provides that State Department [foreign service officers](#) and U.S. [immigration officials](#) receive training on religious freedom and religious persecution. The Frank Wolf Act requires the State Department to make international religious freedom training mandatory for all foreign service officers at certain points in their careers and to develop, in consultation with USCIRF, a specific curriculum for it.

## Refugee and Asylum Issues

In recognition that religious freedom violations can drive displacement, IRFA includes provisions on U.S. refugee and asylum policy, including requiring that the president consider information about religious persecution as part of his annual determination of refugee admissions, and that immigration officials use the IRF Report as a resource in adjudicating refugee and asylum claims. IRFA also sought assessments of whether immigration officials were implementing Expedited Removal—a summary removal procedure that was new when IRFA was enacted—in a manner consistent with the United States’ obligations to protect individuals fleeing persecution, including by [authorizing](#) USCIRF to examine the issue.

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## Additional Resources

For a more detailed discussion of IRFA’s legislative history, provisions, and first decade and a half of implementation, please see the 15th anniversary retrospective included in USCIRF’s [2014 Annual Report](#). For more information on the Frank Wolf Act’s provisions, please see the IRFA Implementation chapter of USCIRF’s [2017 Annual Report](#). To watch USCIRF’s April 2018 summit marking IRFA’s 20th anniversary, please click [here](#).

## DEVELOPMENTS IN 2018

### High-Level Commitment

During 2018, the Trump administration continued to emphasize its commitment to international religious

freedom through statements from high-level officials, as it had in 2017. For example, speaking at the July 2018 Ministerial to Advance Religious Freedom, Vice President Michael R. Pence [said](#) that “[t]he right to believe or not believe is the most fundamental of freedoms,” and that “America will always stand for religious freedom, and we will always speak out boldly wherever and whenever it’s threatened.” Secretary of State Michael R. Pompeo made similar [comments](#) at the ministerial, and published an [op-ed](#) in *USA Today* highlighting the importance of religious freedom. USAID administrator Mark Green also spoke at the ministerial, [stating](#) that “[a]t USAID, we see freedom of worship as an essential element in our pursuit of government that is citizen-centered and citizen-responsive.” In May, at the release

of the IRF Report, Secretary Pompeo [stated](#) that “[a]dvancing liberty and religious freedom advances America’s interests,” and that “protecting and promoting global respect for religious freedom is a priority of

the Trump Administration,” citing the administration’s December 2017 [National Security Strategy](#).

### Ambassador-at-Large and Related Positions

On February 1, 2018, [Sam Brownback](#) was sworn in as Ambassador-at-Large for International Religious Freedom. President Trump nominated him in July 2017 and the Senate confirmed him in January 2018. Ambassador Brownback, who previously served as the governor of Kansas, is the fifth Ambassador-at-Large for International Religious Freedom in IRFA’s 20-year existence. As a U.S. senator from 1996 to 2011, he was a key sponsor of IRFA and a cochair of the Congressional Human Rights Caucus. During 2018, Ambassador Brownback energetically implemented his mandate, including through public speeches, travel, meetings with the nongovernmental organization (NGO) [IRF Roundtable](#) and other stakeholders. Pursuant to IRFA, the Ambassador-at-Large also serves ex officio as a nonvoting USCIRF Commissioner, and USCIRF welcomed Ambassador Brownback’s [nomination](#) and [confirmation](#).

Under IRFA, the Ambassador-at-Large is to be a “principal adviser to the President and the Secretary

of State regarding matters affecting religious freedom abroad” and, under the Frank Wolf Act, is to report directly to the secretary of state. In previous administrations, the Ambassador-at-Large reported to the assistant secretary for democracy, human rights, and labor, not the secretary, although some Ambassadors-at-Large were given informal access. During 2018, consistent with the Frank Wolf Act, the Ambassador-at-Large reported to the secretary. The IRF Office remained housed in the Bureau of Democracy, Human Rights, and Labor (DRL).

Over the years, various administrations and Congress created other State Department positions with overlapping or related mandates, such as special representatives or envoys on religion and global affairs, to Muslim communities, to the Organization of Islamic Cooperation (OIC), and to monitor and combat anti-Semitism, as well as a special advisor for religious minorities in the Near East and South and Central Asia. The only one of these positions that was filled during 2018 was [the special advisor on religious minorities in the Near East and South and Central Asia](#). In February 2019, after the reporting period, Secretary Pompeo named [Elan Carr](#) to be special envoy to monitor and combat anti-Semitism, an appointment USCIRF [welcomed](#).

## Ministerial to Advance Religious Freedom

On May 29, 2018, Secretary Pompeo [announced](#) at the release of the IRF Report that the United States would hold the first-ever Ministerial to Advance Religious Freedom. Its purpose was to bring together representatives of likeminded governments, international organizations, religious communities, and civil society to highlight the importance of freedom of religion or belief for all and identify ways to fight persecution and promote religious freedom.

The [ministerial](#) took place at the State Department on July 24–26. Attendees included officials from 84 governments; representatives of the European Union, Organization of American States, Organization for Security and Cooperation in Europe,

and United Nations; more than 400 NGO representatives and religious figures; and survivors of persecution from Burma, China, Iran, Iraq, Nicaragua, North Korea, Pakistan, Sudan, and Vietnam, representing a range of religious groups including Christians, Muslims, Jews, Yazidis, Baha’is, Ahmadis, and Buddhists. Alongside the sessions at the State Department, USCIRF [hosted](#) an event marking the 20th anniversary of IRFA and a [training session](#) for NGOs on how to apply for U.S. government grants. Numerous NGOs also hosted separate events on a variety of countries and topics throughout the entire week.

At the ministerial, the United States released the [Potomac Declaration and Plan of Action](#) to stress the importance of promoting religious freedom for all and propose activities for the international community. Groups of country delegations signed [statements of concern](#) on Burma, China, Iran, blasphemy and apostasy laws, counterterrorism as a pretext for repression, and violations by nonstate actors. The U.S. government announced two new programs—the [International Religious Freedom Fund](#), for the United States and likeminded partners to fund efforts to protect and support religious freedom worldwide, and the Genocide Recovery and Persecution Response Program, for the State Department and USAID to partner with faith and community leaders to quickly deliver aid to persecuted communities, beginning with Iraq—as well as a special accelerator workshop, [Boldline](#), to support innovative public-private partnerships. Vice President Pence and Secretary Pompeo announced that a ministerial on

religious freedom would be an annual event, other governments offered to host regional conferences, and civil society organizations expressed interest in creating NGO religious freedom roundtables in a variety of countries. Just before or after the ministerial, several governments, including the United Kingdom, Germany, Mongolia, Bahrain, and Taiwan, created new ambassador-level positions on religious

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*[The Ministerial’s] purpose was to bring together representatives of likeminded governments, international organizations, religious communities, and civil society to highlight the importance of freedom of religion or belief for all and identify ways to fight persecution and promote religious freedom.*

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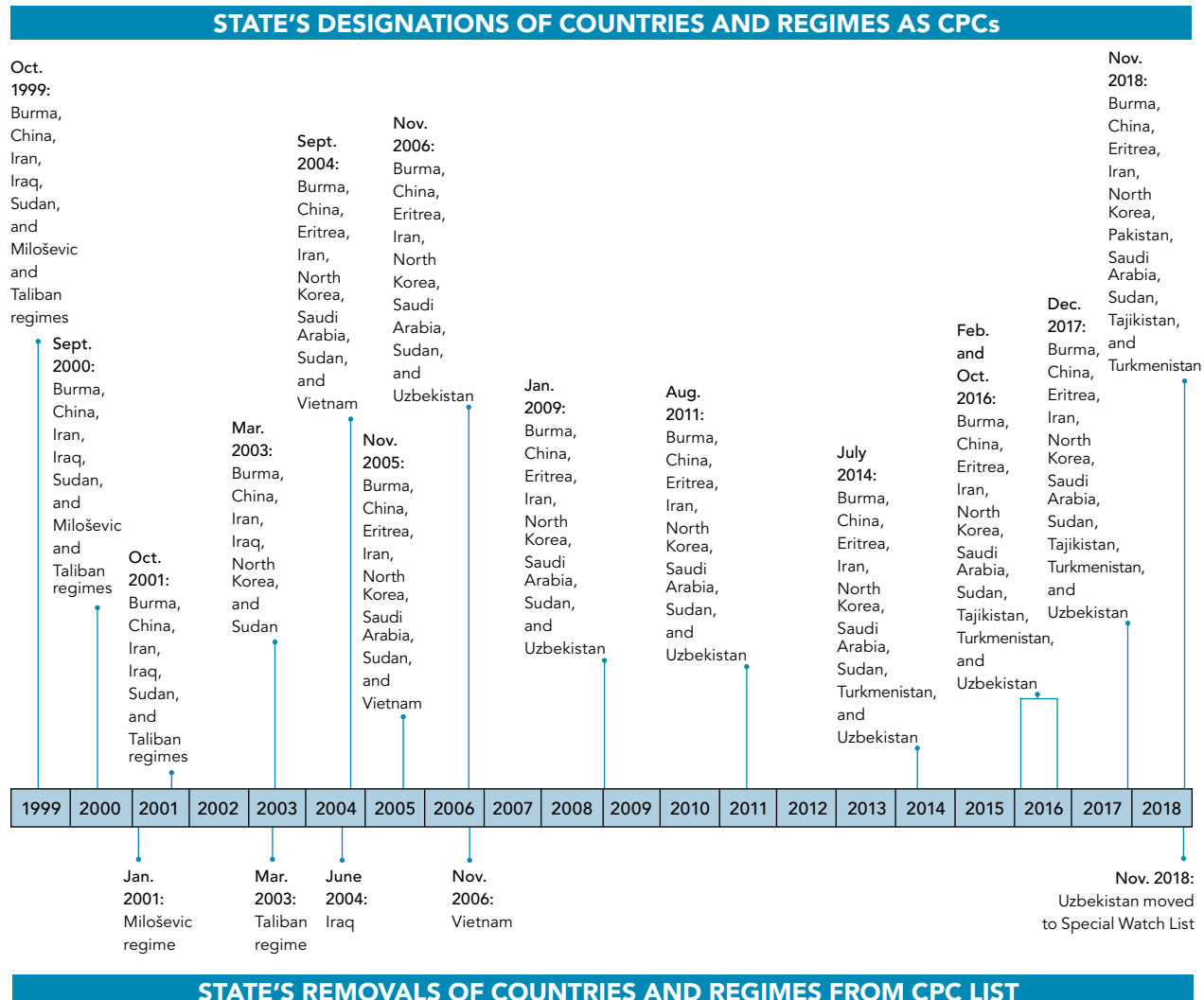
freedom, joining the existing ones from the United States, Norway, Denmark, and the European Union.

On January 26, 2019, after the reporting period, Secretary Pompeo [announced](#) that the United States would host the second Ministerial to Advance Religious Freedom on July 16–18, 2019, in Washington, DC.

### CPC and Special Watch List Designations

On November 28, 2018, Secretary Pompeo [designated](#) 10 countries as CPCs for engaging in or tolerating particularly severe religious freedom violations: Burma, China, Eritrea, Iran, North Korea, Pakistan, Saudi Arabia, Sudan, Tajikistan, and Turkmenistan. This was the State Department’s 14th set of CPC designations over IRFA’s 20-year existence. Pakistan was a new designee, the first addition to the State Department’s CPC list since Tajikistan in February 2016.

On the same date, Secretary Pompeo named Comoros, Russia, and Uzbekistan to the State Department’s Special Watch List, the Frank Wolf Act’s category for countries that engaged in or tolerated severe violations of religious freedom. The Special Watch List is a level below the CPC threshold, but neither IRFA nor the Frank Wolf Act more explicitly define “severe violations.” Uzbekistan had been on the State Department’s CPC list since 2006, but made some improvements in response to U.S. concerns. This was the first time the State Department removed a country from its CPC list due to diplomatic activity since its lifting of Vietnam’s CPC designation in 2006. USCIRF [welcomed](#) the November 28 designations, particularly regarding Pakistan and Russia, but questioned whether Uzbekistan had improved enough to be moved from the CPC list to the Special Watch List.



Source: GAO analysis of Department of State information, updated by USCIRF



The Frank Wolf Act requires the State Department to make its CPC and Special Watch List designations annually, not later than 90 days after the issuance of the IRF Report. The IRF Report covering 2017, on which these designations were based, was issued on May 29, 2018, meaning that the CPC and Special Watch List designations made on November 28 should have been issued by August 27.

For the nine countries that were redesignated as CPCs on November 28, the same presidential actions that had been imposed in December 2017 were continued. For Pakistan, the new designee, a waiver was put in place “in the important national interest of the United States.” The 2018 presidential actions are shown in the table below. Of the 10 CPC designees, six are subject to preexisting or “double-hatted” sanctions, and four have waivers. Successive administrations have relied on such an approach, and while the statute permits it, USCIRF has long expressed concern that using preexisting sanctions or indefinite waivers provides little or no incentive for CPC-designated governments to reduce or halt egregious religious freedom violations.

The Frank Wolf Act requires the State Department to notify Congress of CPC designations not later than 90 days after they are made and to provide justifications for any waivers. This notification was due on February 26, 2019, but as of March 7 did not appear to have been made. Under the Frank Wolf Act, waivers are permitted to continue for 180 days; after that period, the law gives the president waiver authority if the president determines and reports to Congress that the foreign government has ceased violations or that the waiver is required in the important national interest of the United States.

### Individual Violators

Section 212(a)(2)(G) of the Immigration and Nationality Act, a provision added by IRFA, makes inadmissible to the United States foreign officials who are responsible for or directly carried out particularly severe religious freedom violations. To date, the provision’s only publicly known use was in 2005, when then Chief Minister Narendra Modi of Gujarat State in India was excluded due to his complicity in 2002 riots in his state that resulted in the deaths of an estimated 1,100 to 2,000 Muslims. Because of

## PRESIDENTIAL ACTIONS FOR 2018 CPC DESIGNATIONS (AS DESCRIBED IN THE FEDERAL REGISTER)

**For Burma**, the existing ongoing restrictions referenced in 22 CFR 126.1, pursuant to section 402(c)(5) of the Act;

**For China**, the existing ongoing restriction on exports to China of crime control and detection instruments and equipment, under the Foreign Relations Authorization Act of 1990 and 1991 (Pub. L. 101-246), pursuant to section 402(c)(5) of the Act;

**For Eritrea**, the existing ongoing restrictions referenced in 22 CFR 126.1, pursuant to section 402(c)(5) of the Act;

**For Iran**, the existing ongoing travel restrictions in section 221(c) of the Iran Threat Reduction and Syria Human Rights Act of 2012 (TRA) for individuals identified under section 221(a)(1)(C) of the TRA in connection with the commission of serious human rights

abuses, pursuant to section 402(c)(5) of the Act;

**For the Democratic People’s Republic of Korea**, the existing ongoing restrictions to which the Democratic People’s Republic of Korea is subject, pursuant to sections 402 and 409 of the Trade Act of 1974 (the Jackson-Vanik Amendment), pursuant to section 402(c)(5) of the Act;

**For Pakistan**, a waiver as required in the “important national interest of the United States,” pursuant to section 407 of the Act;

**For Saudi Arabia**, a waiver as required in the “important national interest of the United States,” pursuant to section 407 of the Act;

**For Sudan**, the restriction in the annual Department of State, Foreign

Operations, and Related Programs Appropriations Act on making certain appropriated funds available for assistance to the Government of Sudan, currently set forth in section 7042(i) of the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2018 (Div. K, Pub. L. 115-141), and any provision of law that is the same or substantially the same as this provision, pursuant to section 402(c)(5) of the Act;

**For Tajikistan**, a waiver as required in the “important national interest of the United States,” pursuant to section 407 of the Act; and

**For Turkmenistan**, a waiver as required in the “important national interest of the United States,” pursuant to section 407 of the Act.

the confidentiality of visa decisions, there may be other, unknown uses. In recent years, the IRF Office has worked to identify noncitizens who would be inadmissible on this basis should they apply for U.S. visas.

Two newer accountability tools—the 2016 [Global Magnitsky Human Rights Accountability Act](#) and a related 2017 executive order, [E.O. 13818](#)—allow the secretaries of state and treasury to deny U.S. visas to or block the U.S.-based assets of foreigners involved in corruption or human rights abuses. As of December 2018, the U.S. government had sanctioned [101 foreign individuals and entities](#) under these authorities, including a few for religious freedom violations. The initial set of these sanctions, announced by the [State](#) and [Treasury Departments](#) in December 2017, included General Maung Maung Soe, who as then head of the Burmese Army’s Western Command oversaw atrocities against Rohingya Muslims. In addition, in August 2018, four Burmese military and border guard police officials and two Burmese military units were [sanctioned](#) for abuses against Rohingya Muslims. The same month, the U.S. government [sanctioned](#) the Turkish ministers of justice and interior over the detention of Pastor Brunson. Those sanctions were [lifted](#) in November, after Pastor Brunson’s October release.

The Frank Wolf Act requires the State Department to establish, maintain, and submit to Congress every 180 days “designated persons lists” of foreign individuals denied visas or subject to financial sanctions or other measures for particularly severe violations of religious freedom. No designated persons lists were made public in 2018.

## EPC Designations

The State Department made two sets of EPC designations during 2018. On March 5, then Secretary of State Rex Tillerson [designated](#) the following eight nonstate actors as EPCs for particularly severe religious freedom violations: “al-Nusra Front, al-Qa’ida in the Arabian Peninsula, al-Qa’ida, al-Shabab, Boko Haram, ISIS [the Islamic State of Iraq and Syria], ISIS-Khorasan, and the Taliban.” On November 28, Secretary Pompeo [designated](#) nine entities as EPCs: the eight designated in March and the Houthis.

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*The State Department made two sets of EPC designations during 2018.*

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## Programs

IRFA envisaged the funding of religious freedom programs, authorizing U.S. foreign assistance to promote and develop “legal protections and cultural respect for religious freedom.” For FY2018, USCIRF was funded at \$3.5 million for its operations, while the IRF Office was appropriated \$8.5 million for operating costs and \$25 million for programs on international religious freedom and on protecting, investigating abuses against, and providing justice to vulnerable and persecuted religious minorities.

During 2018, as part of the Trump administration’s prioritization of religious freedom, USAID placed a new emphasis on humanitarian aid for religious groups targeted for persecution or genocide and on programs to promote religious freedom, tolerance, and pluralism. Iraq was a particular focus, with the agency allocating [nearly \\$300 million](#) in assistance for northern Iraq and posting a special representative for minority assistance in Erbil, Iraq. USAID also sought to expand its partnerships with civil society and religious groups, including by signing a [memorandum of understanding](#) with the Knights of Columbus to work together to respond to genocide and persecution in the Middle East. More broadly, in his [remarks](#) at the Ministerial to Advance Religious Freedom, Administrator Green stated that USAID was supporting programs to address religious hate speech and interfaith conflict, strengthen laws protecting religious freedom, increase civil society capacity to advocate for freedom of religion or belief, and reinforce pluralism.

## Training

The Frank Wolf Act added a [provision](#) to the Foreign Service Act requiring the State Department to provide training on international religious freedom for all foreign service officers, including by covering the topic

in courses required for entry-level officers, for officers prior to postings outside the United States, and for ambassadors and deputy chiefs of mission (DCMs), as well as by

developing a specific curriculum. The State Department’s Foreign Service Institute (FSI) began including

religious freedom issues in its courses for entry-level officers and ambassadors and DCMs in 2017. During 2018, FSI and the IRF Office, with input from USCIRF, worked to develop a distance learning course on religious freedom to be required for all foreign service officers prior to assignments overseas, which they planned to roll out in early 2019.

## Refugee Resettlement

Under the United States Refugee Admissions Program (USRAP), the president sets a ceiling for how many refugees the United States will accept from abroad each year; under IRFA, religious persecution should be considered in this determination. Since 2001, the refugee admission ceiling has averaged 75,000 per year. After suspending the USRAP for part of FY2017 to put into place enhanced vetting procedures, the Trump administration resumed the program and set the ceilings for FY2018 and FY2019 at [45,000](#) and [30,000](#), respectively. Actual refugee admissions in FY2018 totaled [22,491](#), the lowest in the program's history. Instead of resettlement, the Trump administration [focused on](#) aiding refugees and internally displaced persons abroad through humanitarian assistance and programs to help enable their safe and voluntary return home. For example, the administration prioritized [assistance](#) to support vulnerable minority communities in Iraq.

During 2018, approximately 90 Iranians seeking refugee status in the United States under the Lautenberg Amendment—a special resettlement program for certain persecuted religious minority groups—had their applications denied or significantly delayed, an unusual situation about which [USCIRF](#) and [Members of Congress](#) expressed concern. Because of these issues, the Lautenberg program, which USCIRF has long supported as a lifeline for vulnerable Iranian minorities, stopped accepting new applicants. It had not resumed by the end of 2018.

## Asylum-Seekers in Expedited Removal

Under U.S. law, noncitizens who fear persecution or torture at home may apply for asylum if they arrive at, or are already in, the United States. As authorized by IRFA, USCIRF has examined the U.S. government's treatment of asylum-seekers in Expedited Removal, the process that allows Department of Homeland Security (DHS) officers to quickly deport, without immigration court hearings, noncitizens who arrive at U.S. ports of entry or cross the border without proper documents, unless they can establish a credible fear of persecution or torture. USCIRF's reports on the subject, released in [2005](#), [2007](#), [2013](#), and [2016](#), documented major problems that successive administrations have not addressed.

Specifically, USCIRF's monitoring over more than a decade revealed that DHS officials often fail to follow

required procedures to [identify](#) asylum-seekers and refer them for credible fear determinations, and that they [detain](#) asylum-seekers in inappropriate, prison-like conditions. Over the past few fiscal years, the percentage of individuals in Expedited Removal who say they fear return has been

[rising](#). As a result, the unaddressed flaws in the system placed even more asylum-seekers at risk of erroneous return. To ensure the fair and humane treatment of asylum-seekers while protecting U.S. borders, USCIRF has recommended that DHS (1) appoint a high-level official to coordinate refugee and asylum issues and oversee reforms, (2) improve quality assurance measures, (3) give officers additional training, (4) use non-prison-like detention facilities, and (5) increase funding for asylum officers and immigration courts to promptly and fairly adjudicate claims. USCIRF also has urged Congress to exercise oversight on these matters, including by requesting the Government Accountability Office to assess whether noncitizens removed to their home countries under Expedited Removal have faced persecution or torture upon return.

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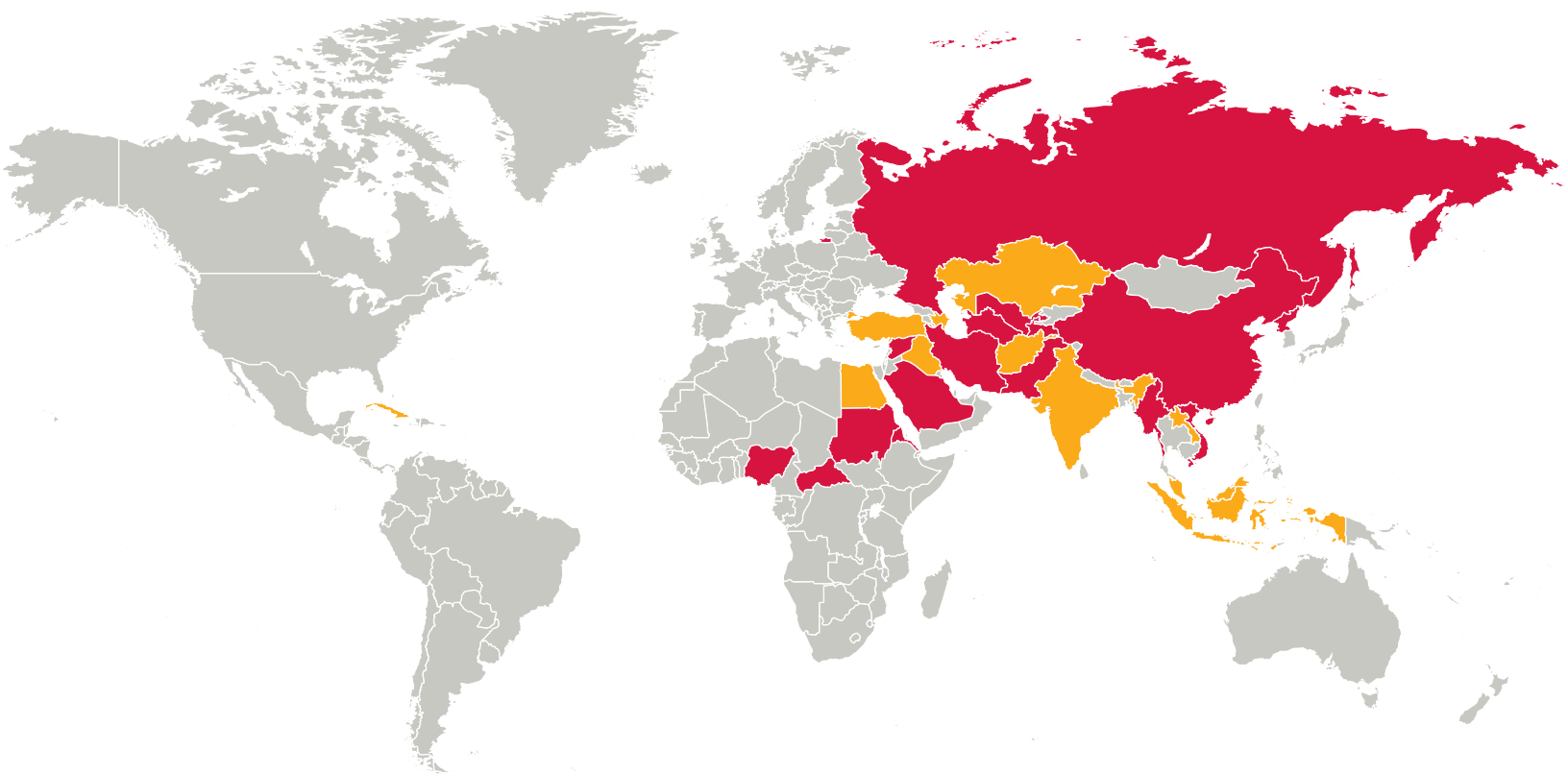
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## Prisoners

During 2018, the Trump administration continued to prioritize seeking the release of American citizens unjustly imprisoned abroad. One of these cases, that of [Pastor Brunson](#) in Turkey, was also a high priority for USCIRF, and was part of USCIRF's [Religious Prisoners of Conscience Project](#). After significant U.S. advocacy and pressure, including the imposition of Global Magnitsky sanctions on two Turkish cabinet ministers, Pastor Brunson was [released](#) in October 2018 and allowed to return to the United States. A Turkish court convicted Pastor Brunson on the unfounded charge of aiding terrorism but ruled that his two-year detention and good conduct counted as serving the imposed sentence of imprisonment for three years and one month. USCIRF Commissioner Tony Perkins was at the final court hearing and accompanied Pastor and Mrs. Brunson home.

# 2019 COUNTRIES



## ■ TIER 1 COUNTRIES OF PARTICULAR CONCERN

Burma	Iran	Russia	Tajikistan
Central African Republic	Nigeria	Saudi Arabia	Turkmenistan
China	North Korea	Sudan	Uzbekistan
Eritrea	Pakistan	Syria	Vietnam

## ■ TIER 2 COUNTRIES

Afghanistan	Cuba	Indonesia	Laos
Azerbaijan	Egypt	Iraq	Malaysia
Bahrain	India	Kazakhstan	Turkey

### KEY FINDINGS

In 2018, religious freedom conditions in Iran trended in a negative direction relative to 2017, with the Iranian government heightening its systematic targeting of Muslims (particularly Sunni Muslims and Sufis), Baha'is, and Christians. The government arbitrarily detained, harassed, and imprisoned Baha'is based on their religion and continued its long-term practice of egregious economic and educational persecution of the community. Hundreds of Sufis were arrested and scores were sent to solitary confinement and beaten in prison. Christians faced a dramatic uptick in arrests from previous years, and Muslim converts to Christianity continued to face severe persecution. Sunni Muslims experienced discrimination in employment and political leadership, and had difficulty obtaining permission to build mosques. A senior member of Iran's government led an anti-Semitic conference in Tehran accusing Jews of manipulating the global economy and exaggerating the Holocaust. Shi'a Muslim reformers and dissenters faced prolonged detention

and the threat of execution. While President Hassan Rouhani in 2016 signaled his intent to address some religious freedom violations, these promises have yet to be implemented; meanwhile, the number of individuals imprisoned for their beliefs continued to climb.

Based on these severe religious freedom violations, USCIRF again finds in 2019 that Iran merits designation as a "country of particular concern," or CPC, under the International Religious Freedom Act (IRFA). Since 1999, the U.S. Department of State has designated Iran as a CPC, most recently in November 2018. USCIRF recommends that the State Department redesignate Iran as a CPC under IRFA and maintain the existing, ongoing travel restrictions in section 221(c) of the Iran Threat Reduction and Syria Human Rights Act of 2012 (TRA) for individuals identified under section 221(a)(1)(C) of the TRA in connection with the commission of serious human rights abuses.

### RECOMMENDATIONS TO THE U.S. GOVERNMENT

- Speak out publicly and frequently at all levels about the severe religious freedom abuses in Iran, and highlight the need for the international community to hold authorities accountable in specific cases;
- Identify Iranian government agencies and officials responsible for severe violations of religious freedom, freeze those individuals' assets, and bar their entry into the United States, as delineated under the [Comprehensive Iran Sanctions, Accountability, and](#)

[Divestment Act](#) (CISADA), the [Global Magnitsky Human Rights Accountability Act](#), and related executive orders, citing specific religious freedom violations;

- Press for and work to secure the release of all prisoners of conscience, including Youcef Nadarkhani, Golrokh Ebrahimi Iraee, and Mohammad Ali Taheri;
- Work with European allies to use advocacy, diplomacy, and targeted sanctions to pressure Iran to end religious freedom abuses, especially

leading up to Iran's 2019 Universal Periodic Review; and

- Develop and utilize new technologies to counter censorship and to facilitate the free flow of information in and out of Iran.

The U.S. Congress should:

- Reauthorize and ensure implementation of the Lautenberg Amendment, which aids persecuted Iranian religious minorities seeking refugee status in the United States.

## COUNTRY FACTS

### FULL NAME

Islamic Republic of Iran

### GOVERNMENT

Theocratic Republic

### POPULATION

83,024,745

### GOVERNMENT-RECOGNIZED RELIGIONS/FAITHS

Shi'a Islam (Jaafari and Zaydi); Sunni Islam (Maliki, Hanafi, Shafi'i, Hanbali); Christianity; Judaism; Zoroastrianism

### RELIGIOUS DEMOGRAPHY\*

99.4% Muslim (90–95% Shi'a, 5–10% Sunni)

<1% Other (includes Baha'is, Christians, Jews, Sabeen-Mandaeans, Zoroastrians, and Yarsanis)

\*Estimates compiled from the CIA World Factbook and U.S. Department of State

## BACKGROUND

The Islamic Republic of Iran is a theocratic authoritarian state with elements of restricted political participation. The Jaafari (Twelver) school of Shi'a Islam is the official religion of the country. Iran is governed under the doctrine of *Velayat-e Faqih* or rule of the jurist. Its supreme leader, Ayatollah Ali Khamenei, is a religious scholar appointed by the 88-member Assembly of Experts. Iran's constitution stipulates that followers of five other schools of thought within Islam—Maliki, Hanafi, Shafi'i, Hanbali, and Zaydi—should be accorded respect and permitted to perform their religious rites. The constitution recognizes Christians, Jews, and Zoroastrians as protected religious minorities, free to perform their rites “within the limits of the law.” There are two Hindu temples in Iran, one each in the cities of Bandar Abbas and Zahedan, and Buddhism has historic influences in Iran despite the confiscation of Buddha statues in recent years. Iran holds elections for parliament every four years, but candidates must be approved by the Guardian Council, a group of 12 Muslim scholars appointed either directly by Ayatollah Khamenei or nominated for parliament approval by the head of the judiciary, who is in turn appointed by Ayatollah Khamenei. Five of the parliament's 290 seats are reserved for these groups—two for Armenian Christians and one each for Assyrian/Chaldean Christians, Jews, and Zoroastrians.

All of Iran's laws and regulations are based on unique Jaafari Shi'a Islamic interpretations. Under Iran's Penal Code, *moharebeh* (“enmity against God”) is vaguely defined and often used for political purposes. Both *moharabeh* and *sabb al-nabi* (“insulting the prophet”) are capital crimes. Apostasy is not codified as a crime in the Penal Code but detainees are still tried as apostates because the constitution specifies that Shari'ah be applied to any cases not explicitly addressed by the law.

In December 2016, President Rouhani publicly released a nonbinding Charter on Citizens' Rights that promised, among other rights, recognition of all religious identities and nondiscriminatory legal protection. However, since his reelection in May 2017, religious minorities in Iran have seen little change based on this document. Instead, growing numbers of religious minorities, dissident Shi'a and Sunni Muslims (especially Sunni Muslim Kurds), and human rights defenders have been subject to harassment, arrest, and execution for exercising rights nominally protected by the charter. These arrests have intensified in the wake of a wave of protest activity that started in December 2017 and continued through 2018. Initial protests sparked by economic grievances expanded to include political issues including corruption, involvement in regional conflicts, unchecked power in the religious establishment, and restrictions on women's rights justified on



religious grounds. These protests have resulted in the deaths of approximately 30 Iranians.

## RELIGIOUS FREEDOM CONDITIONS 2018 Muslims

Over the past few years, Iranian authorities have charged many reformers within the Shi'a Muslim community of "insulting Islam," criticizing the Islamic Republic, and publishing materials that allegedly deviate from Islamic standards. In March 2018, the Iranian Intelligence Services (*Itila'aat*) arrested cleric Hossein Shirazi, the son of detained senior cleric Ayatollah Sadegh Shirazi. Iran's Special Clergy Court charged him with criticizing Iran's leadership and its system of rule of a single jurist.

The Sunni Muslim population in Iran is concentrated in underdeveloped areas and experiences discrimination in employment. Repeated requests—including some made in 2018—by Tehran's Sunni Muslim community to build an official mosque have been refused. While the Iranian government claims Sunni Muslims in Tehran have nine mosques at which to pray, most Sunni Muslim sites in Tehran are "prayer houses," which—unlike mosques—have no imam, budget, or religious instruction. Most Sunni Muslim worship in Tehran occurs in private homes or large rooms in other buildings. In August 2018, police blocked the entrances to prayer houses in four districts of Tehran during the Eid al-Adha holiday. Sunni clerics were also the targets of violence in Iran in 2018. In July, gunmen assassinated a Sunni cleric in southeastern Iran, and in November a Sunni cleric was shot four times with a hunting rifle on his way home from a mosque.

Sunni Muslim Kurds face particular discrimination since they are neither Shi'a nor Persian, and are often targeted by Iranian authorities. Iran executed approximately 53 Kurds in 2018. These include Zeinab Sekaanvand, a child bride who was allegedly beaten and forced into confessing to her husband's murder; she was executed in October 2018. Approximately 100 Kurds now remain on death row, including those who were accused of crimes as minors.

Nonetheless, criticism of Sunni Muslims is also a punishable offense in Iran. In May 2018, forces from the Islamic Revolutionary Guard Corps arrested Persian literature Professor Hameed Samsam for insulting Sunni Muslims in a video clip posted online.

Adherents to Sufi orders, which emphasize mystic elements of Islam, are targeted by the government for "following a deviant sect" that does not conform to the state's official interpretation of Islam. Members of Iran's largest Sufi order, the Nematollahi Gonbadi, face a range of abuses. In February 2018, Iranian police, security, and intelligence agents surrounded the house of Sufi leader Noor Ali Tabandeh, leading to clashes with protestors. At the end of the reporting period, Tabandeh remained under house arrest without an official explanation from Iran's government. Iran has also targeted members of the Sufi community itself. During Sufi protests in February 2018, five security officers and one other person were killed and reports indicate 300 protestors were arrested. Mohammed Salas, a Sufi Iranian, was accused of driving a bus into security officers, killing three of them, during these protests. Following his arrest, Salas was denied access to his chosen lawyer, allegedly tortured into a confession, convicted by Tehran Appeals Court judge Mohammed Shahriari in March 2018, and executed at Raji Shahr Prison in June. Throughout 2018, Sufi prisoners at Great Tehran Prison and Shapour Detention Center conducted hunger strikes protesting Salas' execution and torture by prison guards.

In August 2018, Iran's revolutionary courts sentenced a group of 208 Sufis held at Fashafuyeh and Qarchak prisons to prison terms ranging from four months to 26 years, flogging, internal exile, a ban on travel, and a prohibition on participation in certain

*In August 2018, Iran's revolutionary courts sentenced . . . 208 Sufis . . . to prison terms . . . In some cases, trials for these individuals lasted no longer than 15 minutes.*

social and political groups in the country. In some cases, trials for these individuals lasted no longer than 15 minutes, and charges and evidence against the defendants were not made publicly available. That same month, six administrators

of the popular Sufi website Majzooban Noor were also sentenced in absentia by Judge Abolqasem Salvati, head

of the 15th branch of the Islamic Revolutionary Court in Tehran, to prison time (three received a seven-year sentence, two received a 12-year sentence, and one received a 26-year sentence), 74 lashes, two years of internal exile, and a two-year ban on journalistic activity. Mistreatment also occurred while approximately 300 Sufi Muslims served prison terms during the year. In August 2018, prison guards beat detainees on a sit-in strike over the detention and physical abuse of four Sufi women incarcerated at Qarchak Prison. In late August, eight Sufi Muslims were sent to solitary confinement at Great Tehran Penitentiary as punishment for their participation in a prison protest that turned violent. In November, three Sufi women were beaten at Qarchak Prison and eight Sufi Muslims at Great Tehran Penitentiary were sent into solitary confinement.

## Baha'is

There are more than 300,000 Baha'is in Iran, who together constitute the largest non-Muslim religious majority in the country. Iran's government considers the Baha'i faith a heretical "deviant sect" whose members are de facto apostates. Despite promises by President Rouhani to end religious discrimination, Baha'is are not recognized by the state and are denied political, economic, cultural, and social rights on this basis. Since 2014, more than 26,000 pieces of anti-Baha'i media have aired on official or semi-official Iranian television channels.

Over the past 10 years, more than 1,000 Baha'is have been arbitrarily arrested on the basis of their faith. Arrest orders come from revolutionary courts that were set up following the 1979 Islamic revolution, and are executed by both security forces and agents of Iran's Ministry of Intelligence. In February 2018, security forces arrested seven Baha'is in Bushehr, and five additional Baha'is were sentenced by the Revolutionary Court of Mashhad. In September 2018, Iran's Ministry of Intelligence escalated its crackdown on the Baha'i community when its agents, along with security forces, arrested six Baha'is in Karaj, eight in Baharestan, and six in Shiraz. Shiraz city councilman Mehdi Hajati was

arrested on the order of the Shiraz Revolutionary Court after criticizing the arrests of Baha'is in his city. He was released 10 days later with a bail of \$47,500 (200 million tomans) but forced out of his council seat in October 2018. That same month, intelligence and security forces arrested two additional Baha'is in Karaj.

All seven of the high-profile Baha'i leaders known as the "Friends of Iran," or *Yaran*, were released from prison by the end of 2018 after serving 10-year sentences. Three of the seven *Yaran* were released in 2017, and four additional members were released in 2018: Saeid Rezaie, Vahim Tizfahm, Jamaloddin Khanjani, and Afif Naemi. Nonetheless, more than 70 Baha'is remained in prison in Iran at the end of 2018.

Although the Iranian government maintains publicly that Baha'is are free to attend university, the de facto policy of preventing Baha'is from obtaining diplomas continued in 2018. At least 60 Baha'i students were prevented from beginning university studies despite passing national university entrance examinations on the pretense of having incomplete files or not being registered. In other cases, Baha'i students had their examination scores invalidated by the National Organization for Educational Testing. Other Baha'is were expelled by their university security office or prevented from receiving diplomas despite having completed, or nearly completed, their studies.

Throughout 2018, Baha'i places of business were also targeted. Security forces shut down Baha'i businesses in Abadan and Maku, and the Ministry of Intelligence closed a business in Tabriz. In July, Mazandaran Province county supervisor Esmail Hossein Zadeh ordered restrictions on Baha'i businesses in Sari. Twenty-four Baha'i-owned businesses in Urmia shut down in 2017 by the Office of Public Places remained closed at the end of the reporting period. Security forces also prevented the burial of two deceased Baha'i individuals in a Baha'i cemetery in Kerman after it was sealed in March 2018. In October, the body of a deceased Baha'i woman was exhumed four days after her burial and abandoned in a desert area outside the town of Jaban.

*Baha'is are not recognized by the state and are denied political, economic, cultural, and social rights on this basis.*

## Christians

Iran has nearly 300,000 Christians, including traditional Armenian and Assyrian/Chaldean ethnic churches and newer Protestant and evangelical churches. The government monitors members of the historical churches and imposes legal restrictions on constructing and renovating houses of worship. Christians have been sentenced to prison terms for holding private Christmas gatherings, organizing and conducting house churches, and traveling abroad to attend Christian seminars. Evangelical Christian communities face repression because many conduct services in Persian and proselytize to those outside their community. Pastors of house churches are often charged with national security-related crimes and apostasy.

In 2018, Iran drastically escalated its arrests of Christians. Whereas 16 Christians were arrested in Iran in 2017, at least 171 were arrested in 2018. While Iran often arrests Christians ahead of Christmas, arrests in 2018 began earlier and took place in a wider set of cities and towns than usual. A total of 114 Christians were arrested in Iran during the first week of December 2018 and more than 150 were arrested between November and December 2018. Christians arrested in Iran are often treated and charged

as enemies of the state, and lawyers who take on their cases face the threat of detention. In September 2018, for example, Iran revolutionary court judges Mashallah Ahmadzadeh and Ahmad

Zargar affirmed sentences leveled in 2017 against Saheb Fadaie and Fatemeh Bakhteri on the charge of “spreading propaganda against the regime.”

Iran has specifically targeted the family of Assyrian Christian pastor Victor Bet-Tamraz on spurious charges of acting against national security. In 2017, Bet-Tamraz was sentenced to 10 years in prison and continues to appeal the sentence. In January 2018, Judge Mashallah Ahmadzadeh of Branch 26 of the Tehran Revolutionary Court sentenced Bet-Tamraz’s wife, Shamiram Isavi, to five years in prison on national security charges. In July 2018, the judge sentenced their son, Ramil, to four months in prison, also for “acting against national

security.” Converts to Christianity in Iran also face persecution. Two converts to Christianity from Islam, Hadi Asgari and Amin Afshar-Naderi, awaited verdicts at the end of the reporting period from appellate courts on extensive prison sentences for “conductive evangelism” and “illegal house church activities.”

Pastor Youcef Nadarkhani, a prisoner for whom USCIRF advocates as part of its [Religious Prisoners of Conscience Project](#), is a convert from Islam to Christianity who leads the Evangelical Church of Iran and has been arrested several times. In 2017, Judge Ahmadzadeh sentenced Nadarkhani to 10 years in prison and two years in internal exile for “promoting Zionist Christianity.” After several failed appeals, he was rearrested in July 2018 by plainclothes agents, beaten, and taken to a quarantine ward in Evin Prison.

## Other Religious Minorities

Iran is home to between 15,000 and 20,000 Jews, and the capital city Tehran hosts 13 synagogues. Although government-driven anti-Semitic sentiment in 2018 was not as pronounced as in previous years, the government continued to propagate and tolerate anti-Semitism. In October 2018, Ali Reza Soltan-Shahi, an Iranian gov-

ernment official from the Office of the Iranian Presidency, organized an anti-Semitic conference in Tehran that accused Jews of manipulating the global economy and exploiting the Holocaust. Jews in Iran do not hold senior government or military

positions and many are believed to be under government surveillance. Iranian officials and clerics regularly call for the elimination of the state of Israel, and members of the Jewish community have been targeted on the basis of real or perceived ties to Israel. In December 2018, a group of evangelical Christians were also arrested and charged with promoting “Zionist Christianity.”

In 2018, members of Iran’s Zoroastrian community, which numbers between 30,000 and 35,000 people, faced ongoing discrimination. However, a ban imposed on a Zoroastrian member of the Yazd city council in 2017 was lifted by Iran’s Expediency Council in July 2018 after

*114 Christians were arrested in Iran during the first week of December 2018 and more than 150 were arrested between November and December.*

protests by Iranian deputy speaker Ali Motahari. President Rouhani also expressed support for the council member in June 2018.

While the Iranian government considers followers of the Yarsan faith to be Shi'a Muslims who practice Sufism, members of the faith identify as a distinct and separate religion known as *Ahl-e Haqq*, or People of Truth, whose numbers are estimated at more than one million. Members of the Yarsani community face discrimination in education, employment, and running for political office. During crackdowns on protests against the house arrest of Iran's Sufi spiritual leader in February 2018, police and Basij forces arrested a Yarsani woman, Shokoufeh Yadollahi, beating her so hard that her skull cracked and some of her ribs broke; at Shapour Detention Center she was denied access to medical treatment for dizziness and high blood pressure and eventually lost her sense of smell.

Mohammad Ali Taheri, another USCIRF-adopted [prisoner of conscience](#), university professor, and founder of a spiritual movement (*Ergan-e Halgheh* or Spiritual Circle), remains in prison. In 2015, Taheri was sentenced to death before the Iranian Supreme Court overturned his death sentence. In August 2017, he was retried and once more sentenced to death for "spreading corruption on Earth." His death sentence was overturned in March 2018 and Taheri was instead given an additional five-year sentence by Judge Abolqasem Salavati of Branch 15 of the Tehran Revolutionary Court for "insulting religious sanctities." In January 2019, Taheri announced his intention to give up his Iranian citizenship, citing "comprehensive injustice" at the hands of Iran's government.

## Women and Religious Freedom

In 2018, Iran's government violated the freedom of women and girls on religious grounds. In December 2018, Iran's Parliamentary Committee for Judicial and Legal Affairs rejected a bill to ban marriage for girls under the age of 13. The bill would have banned marriage for boys between the ages of 16 and 18 as well.

Opponents to the bill, including the Basij Student Union and senior clerics, appealed to justifications in Shari'ah as the basis for their opposition. Statements from other senior religious clerics, such as Grand Ayatollah Naser Makarem Shirazi, opposed child marriage.

Since May 2017, Iranian women have participated in "White Wednesdays" in protest of Iran's mandatory hijab laws justified on the basis of religion. In February 2018, Iran arrested 29 women for protesting the law without wearing hijab. These arrests included activist Shaparak Shajarizadeh, who removed her headscarf in public at a May 2018 protest in Kashan. Shajarizadeh was charged by Tehran prosecutor Abbas Jafari Dolatabadi with "inciting corruption and prostitution" and was sent to solitary confinement at Shahr-e Rey Prison where she was allegedly tortured. In July 2018, Branch 1089 of Tehran's Criminal Court sentenced Shajarizadeh to serve 20 years in prison, though 18 of these years were suspended from the sentence. Shajarizadeh fled the country soon thereafter and at the end of the reporting period continued to seek asylum in Canada.

Author and human rights activist Golrokh Ebrahimi Iraee, another USCIRF [prisoner of conscience](#), was convicted in 2016 of "insulting the sacred" based on her unpublished story in which a protagonist angered by stonings burns a Qur'an. In January 2018, Iraee faced additional charges for allegedly insulting Ayatollah Khamenei and reciting a political poem. After being beaten and moved to Qarchak Prison in January 2018, Iraee began a hunger strike. She was transferred back to Tehran's Evin Prison in May 2018 and remained there at the end of the reporting period.

## U.S. POLICY

Since President Donald J. Trump assumed office in January 2017, the U.S. government has significantly shifted its approach to relations with Iran, adopting a "maximum pressure" campaign that emphasizes accountability for Iran's nuclear activity and destabilizing activities in the region in addition to its egregious violations of human rights and religious

*Iran's Parliamentary Committee for Judicial and Legal Affairs rejected a bill to ban marriage for girls under the age of 13.*



freedom. Since 1999, the State Department has designated Iran as a CPC and has imposed travel restrictions under section 221(c) of the Iran Threat Reduction and Syria Human Rights Act of 2012 (TRA) for individuals identified under section 221(a)(1)(C) of the TRA in connection with the commission of serious human rights abuses.

In May 2018, the Trump Administration [announced](#) a re-imposition of sanctions waived or lifted under the Joint Comprehensive Plan of Action (JCPOA) to occur over a 180-day wind-down period. The first of these re-impositions occurred on August 7, 2018, and the second occurred on November 5. By the end of the reporting period, the United States had fully re-imposed the sanctions on Iran that had been lifted or waived under the JCPOA.

During the year, the U.S. government increasingly highlighted the poor religious freedom situation in Iran. At the July 2018 [Ministerial to Advance Religious Freedom](#) held in Washington, DC, participating delegations from around the world issued a [Statement on Iran](#) concerning its mistreatment of religious minorities. Vice President Michael R. Pence also [spoke](#) about Iran's restriction on religious freedom and urged Iranians

to "press on with courage in the cause of freedom." In August 2018, the Iran Action Group at the State Department issued a [report](#) in which it detailed Iran's targeting of religious minorities, noting "Baha'is, Christians, Jews, Zoroastrians, and Sunni and Sufi Muslims face widespread persecution, discrimination, and unjust imprisonment." In December, the House of Representatives passed [H.Res.274](#), which condemns the persecution of Baha'is in Iran.

On November 28, 2018, the secretary of state redesignated Iran as a CPC. The secretary also designated the following presidential action for Iran: "The existing ongoing travel restrictions in section 221(c) of the [TRA] for individuals identified under section 221(a)(1)(C) of TRA in connection with serious human rights abuses, pursuant to section 402(c)(5) of the Act."

## INDIVIDUAL VIEWS OF COMMISSIONER ANURIMA BHARGAVA

Iran raises a multitude of political and human rights concerns. My view is that the Commission should not raise concerns about Iran's relationship with Israel or other countries unless that relationship has a direct impact on religious freedom in Iran.

# SAUDI ARABIA

## TIER 1 | USCIRF-RECOMMENDED COUNTRIES OF PARTICULAR CONCERN (CPC)

### KEY FINDINGS

In 2018, while Saudi Arabia remained a country of particular concern, religious freedom conditions trended positive in certain areas, including: Saudi senior officials no longer stated that Islam can be the only religion on the Arabian Peninsula; senior leadership met with several Christian leaders, including the head of the Anglican Church and a group of American evangelical leaders, pledging to promote interfaith dialogue and the flourishing of different faith traditions as part of the kingdom's domestic reforms; Egyptian Bishop Ava Markos led the first known publicized Coptic Church Mass in Saudi Arabia's history; USCIRF was granted the first-ever meeting between the head of the Commission for the Promotion of Virtue and Prevention of Vice (CPVPV) and a U.S. government delegation; religiously motivated restrictions on women driving were lifted, and provisions of the guardianship laws treating women as legal minors were less strictly enforced in the kingdom's capital, Riyadh; the Ministry of Justice announced greater protection of due process rights for Saudis who are arrested; and the government continued to aggressively combat extremist ideology. Notwithstanding these positive developments, religious freedom concerns in Saudi Arabia remain. While the government continued to implement some economic and social reforms related to Saudi Vision 2030, it remains unclear if religious freedom conditions will improve as part of these reforms. During 2018, it maintained a ban on non-Muslim public religious observance and continued to arrest, detain, and

harass individuals for dissent, blasphemy, and apostasy. The Saudi government continued to violate the rights of Shi'a Muslims and non-Muslim minorities, and to advocate a doctrine of religious intolerance. While it began new construction in the Shi'a town of Awamiya, the Saudi government restricted the observance of religious holidays by the Shi'a Muslim minority. After more than 15 years of incremental progress, the Saudi government showed backsliding on improvements to its textbooks that continued to propagate intolerance and advocate violence against religious minorities, women, and the lesbian, gay, bisexual, transgender, and intersex (LGBTI) community. Despite the fact that in 2018 women were given the right to drive, the religiously justified guardianship system remained in place, adversely affecting the religious freedom of women in the kingdom.

Based on these particularly severe violations of religious freedom, USCIRF again finds in 2019 that Saudi Arabia merits designation as a "country of particular concern," or CPC, under the International Religious Freedom Act (IRFA). Although the U.S. State Department has designated Saudi Arabia as a CPC since 2004, most recently in November 2018, an indefinite waiver has been in place since 2006. The waiver releases the administration from taking an otherwise legislatively mandated action as a result of the designation. USCIRF recommends that the State Department redesignate Saudi Arabia as a CPC under IRFA and lift the waiver.

### RECOMMENDATIONS TO THE U.S. GOVERNMENT

- Press the Saudi Shura Council to pass and fully implement an antidiscrimination law protecting the equal rights of all Saudi citizens and expatriate residents, take measures to end the harassment of Shi'a Muslims, particularly in the Eastern Province, and end prosecution of individuals charged with apostasy, blasphemy, and sorcery;
- Implore the Saudi government to release Raif Badawi, his counsel Waleed Abu al-Khair, and other religious prisoners of conscience in Saudi Arabia;
- Press the Saudi government to devise and implement a plan to end the guardianship system that treats women as legal minors and, in the meantime, codify any informal easing of this system in the kingdom; and
- Continue to press the Saudi Ministry of Education to remove inflammatory and intolerant content in government-issued textbooks, cease the exportation of these textbooks to Saudi-supported schools abroad, and make every effort to retrieve previously distributed materials that contain intolerance.

## COUNTRY FACTS

### FULL NAME

Kingdom of Saudi Arabia

### GOVERNMENT

Absolute Monarchy

### POPULATION

33,091,113

### GOVERNMENT-RECOGNIZED RELIGIONS/FAITHS

Islam

### RELIGIOUS DEMOGRAPHY\*

Muslim (official; citizens are 85–90% Sunni and 10–15% Shi'a)  
Other (more than eight million expatriate workers include at least two million non-Muslims, including Eastern Orthodox, Protestant, Roman Catholic, Jewish, Hindu, Buddhist, Sikh, folk religions, and religiously unaffiliated)

\*Estimates compiled from the CIA World Factbook and U.S. Department of State

## BACKGROUND

Saudi Arabia is officially an Islamic state. According to the 1992 Saudi Basic Law of Governance, the constitution is the Qur'an and the *sunna* (traditions of the Prophet). The judicial system is largely governed by the Islamic Shari'ah as interpreted by judges trained in the Hanbali school of jurisprudence. The king of Saudi Arabia, currently Salman bin Abdulaziz, holds the title "Custodian of the Two Holy Mosques." In 2017, King Salman appointed his son Mohammed bin Salman to serve as crown prince. The king also appoints members of the Shura Council, a legislative advisory body, and may dissolve and reconstitute the council at will. Since the crown prince's appointment, there have been a series of crackdowns on corruption, including the 2017 arrests of several prominent businessmen and members of the royal family. These arrests included American citizen Walid Fitaihi, who was allegedly tortured and remained in prison at the end of the reporting period.

There are more than 33 million Saudis, 85–90 percent of whom are Sunni Muslims and 10–15 percent of whom are Shi'a. The United Nations (UN) estimates that 37 percent of the Saudi population are expatriates, at least two million of whom are non-Muslim, including Christians, Hindus, Buddhists, practitioners of folk religions, and those without religious affiliation. Some Saudi citizens identify as non-Muslim or atheist, but

hide this identity in order to avoid the harsh social and legal consequences the government imposes on those who leave Islam. Saudi Arabia also hosts and is the largest donor to the Muslim World League (MWL), a global nongovernmental organization that propagates a particular interpretation of Islam. The MWL's December 2018 conference in Mecca focused on the "Perils of Labeling and Exclusion" and its secretary general, Mohammed al-Issa, has been outspoken against violent extremism over the past year; in January 2018, he condemned Holocaust denial during a visit to the United States Holocaust Memorial Museum.

Despite the ongoing implementation of Saudi Vision 2030, a national development initiative announced in April 2016, Saudi Arabia restricts most forms of public religious expression inconsistent with its interpretation of Sunni Islam. The crown prince has reduced the influence of Saudi Arabia's powerful religious establishment, though he has simultaneously consolidated his own power and targeted adversaries. During the past year, there were indications that over the long term, the Saudi government harbors the political will to improve conditions for freedom of religion and belief.

The Saudi Commission for the Promotion of Virtue and Prevention of Vice (CPVPV), known informally as "the religious police," has continued its process of long-term reforms under new leadership, though these

reforms are not yet complete. These include higher standards for recruiting and training officers, public education programs, and greater assistance to Muslim pilgrims performing the hajj pilgrimage. USCIRF's September visit to the kingdom included the [first ever meeting between a U.S. government delegation](#) and the general president of the CPVPV. USCIRF also conducted meetings with the Minister of Justice, Ministry of Defense's Ideological Warfare Center, the Shura Council, and the Tatweer Company for Educational Services, as well as some nongovernmental interlocutors.

## RELIGIOUS FREEDOM CONDITIONS 2018

### Positive Developments

In 2018, Saudi Arabia continued to combat religious extremism in the kingdom. In March, the crown prince criticized "extremists who forbid mixing between the two sexes" noting that "many of those ideas contradict the way of life during the time of the Prophet and the Caliphs." In April 2018, he noted in an interview that Saudi citizens have been jailed for financing and supporting terrorist groups. In an August 2018 speech marking the holiday of Eid al-Adha, King Salman declared that "the Kingdom of Saudi Arabia affirms its firm stance to fight terrorism and extremism."

Saudi Arabia has cooperated with the United States in the field of counterterrorism and continued to combat violent extremism, including through the monitoring and reporting efforts of Etidal, the Global Center for Combatting Extremist Ideology. The crown prince also conducted outreach to several Christian leaders in 2018. These included the Archbishop of Canterbury and the Coptic Pope, the head of the Anglican Church, and a group of American evangelical leaders. In these meetings he emphasized the need for interfaith dialogue and religious tolerance. Also, in 2018, Egyptian Bishop Ava Markos led the first known publicized Coptic Church Mass in Saudi Arabia's history.

In September 2018, USCIRF was granted the first-ever meeting between the head of the CPVPV and a U.S. government delegation. In this meeting, the general president of the Commission explained important reforms

the CPVPV had made and was planning to make to its recruitment and enforcement processes. The former head of the CPVPV's Mecca branch, Abdullatif Al-Sheikh, was appointed minister of Islamic Affairs in June 2018. Al-Sheikh was the first head of the CPVPV to publicly announce efforts to reform the CPVPV upon his appointment in 2012 in the wake of strong public criticism in Saudi Arabia. Religiously motivated restrictions on women driving were also lifted in 2018, and provisions of the guardianship laws treating women as legal minors were less strictly enforced in the kingdom's capital, Riyadh.

### Shi'a Muslims

Shi'a Muslims in Saudi Arabia continue to face discrimination in education, employment, and the judiciary, and lack access to senior positions in the government and military. The building of Shi'a mosques is restricted outside majority-Shi'a Muslim areas in the Eastern Province, and Saudi authorities often prohibit use of the Shi'a Muslim call to prayer in these areas. Authorities arrest and imprison Shi'a Muslims for holding religious gatherings in private homes without permits and reading religious materials in *husseiniyas* (prayer halls). Saudi Arabia also restricts as a practice the establishment of

Shi'a Muslim cemeteries.

During a USCIRF visit to the Eastern Province, certain Shi'a Muslims reported harassment by local police and invasions of privacy by the General Intelligence

*Shi'a Muslims in Saudi Arabia continue to face discrimination in education, employment, and the judiciary.*

Directorate (GID). Shi'a Muslims who do not comply with GID instructions have their national identification blocked, restricting access to bank accounts and social services. Authorities also continued to target certain Shia' religious leaders. In early 2018, the Specialized Criminal Court in Riyadh opened a second case against Sheikh Mohammed al-Habib for "encouraging protests intended to destabilize the kingdom." Al-Habib, a Shi'a cleric and close associate of executed Shi'a Sheikh Nimr al-Nimr, was detained in 2016 for "creating dissent."

The Saudi government has continued rebuilding the predominantly Shi'a Muslim town of Awamiya, which the government's security forces largely destroyed following violent clashes with Shi'a Muslim protesters and armed

gunmen beginning in May 2017 and continuing through April 2018. During these clashes, security forces sealed off the town, occupied a boys' secondary school near the town of al-Musawara, closed the town's clinics and pharmacies, and prevented essential services such as ambulances from reaching the area. The government plans to invest nearly 64 million dollars (239 million Saudi riyals) into the Awamiya reconstruction project, which includes a park, market, library, conference center, and recreational facilities. Local residents expressed concern to USCIRF in September 2018 that the government's plans for the neighborhood do not address the area's lack of roads, schools, and adequate hospital facilities. The government also has not expanded and modernized the local sewage system, citing security concerns. A total of 488 houses were demolished as part of the Awamiya development project, although the Saudi government provided compensation and new housing to residents of these domiciles. Residents also expressed fear that violence would re-erupt after completion of the project.

In September 2018, the Saudi government reportedly restricted the observance of Ashura in Qatif and limited the performance of public mourning rituals to specific hours. Restrictions included bans on Shi'a Muslims broadcasting their rituals via loudspeakers and the destruction of food shelters where marchers are offered free meals because authorities claimed they lacked proper permits. Municipal police also removed kiosks selling religious and cultural books, and took down celebratory signs on the grounds that they constituted "visual pollution."

### Restrictions on Non-Muslims

As a matter of law, the Saudi government bans the public practice of non-Muslim faiths by citizens and expatriates alike. While the Saudi government has stated repeatedly that non-Muslims who are not converts from Islam may practice their religion in private, this policy has not been codified. Several Christian leaders in Saudi Arabia with whom USCIRF communicated in 2018 stated that the Saudi government seemed less interested in monitoring Christians than in

the past, but expressed fear that their communities would be targeted even though they practice within the boundaries of the law. The Saudi government has broken up private religious gatherings on the grounds that they are violating noise regulations, that alcohol is present, or that members of the gathering lack proper work authorization (*iqama*). The government also breaks up gatherings on the grounds that men and women in attendance sit together in the same room, claiming such mixing could encourage prostitution. Hotels must obtain approval from regional governorate offices before hosting mixed-gender events in their conference spaces; the governorate offices deny permission when the event is a religious gathering. The government monitors leaders of non-Muslim communities, who often face difficulty depositing money from weekly offerings into bank accounts in the United States. In September 2018, the Saudi government detained a Catholic priest alongside multiple attendees at a festive gathering prior to his departure from the country. In October 2018, 17 Filipina women in Riyadh were arrested for attending a Halloween-themed party; subsequently, the Philippine ambassador issued an advisory against public celebration of Halloween, Valentine's Day, or Christmas for expatriates living in Saudi Arabia.

### Women and Religious Freedom

Saudi Arabia's guardianship system classifies women as legal minors, requiring them to obtain a guardian's permission to study at universities and travel abroad. The Saudi government justifies the guardianship system on religious grounds. It cites Hanbali Sunni interpretations of the Qur'an and *hadith* to justify these significant restrictions on women's agency. Despite this justification, the law applies to both Sunni and Shi'a women, as well as non-Muslim women in the kingdom. Saudi Arabia is the only Muslim country with such an extensive system of guardianship, which places severe limitations on women's religious freedom and human rights. USCIRF obtained anecdotal evidence during its September 2018 visit that certain

*Saudi Arabia's guardianship system classifies women as legal minors, requiring them to obtain a guardian's permission to study at universities and travel abroad.*



provisions of the guardianship law are no longer being enforced in urban areas to the extent they have been in years past. For example, in the past women needed a guardian's permission for doctors to perform medical procedures, however, there have been recent cases where a guardian's permission was not required. In general, religious-based restrictions on Saudi women remained in place in both urban and non-urban parts of the kingdom.

In April 2018, Crown Prince Mohammed bin Salman announced his intent to reform the guardianship system and afford greater equality to women in Saudi Arabia. On June 24, 2018, Saudi women were given the ability to exercise their legal right to drive, and the Shura Council voted in early 2019, shortly after the end of the reporting period, to make child marriage illegal. However, adult women in Saudi Arabia continue to be legal minors according to the guardianship laws. Moreover, the GID arrested several activists opposed to the guardianship law in May 2018 and continues to detain them at Dhahban Prison outside Jeddah and al-Hayer Prison outside Riyadh. Some of these activists have been subjected to alleged torture as well as sexual harassment and assault. In December 2018 the Saudi Human Rights Commission opened an investigation into these allegations.

### Prisoners of Conscience

Saudi blogger Raif Badawi, a USCIRF [Religious Prisoner of Conscience](#), is among Saudi Arabia's most high-profile prisoners of conscience. Badawi was the founder and editor of the website Free Saudi Liberals and was arrested in 2012 on the charge of "insulting Islam through electronic channels." In 2014, he was sentenced for insulting Islam. A 2015 court ruling upheld his sentence of 10 years in prison, 1,000 lashes, and a fine of one million Saudi riyals (\$266,000). Fifty of these lashings were carried out in January 2015. In March 2017, a Saudi court affirmed his sentence and demanded payment of his fine. As of 2018, Badawi remains in prison. On July 30, 2018, authorities arrested Badawi's sister Samar after she advocated against the guardianship law; she too remained in prison at the end of the reporting period. Saudi Arabia expelled Canada's

ambassador and froze trade in August 2018 after the Canadian foreign minister expressed "alarm" at the arrest and called for Samar and Raif Badawi to be immediately released.

Palestinian poet Ashraf Fayadh remains in prison for allegedly questioning religion through the poetry in his book *Instructions Within* and spreading atheist thought during an argument at a coffee shop in the city of Abha in 2013. In November 2015, Fayadh was sentenced to death for apostasy, but the charge was reduced in February 2016 to eight years, 800 lashes, and a renunciation of his poetry on Saudi state media. During USCIRF's 2018 visit to the kingdom, the Saudi minister of justice stated that the Fayadh sentence was reduced from death to eight years in prison because of his denial of the apostasy charge in court. The minister of justice further stated that an individual can only be convicted of apostasy if the defendant charged confesses in court, not because the court finds the individual guilty without a confession.

### Curriculum and Exportation of Textbooks

For more than 15 years, the Saudi government has failed to sufficiently address intolerant content in official textbooks. USCIRF has regularly communicated its concern to Saudi government officials about the content of textbooks, and did so again in 2018. Despite progress in recent years, Saudi textbooks have seen backsliding into intolerant language inciting hatred and violence toward non-Muslims.

Through regular review of Saudi textbooks for more than a decade, USCIRF has found continued—though slow and incremental—progress toward removing or revising passages that included incitement to hatred and violence. However, a USCIRF [analysis](#) of 2017–2018 religion textbooks revealed the continued presence of some of the most egregious content promoting violence and intolerance, once thought to have been removed. Shi'a and Sufi veneration of the gravesites of prophets is dismissed as "heresy" while criticism of Islam is deemed "apostasy," for which textbooks endorse the death penalty. They caution students to avoid friendship with members of

*Despite progress in recent years, Saudi textbooks have seen backsliding into intolerant language inciting hatred.*

other religions. The textbooks encourage both violent and nonviolent *jihad* against nonbelievers. Finally, they encourage the death penalty for women who have an affair and for gay men.

Saudi officials have stated that they have requested the return of all old textbooks from their institutions abroad and sent out new, revised textbooks to replace them, but an unknown number of materials reportedly remain in circulation both within Saudi Arabia and at Saudi-funded schools abroad. In recent years, a Saudi royal decree banned financial support outside Saudi Arabia of religious schools, mosques, hate literature, and other activities that support religious intolerance and violence. In February 2018, the Saudi government also agreed to hand over control of the historic Grand Mosque in Brussels, Belgium, to local Islamic authorities following years of allegations that the Saudi-controlled mosque was preaching violent extremism and intolerance. Reports indicate Saudi Arabia is pursuing a similar approach for mosques and religious schools in other countries.

### Apostasy, Blasphemy, and Sorcery Charges

In early 2019, after the reporting period, the Supreme Judicial Council announced that detainees would be informed of their crimes, granted access to a lawyer, permitted to contact their families, and given options for appeal. However, the Saudi government continues to use criminal charges of apostasy and blasphemy to suppress debate, silence dissidents, and restrict religious freedom. Muslim Saudis who convert away from Islam face legal penalties that include capital punishment for the crime of “apostasy.” While Saudi ministers no longer hold that “there can only be one religion on the peninsula” as in years past, public confession of apostasy remains a crime. In meetings with USCIRF, Saudi government officials clarified that only a public confession of conversion would qualify as grounds for prosecution under Saudi apostasy laws. Witchcraft and sorcery also remain crimes punishable by death in Saudi Arabia, and the CPVPV

*The Saudi government continues to use criminal charges of apostasy and blasphemy to suppress debate, silence dissidents, and restrict religious freedom.*

has maintained an anti-witchcraft unit since May 2009. In February 2018, officials at Mohammed bin Abdulaziz airport in Medina seized a parcel containing papers and small charms they claimed was a “witchcraft spell.” On June 10, 2018, security services arrested a man and his wife at the holy mosque in Mecca for “performing witchcraft.” Most people arrested for sorcery or witchcraft in Saudi Arabia are expatriate workers from Africa and Southeast Asia, many of whom are accused of using witchcraft against their employers or disrupting Saudi society through their activities.

### U.S. POLICY

During its second year, the Trump administration continued to strengthen the U.S.-Saudi relationship while Congress pursued a more cautious approach in the wake of the killing of journalist and U.S. resident Jamal Khashoggi. At the [Ministerial to Advance Religious Freedom](#) held in July in Washington, DC, Vice President Michael R. Pence reiterated the administration’s focus on religious freedom in the Middle East. He noted that \$100 million had been devoted to support persecuted religious minorities in the region and stated that “the United States is also committed to ensure that religious freedom and religious pluralism prosper across the Middle East.”

Saudi Arabia has continued to support U.S. policy in the Middle East, including security cooperation on counterterrorism and countering violent extremism initiatives, and the administration’s decision to reimpose sanctions that had been lifted under the Joint Compre-

hensive Plan of Action (JCPOA) with Iran. The Saudi government has also signed letters of offer and acceptance for \$14.5 billion in defense purchases from the United States. President Donald J. Trump continued to indicate support for Saudi

Arabia in regional struggles against Iranian influence in the Middle East. During Crown Prince Mohammed bin Salman’s visit to the White House in March 2018, the president emphasized the U.S.-Saudi defense relationship, and congressional leaders from both parties impressed upon the crown prince the importance of

addressing humanitarian concerns over the Saudi intervention in Yemen. In November 2018, the United States called for a ceasefire to the Saudi-led campaign in Yemen, and in December the Senate passed [S.J.Res. 54](#), which prohibited U.S. in-flight refueling support for Saudi aircraft participating in the campaign.

Then Secretary of Defense James Mattis, Secretary of State Michael R. Pompeo, and Treasury Secretary Steven Mnuchin met with Crown Prince Mohammed bin Salman, and Central Intelligence Agency (CIA) Director Gina Haspel visited Turkey and met with Turkish investigators following the killing of Jamal Khashoggi inside the Saudi consulate in Istanbul. In November 2018, the U.S. Department of the Treasury imposed [sanctions](#) under the 2016 Global Magnitsky Human Rights Accountability Act on 17 individuals connected with the killing, including close confidantes of Crown Prince Mohammed bin Salman. In December 2018, the United States Senate passed [S.J.Res. 69](#), a bipartisan bill that condemned the killing and held the crown prince responsible, drawing a statement of concern from the Saudi Shura Council.

On November 28, 2018, the State Department redesignated Saudi Arabia as a CPC but kept in place a waiver of any sanctions citing the “important national interest of the United States,” pursuant to section 407 of IRFA.

### INDIVIDUAL VIEWS OF COMMISSIONER JOHNNIE MOORE:

This chapter correctly cites the decisions and signals being sent from Saudi Arabia that it is willing to engage on the topic of religious freedom in a way we haven’t seen before (and there are many other examples that could have been included), but based upon a simple analysis of—as the Saudis are fond of saying—the “key

performance indicators” this country still necessitates a designation as a CPC, without question.

However, as I stated after my September visit with USCIRF and November visit in my personal capacity, I believe—for the first time—that religious freedom is possible in Saudi Arabia.

As a committed advocate for religious freedom throughout the Middle East, I do not believe that punitive measures will have the intended effect on Saudi Arabia. On the contrary, I think such punitive measures could likely have the effect of forcing the Kingdom of Saudi Arabia to engage directly and more seriously with countries where religious freedom is not a consideration at all in their foreign policy priorities. If they do not enjoy the important relationship they have with the United States, they will have a relationship with other countries, because they have to have those types of security and economic relationships.

So I do believe the State Department—while joining us in stating clearly a shared opinion of the religious freedom conditions in Saudi Arabia—is correct in maintaining their waiver.

I do not think the way of persuading Saudi Arabia to improve its religious environment is by shame and by force. I do think it is through direct, respectful and meaningful engagement, as I have personally experienced and am personally experiencing. Furthermore, the State Department is correct in articulating that the present security environment in the Middle East presents real threats and any likely alternative to the status quo would, in all probability, worsen the conditions for minority religious communities—as we saw so horrifically in Iraq.

I remain optimistic that Saudi Arabia’s slow, but steady, reforms will continue and eventually extend to the way it handles religion. We shall see.

### KEY FINDINGS

In 2018, religious freedom conditions remained dismal in Syria, generally trending the same as the previous year. As a consequence of the complex sectarian dynamics of the country's ongoing civil war, more than 500,000 people have died and more than 12 million people have been displaced. Although the Islamic State of Iraq and Syria (ISIS) ostensibly faced near-complete defeat in its control of territory in Syria and Iraq in 2017, the group maintained a visible but diminishing presence in several parts of Syria throughout 2018. It continued to threaten and perpetrate violence against religious minorities and Muslim communities who did not share its radical Islamist ideology. At the same time, an al-Qaeda affiliate, Hay'at Tahrir al-Sham (HTS), significantly bolstered its presence in the country's northwest, particularly Idlib Province, where it had almost overtaken rival armed opposition groups by the end of the reporting period. In addition to perpetrating wider human rights abuses, HTS repressed religious minorities in the growing expanse of territory under its control, reportedly including the forcible confiscation of property from Christian families and other forms of sectarian violence. Syrian government forces continued to consolidate their hold over a significant portion of the country that was once held by various opposition forces, with significant support from their Russian, Iranian, and Lebanese allies. In so doing, armed forces loyal to or allied with the regime persisted in a clear wartime agenda of marginalizing and punishing Sunni Muslim communities for their real or perceived support of the

opposition. Turkish-backed rebel forces exploited a United Nations (UN)-brokered ceasefire in the northern district of Afrin to persecute and displace religious and ethnic minorities in that area. Religious and ethnic minorities in Kurdish-controlled areas of the country's northeast, where they have generally experienced a relatively high degree of religious freedom, also faced mounting concerns at the close of 2018 regarding potential ramifications of the pending withdrawal of U.S. forces from northeastern Syria. Those concerns included the possibility of a large-scale Turkish offensive against Kurdish forces in that area and the threat of an ISIS resurgence.

Due to the collective systematic, ongoing, egregious violations of religious freedom perpetrated by radical Islamist elements of the Syrian opposition, including U.S.-designated terrorist groups such as ISIS and HTS, and the Assad regime and its allies, USCIRF again finds in 2019 that Syria merits designation as a "country of particular concern," or CPC, under the International Religious Freedom Act (IRFA). USCIRF also finds that, based on conditions in 2018 that included its ongoing—albeit shrinking—control of territory as well as its potential for rapid resurgence, ISIS merits renewed designation as an "entity of particular concern" (EPC) for religious freedom violations under December 2016 amendments to IRFA. USCIRF also finds that, based on conditions in 2018 that included its expanding control of territory, HTS merits designation as an EPC for religious freedom violations.

### RECOMMENDATIONS TO THE U.S. GOVERNMENT

- Provide immediate and effective assistance to Syria's vulnerable religious and ethnic minorities under the terms of the Iraq and [Syria Genocide Relief and Accountability Act of 2018](#) (P.L. 115-300), and utilize the resources enacted under the [Elie Wiesel Genocide and Atrocities Prevention Act of 2018](#) (P.L. 115-441) to avert further disaster for those communities, particularly in northern Syria;
- Ensure that the planned withdrawal of U.S. forces from northeastern Syria is conducted in such a manner that will not negatively impact the rights and survival of vulnerable religious and ethnic minorities;
- Advocate for the inclusion of representatives from the autonomous administration of Kurdish-majority northeast Syria, which has supported the promotion of religious freedom in its territory, in the UN-led committee charged with rewriting the Syrian constitution;
- Support efforts through relevant UN agencies, nongovernmental organizations (NGOs), and like-minded partners among the Global Coalition to Defeat ISIS to fund and develop programs in Kurdish-controlled northeast Syria that bolster intra- and interreligious tolerance, alleviate sectarian tensions, and promote respect for religious freedom and related rights; and
- Continue and prioritize the resettlement of Syrian refugees to the United States—subject to proper vetting—with priority being given to victims of ISIS and vulnerable religious minority communities.



## COUNTRY FACTS

### FULL NAME

Syrian Arab Republic

### GOVERNMENT

Presidential Republic, highly authoritarian regime

### POPULATION

19,454,263

### GOVERNMENT-RECOGNIZED RELIGIONS/FAITHS

Islam (Sunni/Shi'a), Christianity, Judaism, Druze

### RELIGIOUS DEMOGRAPHY\*

87% Muslim (74% Sunni Muslim; 13% Alawi, Ismaili, Shi'a Muslim)

10% Christian (includes Orthodox, Uniate, and Nestorian)

3% Druze

<1% Jewish (few remaining in Damascus and Aleppo), Yazidi, and other

\*Estimates compiled from the CIA World Factbook and the U.S. Department of State

## BACKGROUND

The Assad family has ruled Syria since former president Hafez al-Assad seized power in a Ba'athist coup in 1970. His son, Bashar al-Assad, became president in 2000 following the death of his father. The Assads hail from the Alawis, an offshoot of Shi'a Islam that represents approximately 13 percent of Syria's population. Following their rise to power, the Assad family placed loyal Alawis in key positions throughout the Ba'athist government, including in the security, intelligence, and military sectors. Both Assad regimes also spent decades forging strategic ties with prominent Sunni Muslim families and religious authorities in order to consolidate their hold on political and economic power, even as they maintained a rigid but uneasy framework of authority over the country's diverse religious and ethnic groups. They also courted support from Christians, Druze, and other non-Muslim communities by allowing them to worship freely and practice their faith, but their particularly authoritarian and nationalist brand of Arab Socialism also led to the forcible suppression of

all expressions of Kurdish, Assyrian, and other forms of non-Arab identity.

This fragile balance of religious, ethnic, and ideological identities persisted for decades, until it finally collapsed in early 2011 as mass uprisings proliferated throughout the Middle East. Despite the largely nonviolent nature of antiregime demonstrations that spread across the country beginning in March of that year, the Assad government responded with a violent crackdown that repressed the peaceful movement while allowing armed rebel factions to dominate the uprising, as the situation steadily devolved into a full-scale civil war later that year. As opposition forces increased in number and prominence, so too did their ideological variety:

*This fragile balance of religious, ethnic, and ideological identities persisted for decades, until it finally collapsed in early 2011 as mass uprisings proliferated throughout the Middle East.*

defectors from the Syrian military comprised the leadership and fighters of some secular factions that enjoyed early battlefield successes, but a spectrum of Islamist fighters also quickly emerged. For its part, the Syrian Arab Army (SAA) received crucial help from domestic, regional, and international allies—including National Defense Forces (NDF) loyalists, the Iranian Revolutionary Guard Corps (IRGC),



Lebanese Hezbollah, and Russia by mid-2015—which collectively prevented the fall of the Assad regime and progressively turned the tide of the conflict against the opposition. Amid this complicated and seemingly intractable conflict, many religious minorities, such as Druze, Ismailis, Christians, and Alawis, came to perceive the Assad regime as the only entity capable of shielding them from the growing threat of violent sectarian attacks by radical Islamist groups.

The steady rise of radical Islamist groups from 2011 to 2014 culminated in the emergence of ISIS as a territorial power across parts of eastern Syria and northwestern Iraq, including its provincial capital of al-Raqqa along the Euphrates River in north-central Syria. Between the time of ISIS’s declaration of a so-called “caliphate” in mid-2014 and its significant loss of territorial control by late 2017, it had perpetrated massive religious freedom violations, sexual violence, and other atrocities across the areas under its control, including kidnapping and executing thousands of Christians, Yazidis, Shi’a Muslims, and even fellow Sunni Muslims who opposed its authority.

By the end of 2018, the Syrian conflict had fragmented into several different zones of control, each of which presented a unique set of religious freedom conditions. The Assad regime, along with its domestic and international allies, controlled most of the country’s south, west, and center, where it reserved its harshest repression for the Sunni Muslim population over its perceived support for the opposition movement. Islamist groups such as HTS, and to a lesser extent ISIS, controlled several noncontiguous pockets of territory, particularly in Idlib and other northern areas, where they sought to enforce highly repressive codes of religious and social order. The Turkish-allied Free Syrian Army (FSA) occupied Afrin and other sections of the northern border region, at times vying with HTS for additional territory while also displacing thousands of religious and ethnic minorities. In addition, the Syrian Democratic Forces (SDF) and its Kurdish-majority Autonomous Administration (AA) of North and

East Syria controlled a large swath of territory in which Christians, Yazidis, Sunni Muslims, and other communities experienced relatively open religious freedom, albeit with some limitations.

## RELIGIOUS FREEDOM CONDITIONS 2018 Violations by the Assad Regime and Affiliated Groups

In 2018, the Syrian government reasserted authority over significant portions of the country that were once under opposition control, including predominantly Sunni Muslim areas that had served as key strongholds for the latter. The regime and regime-allied forces continued to employ brutal methods of destruction in their advance. In Ghouta, a stronghold of the Islamist militia Jaysh al-Islam, the SAA declared victory in April 2018 after a grueling five-year siege and intense two-month offensive that led to widespread devastation—including the destruction of an estimated 93 percent of buildings in one district—and displaced tens of thousands of residents to northern areas still under opposition control. In June, more than 330,000 civilians fled their homes in southern Syria in advance of a regime offensive to retake that part of the country, including the symbolically important city of Daraa where protestors first sparked antiregime protests in early 2011. Crucially, the SAA was joined or supported in the above offensives by primarily Shi’a Muslim foreign fighters, many of whom

were recruited by the IRGC from Afghanistan, Pakistan, Iraq, and Lebanon, in addition to Syrian Alawi, Shi’a Muslim, and other domestic militias under the umbrella of the NDF. Asa’ib Ahl al-Haq and Harakat Hezbollah al-Nujaba, two factions of

*By the end of 2018, the Syrian conflict had fragmented into several different zones of control, each of which presented a unique set of religious freedom conditions.*

the Iraqi PMF under the control of the IRGC, continued to operate in Syria but with a less visible role than in 2017 when they participated in the SAA’s recapture of Aleppo and other urban centers.

The Assad regime continued its longstanding effort to push previously unaligned religious minorities such as the Druze to join its military ranks, even as it sought to exclude, restrict, and repress Sunni Muslims in areas

over which it had retaken control. The regime has long tried to lure Druze men from their southern heartland of the Suwayda/Jebel Druze area to join the SAA, forcing an estimated 30,000 men to abscond into hiding or exile in Lebanon and elsewhere. The impact of this loss was keenly felt during a massive ISIS attack on the area in July 2018, as few able-bodied fighters were left to defend the traditionally reclusive community. Meanwhile, the Assad government passed a new law in October 2018 that delegated to the Ministry of Religious Endowments significantly greater state authority to control all Islamic affairs across the country; this law will likely have the greatest impact on the religious life of Syria's Sunni Muslims. Finally, the regime has increasingly marginalized Sunni Muslims from public and residential life across the country, handing traditional Sunni Muslim-held offices to Christian and Shi'a Muslim loyalists, while redistributing Sunni Muslim homes and districts to Shi'a Muslim fighters in parts of the country over which it has regained control. Its security forces have refused to grant permits for most Sunni Muslim civilians to return to their family homes in cities like Homs, and the government's new Law No. 10 of 2018 placed severe restrictions on the ability of internally displaced persons (IDPs) and refugees to reclaim family homes and properties. That law is widely expected to prevent many of those dispossessed persons, among whom Sunni Muslims are disproportionately represented, from returning to their homes and communities of origin, or to discourage them from returning to the country altogether, thereby permanently reshaping Syria's demographics to the regime's advantage.

### Violations by ISIS

In 2018, the Global Coalition to Defeat ISIS (GCDI), the U.S.-backed, largely Kurdish SDF, and to a lesser extent the SAA and its allies, continued to liberate territories from ISIS, driving its estimated 14,000 fighters into either hiding or ever-smaller pockets of territory. However, ISIS continued to represent a clear and present danger to GCDI and SDF forces as well as to Syrian civilians

throughout the reporting period, both from its fighters who have fled underground and its forces that remained engaged in fighting near Hajin. Few of the more than 9,000 Assyrian Christians who fled Hasaka Province during a massive ISIS offensive in 2015 have returned, and the fate of some 25 Christians who ISIS abducted at that time remains uncertain. Likewise, the whereabouts of several Christian leaders whom ISIS and its predecessors abducted in previous years are still unknown, including Italian Jesuit priest Father Paolo Dall'Oglio, Syriac Orthodox Archbishop of Aleppo Mar Gregorios Yohanna Ibrahim, Greek Orthodox Archbishop of Aleppo Paul Yazigi, Armenian Catholic priest Father Michel Kayyal, and Greek Orthodox priest Father Maher Mahfouz, among others.

In July 2018, ISIS fighters launched the deadliest attack to date on Druze communities of al-Suwayda,

likely from the terrorist group's desert stronghold in al-Badiya, reportedly bombing, shooting, and stabbing more than 300 Druze to death. It also abducted 20 Druze women and 16 children, although all but two who died while in captivity

were later freed through a combination of negotiations, ransom, and prisoner swap.

*. . . Law No.10 of 2018 . . . is widely expected to prevent many of those dispossessed persons, among whom Sunni Muslims are disproportionately represented, from returning to their homes and communities of origin . . .*

### Violations by Other Islamist and Non-Islamist Opposition Groups

As the ISIS threat has diminished, religious freedom has come under increasingly dire threat from Islamist opposition factions that are allied with al-Qaeda, particularly in the northwestern province of Idlib, and with Turkey, especially in Afrin and other parts of the country's north-central and northeastern region. Islamist forces under the umbrella of HTS—led by Jabhat al-Nusra, an al-Qaeda affiliate with a particularly sordid history of violence against religious minorities—played a dominant and increasing role in Idlib Province, where they seized territory from rival opposition groups while either subsuming or eliminating almost all of them. At the same time, while broadly using political violence such as arrests and kidnappings against its Sunni Muslim

opponents, HTS enforced its strict Islamist interpretation of Islamic law that suppresses all expression of non-Muslim religion in public spaces. The group also reportedly engaged in a campaign to expropriate Christian homes and land: in November 2018, multiple reports emerged that it had distributed notices to an unknown number of Christian families, many of whom had long since fled the area, ordering them to report to the “Office of Properties and Spoils of War,” which suggested an effort to seize their properties. In other cases, HTS reportedly directly seized the shops and homes of absentee Christian owners in order to collect income from renters. Although it is difficult to obtain clear documentation of many of these incidents, these reports contributed to an already hostile environment for religious and ethnic minorities in Syria, further discouraging them from returning to their homes and places of worship.

Religious freedom conditions deteriorated significantly in the area of Afrin, home to a once-diverse population of Kurdish Muslims, Syriac Christians, and Yazidis. Between January and March 2018, Turkish forces and their Arab and Turkmen allies in the Free Syrian Army (FSA) launched an offensive under the name of “Operation Olive Branch”

to seize territory from Kurdish People’s Protection Units (YPG) forces in that area. In the wake of that offensive, around 137,000 people fled their homes and sought refuge mainly in territory controlled by the Autonomous Administration (AA) and protected by the

SDF. Those numbers reportedly included more than 400 Kurdish converts to Christianity, who feared repression from Islamist factions of the FSA. While some of those IDPs sought to return to Afrin during 2018, FSA elements had seized or destroyed properties and redistributed a number of homes to Sunni Muslim IDPs who had fled the regime’s recapture of Eastern Ghouta just weeks earlier. Islamist elements within the FSA reportedly destroyed Kurdish monuments as well as Yazidi, Sufi Muslim, and Alawi shrines, cemeteries, and other sacred sites, employing tactics similar to those of ISIS in an effort

to religiously cleanse the area. According to religious freedom groups, FSA fighters seized one church in Afrin in June 2018 for use as a base, while others burnt another church and covered its remains in Islamist graffiti.

## Conditions in the Autonomous Northeastern Region

The AA has maintained generally positive religious freedom conditions over the territory under its control, allowing Muslims, Christians, and other communities to openly practice and express their beliefs—even including the freedom for Muslims to convert to other traditions and for residents to express unbelief or atheism. Representatives of religious and ethnic minorities living in the autonomous region told USCIRF that they have experienced not just safe refuge but also a substantial degree of religious freedom, gender equality, and representation in local governing bodies such as the Syrian Democratic Council. One of the few concerns has been a simmering dispute between Kurdish authorities and Christian communities over school curriculum—a longstanding point of contention over the boundaries of ethnic, religious, and national identity—which reached

a boiling point in August 2018, when authorities reportedly ordered the closure of up to two dozen Assyrian and Armenian schools, accusing them of having failed to implement an AA-approved curriculum. For their part, school administrators, and Christian activists who took to the

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*... barring a large-scale Turkish invasion or ISIS resurgence to dislodge the local authorities’ years of effort . . . northeast Syria has come to represent an imperfect but largely positive model for the promotion and protection of religious freedom.*

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streets in Hasaka Province in late August to protest those closures, complained that the AA-mandated curriculum denied them their own unique ethnoreligious identities, instead substituting the ardent Arab nationalism of the Ba’athist Assad regime for a Kurdish nationalist platform. Nevertheless, barring a large-scale Turkish invasion or ISIS resurgence to dislodge the local authorities’ years of effort, there is strong evidence to suggest that northeast Syria has come to represent an imperfect but largely positive model for the promotion and protection of religious freedom.

## U.S. POLICY

Several events toward the end of 2018 typified U.S. policy regarding religious freedom in Syria during the year. First, the SDF successfully captured the city of Hajin in early December, representing the fall of one of the last remaining territories under the direct control of ISIS. Although intense fighting between the SDF and ISIS remnants in and around that city persisted at the end of the reporting period, the successful capture of the city represented the culmination of efforts by the GCDI and particularly by its SDF partners throughout 2018 to destroy the remaining operational capabilities of ISIS in Syria and neighboring Iraq—although its organizational potential to regroup and its ideological attraction still remain for many radical Islamist fighters still operating there. While the emphasis of U.S. policy following the end of the reporting period appeared to reconcentrate on Iranian influence in Syria, 2018 was otherwise marked by a primary focus on defeating ISIS and ending the genocidal threat it posed to Christians, Yazidis, Shi'a Muslims, and other religious and ethnic communities in Syria and Iraq.

On December 11, President Donald J. Trump signed into law the [Iraq and Syria Genocide and Relief Accountability Act of 2018](#) (P.L. 115-300), which declared that ISIS “is responsible for genocide, crimes against humanity, and other atrocity crimes against religious and ethnic minority groups in Iraq and Syria, including Christians, Yazidis, and Shia, among other religious and ethnic groups.” The law directed the U.S. government to assist in meeting the “humanitarian, stabilization, and recovery needs” of those communities as well as to support the efforts of governments and nongovernmental organizations to hold ISIS members accountable for the above. The framework for implementing this aid in the quickly evolving Syrian context was unclear at the end of the reporting period, particularly in contrast to Iraq where the United States maintains clear ties to Iraqi government officials,

Kurdish regional authorities, and nongovernmental organizations. However, the 2018 law is expected to eventually supply a mechanism for holding ISIS members accountable and providing relief and rehabilitation for Syria’s religious and ethnic minority communities.

In addition, President Trump [announced](#) on December 19 his intention to immediately withdraw all U.S. troops from the Syrian front, citing the ostensible defeat of ISIS as the conclusion of the U.S. mandate there. That announcement precipitated a rapid scramble among armed factions—Arab, Kurdish, and Turkish alike—for the renegotiation and reconfiguration of military and economic dynamics in northeastern Syria. The White House announced in February 2019, after the reporting period, that 200 U.S. military personnel will continue to assist the SDF in the northeastern region as part of a multinational observer force, while an additional 200 personnel will reportedly remain in southeastern Syria in the area of al-Tanf, near the Iraqi and Jordanian borders.

The pending withdrawal of most U.S. military personnel has also sparked widespread anxiety among religious and ethnic minorities in that same area regarding the possibility that, in its zeal to root out the Kurdistan Workers’ Party (PKK)-linked YPG, Turkey might seek to exploit a subsequent, perceived military void by launching a large-scale incursion into Kurdish-held territory. Representatives of some of those communities have expressed to various media outlets, and to USCIRF directly, that they fear such an operation would replicate on a larger scale the disastrous results of Turkey’s Afrin operations: paving the way for the proliferation of radical Islamist FSA factions, effectively ending all advances in religious freedom conditions in that area, trapping tens of thousands of civilians in the crossfire, creating an opportunity for ISIS to regroup, and displacing vulnerable Syrian minorities yet again.

### KEY FINDINGS

In 2018, religious freedom conditions in Bahrain trended positive in some areas but remained the same in others. Bahrain continued its significant efforts to promote international religious freedom and interreligious understanding through the announcement of an Ambassador-at-Large for Peaceful Coexistence and Religious Freedom and the opening of the King Hamad Global Center for Interfaith Dialogue and Peaceful Coexistence. Non-Muslim religious communities continued to be able to practice their faith freely, both publicly and privately. In addition, the Shi'a Muslim community generally enjoyed freedom of worship throughout the country. At the same time, a USCIRF visit to Bahrain in March 2019 found that the government continued its discrimination and repression of the Shi'a Muslim community on the basis of their religious identity in certain areas. In 2018, the government arrested

some Shi'a Muslim clerics during Ashura religious observances, allegedly for "inciting hatred." In the November 2018 local and parliamentary elections, some Shi'a Bahraini candidates were prevented from participating, and several party leaders were arrested or remained in jail. Some human rights defenders who advocated for greater religious freedom remained in prison. Furthermore, discrimination against Shi'a Muslims in government employment and some public and social services also continued, even though Bahrain's laws affirm principles of nondiscrimination.

In 2019, USCIRF places Bahrain on its Tier 2 for engaging in or tolerating religious freedom violations that meet at least one of the elements of the "systematic, ongoing, egregious" standard for designation as a "country of particular concern," or CPC, under the International Religious Freedom Act (IRFA).

### RECOMMENDATIONS TO THE U.S. GOVERNMENT

- Urge the Bahraini government to clarify the terms and enforcement of the 2016 amendment to article 5 of the 2005 Political Society Law, which prohibits religious figures from "inciting hatred," and repeal articles 309 and 310 of Bahrain's Penal Code that impose fines and jail time for blasphemy;
- Work with the Bahraini government to continue to implement reforms consistent with the Bahrain Independent Commission of Inquiry (BICI) report—specifically recommendation 1724a relating to censorship of beliefs and recommendation 1722d relating to holding prisoners incognito—and urge it to conduct and make public an annual progress report;
- Press the Bahraini government to enforce existing laws, including Royal Decree 36 of 2012 and Royal Decree 95 of 2018, prohibiting employment discrimination on the basis of sectarian affiliation;
- Continue to train security officials, prosecutors, and judges to better address sectarian violence and incitement by enhancing programs that promote sectarian reconciliation, support the rule of law, and counter violent extremism—such as ongoing community policing initiatives; and
- Press Bahrain's government to ensure freedom of religion and reduce sectarian incitement by passing the bill pending in the Ministerial Committee for Social Services, Communication and Media, providing accountability for past abuses against the Shi'a Muslim community, and unconditionally releasing prisoners of conscience and religious freedom advocates.



## COUNTRY FACTS

### FULL NAME

Kingdom of Bahrain

### GOVERNMENT

Constitutional Monarchy

### POPULATION

1,442,659

### GOVERNMENT-RECOGNIZED RELIGIONS/FAITHS

Registered religious organizations represent Sunni and Shi'a Islam, as well as Christianity (including Catholic, Evangelical, Anglican, Seventh-day Adventist, Syrian Orthodox, Malankara Orthodox, and Indian Orthodox churches), Hinduism, the Baha'i faith, Buddhism, and Judaism

### RELIGIOUS DEMOGRAPHY\*

70% Muslim (60% Shi'a, 35–40% Sunni)

14.5% Christian

9.8% Hindu

2.5% Buddhist

0.6% Jewish

2.6% Other (including Folk Religions, Unaffiliated, Sikhs, and Baha'is)

\*Estimates compiled from the U.S. State Department and CIA World Factbook

## BACKGROUND

According to Bahrain's constitution, Islam is the religion of the state and Shari'ah is a principal source for legislation. The constitution provides for freedom of conscience, the inviolability of places of worship, and freedom to perform religious rites. Of the country's population of approximately 1.4 million, slightly less than half are Bahraini citizens, with a small majority comprising expatriate workers, primarily from South and Southeast Asia. The majority of Bahraini citizens are Shi'a Muslims.

In recent years, Bahraini authorities have cited increased efforts by Iran to expand its influence in the country as the reason for heightened government concern about subversive activity by Iranian-backed Shi'a militants. While Iran's support for such activities in Bahrain has been documented widely, the Bahraini government has sometimes used this pretext to crack down on some Shi'a opposition leaders, clerics, and activists without substantiating charges of subversion or criminal activity.

In 2011, Bahraini citizens protested in public spaces, including Pearl Roundabout in Manama, calling for political reforms. While the government

initially allowed these protests to take place, it eventually cracked down with the assistance of Saudi Arabia, killing scores of protestors, demolishing dozens of Shi'a mosques, and destroying Pearl Roundabout itself. In June 2011, Bahrain's king established the BICI to investigate these events. The BICI released its report to the king in a live televised event in November 2011 along with a set of 26 recommendations. Bahrain's government committed to implementing these reforms, and announced full implementation in 2016. However, a June 2016 U.S. Department of State [assessment](#) of this implementation challenged that conclusion and noted that "more work remains to be done."

Since then, the government has continued its crackdown on political opposition, prosecuting Bahrainis whose beliefs differ from the government's position. In March 2018, Bahrain's Ministry of Interior threatened punishment against those who criticized the government online despite a BICI report recommendation to "consider relaxing censorship" and "provide opposition groups with an adequate voice." Activist Ebrahim Sharif was summoned by the public prosecutor in December 2018 for a tweet urging Sudanese president Omar Bashir to leave office

amid protests. Also, in December, Bahrain's Court of Cassation upheld the conviction and five-year prison sentence of human rights defender Nabeel Rajab for tweeting in opposition to the Saudi military campaign in Yemen, which Bahrain's government supports, and accusing Bahrain's prison authorities of torture. During USCIRF's March 2019 visit after the reporting period, Bahrain's government did not grant the USCIRF delegation a request to visit Rajab in prison; he has in the past advocated for religious freedom in the country as head of the Bahrain Center for Human Rights. Bahrain also has not yet enacted a draft law that would curb incitement to violence, hatred, and sectarianism; by the end of the reporting period, the bill had been referred to the Ministerial Committee for Social Services, Communication and Media, which is expected to be introduced for debate in parliament.

Article 169 of Bahrain's Penal Code imposes up to two years' imprisonment and a fine for publishing "falsified" or "untrue" reports, and states that laws on freedom of expression must be "compatible with values of a democratic society." Such broad language, subject to varying interpretations, increases the likelihood of infringement on freedom of expression, including religious expression. Furthermore, articles 309 and 310 of the Penal Code criminalize insulting a recognized religious community, its rituals, or religious symbols—with a term of imprisonment up to one year or a fine not exceeding \$265 (100 Bahraini dinars). Despite charges and convictions in previous years, there were no known convictions during the reporting period.

On November 24, 2018, Bahrain held parliamentary and municipal council elections. While Shi'a Muslim candidates faced barriers to participating, six women were elected to parliament, as well as Bahrain's first woman parliament speaker, Fouzia Zainal. Jewish member of parliament Nancy Khedouri was also appointed vice president of the parliament's Foreign Affairs, Defense, and National Security Committee.

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*In December, Bahrain's Court of Cassation upheld the conviction of human rights defender Nabeel Rajab . . . [who] has . . . advocated for religious freedom in the country . . .*

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## RELIGIOUS FREEDOM CONDITIONS 2018

### Positive Developments

In July 2018, at the State Department [Ministerial to Advance Religious Freedom](#), Bahraini foreign minister Khalid bin Ahmed Al Khalifa announced the

creation of an Ambassador-at-Large for Peaceful Coexistence and Religious Freedom, though this position had not been filled by the end of the reporting period. As part of its "This Is Bahrain" public diplomacy initiative run by

the Bahrain Federation of Expatriate Associations under the patronage of King Hamad bin Isa Al Khalifa, Bahrain endowed a chair in interfaith dialogue and coexistence at Sapienza University in Rome, Italy, in November 2018. It also continued to support the King Hamad Global Center for Interfaith Dialogue and Peaceful Coexistence, which hosts interreligious dialogues, conferences, and events related to religious freedom and peaceful coexistence. The Center also announced plans to create a Museum of Tolerance in Manama. During 2018, Bahrain's crown prince also hosted a delegation from the Syrian Orthodox Church and highlighted the country's commitment to religious tolerance. Throughout the year, Bahrain's government engaged proactively and constructively with USCIRF on religious freedom issues, including during a visit to the kingdom in March 2019 where USCIRF met with civil society leaders, government officials, and His Highness Sheikh Nasser bin Hamad Al Khalifa, and attended the 200th anniversary celebration of Bahrain's Hindu community.

In addition, internal accountability institutions created in response to recommendations from the 2011 BICI report—including the Special Investigations Unit, National Institute for Human Rights, Ombudsman's Office, and High Commission on Prisoners and Detainees—continued to follow up on complaints of abuse and mistreatment to the extent permitted by law. For example, an Ombudsman's Office investigation led to the reopening of a death penalty case that was retried in early 2019, just after the reporting period.

## Treatment of Shi'a Muslims

In 2018, Bahrain's government continued its targeting of some Shi'a Muslims in the country. While government officials discouraged sectarian language in media outlets, progovernment and private media at times used inflammatory, sectarian rhetoric. Sheikh Isa Qasim, Bahrain's leading Shi'a cleric, had his citizenship revoked by administrative order in June 2016; such orders are usually unappealable, but past removals of citizenship required a royal decree or an order from the Ministry of Interior, both of which are subject to an extra layer of appeals. Nevertheless, Sheikh Qasim was granted a temporary passport in 2018 to travel to London for medical treatment following almost two years under house arrest. Shortly after the reporting period, upon completion of his medical treatment in London, Sheikh Qasim continued on to Iraq and Iran. He remained in Iran at the time of this report and visited the shrine of the leader of the 1979 Iranian Revolution, Ayatollah Ruhollah Khomeini. Sheikh Qasim subsequently released statements from within Iran criticizing the Bahraini government. Bahraini officials have claimed the latter visit constituted evidence of their longtime accusation that Sheikh Qasim supports Iran's alleged political activities in the kingdom. Bahraini opposition leaders have differing views on Sheikh Qasim's apparent exile in Iran, some noting that Sheikh Qasim also visited a number of Shi'a shrines in both Iraq and Iran.

Bahrain also continued to arrest and detain Shi'a clerics on the basis of their religious identity. Shi'a cleric Sayyed Adnan al-Sayed Hashim was arrested in Diraz in January 2018 and held incognito for two weeks. This arrest contravened the BICI report's recommendation not to detain individuals "without access to the outside world for more than two or three days." A Bahraini appeals court also upheld a verdict against the imam of the Shi'a al-Kheif mosque, Sheikh Isa al-Moemen, for "inciting hatred" in a July 2017 sermon. Moemen served a three-month sentence and was released in May 2018. In September 2018, during Ashura, three Shi'a clerics—Sheikh Yassin al-Harami, Sheikh Hani al-Bana', and Sheikh Mohammed al-Sahlawi—were arrested for

allegedly "encouraging acts of terrorism" and "inciting hatred against the regime"; according to groups that monitor religious freedom in Bahrain, these charges were unsubstantiated. In November 2018, Bahrain's Ministry of Interior arrested leading Shi'a cleric Sheikh Khalid Fadhil al-Zaki during security raids in Shakhura and Abu Saiba and held him until mid-December 2018.

As in previous years, in September 2018 Bahraini security officials clamped down on peaceful Shi'a Muslim religious rituals during Ashura observances. While Bahrain is the only Gulf state to recognize Ashura as a public holiday, authorities restricted celebrations in some areas. More than 15 Shi'a clerics, chanters, and lay assistants reportedly were summoned and interrogated over their sermons. Bahraini authorities claimed 13 preachers were arrested in 2018 for violating sermon laws, seven of whom were Sunni Muslim and six of whom were Shi'a Muslim, and that all offenders were suspended from preaching. Bahraini security forces destroyed banners and signs advertising Ashura rituals claiming that the displaying of banners across streets posed a safety hazard. In April 2018, Bahrain's Ministry of Interior demolished a temporary building meant to replace the Shi'a Imam al-Askari mosque in Hamad Town, northern Bahrain, for the second time and without prior notice, claiming it was subject to demolition under the Building Regulations Code Law No. 13 of 1977 and the Road Works Law No. 2 of 1996. In August, the Ministry of Interior demolished the fence and the foundation marking the outline of the al-Alawiyat mosque in al-Zinj, which had been destroyed in 2011. Since 2011, Bahraini authorities have [destroyed more than 38 mosques](#) and Shi'a religious institutions. The Bahraini government has stated that the mosques it destroyed did not comply with safety and zoning laws, and that a small number of mosque destructions in a country with 608

places of Shi'a worship is not evidence of a religious freedom violation.

Members of Bahrain's Shi'a Muslim community reportedly still cannot serve in the active military, only in administrative

positions, and there are no Shi'a Muslims in the upper levels of the Bahraini government security apparatus,

*Members of Bahrain's Shi'a community reportedly still cannot serve in the active military.*

including the military and police, with the exception of a Shi'a Muslim who holds the rank of brigadier general. Many Shi'a public sector employees who were dismissed from their jobs because of participating in the 2011 protests were reinstated in lower-level jobs, positions outside of their specialty, or positions without actual responsibilities. The Bahraini government continued to deny any discrimination against the Shi'a Muslim community in government employment, and has asserted there has been progress to diversify the military and security apparatus, for example, by recruiting from all segments of society—including the Shi'a Muslim community—into its community policing program. Activists informed USCIRF during its March 2019 visit that the government refused to track the exclusion of Shi'a Muslims from employment in the military and government on the grounds that keeping such records would be a violation of privacy. Several activists noted that while there is no formal hiring discrimination against Shi'a Muslims, many employers ask questions that indirectly reveal an applicant's religious affiliation. Bahraini government officials noted that members of the royal family have intervened when cases of discrimination were brought to their attention.

### Discrimination against Shi'a Muslims in the November Elections

The Bahraini government continued its discrimination against Shi'a electoral candidates in 2018. No candidates were allowed to run from the Shi'a al-Wefaq party, which the government dissolved in 2016 after accusing it of providing “a nourishing environment for terrorism, extremism, and violence.” A 2016 amendment by King Al Khalifa to Law 14 of 2002 banned anyone who had received a prison sentence of six months or longer from participating in elections, disqualifying hundreds of Shi'a activists and opposition figures who had previously protested mistreatment. Ahead of the elections, Sheikh Ali Salman, the former secretary-general of the banned al-Wefaq party, and Sheikh Hassan Sultan, a senior Shi'a cleric, were sentenced to life in prison on

spurious national security charges. Ali Salman had his sentence extended from four years to life in prison three weeks before the elections took place. Prior to the elections, Bahraini authorities arrested former Shi'a al-Wefaq parliament minister Ali Rashed al-Asheeri for a tweet expressing his intent to boycott the November 2018 elections.

In 2016, King Al Khalifa amended a 2005 law banning religious parties from political participation to also preclude anyone engaged in politics from giving religious speeches, sermons, or spiritual guidance.

*Bahrain . . . prevent[ed] Shi'a Muslim religious figures from running for and holding political office, while allowing Sunni religious figures to do so.*

Bahrain's government continued to use this amendment to prevent Shi'a Muslim religious figures from running for and holding political office, while allowing Sunni religious figures to do so. In the 2018 elections, six candidates affiliated with

the Sunni Salafist Asalah Islamic Society ran for office, three of whom were elected to parliament. Candidates linked to the Muslim Brotherhood-backed Al Menbar Islamic Society also ran, but did not win any seats.

### Treatment of Non-Muslims

Approximately half of the expatriate workers in Bahrain are non-Muslim. The government officially recognizes 19 religious entities, including more than a dozen Christian denominations, a tiny Jewish community, Hindus, Sikhs, Buddhists, and Baha'is. Generally speaking, these communities are able to publicly and privately practice their faiths without interference or limitation. Bahrain hosts the Arabian Peninsula's only intact synagogue and the seat of the Catholic Vicarate of Northern Arabia, which includes Kuwait, Qatar, and Saudi Arabia. In March 2019, after the reporting period, USCIRF participated in a celebration of the 200th anniversary of the Hindu community in Bahrain at the Hindu Temple in Manama (the oldest in the Gulf) with Prince Abdullah bin Hamad Al Khalifa and Bahrain's Foreign Minister Khalid bin Ahmad Al Khalifa. Prince Nasser bin Hamad Al Khalifa also hosted USCIRF and dignitaries for a reception at his reception hall (*majles*) to commemorate the event.

Christians in Bahrain comprise 14.5 percent of the population and are generally free to practice their faith. There are several churches representing Catholic, Anglican, Evangelical, Orthodox, and nondenominational communities, among others. A third Catholic church under construction, Our Lady of Arabia, will be the largest Catholic church in the Gulf region upon its completion, scheduled for 2021. However, two letters written to the Bahraini royal court in 2018 requesting new land for a Christian cemetery have not been returned. In addition, since only umbrella Christian organizations are formally registered with the government, several congregations that meet under the auspices of these organizations have had their assets frozen because they are not formally registered. Some of these congregations waited months for these issues to be resolved so that they could spend money on salaries and programs.

## U.S. POLICY

U.S.-Bahraini relations are based on shared geopolitical concerns, including the regional influence of Iran and security cooperation to combat extremism. Bahrain, a longstanding U.S. ally in the region, has hosted a U.S. naval presence since 1946 and is home to more than 8,300 members of the U.S. armed services, mostly affiliated with the Fifth Fleet of the United States Navy. In 2002, the United States designated Bahrain as a major non-North Atlantic Treaty Organization (NATO) ally, allowing the country access to defense research cooperation and purchase of certain otherwise-restricted U.S. arms. Bahrain and the United States cooperate on regional security, counterterrorism, and counter-smuggling operations. The United States has also assisted Bahrain in implementing a version of the Drug Abuse Resistance Education (D.A.R.E.) program that targets extremism. Economically, Bahrain and the United States also benefit from the 2006 [U.S.-Bahrain Free Trade Agreement](#), which in recent years has generated nearly \$2 billion annually.

The 2011 BICI report has provided the major framework in recent years for U.S. assessments of progress on human rights reforms in Bahrain. In both 2013 and 2016, Congress directed the secretary of state to submit an assessment of Bahrain's progress in implementing the BICI report's 26 recommendations, including a description of specific steps taken and an assessment

of compliance with each recommendation. The State Department produced two such reports, most recently in 2016. Both found that while the Bahraini government had made some progress, it had not achieved full implementation of the report's recommendations, particularly relating to the independence and accountability of investigative bodies and promotion of national reconciliation. The 2016 report noted progress in rebuilding demolished Shi'a mosques and in implementing tolerance in school curricula. However, it cautioned that "more work needs to be done" for Bahrain to fully implement the recommendations outlined in the report.

The Trump administration has prioritized a close defense relationship with Bahrain in order to counter Iran's influence in the region and attempts to destabilize Bahrain. In July 2018, the State Department [designated](#) the al-Ashtar Brigades (AAB) as a Foreign Terrorist Organization, citing material support provided to the group by Iran. In August 2018, the State Department [sanctioned](#) AAB's leader, Qassim Ali Ahmed, as a Specially Designated Global Terrorist. In September 2018, the State Department announced the potential sale of rocket launchers to Bahrain worth \$300 million; the sale was approved in November.

In July 2018, Bahrain participated in the State Department's International Religious Freedom Ministerial, where it announced the creation of an Ambassador-at-Large for Peaceful Coexistence and Religious Freedom. Then Secretary of Defense James N. Mattis [visited](#) Bahrain in March 2018 and returned for a meeting later in October 2018. Secretary of State Michael R. Pompeo visited Bahrain in early 2019 and [discussed](#) "religious coexistence and freedom of religion" with Bahrain's king, crown prince, and foreign minister. State Department officials have emphasized freedom of religious expression for Shi'a clerics and prisoners in conversations with Bahraini officials, and continue to advocate for reforms that take into consideration the needs of all citizens regardless of religious affiliation.

## INDIVIDUAL VIEWS OF COMMISSIONER JOHNNIE MOORE

Respectfully, I do not personally believe that Bahrain any longer meets the threshold of Tier 2 status when one compares it to other countries that obviously do meet



that threshold. One needs only to consider the amount and types of progress the kingdom has made in such a short period of time on the basis of direct engagement with the religious freedom community and I do believe the religious freedom community has had a tendency to underestimate the legitimate security questions the kingdom has long faced given its location and the sad role religion has played in regional conflict. Bahrain's level of substantive engagement with the religious freedom community is beyond compare with any other country cited on this list. They have gone so far as to change laws and policy resulting in some of the progress cited in this report, established a regional center to promote peaceful coexistence, and the king's own Bahrain Declaration for Religious Freedom was the first-ever such document in the Arab world to clearly endorse "choice" as it relates to determining one's religion, written by an Arab monarch, nonetheless. Of course, there remain certain questions which merit continued engagement, which this report cites, but I could not bring myself to compare this country to others on Tier 2, based upon my personal experience.

### KEY FINDINGS

In 2018, religious freedom conditions in Egypt generally trended in a more positive direction related to high-level official discourse and actions. However, persistent challenges at the community level and a poor, broader human rights situation remained consistent with recent years. President Abdel Fattah El-Sisi heightened the inclusion of religious tolerance in public discourse, including continuing his now-annual tradition of attending Coptic Christmas Eve Mass. He also personally oversaw the opening of a Coptic Orthodox cathedral and a mosque in the new administrative capital in January 2019—after the reporting period—encouraging the inclusion of churches in plans for new urban developments and calling for wider freedom of belief and worship. By March 2019, shortly after the reporting period, the cabinet-level committee tasked with approving the registration of churches and church-related buildings under Law 80/2016 approved 783 of the between 5,515 and 5,540 properties slated for registration. The Ministry of Education began issuing a new primary school curriculum for religious instruction. Officials shared its new curriculum with USCIRF during its January 2019 country visit in order to demonstrate the removal of intolerant concepts and language from the state-mandated curriculum. During USCIRF’s visit, Grand

Sheikh of al-Azhar Ahmed El-Tayeb stated that non-Muslims, including Baha’is and Jehovah’s Witnesses, should be permitted public places of worship in Egypt, representing a notable shift in rhetoric. Nevertheless, despite these prominent gestures, systematic and ongoing challenges to religious freedom remained widespread at the community level, particularly in rural areas. Anti-Christian mob violence occurred with impunity and regularity in Upper Egypt; on several occasions, these incidents came in direct response to efforts by local Christians to legally register their churches. Meanwhile, Egyptian affiliates of the Islamic State of Iraq and Syria (ISIS) and domestic terror groups continued to target local Christians in addition to government officials and security forces. Baha’is and Jehovah’s Witnesses remained unrecognized, and blasphemy laws, which have not been repealed, continued to be used in targeting Muslims, Christians, and nonreligious persons.

Based on these concerns, USCIRF again places Egypt on its Tier 2 for engaging in or tolerating systematic and ongoing religious freedom violations, thereby meeting at least one of the three elements of the standard for designation as a “country of particular concern,” or CPC, under the International Religious Freedom Act (IRFA).

### RECOMMENDATIONS TO THE U.S. GOVERNMENT

- Urge the Egyptian government to accelerate approvals for churches and church-related buildings that have applied for renovation, construction, or registration under Law 80/2016; enforce the law’s provision that churches awaiting approval can continue to operate; and initiate a national discussion into supplanting that law with one that would uniformly apply to all houses of worship, regardless of religious affiliation;
- Allocate a portion of U.S. assistance—including through Foreign Military Funding (FMF) and Economic Support Fund sources, as appropriate—to programs through the U.S. Agency for International Development (USAID) to train and equip Egyptian security forces to protect the places of worship and other holy sites of religious minority communities;
- Press the Egyptian government and security services to immediately end the practice of ceding legal authority to customary reconciliation councils to resolve incidents of anti-Christian mob violence;
- Encourage the Egyptian government to repeal decrees banning Baha’is and Jehovah’s Witnesses, remove religion from official identity documents, and pass laws consistent with article 53 of the constitution, such as creating an independent antidiscrimination body that includes non-Sunni Muslim representatives; and
- Urge the Egyptian government to repeal or revise article 98(f) of the Penal Code, which criminalizes contempt of religion, or blasphemy, and in the interim provide the rule of law and due process for those individuals charged with violating article 98(f).

The U.S. Congress should:

- Require the U.S. Department of State to provide justification for the release of any foreign military financing withheld to Egypt, including public disclosure of its assessment and certification of Egypt’s progress toward improving human rights and religious freedom conditions.

## COUNTRY FACTS

### FULL NAME

Arab Republic of Egypt

### GOVERNMENT

Presidential Republic

### POPULATION

99,413,317

### GOVERNMENT-RECOGNIZED FAITHS

85–90% Sunni Islam, 10–15% Christianity (Orthodox, Catholics, Protestants), <1% Other (Baha'is, Jehovah's Witnesses, Shi'a Muslims, Jews)

### RELIGIOUS DEMOGRAPHY

90% Muslim (predominantly Sunni)

10% Christian (majority Coptic Orthodox; other Christians include Armenian Apostolic, Catholic, Maronite, Orthodox, and Anglican) (2015 estimate)

\*Estimates compiled from the CIA World Factbook and U.S. Department of State

## BACKGROUND

Egypt's constitution identifies Islam as the state religion and the principles of Shari'ah as the primary source of legislation. While article 64 of the constitution states that "freedom of belief is absolute," only Muslims, Christians, and Jews can practice their religion publicly and build places of worship. Of the country's estimated 99 million people, 85 to 90 percent are Sunni Muslims, and non-Sunni Muslims comprise less than one percent. Ten to 15 percent are Christians, the vast majority of whom belong to the Coptic Orthodox Church; others belong to various other denominations, including Catholic, Protestant, Maronite, Armenian Apostolic, Greek and Syrian Orthodox, and others. There are at least 2,000 Baha'is, approximately 1,500 Jehovah's Witnesses, and fewer than 20 Jews.

Egypt has experienced both progress and setbacks during its political transition since 2013. President El-Sisi has overseen several key economic reforms and initiatives that returned the Egyptian economy to a position of relative—if fragile—stability, garnering praise from partners such as the International Monetary Fund. The government has, however, paid less attention to other social concerns during this transitional period, including endemic gender-based challenges such as the sexual harassment of women

in public spaces and the practice of female genital mutilation (FGM)—a practice that is formally banned but persists at an alarming rate. At the same time, the Egyptian military has been unable to decisively end an insurgency by a North Sinai-based affiliate of ISIS, despite a campaign since mid-2015 to do so. Attacks by ISIS or other domestic terror groups on the Egyptian mainland slowed in 2018 in comparison to prior years, but they continued to pose a serious danger to security forces, religious minorities, and the general public.

Furthermore, the government's initial effort to combat Islamist violence and ideology has evolved into a more general and severe crackdown on all perceived dissent or criticism toward the country's leadership. Thousands of sympathizers and members of the Muslim Brotherhood have faced arrest, trial, and conviction, but the government has similarly jailed journalists, secular and liberal activists, and other non-Islamist critics. Egyptian independent media continued to be prevented from expressing dissenting political views, and presenters or outlets that defy this expectation are silenced. Crackdown on public dissent became particularly acute ahead of the March 2018 presidential election when journalists and potential candidates alike faced harassment and arrest in a clear effort to remove any perceived barriers to President El-Sisi's reelection. Hundreds of nongovernmental

organization (NGO) workers have faced widespread legal obstacles such as closures and arrests under Law 70/2017, which severely restricts operations and foreign funding of NGOs. However, the government launched an effort in late 2018 to conduct a thorough review of the law following President El-Sisi's public pledge to address its well-documented flaws.

In March 2018 and January 2019, just after the reporting period, USCIRF delegations traveled to Egypt to assess religious freedom conditions and met with a range of Egyptian government officials, including Minister of Education Tarek Shawki; Grand Sheikh El-Tayeb; Pope Tawadros II, head of the Coptic Orthodox Church; and religious leaders and human rights defenders. During the latter visit, USCIRF members also joined national political and religious leaders at the formal opening of the Cathedral of the Nativity and al-Fatah al-Alim Mosque, both in the country's new administrative capital.

## RELIGIOUS FREEDOM CONDITIONS 2018

### Positive Developments

Senior Egyptian leadership made positive gestures toward recognizing the need for greater religious freedom and representation of religious minorities in public life. President El-Sisi publicly commented on this subject on multiple occasions during 2018. In December, he insisted that new residential development projects include churches and in November, during the World Youth Forum, he stated his belief that all people should be allowed to believe or not believe as they choose, and to have their own places of worship. Grand Sheikh El-Tayeb, the country's senior most Sunni Muslim scholar, told USCIRF that all religious communities in Egypt should be allowed to have their own places of worship and the state should guarantee their protection, even communities such as the Baha'is and Jehovah's Witnesses, who are formally banned as falling outside accepted Abrahamic traditions ("heavenly religions").

During his public remarks at the January 2019 opening of the new Coptic Orthodox cathedral, Grand Sheikh

*Grand Sheikh El-Tayeb, the country's senior most Sunni Muslim scholar, told USCIRF that all religious communities in Egypt should have their own places of worship . . .*

El-Tayeb also called for tolerance and unity among Muslims, Christians, and Jews while admonishing fellow Muslims to take responsibility for protecting churches as well as mosques. In fact, just one day earlier a Muslim police officer had died and two others were injured while attempting to defuse a crude bomb planted near a church in the Nasr City neighborhood of Cairo.

The Egyptian government also took some important but limited practical steps toward the improvement of religious freedom conditions. In 2018, and just after the reporting period, the cabinet committee tasked with approving the registration of churches and church-related buildings under the Church Building Law of 2016 (Law 80/2016)—the first law of its kind in Egypt—granted incremental approval to 783 of the 5,515–5,540 relevant properties that had submitted applications. In September 2018, President El-Sisi appointed Manal Awad as the governor of Dumyat, representing the first Christian woman to hold that post and only the fourth Copt in Egypt's modern history to receive a gubernatorial appointment. Finally, Minister of Education Shawki told USCIRF that plans to reform the public school curriculum had made important progress during 2018, including that new primary school textbooks on religion no longer contained exclusionary or intolerant language.

### Construction, Renovation, and Registration of Churches

Despite these positive signs from Egyptian leadership, there remain significant challenges to religious freedom throughout the country. The 783 churches and church-related buildings that received registration approval during and just after the 2018 reporting

period represent just over 14 percent of the 5,515–5,540 relevant properties. Furthermore, the vast majority of these applications represent preexisting properties that were already in use for religious purposes for years or even decades in some cases, generally

in rural communities in which there were insufficient church facilities—or none at all—to accommodate the

local Coptic population. Neither these approvals, nor the additional facilities that have applied to register, nor the presence of preexisting churches address the country's uneven policies regarding places of worship. Given that governors approved only eight new churches since the passage of Law 80/2016, including three properties in new and currently uninhabited urban developments, that disproportion remains largely overlooked.

There remain other serious problems with the structure and implementation of Law 80/2016. Egyptian security agencies maintain an unnecessary and outsized role in the registration approval process, although they play no such formal role in the approval of mosques. Furthermore, even as the responsible cabinet committee cleared 783

properties for registration during or just after the reporting period, local or provincial authorities closed at least eight other churches during the year. Several of those closures occurred as a result of mob violence directed

toward Christians; rather than uphold the rule of law, authorities instead deferred to mob rule by allowing customary reconciliation sessions to determine the outcome. Relatedly, several such incidents directly resulted from reports that Christians had applied to register church-related properties or planned to do so, such as the March 2018 closure of the Church of the Virgin in al-Toud, Qena Governorate, and the April 2018 closure of the Church of the Virgin and Pope Kirullus in Beni Menin, Beni Suef Governorate.

### Sectarian Attacks and Legal Impunity

While incidents of violence directly targeting Christians resulted in fewer casualties than in previous years, they persisted in various forms throughout 2018. Nongovernmental interlocutors informed USCIRF during a January 2019 country visit that there were at least 25 incidents of violence or attempted violence against Christians during the reporting period. Such incidents included an attempted suicide bombing on a Coptic Orthodox church in Qalyubiya in August, which police successfully thwarted before the would-be bomber reached his

intended target. In November 2018, in the deadliest single attack of the year, gunmen in the governorate of Minya attacked two minibuses of Christian pilgrims who had just left the Monastery of St. Samuel the Confessor, killing seven people and injuring seven others. The Egyptian branch of ISIS later claimed responsibility for that attack.

Egyptian authorities typically single out these large-scale incidents as symptomatic of terrorist organizations that target Christians as well as security forces and police. During 2018, ISIS and remnants of other radical Islamist groups continued to pose a serious threat to Egypt's large Christian population. However, blaming Egypt's sectarian issues on radical Islamist groups belies the reality that societal bigotry and gov-

ernment negligence also play roles in incidents of communal violence. Perceived negligence on the part of Egyptian security forces continued to be an ongoing grievance of the Christian population: for example, at the funeral for victims

*... blaming Egypt's sectarian issues on radical Islamist groups belies the reality that societal bigotry and government negligence also play roles in incidents of communal violence.*

of the monastery bus attack in November, eyewitnesses reported a palpable and audible sense of anger toward police who failed to prevent the attack, despite its occurrence at a venue just one kilometer from a nearly identical and even deadlier attack on the same road in 2017. In addition, police officers are sometimes directly involved in such violence: for example, a Christian barber in Beni Suef died in police custody in July 2018 after reportedly receiving a fatal beating from officers when he attempted to report a dispute with a Muslim fellow resident. In another example, a police sergeant tasked with guarding a church in Minya gunned down a Coptic father and son at a worksite in front of his post in December, following a minor dispute. That officer was subsequently found guilty of murder charges in February 2019, after the reporting period.

The prevalence of violence against Christians in Egypt was most clearly on display in incidents of mob violence that occurred in rural towns and villages in Upper Egypt; the perpetrators were moved to action by the words of their local imams and their own deeply rooted prejudices. There were at least eight such mob



attacks in 2018: in three separate attacks in August alone, Muslim rioters attacked Coptic churches, homes, and businesses in Sultan Basha, Minya; Esna, Luxor; and Dimshaw Hashim, Minya, after reports circulated that local Christians had attempted to legally register their places of worship. Although none of these attacks resulted in outright fatalities, they caused significant property destruction and terrified local Christians. Furthermore, none of them produced legal consequences for the perpetrators; instead, by deferring to customary reconciliation sessions, local authorities made concessions to the rioters by agreeing to close the churches or prayer halls in dispute.

### Discrimination and Gender-Based Violence against Coptic Christians

Apart from more overt examples of direct violence, Coptic Christians continued to face widespread societal pressures such as religious discrimination and outright bigotry. Christians continued to be underrepresented among high-ranking officers in the Egyptian police and armed forces as well as among leadership roles in public universities and the judiciary, and they have traditionally been excluded from the country's intelligence apparatus and foreign service. The appointment of a Coptic woman to the governorship of Dumyat in September 2018 was an important step forward, but she remained the only Christian among 27 governors across the country.

The most recent and illustrative example of this reality came in late December, when President El-Sisi appointed a committee to combat sectarianism. While the formation of this committee represented a generally positive,

symbolic move, it failed to include even a single representative from the country's Christian community.

Gender-based issues also play a culturally significant role in these discriminatory pressures. Some Christians continued to claim ongoing abductions of Christian women, often but not always involving coerced conversion to Islam. Although there were

fewer such reports in 2018, particularly in comparison to earlier reporting periods, they remain a persistent feature of Coptic vulnerability. It is exceedingly difficult to verify most of these reports; some may represent cases of intercommunal relationships between young Muslim men and Christian women whose families refuse to accept their choices, and others likely point to individual conversions that took place without any sort of coercion. However, some of these reports are likely authentic, particularly but not limited to those incidents involving a Coptic woman or girl who disappeared, or whose abduction was directly witnessed. Because of the stigma that both religious conversion and the sexual assault implied by forcible abductions carry in Egyptian society, regardless of the victims' religious affiliation, most of these incidents are at best difficult to document and at worst remain underreported or unreported.

### Blasphemy Law and Limits on Religious Expression

Article 98(f) of the Egyptian Penal Code prohibits citizens from "ridiculing or insulting heavenly religions or inciting sectarian strife." Egyptian authorities continued to use this law against "contempt of religion," or blasphemy, to detain, prosecute, and imprison Muslims, Christians, atheists, and members of smaller religious groups whose practices deviate from mainstream Islamic beliefs. At least five resulted in conviction in

2018, one of which was overturned on appeal.

Prosecutors also launched investigations into at least eight new cases; in five of them, the defendants remained in detention awaiting trial at the end of the reporting period.

This blasphemy law also applies to activities

that allegedly jeopardize communal harmony or vaguely insult religion, primarily Islam. Egypt's legal system allows private citizens to bring charges against fellow Egyptians to the public prosecutor for consideration, and this framework is especially susceptible to abuses of the blasphemy law. Furthermore, it is common for prosecutors to tie blasphemy-related charges to unrelated court

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*While the formation of this committee [to combat sectarianism] represented a generally positive, symbolic move, it failed to include even a single representative from the country's Christian community.*

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cases that involve violations of the ambiguous concept of “public order.” For example, in July 2018, a Cairo court convicted a Lebanese tourist, Mona al-Mazbouh, on charges of “spreading false rumors that would harm society, attacking religion, and public indecency” for posting a video to social media in which she complained of sexual harassment during her time in Egypt. She was initially sentenced to eight years in prison for the combined charges, but that sentence was suspended and she was deported to Lebanon in September.

While the majority of those who are charged with blasphemy are Sunni Muslims, most of the individuals who are actually convicted and sentenced to prison terms on related charges are Christians, atheists, and other religious minorities. In December 2018, a Minya court found Abdo Adel, a Coptic Christian, guilty of “insulting Islam in the first degree” for a July Facebook post that reportedly compared the Prophet Muhammad to Jesus, and sentenced him to three years in prison. In a sign of the societal consequences that often surround blasphemy charges, a mob attacked Cop-

tic homes in Mr. Adel’s village after news of his arrest spread, forcing local Christians to hide for days in fear of opening their shops or emerging into public view. None of the rioters faced legal consequences following the predictable outcome of a customary reconciliation session. Meanwhile,

police have detained and released self-professed atheist Sherif Gaber several times since he was first brought up on blasphemy-related charges in 2013, including his most recent arrest and release in May 2018. According to Mr. Gaber’s own account, Egyptian authorities have since prevented him from leaving the country, and fear of long-term imprisonment has forced him into hiding.

### **Smaller Religious Communities: Baha’is, Jehovah’s Witnesses, Converts, Jews**

While Coptic Christians represent the largest non-Sunni Muslim population in Egypt, the country is also home to other, smaller religious communities who face

both unique and common ongoing pressures from the government. The Baha’i community has been formally banned for almost 60 years as a result of a decree issued by then President Gamal Abd al-Nasser. Furthermore, since Baha’i marriage is not recognized, married Baha’is still cannot obtain identity cards, making it impossible for them to register for school, own a car, or conduct daily transactions like banking. Other Baha’is can obtain identity cards only if they list a dash “-” in the required religion section since the only available options are Islam, Christianity, and Judaism. Egyptian officials told USCIRF during a January 2019 country visit that the status of Baha’is is a delicate matter and the government is unlikely to revoke the decree banning their recognition anytime soon. Jehovah’s Witnesses remain banned under a 1960 decree; their meetings have been allowed in private homes in groups of 30 or fewer individuals, but repeated requests for the expansion of this number have been denied or ignored. Jehovah’s Witnesses are still not allowed to have their own places of worship or import Bibles or other religious materials.

The Egyptian government does not recognize conversions of Muslims to other religions. Egyptian-born Muslims who have converted to Christianity or other religions still cannot reflect their change of religious affiliation on identity documents, and in many cases, these converts

continue to face intense social hostility. In past cases in which converts have sued for the right to reflect their new religious affiliation on ID cards, Egyptian courts have ruled that Muslims are forbidden from converting from Islam based on principles of Islamic law because conversion would constitute an insult to Islam and threaten public order by enticing other Muslims to convert. In 2018, there also remained systemic problems for individuals who converted to Islam but then converted back to Christianity to have this change reflected on identity documents. Despite a July 2011 law making it easier to reflect one’s religion on ID cards—and not having to declare “formerly Muslim”—it remained

*In a sign of the societal consequences that often surround blasphemy charges, a mob attacked Coptic homes . . . forcing local Christians to hide for days in fear of opening their shops or emerging into public view*

exceedingly difficult in practice for these individuals to obtain identity cards. Egypt's ancient Jewish community has dwindled to near-extinction with fewer than 20 Egyptian Jews remaining in the country. While anti-Semitic sentiment remained persistent in Egyptian mass media and society at large, senior government officials made a series of public announcements in 2018 that encouraged increased tolerance toward the country's Jewish heritage. In November, President El-Sisi remarked at the World Youth Forum that Jews should have the right like Muslims and Christians to build places of worship in Egypt. The Ministry of Antiquities subsequently announced in December that the president had allotted \$72 million toward the restoration of Egypt's Jewish cultural heritage.

## U.S. POLICY

The United States has a close and longstanding partnership with Egypt, extending back to the 1979 Camp David Accords. Through that partnership, the U.S. government gives \$1.3 billion in military aid to Egypt annually, in addition to lesser amounts of humanitarian and other forms of financial aid. In 2018, it also continued to partner with Egypt in military exercises, counterterrorism assistance, intelligence sharing, and other forms of cooperation, even as U.S. leadership also took personal interest in Egypt's religious freedom conditions.

In September 2018, on the sidelines of the United Nations General Assembly, President Donald J. Trump [raised the importance of religious freedom](#) and the plight of Coptic Christians during a meeting with President El-Sisi. Vice President Michael R. Pence also engaged with Egyptian officials during the reporting period, including an [official visit to Cairo in January 2018](#) and a phone call with President El-Sisi in May. During his January visit, he expressed concern and condolences over recent attacks on Coptic Christians as well as on Muslim places of worship, and in November [he explicitly condemned](#) the ISIS bus attack on Coptic pilgrims, calling such violence "cowardly assaults on the most basic freedoms of the Egyptian people."

However, in 2018, the U.S. government also repeatedly raised concerns regarding Egypt's human rights situation. In March, Congress passed the [Consolidated Appropriations Act of 2018](#), which conditioned the disbursement of up to \$300 million in aid to Egypt on

its progress toward the promotion of democracy and human rights, including a commitment to due process and the protection of religious minorities. In May, the Senate Appropriations Committee held up that \$300 million in response to several human rights concerns, including the damaging effects of Egypt's restrictive policies regarding NGOs (Law 70/2017) and the unresolved investigation into the 2016 abduction and killing of Italian graduate student Giulio Regeni. Despite these ongoing concerns, in July 2018 the State Department ordered the release of \$195 million of the remaining military aid to Egypt.

## INDIVIDUAL VIEWS OF COMMISSIONER JOHNNIE MOORE

Egypt is making progress at a rapid pace and deserves credit for it. Both the substantive actions taken by the presidential administration and parliament, as well as President al-Sisi's important statements and symbolic actions, have together created an environment of greater religious freedom, emanating from the world's most populous Arab country and the theological heart of the Islamic world. There are reasons for optimism.

In my estimation, the two main reasons Egypt remains on Tier 2 relate to: 1) The Egyptian struggle to export Cairo's commitment to peaceful coexistence, religious freedom, and security for all religious communities to Upper Egypt, especially Minya; and 2) the need to enshrine best-intentioned practices into law and policy for other minority communities such as the Baha'is.

The relationship between Egypt's central government and its Christian and Jewish communities, including the vast diaspora of Egyptian Jews, may be at an all-time modern high. However, the government must find the capacity, and local leaders must find the will, to create the same type of environment throughout the less educated, less secure, and more sectarian parts of the country. Based upon my own engagement with the Egyptian President and senior leaders in the country, including the Coptic Orthodox Pope, the government needs more resources to address those challenges.

If the Egyptian government can—*judiciously*—resolve issues in Minya then it will have reduced significantly criticism that it receives from religious freedom communities, which will then more clearly see that the policies and priorities of Cairo have made

it throughout the country. When it comes to other minority communities such as Baha'is, Jehovah's Witnesses and others, I have found the communities to be complementary and supportive of the government, and yet policies carried over from Egypt's past still make it difficult for them to legally marry, establish places to worship, and fulfill other religious rites.

This is a solvable problem for the Egyptian government, particularly given that even religious leaders from Al-Azhar are now in support of such policy changes, as this report cites. The Egyptian government could, for instance, simply create an "office for special cases" in order to facilitate the marriage of Baha'is, facilitate equal rights for other religious communities, change ID cards, etc. even before the parliament is able to expand the church building law to other religious communities or enshrine other rights in the law.

If the situation in Minya were different, and if communities like the Baha'is could overcome these obstacles to full recognition, I personally believe Egypt would likely merit removal from Tier 2 altogether.

### KEY FINDINGS

In 2018, there continued to be significant challenges to religious freedom conditions in Iraq, trending toward modest but fragile improvement. The Iraqi government continued to show a lack of willingness or ability to provide proper security for vulnerable religious and ethnic minorities. It also eschewed due process for Sunni Muslims and family members accused of supporting the Islamic State of Iraq and Syria (ISIS), while it maintained and enforced restrictions on religious freedom, such as anti-blasphemy laws and official intolerance of some religious communities. Meanwhile, although domestic and international leaders have touted the defeat of ISIS since late 2017, the group continues to operate throughout the country as a diffuse, cell-based insurgency, rather than as a territory-controlling state with a centrally organized military. Its transformation has allowed it to increase its rate of small-scale operations and to maintain an estimated membership of up to 15,000 fighters in Iraq alone. In addition, religious and ethnic minorities whom ISIS had particularly singled out for genocide, such as Yazidis and Christians, continued to face dire uncertainty as to whether conditions would allow them to return to their communities of origin. This uncertainty was especially pronounced in areas that had been liberated from ISIS control and/or that fall within certain sections of northern Iraq whose control has long remained in dispute between the Kurdish Regional Government (KRG) and the Iraqi Federal Government (IFG), such as Sinjar, the Nineveh Plains, and

Kirkuk. As a result, displaced religious minorities' rate of return was far less than that of Sunni and Shi'a Muslim communities who had fled their homes following the rise of ISIS in 2014. For some communities, such as the more than 200,000 Yazidis who were displaced from the vicinity of Sinjar, few of their internally displaced persons (IDPs) returned in 2018 as most remained in camps awaiting reconstruction and the restoration of security in their places of origin. In March 2018, a USCIRF delegation visited both IFG- and KRG-administered territories to assess religious freedom conditions.

Based on these concerns, in 2019 USCIRF again places the government of Iraq on its Tier 2 for engaging in or tolerating religious freedom violations that meet at least one of the elements of the "systematic, ongoing, egregious" standard for designation as a "country of political concern," or CPC, under the International Religious Freedom Act (IRFA). Also, USCIRF finds that because ISIS no longer "exercise[d] significant political power and territorial control" within Iraq during the reporting period, it does not meet the statutory requirement that would merit its designation as an "entity of particular concern," or EPC, for particularly severe religious freedom violations as defined by December 2016 amendments to IRFA. However, USCIRF still finds that ISIS meets the statutory definition with respect to its territorial control and activities in Syria and therefore recommends its designation as an EPC.

### RECOMMENDATIONS TO THE U.S. GOVERNMENT

- Expedite the dispersal of U.S. assistance for the rehabilitation and stabilization of areas liberated from ISIS control, in order to facilitate the return of displaced and vulnerable communities and others whose religious and ethnic divisions ISIS exploited, in part pursuant to the Iraq and Syria Genocide Relief and Accountability Act of 2018 ([P.L. 115-300](#));
- Encourage both the IFG and the KRG to peacefully resolve outstanding budget, oil, and territorial disputes, such as longstanding delays over implementation of article 140 of the Iraqi constitution, which have impeded their ability to fully address

the ISIS threat and allow displaced communities—including religious and ethnic minorities—to return to their places of origin;

- Encourage both the IFG and the KRG to prevent the expropriation of homes and properties of religious and ethnic minorities by dominant communities, while supporting legal and other forms of assistance to both governments to establish a viable framework for resolving longstanding, intercommunal property disputes; and
- Stipulate in all military or security assistance to the IFG and the KRG the full integration of security forces to better reflect the country's

religious and ethnic diversity, and provide training for recipient units on international human rights standards and how to treat civilians, particularly religious minorities.

The U.S. Congress should:

- Support legislation that would specifically target for sanctions Iranian-controlled factions of the Popular Mobilization Forces (PMF), particularly Asa'ib Ahl al-Haq and Harakat Hizbollah al-Nujaba, which have carried out sectarian violence in both Iraq and Syria and have complicated efforts to restore government-led security and stability throughout Iraq.



## COUNTRY FACTS

### FULL NAME

Republic of Iraq

### GOVERNMENT

Federal Parliamentary Republic

### POPULATION

40,194,216

### GOVERNMENT-RECOGNIZED RELIGIONS/FAITHS

Islam, Christianity, Sabean-Mandaeanism, the Baha'i faith, Zoroastrianism, Buddhism, Hinduism, Judaism, and folk religion

### RELIGIOUS DEMOGRAPHY\*

95–98% Muslim

(64–69% Shi'a, 29–34% Sunni)

1% Christian

<1% Other (includes Yazidis, Sabean-Mandaeans, Baha'is, Zoroastrians, Buddhists, Hindus, Jews, and adherents of folk religions)

\*Estimates compiled from the CIA World Factbook and the U.S. Department of State

## BACKGROUND

Iraq continued to face serious challenges throughout the 2018 reporting period. ISIS remained on the defensive and ostensibly abandoned efforts to recapture direct control over Iraqi territory in the short term. However, its operatives—likely still numbering 20,000–30,000, distributed across Iraq and Syria—returned to pre-2014 tactics of employing small-scale attacks as part of an apparent long-term strategy to preserve the group's operational capabilities by avoiding large-scale military confrontations with Iraqi, Kurdish, or international forces. According to groups that closely track and document conflict data, this strategy allowed ISIS to carry out an average of at least 75 attacks in Iraq each month throughout 2018 while maintaining a visible if diminished presence, particularly in disputed or ungoverned areas where security presence is minimal. In short, ISIS has temporarily retreated to the shadows but remains a grave and imminent threat, particularly to vulnerable minority communities in northern Iraq that have already been a primary target of the group's particular brand of violent intolerance since its emergence in 2014.

*In short, ISIS has temporarily retreated to the shadows but remains a grave and imminent threat, particularly to vulnerable minority communities in northern Iraq . . .*

Events elsewhere in the country also complicated efforts to fully eradicate the ISIS threat. Several overlapping factions continued to vie for dominance in disputed areas of northern Iraq: Kurdish Peshmerga forces; Iran-backed PMF; Kurdish People's Protection Units (YPG) from neighboring Syria; and Iraqi Security Forces (ISF). In the southern district of Basra, widespread protests in July and September 2018 against corruption, poor government services, and Iranian influence led the government to deploy a significant contingent of the ISF there and attempt to assert authority over local PMF factions. This civil unrest threatened to devolve into a wider intra-Shi'a conflict and served to

distract the military from focusing its efforts to both fully dismantle ISIS and restore security in the north. However, the worst of that unrest had largely subsided by the end of the reporting period.

Meanwhile, although overt tensions temporarily subsided over the IFG seizure of Kirkuk and other areas following the KRG's referendum on independence in 2017, the Iraqi government held elections in May 2018, and the KRG held its own in October, leading to new

leadership and parliamentary representation for both authorities. At the end of 2018, many positions in both governments remained unfilled as internal power-sharing negotiations proceeded slowly, further complicating the restoration of security, the process of post-ISIS reconstruction, and the ability of leadership to pursue long-term solutions to Iraq's most intractable problems in regard to religious freedom conditions and other critical areas.

Despite these challenges, there was incremental progress in efforts to address the critical humanitarian needs of Iraq's threatened and most vulnerable communities. In May, United Nations (UN) Secretary General António Guterres appointed Karim Asad Ahmad Khanas Special Adviser and Head of the Investigative Team tasked with implementing [UN Security Council Resolution 2379](#). That 2017 resolution authorized an investigative team to hold ISIS accountable by collecting, preserving, and storing in Iraq evidence of acts by the group that may be war crimes, crimes against humanity, or genocide. The team later announced that it planned to begin its work on the ground in Iraq in early 2019.

All of the above, however, is best understood in the wider context of Iraq's more than 15 years of sectarian tensions and violence, which have adversely affected human rights and religious freedom conditions. This longstanding sectarian climate facilitated the rise of ISIS in northern and central Iraq in 2014, and the same conditions still persisted in 2018 despite that group's defeat as an occupying force in the prior year. Former president Saddam Hussein's favoritism of the Sunni population and former prime minister Nouri al-Maliki's favoritism of the Shi'a Muslim population created divisions and significant distrust between the country's two largest religious communities. These tensions have only worsened over time: although former prime minister Haider al-Abadi demonstrated some willingness to reverse his predecessor's overtly sectarian policies, during his four years in office he had little success in addressing these

*Even before the rise of ISIS in 2014, Iraq's smallest religious communities—including Catholics, Orthodox Christians, Protestants, Yazidis, and Sabeen-Mandaeans—were already significantly diminished, and their numbers have continued to decline . . .*

complex tensions that continue to pervade Iraqi society, government institutions, and security forces. The Sunni Muslim population still does not trust the Shi'a Muslim majority government to protect its community or incorporate its voice effectively in government; the reverse also holds true for the Shi'a Muslim population and its approach to Sunni Muslims, whom many Shi'a Muslims suspect or accuse of having offered direct or tacit support for ISIS during its brief time in power.

In addition, religious minorities, including the Yazidi and Christian communities, are skeptical of the Iraqi government's willingness and capability to protect them from both Shi'a and Sunni violent armed groups, including ISIS and sectarian elements of the PMF—the latter of which the Iraqi government remains unable or unwilling to place under the command structure of the ISF. Although the government of Iraq has made an increasing show of support for minority rights since 2017—especially within Nineveh Province—and the KRG has continued to offer a relatively secure refuge for displaced minority communities, many of them remain wary of the notion that religious freedom and human rights are priorities for Iraqi leadership.

## RELIGIOUS FREEDOM CONDITIONS 2018

### Long-Term Displacement of Religious Minorities

Even before the rise of ISIS in 2014, Iraq's smallest religious communities—including Catholics, Orthodox Christians, Protestants, Yazidis, and Sabeen-Mandaeans—were already significantly diminished, and their numbers have

continued to decline in the subsequent four years. Iraq is in particular danger of losing its ancient Christian community, whose numbers have dramatically diminished during the last 15 years. According to Christian leaders, there are now fewer than 250,000 Christians in Iraq, down from a pre-2003 estimate of 1.4 million. Although international Christian religious leaders and institutions have encouraged Iraqi Christians to remain in the country, many have continued to flee

their heartland in Iraq’s war-ravaged northwest. Meanwhile, Yazidi leaders claim their community numbers around 400,000–500,000, including more than 3,000 whom ISIS abducted in 2014 and whose whereabouts remain unknown, while the Kaka’i community numbers no more than 300,000. The Sabean-Mandaean community likely numbers between 1,000 and 2,000, and there are fewer than 2,000 Baha’is.

Yazidis, whose adherents in the Sinjar region of Nineveh Province bore the brunt of ISIS’ genocidal actions beginning in mid-2014, remain almost entirely displaced from their ancestral homes, with most lingering in IDP camps in the Duhok region and others still finding refuge in ramshackle tents atop Mount Sinjar. By the end of the reporting period, their towns and villages in the Sinjar region remained essentially untouched by restoration or rebuilding, as the contest for military control between rival forces of the PMF, Syrian YPG, Peshmerga, and ISF prevented most efforts at restabilization, such as the reconstruction of homes, infrastructure, businesses, and places of worship.

A limited number of Assyrian and Chaldean Christians returned to their homes in the Nineveh Plains, such as in Qaraqosh where Assyrians celebrated Easter for the first time since 2014. Most did not yet return, however, as a lack of restored infrastructure, danger from ISIS booby traps and unexploded ordnance, and persistent fears of an ISIS resurgence prevented many Christian IDPs from returning to Mosul or villages in its social and economic orbit. Government and community representatives repeatedly echoed these security concerns during USCIRF’s March 2018 visit.

While the above issues are the most dramatic of the challenges facing Iraq’s myriad religious and ethnic minorities, a series of other, secondary obstacles have contributed to the degradation of this once-vibrant societal landscape. Some of these challenges directly represent the lingering shadow of ISIS’ campaign of violence: for example, ISIS fighters obliterated the agricultural resources of many rural communities in

the northwestern region as they retreated in 2016 and 2017, destroying wells, orchards, and infrastructure. There is thus precious little livelihood left to facilitate the return of many farming communities such as Yazidi-majority villages in that area. Meanwhile, hundreds of freed Yazidi women now face impossible choices because they bore children as a result of sexual assault by ISIS personnel while in captivity. They face ostracism from home communities whose traditional leadership insist they could return home, but their children—born to genocidal, non-Yazidi fathers and

*Meanwhile, hundreds of freed Yazidi women now face impossible choices because they bore children as a result of sexual assault by ISIS personnel while in captivity.*

potentially numbering in the hundreds—would have no place among them. Furthermore, years of government corruption and neglect of Iraq’s water resources have displaced many Sabean-Mandaeans—whose rites depend on

access to clean, flowing water—from their traditional heartland in southern Iraq to other, less polluted parts of the country, or out of Iraq entirely.

### Violations by ISIS

Despite former prime minister al-Abadi’s declaration in December 2017 that Iraq had completely liberated all of its territory from ISIS, in conjunction with the U.S.-led Global Coalition to Defeat ISIS, in 2018 ISIS remnants who fled into hiding continued to carry out small-scale armed operations, assassinations, and improvised explosive device (IED) attacks throughout many parts of the country. Their targets have included Iraqi military and police forces, both on the battlefield and in their homes; prominent members of tribes and villages who defied ISIS during its occupation; PMF checkpoints and patrols; civilian bystanders in urban districts of northern Iraq, such as marketplaces and restaurants; and others. While these attacks have focused on striking military targets and carrying out vendettas against prominent Sunni and Shi’a Muslim community members, they signify the present and ongoing threat that ISIS has the resources, capability, and motivation to regroup and again carry out its campaigns of genocide

and violent intolerance toward its perceived enemies among the nation's Shi'a Muslims, Yazidis, Christians, and others.

The country continues to grapple with the violent legacy of ISIS in a variety of other ways. More than 3,100 of the approximately 6,400 Yazidis whom ISIS captured in 2014 remained in captivity, likely within the group's few remaining pockets of territorial control in Syria. At the same time, government and humanitarian efforts continued to uncover the mass graves of ISIS victims, including Yazidis, Shi'a Muslim civilians, and IMF soldiers. As of November 2018, the [United Nations had identified 202 such burial sites](#), including at least 95 in Nineveh Province and the remainder spread across the regions of Kirkuk, Salah al-Din, and Anbar that ISIS once controlled. Those mass graves reportedly contain the remains of up to 12,000 victims, some of them in graves holding as few as eight and others in large pits that are estimated to hold thousands.

### Violations by the Iraqi Government

As in the prior year, following the recapture of Mosul from ISIS, suspicion of Sunni Muslims on the part of the Iraqi government and ISF remained deeply entrenched.

The Iraqi government has denied families suspected of any possible ties to ISIS the right to return home and has placed some of them in "ISIS family camps." International observers continued to find evidence of extrajudicial executions of Sunni Muslims in and around Mosul well into 2018,

months after the fall of the city to Iraqi and international forces in late 2017. Meanwhile, reports emerged from various sources throughout 2018 on the rapid pace and disdain for due process and evidence that Iraqi criminal courts have demonstrated while convicting thousands of Sunni Muslims on charges of directly joining or supporting ISIS, at an estimated 98 percent rate of conviction. The social, religious, and ideological dynamics that led to the rise of ISIS were complex and varied, and likely beyond the capacity of Iraqi courts to equitably

disentangle for each individual defendant. Even so, the Iraqi government made little apparent effort in 2018 to demonstrate a commitment to transitional justice that would bolster the rule of law while creating a framework of reconciliation capable of breaking the cycle of sectarian violence. Local leaders, activists, and international analysts alike have repeatedly expressed that the Iraqi government must address Sunni grievances in order to prevent either an ISIS resurgence or the reemergence of other forms of sectarian violence.

### Other Iraqi Government Issues

The Iraqi government held nationwide elections in May 2018, resulting in a largely peaceful if protracted transition of power to a new administration in early October, headed by Prime Minister Adel Abdul Mahdi and President Barham Salih. Both leaders were widely seen as relatively conciliatory choices, further inching the country away from the overly sectarian policies of Nouri al-Maliki, who held the premiership from 2006 and 2014, and the centrist government of Haidar al-Abadi, whose time in office was largely consumed by the threat of ISIS. In a potential sign that the government had taken note of increased international scrutiny on

the status of its religious and ethnic minorities, the Cabinet approved in December 2018 a new law that declared December 25 a national holiday in honor of Iraqi Christians' celebration of Christmas Day. Also, the Federal Supreme Court ruled in January 2018 that Yazidi representation in parlia-

ment should be increased from one seat to five, in order to proportionally reflect that community's population. However, parliament failed to implement this ruling ahead of the 2018 elections. Such representation was among the most persistent concerns that religious and ethnic minority leaders expressed to USCIRF during its March 2018 visit.

Despite these tentative areas of progress regarding the country's transition of power, systemic challenges to Iraq's religious freedom conditions remain. The

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government has largely ignored claims by Assyrian and Chaldean Christians of the illegal expropriation of their lands in the wake of their temporary displacement by ISIS, even as reports emerged of the illegal seizure and attempted re-registration of more than 300 Christian properties in Nineveh Province. Property is a complicated issue in the Iraqi context, with many disputes stretching back decades to efforts by the Ba'athist government of former president Saddam Hussein to forcibly transform demographics in the traditionally Kurdish-majority north into an ethnic Arab majority. However, the IDP crisis that erupted surrounding ISIS-controlled territories from 2014 to 2017 led to an additional layer of contestation, as Christian families sought to return home but found that some of their properties had been claimed by Sunni Arabs or Kurds.

Furthermore, the Iraqi government continued to prevent other communities or individuals from freely expressing or practicing their beliefs. The 2015 National Identity Card Law remains problematic for Iraq's minorities: Article 26 forces children with one Muslim parent to identify as Muslim. It reinforces existing restrictions that Muslims cannot change their religious identification on their identity cards after conversion to any other religion. Christian leaders have said that in some cases, families that are formally registered as Muslim but practice Christianity have fled to avoid registering their children as Muslims or to have their children remain undocumented. The law remains in place, despite periodic promises by successive Iraqi administrations since 2015 to revisit it. Meanwhile, the government has pursued legal action against reported atheists, including its issuance in April 2018 of a court order for the arrest of four such individuals on charges of "promoting the idea of the non-existence of God." In December, Deputy Justice Minister Hussein al-Zuhairi reiterated during a dialogue with the UN Committee on the Elimination of Racial Discrimination the government's longstanding insistence that the Baha'i faith is not a legitimate religion. In doing so, he drew renewed

attention to Law No. 105, which has banned Baha'is from operating in the country since its passage by the early Ba'athist government in 1970.

### Issues in the KRG

KRG-controlled areas have been a crucial refuge for many of northern Iraq's religious and ethnic minorities, most recently during the ISIS crisis but extending back into the era of post-2003 sectarian violence as

*KRG-controlled areas have been a crucial refuge for many of northern Iraq's religious and ethnic minorities . . . and KRG officials have exerted substantial effort to promote their territories as havens of religious and ethnic tolerance.*

well, and KRG officials have exerted substantial effort to promote their territories as havens of religious and ethnic tolerance. Many members of minority communities fled to and settled in those areas following ISIS' rise, where their voices—which had not

been given the attention they deserved by Iraq's central government—had more weight, particularly in local governance and KRG decision making. There was increasing space for religious freedom in the KRG prior to 2017 clashes between Baghdad and the KRG following the ill-fated referendum on Kurdish independence, and that space does not appear to have shown signs of contraction in the intervening months.

Nevertheless, there are legitimate and ongoing challenges for religious minority communities living in KRG territory. One of the most serious challenges, echoing similar issues that have emerged in areas under IFG control, is that of land disputes. In the Iraqi context, religious and ethnic identity is often closely tied to communal or sacred space, such as a village that has been home to a cluster of Chaldean Christian or Shi'a Muslim Shabak families for countless generations, or a shrine at which Yazidi worshippers might gather for holy days. In these circumstances, especially prevalent in northern Iraq, control over such land and the ways in which governing authorities address disagreements over its ownership can directly impact a community's sense of social and religious inclusion or marginalization. Christian communities in particular have reported seizures of Christian land and homes in Dohuk Province, often but not always involving properties that they had



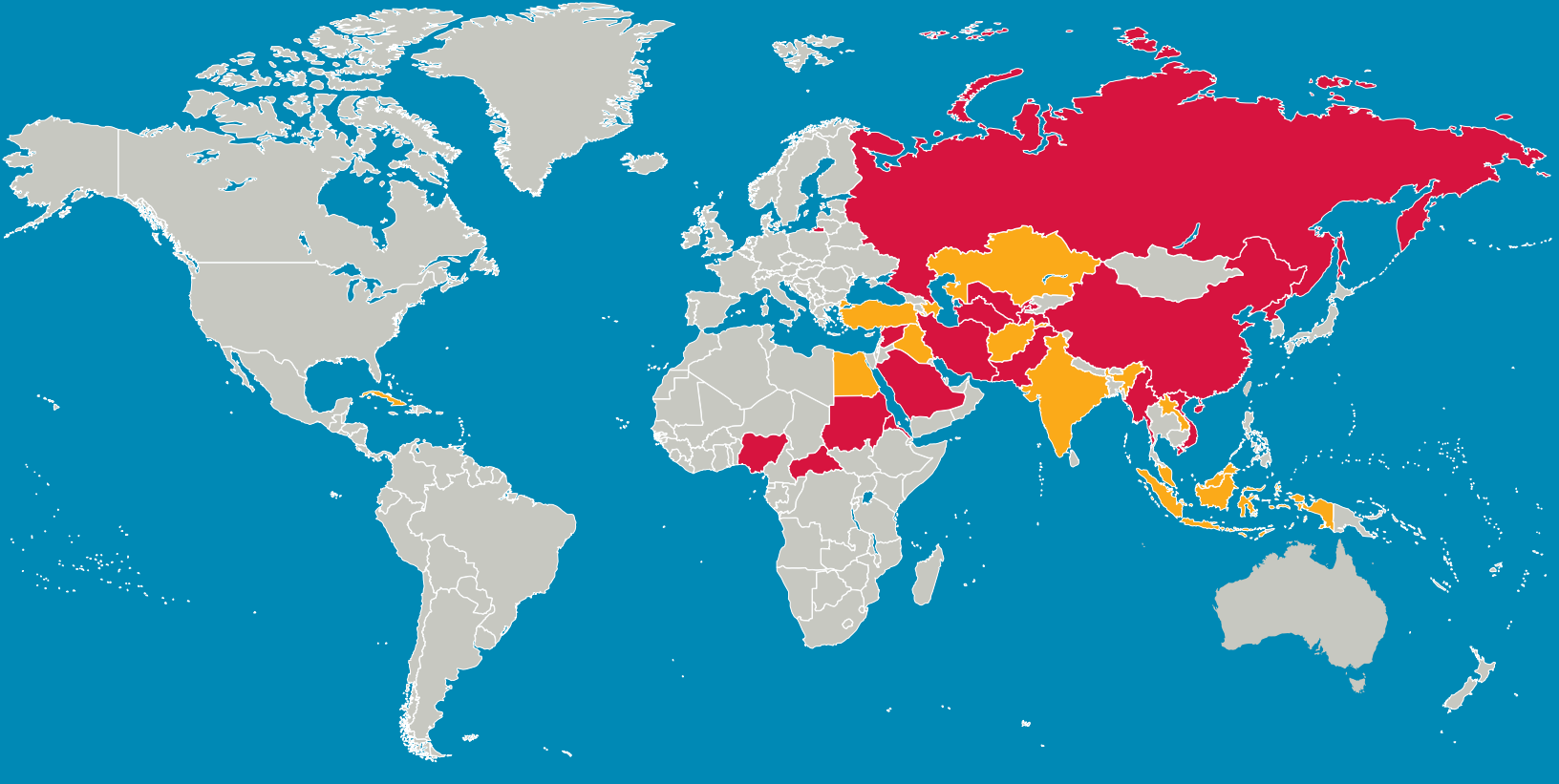
temporarily fled during the height of the ISIS crisis. As in IFG-controlled territory, it is highly likely that these issues also reflect decades of corruption, nationwide disputes over ethnic identity and land registration, and other complications that predate the KRG's present autonomy in northern Iraq.

## U.S. POLICY

The United States enacted several key measures regarding the crisis facing Iraq's religious and ethnic minorities. First, in January 2018 the [U.S. Agency for International Development \(USAID\) announced](#) that \$55 million of the \$75 million it had already pledged to help restabilize Iraq through the UN Development Program (UNDP) would specifically go toward supporting those communities. In October, the [U.S. Department of State announced](#) an additional \$178 million for the same purposes. Finally, Congress passed [H.R. 390](#) in November, also known as the Iraq and Syria Genocide Relief and Accountability Act of 2018, which President Donald J. Trump signed into law the following month. This act declared that ISIS "is responsible for genocide, crimes against humanity, and other atrocity crimes against religious and ethnic minority groups in Iraq and Syria, including Christians, Yazidis, and Shi'a Muslims, among other religious and ethnic groups." It further directed U.S. policy to assist in meeting the "humanitarian,

stabilization, and recovery needs" of those communities as well as to support the efforts of governments and nongovernmental organizations to hold ISIS members accountable for the above. These measures represented serious U.S. policy and financial commitments to addressing Iraq's dire religious and ethnic catastrophes of the prior several years.

Aid groups and religious leaders in Iraq had earlier expressed growing concerns that relatively few of the promised funds and initiatives had actually reached Iraqi communities in need. However, Vice President Michael R. Pence in particular took an increasing interest in pushing forward initiatives aimed at supporting persecuted ethnic and religious minorities in Iraq directly by increasing U.S. foreign assistance, including in coordination with local and faith-based organizations. In July 2018, Vice President Pence [announced](#) at the [Ministerial to Advance Religious Freedom](#) a new U.S. initiative to help the victims of the atrocities committed by ISIS, leading to the [launch](#) of USAID's Genocide Recovery and Persecution Response (GRPR) program in July and doubling its total assistance to more than \$239 million to support persecuted ethnic and religious minorities in Iraq. In addition, Secretary of State Michael R. Pompeo deployed Max Primorac to the U.S. Consulate General in Erbil in October to oversee these programs as Special Representative for Minority Assistance.



## 2 0 1 9 C O U N T R I E S

### ■ TIER 1 COUNTRIES OF PARTICULAR CONCERN

Burma	Iran	Russia	Tajikistan
Central African Republic	Nigeria	Saudi Arabia	Turkmenistan
China	North Korea	Sudan	Uzbekistan
Eritrea	Pakistan	Syria	Vietnam

### ■ TIER 2 COUNTRIES

Afghanistan	Cuba	Indonesia	Laos
Azerbaijan	Egypt	Iraq	Malaysia
Bahrain	India	Kazakhstan	Turkey



## UNITED STATES COMMISSION ON INTERNATIONAL RELIGIOUS FREEDOM

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